



CITY OF  
**PALO  
ALTO**

## City Council Staff Report

**From: City Manager**

**Report Type: ACTION ITEMS**

**Lead Department: Planning and Development Services**

**Meeting Date: March 4, 2024**

Report #:2402-2602

### **TITLE**

Public Hearing: Second Reading Planned Community Ordinances for 2901 Middlefield Road and 702 Ellsworth Place. CEQA Status – Categorically Exempt

### **RECOMMENDATION**

Staff recommends City Council:

- (1) Adopt the draft ordinances amending the Planned Community Ordinance 2343 to rezone 2901-2905 Middlefield Road and 702 Ellsworth Place as prepared for the February 5, 2024 City Council meeting; or
- (2) Consider further amendments to site development regulations contained in the draft ordinance affecting 702 Ellsworth Place related to the sight distance triangle, fence design, and posted sign restricting the size of delivery trucks on Ellsworth Place

### **EXECUTIVE SUMMARY**

This is the second reading of two ordinances for Planned Communities (PC), originally scheduled for February 5, 2024 (Attachments A and B). The staff report from the Council Packet February 5, 2024 item #7 is provided as Attachment C. The ordinances were agendized as consent items, and then removed for debate and discussion by a majority of the Council, consistent with Section 2.04.270(c) of the Municipal Code. Additional public correspondence received in advance of the February 5, 2024 Council meeting is included as Attachments D and E.

### **BACKGROUND**

This report summarizes feedback from members of the community, as well as a revision requested by the property owner of 702 Ellsworth Place, received after the publication of proposed ordinances amending Planned Community ordinance PC-2343 (Attachments A and B).

On December 11, 2023, City Council conducted a public hearing introducing two ordinances amending Planned Community ordinance PC-2343 to allow for the development of a new single-family residence at 702 Ellsworth Place. This was the Council's third public hearing

related to the project. After extensive discussion, the Council approved the ordinances with additional modifications as requested by the property owner of 702 Ellsworth Place and based on a neighbor's submittal of a revised delivery space location on the 2901-2905 Middlefield Road parcel. The staff report for the February 5, 2024 Council agenda item 7 is provided as Attachment C.

Residents of Ellsworth Place expressed concern that revisions to the proposed ordinances did not accurately reflect the Council's motion in three respects:

- The fence design for the 702 Ellsworth Place parcel,
- The City's standard sight distance triangle on the 702 Ellsworth Place parcel, and
- The signage requirement within the City's Middlefield Road right of way to prohibit delivery trucks longer than 24 feet.

Staff provided responses in advance of the February 5, 2024 Council agenda (Attachment D). The responses include references to the video recording of the Council's discussion posted on the City of Palo Alto YouTube channel.

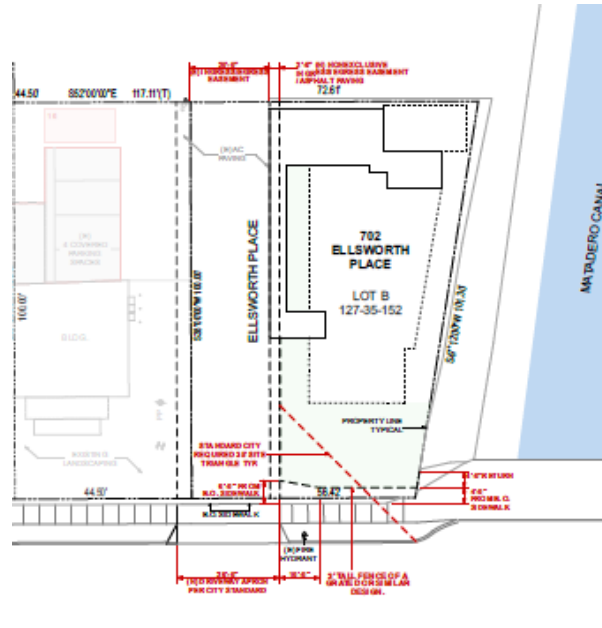
## **ANALYSIS**

Staff provided responses to the Council questions received from Mayor Stone and Vice Mayor Lauring the week prior to the February 5, 2024 second reading; these responses, found online, are provided as Attachment D to this report. Staff reviewed the meeting video of December 11, revised the ordinances and drawings (with the applicant's architect) to reflect the Council's motion, and provided references to the relevant times these issues were discussed in the YouTube video of the December 11 Council meeting. The staff responses are provided below, using an excerpt of the image from the alternative exhibit for the 702 Ellsworth Place parcel.

### 1.Fence Design/Alternative Exhibit for 702 Ellsworth Place PC

Regarding the fence design, the Council's motion and comments on the motion do not prescribe a specific design but rather a performance standard, i.e., that the fence provide adequate visibility between the Ellsworth Place driveway and the sidewalk along Middlefield Road. See Motion by Burt 2:47:30-2:49:20 3.

The ordinance in the February 5, 2024 Council packet already referred to the council motion and did not mention a wrought iron fence. Subsequently, the property owner of 702 Ellsworth Place provided a revised drawing (after Attachment B, Exhibit 1) that no longer specifies a wrought iron fence design to address the neighbor's concern regarding the fence material.



## 2.Exhibit Unchanged – Standard City Site Triangle

Regarding the revisions to the sight triangle/driveway regulations (Section 4(g)(v) of the 702 Ellsworth Place PC ordinance) the Council considered and did not accept the greater driveway setback requirements. The Council's comments on the motion reflect an intent to accept a "hybrid" of two proposals presented by the applicant to the Council on December 11, 2023, which depicted a standard 35-foot sight triangle and a 3-foot-tall fence, as shown in Exhibit 1 to the 702 Ellsworth Place PC ordinance. See:

- Presentation by applicant 1:04:19-1:07:45
- Public comment 1:19:50-1:22:00
- Council Discussion 2:19:20-2:26:35
- Motion by Kou on driveway setbacks (also referral back to PTC) failed for lack of 2nd 2:40:30-2:43:40
- Motion by Burt 2:46:50-2:49:20 2.

## 3.Sign Installation Within City Right of Way to Prohibit Larger Trucks

Regarding the sign prohibiting delivery trucks longer than 24 feet (Section 5(b)(iii) of the 2901-2905 Middlefield Road PC ordinance), neither the motion nor the Council discussion contains anything to suggest the Council intended to modify that provision. The Council's motion does accept the "UPS-approved delivery space" proposed during by the neighbor during public comment, the Council did not address that sign provision during the hearing. The applicant did not request any modifications to that provision. The public comment acknowledges that provision but does not request any modifications and further stated that UPS and other daily delivery trucks are 14 to 18 feet long and 10 feet wide. Staff had recommended retaining the sign requirement because trucks greater than 24' long would have a difficult time performing turnaround maneuvers in the 26-foot-wide Ellsworth Place driveway. See:

- Public comment 1:15:00-1:15:50
- Public comment 1:16:45-1:19:50

### **FISCAL/RESOURCE IMPACT**

Utilities staff provided a rough estimate of the \$20,000-\$25,000 for engineering and construction costs for the relocation of the communications pole, which will be split equally between the City of Palo Alto and the project applicant.

### **ENVIRONMENTAL REVIEW**

Council action on this item is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15061(b)(3) in that it can be seen with certainty that minor changes to the parking configuration at 2901-2905 Middlefield Road and construction of a single-family home will not result in a significant impact on the environment. Council action on the PC ordinance for 2901-2905 Middlefield Road (Attachment A) is also categorically exempt under CEQA Guidelines section 15301 (minor alterations to existing facilities). Council action on the PC ordinance for 702 Ellsworth Place (Attachment B) is also categorically exempt under CEQA Guidelines section 15303 (construction of a new single-family residence).

### **ATTACHMENTS**

Attachment A: Proposed ordinance amending Section 18.08.040 of the Palo Alto Municipal Code (Zoning Map) to rezone the property at 2901-2905 Middlefield Road from Planned Community Ordinance 2343 to Planned Community Ordinance-XXXX

Attachment B: Proposed ordinance amending Section 18.08.040 of the Palo Alto Municipal Code (Zoning Map) to rezone the property at 702 Ellsworth Place from Planned Community Ordinance 2343 to Planned Community Ordinance-XXXX

Attachment C: Staff report from February 5, 2024 Council Packet

Attachment D: Staff response to Councilmember Questions

Attachment E: Written public comments received after publication of packet for February 5, 2024

### **APPROVED BY:**

Jonathan Lait, Planning and Development Services Director