



## City Council Supplemental Report

CITY OF  
**PALO  
ALTO**

**From: Claire Raybould, Principal Planner**

**Meeting Date: April 22, 2024**

**Item Number: 10**

Report #:2404-2928

### **TITLE**

Supplemental Report: QUASI-JUDICIAL. 739 Sutter Avenue [22PLN-00201 and 24PLN-00005]: Appeal of the Director's Decision to Approve a Streamlined Housing Development Review Application to Allow Deconstruction of An Existing 8 Unit Residential Rental Development and Construction of 12 Three-Bedroom Condominium Units. The Project Also Includes a Request for Approval of a Vesting Tentative Map for a Condominium Subdivision. Zoning District: RM-20. Environmental Assessment: Exempt from the California Environmental Quality Act per CEQA Guidelines Section 15332. For more information contact the Project Planner [Claire.Raybould@Cityofpaloalto.org](mailto:Claire.Raybould@Cityofpaloalto.org).

### **BACKGROUND**

Over the weekend the City Council received an email requesting the subject project be pulled from the consent calendar due to concern about compliance with two provisions 1) related to continuous shrubbery requirement; and, 2) spacing requirements for refuse collection. After consultation with a Councilmember, the City Manager directed staff to prepare this memo.

In short, the project before the Council meets the landscaping requirement with the inclusion of fifteen 24-inch box trees along the rear property line and a condition (Condition of Approval #5) that planting be at least eight feet tall prior to final occupancy. Where a discrepancy may exist between planning staff and the commenter is that at planting, there will be some limited distance between the trees. From staff's perspective, this spacing is appropriate to provide room for the trees to mature.

Regarding refuse collection, for over two years the City has reviewed and evaluated the proposed plan, including staff from the City's Zero Waste program who has approved the plan for compliance with code requirements. The commenter's assertion that the spacing does not account for a two-foot space separation is a reference to design guideline and not a municipal code standard. Moreover, staff has engaged the City's waste collection contractor who has reviewed the plan and affirmed their ability to service the site as proposed.

Based on the foregoing, staff has no change to our original recommendation.

**ATTACHMENTS**

Attachment A: 739 Sutter Avenue Public Comment

**APPROVED BY:**

Jonathan Lait, Director of Planning and Development Services