



## City of Palo Alto

(ID # 5233)

### Architectural Review Board ARB Staff Report

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**Report Type: New Business**

**Meeting Date: 10/30/2014**

**Summary Title: 441 Page Mill Road**

**Title: 441 Page Mill Road: Site and Design Review of new three-story, 35 foot tall, 35,521 sf Mixed Use Building including three off-menu concessions requested pursuant to the State density bonus law, and a Design Enhancement Exception requesting (1) a 7' setback from the front property line (3' additional setback beyond the "build-to-line" ) and (2) a three foot encroachment into the 10 foot landscape buffer at the rear of the property. Environmental Assessment: An Initial Study and Mitigated Negative Declaration have been prepared. Zone District: Service Commercial (SC) with a Site and Design (D) combining district.**

**From: Amy French**

**Lead Department: Architectural Review Board**

#### **RECOMMENDATION**

Staff recommends that the Architectural Review Board (ARB) recommend the City Council approve the Site and Design Review application, as well as the two requested Design Enhancement Exceptions (DEEs) for the project at 441 Page Mill Road, based on Architectural Review (AR), Design Enhancement Exception (DEE), and Context Based Design Criteria Findings, and subject to the conditions in the draft Record of Land Use Action (RLUA, Attachment A).

#### **EXECUTIVE SUMMARY**

The ARB had continued its review of this application from August 21, 2014 to the October 2, 2014 hearing. There was additional discussion and the ARB continued the item again to October 30, 2014, to allow the applicant to address the comments about the architectural design of the project. The applicant has modified the project, as reflected in revised plans for the ARB's consideration. Staff has provided a summary of the ARB's comments and applicant's responses in the Discussion section of this staff report.

The project site (26,926 sf) is comprised of four parcels identified as 423, 433, 441, and 451 Page Mill Road (shown on Attachment B, location map). The project includes the merger of the four parcels into one single parcel (under separate application) and demolition of the four

existing homes to make way for a three-story, mixed use building with parking facilities located one level below grade and at the ground floor.

The commercial floor area includes ground floor retail space (approximately 4,000 sf) and second floor office space (approximately 18,000 sf). The residential floor area, at approximately 14,048 square feet, would contain ten rental apartments. On-site parking facilities would provide a total of 91 automobile parking spaces, 26 long term bicycle spaces and 20 short term bicycle (rack) spaces. The project's parking adjustment request for 16% (15.8%) below code requirement for joint use (shared) parking facilities, is supportable since staff has determined 91 spaces would be adequate to serve all of the proposed uses on the site without creating an off-site parking impact.

The requested DEEs are to allow: (a), a building setback of seven feet from the front property line (a three foot greater setback than the current "build-to-line" requirement) and (B) a three foot encroachment into the required 10 foot landscape buffer at the rear of the property. The Architectural Review Board is requested to review the attached DEE and AR findings in the RLUA, and ensure the project meets the objectives of Site and Design Review set forth in Palo Alto Municipal Code (PAMC) Section 18.30(G).060 (noted as Site and Design Review findings in the RLUA).

## **BACKGROUND**

### Zone Change Approval

On January 14, 2013 the City Council approved a rezoning of the four parcels, from Single Family Residential District (R-1) to Service Commercial (CS) with a Site and Design (D) Combining District. The Commission and Council recognized that commercial zoning, allowing for mixed uses, would be more appropriate on this busy stretch of roadway than the existing single-family residential zoning. The Council also approved a new Comprehensive Plan land use designation of Service Commercial in conjunction with the rezoning action.

### Preliminary ARB Review

On March 21, 2013, the ARB reviewed the conceptual building design in a noticed Preliminary Review hearing. The ARB preliminary review staff report can be found on the City's website at the following link: <http://goo.gl/V7YIz4>

### Commission Review

On June 11, 2014 the PTC reviewed the Site and Design Review application and Mitigated Negative Declaration, and voted 4-2 to recommend project approval as recommended in the staff report. The minutes from the June 11, 2014 Commission hearing are available at the following link: <http://goo.gl/EYNhi2>. The Commission staff report can be found on the City's website at the following link: <http://goo.gl/EYNhi2>

### Formal ARB Review

On August 21, 2014 the ARB reviewed the Site and Design Review application and voted to continue the item to a date certain of September 18, 2014. In order to continue working on the design changes, the applicant requested to move the item to October 2, 2014. The ARB's comments and the applicant's responses are provided in the discussion section below. The ARB staff report can be found on the City's website at the following link: <http://tinyurl.com/q26s4l3>

On October 2, 2014 the ARB reviewed the Site and Design Review application for a second time and voted to continue the item to a date certain of October 30, 2014. The ARB's comments and the applicant's responses are provided in the discussion section below. The ARB staff report can be found on the City's website at the following link: <http://tinyurl.com/q6xc2dv>

### Site Information

The site currently supports four single-story, single-family residences, one on each parcel. The site's four single-family homes appear to have been built between 1939 and 1948. At that time, Page Mill Road was not the expressway that it is today; it was a minor street that supported a mix of residential and commercial development. Aerial photography records indicate that by 1965, the minor street had been transformed into the expressway. The residential properties became less desirable to live in, since they were located on a busy roadway, and deferred maintenance led to their decline.

### Site Context

Adjacent uses to the northeast include the Kelly Moore Paint Store at 411 Page Mill Road and the AOL office development at 395 Page Mill Road. Adjacent uses to the southwest include an animal hospital at 461 Page Mill Road, and the AT&T retail store on the corner at 2805 El Camino Real. To the southeast, or the rear of the site, are single family residences with the exception of a grandfathered art studio at 440 Pepper Avenue. Across Page Mill Road to the northwest are multifamily residential Planned Community (PC) developments.

### Project Description

The project includes the merger of four parcels into one single parcel (under separate application) of 26,926 square feet (sf). The existing homes would be demolished to make way for a three-story, mixed use building with parking facilities for 91 automobiles located one level below grade and at the ground floor, where 108 automobile spaces are required by code. Bicycle parking spaces totaling 46 spaces (26 long term and 20 short term) would be provided on site, where 19 such spaces are required.

## **DISCUSSION**

The ARB appreciated the overall design concept, the organization, and the mix of uses within the building. However, the ARB continued to take issue with the architecture of the building and requested that the applicant address several items for further review. The following discussion summarizes the ARB comments during the October 2, 2014 hearing, and describes how the applicant has revised the plans.

### ARB Comments

The ARB had the following concerns about the project:

- The third floor pop outs do not relate to the first and second floors;
- The left side view of the entry tower;
- The tower element (height, curve etc.);
- Lack of findings to support the DEE for height of the entry tower;
- The color of the dark glass and the potential for heat gain;
- Aesthetic and language of the building;
- Hard feeling of the surface materials, the skin;
- Lack of separation between the commercial and residential entries (shared lobby);
- Glass box of the office not favored;
- The removal of the stone tiles (reduction in the quality of exterior materials);
- Long unbroken rear façade;
- Light impacts to neighbors (night shades);
- Too many competing elements; and
- Lacking vocabulary and readability.

### Plan Revisions

The applicant made the following revisions to the plan in attempt to address the ARB's concerns:

- Reintroduced the richer ceramic quartz tile material at the first and second floors of the building to improve the building's skin, and address some of the aesthetic concerns;
- Reduced some of the glazing, at the first and second floors, on the front and rear of the building, with the introduction of vertical bands of the ceramic quartz tile material;
- Wall and vertical mullion placement is related to the third floor plan above;
- Retail entry doors located in the solid vertical walls;
- Removed the three story curved entry tower element and replaced it with a two story squared up form with glass corner to correspond with the design of the other corners of the building (this eliminated the DEE request for height);
- Reduced the open tower element at the third floor by recessing it from the lower floors;
- The elevator tower was accentuated with the ceramic quartz tile material at both the exterior and interior; and
- Added ground floor entry canopy to announce the entry for the residential and office uses.

## **ENVIRONMENTAL REVIEW**

An Initial Study and Mitigated Negative Declaration (MND) have been prepared for the project in accordance with CEQA. The 30-day public review and comment period began on November 8, 2013 and ended on December 9, 2013. The environmental analysis notes there are a few potentially significant impacts that would require mitigation measures to reduce them to a less than significant level. These include mitigations for dust control during excavation, protection for nesting birds, building design for earthquake resistance, basement shoring, and measures to

prevent VOC vapor intrusion into the project. These are provided in the conditions of approval within the RLUA (Attachment A) as well as the MND (Attachment F).

Prepared by: Russ Reich, Senior Planner

Reviewed by: Amy French, AICP, Chief Planning Official

**Attachments:**

- Attachment A: Record of Land Use Action (DOCX)
- Attachment B: Site Location Map (PDF)
- Attachment C: Zoning Compliance Table (DOCX)
- Attachment D: Comprehensive Plan Table (DOC)
- Attachment E: Applicant's Letter (PDF)
- Attachment F: Mitigated Negative Declaration is available on the City's website at <http://tinyurl.com/m6c3yzs> (TXT)
- Attachment G: Project's Plans (ARB Members Only). Project plans are also available on the City's website at <http://goo.gl/95W5IM> (TXT)

## **ATTACHMENT A**

### **ACTION NO. 2014-XX RECORD OF THE COUNCIL OF THE CITY OF PALO ALTO LAND USE APPROVAL FOR 441 PAGE MILL ROAD: SITE AND DESIGN REVIEW, DENSITY BONUS CONCESSIONS, AND DESIGN ENHANCEMENT EXCEPTIONS (13PLN-0307)**

On \_\_\_\_\_, 2014, the Council of the City of Palo Alto approved the Mitigated Negative Declaration, Site and Design Review Application and Design Enhancement Exceptions (DEE) for a mixed use building in the Service Commercial (CS(D)) zone district.

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

A. Stoecker and Northway Architects, on behalf of Norm Schwab has requested the City's adoption and approval for the following items:

(1) A Mitigated Negative Declaration, prepared in accordance with the California Environmental Quality Act (CEQA);

(2) Site and Design Review application for a new 35,521 s.f. mixed-use building on a 26,929 s.f. site to provide 10 residential apartment units, including three below market rate units, and office and retail uses, with structured parking facilities (at surface and underground) providing 91 parking spaces including Design Enhancement Exceptions, (1), to allow a three foot alleviation of the build-to-line, and (2) to allow a three foot encroachment into the 10 foot landscape buffer at the rear of the site.

(3) A Lot Coverage concession in the amount of 5,057 s.f. under the state density bonus law;

(4) An FAR concession in the total amount of 8,701 s.f. under the state density bonus law;

(5) An FAR concession for commercial square footage in the amount of 10,771 s.f. under the state density bonus law.

(6) A Parcel Map to merge four parcels into one parcel of land:

These properties are designated on the Comprehensive Plan land use map as Service Commercial, and are located within the Service Commercial (CS(D)) zone district.

B. The Planning and Transportation Commission (Commission) reviewed the request for Site and Design Review, density bonus concessions and Mitigated Negative Declaration on June 11, 2014, and recommended approval.

C. The Architectural Review Board (ARB) reviewed the application for Site and Design Review and Design Enhancement Exceptions on August 21, 2014, and continued the item for further review. The ARB reviewed the application again on October 2, 2014 and continued the item for further review. The ARB reviewed the application for a third time on October 30, 2014 and reviewed the project for consistency with Architectural Review findings, Design Enhancement Exception findings, and Context Based Design Criteria, and recommended approval.

## **SECTION 2. Environmental Review.**

The City, as the lead agency for the Project, has determined that a Mitigated Negative Declaration (MND) will be required for the project subject to the provisions of the California Environmental Quality Act (CEQA). The Public Notice period for the MND began on November 08, 2013 and concluded on December 09, 2013.

## **SECTION 3. Site and Design Review Findings**

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

The proposed mixed use building would introduce compatible and harmonious uses in relation to adjacent and nearby uses in this diverse and eclectic neighborhood. The proposed building and uses would be sited such that they would not result in an impact on adjacent properties. Landscaping would be added at the rear to ensure privacy for the adjacent residential uses. The traffic and parking for the project have been reviewed and it has been determined that the use would be adequately parked and that the traffic volumes would not result in an impact to local intersections or roadways. The proposal removes several existing curb cuts and widens the sidewalk on the Page Mill Road frontage, improving pedestrian safety.

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

The approval of the project would maintain the desirability of investment by providing a project with a mix of uses that would assist in improving the neighborhood by making better use of a series of single family parcels that have long been neglected due to their undesirable location fronting the expressway. The proposal makes more appropriate use of the property adjacent to the busy roadway by placing office and retail uses adjacent to the roadway while placing new residential uses higher above and away from the roadway on the third floor. The proposal would be executed in a manner that has the potential to improve the aesthetic quality of the area. Construction of all improvements will be governed by the regulations of the current Zoning Ordinance, the Uniform Building Code, and other applicable codes to assure safety and a high quality of development.

3. *Sound principles of environmental design and ecological balance are observed in the project.*

The proposal, as a mixed use infill project, is intended to benefit the environment by providing new housing within the city to reduce vehicle commute times. Efficient use of space and the use of Green building practices are employed within the project.

4. *The use will be in accord with the Palo Alto Comprehensive Plan.*

The project is compliant with several comprehensive plan policies as noted in the Comprehensive Plan Compliance Table

#### **SECTION 4. ARB Findings/Context Based Design Criteria Findings/Design Enhancement Exception Findings**

##### **Architectural Review Findings**

1) The design of the proposed mixed use development is consistent and compatible with applicable elements of the City's Comprehensive Plan in that the site is designated as Service Commercial, which allows for mixed use development and compliance with applicable Comprehensive Plan policies is outlined in the Comprehensive Plan compliance table;

2) The design is compatible with the immediate environment of the site in that the proposed building is located within a



commercial zone district where a mixture of uses is appropriate. The building would be located on a significant arterial roadway where larger commercial buildings are common. The site is well utilized by the building's design. The building fills the site creating a buffer between the busy roadway and the single-family residences behind;

3) The design is appropriate to the function of the project in that the design appropriately accommodates the varied mix of proposed uses, elevating the residences up off the street and away from the busy roadway, improving pedestrian accessibility and safety by removing curb cuts, and addressing the street in such a way as to provide building mass close to the street while maintaining a wide sidewalk;

4) In areas considered by the board as having a unified design character or historical character, the design is compatible with such character. Not applicable. The area does not have a unified design character;

5) The design promotes harmonious transitions in scale and character in areas between different designated land uses in that the proposal includes ample landscape screening providing privacy between the mixed use project and the adjacent single family houses to the rear. The mixture of both commercial and residential uses helps to provide a transition between the busy roadway and the quieter single family residences;

6) The design is compatible with approved improvements both on and off the site in that the proposed mixed use building would be compatible with the other uses in the area and the uses within the building are divided in a manner to ensure they would be compatible with each other;

7) The planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community in that the proposed design places the driveway at the far end of the site such that one could see the project and slowdown in time to safely enter the parking garage. It would also have a central pedestrian entry tower providing access to each of the three floors and the various uses within the building;

8) The amount and arrangement of open space are appropriate to the design and the function of the structures in that ample open space is provided in the form of private patio areas for the residences and there would be a large central courtyard at the third floor that would provide access to each of the residential units;

9) Sufficient ancillary functions are provided to support the main functions of the project in that the proposal includes sufficient parking and areas to accommodate trash and recycling needs of the development;

10) Access to the property and circulation thereon are safe and convenient for pedestrians, cyclists and vehicles in that adequate parking areas are proposed both at the surface and below grade, bicycle parking provided at various locations throughout the site, and safe pedestrian access through the project;

11) Natural features are appropriately preserved and integrated with the project in that the proposal will replace the street tree canopy back from the street edge to ensure their continued success after the proposed street widening;

12) The materials, textures, colors and details of construction and plant material are appropriate expressions of the design and function in that the building is proposed to have a multitude of exterior finish materials with different colors and textures providing a high level of detail and visual interest;

13) The landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment in that the proposal includes landscape material where possible considering that the project sits upon a below grade parking structure. Landscape planters would be placed at the third floor and street trees and privacy screen trees are provided at the front and rear of the project respectively;

14) Plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety, which would tend to be drought-resistant and to reduce consumption of water in its installation and maintenance in that appropriate plant materials have been selected that are drought tolerant and suitable for their proposed locations;

15) The project exhibits green building and sustainable design that is energy efficient, water conserving, durable and nontoxic, with high quality spaces and high recycled content materials. The project would comply with the stricter CalGreen tier 2 requirements. The residential portion would comply with Build-it-Green requirements.

16) The design is consistent and compatible with the purpose of architectural review, which is to:

- a. Promote orderly and harmonious development in the city;
- b. Enhance the desirability of residence or investment in the city;
- c. Encourage the attainment of the most desirable use of land and improvements;
- d. Enhance the desirability of living conditions upon the immediate site or in adjacent areas; and
- e. Promote visual environments which are of high aesthetic quality and variety and which, at the same time, are considerate of each other.

The project as designed, and as conditioned, would promote an environment that is of high design quality and variety.

#### **Context Based Design Criteria Findings**

Pursuant to PAMC 18.16.090 (a), the project shall be:

- (A) Responsible to its context and compatible with adjacent development, and shall promote the establishment of pedestrian oriented design. "Responsible to context" is not a desire to replicate surroundings, but provide appropriate transitions to surroundings, and
- (B) Compatible with adjacent development, when apparent scale and mass is consistent with the pattern of achieving a pedestrian oriented design and when new construction shares general characteristics and establishes design linkages with the overall pattern of buildings so the *visual unity of the street is maintained.*

*If there is any visual unity existing on the block now, it is the four dilapidated, single-story homes on the four lots plus one adjacent single story structure on the adjacent CN-zoned lot, in use as a veterinary office. With the recent rezoning of the site to CS, the commercial zoning of this block fronting Page Mill Road was completed. Buildings taller than one story anchor the corners of this commercial block and two and three story buildings are allowed by the zoning.*

Pursuant to PAMC 18.16.090 (b), additional findings are applicable, related to (1) pedestrian and bicycle environment, (2) street building facades, (3) massing and setbacks, (4) low-density residential transitions, (5) project open space, (6) parking design, (7) multi-acre sites (not applicable), (8)

sustainability and green building design. The findings below are draft form and would be modified during the ARB review process.

- 1) Pedestrian and Bicycle Environment. *The design of new projects shall promote pedestrian walkability, a bicycle friendly environment, and connectivity through design elements. The proposed building provides landscaping, decorative paving at the entries, benches, a staircase from the street for residential tenant use, and a slightly deeper setback than allowed per build-to-line/front setback requirement, allowing greater sidewalk width to create an inviting and active pedestrian environment. The proposed effective sidewalk width would be 10 feet plus a two foot wide planter strip along Page Mill Road and an additional setback to the building.*
- 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 building front wall contains three commercial doors to the retail space(s), and a pedestrian staircase leading to the residential units on the third floor. The glassy façade provides viewing opportunities, contributing to an active pedestrian oriented area.*
- 3) Massing and Setbacks. *Buildings shall be designed to minimize massing and conform to proper setbacks. The building front wall is generally similar in placement on the site as is the Kelly Moore paint store at 411 Page Mill Road. The glass wall treatment will minimize massing along Page Mill Road; the building is proposed to be set back farther than the build-to-line/front setback, for which a DEE is requested. The rear and side setbacks have proper setbacks (zoning table confirms these setbacks are in compliance with CS zoning code minimum setbacks).*
- 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. Screen trees are proposed and an approval condition would require nighttime window shades to minimize light intrusion.*
- 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. Public open space is the sidewalk area with landscaping and trees on private property offered to the public to enjoy. The usable private residential space (balconies) and common open space for the residential units is adequate

- 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.* The project provides parking below grade and in the rear of the building, with one 20' wide driveway - a reduction the number of driveways from four to one - to improve the pedestrian environment.
- 7) Large Multi-Acre Sites - not applicable
- 8) Sustainability and green building design: The project is designed to meet the City's locally amended Cal Green standards (Tier 2 mandatory) for the commercial component, and green point rated for the residential component of the building. The ARB will discuss and evaluate the "green" features of the project.

#### **Design Enhancement Exception Findings:**

The requested Design Enhancement Exceptions (DEE) are consistent with the following findings as stated in PAMC 18.76.050 (c). Note: These draft DEE Findings are provided for ARB review. Exceptions are requested for height (five feet over the 35 foot code limitation), alleviation of the build-to-line (three feet further from the front property line), and encroachment into the landscape buffer (three feet into the 10 foot landscape screen area).

(1) *There are exceptional or extraordinary circumstances or conditions applicable to the property or site improvements involved that do not apply generally to property in the same zone district.* This Finding can be made in the affirmative. To accommodate the below grade parking the proposed building footprint would span the entire site, resulting in an expansive roof capped at a restrictive 35 foot height limit as well as being subject to a zoning requirement to place 50% of the building up to the front setback line. Placing 50% of the building this close to the street in this location would not leave enough room to accommodate street trees in front of the project due to existing utility locations in the sidewalk and the future plans and regulations of Santa Clara County that has jurisdiction over Page Mill Road as a County expressway. They

don't allow street trees within seven feet of the roadway edge and they have future plans to widen the existing roadway by two feet, further reducing the sidewalk width.

(2) *The granting of the application will enhance the appearance of the site or structure, or improve the neighborhood character of the project and preserve an existing or proposed architectural style, in a manner which would not otherwise be accomplished through strict application of the minimum requirements of this title (Zoning) and the architectural review findings set forth in Section 18.76.020(d).* This Finding can be made in the affirmative. The alleviation of the build to line and the encroachment into the landscape screen area would allow the building to be set back from the street three additional feet to provide a wider sidewalk and additional room for street trees while still maintaining appropriate room for privacy screening for the rear R-1 neighbors.

(3) *The exception is related to a minor architectural feature or site improvement that will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience.* This Finding can be made in the affirmative in that the alleviation of the build to line and the encroachment into the landscape screen area would have the positive impact of providing wider sidewalks, pedestrian amenities, and additional room for street trees rather than any negative impact.

## **SECTION 5. State Density Bonus Concession Findings**

(i) The Development is eligible for the Density Bonus and any Concessions, waivers, modifications, or revised parking standards requested.

By providing three out of the 10 units as low income units the project is eligible for three concessions. The applicant has not requested the revised parking standards allowed by the state density bonus law.

(ii) Any requested Concession or Incentive will result in identifiable, financially sufficient, and actual cost reductions based upon the financial analysis and documentation provided. The City finds that the Concessions and Incentives included in Section 18.50.050(c) will result in identifiable, financially sufficient, and actual cost reductions.

The City's consultant has done a fiscal analysis of the applicants pro forma and has found that the requested

concessions are necessary in order to provide the three Below Market Rate dwelling units.

(iii) If the Concession or Incentive includes mixed-use development, a finding that all the requirements included in Government Code Section 65915(k)(2) have been met.

All the requirements of Government Code Section 65915(K)(2) have been met in that the commercial portions of the project are compatible with the residential uses.

**SECTION 6. Site and Design Review Approval and DEE Granted.** Site and Design Review, and DEEs are granted by the City Council under Palo Alto Municipal Code Section 18.30(G).070, and Section 18.76.010 for application 13PLN-00307, subject to the conditions of approval in Section eight of the Record.

**SECTION 7. Plan Approval.**

The plans submitted for Building Permit shall be in substantial conformance with those plans prepared by Stoecker and Northway Architects, consisting of 33 pages, dated September 10, 2014, and received October 10, 2014, except as modified to incorporate the conditions of approval in Section Eight. A copy of these plans is on file in the Department of Planning and Community Environment. This document, including the conditions of approval in Section eight, shall be printed on the cover sheet of the plan set submitted with the Building Permit application.

**SECTION 8. Conditions of Approval.**

**Department of Planning and Community Environment**

1. The plans submitted for Building Permit shall be in substantial conformance with plans received on October 10, 2014, except as modified to incorporate the following conditions of approval and any additional conditions placed on the project by the Planning Commission, Architectural Review Board, or City Council. The following conditions of approval shall be printed on the cover sheet of the plan set submitted with the Building Permit application.

2. All noise producing equipment shall not exceed the allowances specified in Section 9.10 Noise of the Palo Alto Municipal Code.

3. Any existing city street trees approved to remain shall be maintained and protected during construction per City of Palo Alto standard requirements.

4. All landscape material shall be well maintained for the life of the project and replaced if it fails .

5. Any exterior modifications to the building or property shall require Architectural Review. This includes any new signs.

6. An Affordable Rental Housing Agreement for the three units designated for Lower Income Households shall be executed and recorded prior to building permit issuance. Applicant will enter into a Regulatory Agreement restricting three units for lower income households consistent with the city's Below Market Rate Housing Program guidelines."

7. All of the on-site parking spaces shall remain unassigned such that no single space shall be encumbered by any individual or tenant.

8. A Parcel Map, to merge the four parcels into a single parcel, must be recorded with the County of Santa Clara prior to building permit issuance.

9. The applicant must notify the Public Art Office of their intent to fulfill the public art requirement by payment of the in-lieu fee instead of commissioning art on site. The applicant is required to submit the amount equal to 1% of the estimated construction valuation into the public art fund account prior to their application for a building permit and provide a copy of the receipt to the Public Art office. According to the original Public Art application form, the estimated art budget is \$160,000. At the time of their building permit application, the estimated construction valuation will be confirmed. If the estimated construction valuation has increased at that time, the applicant will have to submit 1% of the new estimated construction valuation prior to the issuance of a building permit. If the applicant chooses to implement the art on site, this condition to pay the in-lieu fee would no longer be valid. The plans submitted for building permit must include the proposed art installation.

10. Mitigation Measures C-1: The effects of construction activities would be increased dust fall and locally elevated levels of particulate matter downwind of construction activity. Construction dust has the potential for creating a nuisance at



nearby properties. This impact is considered potentially significant but normally mitigated by implementing the following control measures:

During demolition of existing structures:

- Water active demolition areas to control dust generation during demolition and pavement break-up.
- Cover all trucks hauling demolition debris from the site.
- Use dust-proof chutes to load debris into trucks whenever feasible.
- During all construction phases:
  - Pave, apply water 3x/daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
  - Hydro-seed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
  - Enclose, cover, water 2 times daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
  - Limit traffic speeds on unpaved roads to 15 miles per hour.
  - Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
  - Replant vegetation in disturbed areas as quickly as possible.
  - The above measures include feasible measures for construction emissions identified by the BAAQMD for large sites. According to the District threshold of significance for construction impacts, implementation of the measures would reduce construction impacts of the project to a less than significant level.

11. Mitigation Measures: See H-3 under Section VII, Hazards and Hazardous Materials

12. Mitigation Measures B-1: The applicant shall abide by all provisions of Sections 3503 and 3503.5 of the State Fish and Game Code and Migratory Bird Treaty Act of 1918 (MBTA) as

published in the Federal Register (Vol. 70, No. 49; March 15, 2005).

Although there is no vegetation on the project site that may contain nesting birds, there may be nesting birds in existing vegetation abutting the proposed project site. To protect any nesting birds, the proposed project may avoid construction during the nesting period. Alternatively, a qualified wildlife biologist (to be hired by the applicant) shall conduct a survey for nesting birds that are covered by the MBTA and/or Sections 3503 and 3503.5 of the State Fish and Game Code in the vicinity of the project site. This survey shall cover all areas that would be disturbed as a result of construction-related activities during the nesting period, and shall include a "buffer zone" (an area of potential sensitivity, beyond the bounds of the proposed project construction area) which shall be determined by the biologist based on his or her professional judgment and experience. This buffer zone may include off-site habitat.

This biological survey shall be conducted no more than 14 days prior to the commencement of construction activities. The wildlife biologist shall provide a report to the City promptly detailing the findings of the survey. No construction shall be conducted until this report has been provided to the City and the City has authorized in writing the commencement of construction activities in accord with the biologist's findings.

13. Mitigation Measures F-1: All earthwork and site drainage, including foundation and basement excavations, retaining wall backfill, preparation of the subgrade beneath hardscape, placement and compaction of engineered fill, and surface drainage should be performed in accordance with the Geotechnical Report prepared by Cornerstone Earth Group dated May 2, 2013.

14. Mitigation Measures F-2: The design of all buildings shall be designed in accordance with current earthquake resistant standards, including the 2007 CBC guidelines and design recommendations regarding the potential for localized liquefaction presented in the Geotechnical Investigation provided by Cornerstone Earth Group.

15. Mitigation Measure F-3: Prior to building permit approval, the applicant shall submit a well-designed shoring system for the basement excavation to be designed by a licensed engineer subject to review and approval by Public Works Department.

16. Mitigation Measure F-4: The basement walls be designed for hydrostatic pressure (an additional 40pcf of fluid pressure) and waterproofed.

17. Mitigation Measure F-5: The garage/basement slab should be designed for an uplift pressure of 250 pounds per square foot, which is equivalent to approximately 4 feet of hydraulic lift. At a minimum a vapor retarder should be placed below the slab mat foundation. Due to the proximity of the slab to the ground water table, a waterproofing membrane should be in place.

18. Mitigation Measures H-1: Because the site is documented to be contaminated by VOCs, primarily trichloroethylene (TCE) a Health and Safety Plan (HASP) and a Site Mitigation Plan (SMP), shall be prepared prior to construction, and adhered to during construction and excavation activities. The SMP will provide recommended measures to mitigate the long-term environmental or health and safety risks caused by TCEs in the soil and groundwater. All workers on site should be read and understand the HASP and SMP, and copies should be maintained on site during construction and excavation at all times.

The SMP shall be reviewed and approved by the Santa Clara County Department of Environmental Health, the San Francisco Bay Regional Water Quality Control Board or other appropriate agency addressing oversight to establish management practices for handling contaminated soil or other materials if encountered during demolition.

The details of the SMP shall include the provision of a vapor barrier (refer to H-3) and details about ventilation systems for the garages and buildings, including air exchange rates and operation schedules for the systems. The SMP will also contain contingency plans to be implemented during excavation activities if unanticipated hazardous materials are encountered.

19. Mitigation Measures H-2: A Remedial Risk Management Plan (RRMP) shall be developed and followed by current and future owners, tenants, and operators. The plan will include the implementation of the described remedies and engineering design.

20. Mitigation Measures H-3: A vapor barrier system beneath the garage slab and walls shall be installed to mitigate any issues with the potential presences of VOCs or (TCE). The membrane system should consist of a 60ml, spray applied, seamless, solvent free membrane. Specifications for the vapor barrier included in the SMP shall document proper installation,

coupon samples of the membrane (to verify its thickness) and a smoke test would also need to be performed.

21. Mitigation Measure H-5: A properly designed and operating and Heating, Ventilation, Air Conditioning (HVAC) system for the building and below grade parking garage. An HVAC mechanical engineer shall be consulted to evaluate design options for a building ventilation system that helps limit potential vapor intrusion concerns.

22. Mitigation Measure H-6: A passive sub-slab depressurization system shall be designed for the project. The system inhibits soil gases from flowing into the building, reducing volatile chemical entry into the building. This design shall be reviewed by the Regional Water Quality Control Board prior to the issuance of a building permit.

23. Mitigation Measures T-1: The applicant shall provide clear sight lines for drivers exiting the site. Within the corner site triangle:

- o Shrubs, fencing, and signs no higher than three feet above the adjacent street surface.
- o Tree branches no lower than seven feet above the adjacent street surface.
- o No poles, trees and other tall object situated so that they would create a wall effect when viewed at an oblique angle.

24. The Development Impact Fees, approximated at \$642,587.00, shall be paid prior to building permit issuance.

25. Automatic night shades shall be added to the office windows facing the single family parcels to the rear to ensure that lighting from the office uses does not disturb the residential neighbors.

### **Public Works, Urban Forestry Division**

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

26. Page Mill Road Frontage. Nine existing Shumard oak trees that would not survive construction are approved for removal. Five new trees shall be planted in the right-of-way planters to function as a consistent link to the overall Urban Forest theme for this section of Page Mill Road (from El Camino Real to Park Avenue). A sixth tree, planted behind the City

property adjacent to the parking garage ingress/egress, should be a different species to help differentiate the entry from the vehicular perspective.

27. ROW species (5 trees) shall be changed to *Quercus shumardii* (Shumard Oak). Garage planter (6th tree) shall be *Chitalpa tashkentensis* (Chitalpa), a flowering accent tree for native garden settings (or approved equivalent).

28. Performance standards for all trees shall conform to the following: Size: 36" box. Planting Stock, Materials and Quality meeting Tree Technical Manual Standards, Section 3.35, planted per PW Detail #603a for Structural Soil. Irrigation: each tree shall be provided with three bubblers per PW Detail #513.

29. Engineered Soil Mix (ESM). Civil plans and landscape plans shall provide for optimum root growth under sidewalk and hardscape areas. Show clearly all areas designated for ESM adjacent to tree planter areas out to curb, 24" depth minimum (or as limited by utility vault sections of various origins). Specification and Detail sheets shall show listed Engineered Soil Mix (Structural Soil), PW Specification Section 30 (all sheets) and PW Detail #603a, printing all on stamped job copy and building permit copy plan sets.

30. Canary Island Date Palm-Special Care Program. The site plan notes shall show the existing tree provision, "Protect Canary Island Date Palm using modified Type III protection (see attached handout) and chain link fencing 6' from trunk until final landscaping and irrigation is installed. Tree shall be fertilized and sprayed for pink rot disease control. Mandatory pruning by an ISA certified tree worker shall establish an aesthetic 'pineapple bowl' section for maintaining a maximum 45-degree green frond retention (60-degree pruning is detrimental and prohibited). Brown trunk shall be skinned from the bowl to the ground. Trimming equipment shall be sanitized with BMP recommended process.

31. SITE PLAN REQUIREMENTS. The Site Plans must show Type I & Type III fencing (see above) around the existing Date Palm a bold dashed line enclosing the Tree Protection Zone as shown on Detail #605, Sheet T-1, and the City Tree Technical Manual, Section 6.35-Site Plans.

#### DURING CONSTRUCTION

32. SHEET T-1. The building permit plan set must include the city-provided, Sheet T-1 (Tree Protection-it's Part of the

Plan!) Applicant shall complete and sign the sheet Tree Disclosure Statement. Inspection #1 applies to this project.

33. TREE PROTECTION VERIFICATION. Prior to demolition, grading or building permit issuance, a written verification from the contractor that the required protective fencing is in place shall be submitted to the Building Inspections Division. The fencing shall contain required warning sign and remain in place until final inspection of the project. Tree fencing shall be adjusted after demolition if necessary to increase the tree protection zone as required by the project arborist.

34. TREE DAMAGE. The applicant 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.

35. 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.

#### **Environmental Services Division**

36. PAMC 16.09.180(b)(9) Covered Parking: Drain plumbing for interior parking garage floor drains must be connected to an oil/water separator with a minimum capacity of 100 gallons, and to the sanitary sewer system. It is recommended that the stormwater pump area in the garage be labeled: no dumping flows to Bay or similar language.

37. PAMC 16.09.055 Unpolluted Water: Unpolluted water shall not be discharged through direct or indirect connection to the sanitary sewer system. The uncovered ramp to the garage must be connected to the storm drain system.

37. PAMC 16.09.180(b)(14) Architectural Copper: on and after January 1, 2003, copper metal roofing, copper metal gutters, copper metal down spouts, and copper granule containing asphalt shingles shall not be permitted for use on any residential, commercial or industrial building for which a building permit is required. Copper flashing for use under tiles or slates and small copper ornaments are exempt from this prohibition. Replacement roofing, gutters and downspouts on historic structures are exempt, provided that the roofing

material used shall be prepatinated at the factory. For the purposes of this exemption, the definition of "historic" shall be limited to structures designated as Category 1 or Category 2 buildings in the current edition of the Palo Alto Historical and Architectural Resources Report and Inventory.

38. PAMC 16.09.180(b)(5) Condensate from HVAC: Condensate lines shall not be connected or allowed to drain to the storm drain system.

39. 16.09.215 Silver Processing: Facilities conducting silver processing (photographic or X-ray films) shall either submit a treatment application or waste hauler certification for all spent silver bearing solutions. 650-329-2421.

40. PAMC 16.09.180(b)(b) Copper Piping: Copper, copper alloys, lead and lead alloys, including brass, shall not be used in sewer lines, connectors, or seals coming in contact with sewage except for domestic waste sink traps and short lengths of associated connecting pipes where alternate materials are not practical. The plans must specify that copper piping will not be used for wastewater plumbing.

41. PAMC 16.09.220(c)(1) Dental Facilities That Remove or Place Amalgam Fillings: An ISO 11143 certified amalgam separator device shall be installed for each dental vacuum suction system. The installed device must be ISO 11143 certified as capable of removing a minimum of 95 percent of amalgam. The amalgam separator system shall be certified at flow rates comparable to the flow rate of the actual vacuum suction system operation. Neither the separator device nor the related plumbing shall include an automatic flow bypass. For facilities that require an amalgam separator that exceeds the practical capacity of ISO 11143 test methodology, a non-certified separator will be accepted, provided that smaller units from the same manufacturer and of the same technology are ISO-certified.

42. PAMC 16.09.205(a) Cooling Systems, Pools, Spas, Fountains, Boilers and Heat Exchangers: It shall be unlawful to discharge water from cooling systems, pools, spas, fountains boilers and heat exchangers to the storm drain system.

43. PAMC 16.09.165(h) Storm Drain Labeling: Storm drain inlets shall be clearly marked with the words "No dumping - Flows to Bay," or equivalent.

Undesignated Retail Space:

44. PAMC 16.09 Newly constructed or improved buildings with all or a portion of the space with undesignated tenants or future use will need to meet all requirements that would have been applicable during design and construction. If such undesignated retail space becomes a food service facility the following requirements must be met:

**Public Works Department Engineering Division**

45. SIDEWALK, CURB & GUTTER: As part of this project, the applicant must 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 that are broken, badly cracked, displaced, or non-standard, and must remove any unpermitted pavement in the planter strip. Contact Public Works' inspector at 650-496-6929 to arrange a site visit so the inspector can determine the extent of replacement work. The site plan submitted with the building permit plan set must show the extent of the replacement work or include a note that Public Works' inspector has determined no work is required. The plan must note that any work in the right-of-way must be done per Public Works' standards by a licensed contractor who must first obtain a Street Work Permit from Public Works at the Development Center.

46. STREET TREES: The applicant may be required to replace existing and/or add new street trees in the public right-of-way along the property's frontage(s). Call the Public Works' arborist at 650-496-5953 to arrange a site visit so he can determine what street tree work, if any, will be required for this project. The site plan submitted with the building permit plan set must show the street tree work that the arborist has determined, including the tree species, size, location, staking and irrigation requirements, or include a note that Public Works' arborist has determined no street tree work is required. The plan must note that in order to do street tree work, the applicant must first obtain a Permit for Street Tree Work in the Public Right-of-Way from Public Works' arborist (650-496-5953).

47. PEDESTRIAN & STREETScape IMPROVEMENTS: Additional streetscape design elements and amenities such as bike racks and decorative street lights will be considered pending future discussions with the Santa Clara County Department of Roads and Airports, Architectural Review Board, and other city departments.

The following comments are provided to assist the applicant at the building permit phase. You can obtain various plan set



details, forms and guidelines from Public Works at the City's Development Center (285 Hamilton Avenue) or on Public Works' website:

<http://www.cityofpaloalto.org/gov/depts/pwd/default.asp>.

*Include in plans submitted for a building permit:*

48. LOT MERGER: A Certificate of Compliance application for lot line removal/merger must be submitted to Public Works, approved by pertinent city departments, and recorded by the Santa Clara County Clerk-Recorder's office prior to building permit issuance. Public Works processes and routes lot line removal/merger applications and routes documents to city departments for review and comment. A \$3000 Certificate of Compliance plan check fee will be collected when the lot line removal/merger application is submitted to Public Works officials. The application form, soils report waiver, and checklist are available at the Development Center at 285 Hamilton Avenue or on the city's website.

49. BASEMENT DRAINAGE: Due to high groundwater throughout much of the City and Public Works prohibiting the pumping and discharging of groundwater, perforated pipe drainage systems at the exterior of the basement walls or under the slab are not allowed for this site. A drainage system is, however, required for all exterior basement-level spaces, such as lightwells, patios or stairwells. This system consists of a sump, a sump pump, a backflow preventer, and a closed pipe from the pump to a dissipation device onsite at least 10 feet from the property line, such as a bubbler box in a landscaped area, so that water can percolate into the soil and/or sheet flow across the site. The device must not allow stagnant water that could become mosquito habitat. Additionally, the plans must show that exterior basement-level spaces are at least 7-3/4" below any adjacent windowsills or doorsills to minimize the potential for flooding the basement. Public Works recommends a waterproofing consultant be retained to design and inspect the vapor barrier and waterproofing systems for the basement.

50. BASEMENT SHORING: Shoring for the basement excavation, including tiebacks, must not extend onto adjacent private property or into the City right-of-way without having first obtained written permission from the private property owners and/or an encroachment permit from Public Works.

51. DEWATERING: Basement excavations may require dewatering during construction. Public Works only allows groundwater drawdown well dewatering. Open pit groundwater dewatering is disallowed. Dewatering is only allowed from April

through October due to inadequate capacity in our storm drain system. The geotechnical report for this site must list the highest anticipated groundwater level. We recommend a piezometer to be installed in the soil boring. The contractor must determine the depth to groundwater immediately prior to excavation by using the piezometer or by drilling an exploratory hole if the deepest excavation will be within 3 feet of the highest anticipated groundwater level. If groundwater is found within 2 feet of the deepest excavation, a drawdown well dewatering system must be used, or alternatively, the contractor can excavate for the basement and hope not to hit groundwater, but if he does, he must immediately stop all work and install a drawdown well system before he continues to excavate. Public Works may require the water to be tested for contaminants prior to initial discharge and at intervals during dewatering. If testing is required, the contractor must retain an independent testing firm to test the discharge water for the contaminants Public Works specifies and submit the results to Public Works.

52. Public Works reviews and approves dewatering plans as part of a Street Work Permit. The applicant can include a dewatering plan in the building permit plan set in order to obtain approval of the plan during the building permit review, but the contractor will still be required to obtain a street work permit prior to dewatering. Alternatively, the applicant must include the above dewatering requirements in a note on the site plan. Public Works has a sample dewatering plan sheet and dewatering guidelines available at the Development Center and on our website.

53. GRADING & DRAINAGE PLAN: The plan set must include a grading & drainage plan prepared by a licensed professional that includes existing and proposed spot elevations and drainage flow arrows to demonstrate proper drainage of the site. Adjacent grades must slope away from the house a minimum of 2%. Downspouts and splashblocks should be shown on this plan, as well as any site drainage features such as swales. Grading will not be allowed that increases drainage onto, or blocks existing drainage from, neighboring properties. Public Works generally does not allow rainwater to be collected and discharged into the street gutter, but encourages the developer to keep rainwater onsite as much as feasible by directing runoff to landscaped and other pervious areas of the site. See the Grading & Drainage Plan Guidelines for Residential Developments on our website: <http://www.cityofpaloalto.org/civicax/filebank/documents/2717>

54. GRADING & EXCAVATION PERMIT: An application for a grading & excavation permit must be submitted to Public Works when applying for a building permit. The site plan must include

a table providing the cubic yardage of dirt being cut and filled outside of the building footprint. The application and guidelines are available at the Development Center and on our website.

55. STORM WATER POLLUTION PREVENTION: The City's full-sized Pollution Prevention - It's Part of the Plan sheet must be included in the plan set. Copies are available from Public Works at the Development Center or on our website: <http://www.cityofpaloalto.org/civicax/filebank/documents/2732>

56. STREET TREES: Show all existing street trees in the public right-of-way. Any removal, relocation or planting of street trees; or excavation, trenching or pavement within 10 feet of street trees must be approved by Public Works' arborist (phone: 650-496-5953). This approval shall appear on the plans. Show construction protection of the trees per City requirements.

57. WORK IN THE RIGHT-OF-WAY: The plans must clearly indicate any work that is proposed in the public right-of-way, such as sidewalk replacement, driveway approach, or utility laterals. The plans must include notes that the work must be done per City standards and that the contractor performing this work must first obtain a Street Work Permit from Public Works at the Development Center. If a new driveway is in a different location than the existing driveway, then the sidewalk associated with the new driveway must be replaced with a thickened (6" thick instead of the standard 4" thick) section. Additionally, curb cuts and driveway approaches for abandoned driveways must be replaced with new curb, gutter and planter strip.

58. 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: <http://www.cityofpaloalto.org/civicax/filebank/documents/2718>

59. STORM WATER TREATMENT: This project must meet the latest State Regional Water Quality Control Board's (SRWQCB) C.3 provisions. The applicant is required to satisfy all current storm water discharge regulations and shall provide calculations and documents to verify compliance. All projects that are required to treat stormwater will need to treat the permit-specified amount of storm water runoff with the following low impact development methods: rainwater harvesting and reuse,

infiltration, evapotranspiration, or bio-treatment. However, bio-treatment (filtering storm-water through vegetation and soils before discharging to the storm drain system) will be allowed only where harvesting and reuse, infiltration and evapotranspiration are infeasible at the project site. Vault-based treatment will not be allowed as a stand-alone treatment measure. Where stormwater harvesting and reuse, infiltration, or evapotranspiration are infeasible, vault-based treatment measures may be used in series with bio-treatment, for example, to remove trash or other large solids.

Reference: Palo Alto Municipal Code Section 16.11.030(c)

60. The applicant must incorporate permanent storm water pollution prevention measures that treat storm water runoff that are site specific. The prevention measures shall be reviewed by a qualified third-party reviewer who needs to certify that it complies with the Palo Alto Municipal Code requirements. This is required prior to the issuance of a building permit. The third-party reviewer shall be acquired by the applicant and needs to be on the Santa Clara Valley Urban Runoff Pollution Prevention Program's (Program) list of qualified consultants. ([http://www.scvurpppw2k.com/consultants2012.htm?zoom\\_highlight=c](http://www.scvurpppw2k.com/consultants2012.htm?zoom_highlight=c)onsultants) Any consultant or contractor hired to design/and/or construct a storm water treatment system for the project cannot certify the project as a third-party reviewer.

61. Within 45 days of the installation of the required storm water treatment measures and prior to the issuance of an occupancy permit for the building, 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. The project must also 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 permit issuance.

62. The applicant is required to paint the "No Dumping/Flows to Matadero Creek" logo in blue color on a white background, adjacent to all 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 instruction 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.

63. BEST MANAGEMENT PRACTICES (BMP's): The applicant is required to submit a conceptual site grading and drainage plan. In order to address potential storm water quality impacts, the plan shall identify BMP's to be incorporated into the Storm Water Pollution Prevention Plan (SWPPP) that will be required for the project. The SWPPP shall include permanent BMP's to be incorporated into the project to protect storm water quality. (Resources and handouts are available from PWE. Specific reference is made to Palo Alto's companion document to "Start at the Source", entitled "Planning Your Land Development Project"). The elements of the PWE-approved conceptual grading and drainage plan shall be incorporated into the building permit plans.

64. The developer shall require the contractor to incorporate BMP's for storm water pollution prevention in all construction operations, in conformance with the SWPPP prepared for the project. It is unlawful to discharge any construction debris (soil, asphalt, sawcut slurry, paint, chemicals, etc.) or other waste materials into gutters or storm drains. (PAMC Chapter 16.09).

65. PARKING STRUCTURE DRAINS: Drains within the covered floors of the parking structures shall be connected to oil-water separators and sanitary sewer lines. Stormwater runoff from any exposed surface or roof parking areas without canopies need to be treated per C.3 requirements.

66. GREASE/OIL REMOVAL DEVICE: If there will be a kitchen and food serving area in the new building, any drains in the food service facilities shall be connected to a grease removal device and located on private property.

67. LOADING DOCK: Any loading dock areas shall be covered and graded so that no storm water enters and flows through the space. Any runoff from the loading dock area shall be kept isolated from the storm drainage system. If the loading area/dock contains a drain, it shall be connected to the sanitary sewer through a manually operated fail-safe valve.

68. LOGISTICS PLAN: The contractor must submit a logistics plan to the Public Works Department prior to commencing work that addresses all impacts to the City's right-of-way, including, but not limited to: pedestrian control, traffic control, truck routes, material deliveries, contractor's parking, concrete pours, crane lifts, work hours, noise control, dust control, storm water pollution prevention, contractor's contact, noticing of affected businesses, and schedule of work. The plan will be attached to a street work permit.

69. SANTA CLARA COUNTY DEPARTMENT OF ROADS AND AIRPORTS: The Page Mill Road right of way is subject to permitting and review from the Santa Clara County Department of Roads and Airports. County right-of-way across Page Mill Road extends from property line to property line. Please include a record of county approval on the planset submitted for a building permit.

70. FINALIZATION OF BUILDING PERMIT: The Public Works Inspector shall sign off the building permit prior to the finalization of this permit. All off-site improvements shall be finished prior to this sign-off. Similarly, all as-builts, on-site grading, drainage and post-developments BMP's shall be completed prior to sign-off

### **Public Works, Water Quality**

71. PAMC 16.09.170, 16.09.040 Discharge of Groundwater.

The project is located in an area of suspected or known groundwater contamination with Volatile Organic Compounds (VOCs). If groundwater is encountered then the plans must include the following procedure for construction dewatering:

Prior to discharge of any water from construction dewatering, the water shall be tested for volatile organic compounds (VOCs) using EPA Method 601/602 or Method 624. The analytical results of the VOC testing shall be transmitted to the Regional Water Quality Control Plant (RWQCP) 650-329-2598. Contaminated ground water that exceeds state or federal requirements for discharge to navigable waters may not be discharged to the storm drain system or creeks. If the concentrations of pollutants exceed the applicable limits for discharge to the storm drain system then an Exceptional Discharge Permit must be obtained from the RWQCP prior to discharge to the sanitary sewer system. If the VOC concentrations exceed the toxic organics discharge limits contained in the Palo Alto Municipal Code (16.09.040(m)) a treatment system for removal of VOCs will also be required prior to discharge to the sanitary sewer. Additionally, any water discharged to the sanitary sewer system or storm drain system must be free of sediment

72. PAMC 16.09.180(b)(9) Covered Parking

Drain plumbing for parking garage floor drains must be connected to an oil/water separator with a minimum capacity of 100 gallons, and to the sanitary sewer system.

73. PAMC 16.09.180(b)(10) Dumpsters for New and Remodeled Facilities

New buildings and residential developments providing centralized solid waste collection, except for single-family and duplex residences, shall provide a covered area for a dumpster. The area shall be adequately sized for all waste streams and designed with grading or a berm system to prevent water runoff and runoff from the area.

74. PAMC 16.09.180(b)(14) Architectural Copper

On and after January 1, 2003, copper metal roofing, copper metal gutters, copper metal down spouts, and copper granule containing asphalt shingles shall not be permitted for use on any residential, commercial or industrial building for which a building permit is required. Copper flashing for use under tiles or slates and small copper ornaments are exempt from this prohibition. Replacement roofing, gutters and downspouts on historic structures are exempt, provided that the roofing material used shall be prepatinated at the factory. For the purposes of this exemption, the definition of "historic" shall be limited to structures designated as Category 1 or Category 2 buildings in the current edition of the Palo Alto Historical and Architectural Resources Report and Inventory.

75. PAMC 16.09.175(k) (2) Loading Docks

(i) Loading dock drains to the storm drain system may be allowed if equipped with a fail-safe valve or equivalent device that is kept closed during the non-rainy season and during periods of loading dock operation.

(ii) Where chemicals, hazardous materials, grease, oil, or waste products are handled or used within the loading dock area, a drain to the storm drain system shall not be allowed. A drain to the sanitary sewer system may be allowed if equipped with a fail-safe valve or equivalent device that is kept closed during the non-rainy season and during periods of loading dock operation. The area in which the drain is located shall be covered or protected from rainwater run-on by berms and/or grading. Appropriate wastewater treatment approved by the Superintendent shall be provided for all rainwater contacting the loading dock site.

76. PAMC 16.09.180(b)(5) Condensate from HVAC

Condensate lines shall not be connected or allowed to drain to the storm drain system.

77. 16.09.215 Silver Processing

Facilities conducting silver processing (photographic or X-ray films) shall either submit a treatment application or waste hauler certification for all spent silver bearing solutions. 650-329-2421.

#### 78. PAMC 16.09.205 Cooling Towers

No person shall discharge or add to the sanitary sewer system or storm drain system, or add to a cooling system, pool, spa, fountain, boiler or heat exchanger, any substance that contains any of the following:

- (1) Copper in excess of 2.0 mg/liter;
- (2) Any tri-butyl tin compound in excess of 0.10 mg/liter;
- (3) Chromium in excess of 2.0 mg/liter.
- (4) Zinc in excess of 2.0 mg/liter; or
- (5) Molybdenum in excess of 2.0 mg/liter.

79. The above limits shall apply to any of the above-listed substances prior to dilution with the cooling system, pool, spa or fountain water.

80. A flow meter shall be installed to measure the volume of blow-down water from the new cooling tower. Cooling systems discharging greater than 2,000 gallons per day are required to meet a copper discharge limit of 0.25 milligrams per liter.

#### 81. PAMC 16.09.180(b)(b) Copper Piping

Copper, copper alloys, lead and lead alloys, including brass, shall not be used in sewer lines, connectors, or seals coming in contact with sewage except for domestic waste sink traps and short lengths of associated connecting pipes where alternate materials are not practical. The plans must specify that copper piping will not be used for wastewater plumbing.

#### 82. PAMC 16.09.220(c)(1) Dental Facilities That Remove or Place Amalgam Fillings

An ISO 11143 certified amalgam separator device shall be installed for each dental vacuum suction system. The installed device must be ISO 11143 certified as capable of removing a minimum of 95 percent of amalgam. The amalgam separator system shall be certified at flow rates comparable to the flow rate of the actual vacuum suction system operation. Neither the separator device nor the related plumbing shall include an automatic flow bypass. For facilities that require an amalgam



separator that exceeds the practical capacity of ISO 11143 test methodology, a non-certified separator will be accepted, provided that smaller units from the same manufacturer and of the same technology are ISO-certified.

83. PAMC 16.09.175(a) Floor Drains

Interior (indoor) floor drains to the sanitary sewer system may not be placed in areas where hazardous materials, hazardous wastes, industrial wastes, industrial process water, lubricating fluids, vehicle fluids or vehicle equipment cleaning wastewater are used or stored, unless secondary containment is provided for all such materials and equipment

84. 16.09.180(12) Mercury Switches

Mercury switches shall not be installed in sewer or storm drain sumps.

85. PAMC 16.09.205(a) Cooling Systems, Pools, Spas, Fountains, Boilers and Heat Exchangers

It shall be unlawful to discharge water from cooling systems, pools, spas, fountains boilers and heat exchangers to the storm drain system.

86. PAMC 16.09.165(h) Storm Drain Labeling

Storm drain inlets shall be clearly marked with the words "No dumping - Flows to Bay," or equivalent.

*Undesignated Retail Space:*

87. PAMC 16.09

Newly constructed or improved buildings with all or a portion of the space with undesignated tenants or future use will need to meet all requirements that would have been applicable during design and construction. If such undesignated retail space becomes a food service facility the following requirements must be met:

*Designated Food Service Establishment (FSE) Project:*

88. A. Grease Control Device (GCD) Requirements, PAMC Section 16.09.075 & cited Bldg/Plumbing Codes

89. The plans shall specify the manufacturer details and installation details of all proposed GCDs. (CBC 1009.2)

90. GCD(s) shall be sized in accordance with the 2007 California Plumbing Code.

91. GCD(s) shall be installed with a minimum capacity of 500 gallons.

92. GCD sizing calculations shall be included on the plans. See a sizing calculation example below.

93. The size of all GCDs installed shall be equal to or larger than what is specified on the plans.

94. GCDs larger than 50 gallons (100 pounds) shall not be installed in food preparation and storage areas. Santa Clara County Department of Environmental Health prefers GCDs to be installed outside. GCDs shall be installed such that all access points or manholes are readily accessible for inspection, cleaning and removal of all contents. GCDs located outdoors shall be installed in such a manner so as to exclude the entrance of surface and stormwater. (CPC 1009.5)

95. All large, in-ground interceptors shall have a minimum of three manholes to allow visibility of each inlet piping, baffle (divider) wall, baffle piping and outlet piping. The plans shall clearly indicate the number of proposed manholes on the GCD. The Environmental Compliance Division of Public Works Department may authorize variances which allow GCDs with less than three manholes due to manufacture available options or adequate visibility.

96. Sample boxes shall be installed downstream of all GCDs.

97. All GCDs shall be fitted with relief vent(s). (CPC 1002.2 & 1004)

98. GCD(s) installed in vehicle traffic areas shall be rated and indicated on plans.

99. B. Drainage Fixture Requirements, PAMC Section 16.09.075 & cited Bldg/Plumbing Codes

100. To ensure all FSE drainage fixtures are connected to the correct drain lines, each drainage fixture shall be clearly labeled on the plans. A list of all fixtures and their discharge connection, i.e. sanitary sewer or grease waste line, shall be included on the plans.

101. A list indicating all connections to each proposed GCD shall be included on the plans. This can be incorporated into the sizing calculation.

102. All grease generating drainage fixtures shall connect to a GCD. These include but are not limited to:

- Pre-rinse (scullery) sinks
- Three compartment sinks (pot sinks)
- Drainage fixtures in dishwashing room except for dishwashers shall connect to a GCD
- Examples: trough drains (small drains prior to entering a dishwasher), small drains on busing counters adjacent to pre-rinse sinks or silverware soaking sinks
- Floor drains in dishwashing area and kitchens
- Prep sinks
- Mop (janitor) sinks
- Outside areas designated for equipment washing shall be covered and any drains contained therein shall connect to a GCD.
- Drains in trash/recycling enclosures
- Wok stoves, rotisserie ovens/broilers or other grease generating cooking equipment with drip lines
- Kettles and tilt/braising pans and associated floor drains/sinks

103. The connection of any high temperature discharge lines and non-grease generating drainage fixtures to a GCD is prohibited. The following shall not be connected to a GCD:

- Dishwashers
- Steamers
- Pasta cookers
- Hot lines from buffet counters and kitchens
- Hand sinks
- Ice machine drip lines
- Soda machine drip lines
- Drainage lines in bar areas

104. No garbage disposers (grinders) shall be installed in a FSE. (PAMC 16.09.075(d)).

105. Plumbing lines shall not be installed above any cooking, food preparation and storage areas.

106. Each drainage fixture discharging into a GCD shall be individually trapped and vented. (CPC 1014.5)

107. C. Covered Dumpsters, Recycling and Tallow Bin Areas  
PAMC, 16.09.075(q) (2)

Newly constructed and remodeled FSEs shall include a covered area for all dumpsters, bins, carts or container used for the collection of trash, recycling, food scraps and waste cooking fats, oils and grease (FOG) or tallow.

108. The area shall be designed and shown on plans to prevent water run-on to the area and runoff from the area.

109. Drains that are installed within the enclosure for recycle and waste bins, dumpsters and tallow bins serving FSEs are optional. Any such drain installed shall be connected to a GCD.

110. If tallow is to be stored outside then an adequately sized, segregated space for a tallow bin shall be included in the covered area.

111. These requirements shall apply to remodeled or converted facilities to the extent that the portion of the facility being remodeled is related to the subject of the requirement.

112. D. Large Item Cleaning Sink, PAMC 16.09.075(m) (2) (B)

FSEs shall have a sink or other area drain which is connected to a GCD and large enough for cleaning the largest kitchen equipment such as floor mats, containers, carts, etc. Recommendation: Generally, sinks or cleaning areas larger than a typical mop/janitor sink are more useful.

#### **Utilities Department, Water Gas Wastewater Utilities Division**

113. 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.

114. Prior to demolition, 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.

115. The applicant shall submit a completed water-gas-wastewater service connection application - load sheet(s) (one load sheet required for each unit or place of business 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).
116. 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.
117. 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.).
118. 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.
119. 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 determine 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.

120. For contractor installed water and wastewater mains or services, the applicant shall submit to the WGW engineering section of the Utilities Department four copies of the installation of water and wastewater utilities off-site improvement plans in accordance with the utilities department design criteria. All utility work within the public right-of-way shall be clearly shown on the plans that are prepared, signed and stamped by a registered civil engineer. The contractor shall also submit a complete schedule of work, method of construction and the manufacturer's literature on the materials to be used for approval by the utilities engineering section. The applicant's contractor will not be allowed to begin work until the improvement plan and other submittals have been approved by the water, gas and wastewater engineering section. After the work is complete but prior to sign off, the applicant shall provide record drawings (as-builts) of the contractor installed water and wastewater mains and services per City of Palo Alto Utilities record drawing procedures. For contractor installed services the contractor shall install 3M marker balls at each water or wastewater service tap to the main and at the City clean out for wastewater laterals.

121. 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.

122. 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.

123. 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.
124. Existing wastewater laterals that are not plastic (ABS, PVC, or PE) must be abandoned per WGW Utilities standards.
125. 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.
126. 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.
127. 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.
128. A new gas service line installation is required. Show the new gas meter location on the plans. The gas meter location must conform with utilities standard details.
129. All existing water and wastewater services that will not be reused shall be abandoned at the main per WGW utilities procedures.
130. Utility vaults, transformers, utility cabinets, concrete bases, or other structures cannot 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' or existing trees. Maintain 10' between new trees and new water, gas and wastewater services/mains/meters.

131. To install new gas service by directional boring, the applicant is required to have a sewer cleanout at the front of the building for each lateral exiting 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.

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

133. The applicant shall obtain an encroachment permit from Caltrans for all utility work in the El Camino Real right-of-way. The applicant must provide a copy of the permit to the WGW engineering section.

#### **Fire Department**

134. The last 30 feet of curb space on both ends of Page Mill Road frontage shall be posted NO PARKING - FIRE LANE.

135. Sprinkler main drain must be coordinated with plumbing design so that the 200 gpm can be flowed for annual main drain testing for 90 seconds without overflowing the collection sump, and the Utilities Department approved ejector pumps will be the maximum flow rate to sanitary sewer.

136. Low-E glass can interfere with portable radios used by emergency responders. Please provide an RF Engineering analysis to determine if additional devices or equipment will be needed to maintain operability of emergency responder portable radios throughout 97% of the building in accordance with the Fire Code Appendix J as adopted by the City of Palo Alto.

#### **Transportation Division**

137. The project must have approved TDM plan that is required by the director for any parking reductions allowed. TDM requirements at a minimum would include Caltrain Go Passes and an annual monitoring and reporting plan that includes a review of parking and traffic generation.



**Building Department**

(August 20, 2013 conditions will be updated for ARB review based on current plans):

138. Sheet A7 (dated 7-29-2013): All bedrooms from units 3 through 7 and interior bedrooms from units 2, 8, 9 and 10 are in violation of Section 1029.1 of CBC. This section, in part, states: "Basements and sleeping rooms below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening in accordance with this section. Such openings shall open directly into a public way or to a yard or court that opens to a public way."
139. Sheet A4 (dated 7-29-2013): The space between west wall and the property line (serving Stair # 3) constitutes an egress court. The width is required to be minimum 44". All openings into this egress court are required to be rated per Section 1027.5 or Section 705.8, whichever is more restrictive.
140. Sheet A4 (dated 7-29-2013): Stair # 3 is required to have a door from 1<sup>st</sup> floor to the basement.
141. Sheet A4 (dated 7-29-2013): Openings along the East wall and the property line are required to be addressed per Section 705.8.
142. Sheet A7 (dated 7-29-2013): Openings along the East wall seem to be excessive. Comply with Section 705.8.
143. Sheet A6 (dated 7-29-2013): Openings along the West wall seem to be excessive (at stair #3 and rear deck). Comply with Section 705.8.
144. Check Rear wall (South) for opening limitations/protections per Section 705.8.
145. The 8'-2" parking clearance is required to be maintained throughout the parking garage levels.

**Utilities Department, Electrical Division**

*The Utilities Electrical Division conditions shall be inserted prior to the ARB review.*

**Santa Clara County Roads & Airports**

146. A Tree Removal Encroachment Permit is required prior to any tree removed, replaced, or relocated within the County Maintained Road Right of Way, which measures over 37.7 inches in circumference at 4.5 feet above ground or which exceeds 20 feet in height. Provide plans that clearly identify species, size, and height of all existing trees and proposed trees to be removed as necessary along the project's work limits within the existing County road right-of-way. The Process for obtaining a Tree Removal Encroachment Permit involves but is not limited to completing and submitting an application to the Roads and Airport Department and review by the Board of Supervisors. Please submit a tree removal application a minimum of 60 days prior to the planned removal. Tree Removal Encroachment Permit may be processed in advance of completing plans for other permits. Please contact permits at (408) 573-2475 for complete application package and process.

147. Preliminary plans dated July 29, 2013 prepared by Stoecker and Northway Architects incorporated and the Draft Traffic Impact Analysis dated July 25, 2013 prepared by RKH Civil and Transportation Engineering indicate the existing Page Mill Road on-street parking along the property frontage be removed. Removal of on-street parking requires County Board of Supervisors Resolution. County Roads and Airports Staff supports the removal of the on-street parking along Page Mill Road and will take the necessary steps to request County Board of Supervisors' approval of a parking prohibition resolution at the appropriate time. Please contact Dawn Cameron, (408) 573 - 2465 or by email at Dawn.Cameron@rda.sccgov.org for complete application process and timeline.

148. Preliminary plans dated July 29, 2013 prepared by Stoecker and Northway Architects incorporated and the Draft Traffic Impact Analysis dated July 25, 2013 prepared by RKH Civil and Transportation Engineering propose to construct a 25-ft commercial loading zone as shown. It appears that the location of the loading zone would be within the line of sight distance. Roads and Airports requests that the applicant pursue one of the following actions: (1) Contact neighboring property owners about possibly using their existing parking facilities for deliveries or (2) The owner's engineer shall demonstrate through the final version of the Traffic Impact Analysis, to be reviewed and approved by Roads and Airports, that there are no site impacts or that impacts can be mitigated and owner/ applicant shall comply with the recommended mitigations. Designating a loading zone requires County Board of Supervisors Resolution. Please contact Dawn Cameron, (408) 573 -2465 or by email at Dawn.Cameron@rda.sccgov.org for complete application process and

timeline.

149. A Santa Clara County Roads and Airports Encroachment Permit is required prior to any work performed in the County Maintained Road Right of Way. The process for obtaining an Encroachment Permit involves but is not limited to submitting a minimum of three full size copies, one half size copy of the signed engineered final improvement plans, drainage calculations, erosion control plans, traffic control plan, and Certificate of Worker's Compensation Insurance to County Permitting Office in conjunction with an encroachment application. Please contact Permits, (408) 573 -2475 or by email at [Permits@rda.sccgov.org](mailto:Permits@rda.sccgov.org) for complete application process and timeline.

150. All structures, including but not limited to street furniture, bike racks, planter boxes, etc. shall be located outside of the County Road Right of Way. Tree replacement shall provide a minimum of 7 feet of clearance from existing face of curb to face of mature tree trunk or a minimum 5 feet of clearance from future face of curb to face of mature tree trunk.

151. Provide drainage plans and hydraulic calculations prepared by a registered civil engineer in accordance with criteria as designated in the County's Drainage Manual that demonstrate one of the following:

A. The post development runoff onto the County maintained roadway/ right of way is equal or less than the pre-development runoff; or

B. The storm water runoff generated from the proposed development can safely be conveyed and contained within the existing storm drainage system, does not create and/or contribute to downstream or upstream flooding conditions, and maintains a minimum 1 foot of freeboard in the existing storm drainage system for the entire watershed. If this cannot be demonstrated, provide a detention/retention system pursuant to the Design Guidelines in the 2007 Santa Clara County Drainage Manual to be located outside the County Maintained Road Right of Way.

152. Submit final improvement plans prepared by a registered civil engineer for review and approval. Include plan, profile, typical sections, contour grading and drainage for all construction improvements located within the County Maintained Road Right of Way (ROW). All the following standards shall be consistent with the September 1997 Standard Details Manual, County of Santa Clara, Roads and Airports Department. Final Improvement Plans Shall include the following:

A. Driveway Approach per County Standard B8.

- B. Abandoned Driveway Approaches per County Standard B9.
- C. Traffic Control Plan during construction
- D. Street striping and pavement markings in accordance with the California Manual on Uniform Traffic Control Devices and August 2003 County Expressway Bicycle Accommodations Guidelines.
- E. All existing features located within the County Road ROW, including but not limited to, edge of pavement, existing face of curb/ future face of curb ROW, ROW dedication, above and below ground utility lines, easements, etc.
- F. Provide an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period in accordance with Sections C12-568 through C12-571 of the Grading Ordinance and Municipal Regional Permit. Erosion and Sediment Control Plan Sheets may include, but are not limited to, the following information as needed:
  - (1) Erosion and Sediment Control: soil binders, geotextiles, mats, creek and hillside stabilization, hydroseeding, silt fence, sediment basin, check dams, fiber rolls, gravel bags, drainage inlet protection, construction entrance/ exit, street sweeping requirements, perimeter controls, etc.
  - (2) Good Site Management: containment, spill prevention, material storage/ protection, sanitary waste management, etc.
  - (3) Non Stormwater Management, dewatering operations, paving operations, concrete washouts, vehicle and equipment storage and refueling, etc.
- G. Include the following Notes on the Erosion and Sediment Control Plan:
  - (1) "The Owner/ Owner's contractor, agent, and/or engineer shall install and maintain throughout the duration of construction and until the establishment of permanent stabilization and sediment control within the Santa Clara County maintained ROW and any portion of the site where storm water run-off is directly flowing into the Santa Clara County maintained road ROW Best Management Practices (BMPs) to prevent construction materials, excavated materials, waste materials, and sediment caused by erosion from construction activities entering the storm drain system, waterways, and roadway infrastructure. BMPs shall include, but not be limited to, the following practices applicable to the public road and expressway facilities:
    - (a) Reduction of pollutants in storm water discharges from the construction site and the contractor's material and equipment laydown/staging areas
    - (b) Prevention of tracking of mud, dirt and construction materials onto public road right of way.
    - (c) Prevention of discharge of water runoff during dry and wet weather conditions onto public road ROW.
- H. Indicate on the improvement plans all existing and proposed

utilities, mains and services within the County Maintained Road ROW.

I. All relocations, temporary facilities, and new facilities shall be included in the improvement plans. Indicate which ones are to be underground and overhead.

153. Construct all of the aforementioned improvements. Construction staking is required and shall be the responsibility of the developer.

#### SECTION 9. Term of Approval.

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

#### SECTION 10. Standard Conditions

A. Except as expressly specified herein, the site plan, floor plans, building elevations and any additional information or representations, submitted by the Applicant during the Staff review and public hearing process leading to the approval of this entitlement, whether oral or written, which indicated the proposed structure or manner of operation, are deemed conditions of approval.

B. The approved use and/or construction are subject to, and shall comply with, all applicable City ordinances and laws and regulations of other governmental agencies.

C. 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.

D. 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.

E. 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.

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

APPROVED:

\_\_\_\_\_  
City Clerk

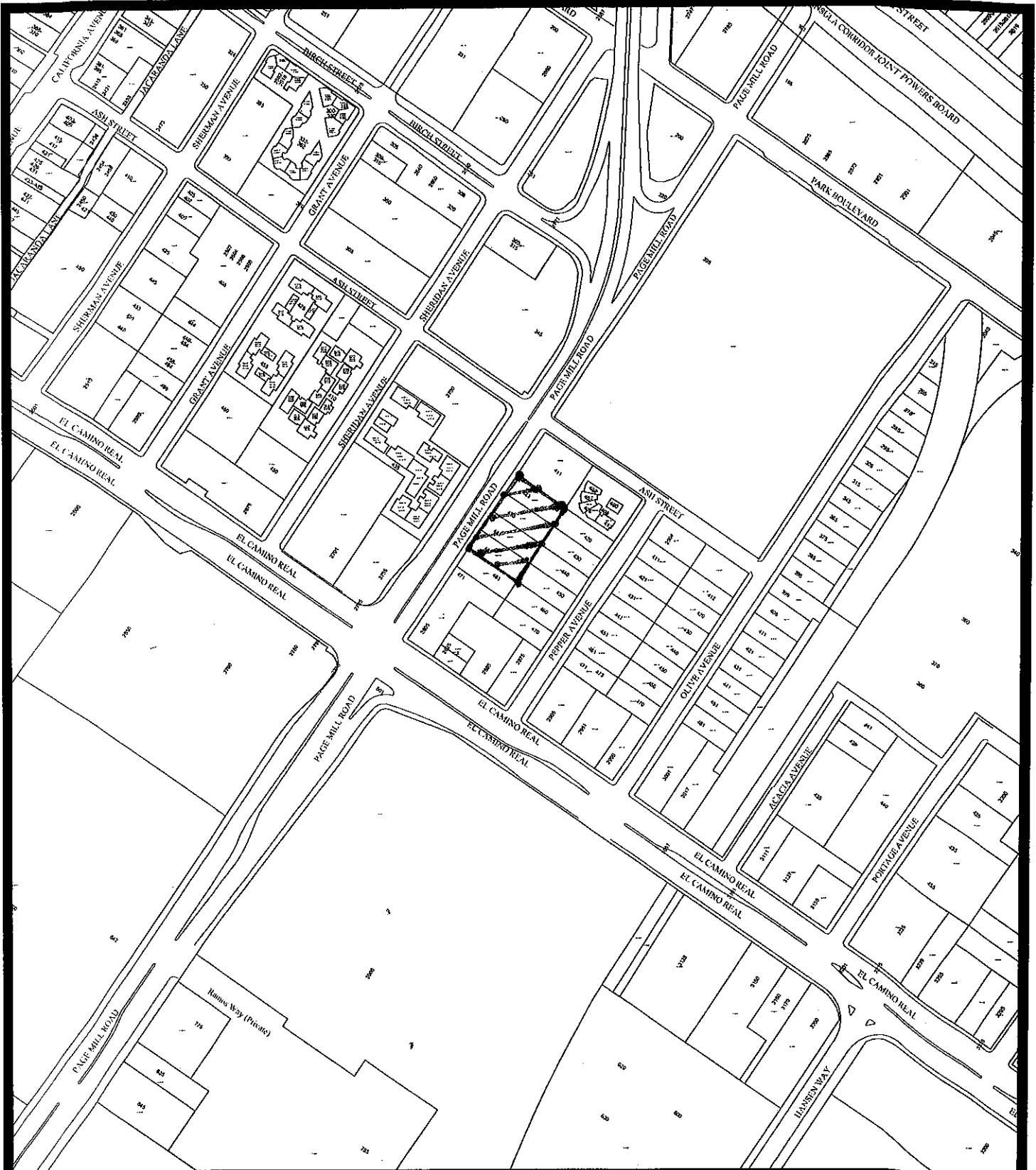
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Director of Planning and  
Community Environment

APPROVED AS TO FORM:

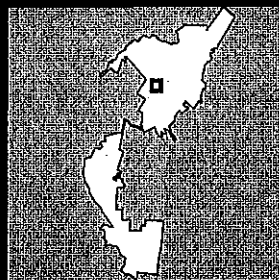
\_\_\_\_\_  
Senior Asst. City Attorney

PLANS AND DRAWINGS REFERENCED:

1. Those plans prepared by Stoecker and Northway Architects entitled "441 Page Mill Road", consisting of 33 pages, dated October 10, 2014, and received on October 14, 2014.



The City of  
Palo Alto



441 Page Mill Road

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



# 441 Page Mill Road Mixed Use Project

## Zoning Compliance Table

### Attachment C

	CS Zone District Standards	Proposed Project	Conformance
<b>Minimum Setbacks</b>			
Front yard	0'-10' to create an effective 8'-12' effective sidewalk width (4 foot special setback)	4 feet (7 feet back for most of the building)	Complies (proposal creates a 10 foot wide sidewalk and most of the building is approximately 17 feet back from the face of curb)
Rear Yard (abutting a residential zone district)	10 feet	27 feet	Complies (DEE requested for a three foot encroachment into the 10 foot landscape buffer area at rear. The encroachment is for the driveway ramp and not the building.)
Interior side yard	none	4 feet on the right side and 5 feet on the left side	complies
Build-To-Lines	50% of frontage built to setback	3% built up to the four foot setback	<b>DEE</b> request to set the building back an additional three feet for a total setback from the property line of seven feet for a majority of the building.
Maximum Site Coverage	50% or 13,463 s.f.	69% or 18,520 s.f.	<b>State Density Bonus concession request</b> for 5,057 s.f of lot coverage
Usable Open Space	150 sq. ft. per unit X 10 units = 1,500 s.f.	4,658 s.f.	Complies
Maximum Height (When located within 150 feet of a residential zone)	35 feet	35 feet (except for entry tower at 40 feet)	Complies
<b>Maximum Allowable Floor Area (FAR)</b>			
Residential floor area	0.6:1 = 16,159 s.f.	0.5:1 = 13,979 s.f.	Complies
Commercial floor area	0.4:1 = 10,770 s.f.	0.8:1 = 21,540 s.f.	<b>State Density Bonus</b>



			<b>concession request</b> for 10,770 s.f.
Total Mixed Use floor area	1.0:1 = 26,926 s.f.	1.32:1 = 35,521 s.f.	<b>State Density Bonus concession request</b> for 8,595 s.f.
Minimum ground floor Commercial FAR	0.15:1 or 4,038	0.15:1 = 3,999 s.f.	Complies
Maximum Allowable Residential Density	30 DU/AC = 18 units	10 dwelling units	Complies
<b>Parking Requirements</b>			
Total parking spaces required	110 spaces required	91 spaces proposed	BMR parking reduction of 3 spaces reduces parking required from 110 to 107 spaces. Parking reduction request 15% (16 spaces) of 107 total required spaces for shared uses. Maximum reduction allowed per Section 18.52.050 is 20% of the total or 21 spaces.).
Retail 2,836 sf	14.18 spaces		
Office 18,704 sf	74.82 spaces		
2 bedroom DU	16 spaces		
1 bedroom DU	3 spaces		
Guest parking 1 + 10% of total # of units	2 spaces		

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**ATTACHMENT D**  
**APPLICABLE COMPREHENSIVE PLAN POLICIES**  
441 Page Mill Road  
13PLN-00307

<b><i>Land Use and Community Design Element</i></b>	
<b>Goal L-1:</b> A well designed, compact city, providing residents and visitors with attractive neighborhoods, work places, shopping districts, public facilities and open spaces.	<b>Related policies L-4, L-6, and L-7 are to Maintain and Strengthen City character</b>
<b>Policy L-4:</b> Maintain Palo Alto's varied residential neighborhoods while sustaining the vitality of its commercial areas and public facilities. Use the Zoning Ordinance as a tool to enhance Palo Alto's desirable qualities.	The project is in a mixed use neighborhood with access from Page Mill Road. The building height and setbacks are intended to have only minimal impact to the Pepper Avenue residential neighborhood. The upper floors are stepped back from the rear property line to meet the daylight plane requirement. The project includes retail use at the ground floor level to create continuous ground floor commercial uses along Page Mill Road from El Camino Real to the end of the block face, increasing the vitality of the block, while also providing residential use on the third floor resulting in no reduction in the number of residential units on the block (rather, the project increases the number of residential units).
<b>Policy L-6:</b> "Where possible, avoid abrupt changes in scale and density between residential and non-residential areas and between residential and areas of different densities. To promote compatibility and gradual transitions between the land uses, place zoning district boundaries at mid-block locations rather than along street where possible."	The proposal is for multi-family residential and commercial uses on a busy thoroughfare, adjacent to single family residential to the rear (420 – 450 Pepper Ave) and commercial uses on Page Mill Road to the sides of the site. The proposed building is three stories near one and two story buildings. The lot area and proposed building are larger than other lots and buildings on the block; therefore, the result is a significant change in scale and density. The building would be set back 27 feet from the rear property line and meets the rear daylight plane abutting the single family residential neighborhood. Alternating trees (Pittosporum and Primrose) are proposed at a spacing of 25' on center.

<p><b>Policy L-7:</b> Evaluate changes in land use in the context of regional needs, overall City welfare and objectives, as well as the desires of surrounding neighborhoods.</p>	<p>The project provides greater residential density and additional housing units to offset the City’s jobs to housing imbalance. Redevelopment of these properties is desirable; the properties have not seen significant investment for a long time.</p>
<p><b>Policy-L9: Mixed Use Areas -</b> Enhance desirable characteristics in mixed use areas, Use the planning and zoning process to create opportunities for new mixed use development.</p>	<p>The mixed use project has both commercial and residential uses and is located within an area identified as a mixed use area (see Policy L-31 below). The opportunity for this mixed use project was created by the rezoning of the site to the C-S(D) zone district.</p>
<p><b>Policy L-31: Cal Ventura Mixed Use Area</b> Develop the Cal-Ventura area as a well-designed mixed use district with diverse land uses, two- to three-story buildings, and a network of pedestrian oriented streets providing links to California Avenue.</p>	<p>The proposal is a three story, mixed use building in the Cal Ventura area, near a “primary entry point” and along a “scenic route” but not at the point on the route identified as a “major view corridor” (per the Community Design Features map (L-4)). The proposal is consistent with the Comprehensive Plan policy for the Cal Ventura Area, as reflected on a map created in a community workshop, showing the project site within an area suitable for mixed use development. The 10-foot-wide sidewalk is bordered by a two foot landscaped buffer area adjacent to the curb, and trees adjacent to the inner edge of the sidewalk on the property, ensuring maintenance and tree growth avoiding damage from trucks passing on the expressway. Pedestrian amenities include benches and retail display windows.</p>
<p><b><i>Transportation Element</i></b></p>	
<p><b>Goal T-1:</b> Less Reliance on Single Occupant Vehicles</p> <p><b>Program T-1: Reducing Auto Use</b> Encourager infill redevelopment and reuse of vacant or underutilized parcels employing minimum density requirements appropriate to support transit, bicycling and walking.</p>	<p>The project provides rental housing units and commercial uses on underutilized parcels of land and will support transit, bicycling and walking.</p>
<p><b><i>Business and Economics Element</i></b></p>	

<p><b>Goal B-1:</b> A thriving business environment that is compatible with Palo Alto's residential character and Natural Environment.</p> <p><b>Policy B-3:</b> Recognize that Palo Alto's street tree system is an economic asset to the City.</p>	<p>The mixed use project will add to a business environment along Page Mill Road and includes measures designed to reduce impacts upon the residential character of the Pepper Avenue neighborhood. The building siting is intended to minimize intrusion into the adjacent Pepper Avenue neighborhood, as the building mass is to be placed forward on the site. The project includes seven trees along the street frontage, and a mix of retail and office use. The project includes vegetation (nine trees) along the rear property line to help mitigate the privacy impacts of the proposed project upon the adjacent single family residential neighborhood. Conditions have been prepared to prohibit lighting from the office from impacting the residential homes; additional measures may be developed during the review process during Architectural Review Board hearings, as the project's compliance with context based design guidelines are evaluated during the design review process.</p>
<p><b>Goal B-2:</b> A diverse mix of commercial, retail and professional service businesses</p> <p><b>Policy B-23: Multi-Neighborhood Center, Cal Ave/Cal-Ventura</b> Main the existing local serving retail orientation of the California Avenue Business district. Discourage development that would turn the district into a regional shopping area or intrude into adjacent residential neighborhoods.</p>	<p>The mixed use project will add to a business environment along Page Mill Road and includes measures designed to reduce impacts upon the residential character of the Pepper Avenue neighborhood. The building siting is intended to minimize intrusion into the adjacent Pepper Avenue neighborhood, as the building mass is to be placed forward on the site. The project includes seven trees along the street frontage, and a mix of retail and office use. The project includes vegetation (nine trees) along the rear property line to help mitigate the privacy impacts of the proposed project upon the adjacent single family residential neighborhood. Conditions have been prepared to prohibit lighting from the office from impacting the residential homes; additional measures may be developed during the review process during Architectural Review Board hearings, as the project's compliance with context based design guidelines are evaluated during the design review process.</p>
<p><b><i>Housing Element</i></b></p>	
<p><b>Goal H2</b> Support the construction of Housing near schools, transit, parks, shopping, employment, and cultural institutions</p> <p><b>Associated Policy H2.1 and the H2 programs</b></p>	<p>The project is a mixed use development near community services, supporting the City's fair share of regional housing needs. The project meets objectives for increased residential densities and mixed use development within ½ mile of fixed rail stations, where adequate urban services are located. The sizes of the residential units range from 1-bedroom units at 800 square feet to 3-bedroom units ranging up to 1497 s.f.; though Program H2.1.4 notes units less than 900 s.f. should have reduced parking requirements, and the project is eligible to request parking reductions per State Density Bonus law; the project does not include a request for a parking reduction for the housing units. The project provides increased walkability by reducing four curb cuts to one curb cut, and providing pedestrian amenities.</p>
<p><b>Goal H3</b> Meet underserved housing needs, and provide community resources to support our neighborhoods</p>	<p>The project includes rental apartments and affordable dwelling units.</p>

## STOECKER AND NORTHWAY ARCHITECTS INCORPORATED

1000 ELWELL COURT SUITE 150 PALO ALTO CALIFORNIA 94303 650 965-3500 / FAX 650 965-1095

### **SITE & DESIGN REQUEST: 441 PAGE MILL ROAD (CURRENTLY 423-451 PAGE MILL ROAD)**

ARB - Revised October 10, 2014

The application before you is a request for Site & Design review and Design Enhancement Exception (DEE) consideration.

We are proposing to merge the four parcels at 423-451 Page Mill Road, now zoned CS (D), to create a single parcel of approximately 27,000 square feet. On that parcel, we are proposing a three story mixed use building with one level of underground parking using the Palo Alto Zoning Ordinance and the State Density Bonus Law (Government Code Section 65915-65918).

A mixed use building is consistent with Palo Alto's Comprehensive Plan. Comprehensive Plan Policy L-31 calls for development of the Cal-Ventura area as a well-designed mixed use district with diverse land uses. The proposed building design would also be consistent with Comprehensive Plan Policy L-9, which calls for using the planning and zoning process to create opportunities for new mixed use development. Placing multiple residential units on the upper floor while extending ground floor retail uses along Page Mill Road would also support Comprehensive Plan Policy L-4, which seeks to maintain varied residential neighborhoods while sustaining the vitality of commercial areas.

### **Neighborhood Context**

Page Mill Road is a high speed, major arterial route. The neighboring properties to the northeast and extending to Park Boulevard are the Kelly Moore Paint Store at 411 Page Mill, and the AOL offices at 395 Page Mill. The adjacent properties to the southwest are a veterinary hospital at 461 Page Mill, and a parking lot at 471 that serves the AT&T store at the corner of Page Mill Road and El Camino Real.

The three properties across Page Mill Road (435 Sheridan, 2700 Ash and 345 Sheridan) are multi-family residential PC developments. The VTA parking lot on the corner of El Camino has recently been sold and is expected to be redeveloped. The adjoining properties to the southeast (along Pepper Avenue) are all occupied by single family residences, with the exception of one grandfathered use, a printing press/art gallery.

The site is located between two very different scales of development: The residential scale of the Pepper Avenue neighborhood and the large arterial scale of the Page Mill Road buildings.

### **Building and Site Design**

We are proposing a three story mixed use building. The single level basement is entirely parking with mechanical and storage spaces. The ground floor will be approximately 3,000 sf. of retail space located adjacent to Page Mill Road to help the vitality of the street and to create a much more pedestrian friendly environment. Hidden behind the retail space, the rest of the ground floor will be covered parking.

Page Mill Road is a high speed, busy arterial. The Pepper Avenue neighbors experience difficulty getting onto it eastbound from Ash Street. They say that drivers still "have highway in their blood" as they race past our project site. To alleviate their problem and not create another dangerous one for the new building's occupants as they slow down and turn into the driveway, Santa Clara County is eliminating the street parking in front of our site, we have only one driveway entrance at the far northeast side of the property and use the removed street parking to create the necessary sight lines and extra width needed to help cars get both in and out of the garage and Ash Street safely.

The second floor will be all office space. Since Page Mill is such a fast, noisy road, housing is only really marketable on the third floor, as far away from the street as possible. And a mix of office and housing on the second floor would also not be desirable or marketable. In order to get a larger number of housing units and community space on the third floor, the size of the second floor has to be as large as the third floor in order to structurally support it.

The third floor will provide (10) housing units for rent: (2) one bedroom units, (3) two bedroom units and (5) three bedroom units. By replacing the 4 existing housing units which used to occupy the 4 separate sites with 10 new ones, it helps the City's goal of reaching the Housing mandate of 279 new housing units and creates a more diverse housing community by having different sized units. Being on the top floor of a building along a busy road, it was very important in the design of the building to create a neighborhood feeling since Page Mill Road did not have one. The owner really wanted a sense of community for the housing units up there, to create a "street" that all the front doors were off of, that kitchen windows looked out onto, with larger community gathering spaces along it where neighbors could meet and kids could play while still providing private outdoor space for each tenant.

To transition between the two different scales, we gradually stepped the building down from the bigger Page Mill Road scale to both the Pepper residences and the Animal Doctor to limit the building's impact on their smaller size. We initially had located the building up against the Page Mill 4' front setback as required by the CS zone, and as requested by the Pepper neighbors. But after meeting with various City departments and Santa Clara County, who governs Page Mill, we are requesting two DEE's to move the building back 3' further. The County's current policy does not allow new trees in the public right-of-way, so the City has requested a row of trees inside the property line. The first DEE is for locating the building at a front setback of 7' that allows for a row of trees outside of the right-of-way. It also is more consistent with the recent City Council desire to not have buildings so close to the curb. The main part of the building will now be 17' from the curb. But for the street trees to have enough deep soil for roots, we also needed to push the underground basement back 3'. Because the garage design is already at the required minimums for drive aisles and parking stalls, it pushes the garage ramp 3' into the 10' required landscape buffer adjacent to residential. That means a second DEE to reduce the landscape buffer to 7', which is still enough for the particular trees that have been selected as screening along that rear property line.

The allowed rear setback is 10', but by placing the garage entrance ramp to the underground parking in the rear of the building, the first and second floors are much further back at 27' from rear property line. The third floor walls step in and out with only the bedrooms and their higher window sills at 27', while the living rooms with full height glass doors are stepped further back to be 36' away from the rear property line. The stepping in and out of the third floor walls also serves to keep the decks private and limit the views to and from living rooms to only the properties directly behind them and not ones off to the side.

The smaller patios also physically limit the occupant's ability to use the decks for unsightly storage, a concern voiced by the Pepper neighbors.

From a streetscape point of view, the new building serves as an appropriate transition between the ±35' commercial building at the corner of El Camino and Page Mill and the ±50' structure at 395 Page Mill. It also provides balance to the multi-family housing across the street, ±40' tall at 435 Sheridan and ±50' tall at 345 Sheridan.

### **Materials**

The design of the building is horizontal, responding to the nature of the site and the typical experience of it, from a car driving past it. The architecture of the lower two commercial floors alternates between open and glassy sections and solid wall sections, and the placement of the walls and vertical mullions relate to the plan of the third floor above. The glass on the front facade is taken around the corner to the south to capture the great views of the hills and sunset, and that corner glass theme is then repeated around the building. The solid wall portions on the main volume of commercial space that encompasses the main entrance lobby, retail along Page Mill and around the south corner along the side of the exterior stairs, is all covered with a thin, pedestrian-scale, ceramic quartz tile. That retail volume is enveloped by the rest of the lower two floor volume that encompasses the front garage entrance, both the sides and rear of the building. The solid walls on that rear volume are covered in cream colored cement plaster to compliment the ceramic quartz tile color and relate to the cement plaster used on the third floor above. The bottom of the glass section of the retail space is also ceramic quartz tile to hide any possible cabinetry, ground the building with a continuous base and tie all the adjacent walls of ceramic quartz tile together.

The main lobby and circulation is expressed as a slightly protruding, glass-cornered square element with a ceramic quartz tile clad (exterior and interior) elevator shaft that rises through the uppermost roof. The roof or lobby of the third floor purposely does not wrap around the shaft in order to articulate it as a vertical element. The almost continuous second floor roof and aluminum fins are used to maintain the horizontal design. Certain aluminum fins go through the solid walls at the top or go part way onto them, like the retail entrance canopies, to break up their tall mass and bring more of the dynamic diagonal exterior stair language around to the front of the building. Fritted glass, composed of close knit horizontal lines, is used for both the spandrel glass of the lower two levels, lowest band at office level along Page Mill and the third floor residential balconies, further unifying the building's floors. It is completely opaque at the spandrels, and more filtered for the railings and lowest glass band of the office floor to hide clear views of possible clutter and to protect modesty. Rectilinear aluminum roof elements above the garage and each retail entrance are a simpler version of the canopy at the main entrance, and all serve to visually call out the entrances and provide space for future signage. The rear of the building is more closed off with glass starting at 3' above the second floor, respecting the rear neighbors' privacy. The roof's fascia is a dark bronze colored metal with a cream colored metal at the soffit so it does not feel so heavy from the street.

The cream colored cement plaster of the lower two floors has accentuated reveals between the sections to keep the lower building design simple with clean lines, especially at the north and south side elevations which are hidden by adjacent buildings. The material change from the ceramic quartz tile of the front volume to the cement plaster of the rear building volume that occurs along the side of the exterior stair serves to highlight the stair's dynamic lines. The third floor's cement plaster walls have some color change to hint at its different use as multifamily residential from the street level. The third floor units that pop

out are covered with either a gray or wheat accent color of cement plaster, and they are separated by interior walls of the same cream colored cement plaster as the commercial floors below to tie all the floors together despite their different usage. The use of three cement plaster colors serves to emphasize the in and outs of the third floor as well as provide some individuality to each of the units and warm up the feeling of the third floor courtyard and "street". The warm-toned Jerusalem stone for pavers and landscape walls, as well as wood for the trellises, bbq and furniture also help to warm and enliven the common community space. The elevator shaft brings up some ceramic quartz tile to the third floor from the commercial floors below, and it wraps around the corner into the courtyard.

The continuous aluminum horizontal sunshade at the third floor is mainly an aesthetic element that minimizes the height of the floor and emphasizes the building's horizontal design. It is deeper where it can actually help for shading and less in areas where it just acts as a horizontal design element. The sunshade becomes a curved roof overhang at each unit entrance to mimic the curves in the landscape planter walls that welcome you into each unit entrance below it. And the end residential units facing Page Mill have corner windows with horizontal mullions, a more subtle version of the aluminum fins at the glass corners in the commercial floors below.

### **Parking**

The commercial uses of the building require 89 parking spaces per the Zoning Code. The residential uses require 18 spaces using the State Density Bonus Law. Per Zoning Code Section 18.52.080(c) Shared Parking Facilities, a mixed use building does not require all of the spaces for each use independently because the uses do not occur at the same time. The commercial occupants use the spaces during the day while the residential uses use the same spaces primarily at night. So according to our Hourly Accumulation of Parking (Weekdays) Analysis, which serves as a check of the Zoning Code's Shared Parking Facilities section, we only need to provide a maximum of 79 spaces on a peak weekday for the entire building, but 87 parking spaces are recommended which includes a 10% contingency. We are requesting a 15% Shared Parking Facilities reduction and proposing to provide 91 parking spaces: 34 on the first floor, and 57 in the basement. A Transportation Demand Management Plan is required and will be specifically designed to provide transit passes for the office and retail workers to encourage them out of their vehicles and utilizing the nearby transit instead. We have also provided a large amount of secured bicycle parking to further discourage car usage.

### **Affordable Housing**

Affordable units are not required for rental projects anymore. We are proposing to use Government Code Section 65915-65918, a State law that requires cities to grant incentives when developers voluntarily provide affordable units. We are proposing to provide 3 affordable R units (30% additional) to get 3 incentives. The three affordable units would be one from each bedroom type: a one bedroom, a two bedroom and a three bedroom and also help toward the City's Housing Mandate. The incentives are as follows:

1. Lot coverage – 50% is allowed under CS zone. Our site is very wide and shallow, making it difficult to build the allowable floor area and parking while also dealing with a rear daylight plane. We are showing 69% site coverage. (The DBL ordinance allows the maximum site coverage to be exceeded but only by square footage of the affordable residential units.)
2. FAR (Exceeding amount of commercial FAR allowed) - CS zone allows a mixed use building with FAR of 0.6:1 residential and 0.4:1 commercial, for a total FAR of 1.0:1. We are showing an increase in



the amount of office space to 0.8. commercial FAR. Office space is financially what funds the ability to do the affordable residential units, as well as physically, because the size of the third floor housing is determined by the size of the office space beneath. (The DBL ordinance only allows residential FAR to be increased and only by the square footage of the 3 affordable units. The project is 10,770 sf. over the total allowed commercial FAR and the DBL ordinance)

3. FAR (Exceeding amount of total FAR allowed) - CS zone allows a mixed use building with a total FAR of 1.0:1. Our increase in the amount of office space gives us a total overall FAR of 1.32:1. Again, office space is financially what funds the ability to do the affordable residential units, as well as physically, because the size of the third floor housing is determined by the size of the office space beneath. (This is above the square footage menu amount listed in the DBL ordinance of the 3 affordable units. The project is 8,595 sf. over the total allowed FAR. Based on the affordable units selected, their square footage is 3,544 sf., meaning we are showing approximately an additional 5,051 sf. of total FAR over the DBL ordinance)

### **Building Height**

CS zone limits height to 35' adjacent to residential. We are showing 35' for the main building height and the residential rear daylight plane is not violated at all, not even by a roof overhang. The elevator shaft located up near Page Mill, and not visible from Pepper as shown by the site cross section, is proposed at 40' for practical reasons. The elevator requires a tall hoist way space above the uppermost floor for the required mechanisms to make it function, and it is allowed by zoning to encroach over the height limit. Its taller height helps relate to the taller commercial buildings across Page Mill Road.

### **Landscape Design**

The overall landscape approach to our project is to be a good neighbor, to both commercial properties along Page Mill Road and the residential properties that face Pepper Avenue. The landscape plan consists of essentially three different zones, 1) the face along Page Mill Road, 2) the back area that faces onto the residential, 3) courtyard area on the 3<sup>rd</sup> floor.

#### **Page Mill Road**

The Page Mill Road elevation at the pedestrian level will consist of street trees, benches, glazed planters and racks for bicycles. The assorted street furniture will give a friendly and lively appearance to the property.

#### **Back Area**

The neighbors that live on Pepper Avenue were concerned about noise, privacy, long range views and light issues. In a neighborhood meeting, the neighbors were given a choice from a variety of species of trees, both deciduous and evergreen, that would provide screening at the back property line. The 11 tree types suggested were chosen because they were fast growing had low water consumption, low pollen production, non-messy, had non-destructive root systems, were non-fruit bearing and reached a maximum height of 30' which allowed long views over the top of them but concealed the building from Pepper. So far, the neighbors have selected only two varieties of evergreen trees (*Pittosporum undulatum* and *Lagunaria patersonii*) which are shown on the plan. They will be planted from 36" box material. At the time of planting, these trees will be 12'-14' with a 6' spread.

**Storm Drainage**

Storm Drainage will be addressed via a large bioretention basin in the rear of the property and self-treating areas with appropriate C3 planting.

**Residential Courtyard**

The outdoor courtyard spaces will be filled with plant material and enhance the feelings of connectedness to nature and create a comfortable community gathering space. Some edible plants and fruit trees were also selected as an added benefit for the residents. The paving and planter facing in the upper courtyard is a warm tone stone paver.

A varied plant palette of Mediterranean/native groundcover, shrubs and trees will be selected to maximize a variety of textures, fragrance and colors. All plantings will be irrigated with an automatically controlled irrigation system and will comply with the Water Efficient Landscape Ordinance.

**Contaminated Groundwater**

The project is within the California Olive Emerson (COE) Study area and has groundwater contaminated from offsite dumping of Volatile Organic Compounds. We have specifically kept the depth of the parking garage to a single level to remain well above the contaminated water table. We engaged Cornerstone Earth Group to give us a specific environmental analysis and develop appropriate mitigations measures to ensure the safety of the neighboring buildings as well as the new building's occupants, including treatment measures for all excavated soil before it is disposed of. They suggested three measures, each adequate to mitigate the soil vapors on their own: a vapor barrier system beneath the garage slab and walls; a properly designed and operated HVAC system for the building and garage; and a passive sub-slab depressurization or venting system. We have opted to do all three to be safe and ensure redundancy.

**Neighborhood Outreach**

Following up on our neighborhood outreach meetings during the zone change process, we reached out again to the same neighbors from Pepper Avenue and had a meeting on January 3, 2013 showing them the preliminary design of the building before we turned in for Preliminary ARB, and another one on June 20, 2013, a month before we officially turned in for Site & Design, to show them the results of our Preliminary ARB process. We have consistently had neighbors representing 5 properties attend but they also sent our meeting notes to the larger neighborhood e-mail distribution list. At both meetings, we introduced the design of the proposed building with plans, 3D renderings and a physical model showing building's relationship to their properties.

In general, the neighbors were happy about the greater rear setback distance, the amount of parking provided on site, the elimination of the street parking, getting to choose the tree species and at the time had no big issues with the building design itself. The issues they did have:

- Parking on their street - Despite the amount of parking we have provided on site, they are very concerned about the rash of development occurring in their neighborhood, and more so about the much larger projects that were coming down the pipeline.
- Light pollution from offices at night – We said the offices can have occupancy sensors and automatic shades at night to block any light spill into residences.
- Smoking on second floor terrace - We said that smoking will not be allowed on the premise.

- Seeing storage items on tenant patios – We shrunk the patio sizes and used frosted glass railings to block views of the patios, but the developer will also manage building and can be called with concerns after the building is finished. All units are rentals, and he is willing to put in regulations against storage on patios if that becomes an issue.
- Trash and recycle bin location (worried about smells & noise) – We located them just inside the first floor parking garage, as far away from Pepper as possible.
- Location of air conditioning equipment (worried about noise) – We were able to get some of the condenser units inside the parking garage, and the ones we could not are on the roof. None of them exceed the noise limits at any of the property lines according to our noise study. We also opened up some of the walls of the first floor garage to allow more light in and allow natural ventilation to eliminate another potentially noisy exhaust system.
- Odor and equipment noise from businesses – Tenant(s) not yet determined but not looking for one that would generate smells or excessive equipment noises. No restaurants would be allowed.
- There are neighborhood issues with homeless and garbage scavenging, they recommend gates to restrict access to sides of building – We can look into installing gates to restrict access and discourage possible crime and garbage scavenging activities if it becomes a problem.

### **Art Concept**

We are providing art on site to comply with the 1% for Art program. The approximate art budget is \$160,000.00 including consultant fees. Paula Kirkeby, one of the Pepper neighbors sharing our site's rear property line, a former Public Art Commissioner and owner of Smith Anderson Editions has graciously agreed to help us as our art consultant. Paula thought sculpture that was easily seen by but not distracting to the many passing cars on Page Mill Road would be a good fit. Paula brought in internationally known sculptor, Fletcher Benton, who already has a very successful piece, Tilted Donut #5, a block away at the corner of Page Mill Road and El Camino Real.

Fletcher has a folded square series, where he uses one square piece of steel, makes cuts and folds only, and with no waste material creates the alphabet and all the numbers. We are proposing to use three of his number series, representing the building address and place them right in front of the building where the benches are currently shown. They would be brightly painted from his standard colors, approximately 30" square, each up on its own black painted steel pedestal and end up approximately 5' tall. The budget also allows us to possibly acquire one more piece and we are exploring the possibilities. The Public Art Commission fully supported our idea of the 4 sculptures from Fletcher Benton and their locations, and we are currently redesigning the landscape plan in the front area to accommodate the numbers.

We thank you for your review and consideration of our project.

# STOECKER AND NORTHWAY ARCHITECTS INCORPORATED

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## **SITE & DESIGN REQUEST: 441 PAGE MILL ROAD (CURRENTLY 423-451 PAGE MILL ROAD)**

Changes from 2nd ARB Submittal - October 10, 2014

### **General Building Design Changes**

1. Changed shape of main entrance lobby in plan from all curved glass to square with glass corner. This increased the lobby square footage numbers on first two floors and had ripple repercussions throughout all the building's lot and square footage numbers, including the parking calcs.
2. Made third floor lobby smaller and recessed it from lower floors. It had ripple repercussions throughout all the building's square footage numbers. Change reduces visual impact of third floor lobby from Page Mill and disconnects it in massing from lobbies below. Changed its architecture to match third floor but added horizontal aluminum fins at the corner glass to tie it into the language of commercial lobby glass below.
3. Added solid vertical walls along Page Mill facade and moved retail doors to be in them. Also added solid vertical walls at rear of building. Wall and vertical mullion placement is related to the third floor plan above.
4. Put ceramic quartz tile back on walls and base of front two story volume of building that encompasses the lobby, retail, and wraps around south corner to side of stair. Change of material from tile to plaster at stair further emphasizes the dynamic diagonal of its form.
5. Lowered the height of the third floor lobby back to 35' and not requesting DEE for height. Elevator shaft is still 40' tall and is accentuated as a vertical element by being clad in ceramic quartz tile on inside and exterior of building, as well as by stopping the third floor lobby and its roof short to not wrap around it.
6. Added canopy with posts at main entrance.

### **Sheet A0 - Project Data**

1. Proposed FAR Residential FAR - Third Floor Lobby square footage reduced by 134 s.f. to 663 s.f. which reduces residential only lobby number to 772 s.f. But Shared lobby number increased to by 65 s.f. to 911 s.f. because of square lobby plan. Total Overall Residential FAR reduces by 69 s.f. from 14,048 s.f. to 13,979 s.f. Residential FAR remained .52:1.
2. Proposed FAR Commercial FAR - Square plan made Shared Lobby square footage increase on first floor by 26 s.f. to 877 s.f. and on second floor by 30 s.f. to 665 s.f. Since we didn't want overall Commercial FAR to increase, we decreased the retail space by 59 s.f. to 2,836 s.f. to accommodate extra lobby square footage. As Retail wall shifted, Shower Room changed and grew bigger by 4 s.f. Overall Commercial FAR decreased by 1 s.f. and is 21,540 s.f. but remained .8:1.
3. Decrease to retail square footage made us redo the parking calcs and the commercial parking required went from 107.05 to 107 even, which reduced our required parking by one car, since you don't round cars. Percentage of shared parking reduction requested drops to 15%.
4. Overall Mixed Use FAR reduced by 68 s.f. to 35,521 s.f. (Last calculation was mistakenly not adjusted per the last change - should have been 35,589 s.f.)

5. Building Square Footage - All the floor square footages are reduced by same amounts above. Third floor total became 13,131 s.f. Building total reduced to 71,670 s.f.
6. Building Height - No height DEE. Only elevator now 40'.
7. Impervious Surface - Square plan and landscape plan changes changed the numbers.
8. Usable Open space - Lobby deck was added so total increased by 126 s.f. to 4,906 s.f.
9. Landscape/Open Space - Lobby deck was added so total increased by 126 s.f. to 10,098 s.f.

**Sheet A2 - Streetscape**

1. Revised building elevation.

**Sheet A4 & A6 - Site Plan & Second Floor Plan**

1. Revised entry lobby to square. Moved one retail door.
2. Landscape design along Page Mill changed accordingly - trees shifted slightly.
3. Now have reserved room for art number sculptures in center of benches between the two retail doors.

**Sheet A7 - Third Floor Plan**

1. Made lobby smaller & created exterior lobby deck with planters.

**Sheet A8 - Roof Plan**

1. Revised roof above lobby.

**Sheet A9 through A15 - 3D Perspectives, Exterior Elevations, Sections & Details**

1. Revised look of building and notes per revised lobby design and material changes.

**Sheet LS1.1 & LS1.2 - Landscape Plans**

1. Revised third floor plan for lobby changes.
2. Revised Page Mill planting for new door locations and new lobby plan.

12158.txt

Attachment F: Mitigated Negative Declaration is available on the City's website at  
<http://tinyurl.com/m6c3yzs>

12159.txt

Project Plans (ARB members only). Project plans are also available on the City's website at <http://goo.gl/95W51M>