

\*Not Yet Adopted\*

Resolution No. \_\_\_\_\_

Resolution of the Council of the City of Palo Alto Amending the Comprehensive Plan Land Use Map by Changing the Land Use Designation for 340/380 Portage Avenue, 3201-3225 Ash Street, and 3250 Park Boulevard from “Multi-family Residential” (MF) to “Service Commercial” (CS); changing the land use designation for 3040 Park from “Light Industrial” (LI) to “Multi-family Residential” (MF); changing the land use designation of the newly created City dedication parcel area from MF and CS to Major Institution/Special Facilities (MISP); and amending the Comprehensive Plan Land Use and Design Element Text to amend the description of the commercial services land use designation.

#### R E C I T A L S

- A. Although the cannery building at 380/340 Portage; the Ash building at 3201-3225 Ash Street, and the Audi building at 3250 Park Boulevard have historically and currently occupied the space with non-residential uses they currently have a Multi-family Residential Land Use Designation.
- B. In order to better align the Comprehensive Plan Land Use Map with the past, present, and future uses of the site as set forth in the Development Agreement, Sobrato desires to amend the Land Use Designation of these parcels to Service Commercial.
- C. In order to better align the Comprehensive Plan Land Use Map with the future use of the site as set forth in the Development Agreement, the Sobrato desires to amend the land use designation of the parcel at 3040 Portage to a Multi-family Residential.
- D. In order to better align the Comprehensive Plan Land Use Map with the future use of the site for a park and affordable housing as set forth in the Development Agreement, the City desires to amend the Land Use Designation of the City dedication parcel to “Major Institution Special Facilities” (MISP).
- E. The creation of new parcels in order to dedicate a significant portion of land to the City would cause the existing improvements at 380/340 Portage; 3201-32235 Ash; and 3250 Park Boulevard to exceed the 0.4 floor area ratio identified in the Service Commercial land use designation description in the Land Use and Community Design Element.
- F. In order to align the Service Commercial land use designation description, the Comprehensive Plan Land Use and Community Design Element would be amended as set forth below in Section 4.
- G. Whereas the Planning and Transportation Commission, after a duly noticed public hearing on \_\_\_\_\_, 2023, recommended that the City Council amend the Land Use Map of the City of Palo Alto Comprehensive Plan as set forth below.

H. Whereas the City Council considered said recommendation after a duly noticed public hearing held on \_\_\_\_\_, 2023 and now desires to amend the Land Use Map and Comprehensive Plan Land Use and Design Element as set forth below.

NOW, THEREFORE, the Council of the City of Palo Alto RESOLVES as follows:

SECTION 1. The City Council finds that the public interest, health, safety and welfare of Palo Alto and the surrounding region would be furthered by an amendment of the Land Use Map of the Palo Alto Comprehensive Plan as well as a Text Amendment to the Land Use and Community Design Element as set forth in Section 2.

SECTION 2. The proposed Land Use Map amendment and Land Use and Community Design Text Amendments is consistent with the following goals and policies of the Comprehensive Plan:

Policy L-1.1: Maintain and prioritize Palo Alto's varied residential neighborhoods while sustaining the vitality of its commercial areas and public facilities.	The proposed amendments would allow for implementation of the development agreement, which provides additional housing types within the area (market rate townhomes and a future affordable housing project); maintains the existing commercial uses; and provides for new public facilities (a 2.25-acre public park).
Policy L-1.3: Infill development in the urban service area should be compatible with its surroundings and the overall scale and character of the city to ensure a compact, efficient development pattern.	The proposed amendments would allow for implementation of the development agreement, which provides a mix of new housing, a public park, and retention of commercial uses within existing single-story buildings.
Policy L-1.4: Commit to creating an inventory of below market rate housing for purchase and rental. Work with neighbors, neighborhood associations, property owners and developers to identify barriers to infill development of below market rate and more affordable market rate housing and to remove these barriers, as appropriate. Work with these same stakeholders to identify sites and facilitate opportunities for below market rate housing and housing that is affordable.	The proposed amendments would allow for implementation of the development agreement. Although the development agreement does not proposed construction of affordable housing units; the project dedicates 1-acre of land and \$4 million in funds to support the development of an affordable housing project, removing barriers to providing additional below market rate units.
Policy L-1.5: Regulate land uses in Palo Alto according to the land use definitions in this Element and Map L-6	The proposed amendments ensure compliance with this policy and modify the land use map to align with past, current, and future uses of the site in order to address current inconsistencies between the map and existing uses and to facilitate housing and a public park as the future use on a portion of the site
Policy L-1.6: Encourage land uses that address the needs of the community and manage change and development to benefit the community.	The proposed amendments provide a plan for the site that takes into consideration the needs of the community for additional housing and parkland; while providing a solution that the property owner is amenable to.

Policy L-2.2: Enhance connections between commercial and mixed-use centers and the surrounding residential neighborhoods by promoting walkable and bikeable connections and a diverse range of retail and services that caters to the daily needs of residents.	The amendments allow for implementation of the development agreement. The development agreement would provide public access and an enhanced bikeway from Park Boulevard to Portage Avenue, consistent with the Countywide Trails Plan and the City of Palo Alto Bicycle and Pedestrian Transportation Plan.
Policy L-2.3: As a key component of a diverse, inclusive community, allow and encourage a mix of housing types and sizes, integrated into neighborhoods and designed for greater affordability, particularly smaller housing types, such as studios, co-housing, cottages, clustered housing, accessory dwelling units and senior housing	The project provides a mix of housing types including townhome units as well as the land and funds toward development of affordable housing.
Policy L-2.6: Create opportunities for new mixed-use development consisting of housing and retail.	The land use map amendments would allow for a mix of uses across this site including existing commercial uses, proposed housing, and a public park.
Policy L-2.9: Facilitate reuse of existing buildings.	Although other alternatives may include retention of more of the building, the proposed amendments would facilitate implementation of the development agreement, which includes retention of the Ash and Audi buildings as well as a portion of the cannery building.
Policy L-8.1: Facilitate creation of new parkland to serve Palo Alto's residential neighborhoods, as consistent with the Parks, Trails, Open Space and Recreation Master Plan.	The land use map amendments would allow for implementation of the development agreement, which would include dedication of 2.25 acres of new parkland to the City of Palo Alto. Although no improvements are currently proposed on the city dedication parcel, an additional \$1 in funding would be provided to the City to facilitate improvements along Matadero Creek, which may include naturalization of the creek bank and/or pedestrian or bicycle pathways connecting to Lambert and new improvements at Boulware Park.
Policy N-1.2: Maintain a network of parks and urban forest from the urban center to the foothills and Baylands that provide ecological benefits and access to nature for all residents	
Policy N-1.10: Support regional and sub-regional efforts to acquire, develop, operate, and maintain a seamless open space system, including habitat linkages and trail connections extending north-south and east-west from Skyline Ridge to San Francisco Bay.	
Policy N-1.11: Work with Stanford University, Santa Clara County, SCVWD and regional organizations to create multi-use trail connections between urban areas and open space, including creeks and rights-of-way, while ensuring that the natural environment is protected.	

SECTION 3. The City Council hereby amends the Land Use Map of the Palo Alto Comprehensive Plan by changing the designation of the areas depicted in "Exhibit A" by changing the Land Use Designation for 340/380 Portage Avenue, 3201-3225 Ash Street, and 3250 Park Boulevard from "Multi-family Residential" (MF) to "Service Commercial" (CS); changing the land use designation for 3040 Park from "Light Industrial" (LI) to "Multi-family Residential" (MF); and changing the land use designation of the newly created City dedication parcel area from MF and CS to Major Institution/Special Facilities (MISP). "Exhibit A" is attached to this resolution and incorporated into it by this reference and as shown in the Vesting Tentative Map dated \_\_\_\_\_ and approved by Council on \_\_\_\_\_.

SECTION 4. The City Council hereby amends the Service Commercial land use description in the City of Palo Alto Comprehensive Plan Land Use and Community Design Element to read as follows:

**"Service Commercial:** Facilities providing citywide and regional services and relying on customers arriving by car. These uses do not necessarily benefit from being in high-volume pedestrian areas such as shopping centers or Downtown. Typical uses include auto services and dealerships, motels, lumberyards, appliance stores, and restaurants, including fast service types. In almost all cases, these uses require good automobile and service access so that customers can safely load and unload without impeding traffic. In some locations, residential and mixed-use projects may be appropriate in this land use category. Examples of Service Commercial areas include San Antonio Road, El Camino Real, and Embarcadero Road northeast of the Bayshore Freeway. Non-residential FARs will generally range up to 0.4, but may exceed this threshold in a Planned Community Zone. Consistent with the Comprehensive Plan's encouragement of housing near transit centers, higher density multi-family housing may be allowed in specific locations."

SECTION 5. In conformance with the California Environmental Quality Act (CEQA), the environmental impacts of this Resolution were evaluated in an Environmental Impact Report for the 200 Portage Townhome Project (EIR) (SCH# 2021120444), which the Council considered and adopted, together with the related Mitigation Monitoring and Reporting Plan (MMRP) on \_\_\_\_\_, 2023. The EIR concluded, and the Council finds consistent therewith, that the proposed project, as part of the whole of the action in conjunction with this resolution, would have a have a significant effect on a historic resource. Therefore, overriding considerations have been adopted.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
APPROVED AS TO FORM:

\_\_\_\_\_  
APPROVED:

Assistant City Attorney

City Manager

**Exhibit A: Existing and Proposed Comprehensive Plan Land Use Designations**

