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## Architectural Review Board Staff Report

**From: Planning and Development Services Director**  
**Lead Department: Planning and Development Services**

**Meeting Date: November 21, 2024**  
Report #: 2410-3670

### **TITLE**

3950 Fabian Way [24PLN-00263]: PUBLIC HEARING / QUASI-JUDICIAL. Request for Minor Board Level Architectural Review for Exterior Modifications to an Existing 32,500-Square-Foot, Two-Story Commercial Building. The Project Includes Revisions to the Facade, Site Modifications, and Demolition of a Portion on the North End of the Existing Building and Construction of a New Approximately 4,200-Square-Foot Addition to the North Side. The Project Also Includes a Request for a Conditional Use Permit for a Change of Use to Private Education to Accommodate The Girls' Middle School. Environmental Assessment: Pending. Zoning District: GM. For More Information Contact the Project Planner, Steven Switzer at [Steven.Switzer@Cityofpaloalto.org](mailto:Steven.Switzer@Cityofpaloalto.org).

### **RECOMMENDATION**

Staff recommends that the Architectural Review Board (ARB) review and provide initial comments.

### **EXECUTIVE SUMMARY**

The subject application is a request for an early Architectural Review. This is an initial hearing on the project and no recommendation is needed at this time.

As this is an early Architectural Review application, the Planning and Development Services Department has only performed a limited review of the project for compliance with the Comprehensive Plan and Zoning Code. Other departments have provided initial comments on the submitted plan set but have not yet evaluated whether the revised plans have adequately addressed initial comments. A comprehensive review of the project to applicable codes, including context-based design criteria and other standards, will follow this hearing. Accordingly, there may be aspects of this application that do not comply with municipal regulations or require additional discretionary applications beyond architectural review.

The purpose of this meeting is to provide the applicant an early opportunity to present their project to the ARB and receive initial comments. ARB members and staff may identify aspects of the project for the applicant to further consider given the neighborhood context or to improve consistency with City policies or areas of concern. Community members are also encouraged to provide early input to the project.

## PROJECT DESCRIPTION

The proposed project includes modifications to an existing 32,500-square-foot, two-story commercial building. In addition to façade modifications, the project would remove some areas of existing floor area on the north side and second floor of the building (total removal of 4,689 square feet) and would construct a 4,200 square feet gymnasium on the north side of the building. At the rear of the building, the project proposes new fenced outdoor spaces for physical education, first floor classrooms that open to the outdoors, and picnic areas. On the interior, the project includes renovations of the existing office spaces to accommodate classrooms, staff offices, and support spaces.

The project also includes a request for a Conditional Use Permit for a change of use from office and warehouse to private education to accommodate the Girls' Middle School. The project description indicates that the planned enrollment for the school is approximately 200 students.

### Anticipated Entitlements:

The following discretionary applications are proposed:

- Architectural Review – Minor (AR): The process for evaluating this type of application is set forth in Palo Alto Municipal Code (PAMC) Section 18.77.070. AR applications are reviewed by the ARB and recommendations are forwarded to the Planning & Development Services Director (Director) for action. Action by the Director is appealable to the City Council if filed within 14 days of the decision. AR projects are evaluated against specific findings. All findings must be made in the affirmative to approve the project.
- Conditional Use Permit (CUP): The process for evaluating this type of application is set forth in PAMC Section 18.77.060. CUP applications are reviewed by staff and the Director will prepare a written decision to approve, approve with conditions, or deny the application based on the Findings set in PAMC Section 18.76.010(c). Appeals of the Director's decision would be forwarded to the Planning & Transportation Commission (PTC) for a recommendation and then to the City Council for a final decision.

## BACKGROUND

### Project Information

Owner:	Fabian Partners II
Architect:	CAW Architects
Applicant:	The Girls' Middle School

### Property Information

Address:	3950 Fabian Way (APN 127-37-023)
Housing Inventory Site:	Yes, 88 Units (APN 127-37-023)
Located w/in a Plume:	Not Applicable
Protected/Heritage Trees:	Not Applicable
Historic Resource(s):	Not Applicable

### Land Use Designation & Applicable Plans/Guidelines

Comp. Plan Designation: Light Industrial (LI)  
Zoning Designation: General Manufacturing (GM)

	Yes		Yes		Yes
Baylands Master Plan/Guidelines (2008/2005)		El Camino Real Guidelines (1976)		Housing Development Project	
Downtown Urban Design Guidelines (1993)		South El Camino Real Guidelines (2002)		Utilizes Chapter 18.24 - Objective Standards	
Individual Review Guidelines (2005)		Within 150 feet of Residential Use or District	X	Context-Based Design Criteria applicable	X
SOFA Phase 1 (2000)		Within Airport Influence Area			
SOFA Phase 2 (2003)					

### Prior City Reviews & Action

City Council: None  
PTC: None  
ARB: None  
HRB: None

### **DISCUSSION**

Applications requesting an early hearing are sent directly to a hearing with minimal review for compliance with relevant plans, policies, and regulations. The project was submitted in late September 2024. Staff in all relevant departments provided comments on the project and the plan set presented to the ARB is the resubmitted plan set. However, these revised plans have not been evaluated to determine if all relevant department comments have been addressed. Accordingly, there may be aspects of the plan that do not comply with all of the City's requirements.

At this point in project development, the ARB is encouraged to provide feedback to the applicant on the preliminary drawings. Staff notes the following key aspects that the ARB may want to consider:

- Consistency with the Comprehensive Plan and Zoning Code.
- Architectural design, quality of materials, and site planning.
- On-site circulation for drop-off and pick-up, and parking.
- Play spaces.

### Consistency with Comprehensive Plan, Area Plans, and Guidelines<sup>1</sup>

The subject property is designated as Light Industrial. The light industrial land use designation states: “Wholesale and storage warehouses and the manufacturing, processing, repairing and packaging of goods. Emission of fumes, noise, smoke, or other pollutants is strictly controlled. Examples include portions of the area south of Oregon Avenue between El Camino Real and Alma Street that historically have included these land uses, and the San Antonio Road industrial area. Compatible residential and mixed-use projects may also be located in this category. FAR will range up to 0.5. Consistent with the Comprehensive Plan’s encouragement of housing near transit centers, higher density multi-family housing may be allowed in specific locations.” While private schools are not specifically identified as an allowed use in this Comprehensive Plan land use designation, the GM zone district (which commonly aligns with the light industrial land use designation) conditionally permits private schools, as discussed further below. Therefore, private school use could be considered consistent with this land use designation, subject to conditions. A full analysis of the project’s consistency with all applicable aspects of the Comprehensive Plan, including the Land Use and Design Element, has not yet been prepared and will accompany any request for recommendation on the project.

### *Housing Element*

The subject property is identified as a Housing Inventory Site in the certified 2023-31 Housing Element, with an anticipated capacity of 88 housing units, including an anticipated capacity of 35 low income and 35 very-low-income units. It’s important to note that designation as a Housing Inventory Site does not require that a site must be developed with housing. In preparing the Housing Element to meet the City’s required Regional Housing Needs Allocation (RHNA) of 6,086 units, the City planned for and analyzed a buffer, meaning that in identifying Housing Inventory Sites, the City planned for an additional 727 units, including a buffer of an additional 261 low and very low income units because actual development of housing projects across the City are dependent on numerous factors. At this time, there is sufficient capacity within the buffer, including within the buffer for lower income levels, to accommodate the City’s RHNA allocation even if this site is not developed with a housing project. Therefore, although the project does not propose housing on this Housing Inventory Site, the use of this site as a private school would not affect the City’s ability to achieve its RHNA and selection of a replacement Housing Inventory Site is not required at this time. As part of any approval, a finding to this effect would be required. In addition, the City will be able to count all housing developments, even ones not included on the Housing Inventory Sites, toward fulfillment of the required RHNA.

### Consistency with the Zoning Code

This property is zoned General Manufacturing (GM). In the GM Zoning District, private schools

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<sup>1</sup> The Palo Alto Comprehensive Plan is available online:

<https://www.cityofpaloalto.org/Departments/PlanningDevelopment-Services/Housing-Policies-Projects/2030-Comprehensive-Plan>

are a conditionally permitted use. In addition to processing this Architectural Review application, the project includes a request for a Conditional Use Permit.

A complete analysis of the project's consistency with all aspects of the zoning ordinance has not yet been completed. However, Attachment B provides a basic analysis of the proposed project's consistency with the development standards. Following this hearing, a complete review of the project's consistency with all aspects of the zoning code, in addition to other relevant code requirements would be prepared prior to a request for a recommendation on the project.

#### Site Planning and Architectural Design

The project site is within the Adobe Meadow/Meadow Park neighborhood. North of the property is a private high school and to the south is office spaces. Across Fabian Way to the east is the Oshman Family Jewish Community Center (OFJCC) Fitness Center, low-income senior housing, and multi-family housing. There are three single-family residences adjacent to the west of the property. These residences are approximately 100 feet from the edge of the existing building. Surrounding structures range from one to four stories.

A majority of the existing structure's exterior will remain as is, with the exception of the proposed building addition for the gymnasium on the northern side of the structure. The surrounding areas on the site are mostly used for parking and will remain as is, with the exception of the outdoor fenced areas designated for physical education, first floor specialty classrooms that open to the outdoors, and picnic areas.

The exterior materials of the building include painted cement plaster in blue and gray, aluminum bent accent plates in yellow, and new black and charcoal aluminum framed windows with tempered glass.

#### Circulation and Parking

The proposed onsite circulation maintains the existing site's two driveways. The anticipated student drop-off would utilize the southern driveway and a wraparound drive where students would exit cars at the northern end of the site before parents exit the campus. The double drive aisles should facilitate organized drop-off and pick-up routines, but this will be further evaluated in subsequent review. Students walking or biking would be able to enter the school from one of the paths from the sidewalk. Two bicycle parking areas would be located in the northern and southern corners of the property. The 52 parking spaces and 44 bike spaces comply with the off-street parking and loading requirements set forth in PAMC Chapter 18.52 for Private Schools and Educational Facilities.

#### Play Spaces

The project proposes a fenced outdoor physical education space adjacent to the gymnasium addition as well as first floor specialty classrooms that open to the outdoors to allow for indoor-outdoor learning and picnic area. The fenced outdoor areas would be located between the existing structure and the parking lot that is currently landscaped. It should be noted that the subject property abuts single-family residential uses, but the existing residences would be located approximately 100 feet from the proposed structure. The project does not include a change to the existing circulation design and perimeter landscaping.

The size of the outdoor areas is not stated in the plan set. Though the Zoning Code does not prescribe a minimum usable open space for school/day care use, the State does have licensing requirements that must be adhered to. Details of the proposed fencing for the outdoor areas and overall site are contained in the plan set.

### **PUBLIC NOTIFICATION, OUTREACH, AND COMMENTS**

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper and mailed to owners and occupants of property within 600 feet of the subject property at least ten days in advance. Notice of a public hearing for this project was published in the Daily Post on November 8, 2024, which is 14 days in advance of the meeting. Postcard mailing occurred on November 6, 2024, which is 15 days in advance of the meeting. The City has received any comments from the public on the proposed project.

### **ENVIRONMENTAL REVIEW**

Staff is currently evaluating the appropriate level of environmental review pursuant to the California Environmental Quality Act (CEQA).

### **NEXT STEPS**

The project is still being evaluated by all relevant departments and has not yet been deemed complete. The plans presented to the ARB at this hearing were recently submitted and are still being evaluated to determine if comments, including items required to deem the application complete, have been addressed. The project planner will work with applicant to ensure the proposed project complies with the Comprehensive Plan and Zoning Code, addresses City comments and those of the ARB. Revised plans that address these factors will be brought to a second ARB hearing.

### **ATTACHMENTS**

Attachment A: Location Map

Attachment B: Zoning Consistency Analysis

Attachment C: Applicant's Project Description

Attachment D: Project Plans

### **Author and ARB Liaison**

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