



# Architectural Review Board

## Staff Report (ID # 9949)

<b>Report Type:</b>	Action Items	<b>Meeting Date:</b> 1/17/2019
<b>Summary Title:</b>	380 Cambridge Avenue: New Commercial Building (2nd Formal)	
<b>Title:</b>	PUBLIC HEARING / QUASI-JUDICIAL. 380 Cambridge [15PLN-00249]: Recommendation on Applicant's Request for Approval of a Major Architectural Review to Allow Demolition of Three Existing Commercial Buildings Totaling 32,083 Square Feet and to Construct a New Three-Story Commercial Building Totaling 35,000 Square Feet. In Addition, There is a Request to Waive an Off-Street Loading Space. Environmental Assessment: Exempt From the Provisions of the California Environmental Quality Act (CEQA) in Accordance With Guideline Section 15332 (In-Fill Development Projects). Zoning District: CC(2)(R) (Community Commercial with Retail Shopping Combining District). For More Information Contact the Project Planner Sheldon Ah Sing at sahsing@m-group.us	
<b>From:</b>	Jonathan Lait	

### Recommendation

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

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

### Report Summary

The subject project was previously reviewed by the ARB. An earlier staff report includes extensive background information, project analysis and evaluation to city codes and policies; that report is available online: [www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=62660](http://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=62660). A copy of the report without prior attachments is available in Attachment F.

The purpose of this report is to restate the comments made by the Board and detail the applicant's response to those comments. The analysis section below builds upon the information contained in the earlier report and modified to reflect recent project changes.

## Background

On December 21, 2017 the ARB reviewed the project. A video recording of the Board's meeting is available online: <http://midpenmedia.org/architectural-review-board-73-2-2/>. The Board's comments and the applicant's response are summarized in the following table:

ARB Comments/Direction	Applicant Response
The building is one large mass with limited variation	The elevations have been revised. See Pages 18, 27, 33 through 38 of the plan set. See Analysis section for more discussion.
The project should provide an on-site loading space	The applicant is requesting a waiver from one loading zone. See Pages 63-66 of the plan set. See Analysis section for greater detail.
How does the 7 foot fence along the City parking lot relate to the adjacent windows on the building	The fence at the setback is 5 feet high (Page 19) and is designed to buffer the seating area from the adjacent parking lot. The rear portion of the fence remains at 7 feet.
Glass for the lobby to be low iron clear glass	The project uses ultra-clear, low iron glass at ground level and lobby (Page 27 of the plans)
Project should be more pedestrian-oriented along the street	More façade notches were added. Brick façade creates more interest and setback creates more room for planting and benches. The east elevation setback could support outdoor amenities associated with the retail spaces. See Pages 13, 33-38, 39
Concern about large floor plates accommodating single user tenants.	The office floor plates have been designed for demising flexibility to accommodate a variety of business sizes. Possible layouts are depicted on pages 14 and 15 of the submittal. In addition, multiple ground floor entries will facilitate division of the retail space.
Address impact of the building on the neighboring residential structures	Portions of the west façade are setback 10 feet to maintain light and air. See Pages 67-73 of the plans.
Native planting	Discussions with neighbor with health issue limits planting palette and native plants are incorporated where feasible. See Analysis section for greater detail.

## Analysis<sup>1</sup>

The applicant submitted revised plans to respond to the Board's issues as well as the neighbors. The proposed square footage remained the same, however, changes to the building footprint and elevations occurred, as shown below.

October 2017



Source: Brereton

October 2018



Source: Brereton

## Massing

The Board expressed concerns that the building was too boxy, too tall and did not provide sufficient relief along the street to complement the context of the area. The building mass was addressed in the following ways:

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

- The building height was limited to be code compliant at 35 feet;
- The building design hints at two complementary but independent building masses, straddling a central office entry element, to break up the apparent massing and bulk along Cambridge Avenue. The west building mass is further divided into two, which contributes to reducing the perceived scale of the overall building;
- The material on the front façade has been changed from stucco to brick to provide more warmth and texture. This also fits well into the context of the California Avenue area where there are other examples of brick structures of various styles;
- The building mass sets back 11 feet at the front corner of the east façade to provide open space on Cambridge Avenue at the corner retail suite;
- A variegated elevation on the street frontage building façade provides pockets of interest at the street/pedestrian level, which improves the pedestrian experience along Cambridge Avenue. One of the recessed areas is the entry to the office building and another introduces outdoor seating to support the adjacent ground level retail;
- Two levels of steel decks are introduced on the east elevation. They provide amenity space to the adjoining tenant suites and add interest to the building's character and massing. The decks are located at the front of the building and do not affect the adjoining residential properties to the rear;
- Portions of the west façade have been set back 10 feet to maintain light and air access to the two adjacent residential units at 420 Cambridge. These setback areas will be landscaped to enhance their appearance. (Drawings and text are provided in the October 1, 2018 ARB submittal, pages 67 to 73).

### *Staff's Analysis*

The overall revisions to the façade and building envelop bring the project into conformance with the Architectural Review findings. The applicant has made a lot of outreach efforts to the neighbors and that is reflected in the project's attention to the transitions of the project and the way the project interfaces with neighboring properties. For example, the project scaled back the setback along 420 Cambridge Avenue.

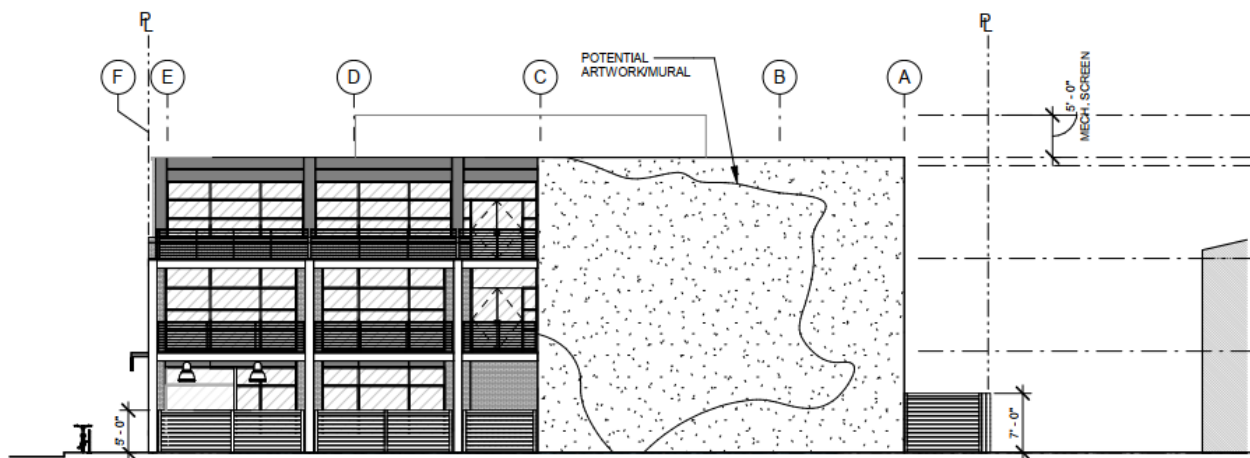
### Loading Space

According to the PAMC, the project requires one off-street loading space. The applicant requests that the Director of Planning adjust this requirement (PAMC 18.52.080(e)). The applicant's response is presented on pages 63 through 66 of the ARB submittal. In summary, the physical constraints of the site pose limitations. The ceiling height of the first floor would need to be raised and the parking floor would need to be lowered to accommodate a courier vehicle. The applicant provided a single-access option and a two-access option. The scenarios lead to the retail square footage being reduced by approximately 24% and eliminating outdoor amenities. Siting the loading space on-site for this project would conflict with Comprehensive Plan goals such as L-4.2 to "preserve ground floor retail" and L-3 "encourage street frontage that contribute to retail vitality".

Alternatively, existing on-street loading occurs within the block to serve the neighborhood and the proposed project. The project would eliminate an existing curb-cut adjacent to the City parking lot and create a new curb-cut to a new garage entry on the opposite side of the property. There would be no net loss in curb space for parking. The Board could recommend staff to investigate creating a limited-timed parking space at the location where the eliminated curb-cut would create a new parking space. Adjacent to this parking space the project includes a retail tenant space that could serve as a café at the edge near the City parking lot and a limited-timed parking space may help with turnover parking for that retail space. Staff supports the waiver of the on-site loading space, given on street loading spaces existing within the vicinity, and seeks a recommendation on whether an additional time-limited space is required.

### East Elevation Fence

As depicted in the renderings on pages 33 and 38, the rear portion of the building on the east elevation is on the property line and is windowless with the front portion set back from the property line. The fence at the setback is five feet high (page 19) and is designed to buffer the seating area from the adjacent parking lot.



### *Staff's Analysis*

The project's revision provides a sufficient buffer between the proposed outdoor amenity space and the parking lot while maintaining the openness of the space.

### Pedestrian-Oriented Experience

- The building massing includes a variegated elevation with insets and notches along the street front façade to provide pockets of interest and soften the building face at the pedestrian level;
- The brick façade will create more interest than stucco at the pedestrian level;
- The setback at central entry to office building allows space for planting and benches, while emphasizing the two-story building lobby volume;
- The setback on the east elevation provides covered open space for outdoor seating and tables that support adjacent ground level retail and provides a functional amenity space that will activate Cambridge;

- Landscaping within perimeter planters are introduced at the niches or pockets along Cambridge Avenue.

#### *Staff's Analysis*

The project's revisions are consistent with the Architectural Review findings. The project has a unified and coherent design and the project has an appealing ground-floor design to encourage use of the commercial spaces.

#### Impacts on Neighboring Structures

This concerns two elevations of the project. On the west elevation, the building at 420 Cambridge includes existing residences that have views of the project site. The other concern is for the neighbor to the rear, whom has health issues.

#### *420 Cambridge*

The applicant has been in discussions with the neighbors of the property regarding the privacy issues. As revised, portions of the west façade have been set back 10 feet to maintain light and air access to the two adjacent residential units at 420 Cambridge. These setback areas will be landscaped to enhance their appearance. (Drawings and text are provided in the October 1, 2018 ARB submittal, pages 67 to 73.).

#### *Rear Neighbor*

The applicant and neighbor continue to have discussions on how to address construction and operational impacts from the project. None of these rise to the level of a significant CEQA impact. Staff does not recommend specific conditions; however, staff recommends a condition of approval to encourage these discussions between the two parties to continue to address issues as they arise.

### **Environmental Review**

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Specifically, the project is Categorically Exempt pursuant to Section 15302 (c) Replacement or Reconstruction and Section 15332 In-fill Development Projects. The project does not meet any of the criteria listed in Section 15300.2, exceptions that would disqualify the project from using any categorical exemptions under CEQA.

The project will demolish 32,083 square feet of existing commercial space (office and retail) and construct a new 35,000 square foot building, which is a net increase of 2,917 square feet. Consistent with Section 15302(c), the project is a replacement of a commercial structure with a new structure of substantially the same size, purpose and capacity.

The project is consistent with the City's Comprehensive Plan, Zoning Ordinance and regulations (loading space waiver is allowed when findings are made). The project site is smaller than five acres (17,500 square feet) and is surrounded by urban uses. The project site includes no value

as habitat for endangered, rare or threatened species. The approval of the project would not create a significant impact for air quality, noise, traffic or water quality. The site can be adequately served by required utilities and services. Additional information is provided in the attachments.

## Public Notification, Outreach & Comments

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper and mailed to owners and occupants of property within 600 feet of the subject property at least ten days in advance. Notice of a public hearing for this project was published in the *Daily Post* on January 4, 2019, which is 13 days in advance of the meeting. Postcard mailing occurred on January 7, 2019, which is 10 days in advance of the meeting.

### Public Comments

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

At the December 21, 2017 ARB meeting, nine public speakers provided comment. These comments included the following: Erosion of community-serving business in favor of offices; lack of a loading space; concerns from 420 Cambridge regarding privacy; concern about losing small office space; specific neighbor health issues; privacy issues for neighbors at SFRs. The applicant responded to these comments in their revisions to the project.

## Alternative Actions

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

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

### Report Author & Contact Information

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### ARB<sup>2</sup> Liaison & Contact Information

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(650) 329-2575

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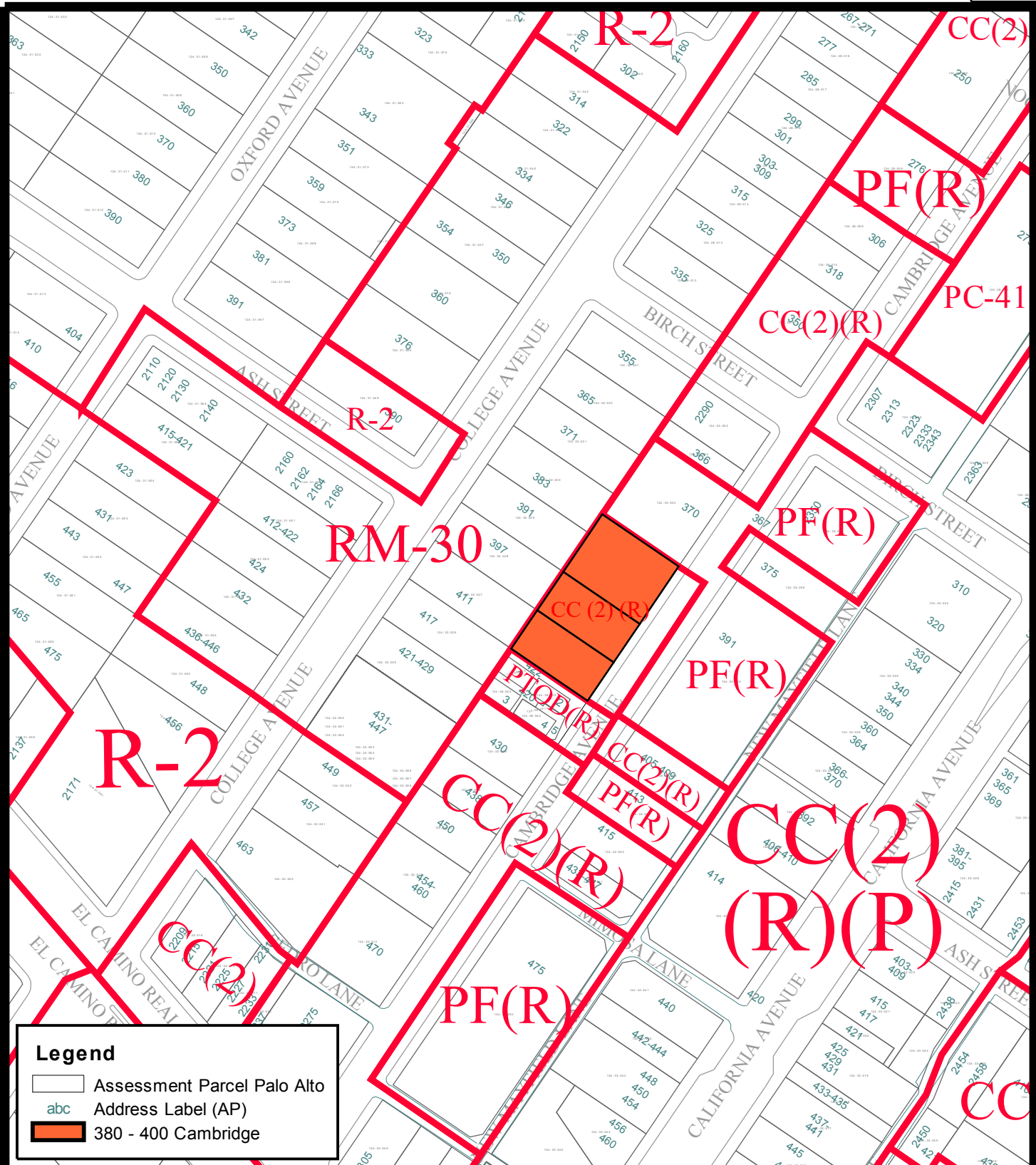
### Attachments:

- Attachment A: Location Map (PDF)
- Attachment B: Draft ARB Findings (DOCX)
- Attachment C: Conditions of Approval (DOCX)
- Attachment D: Zoning Comparison Table (DOCX)
- Attachment E: Applicant's Response to ARB Comments (PDF)
- Attachment F: December 21, 2017 ARB Staff Report w/o Attachments (PDF)
- Attachment G: In-fill Exemption Documentation (DOCX)

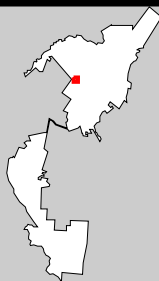
<sup>2</sup> Emails may be sent directly to the ARB using the following address: [arb@cityofpaloalto.org](mailto:arb@cityofpaloalto.org)

- Attachment H: Project Plans (DOCX)





The City of  
Palo Alto



380 -400 Cambridge Ave

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



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**ATTACHMENT B**  
**ARB FINDINGS FOR APPROVAL**  
 380-410 Cambridge Avenue  
 15PLN-00249

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

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

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

Comprehensive Plan Goal/Policy	Consistency
<b>Regional/Community Commercial:</b> Larger shopping centers and districts that have a wider variety of goods and services than the neighborhood shopping areas. They rely on larger trade areas and include such uses as department stores, bookstores, furniture stores, toy stores, apparel shops, restaurants, theaters and non-retail services such as offices and banks. Examples include Stanford Shopping Center, Town and Country Village and University venue/Downtown. Non-retail uses such as medical and dental offices may also locate in this designation; software development may also locate Downtown. In some locations, residential and mixed-use projects may also locate in this category. Non-residential FARs range from 0.35 to 2.0. Consistent with the Comprehensive Plan's encouragement of housing near transit centers, higher density multi-family housing may be allowed in specific locations.	The project proposes the replacement of an existing commercial building with another commercial building of similar size that is consistent with the land use designation.
<b>Policy L-1.3:</b> Infill development in the urban service area should be compatible with its surroundings and the overall scale and character of the city to ensure a compact, efficient development pattern.	The project is surrounded by established urban uses and is designed to be consistent with the surrounding structures.
<b>Policy L-1.11:</b> Hold new development to the highest development standards in order to	The project includes a combination of stucco, brick veneer, glass and metal. It's massing is

maintain Palo Alto's livability and achieve the highest quality development with the least impacts.	designed to support pedestrian-oriented uses at the ground floor.
<b>Policy L-3.1:</b> Ensure that new or remodeled structures are compatible with the neighborhood and adjacent structures	The project includes notches and varied setbacks to provide transitions to neighboring structures.
<b>Policy L-4.2:</b> Preserve ground-floor retail, limit the displacement of existing retail from neighborhood centers and explore opportunities to expand retail.	The project maintains and expands the amount of retail use square footage.
<b>Policy L-4.3:</b> Encourage street frontages that contribute to retail vitality in all Centers. Reinforce street corners in a way that enhances the pedestrian realm or that form corner plazas. Include trees and landscaping.	The project provides a modulated façade that fronts the street, which includes areas for seating and landscaping. The first story windows are clear glass. All of these combined elements will support a pedestrian-oriented streetscape.
<b>Policy T-5.1:</b> All new development projects should manage parking demand generated by the project, without the use of on-street parking, consistent with the established parking regulations. As demonstrated parking demand decreases over time, parking requirements for new construction should decrease	The project has already credit for participating in the parking assessment district. All of the new parking required by the net new square footage is provided on-site.

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

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

This finding can be made in the affirmative because the project provides outdoor amenity areas where it is the most compatible with the surrounding uses. For example, the balconies are situated facing the street and the City parking lot. The outdoor seating area is situated in the front that includes a five-foot high fence providing a buffer to the City parking lot. The site is not eligible for historic listing. The project is designed to provide massing transitions to the neighboring properties. For example, the project provides additional setback along the west elevation adjacent to the mixed-use building that provides a condition that would facilitate light and air for the neighbors. The front elevation includes varied setbacks and notches, a brick veneer material with metal panels in the notched area to provide character that is consistent with the architectural styles along the street. The combined design elements and features will make the building complement the surrounding. The building's roof-top

equipment is located in the center of the building that reduces sight and noise related issues for the neighbors.

The project is consistent with the following context-based design criteria:

### **1. Pedestrian and Bicycle Environment**

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

The project has a 10-foot sidewalk along Cambridge Avenue. The sidewalk will include bicycle racks and street trees. The edge of the building includes outdoor seating spaces.

### **2. Street Building Facades**

*Street facades shall be designed to provide a strong relationship with the sidewalk and the street (s), to create an environment that supports and encourages pedestrian activity through design elements*

The project includes a variegated elevation with notches in the street-facing façade and multiple entries to retail spaces as well as a central lobby for the upper floor access. Along the ground floor includes an area for outdoor seating. Landscaping is provided in the notched areas of the building footprint on the ground floor.

### **3. Massing and Setbacks**

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

The project meets the required setbacks and provides additional relief along the street façade. Additionally, the project includes varied materials such as brick veneer and aluminum panels with contrasting colors providing visual interest.

### **4. Low Density Residential Transitions**

*Where new projects are built abutting existing lower scale residential development, care shall be taken to respect the scale and privacy of neighboring properties*

The project is consistent with the development standards to provide adequate setback relief. Additionally, the project locates balconies opposite of residential buildings to avoid compatibility issues.

### **5. Project Open Space**

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

The project includes balconies and an outdoor seating area on the ground floor.

### **6. Parking Design**

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

Parking for the project is located at ground level within the building.

### **7. Large Multi-Acre Sites**

*Large sites (over one acre) shall be designed so that street, block, and building patterns are consistent with those of the surrounding neighborhood*

The site is less than an acre in size.

## **8. Sustainability and Green Building Design**

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

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

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

The project includes a variety of materials on all sides of the building. In the front, the project uses brick veneer, aluminum panels and glass, while the other sides of the building include stucco and glass. Metal is integrated into the facades and most significantly, metal balconies are used on the east property line along the City parking lot. Contrasting colors are used to convey visual interest.

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

There is one vehicular access to the garage, which is located within the building footprint. Bicycle parking is available on the sidewalk (short-term racks) and within lockers (long-term) within the garage. Access to the lockers is provided through the main driveway or through the corridor on the side of the building with access to the garage for pedestrians and cyclists. Onsite showers are provided to facilitate bicycle commuting. Utility access is also provided on the east property line. Signs for the building (while not being proposed) are conceptually depicted in elevations above the entries to the retail spaces. Balconies for the project are located along the front and side (closest to the street). Additional ground floor seating area is located along the east property line.

**Finding #5: The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent practical, regional indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained.**

The project includes a wide variety of landscape materials such as vines, grasses, trees and shrubs. Landscaping is used within the rear setback to provide an aesthetic buffer between the project and the neighbors. Notches in the building on the ground floor provide for opportunities to use landscaping. While native plantings are included, the amount of native plants used within the planting palette is limited because of the desire to address the neighbor's concerns, which are health related.

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

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

The building orientation is based on the street frontage along Cambridge Avenue, which also provides the ideal solar orientation with the long face having a south-eastern exposure. This provides a better yearly performance in regards to thermal heat gain and loss, and a more equal daily heat distribution. The building massing, setbacks, and deck overhangs along Cambridge Avenue provide solar shading at the proposed areas of glazing at the primary building entry and the courtyard.

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

The systems proposed for the building will be designed to meet to energy performance criteria of California Title 24 for Mechanical, Lighting, and Building Envelope. This would include efficient mechanical systems, low power consuming LED lighting with daylighting and occupancy sensor controls, and a low solar heat transmitting envelope with high efficiency 1" insulated, low-e glazing and insulated spandrel panels. The plumbing design incorporates low-flow fixtures with sensors, and the irrigation systems will be managed by controllers for scheduled watering of the landscape.

Building materials include recyclable metal panels, concrete, locally produced brick, high-efficiency glazing, and sun-shading devices. The roofing will incorporate a cap sheet to provide a cool roof to reduce heat transfer into the building and limit the heat island potential for the area's microclimate.

The landscape design utilizes regional indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained. The landscape design is coordinated with Civil to provide rain water filtration, filtering of onsite rain water and moderating the flow to the City sewer system. An irrigation system is in-place to control and moderate the watering of the landscape areas and planters. This design also acts as a buffer and screen to the adjacent residential and public parking areas.

**Parking Adjustment for Off-Street Loading Requirements (PAMC 18.52.080(e))**

The director may modify the quantity or dimensions of off-street loading requirements for non-residential development based on existing or proposed site conditions; availability of alternative means to address loading and unloading activity; and, upon finding that:

*1) The off-street loading requirement may conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access, or urban design principles; maximum reduction is one loading space.*

Providing the loading space onsite would reduce the amount of commercial square footage and be in direct conflict with Policy L-4.2, which is intended to preserve ground floor retail and expand opportunities. The project expands the existing amount of retail space for the site. Providing adequate on-site circulation to accommodate an on-site loading space would require two curb-cuts for the project, which is an additional curb-cut that does not exist now. This would reduce on-street parking and introduce a new potential conflict point for bicyclist and pedestrians.

Alternatively, the project could consider basement parking to create room to provide the on-site loading space, however, the project proponents have been working with the neighbors to create a project that has the least amount of construction and operational impacts and the basement design would create more impacts to the neighbors.

*2) The use of shared on-street loading would not conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access or urban design principles; maximum reduction in one loading space.*

There are four on-street loading spaces within the vicinity of the project, with closest being approximately 100 feet away. Alternatively, an additional time-limited on-street parking space could be created adjacent to the project frontage if desired.

**Performance Criteria**  
**380 Cambridge Avenue 15PLN-00249**

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

<b>Performance Criteria</b>	<b>Project Consistency</b>
<b>18.23.020 Trash Disposal and Recycling</b>	
<i>Assure that development provides adequate and accessible interior areas or exterior enclosures for the storage of trash and recyclable materials in appropriate containers, and that trash disposal and recycling areas are located as far from abutting residences as is reasonably possible.</i>	The project provides an enclosed trash facility that will be shared between each of the uses occupying the building. The trash facility is located within the footprint of the building, fully enclosed and out of clear sight from any public right-of-way or neighboring lots.
<b>18.23.030 Lighting</b>	
<i>To minimize the visual impacts of lighting on abutting or nearby residential sites and from adjacent roadways.</i>	The applicant will provide cut sheets of the proposed lighting to ensure adequate illumination is provided for safe circulation and are directed downward to reduce glare and impacts to the neighboring residents.
<b>18.23.040 Late Night Uses and Activities</b>	
<i>The purpose is to restrict retail or service commercial businesses abutting (either directly or across the street) or within 50 feet of residentially zoned properties or properties with existing residential uses located within nonresidential zones, with operations or activities between the hours of 10:00 p.m. and 6:00 a.m. Operations subject to this code may include, but are not limited to, deliveries, parking lot and sidewalk cleaning, and/or clean up or set up operations, but does not include garbage pick-up.</i>	The current project proposal does not include late night uses or activities. Future commercial tenants that would like this will need to file for a Conditional Use Permit, as required per the Zoning Code.
<b>18.23.050 Visual, Screening and Landscaping</b>	
<i>Privacy of abutting residential properties or properties with existing residential uses located within nonresidential zones (residential properties) should be protected by screening from public view all mechanical</i>	The project abuts residential uses and provides landscaping to screen the uses of the buildings. Mechanical equipment is located in the center of the rooftop out of



Performance Criteria	Project Consistency
<i>equipment and service areas. Landscaping should be used to integrate a project design into the surrounding neighborhood, and to provide privacy screening between properties where appropriate.</i>	any sightlines. Other utilities are located not in plain sight from the public.
<b>18.23.060 Noise and Vibration</b>	
<i>The requirements and guidelines regarding noise and vibration impacts are intended to protect residentially zoned properties or properties with existing residential uses located within nonresidential zones (residential properties) from excessive and unnecessary noises and/or vibrations from any sources in abutting industrial or commercially zoned properties. Design of new projects should reduce noise from parking, loading, and refuse storage areas and from heating, ventilation, air conditioning apparatus, and other machinery on nearby residential properties. New equipment, whether mounted on the exterior of the building or located interior to a building, which requires only a building permit, shall also be subject to these requirements.</i>	The parking areas are located within the building. Balconies are located facing the street and the City parking lot, which are away from the neighboring residences.
<b>18.23.070 Parking</b>	
<i>The visual impact of parking shall be minimized on adjacent residentially zoned properties or properties with existing residential uses located within nonresidential zones.</i>	Parking is provided within the building on the ground floor.
<b>18.23.080 Vehicular, Pedestrian and Bicycle Site Access</b>	
<i>The guidelines regarding site access impacts are intended to minimize conflicts between residential vehicular, pedestrian, and bicycle uses and more intensive traffic associated with commercial and industrial districts, and to facilitate pedestrian and bicycle connections through and adjacent to the project site.</i>	The project maintains a single curb-cut for access to a garage. The project maintains a 10-foot sidewalk. Bicycle parking is provided by the project.
<b>18.23.090 Air Quality</b>	
<i>The requirements for air quality are intended to buffer residential uses from potential sources of odor and/or toxic air contaminants.</i>	No proposed uses on the project site would produce odor or toxic air. Future uses are required to comply with these performance standards.
<b>18.23.100 Hazardous Materials</b>	
<i>In accordance with Titles 15 and 17 of the Palo Alto Municipal Code, minimize the potential hazards of any use on a development site that will entail the storage, use or handling of hazardous materials (including</i>	This is not applicable to the proposed uses associated with the project.

Performance Criteria	Project Consistency
<i>hazardous wastes) on-site in excess of the exempt quantities prescribed in Health and Safety Code Division 20, Chapter 6.95, and Title 15 of this code.</i>	

**ATTACHMENT C**  
**CONDITIONS OF APPROVAL**  
380-410 Cambridge Avenue  
15PLN-00249

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**PLANNING DIVISION**

1. **CONFORMANCE WITH PLANS.** Construction and development shall conform to the approved plans entitled, "400 Cambridge Ave. ARB Submittal for Major Architectural Review, October 1, 2018" stamped as received by the City on October 16, 2018 on file with the Planning Department, 250 Hamilton Avenue, Palo Alto, California except as modified by these conditions of approval.
2. **BUILDING PERMIT.** Apply for a building permit and meet any and all conditions of the Planning, Fire, Public Works, and Building Departments.
3. **BUILDING PERMIT PLAN SET.** The ARB approval letter including all Department conditions of approval for the project shall be printed on the plans submitted for building permit.
4. **PROJECT MODIFICATIONS:** All modifications to the approved project shall be submitted for review and approval prior to construction. If during the Building Permit review and construction phase, the project is modified by the applicant, it is the responsibility of the applicant to contact the Planning Division/project planner directly to obtain approval of the project modification. It is the applicant's responsibility to highlight any proposed changes to the project and to bring it to the project planner's attention.
5. **PROJECT EXPIRATION:** The project approval shall be valid for a period of one year from the original date of approval. In the event a building permit(s), if applicable, is not secured for the project within the time limit specified above, the ARB approval shall expire and be of no further force or effect. Application for extension of this entitlement may be made prior to the one year expiration.
6. **INDEMNITY:** To the extent permitted by law, the Applicant shall indemnify and hold harmless the City, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City for its actual attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.
7. **NEIGHBOR RESOLUTION:** The owner or designee shall continue to have dialogue with the neighbor at 383 College Avenue to address concerns regarding air quality during construction and operation of the building.

8. DEVELOPMENT IMPACT FEES: Estimated Development Impact Fees in the amount of \$\_\_\_\_\_ plus the applicable public art fee, per PAMC 16.61.040, shall be paid prior to the issuance of the related building permit.
9. IMPACT FEE 90-DAY PROTEST PERIOD. California Government Code Section 66020 provides that a project applicant who desires to protest the fees, dedications, reservations, or other exactions imposed on a development project must initiate the protest at the time the development project is approved or conditionally approved or within ninety (90) days after the date that fees, dedications, reservations or exactions are imposed on the Project. Additionally, procedural requirements for protesting these development fees, dedications, reservations and exactions are set forth in Government Code Section 66020. IF YOU FAIL TO INITIATE A PROTEST WITHIN THE 90-DAY PERIOD OR FOLLOW THE PROTEST PROCEDURES DESCRIBED IN GOVERNMENT CODE SECTION 66020, YOU WILL BE BARRED FROM CHALLENGING THE VALIDITY OR REASONABLENESS OF THE FEES, DEDICATIONS, RESERVATIONS, AND EXACTIONS. If these requirements constitute fees, taxes, assessments, dedications, reservations, or other exactions as specified in Government Code Sections 66020(a) or 66021, this is to provide notification that, as of the date of this notice, the 90-day period has begun in which you may protest these requirements. This matter is subject to the California Code of Civil Procedures (CCP) Section 1094.5; the time by which judicial review must be sought is governed by CCP Section 1094.6.
10. FINAL INSPECTION: A Planning Division Final inspection will be required to determine substantial compliance with the approved plans prior to the scheduling of a Building Division final. Any revisions during the building process must be approved by Planning, including but not limited to; materials, landscaping and hard surface locations. Contact your Project Planner, Sheldon S. Ah Sing at [sahsing@m-group.us](mailto:sahsing@m-group.us) to schedule this inspection.

#### **PUBLIC WORKS ENGINEERING**

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

11. SUBDIVISION: As part of this project, a Preliminary Parcel Map and a Parcel Map are required since more than four (4) lots will be merged into one lot (PAMC 21.08.050; Government Code 66412(d)). To merge the lots, the applicant shall submit a minor subdivision application to the Department of Planning and Community Environment unless the applicant is proposing five (5) or more condominium units, in which case a major subdivision application shall be submitted. Show all existing and proposed dedications and easements on the map submitted as part of the application. Please be advised that the Parcel or Tentative map shall be recorded with the Santa Clara County Clerk Recorder prior to Building or Grading and Excavation Permit issuance. A digital copy of the Parcel Map, in AutoCAD format, shall be submitted to Public Works Engineering and shall conform to North American Datum 1983 State Plane Zone 3 for horizontal survey controls and NGVD88 for vertical survey controls.

PRIOR TO BUILDING OR DEMOLITION PERMIT ISSUANCE:

12. Applicant submitted a C.3 certification in entitlement that required an additional certification to be done in the Building Permit stage. As such, please provide third party certification of the C.3 design prior to Building or Grading permit approval by Public Works. Please be sure to provide a stamped and signed letter by the third-party certifier that mentions the plans/documents reviewed (with dates/versions mentioned) and confirms the plans are in compliance with MRP 2.0 Provision C.3 and City of Palo Alto Municipal Code 16.11. Please be sure to have the third-party review and approve this form: [http://www.scvurppp-w2k.com/pdfs/1112/SCVURPPP\\_C.3\\_Data\\_Blue\\_Form\\_final\\_2012.pdf](http://www.scvurppp-w2k.com/pdfs/1112/SCVURPPP_C.3_Data_Blue_Form_final_2012.pdf).
13. LOGISTICS PLAN: Provide a logistics plan for review and approval by the Planning Director or designee and the Public Works Director or designee as part of the building permit for demolition, grading and excavation. Plan shall include the following, but not limited to, construction fence, construction entrance and exit, stockpile areas, equipment and material storage area, workers parking area, construction office trailer, temporary bathroom, measures for dewatering if needed, crane location, working hours, contractor's contact information, truck traffic route, setbacks from environmentally sensitive areas, erosion and sediment control measures to be implemented during construction. See link for more information and requirements <http://www.cityofpaloalto.org/civicax/filebank/documents/2719>.
14. STREET TREES: Place the following note adjacent to an affected tree on the Site Plan and Demolition Plan: "Excavation activities associated with the proposed scope of work shall occur no closer than 10-feet from the existing street tree, or as approved by the Urban Forestry Division contact 650-496-5953. Any changes shall be approved by the same".

PRIOR TO BUILDING OR GRADING AND EXCAVATION PERMIT ISSUANCE:

15. Bicycle parking required for the proposed development cannot be located in the right-of-way. Relocate this bicycle parking within private property.
16. Note on utility plan indicates that the planters in front of the building drain through thru-curb drains. Please show these on the plan and call out City standard detail for thru-curb drains and include that City standard detail in the plan set.
17. GRADING PERMIT: The site plan must include a table that shows the earthwork (cut and fill) volumes. If the total is more than 100 cubic yards, a grading permit will be required. An application and plans including Rough Grading and Shoring Plans are submitted to Public Works separately from the building permit plan set. The application and guidelines are available on our Public Works website. [http://www.cityofpaloalto.org/gov/depts/pwd/forms\\_and\\_permits.asp](http://www.cityofpaloalto.org/gov/depts/pwd/forms_and_permits.asp)
18. GRADING AND DRAINAGE PLAN: Provide a separate Grading and Drainage Plan prepared by a qualified licensed engineer, surveyor or architect. Plan shall be wet-stamped and signed by the same. Plan shall include the following: existing and proposed spot elevations, earthwork volumes (cut and fill in CY), pad, finished floor, elevator pit elevation, base flood elevation (if applicable) grades along the project conforms, property lines, or back of walk. See PAMC Section 16.28.110 for

additional items. Projects that front directly into the public sidewalk, shall include grades at the doors or building entrances. Provide drainage flow arrows to demonstrate positive drainage away from building foundations at minimum of 2% or 5% for 10-feet per 2013 CBC Section 1804.3. Label the downspouts, splashblocks (2-feet long min) and any site drainage features such as swales, area drains, bubble-up locations. Include grate elevations, low points and grade breaks. In no case shall drainage across property lines exceed that which existed prior to grading per 2013 CBC Section J109.4. For additional grading and drainage detail design See Grading and Drainage Plan Guidelines for Residential Development. <http://www.cityofpaloalto.org/civicax/filebank/documents/2717>

19. Public Works generally does not allow rainwater to be collected and discharged into the street gutter or connect directly to the City's infrastructure, the Grading and Drainage plan shall direct downspout runoff to landscaped and other pervious areas of the site. The conceptual plans provided show 3 direct connections into the storm drain system.
20. The following note shall be shown on the plans adjacent to the area on the Site Plan:  
 "Any construction within the city right-of-way must have an approved Permit for Construction in the Public Street prior to commencement of this work. THE PERFORMANCE OF THIS WORK IS NOT AUTHORIZED BY THE BUILDING PERMIT ISSUANCE BUT SHOWN ON THE BUILDING PERMIT FOR INFORMATION ONLY."
21. Provide the following note on the Site Plan and Grading and Drainage Plan: "Contractor shall not stage, store, or stockpile any material or equipment within the public road right-of-way." Construction phasing shall be coordinate to keep materials and equipment onsite or within private property.
22. Any above grade structure such as private signs, backflow preventers, transformers, utility cabinets, irrigation equipment, charge stations, etc or below ground grease interceptors that serve the private development shall all be located completely within private property. Plot and clearly label these structures on the Site Plan and Utility Plan.
23. SIDEWALK, CURB & GUTTER: As part of this project, the applicant shall replace those portions of the existing sidewalks, curbs, gutters or driveway approaches in the public right-of-way along the frontage(s) of the property. Contact Public Works' inspector at 650-496-6929 to arrange a site visit so that the inspector can discuss the extent of replacement work along the public road. The site plan submitted with the building permit plan set must show the extent of the replacement work. At minimum the curb and gutter and sidewalk along the project frontage shall be shown to be replaced.
24. PAVEMENT: Cambridge Avenue was resurfaced in 2012, as such any cutting into the pavement will trigger additional pavement requirements. Add the following note to the Site Plan adjacent to the public right-of-way: "Applicant and contractor will be responsible for resurfacing portions of Cambridge Avenue based the roadway surface condition after project completion and limits of trench work. At a minimum pavement resurfacing of the full width of the street along the project frontage may be required." Plot and label the area to be resurfaced as hatched on the site plan.

25. IMPERVIOUS SURFACE AREA: The project will be creating or replacing 500 square feet or more of impervious surface. Accordingly, the applicant shall provide calculations of the existing and proposed impervious surface areas with the building permit application. The Impervious Area Worksheet for Land Developments form and instructions are available at the Development Center or on our website. To determine the impervious surface area that is being disturbed, provide the quantity on the site plan.
26. STORMWATER POLLUTION PREVENTION – The plan set shall include the “Pollution Prevention – It’s Part of the Plan” An electronic copy of this plan is available on the City’s website. <http://www.cityofpaloalto.org/civicax/filebank/documents/2732>
27. STORM DRAIN LOGO: The applicant is required to paint the “No Dumping/Flows to Matedero Creek” logo in blue color on a white background, adjacent to all onsite storm drain inlets. Stencils of the logo are available from the Public Works Environmental Compliance Division, which may be contacted at (650) 329-2598. A deposit may be required to secure the return of the stencil. Include the directions to paint the logos on the construction grading and drainage plan. Include maintenance of these logos in the Hazardous Materials Management Plan, if such a plan is part of this project. For any new public catch basins in the public road right-of-way, applicant shall place medallions next to the inlets. Medallions are also available from Environmental Compliance Division.
28. STORMWATER MAINTENANCE AGREEMENT: The applicant shall designate a party to maintain the control measures for the life of the improvements and must enter into a maintenance agreement with the City to guarantee the ongoing maintenance of the permanent C.3 storm water discharge compliance measures. The maintenance agreement shall be executed prior to building or grading permit issuance. The City will inspect the treatment measures yearly and charge an inspection fee.
29. Proposed trash area needs to drain to the sanitary sewer. Demonstrate this on the plans.
30. Abandoned driveway approach will need to be replaced with City standard sidewalk, curb and gutter to match adjacent.
31. Civil site plan shall call out City standard details as applicable (i.e. Sidewalk, curb and gutter, driveway approach etc) and include those City Standard details in the plan set.
32. Parking garage shall drain to a sand-oil separator and then to sanitary sewer.
33. Proposed material for storm drain in the right-of-way should be called out (and should be per Public Works Engineering Specs) and City standard detail for proposed storm drain manhole should be called out and included in the plan set.

PRIOR TO BUILDING PERMIT FINAL:

34. STORM WATER TREATMENT: At the time of installation of the required storm water treatment measures and prior to the issuance of any occupancy permit, a third-party reviewer shall also submit to the City a certification for approval that the project's permanent measures were constructed and installed in accordance to the approved permit drawings.

#### **PUBLIC WORKS URBAN FORESTRY SECTION**

##### **PRIOR TO DEMOLITION, BUILDING OR GRADING PERMIT ISSUANCE**

35. BUILDING PERMIT SUBMITTAL- PROJECT ARBORIST CERTIFICATION LETTER. Prior to submittal for staff review, attach a Project Arborist Certification Letter that he/she has; (a) reviewed the entire building permit plan set submittal and, (b)\* verified all his/her updated TPR mitigation measures and changes are incorporated in the plan set, (c) affirm that ongoing Contractor/Project Arborist site monitoring inspections and reporting have been arranged with the contractor or owner (see Sheet T-1) and, (d) understands that design revisions (site or plan changes) within a TPZ will be routed to Project Arborist/Contractor for review prior to approval from City.

\* (b above) Other information. The Building Permit submittal set shall be accompanied by the project site arborist's typed certification letter that the plans have incorporated said design changes for consistency with City Standards, Regulations and information:

- a. Applicant/project arborist's final revised Tree Protection Report (TPR) with building permit level mitigation measures, (e.g., resolve grading proximity issues with Public trees; exact TPZ scaled in feet). Provide plan revision directions to minimize root cutting conflict that are obvious in the civil, sidewalk improvement sheets. See TPR below.
- b. Palo Alto [Tree Technical Manual](#) Construction Standards, Section 2.00 and PAMC 8.10.080.

36. PLAN SET REQUIREMENTS. The final Plans submitted for building permit shall include the following information and notes on relevant plan sheets:

- a. SHEET T-1, BUILDING PERMIT. The building permit plan set will include the City's full-sized, Sheet T-1 (Tree Protection-it's Part of the Plan!), available on the Development Center website at <http://www.cityofpaloalto.org/civicax/filebank/documents/31783>. The Applicant shall complete and sign the Tree Disclosure Statement and recognize the Project Arborist Tree Activity Inspection Schedule. Monthly reporting to Urban Forestry/Contractor is mandatory. (Insp. #1: applies to all projects; with tree preservation report: Insp. #1-7 applies)
- b. The Tree Preservation Report (TPR). All sheets of the Applicant's construction level TPR approved by the City for full implementation by Contractor, shall be printed on numbered Sheet T-1 (T-2, T-3, etc) and added to the sheet index.
- c. Plans to show protective tree fencing. The Plan Set (esp. site, demolition, grading & drainage, foundation, irrigation, tree disposition, utility sheets, etc.) must delineate/show the correct configuration of Type I, Type II or Type III fencing around each Regulated Tree,



using a bold dashed line enclosing the Tree Protection Zone (Standard Dwg. #605, Sheet T-1; City Tree Technical Manual, Section 6.35-Site Plans); **or by using the Project Arborist's unique diagram for each Tree Protection Zone enclosure.**

37. SITE PLAN REQUIREMENTS: In addition to showing TPZ fencing, add the following Notes on the specified Plan Sheets.

- a. Note #1. Apply to the site plan stating, "All tree protection and inspection schedule measures, design recommendations, watering and construction scheduling shall be implemented in full by owner and contractor, as stated on Sheet T-1, in the Tree Protection Report and the approved plans".
- b. Note #2. "Pruning Restrictions. No pruning or clearance cutting of branches is permitted on City trees. Contractor shall obtain a Public Tree Permit from Urban Forestry (650-496-5953) for any work on Public Trees"

38. TREE REMOVAL—PROTECTED & RIGHT-OF-WAY TREES. Existing trees (Publicly-owned or Protected) to be removed as shown accurately located on all site plans, require approval by the Urban Forestry Tree Care Permit prior to issuance of any building, demolition or grading permit. Must also be referenced in the required Street Work Permit from Public Works Engineering.

- a. Add plan note for each tree to be removed, "Tree Removal. Contractor shall obtain a completed Urban Forestry Tree Care Permit # \_\_\_\_\_ (contractor to complete) separate from the Building or Street Work Permit. Permit notice hanger and conditions apply. Contact (650-496-5953)."

39. NEW RIGHT-OF-WAY TREES--PLAN REQUIREMENTS. New trees shall be shown on all relevant plans: site, utility, irrigation, landscape, etc. in a location 10' clear radius from any (new or existing) underground utility or curb cut.

- a. Add note on the Planting Plan that states, "Tree Planting. Prior to in-ground installation, Urban Forestry inspection/approval required for tree stock, planting conditions and irrigation adequacy. Contact (650-496-5953)."
- b. Landscape Plans shall state the Urban Forestry approved species, size and include relevant Standard Planting Dwg. #603, #603a or #604 (reference which), and shall note the tree pit dug at least twice the diameter of the root ball.
- c. 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.
- d. Add note on the Planting & Irrigation Plan that states, "Irrigation and tree planting in the right-of-way requires a street work permit per CPA Public Works standards."

- e. Automatic irrigation shall be provided for each tree. Standard Dwg. #513 shall be included on the irrigation plans and show two bubbler heads mounted on flexible tubing placed at the edge of the root ball. Bubblers mounted inside an aeration tube are prohibited. 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.
- f. Engineered Soil Mix (ESM). As approved, Engineered Soil Mix base material shall be utilized in specified areas, such as a sidewalk base to achieve expected shade tree rooting potential and maximum service life of the sidewalk, curb, parking surfaces and compacted areas. Plans and Civil Drawings shall use CPA Public Works Engineering ESM Specifications, Section 30 and Standard Dwg. #603a. Designated areas will be identified by cross-hatch or other symbol, and specify a minimum of 24" depth. The technology may be counted toward any credits awarded for LEED or Sustainable Sites certification ratings.

#### DURING CONSTRUCTION

- 40. TREE PROTECTION VERIFICATION. Prior to any site work a written verification from the contractor that the required protective fencing is in place shall be submitted to the Urban Forestry Section ([derek.sproat@cityofpaloalto.org](mailto:derek.sproat@cityofpaloalto.org)). The fencing shall contain required warning sign and remain in place until final inspection of the project.
- 41. EXCAVATION RESTRICTIONS APPLY (TTM, Sec. 2.20 C & D). Any approved grading, digging or trenching beneath a tree canopy shall be performed using 'air-spade' method as a preference, with manual hand shovel as a backup. For utility trenching, including sewer line, roots exposed with diameter of 1.5 inches and greater shall remain intact and not be damaged. If directional boring method is used to tunnel beneath roots, then Table 2-1, Trenching and Tunneling Distance, shall be printed on the final plans to be implemented by Contractor.
- 42. PLAN CHANGES. Revisions and/or changes to plans before or during construction shall be reviewed and responded to by the (a) project site arborist, (name of certified arborist of record and phone #), or (b) landscape architect with written letter of acceptance before submitting the revision to the Building Department for review by Planning, PW or Urban Forestry.
- 43. TREE PROTECTION COMPLIANCE. The owner and contractor shall implement all protection and inspection schedule measures, design recommendations and construction scheduling as stated in the TPR & Sheet T-1, and is subject to code compliance action pursuant to PAMC 8.10.080. The required protective fencing shall remain in place until final landscaping and inspection of the project. Project arborist approval must be obtained and documented in the monthly activity report sent to the City. The mandatory Contractor and Arborist Monthly Tree Activity Report shall be sent monthly to the City ([pwps@cityofpaloalto.org](mailto:pwps@cityofpaloalto.org)) beginning with the initial verification approval, using the template in the Tree Technical Manual, Addendum 11.

44. TREE DAMAGE. Tree Damage, Injury Mitigation and Inspections apply to Contractor. Reporting, injury mitigation measures and arborist inspection schedule (1-5) apply pursuant to TTM, Section 2.20-2.30. Contractor shall be responsible for the repair or replacement of any publicly owned or protected trees that are damaged during the course of construction, pursuant to Title 8 of the Palo Alto Municipal Code, and city Tree Technical Manual, Section 2.25.
45. GENERAL. 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 (Temporary or final)

46. LANDSCAPE CERTIFICATION LETTER. The Planning Department shall be in receipt of a verification letter 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.
47. PLANNING INSPECTION. Prior to final sign off, contractor or owner shall contact the city planner (650-329-2441) to inspect and verify Special Conditions relating to the conditions for structures, fixtures, colors and site plan accessories.

#### POST CONSTRUCTION

48. MAINTENANCE. All landscape and trees shall be maintained, watered, fertilized, and pruned according to Best Management Practices-Pruning (ANSI A300-2008 or current version) and the City Tree Technical Manual, Section 5.00. Any vegetation that dies shall be replaced or failed automatic irrigation repaired by the current property owner within 30 days of discovery.

#### **UTILITIES WATER/ GAS/ WASTEWATER**

##### PRIOR TO ISSUANCE OF DEMOLITION PERMIT

49. Prior to demolition, the applicant shall submit the existing water/wastewater fixture unit loads (and building as-built plans to verify the existing loads) to determine the capacity fee credit for the existing load. If the applicant does not submit loads and plans they may not receive credit for the existing water/wastewater fixtures.
50. The applicant shall submit a request to disconnect all utility services and/or meters including a signed affidavit of vacancy. Utilities will be disconnected or removed within 10 working days after receipt of request. The demolition permit will be issued by the building inspection division after all utility services and/or meters have been disconnected and removed.

##### FOR BUILDING PERMIT

51. The applicant shall submit a completed water-gas-wastewater service connection application - load sheet for City of Palo Alto Utilities. The applicant must provide all the information requested for utility service demands (water in fixture units/g.p.m., gas in b.t.u.p.h, and sewer in fixture units/g.p.d.). The applicant shall provide the existing (prior) loads, the new loads, and the combined/total loads (the new loads plus any existing loads to remain).
52. 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. Plans for new wastewater laterals and mains need to include new wastewater pipe profiles showing existing potentially conflicting utilities especially storm drain pipes, electric and communication duct banks. Existing duct banks need to be daylighted by potholing to the bottom of the ductbank to verify cross section prior to plan approval and starting lateral installation. Plans for new storm drain mains and laterals need to include profiles showing existing potential conflicts with sewer, water and gas.
53. The existing sewer main is 5.4" PE, only 4" sewer lateral connections allowed.
54. There is a 24" PCC storm drain main and electrical underground in front of the properties, this may cause conflicts with water service, gas service, and especially sewer lateral.
55. 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.
56. The applicant must show on the site plan the existence of any auxiliary water supply, (i.e. water well, gray water, recycled water, rain catchment, water storage tank, etc).
57. 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.
58. 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. Field testing may be required to determined current flows and water pressures on existing water main. Calculations must be signed and stamped by a registered civil engineer. The applicant is required to perform, at his/her expense, a flow monitoring study of the existing sewer main to determine the remaining capacity. The report must include existing peak flows or depth of flow based on a minimum monitoring period of seven continuous days or as determined by the senior wastewater engineer. The

study shall meet the requirements and the approval of the WGW engineering section. No downstream overloading of existing sewer main will be permitted.

59. An approved reduced pressure principle assembly (RPPA backflow preventer device) is required 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 within 5 feet of the property line. RPPA's for domestic service shall be lead free. Show the location of the RPPA on the plans.
60. An approved reduced pressure detector assembly is required for the existing or new water connection for the fire system to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive (a double detector assembly may be allowed for existing fire sprinkler systems upon the CPAU's approval). reduced pressure detector assemblies shall be installed on the owner's property adjacent to the property line, within 5' of the property line. Show the location of the reduced pressure detector assembly on the plans.
61. All backflow preventer devices shall be approved by the WGW engineering division. Inspection by the utilities cross connection inspector is required for the supply pipe between the meter and the assembly.
62. Existing wastewater laterals that are not plastic (ABS, PVC, or PE) shall be replaced at the applicant's expense.
63. Existing water services that are not a currently standard material shall be replaced at the applicant's expense.
64. The applicant shall pay the capacity fees and connection fees associated with new utility service/s or added demand on existing services. The approved relocation of services, meters, hydrants, or other facilities will be performed at the cost of the person/entity requesting the relocation.
65. Each unit or place of business shall have its own water and gas meter shown on the plans. Each parcel shall have its own water service, gas service and sewer lateral connection shown on the plans.
66. 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 and 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.
67. A new water service line installation for domestic usage is required. For service connections of 4-inch through 8-inch sizes, the applicant's contractor must provide and install a concrete vault

with meter reading lid covers for water meter and other required control equipment in accordance with the utilities standard detail. Show the location of the new water service and meter on the plans.

68. A new water service line installation for irrigation usage is required. Show the location of the new water service and meter on the plans.
69. A new water service line installation for fire system usage is required. Show the location of the new water service on the plans. The applicant shall provide to the engineering department a copy of the plans for fire system including all fire department's requirements.
70. A new gas service line installation is required. Show the new gas meter location on the plans. The gas meter location must conform to utilities standard details.
71. A new sewer lateral installation per lot is required. Show the location of the new sewer lateral on the plans
72. Where public mains are installed in private streets/PUEs for condominium and town home projects the CC&Rs and final map shall include the statement: "Public Utility Easements: If the City's reasonable use of the Public Utility Easements, which are shown as P.U.E on the Map, results in any damage to the Common Area, then it shall be the responsibility of the Association, and not of the City, to Restore the affected portion(s) of the Common Area. This Section may not be amended without the prior written consent of the City".
73. All existing water and wastewater services that will not be reused shall be abandoned at the main per WGW utilities procedures.
74. Utility vaults, transformers, utility cabinets, concrete bases, or other structures can not be placed over existing water, gas or wastewater mains/services. Maintain 1' horizontal clear separation from the vault/cabinet/concrete base to existing utilities as found in the field. If there is a conflict with existing utilities, Cabinets/vaults/bases shall be relocated from the plan location as needed to meet field conditions. Trees may not be planted within 10 feet of existing water, gas or wastewater mains/services or meters. New water, gas or wastewater services/meters may not be installed within 10' of existing trees. Maintain 10' between new trees and new water, gas and wastewater services/mains/meters.
75. To install new gas service by directional boring, the applicant is required to have a sewer cleanout at the front of the building. This cleanout is required so the sewer lateral can be videoed for verification of no damage after the gas service is installed by directional boring.
76. All utility installations shall be in accordance with the City of Palo Alto utility standards for water, gas & wastewater.

## **UTILITIES ELECTRIC ENGINEERING**

- 77. Easement is required for the transformer (10'x10') and for the conduit 5' corridor.
- 78. Applicant shall include all the comment on page 12 of the marked-up plan provided to the applicant on September 6, 2017.
- 79. Applicant shall include a page with the following CPAU electric standard: DT-SS-U-1002, DT-SS-U-1003, DT-SS-C-1005, DT-CL-U-1031 and DT-SE-U1032.
- 80. There is an existing CPAU fiber box in front of the property. The applicant should consider installing a communication conduit to this box for future CPAU dark fiber service (the current tenant has CPAU dark fiber service).

### **BUILDING**

- 81. An analysis of the existing partition at the property boundary will be required for both seismic and gravity loads acting together, and for the fire rating required by both its location to the property boundary and the use of it to support fire rated assemblies above.
- 82. The east stair enclosure at all floor levels appears to include doors that encroach the required landing areas. Encroachment of these landings is limited by any door to ½ the required width.
- 83. Plans shall clearly show all occupancy separations and fire ratings of supporting members to be of the same or higher fire ratings.
- 84. Service sinks are required at each floor level and accessible to all occupants.
- 85. High/low drinking fountains shall be provided in alcoves at each floor level.
- 86. Please note on the plans that no exposed wood on roofs is allowed. This includes piping supports, screen wall elements, and equipment stands.
- 87. Please note on the plans that copper condensate piping is not allowed.
- 88. A permanent roof access ladder shall be provided.

### **PUBLIC ART**

- 89. Prior to the issuance of a Building permit, the applicant will be required to pay the public art fee.
- 90. The fee amount will be confirmed based on the building permit valuations on file at the time of application.

**ATTACHMENT D**  
**ZONING COMPARISON TABLE**  
 380-400 Cambridge, 15PLN-00249

<b>Table 1: COMPARISON WITH CHAPTER 18.16 (CC DISTRICT)</b>			
<b>Regulation</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Minimum/Maximum Site Area, Width and Depth	None	17,500 sf (0.40 acres)	17,500 sf (0.40 acres)
Minimum Front Yard	0 - 10' to create an 8' - 12' effective sidewalk width	10-12 feet	10-47 feet
Rear Yard	None	None	10 feet
Interior Side Yard	None	West: None East: 0 feet to 10 feet	West: None East: 10 feet
Street Side Yard	None	Not Applicable	Not Applicable
Special Setback	None	None	None
Build-To-Lines	50% of the frontage built setback. (87'-6")	94% (170 feet)	94% (170 feet)
Max. Building Height	35 feet when within 150 feet of a residential district (other than RM-40 or PC Zone) abutting or located within 50 feet of the site	22 feet to 26 feet	35 feet
Daylight Plane for lot lines abutting one or more residential districts other than an RM-40 or PC Zone	Limited to the first 10 feet from the property line (no daylight plane beyond 10 feet). (10 feet initial height and 45-degree angle.	Not Applicable	Conforms
Max. Site Coverage	None	94% (16,375 sf)	85% (14,850 sf)
Max. Total Floor Area Ratio	2.0:1 (35,000 square feet)	1.83:1 (32,083 sf)	2.00:1 (35,000 sf)

<b>Table 2: CONFORMANCE WITH SECTION 18.10.060 and CHAPTER 18.52 (Off-Street Parking) for Commercial/Parking Assessment District</b>			
<b>Type</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Vehicle Parking	Retail: Intensive 1 per 240 square feet 2,711 new sf/240 = 11 spaces  Office: 1 per 310 square feet 205 new sf/310 = 1 space	Project is part of Assessment District  2 spaces	15 spaces



Bicycle Parking	Retail: 1 per 2,400 sf Long term = 20% (0.36) Short term = 80% (1.42)  Office: 1 per 3,100 sf Long term = 60% (5.56) Short term = 40% (3.7)	None	6 long term 6 short term
Off-Street Loading Space	Retail: None  Office: 1 space	None	None*

\* Request a waiver from requirement pursuant to PAMC 18.52.050 Adjustments by Director Table 4.

## **RESPONSE TO COMMENTS MADE AT ARB MEETING OF DECEMBER 20, 2017**

### **400 CAMBRIDGE, PALO ALTO**

#### **INTRODUCTION**

The 400 Cambridge development includes the construction of a new 3-story mixed-use building at 400 Cambridge Avenue, Palo Alto, California. This project includes the assembly of three (3) adjacent parcels and the construction of a new building with ground level retail M-Mercantile, two upper office floors B-Office, with some accessory assembly space A-3 Assembly including exterior decks.

The following narrative summarizes the comments made at the ARB Hearing on 20 December 2017 and subsequent meetings with the adjoining residential neighbors. The resultant design modifications appear in the revised submittal dated October 1, 2018

Several key design modifications were made to address ARB and public comments at. Special attention has been paid to the health concerns of the neighbor to the north of the property as well as the light and air concerns of the neighbors on the west side of the property. The ARB and public comments and the design responses are described below.

#### **ARB AND PUBLIC COMMENTS**

The design presented at the last ARB meeting was criticized for its overall massing and light hand in breaking up the apparent volume of the building along Cambridge Avenue. Additional modulation in the façade was suggested. Further criticism focused on the request to exceed the 35 foot maximum building height.

It was encouraged to put an emphasis on the pedestrian experience along Cambridge by breaking up the massing at the pedestrian level and seeking opportunities for bench seating and planting along the street front elevation. The goal is to make the base of the building more “pedestrian friendly” with increased pockets of interest.

A comment was made on whether the on-site truck loading zone requirement should be waived. Additional comments included (1) concerns about the potential impact on the 420 Cambridge loft property to the west, (2) screening along the north property line, and (3) use of native planting, and (4) potential for demising of the office space.

#### **CHANGES TO MASSING**

The building mass was addressed by reducing the height to the code compliant 35 ft, changing façade materials, and providing more façade modulation as described below.

- The building design hints at two complementary but independent building masses on Cambridge straddling a central office entry element to break up the apparent massing and bulk along Cambridge Avenue. The west building mass is further divided into two, which contributes to reducing the perceived scale of the overall building on Cambridge;
- The material on the front façade has been changed from stucco to brick to provide more warmth and texture. This also fits well into the context of the California Avenue area where there are other other examples of brick structures of various styles;
- The building mass sets back 11 ft at the front corner of the east façade to provide open space on Cambridge Avenue at the corner retail suite;
- Undulations in the street front building façade at the ground level introduce pockets of interest at the street/pedestrian level which improve the pedestrian experience along Cambridge. One of the recessed areas is the entry to the office building and another introduces outdoor seating to support the adjacent ground level retail;
- Two levels of steel decks are introduced on the east elevation. They provide amenity space to the adjoining tenant suites and add interest to the building's character and massing. The decks are located at the front of the building and do not effect the adjoining residential properties to the rear;
- Portions of the west façade have been set back 10 ft to maintain light and air access to the two adjacent residential units at 420 Cambridge. These setback areas will be landscaped to enhance their appearance. (Drawings and text are provided in the October 1, 2018 ARB submittal, pgs. 67 to 73.).

#### IMPROVEMENTS TO THE PEDESTRIAN EXPERIENCE

- As described above, the building massing undulates along the street front façade to provide pockets of interest and soften the building face at the pedestrian level;
- The brick façade will create more interest than stucco at the pedestrian level;
- The set back at central entry to office building allows space for planting and benches, while emphasizing the two-story building lobby volume;
- The set back on the east elevation provides covered open space for outdoor seating and tables that support adjacent ground level retail and provides a functional amenity space that will activate Cambridge;
- Landscaping within perimeter planters are introduced at the niches or pockets along Cambridge Avenue

#### ON-SITE LOADING ZONE

At the request of the ARB an analysis of on-site truck loading was undertaken and is presented in the October ARB submittal pgs. 63 to 66. In summary, it is requested that the loading zone requirement be waived by the Director because (1) the physical constraints of the relatively small site impose serious limitations, (2) there are sufficient (four) loading zones on Cambridge, (3) on-site loading will create conditions that are in conflict with the Comprehensive Plan, and (4) on-site truck loading will see little use.

## LANDSCAPE

The proposed design includes landscape in the north and west set backs as well as planters along Cambridge. The ARB expressed a desire for natives. However, the health requirements of the neighbor to the north have greatly limited the pallet of possibilities.

## DEMISING

The office floor plates have been designed for demising flexibility. Possible layouts are depicted on pgs. 15 and 16 of the October submittal. In addition, multiple ground floor entries will facilitate division of the retail space.

## OTHER CHANGES AND CLARIFICATIONS

- Building Structure – Structure proposed to be reinforced concrete with flat plate floor system to maximize clear area between floor and underside of deck;
- Wall and Roof Construction –
  - Walls to be light gauged metal framing with face brick veneer;
  - Decks to be galvanized steel decks with painted finish;
  - Roof construction incorporates modified bitumen roofing with cap sheet to meet cool roof requirements;
- Glazing –
  - All glazing shall be high efficiency 1” insulated with low-e coating;
  - Ultra-clear, low-iron glass at the ground level retail and building lobby;
  - Levels 2+3 – clear low-e glazing with a very light “grey tint” (Vitro Architectural Glass, Z-50)

October 10, 2018



# Architectural Review Board

## Staff Report (ID # 8593)

<b>Report Type:</b>	Action Items	<b>Meeting Date:</b> 12/21/2017
<b>Summary Title:</b>	380 Cambridge Avenue: New Commercial Building (1st Formal)	
<b>Title:</b>	PUBLIC HEARING / QUASI-JUDICIAL. 380 Cambridge [15PLN-00249]: Consideration of Major Architectural Review to Allow Demolition of Three Existing Commercial Buildings Totaling 32,083 Square Feet and to Construct a New Three-Story Commercial Building Totaling 35,000 Square Feet. The Request Includes a Design Enhancement Exception to Allow the Project to Exceed the Height Limit by 8 Feet. In Addition, There is a Request to Waive an Off-Street Loading Space. Environmental Assessment: Exempt From the Provisions of the California Environmental Quality Act (CEQA) in Accordance With Guideline Section 15332 (In-Fill Development Projects). Zoning District: CC(2)(R) (Community Commercial with Retail Shopping Combining District). For More Information Contact the Project Planner Sheldon S. Ah Sing at sahsing@m-group.us.	
<b>From:</b>	Hillary Gitelman	

### Recommendation

It is recommended that the Architectural Review Board (ARB) take the following action(s):

1. Conduct a public hearing and continue the item to a date uncertain.

### Report Summary

This is the first ARB review of the formal application for demolition of three commercial buildings (32,083 square feet) and construction of one three-story commercial building (35,000 square feet) at 380-410 Cambridge Avenue. The project includes a request to waive the one required off-street loading space and an alternative that requests a Design Enhancement Exception (DEE) for increased height to accommodate taller floor to ceiling space for each floor level. The project is located within the Retail Preservation Combining District and proposes retail space on the ground floor with office space on the upper two floors. The project was the

subject of a Preliminary ARB meeting in March of 2015, which did not contemplate a DEE or loading zone waiver. Since then there has been two zoning code changes that affected the project and as a result, the project has been revised.

The purpose of this report is to provide a summary of the project requests and seeks direction from the ARB for a project recommendation at a subsequent meeting.

## Background

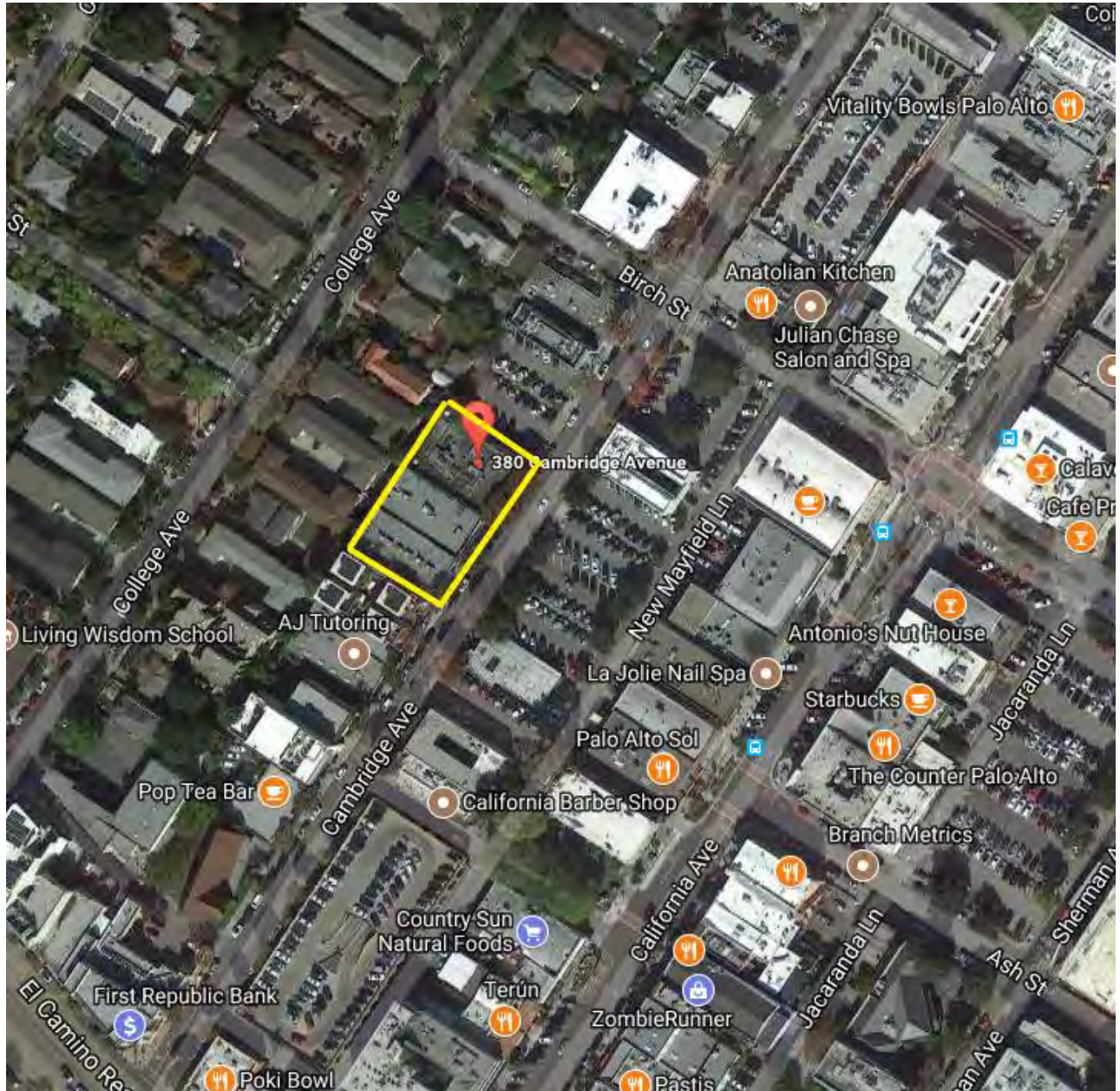
### Project Information

Owner:	Cambridge Investments, LLC/Alhouse Deaton Management
Architect:	Michael J. Castro
Representative:	Steve Pierce
Legal Counsel:	Not Identified

### Property Information

Address:	380-410 Cambridge Avenue
Neighborhood:	Evergreen Park
Lot Dimensions & Area:	100' x 175' (17,500 sf)
Housing Inventory Site:	No
Located w/in a Plume:	No
Protected/Heritage Trees:	None
Historic Resource(s):	None (HRE completed and found not eligible for listing)
Existing Improvement(s):	32,083 sf; 2-stories; 22-26 feet; year built
Existing Land Use(s):	Office and Retail Uses
Adjacent Land Uses & Zoning:	North: RM-30 (Multi-family Residential) West: RM-30 (Multi-family Residential)/PTOD (Pedestrian Transit Oriented Development) East: PF (Public Parking Lot) South: CC (2) (Offices)

Aerial View of Property:



Source: Google Maps, CNES/Airbus/DigitalGlobe/US Geological Survey/USDA Farm Agency, 2017

### Land Use Designation & Applicable Plans

Zoning Designation:	CC(2)(R)
Comp. Plan Designation:	Community Commercial
Context-Based Design Criteria:	Yes
Downtown Urban Design Guide:	Not Applicable
South of Forest Avenue Coordinated Area Plan:	Not Applicable



Baylands Master Plan:	Not Applicable
El Camino Real Design Guidelines (1976 / 2002):	Not Applicable
Proximity to Residential Uses or Districts (150'):	Applicable, as discussed below
Located w/in the Airport Influence Area:	Not Applicable

#### Prior City Reviews & Action

City Council:	None
PTC:	None
HRB:	None
ARB:	Preliminary ARB: March 5, 2015 Staff Report: <a href="https://www.cityofpaloalto.org/civicax/filebank/documents/46159">https://www.cityofpaloalto.org/civicax/filebank/documents/46159</a> Video: <a href="https://www.youtube.com/watch?v=oDgEV6BgPp8&amp;start=3897&amp;width=420&amp;height=315">https://www.youtube.com/watch?v=oDgEV6BgPp8&amp;start=3897&amp;width=420&amp;height=315</a>

### **Project Description**

The proposed project involves demolition of three mid-century modern designed commercial buildings (on three separate contiguous parcels) totaling 32,083 square feet (sf) and construction of a new three-story 35,000 sf contemporary designed commercial building. The underlying lots will be merged to accommodate the project. The project provides 14 parking spaces within an enclosed garage.

The project includes two alternatives:

- Alternative 1: A project that is consistent with the City's development standards except for a waiver of one off-street loading space (Sheets 1 through 57). The overall height of the project is 35 feet.
- Alternative 2: A project that proposes increasing the height of the building to accommodate greater floor to ceiling heights and a waiver of one off-street loading space (Sheets 58 through 63). The overall height of the project is 43 feet.

#### Site Summary

The project is located near the intersection of Cambridge Avenue and Birch Street within the Evergreen Park neighborhood. The California Avenue Train Station is within one-quarter of a mile of the project site and the site is one block west of California Avenue. The project site is 17,500 square feet in area and comprises of three lots. The project will maintain the existing 10 foot wide sidewalk along Cambridge Avenue and provide three short-term bicycle racks in between the existing street trees. The existing curb cut along the northern side of the property



will be removed and would likely result in one additional on-street parking space. However, to accommodate the location of the garage entry on the opposite side of the proposed building, a new curb cut will require the removal (and replacement) of one street tree and the removal of at least one on-street parking space.

The first floor of the proposed building includes the parking garage, which is fully enclosed and located behind the retail tenant spaces and accessed from Cambridge Avenue. This entry will have a gate that will be open during business hours. Fourteen parking spaces are provided on-site. The remaining 102 required parking spaces were previously accounted for through the California Avenue Parking District. The garage also includes a trash/recycling area, an electrical room, a stairwell and long-term bicycle parking. Also on the first floor are two retail spaces containing 2,482 and 1,986 square feet, as well as a lobby and common area to support the upper floor office spaces. These spaces have direct access to the Cambridge Avenue sidewalk. The site also includes a 10-foot setback along the northeast abutting the public parking lot that serves as some open space area as well as access to utilities. In addition, the site includes a 10-foot setback in the rear, which provides a buffer between the building and the adjacent residential uses. No setback is provided along the southwest property line adjacent to an existing mixed-use building. Landscape opportunities for the site are limited to the setback areas, which would include low shrubs, small trees and in the rear bamboo plantings.

The second floor includes 14,220 sf for office uses and the third floor includes 14,478 sf for office uses. A 121 sf deck is proposed on the third floor facing Cambridge Avenue.

Roof top equipment is located centrally and fully screened from adjacent vantage points. Street trees are to be preserved except for the one that was noted previously to accommodate the new driveway into the garage. Additionally, all the vegetation on neighboring properties would be preserved.

### Elevations

The project provides contemporary architecture for a commercial building with differing visual elements including a balcony, recessed entries for the retail spaces, a centralized entry at the ground level for the office uses, uniform fenestration and awnings along the street frontage. The portion of the building where the garage entry is located includes different fenestration treatment providing visual interest. Three sides of the building provide visual attention. One side is directly against an adjacent building where it is not visible from any vantage point.



Source: Project Plans, 2017

Half of the side of the building facing the public parking lot includes fenestration matching the front, while the other half is covered with stucco. The lower part of the building towards the rear includes a trellis flush with the wall to accommodate vertical vine growth. This side of the building includes the 10-foot setback that will have Japanese Maple trees.



Source: Project Plans, 2017

The rear of the building includes fenestration on the upper floors. There is a 10-foot setback that would provide space for bamboo plant screening.

### Design Alternative 2 (Sheets 58 through 63)

The applicant has submitted building design alternatives that increase the floor to ceiling height on each floor. This extends the building from 35 feet in height, permitted in this zoning district, to 43 feet in height. The interest for increased height is to provide greater floor to ceiling clearances for the retail and office spaces. Applicant has indicated an interest in seeking approval of this design alternative through a DEE. However, based on staff's review of the code this request does not meet the intent, purpose or applicability requirements for a DEE. Applicant would need to seek a text amendment or variance to secure approval for increased height, and based on available information, staff is unable to support either request. Staff recommends the Board focus its review and attention on the Alternative 1 plans that include a code compliant building height.

### Requested Entitlements, Findings and Purview:

The following discretionary applications are being requested:

- **Architectural Review – Major (AR):** The process for evaluating this type of application is set forth in PAMC 18.77.070. AR applications are reviewed by the ARB and recommendations are forwarded to the Planning & Community Environment Director for action within five business days of the Board’s recommendation. Action by the Director is appealable to the City Council if filed within 14 days of the decision. AR projects are evaluated against specific findings. All findings must be made in the affirmative to approve the project. Failure to make any one finding requires project redesign or denial. The findings to consider an AR application are provided in Attachment B.
- **Design Enhancement Exception (DEE):** The process for evaluating this type of application is set forth in PAMC 18.76.050. DEE applications are reviewed by the ARB and recommendation are forwarded to the Planning & Community Environment Director for action within five business days of the Board’s recommendation. Action by the Director is appealable to the City Council if filed within 14 days of the decision. DEE projects are evaluated against specific findings. All findings must be made in the affirmative to approve the project. Failure to make any one of the findings requires project redesign or denial. The findings to consider a DEE application are provided in Attachment B.
- **Modification to Off-Street Loading Requirements:** The process for evaluating this type of request is set forth in PAMC 18.52.080(e). The director may modify the quantity or dimensions of off-street loading requirements for non-residential development based on existing or proposed site conditions; availability of alternative means to address loading and unloading activity; and, upon finding that: 1) the off-street loading requirement may conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access, or urban design principles; and 2) the use of shared on-street loading would not conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access or urban design principles; maximum reduction in one loading space. Only one off-street loading space may be waived.

## **Analysis<sup>1</sup>**

### Neighborhood Setting and Character

The surrounding neighborhood is characterized by medium intensity development, including two to three-story commercial, mixed-use buildings, surface parking and structured parking facilities. To the rear of the site, there are medium density multi-family neighborhood with primarily two-story buildings. Most of the architectures within the vicinity are mid-century

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<sup>1</sup> The information provided in this section is based on analysis prepared by the report author prior to the public hearing. The Architectural Review Board in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose to make alternative findings. A change to the findings may result in a final action that is different from the staff recommended action in this report.

designed, except for the immediately adjacent mixed-use development that is a contemporary designed building. The proposed contemporary design of the building would be comparable to other newer buildings within the area. At the same time, the colors of the new building are muted, which would help the building blend within the district.



Source: Project Plans, 2017

The site is located within the CC(2)(R) zoning district. Recently the Retail (R) combining district was amended to require ground-floor retail and eating and service-oriented commercial development on the ground floors. The maximum height allowed for structures in the district is 37 feet, however, if the property is located adjacent to certain residential districts, then the height is limited to 35 feet. Since the site is adjacent to RM-30 district (to the rear of the site), the height for the property is limited to 35 feet. This is the situation for many of the properties on the northwest side of Cambridge Avenue. This condition does not apply to other parts of the district since those properties abut PC or RM-40 districts.

Cambridge Avenue is a secondary commercial area that supports California Avenue. The primary commercial use along Cambridge Avenue is professional office with some personal service commercial. Cambridge Avenue also includes surface and structured parking facilities. At the intersection of El Camino Real and Cambridge Avenue there are retail establishments. The uses are different one block away along California Avenue, where there are more retail, restaurant and personal service uses. In the area, floor to ceiling heights at the ground level are mostly consistent in professional office buildings and office buildings that contain some personal service uses. These buildings do not provide tall floor to ceiling heights. However, for single-story commercial buildings, the floor to ceiling heights are more generous. Given the use characteristics of Cambridge Avenue, it is likely that personal service uses would continue to locate there in the future.

### Zoning Compliance<sup>2</sup>

A detailed review of the proposed project's consistency with applicable zoning standards has been performed. A summary table is provided in Attachment C and D. The proposed project complies with all applicable codes, or is seeking through the requested permits permission to deviate from certain code standards, in a manner that is consistent with the Zoning Ordinance.

### *Retail Shopping (R) Combining District*

<sup>2</sup> The Palo Alto Zoning Code is available online: [http://www.amlegal.com/codes/client/palo-alto\\_ca](http://www.amlegal.com/codes/client/palo-alto_ca)

The combining district requires that retail, eating and service-oriented commercial development be located on the ground floor. These uses typically activate the sidewalk and streetscape creating a friendly pedestrian ambiance. While not designed to accommodate uses with cooking facilities, the project is designed with transparent windows on the ground floor, and appears consistent with the (R) combining district standards.

#### *Proximity to residential*

The project is adjacent to multi-family residential. Alternative 1 is consistent with the zoning requirements as it relates to development standards that are sensitive to proximity, such as height, setbacks, and daylight plane standards. Alternative 2 is inconsistent with the height requirement.

#### *Design Alternatives*

While Alternative 1 intends to meet the zoning requirements with the waiver from on-site loading, the applicant sought to provide an alternative plan to accommodate increased floor to ceiling heights. Instead of integrating this design into a single proposal, the applicant created an Alternative 2 (Sheets 58 through 63 of the plan set), which is the same as Alternative 1, except with increased height. The following table summarizes the differences in floor to ceiling height between the alternatives:

Floor	Alternative 1 (35 feet overall)		Alternative 2 (43 feet overall)	
	Floor to ceiling	Floor to dropped ceiling	Floor to ceiling	Floor to dropped ceiling
1 <sup>st</sup> Floor	9'-5"	7'-8"	12'-5"	10'-8"
2 <sup>nd</sup> Floor	8'-5"	6'-8"	10'-9"	9'
3 <sup>rd</sup> Floor	8'-5"	6'-8"	10'-9"	9'

As noted earlier, staff does not believe the requested height increase is permitted with a DEE.

#### *Context-Based Criteria*

The context-based design criteria include an emphasis on how the building façade interacts with the streetscape. A retail designed ground floor façade would typically include elements that meet the criteria. In contrast office uses tend to include opaque windows and do not engage with the sidewalk or streetscape since its uses are internalized to the building.

Alternative 1 appears consistent with the context-based criteria. The project includes retail space on the first floor and in doing so provides pedestrian friendly design and relationship with the street through the placement of clear fenestration, and recessed entries with metal awnings. The project incorporates parking, solid waste/recycling within the footprint of the building. Retail spaces have direct entries to the street, while the office uses (situated on the second and third floors) have a centralized entry on the ground floor with a lobby.

The project includes a flat roof with strong horizontal and vertical elements providing articulation and visual interest at the parapet. The elevation planes are further articulated by recessed entries at the ground level, aluminum-framed fenestration and a balcony on the third level facing Cambridge Avenue. Metal awnings provide pedestrian level scale and opportunities for tenant signage placement. The segment of the building above the garage entry provides different fenestration treatment to provide additional visual interest and reduce mass along Cambridge Avenue. The building also meets the minimum setback requirements.

Alternative 2 has challenges meeting the context-based criteria because the scale and massing of the building would be inconsistent with the character of surrounding development.

### Consistency with the Comprehensive Plan, Area Plans and Guidelines<sup>3</sup>

The Comprehensive Plan includes Goals, Policies, and Programs that guide the physical form of the City. The Comprehensive Plan provides the basis for the City's development regulations and is used by City staff to regulate building and development and make recommendations on projects. Further, ARB Finding #1 requires that the design be consistent and compatible with applicable elements of the Palo Alto Comprehensive Plan.

The Comprehensive Plan land use designation for the project site is Community Commercial, which includes a wide variety of commercial uses such as shops, offices and banks. There are Comprehensive Plan Elements (Land Use and Community Design & Business and Economic) policies and goals that are applicable to the project. A subsequent meeting will evaluate the project's consistency with the Comprehensive Plan.

### Multi-Modal Access & Parking

The project is consistent with the City's Pedestrian and Bicycle Master Plan. The Plan creates the framework to increase walking and bicycling and other non-motorized transportation. This includes but not limited to programs to enhance crossings and bike lanes. The project is consistent with the plan in that it provides short-term bicycle parking at street level and long-term bicycle parking within the garage. The project also includes a design that fosters a pedestrian friendly streetscape. The project is subject to transportation impact fees that will fund projects identified in the Plan. Paying the fee and providing the bicycle parking supports the objectives of the Plan. The number of bicycle parking spaces provided is consistent with the number that is required by the PAMC. A condition of approval would require that short-term parking be located on private property and not within the public right-of-way.

### *Vehicle Parking*

The project site is located within the California Avenue Parking District. The site has previously met its obligation to the district through an assessment. In addition, the existing layout of the site includes two on-site parking spaces. The project includes the net addition of 2,917 square feet. Of that total, 2,599 is attributed towards new retail space, while 381 square feet is

<sup>3</sup> The Palo Alto Comprehensive Plan is available online:  
<http://www.cityofpaloalto.org/gov/topics/projects/landuse/compplan.asp>

attributed towards office space. The new net square footage is subject to the parking requirements of the district. Based on the requirements of the district, the project requires 12 additional parking spaces. Vehicle parking is provided on the first floor in a garage located behind the retail/lobby spaces. Fourteen parking spaces are provided in the garage meeting the requirements of the PAMC.

#### *Loading Space*

According to the PAMC, the project requires one off-street loading space. The applicant requests that there be an adjustment for this requirement (PAMC 18.52.080(e)). In order to approve such an adjustment, the Director must be able to find that: 1) the off-street loading requirement may conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access, or urban design principles; maximum reduction is one loading space; and 2) and the use of shared on-street loading would not conflict with Comprehensive Plan goals and policies related to site design planning, circulation and access or urban design principles; maximum reduction in one loading space.

According to PAMC 18.54.020C, each off-street loading space needs to consist of a rectangular area with a dimension of 12'-0" wide by 45'-0" in length. Each space needs to have adequate access including turning, maneuvering and have access to a public street at all times. The requirement for a single off-street loading space on site would occupy a significant portion of the project's frontage along Cambridge Avenue. The loading space would likely require two curb cuts (one of which could be shared with the on-site parking facility). That would preclude the siting of a building that would meet the Context-Based criteria. For instance, the building would not be located along the sidewalk and parking would likely be in view from the street. This would conflict with the Comprehensive Plan goals and policies to have centers be focal points and encourage a design that would reduce the effectiveness of a street frontage that contributes to retail vitality (Policy L-4.2). The project also preserves existing ground floor retail space (Policy L-2.9) by not siting a loading space on site.

#### **Environmental Review**

An environmental analysis is being prepared for this project and no action is anticipated at this meeting. Staff will return with an evaluation in accordance with the California Environmental Quality Act.

#### **Public Notification, Outreach & Comments**

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper and mailed to owners and occupants of property within 600 feet of the subject property at least ten days in advance. Notice of a public hearing for this project was published in the *Palo Alto Weekly* on December 7, 2017, which is 13 days in advance of the meeting. Postcard mailing occurred on December 7, 2017, which is 13 in advance of the meeting.

#### Public Comments



There has been extensive discussion between the resident that lives on the property behind the project site, the applicant and the City since the project was submitted for consideration. Attachment F includes a letter from the resident describing her concern with construction and operational air quality impacts associated with the project. None of these issues rise to the level of CEQA threshold significance, however, throughout the process staff has encouraged dialogue between the two parties and staff continues to encourage such dialogue.

## Alternative Actions

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

1. Approve the project with modified findings or conditions;
2. Recommend project denial based on revised findings.

### Report Author & Contact Information

Sheldon S. Ah Sing, AICP, Consultant Planner  
(408) 340-5642 x 109  
[sahsing@m-group.us](mailto:sahsing@m-group.us)

### ARB<sup>4</sup> Liaison & Contact Information

Jodie Gerhardt, AICP, Planning Manager  
(650) 329-2575  
[jodie.gerhardt@cityofpaloalto.org](mailto:jodie.gerhardt@cityofpaloalto.org)

### Attachments:

- Attachment A: Location Map (PDF)
- Attachment B: ARB Findings for Reference (DOCX)
- Attachment C: Performance Standards (DOCX)
- Attachment D: Zoning Comparison Table (DOCX)
- Attachment E: Applicant's Justification for DEE (PDF)
- Attachment F: Neighbor Correspondence (DOCX)
- Attachment G: Project Plans (DOCX)

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<sup>4</sup> Emails may be sent directly to the ARB using the following address: [arb@cityofpaloalto.org](mailto:arb@cityofpaloalto.org)



## CEQA Categorical Exemption 15332, In-Fill Development Projects

Address: 380-400 Cambridge Avenue File #: 15PLN-00249

The project includes the demolition of 32,083 square feet of office and retail space and the construction of 35,000 square feet of office and retail space. The net increase in gross floor area is 2,917 square feet, mostly attributed to retail space. The new building will be three stories in height, which is one more story than the existing buildings.

The Class 32 "In-Fill" exemption from CEQA is intended to promote infill development within urbanized areas, and applies to projects meeting the conditions described in this checklist. These conditions derive from CEQA Guidelines Section 15332 and 15300.2.

- ☒ The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (15332(a))

General Plan Designation: CC Community Commercial

Zoning Designation: CC (2) Community Commercial Sub-district 2

Design Exceptions Requested? (Circle One) ☒ Yes ☐ No

Comments: The project requests an exception to height to allow for more floor to ceiling height for all floors.

- ☒ The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (15332(b))

Project site size: 17,500 square feet (0.40-acre)

Surrounding uses: Multi-family, mixed-use and commercial developments

- ☒ The project site has no value as habitat for endangered, rare or threatened species. (15332(c))

Referenced data source: California Natural Diversity Database Info (CNDDB) and Comprehensive Plan Map N-1

Comments: The Database identifies a number of sensitive animal and plant species within the Palo Alto Quadrangle, which is a large geographic area that includes the urban portions and portions along the bay and within the foothills. The subject property does not contain the habitat to support these species.

- ☒ Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality (15332(d)) and would not contribute to a significant cumulative impact caused by successive projects of the same type, in the same place, over time (15300.2(b)).

Net new peak hour trips: 17 AM / 7 PM per ITE Trip Generation Manual (9<sup>th</sup> Edition)

VTA TIA Guidelines suggest that projects generating less than 100 new trips per peak hour do not require quantitative analysis, subject to the Congestion Management Program requirements, because they are unlikely to result in noticeable changes in area traffic conditions, even where traffic conditions are already degraded [VTA Transportation Impact Analysis Guidelines, October 2014]. To be conservative, the City of Palo Alto typically requires a focused traffic analysis that quantifies potential project impacts for projects generating more than 50 trips per peak hour.

## Attachment G

The proposed project would (check one):

- ☒ Generate less than 50 trips per peak hour, or
- ☐ Has been the subject of a quantitative analysis (attached) which indicates no significant impact to area intersections using VTA's adopted significance criteria.

Cumulative Impacts: The build out of downtown Palo Alto (CD zone district) has been planned for and is subject to a development cap established in 1986 (Ord. #3696). Thus, the proposed project, along with other development in the area, will not result in significant cumulative effects beyond those anticipated when the 1998 Comprehensive Plan was adopted. The City is currently updating the 1998 Comprehensive Plan reexamining the downtown cap and undertaking a new cumulative analysis. When this planning effort is completed, the results will inform future decisions. However, the current project is not of a size or scale requiring additional review at this time.

- ☒ The site can be adequately served by all required utilities and public services. (15332(d))

The site is within an urban area that is already served by utilities and public services. While utility hook-ups will be required, not expansion in capacity or special services would be required.

- ☒ The project site is not visible from a scenic highway. I-280 and Skyline Blvd (HWY 35) are the only State scenic highways in Palo Alto and they are not visible from Downtown. (15300.2(d))

- ☒ The project site is not on a list of hazardous waste sites compiled pursuant to Sec 65962.5 of the Government Code. (15300.2(e)). *References: Envirostor website and Project Phase I ESA.*

- ☒ The project will not cause a substantial adverse change in the significance of an historical resource. (15300.2(f))

For purposes of this section, an historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources. Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant.

Historic Resources on Site: None

Adjacent or Nearby Resources: None

Comments: The site was a subject of a historic resource evaluation completed in 2015 by Richard Brandi.

- ☒ There are no unusual circumstances creating the possibility that the project will have a significant effect on the environment pursuant to CEQA. (15300.2(c))

The proposed project would be required to comply with standard conditions of approval designed to address construction-related impacts. For example, all construction activities are subject to the City's Noise Ordinance (PAMC 9.10), which limits noise and construction hours; large projects are required to prepare a City approved Construction Logistics Plan that reviews traffic impacts, noise, parking etc.; and Best Management Practices (BMPs) are required of all construction sites to address ground, water and air pollution related to the daily activity.

The project may raise concerns due to planning or design issues, but it is within a developed, urban area where any impacts would not rise to the level of significance under CEQA.

Additional Comments:

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## Attachment G

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Prepared by: Sheldon S. Ah Sing, AICP, Consultant Planner

Date: 13 October 2017

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## Attachment H

### **Project Plans**

Hardcopies of project plans are provided to Board members. These plans are available to the public online and/or by visiting the Planning and Community Environmental Department on the 5<sup>th</sup> floor of City Hall at 250 Hamilton Avenue.

#### **Directions to review Project plans online:**

1. Go to: [bit.ly/PApendingprojects](http://bit.ly/PApendingprojects)
2. Scroll down to find "380-410 Cambridge Ave" and click the address link
3. On this project specific webpage you will find a link to the project plans and other important information

#### **Direct Link to Project Webpage:**

<https://www.cityofpaloalto.org/news/displaynews.asp?NewsID=3291>