ORDINANCE NO

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 Rezone the Property at 702 Ellsworth Place from Planned Community Ordinance 2343 (PC-2343) to Planned Community Ordinance XXXX (PC-XXXX).

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

SECTION 1. Findings and Declarations.

- (a) On ______, Dewey Land Company LLC ("Dewey") and Handa Developer's Group/RRP ("Handa") applied to amend Planned Community ("PC") Ordinance 2343 to apply solely to the property at 2901-2905 Middlefield Road, APN 127-35-194, ("Middlefield Parcel") and rezone the property at 702 Ellsworth Place, APN 127-35-152, ("Ellsworth Parcel") from Planned Community to Single Family Residential (R-1).
- (b) The City Council at its March 13, 2023 study session considered the prescreening application and indicated the project applicants should proceed with a formal PC rezoning application to the Planning and Transportation Commission for a recommendation.
- (c) On June 28, 2023, July 12, 2023, and August 9, 2023 the Palo Alto Planning and Transportation Commission ("PTC") held a series of public hearings to consider the application. The PTC recommended that PC-2343 be amended to remove the Ellsworth Parcel and to establish two new PC ordinances to govern the Middlefield Parcel and Ellsworth Parcel, respectively.
- (d) The rezoning recommended by the PTC would remove the 6,493 square foot parcel currently owned by Handa at 702 Ellsworth from PC-2343 and redesignate it as a separate PC, for the purpose of constructing a single-story, single-family residence. The PTC recommended the following conditions:
 - (i) the development plan shall include a 2'6"-wide swath of pavement alongside Ellsworth Place beginning at the Middlefield Road curb line and extending to the proposed walkway to the single-family residence to increase the perceived width of Ellsworth Place,
 - (ii) the 35-foot sight triangle at the intersection of Ellsworth Place and Middlefield Road shall not be obstructed by plants, fences, or other objects taller than 1 foot,
 - (iii) the 24-foot special setback from Middlefield Road shall be observed,
 - (iv) the setback from the creek shall be determined by a slope stability analysis,
 - (v) and a 6-foot setback shall apply to the rear property line, except with respect to a detached garage.
- (e) The PTC recommended concurrent adoption of a companion ordinance (Ordinance No. XXXX) to reduce the area of the Planned Community PC 2343 from 26,386 sf to 19,893 square feet

to encompass 2901-2905 Middlefield Road, a 12-unit apartment building currently owned by Dewey.

- (f) The Planning and Transportation Commission, after duly noticed public hearings on June 28, July 12, and August 9, 2023, made the findings set forth below and recommended that Section 18.08.040 (the Zoning Map) of the Palo Alto Municipal Code be amended.
- (g) The Council, after due consideration of the recommendations, finds:
 - (i) The site is so situated and the uses proposed for the site are of such characteristics that the application of general districts or combining zoning districts will not provide sufficient flexibility to allow the proposed development; the City's conventional zoning district RM20 would not permit the existing 12 unit structure on the proposed 0.46 acre site
 - (ii) Amendment to the existing Planned Community PC2343 will provide public benefits expected to result from the Project, including an expanded public access easement over the first 35 feet of Ellsworth Place, and the construction of an additional dwelling unit.
 - (iii) The Council further finds that the Project provides public benefits, as described above, that are of sufficient importance to make the Project, as a whole, one with reasonable public benefit.
 - (iv) The proposed single-family residence is compatible with existing and potential uses on adjoining sites or within the general vicinity, which are typically single-family residences and one 12-unit apartment complex.
 - (v) The use permitted and the site development regulations are consistent with the following Palo Alto Comprehensive Plan policies and are, on balance consistent with the goals and purposes of the Comprehensive Plan:

Policy L-1.1	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.		
Policy L-1.2	Hold new development to the highest development standards in order to		
	maintain Palo Alto's livability and achieve the highest quality development		
	with the least impacts.		
Policy L-1.3	Ensure that new or remodeled structures are compatible with the		
	neighborhood and adjacent structures.		
Policy L-1.4	Policy L-1.4 Avoid negative impacts of basement construction for single-family hom		
	adjacent properties, public resources, and the natural environment.		
Policy L-1.5	Design buildings to complement streets and public spaces; to promote		
	personal safety, public health and well-being; and to enhance a sense of		
	community safety.		
Policy L-1.6	Discourage the use of fences that obscure the view of the front of houses from		
	the street. The use and improvements on the site are remaining unchanged		
	from existing conditions, which are compatible with existing and potential		
	uses on adjoining sites.		

<u>SECTION 2</u>. Amendment of Zoning Map.

Section 18.08.040 of the Palo Alto Municipal Code, the "Zoning Map," is hereby amended to rezone the certain property known as 702 Ellsworth Place from PC-2343 to "PC-XXXX." The subject property and revised zoning designation is shown on the map labeled Exhibit "A," attached hereto and incorporated herein by reference.

SECTION 3. Development Plan

Those certain plans entitled ______, a copy of which is attached hereto as Exhibit "B" and incorporated herein, are hereby approved as the Development Plan for the subject property.

SECTION 4. Uses.

(a) <u>Permitted Uses</u>. The permitted uses within the PC boundary shall be limited to a single-family residence.

SECTION 5. Site Development Regulations.

- (a) <u>Compliance with Development Plan</u>. All improvements and development shall be substantially in accordance with the Development Plan, except as modified herein.
 - (i) Any exterior changes to the single-family residence or any new construction not specifically permitted by the Development Plan or by these site development regulations shall require an amendment to this Planned Community Zone or, if eligible, Architectural Review approval under Section 18.76 of the Palo Alto Municipal Code, as it is amended from time to time.
 - (ii) The development plan shall include a 18-inch-wide swath of pavement alongside Ellsworth Place beginning at the Middlefield Road curb line and extending approximately 42 feet to the proposed walkway to the single-family residence, to increase the perceived width of Ellsworth Place.
 - (iii) This additional paved area shall remain clear of obstructions.
 - (iv) Prior to final inspections for any structure on the site, Handa shall offer an ingress and egress easement over this additional paved area to the other properties on Ellsworth Place.
 - (v) The 35-foot sight triangle at the intersection of Ellsworth Place and Middlefield Road shall not be obstructed by new impediments taller than 1 foot,
 - (vi) The 24-foot special setback from Middlefield Road shall be observed,
 - (vii) The setback from the creek shall be determined by a slope stability analysis, but no less than 6 feet.
 - (viii) A 6-foot setback shall apply to the rear property line, except with respect to a detached garage

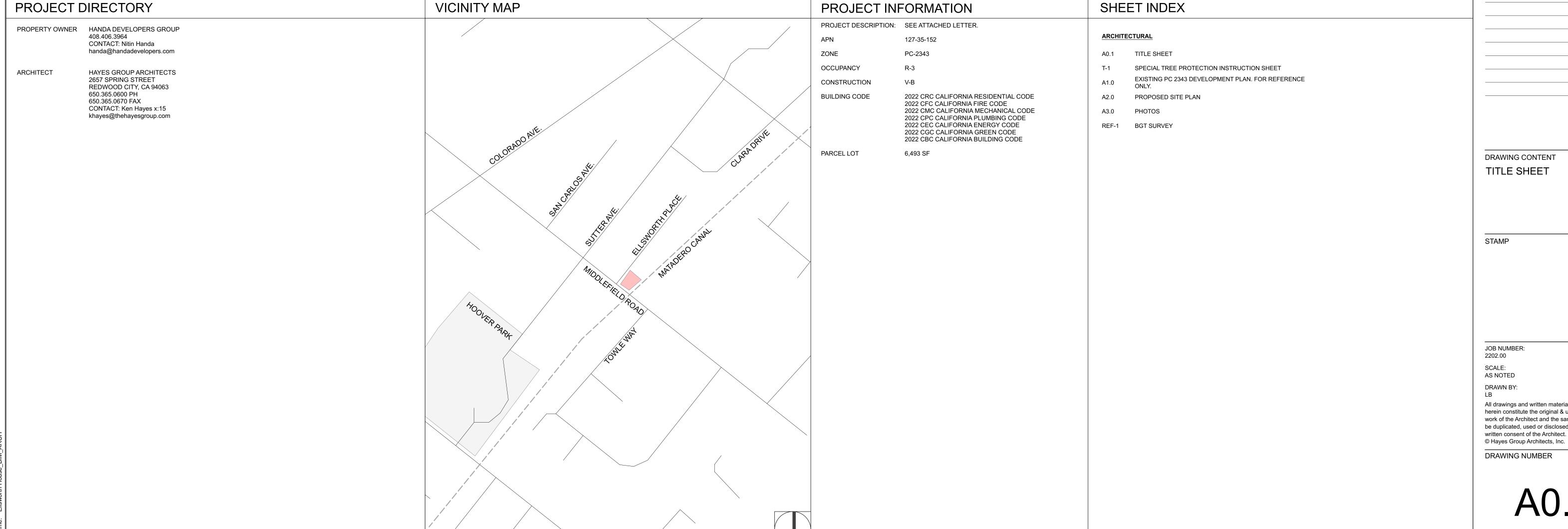
- (b) <u>Development Schedule</u>. Construction of the improvements to Ellsworth Place shall be completed within twelve (12) months of the effective date of this ordinance. Construction of other improvements shall be completed within twenty-four (24) months of the effective date of this ordinance.
- (c) <u>Minor Variations in Project</u>. Minor changes to the Project may be approved by the Director, according to the provisions of Palo Alto Municipal Code Section 18.76.020(b)(3)(D) for architectural review. "Minor" changes do not include changes in land use.

SECTION 6. The City Council finds that this ordinance is categorically exempt from review under the California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3) because it can be seen with certainty that construction of a single-family home pursuant to will not result in a significant impact on the environment. The City Council finds that this ordinance is additional categorically exempt under Section 15301 of the CEQA Guidelines, as it approves construction of a single-family residence.

<u>SECTION 7</u>. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:	
PASSED:	
AYES:	
NOES:	
ABSENT:	
ABSTENTIONS:	
ATTEST:	
City Clerk	Mayor
APPROVED AS TO FORM:	APPROVED:
Assistant City Attorney	City Manager
	Director of Planning and Development Service

PROPOSED DEVELOPMENT PLAN 702 ELLSWORTH



HAYES GROUP ARCHI TECTS

HAYES GROUP ARCHITECTS, INC 2657 SPRING STREET REDWOOD CITY, CA 94063 P: 650.365.0600 F: 650.365.0670 www.thehayesgroup.com

PROJECT ADDRESS: 702 ELLSWORTH PLACE PALO ALTO CA 94306

ISSUANCE:

PTC SUBMITTAL

NO. DESCRIPTION: DATE:

DRAWING CONTENT

All drawings and written materials contained herein constitute the original & unpublished work of the Architect and the same may not be duplicated, used or disclosed without the written consent of the Architect.

DRAWING NUMBER

Tree Protecti Make sure your crews and subs do the job right! nd trees are essential to protect the m by keepinogntt have tf bolyi aegqeuic pa mace protect the metal to protect the model fr onditions in an intact and non-compacite end idstindrebnatinf cyclining pole entrite end Parnot de atcitain it Zieosnatr (e Tr Pe Zt) ril contence ree protectum herse pool bretrux in usset above parod v deed d. to this sheet w hen project activity occurs w it him the Tform ation on Palo Alto's regulated trees and Cpintoy t(eΠcrtΓie oMn) To die occubii mu of cocabite w Met who was punction of peat of ea by to each Table 2-2 Palo Alto Tree Technical Manual City of Palo Alto Tree Technical Manual For written specifications associated with illustrations below, see Public Works Specifications Section 31 Arborist Firm Data Here Detailed specifications are found in the Palo Alto Tree Technical Manual (TTM) (www.cityofpaloalto.org/trees/ CONTRACTOR & ARBORIST INSPECTION SCHEDULE TREEDISCLOSURE STATECIMITE NOFFPALOALTO RCA/ISA Certified Arborist #WE-000 Planning Division, 250 Hamilton A otection Zone (TPZ)ee PrrT shown in gray (radius of TPZ equals 10-times the diameter of the tree or 10-feet, whichever is greater Monthly Tree Activity Report- Construction Site Palo Alto, C A 9 4 3 0 1 ♠hnical Manual Sec 2.15(E).ree T Restricted activity area -- see T Reference: the Palo Alto Tree Technical Manual is available at www.cityofpaloalto.org/environment/ (650)329-2441 Contractor- #1: Job site superintendent chnical Manual Sec 2.20(C-D), any proposed trench or form work ree T Restricted trenching area -- see T p://www.wh_ttityofpaloalto.orgorksOperations. Call 650-496-5953. within TPZ of a protected tree requires approval from Public W Main Site Date: ALL CHECKED ITEMS APPLY TO THIS PROJECT: Contact Job site Information Inspection of Protective Tree Fencing. For Public Trees, the Street Tree Verification Form shall be Inspection Palo Alto, CA signed by the City Arborist. For Protected Trees, the project site arborist shall provide an initial tree preservation report (TPR) prepared by the s project arborist as diagramed on the plans.applican Monthly Tree Activity Report form with a photograph verifying that he has conducted a field inspection of the trees and that the correct type of protective fencing is in place around the designated tree protection zone (TPZ) prior to issuance of a demolition, grading, or building permit. Note: Ordinance Protected & Designated Trees. Issuance (See TTM, Verification of Tree Protection, Section 1.39). of a permit requires applicant's project arborist A tree tense ben Roer gaudijaatce ed n t to t(hfeYr p kNe oOte ye ?d to Section 4) written verification Type I is installed correctly Distribution: 1. City of Palo Alto Dave.dockter@cityofpaloalto.org 650-329-2440 Attn: Dave according to the plans and Tree Preservation Report Pre-Construction Meeting. Prior to commencement of construction, the applicant or contractor shall Dockter mpleted by the applicant. Please circle and/or check where applicable conduct a pre-construction meeting to discuss tree protection with the job site superintendent, grading operators, project site arborist, City Arborist, and, if a city maintained irrigation system is Provide the requested minimum information with each report, customize as necessary. To be completed by project ar(ePtlnaen streme us s°t Cbhe e ss. ku bhhmoist te etdh as thaopwpil yn .gover 4" dia n e ter que çach side e s arningwi involved, the Parks Manager (Contact 650-496-6962). site arborist. Send monthly to city arborist at above address until project completion. Use additional sheets as On the property djacent property overhanging the project site strip or right-of-way ease ment within 30' o*f property line (S Any inadvertant sidewalk or curb replacement or trenching ✓ Inspection of Rough Grading or Trenching. Contractor shall ensure the project site arborist. Assignment Activity (Demolition/grading/sewer/trenching/foundation/list relevant visits) performs an inspection during the course of rough grading or trenching adjacent to or within the Pre-construction meeting requirement with sub-contractors TPZ to ensure trees will not be injured by compaction, cut or fill, drainage and trenching, and if Inspect to verify that tree protection measures are in place ı <mark>ir e ş.Sp. terre^e ie ahlet m</mark>aetre oas tceh ce tol oinn s.tbr yu cat ifo enn sce Pdrieo nr ct loos eucree iv in gan y per mit, required, inspect aeration systems, tree wells, drains and special paving. The contractor shall provide c. Determine if field adjustments, watering or plan revisions may be needed N Veri ication form by calling Public Works Operyapteoln, sl Iator 19131-59 53 tothe project arborist at least 24 hours advance notice of such activity. 2. Field Observations (general site-wide and list by individual tree number) a. Tree Protection Fences (TPF) are ... Monthly Tree Activity Report Inspections. The project site arborist shall perform a minimum Are there and ny DP e ost(egTCor teeteet ?EwShere app cOable) Trenching has/will occur .. monthly activity inspection to monitor and advise on conditions, tree health and retention or, rote ted Tree (s)

C esignated Tree (s)

On or ove hanging the property immediately if there are any revisions to the approved plans or protection measures. The Tree 3. Action Items (list site-wide, by tree number and date to be satisfied) and Date Due Technical Manual Monthly Tree Activity Report format shall be used and sent to the Planning Dept. Tree Protection Fence (TPF) needs adjusting (tree # x, x, x) landscape review staff no later than 14 days after issuance of building permit date. Fax to (650) 329- Root zone buffer material (wood chips) can be installed next 2154. (See TTM, Monthly Tree Activity Inspection Report, Addendum 11 & section 1.17). Schedule sewer trench, foundation dig with ... ng within the dripline? (radius 10 times the Y [] u Sn[] NdiOameter) of the ese trees?/_ re To maetrie MP erbsey, som mv Ia StiAonae Rreinfioe rdt arborist and sub mS etctteidonfo 6r. 3: 15a) f.fre vie w (-s, e e TTM 🖊 Special activity within the Tree Protection Zone. Work in the TPZ area (see also #7 below) 4. Photographs (use often) t T-1, Tree Protection, its Part of the Plan!", per Site Plan Requirem (ent requires the direct onsite supervision of the project arborist (see TTM, Trenching, Excavation & 5. Tree Location Map (mandatory 8.5 x 11 sheet) Equipment, Section 2.20 C). e the Site Plan Roce*qn*upilreeYt ds:? sN O inches of Orange Plastic Fencing 6. Recommendations, notes or monitor items for project/staff/schedule development require the following: (1) Plans must show the melasure d_{t/r} u k Sec₁ T_M(2.2ft/C-De t Landscape Architect Inspection. For discretionary development projects, prior to temporary or - Notea Streeta Treesals spance թf a permit requires a bold dashed line, a fenced enclosure area out to the dripline, per Sheet T-M Indiffring Tructions ta # Rublic Works Operations inspection and signed final occupancy the applicant or contractor shall arrange for the Landscape Architect to perform an approval on the Street Tree Verification (STV) on site inspection of all plant stock, quality of the materials and planting (see TTM, Planting w w ocrigt/yto ef eg sa Sil Seo occarte im oa sh.s hôtt. nT 5T fMor are a to be fenced) Quality, Section 5.20.1 A) and that the irrigation is functioning consistent with the approved Past visits (list carry-over items satisfied/still outstanding) d e r s i g n e ld µ na dg er ne ose f att noh oits h hel ai ts ok Inno ods iw tu ii no egn l s, or n e g ligently p o v id i tree wells on h construction plans. The Planning Dept. landscape review staff shall be in receipt of written to this disclosure require ment constitutes a violation of the Type III Trae Protection ction verification of Landscape Architect approval prior to scheduling the final inspection, unless 1 0 . 0 of 0c, riwmhiinc and caan nd/lerra dri trille gal action . (to be used only with approval of Public Works Operations) Respectfully submitted, List Other (please describe as called out in the site Tree Preservation Report, Sheet T-1, T-2, etc.) _ gins_ading or construction bee demolition, grected befored and shall be erequiree fencing is rrT rop. Owner or Agent)

FOR STAFF USE: Consultant contact information (Include email, cell#, and mailing) ecotrtionee PrT Protective Fencing Protective Fencing
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Tree Planting Details, Diagram 5 0 4 & 5 0 5

END OF SECTION

I: Tree Disclosure Statement City of Palo Alto 2 (0 4 Standard Drawings Redt & Statement City of Palo Alto 5 tales and a red Tree Protection of Protection, PWE, Seetviosmed 3 (18/06)

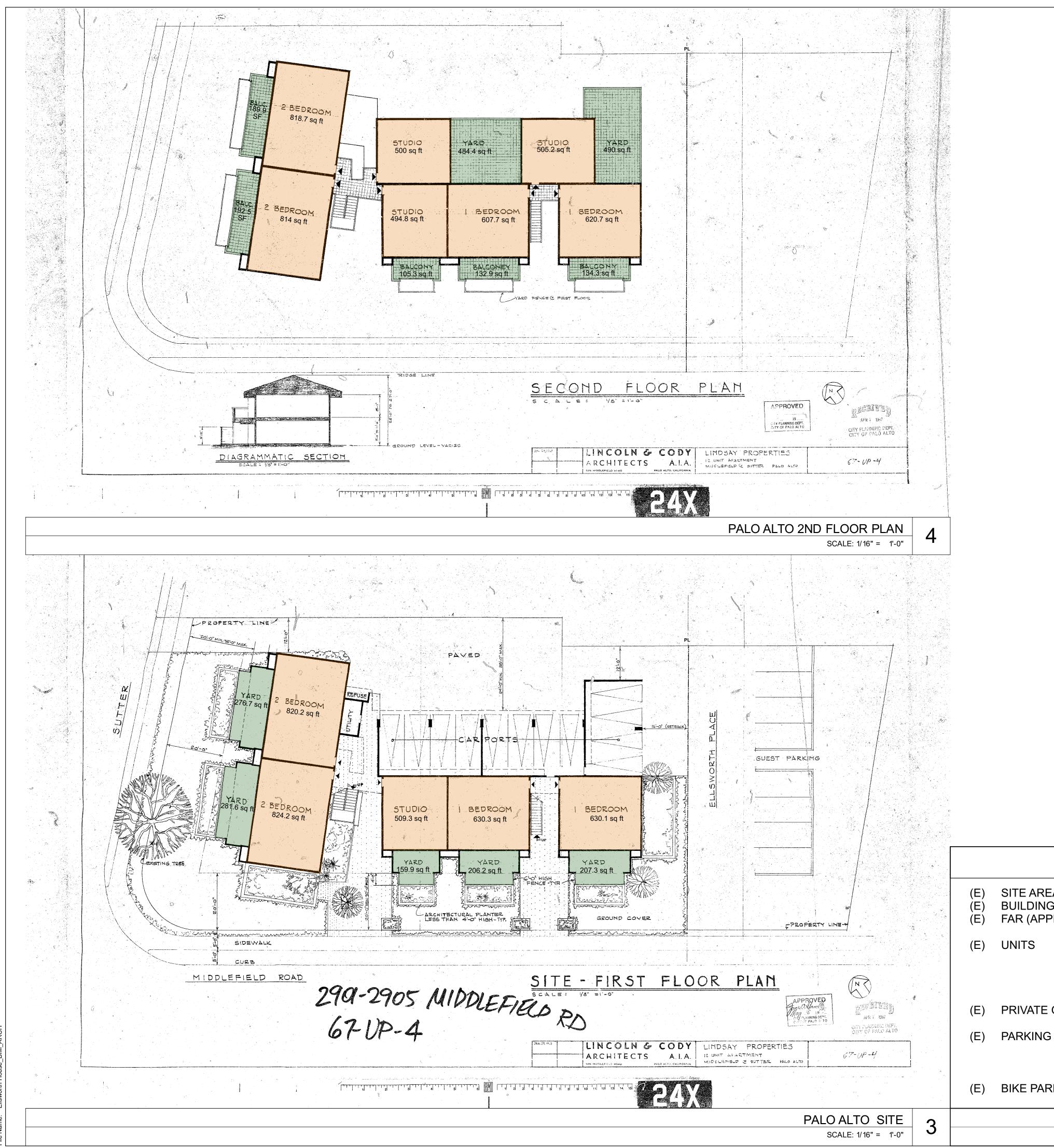
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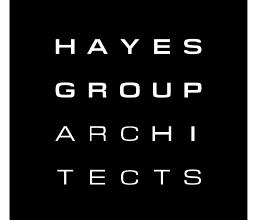


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HAYES GROUP ARCHITECTS, INC. 2657 SPRING STREET REDWOOD CITY, CA 94063 P: 650.365.0600 F: 650.365.0670 www.thehayesgroup.com

PROJECT ADDRESS: 702 ELLSWORTH PLACE PALO ALTO CA 94306

ISSUANCE:

NO. DESCRIPTION: DATE: PTC SUBMITTAL 07.26.2023

DRAWING CONTENT **EXISTING PC 2343** DEVELOPMENT PLAN. FOR REFERENCE ONLY.

All drawings and written materials contained

herein constitute the original & unpublished

work of the Architect and the same may not be duplicated, used or disclosed without the

written consent of the Architect.

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DRAWING NUMBER

STAMP

JOB NUMBER:

EXISTING REFERENCE PLANS

SITE AREA 26,386 **BUILDING AREA (APPROX.)** 7,775 0.29 FAR (APPROX.)

> (4) 2 BEDROOM (4) 1 BEDROOM (4) STUDIO

12 UNITS TOTAL

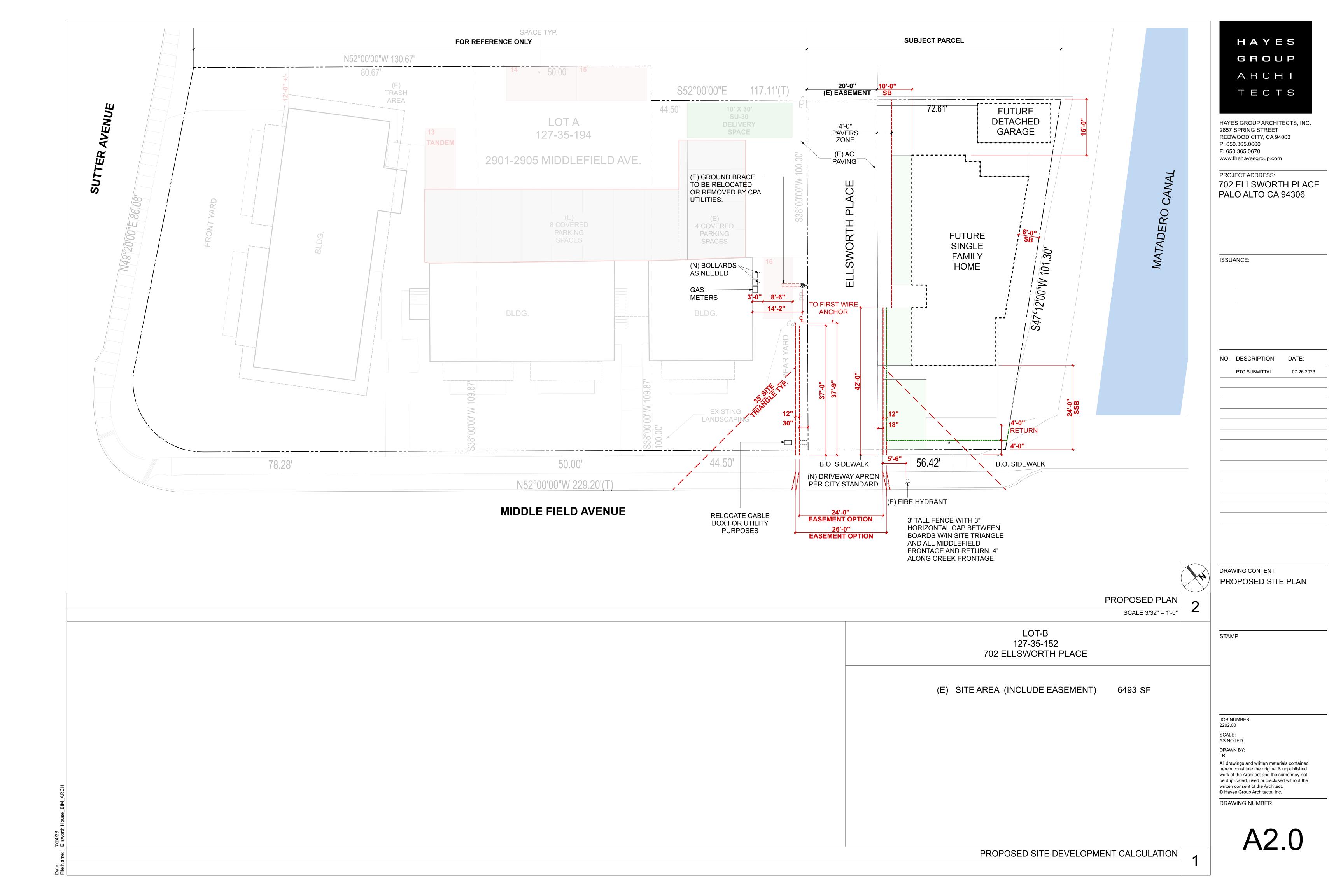
PRIVATE OPEN SPACE (APPROX.)

(MIDDLEFIELD) (ELLSWORTH)

12 COVERED 8 UNCOVERED 20 STALLS TOTAL

(E) BIKE PARKING PROVIDED WITHIN UNITS

SITE DEVELOPMENT CALCULATIONS





HAYES GROUP ARCHI TECTS

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REDWOOD CITY, CA 94063
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F: 650.365.0670 www.thehayesgroup.com

PROJECT ADDRESS: 702 ELLSWORTH PLACE PALO ALTO CA 94306

ISSUANCE:

NO. DESCRIPTION: DATE:

07.26.2023 PTC SUBMITTAL

DRAWING CONTENT

PHOTOS

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JOB NUMBER: 2202.00

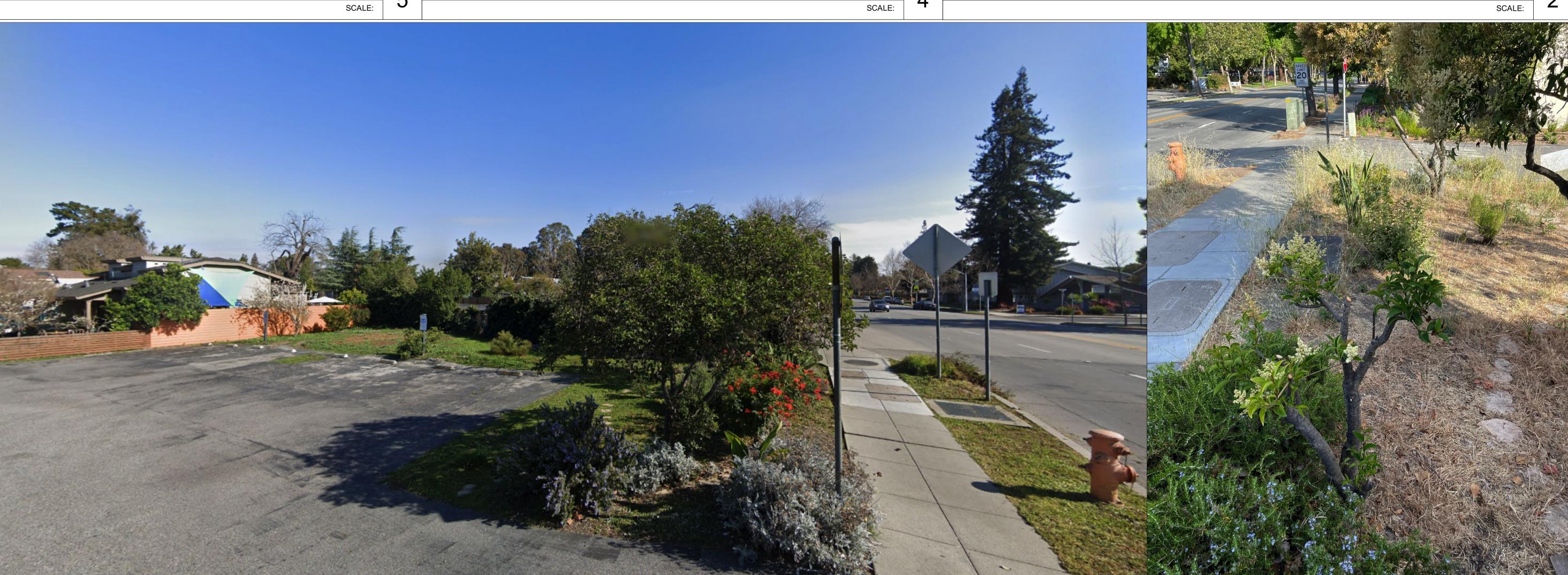
SCALE: NOT TO SCALE

All drawings and written materials contained herein constitute the original & unpublished work of the Architect and the same may not be duplicated, used or disclosed without the written consent of the Architect.

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DRAWING NUMBER

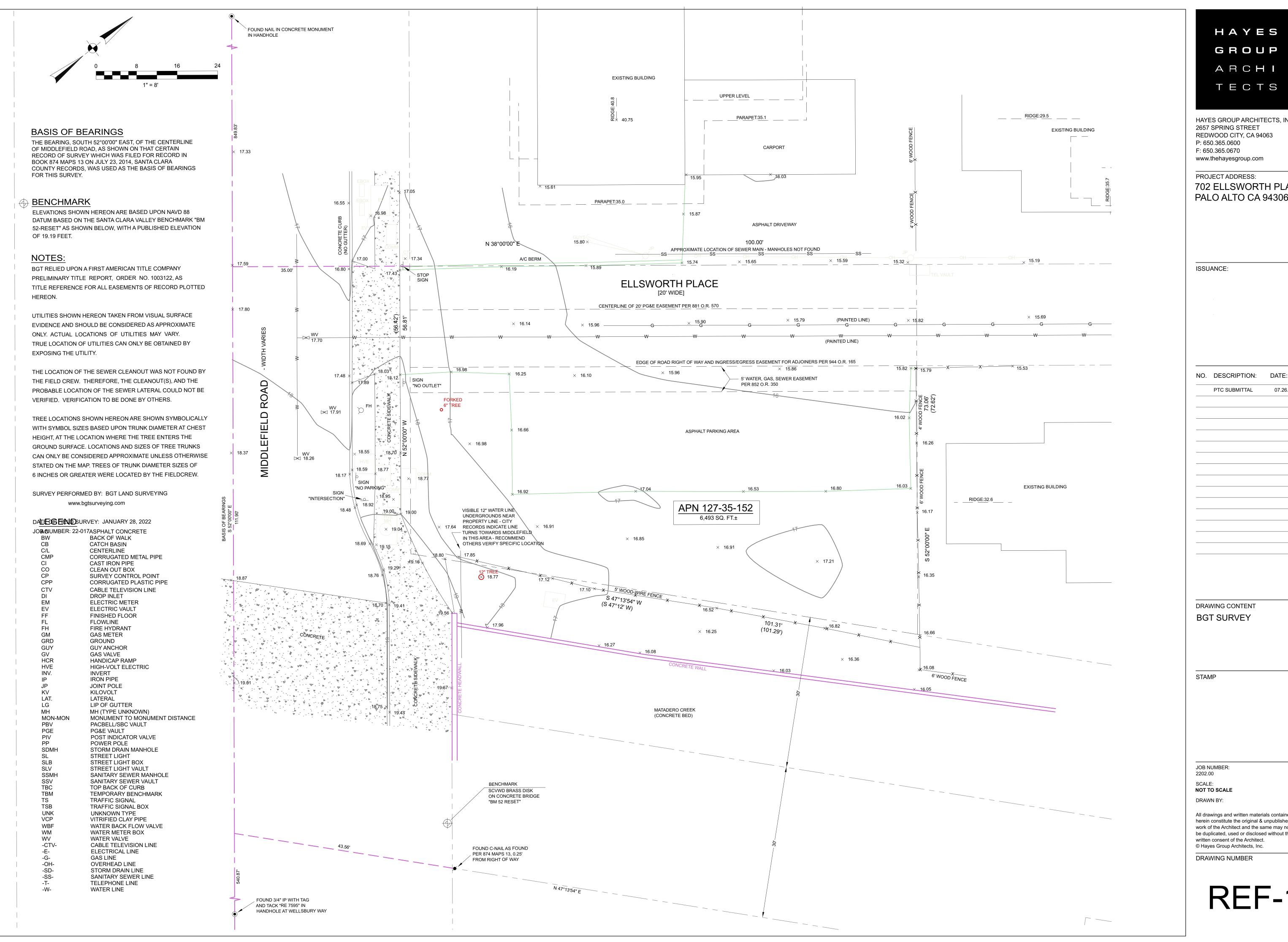
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VIEW OF EXISTING 702 ELLSWORTH

MIDDLEFIELD FRONTAGE

VIEW FROM MIDDLEFIELD RD.



HAYES GROUP ARCHI TECTS

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ISSUANCE:

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DRAWING CONTENT **BGT SURVEY**

STAMP

2202.00

SCALE: NOT TO SCALE

DRAWN BY:

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DRAWING NUMBER

REF-1