

ORDINANCE NO. 2533

ORDINANCE OF THE COUNCIL OF THE CITY OF PALO ALTO
AMENDING SECTION 18.08.040 OF THE PALO ALTO MUNI-
CIPAL CODE CHANGING THE ZONING OF CERTAIN PROPERTY
AT THE INTERSECTION OF EL CAMINO REAL AND PAGE MILL
ROAD FROM C-3:S AND L-M:S TO P-C (OFFICE AND HOTEL
COMPLEX)

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Section 18.08.040 of the Palo Alto Municipal Code, the "Zoning Map", is hereby amended by changing the zoning of certain property at the intersection of El Camino Real and Page Mill Road from C-3:S and L-M:S to P-C (office and hotel complex). Said property is shown on a map attached hereto, incorporated herein by reference and entitled "Change of District from L-M:S and C-3:S to P-C (office and hotel complex)".

SECTION 2. The diagrams attached hereto entitled "Development Plan" are incorporated herein by reference. Said Development Plan is approved pursuant to Section 18.68.070 of the Palo Alto Municipal Code subject to the following conditions:

1. Uses:

- a. Financial services such as banks, brokerage firms, title companies, insurance firms and similar uses.
- b. Professional, administrative and executive offices.
- c. Restaurants and cocktail lounges.
- d. Theatres.
- e. 300-guest room hotel including support facilities such as conference and banquet rooms.
- f. Commercial service facilities incidental to a major office and hotel complex such as barber shop, beauty salon, smoke shop-newsstand, gift shop, parking structure and similar uses for the convenience of employees and visitors to the complex.

Major retail or commercial services to serve the community at large shall not be permitted.

ordinance 2533
amended by
resolution 5545

2. Improvements:

- a. Buildings, offstreet parking, landscaping including plantingspaces within and immediately adjacent to the parking area to accommodate a minimum of 400 trees, and other improvements shall be substantially as shown on the approved Development Plan.
- b. The office tower buildings shall not exceed 100,000 square feet of net rentable floor area in each and 10 stories and 159 feet in height.
- c. 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.
- d. The hotel shall not exceed 17 stories, plus roof lounge and 176 feet in height.
- e. Vehicle ingress and egress to El Camino Real and Page Mill Road shall be substantially as shown on the approved Development Plan minus the egress driveway on El Camino Real nearest Page Mill Road and except for revisions as may be required by the State Division of Highways, the County of Santa Clara Department of Public Works, and the City of Palo Alto Department of Public Works.
- f. Acceleration and/or deceleration lanes shall be provided as required by the City of Palo Alto, County of Santa Clara and State of California.
- g. No less than 1650 parking spaces shall be provided.

3. Development Schedule:

- a. Start of construction within 18 months of City Council approval.
- b. Completion of all construction and development within 3 years of start of construction.

SECTION 3. This ordinance shall become effective upon the expiration of thirty days from its passage.

INTRODUCED: September 8, 1969

PASSED: September 22, 1969

AYES: Arnold, Berwald, Clark, Comstock, Dias, Gallagher, Norton, Spaeth, Wheatley

NOES: None

ABSENT: Beahrs, Pearson

ATTEST:

Josephine C. Blum
City Clerk

APPROVED:

Edward J. Arnold
Mayor

APPROVED AS TO FORM:

Peter J. Blum
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Louis J. Fournier
Planning Department

ORDINANCE NO. 4648

ORDINANCE OF THE COUNCIL OF THE CITY OF PALO ALTO
AMENDING SECTION 18.08.040 OF THE PALO ALTO
MUNICIPAL CODE (THE ZONING MAP) TO CHANGE THE
CLASSIFICATION OF PROPERTY AT THE INTERSECTION OF
EL CAMINO REAL AND PAGE MILL ROAD KNOWN AS 3000 EL
CAMINO REAL (PALO ALTO SQUARE) FROM PC PLANNED
COMMUNITY 2533 TO PC PLANNED COMMUNITY 4648

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Section 18.08.040 of the Palo Alto Municipal Code, the "Zoning Map", is hereby amended by changing the zoning of certain property at the intersection of El Camino Real and Page Mill Road from PC Planned Community 2533 (Office and Hotel Complex) to PC Planned Community 4648.

SECTION 2. The City Council hereby finds that:

(a) The Planning Commission, after a duly noticed public hearings held March 8, and May 10, 2000 has recommended that Section 18.08.040 (the Zoning Map) of the Palo Alto Municipal Code be amended as hereinafter set forth.

(b) The proposed amendment is in the public interest and will promote the public health, safety and welfare, as hereinafter set forth.

(c) Modification of the existing PC Planned Community 2533 District to permit building-mounted telecommunications facilities on the site is consistent with the Palo Alto Comprehensive Plan and is compatible with existing and potential use on adjoining sites and in the general vicinity. In particular:

(i) Establishment of building-mounted telecommunication facilities in developments such as Palo Alto Square is supported by the following Comprehensive Plan Policies:

a. Business and Economics Policy B-13: Support the development of technologically-advanced communications infrastructure and other improvements that will facilitate the growth of emerging telecommunications industries.

b. Business and Economics Policy B-14: Work with electronic information network providers to maximize potential benefits for Palo Alto businesses, schools, residences, and other potential users.

(ii) Building-mounted telecommunications facilities are a conditionally permitted use in City zoning districts. Palo Alto Square has buildings suitable for telecommunications facilities.

(d) The site is so situated, and the use or uses proposed for the site are of such characteristics that the application of general districts or combining districts will not provide sufficient flexibility to allow the proposed development. The majority of building-mounted telecommunication facilities must be placed at a height significantly above surrounding development in order to function properly. This often requires that such facilities be located in Zoning Districts that allow building heights in excess of the City's typical 50-foot height limit. The subject site is developed with two structures over 140 feet in height and is ideally suited to accommodating such facilities.

(e) Development of the site under the provisions of the PC planned community district will result in public benefits not otherwise attainable by application of the regulations of general districts or combining districts. The subject site is already developed in accordance with the existing PC Zoning District standards and the proposed inclusion of telecommunications facilities as a permitted use will not materially alter the physical or aesthetic appearance of the site. Moreover, the provision of on-site telecommunications facilities will result in a benefit to the public through improved and more wide ranging wireless communication services.

(f) The use or uses permitted, and the site development regulations applicable within the district shall be consistent with the Palo Alto comprehensive plan, and shall be compatible with existing and potential uses on adjoining sites or within the general vicinity. Comprehensive Plan Policies B-13 and B-14 promote the establishment of technologically advanced telecommunications infrastructure that will benefit the City's residents, schools, and businesses. Permitting building-mounted telecommunication facilities at the subject site is consistent with these Comprehensive Plan Policies. Additionally, telecommunication facilities are compatible with surrounding land uses, which consist of commercial and office-research and development uses.

SECTION 3. The Council has reviewed and considered the proposed Negative Declaration, including the initial study, prepared for this project, on file with the Department of Planning and Community Environment, together with the comments received during the public review period. The City Council finds, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment. The City Council further finds that the negative declaration reflects the independent judgement of the City. The Negative Declaration is hereby adopted.

SECTION 4. Those certain plans entitled "Change from C-3:S and L-M;S to P-C" a copy of which is on file with the Planning Division of the City, are made a part of this ordinance by this reference. Said Development Plan is approved pursuant to Section

18.68.070 of the Palo Alto Municipal Code subject to the following conditions:

(a) Permitted Uses.

(i) Financial services such as banks, brokerage firms, title companies, insurance firms and similar uses.

(ii) Professional, administrative, and executive offices.

(iii) Restaurants and cocktail lounges.

(iv) Theatres.

(v) 300-guest room hotel including support facilities such as conference and banquet rooms.

(vi) Commercial service facilities incidental to a major office and hotel complex such as barber shop, beauty salon, smoke shop-newsstand, gift shop, parking structure and similar uses for the convenience of the employees and visitors to the complex.

Major retail or commercial services to serve the community at large shall not be permitted.

(vii) Building-mounted telecommunications facilities, provided that the design of the proposed facility is approved by the Director of Planning and Community Development after review and consideration by the Architectural Review Board.

(b) Improvements:

(i) Buildings, offstreet parking, landscaping including planting spaces within and immediately adjacent to the parking area to accommodate a minimum of 400 trees, and other improvements shall be substantially as shown on the approved Development Plan.

(ii) The office tower buildings shall not exceed 100,000 square feet of net rentable floor area in each and 10 stories and 159 feet in height.

(iii) 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.

(iv) The hotel shall not exceed 17 stories, plus roof lounge and 176 feet in height.

(v) Vehicle ingress and egress to El Camino Real and Page Mill Road shall be substantially as shown on the approved Development Plan minus the egress driveway on El Camino Real

nearest Page Mill Road and except for revisions as may be required by the State Division of Highways, the County of Santa Clara Department of Public Works, and the City of Palo Alto Department of Public Works.

(vi) Acceleration and/or deceleration lanes shall be provided as required by the City of Palo Alto, County of Santa Clara and State of California.

(vii) No less than 1650 parking spaces shall be provided.

(c) Development Schedule.

(i) Start of construction within 18 months of October 22, 1969.

(ii) Completion of all construction and development within 3 years of start of construction.

SECTION 5. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED: June 12, 2000

PASSED: June 26, 2000

AYES: BEECHAM, BURCH, EAKINS, KLEINBERG, KNISS, LYTLE, OJAKIAN

NOES:

ABSTENTIONS:

ABSENT: FAZZINO

NOT PARTICIPATING: MOSSAR

ATTEST:

Donna J. Rogers
City Clerk

APPROVED AS TO FORM:

Wynne S. Fuld
Senior Asst. City Attorney

APPROVED:

Liz Boniss
Mayor

Benest
City Manager

Ed Hany
Director of Planning and
Community Environment

THIS DOCUMENT IS CERTIFIED TO BE AN
ORDINANCE DULY PASSED BY THE COUNCIL
OF THE CITY OF PALO ALTO AND
THE SAME IS POSTED IN THE COUNCIL
CHAMBER ON 6-30-00 (WITHIN 15
DAYS OF ITS PASSAGE)

"I certify (or declare) under penalty
of perjury that the foregoing is true
and correct."

000629 syn 0090450

7/19/00 Palo Alto Mary G. Buccino
Date & Place Signature