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## Architectural Review Board Staff Report

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

**Meeting Date: September 5, 2024**  
Report #: 2408-3379

### **TITLE**

PUBLIC HEARING / QUASI-JUDICIAL. [23PLN-00110] 3000 El Camino Real (Palo Alto Square): Recommendation on Applicant's Request for Approval of a Major Architectural Review for facade changes and site improvements associated with conversion of a vacant theater use to an office use within Building 6. Exempt from the provisions of the California Environmental Quality Act in accordance with CEQA Guidelines Section 15303 (new construction and conversion of small structures). Zoning: PC-4648. For more information contact the project planner at [Claire.Raybould@Cityofpaloalto.org](mailto:Claire.Raybould@Cityofpaloalto.org).

### **RECOMMENDATION**

Staff recommends that the Architectural Review Board take the following action:

1. Recommend that City Council approve the proposed facade and site modifications based on the findings in Attachment B and Conditions of approval in Attachment C, while reserving a final determination on zoning compliance for the City Council.

### **EXECUTIVE SUMMARY**

The proposed project includes façade modifications and site improvements associated with Building 6 at Palo Alto Square to accommodate the conversion of existing theater space to an office use.

Cinemark first announced the potential closure of its operations at this site in 2016. Following concerns raised by residents and elected officials at that time, Cinemark worked with Hudson Pacific Properties to continue its operations. Cinemark permanently closed in spring 2020 following the beginning of the COVID-19 pandemic. The building has not been occupied since the closure of the theater.

The proposed project is located within a Planned Community Zone District (PC-4648), which incorporates by reference the original Planned Community Zone District (PC-2533). In accordance with PAMC Section 18.38.070, minor modifications may be made to a PC Zone District through the architectural review process. The applicant has submitted an architectural review application in accordance with this process. Architectural review applications of this

scope and size are typically acted upon by the Director of Planning and Development Services. However, given the significant public interest in the project, the Director has elected to bring the project before the Architectural Review Board, with City Council making a final decision in accordance with PAMC Section 18.40.170.

## BACKGROUND

### Project Information

Owner:	Hudson Pacific Properties
Architect:	HGA
Representative:	Jarred Willis
Legal Counsel:	Rutan and Tucker LLP

### Property Information

Address:	3000 El Camino Real, Building 6
Neighborhood:	Ventura
Lot Dimensions & Area:	~770 feet x 720 feet (irregular); 653,413 sf (~15-acres)
Housing Inventory Site:	Not Applicable
Located w/in a Plume:	Yes (COE Plume)
Protected/Heritage Trees:	Yes (see discussion below)
Historic Resource(s):	Not Applicable (see discussion below)
Existing Improvement(s):	6 buildings; ranging from one to 10 stories in height; 333,000 sf
Existing Land Use(s):	Mixed-use (office, restaurants, theater)
Adjacent Land Uses & Zoning:	North: Public Facilities and Research office Land Use (Research Park [RP] and Public Facility [PF] Zoning) West: Research Office land use (PC-4657 zoning) East: Service Commercial Land Use (CS Zoning) South: Research Office Land Use (RP Zoning)

## Land Use Designation & Applicable Plans

Zoning Designation: PC-4648 (incorporates by reference the original PC Zoning, PC-2533)

### Prior City Reviews & Action

PTC: None

ARB: None

## **Project Description**

The proposed project includes modifications to the window and door design on all four sides of Building 6. No changes to the building material or color are proposed; however, the building will be repainted. At the rear of the building, the project includes a new fenced outdoor seating area. One existing protected tree is proposed to be removed and three new trees are proposed to be planted within the immediate vicinity. On the interior, the project includes conversion of an existing approximately 13,200 sf area from a theater use to an office use. The project includes expansion of an existing second floor area to add 1,193 sf. New rooftop equipment and an associated roof screen are also proposed. The roof screen would be painted to match the existing building.

### Requested Entitlements, Findings and Purview:

The following discretionary applications are being requested:

- Architectural Review – Major (AR): The process for evaluating this type of application is set forth in PAMC 18.77.070. AR applications are typically reviewed by the ARB and recommendations are forwarded to the Planning & Development Services Director for action within five business days of the Board’s recommendation. However, in accordance with 18.40.170, the Director may defer their decision to Council. The Director has elected to utilize this code allowance for this project given the public interest in this project. AR projects are evaluated against specific findings. All findings must be made in the affirmative to approve the project. Failure to make any one finding requires project redesign or denial. The findings to approve an AR application are provided in Attachment B.

## **ANALYSIS**

The proposed project has been analyzed in accordance with relevant regulations, plans, and policies, as detailed further in this section. Staff recommends that the Architectural Review Board recommend approval of the proposed project based on the physical changes being proposed to the site with the understanding the Council will determine whether the proposed change in use is consistent with the Planned Community Zone District (PC-4648).

### Neighborhood Setting and Character

The proposed modifications to Building 6 at Palo Alto Square would not be visible from the public right-of-way on Page Mill Road or El Camino Real. Surrounding uses include the Mayfield Soccer fields across Page Mill Road, the North Ventura Coordinated Area Plan area across El Camino Real, and other office uses to the rear of the site on Ramos Way (private street). The new proposed outdoor area faces the professional office uses across the private street.

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

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<sup>1</sup> The Palo Alto Comprehensive Plan is available online: [bit.ly/PACompPlan2030](https://bit.ly/PACompPlan2030)

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

The Comprehensive Plan land use designation for the project site is Research Office. Allowed uses include, but are not limited to, "office, research and manufacturing establishments whose operations are buffered from adjacent residential uses." Although there are residential uses across El Camino Real and proposed adjacent to the project site; given the size of the property, the proposed modifications are not in the vicinity of existing or planned residential uses and are therefore consistent with the Comprehensive Plan land use designation.

On balance, the project is consistent with the policies in the Comprehensive Plan. A detailed review of the project's consistency with the Comprehensive Plan is provided in Attachment B. The project includes reuse of an existing building within a developed area and reduces current vacancies, consistent with the Comprehensive Plan. However, the theater provided an important mix to the uses on the site that supported the vitality of the surrounding area. The conversion of this use to office is less desirable than other allowed uses that support the existing office uses and nearby neighborhood.

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

The proposed project is located within PC-4648, which incorporates the originally approved Planned Community Zone District for the site (PC-2533). The PC sets forth the allowed uses for this zone district, which includes: financial services, professional offices, restaurants, theaters, a hotel, and commercial service facilities incidental to a major office for the convenience of employees or visitors. The proposed office use is therefore an allowed use within this zone district.

Staff initially considered the movie theater to be a public benefit that would have required an amendment to the Planned Community zoning to remove and replace with office. However, after reviewing the administrative record, staff has not been able to substantiate this conclusion. At the time of the initial planned community rezoning for this site, there was no public benefit requirement for PC Zone Districts.

PC-2533 and PC-4648 also set forth a net rentable floor area requirement that applies to four of the six buildings on the Palo Alto Square site (the four one and two-story buildings). The PC ordinance states, "the one and two-story buildings shall not exceed a total of 85,000 square feet of net rentable floor area with 65,000 square feet to be on the ground floor." Currently, across the 4 one and two-story buildings, the net rentable floor area is 67,905 sf with 45,865 sf on the first floor and 22,041 sf on the second floor. With this proposal, the net rentable floor area would be 69,099 sf with 45,865 sf on the first floor and 23,234 sf on the second floor. Therefore, the

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<sup>2</sup> The Palo Alto Zoning Code is available online: [bit.ly/PAZoningCode](http://bit.ly/PAZoningCode)

low-rise buildings at Palo Alto Square comply with PC 2533 and PC 4648's overall net rentable cap of 85,000 square feet. It is unclear, however, whether the buildings comply with requirements for distribution of square footage between the ground and second floors.

The project does not include any changes to the existing building envelope with the exception of new rooftop HVAC equipment and screening, which extends two feet taller than the existing building. The HVAC equipment covers a small area of the rooftop on a portion of the building toward the center of the property. The screen is proposed to be painted to match the building color. The existing building envelope is consistent with the originally approved Planned Community Zone District for the site and is therefore compliant with the PC Zone District. The proposed outdoor area does not count toward floor area or lot coverage as it is uncovered. The fence around the outdoor area is 6 feet facing toward the rear and 7 feet on the side. This complies with the maximum fence height of 7 feet.

#### *Retail Preservation Ordinance*

The retail preservation ordinance does not apply to PC Zone Districts as indicated in PAMC Section 18.40.180 (e).

#### Title 8 (Trees) Compliance

There are numerous protected trees across the Palo Alto Square site, most of which would not be impacted by the proposed project. A 21-inch southern magnolia tree is proposed to be removed from the outdoor area because it conflicts with the fence line. This is a higher water use tree and appears to be in fair condition. Removal of this tree in conjunction with the proposed development is allowed in accordance with PAMC Section 8.10.050 (d)(3) so long as the project complies with the required replacement canopy ratio and replacement plantings are climate adaptive and drought tolerant. The project is consistent with these requirements. All other trees within the immediate vicinity will be retained and protected in place.

#### Safety

The existing Building 6 is listed on the City's hazardous building inventory. The proposed modifications to the building façade require a seismic reinforcement of the building, such as additional bracing. Therefore, the project, with the requested revisions would provide for a safer building once renovated.

#### Multi-Modal Access & Parking

The existing site does not appear to comply with the required 1650 parking spaces required for the project site under the PC Ordinance. However, staff notes that this parking total incorporates the 755 Page Mill Road site as well as 3000 El Camino Real, and accounts for square footage that was never constructed, including a 300-unit hotel use. The project has been analyzed against the City's current code standards based on the existing uses of the site and complies with the total parking requirements that would be required under PAMC Section 18.52 for those uses. Therefore, although the existing site does not comply with the PC, staff has not requested additional parking based on the proposed conversion.

A total of 111 bike parking spaces are required (67 long term and 44 short term) for the site based on the mix of uses. The parking analysis shows that the project exceeds this requirement by providing 67 long-term spaces and 58 short-term spaces. However, the project appears to be removing 14 total short-term bicycle parking spaces on the site adjacent to Building 6. While the project still meets the code without these spaces, staff would encourage these bicycle parking spaces to be replaced in another location on the site in order to maintain the current bike parking ratio.

#### Consistency with Application Findings

Overall, staff finds the project to be consistent with the Architectural Review findings for approval.

#### **FISCAL/RESOURCE IMPACT**

Processing of this application has no fiscal impact as applicants are responsible for staff and consultant costs through applicable fees through the deposit-based cost recovery program. Although historically the operational theater generated revenue for the City, in terms of sales tax receipt, the project would not impact the City's current review considering the current site has been vacant since 2020.

#### **STAKEHOLDER ENGAGEMENT**

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 August 23, 2024, which is 14 days in advance of the meeting. Postcard mailing occurred on August 21, 2024, which is 12 days in advance of the meeting.

To date, staff has not received comments on this specific application. However, members of the public have expressed concerns generally with the loss of the theater and have discouraged the conversion of the theater to another use, particularly an office use. As noted previously, in 2016 when the theater initially announced that it would close, stakeholders encouraged maintaining the theater use and the theater was able to remain open until 2020 when it closed permanently.

#### **ENVIRONMENTAL REVIEW**

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Specifically, the project is exempt from the provisions of the California Environmental Quality Act in accordance with CEQA Guidelines Section 15301.

#### **ALTERNATIVE ACTIONS**

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

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

## **ATTACHMENTS**

Attachment A: Location Map

Attachment B: Findings for Approval

Attachment C: Conditions of Approval

Attachment D: PC Ordinances

Attachment E: Project Plans

### **Report Author & Contact Information**

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### **ARB<sup>3</sup> Liaison & Contact Information**

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(650) 329-2575

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<sup>3</sup> Emails may be sent directly to the ARB using the following address: [arb@cityofpaloalto.org](mailto:arb@cityofpaloalto.org)