

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	Avoid negative impacts of basement construction for single-family homes on 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.

SECTION 2. 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) Permitted Uses. The permitted uses within the PC boundary shall be limited to a single-family residence.

SECTION 5. Site Development Regulations.

- (a) Compliance with Development Plan. 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) Development Schedule. 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) Minor Variations in Project. 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.

SECTION 7. 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:

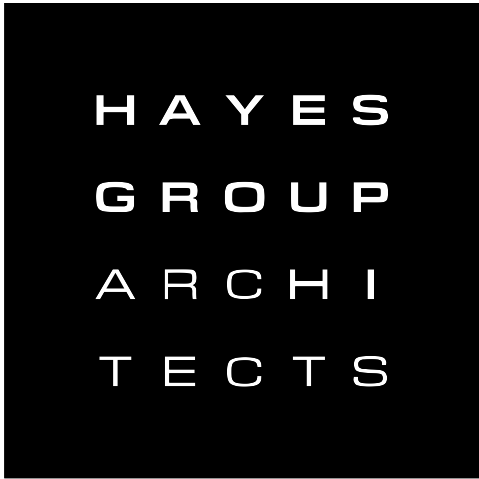
Assistant City Attorney

City Manager

Director of Planning and Development Services

PROPOSED DEVELOPMENT PLAN

702 ELLSWORTH



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

PROJECT DIRECTORY	VICINITY MAP	PROJECT INFORMATION	SHEET INDEX
<div>PROPERTY OWNER</div> <div>HANDA DEVELOPERS GROUP 408.406.3964 CONTACT: Nitin Handa handa@handadevelopers.com</div> <div>ARCHITECT</div> <div>HAYES GROUP ARCHITECTS 2657 SPRING STREET REDWOOD CITY, CA 94063 650.365.0600 PH 650.365.0670 FAX CONTACT: Ken Hayes x:15 khayes@thehayesgroup.com</div>		<div>PROJECT DESCRIPTION:</div> <div>SEE ATTACHED LETTER.</div> <div>APN</div> <div>127-35-152</div> <div>ZONE</div> <div>PC-2343</div> <div>OCCUPANCY</div> <div>R-3</div> <div>CONSTRUCTION</div> <div>V-B</div> <div>BUILDING CODE</div> <div>2022 CRC CALIFORNIA RESIDENTIAL CODE 2022 CFC CALIFORNIA FIRE CODE 2022 CMC CALIFORNIA MECHANICAL CODE 2022 CPC CALIFORNIA PLUMBING CODE 2022 CEC CALIFORNIA ENERGY CODE 2022 CGC CALIFORNIA GREEN CODE 2022 CBC CALIFORNIA BUILDING CODE</div> <div>PARCEL LOT</div> <div>6,493 SF</div>	<div>ARCHITECTURAL</div> <div>A0.1</div> <div>TITLE SHEET</div> <div>T-1</div> <div>SPECIAL TREE PROTECTION INSTRUCTION SHEET</div> <div>A1.0</div> <div>EXISTING PC 2343 DEVELOPMENT PLAN. FOR REFERENCE ONLY.</div> <div>A2.0</div> <div>PROPOSED SITE PLAN</div> <div>A3.0</div> <div>PHOTOS</div> <div>REF-1</div> <div>BGT SURVEY</div>

DRAWING CONTENT
TITLE SHEET

STAMP

JOB NUMBER:
2202.00

SCALE:
AS NOTED

DRAWN BY:
LB

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DRAWING NUMBER

A0.1

M a k e s u r e y o u r c r e w s a n d s u b s d o t h e j o b r i g h t!

[illegible]

e d r e p o r t s a l l b e a d d e d
 d e t h i s s h e o n P r o j e c t
 A c o p y - l c a n b e d
 g/civica/filebank/bloodload.asp?

o t o e t h e i n a c e p r T v
 S h e e t I n d e x o r L
 o w n l o a d e d a t
 BlobID=6460.cityofpaloalto.orhttp://www

e^d_c eⁿ_d tⁿ_p i^s_a r^s_g o^e_e t^e_a (e^a_a)
i t y o f P a l o

Introduction

T	t
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ISSUANCE:

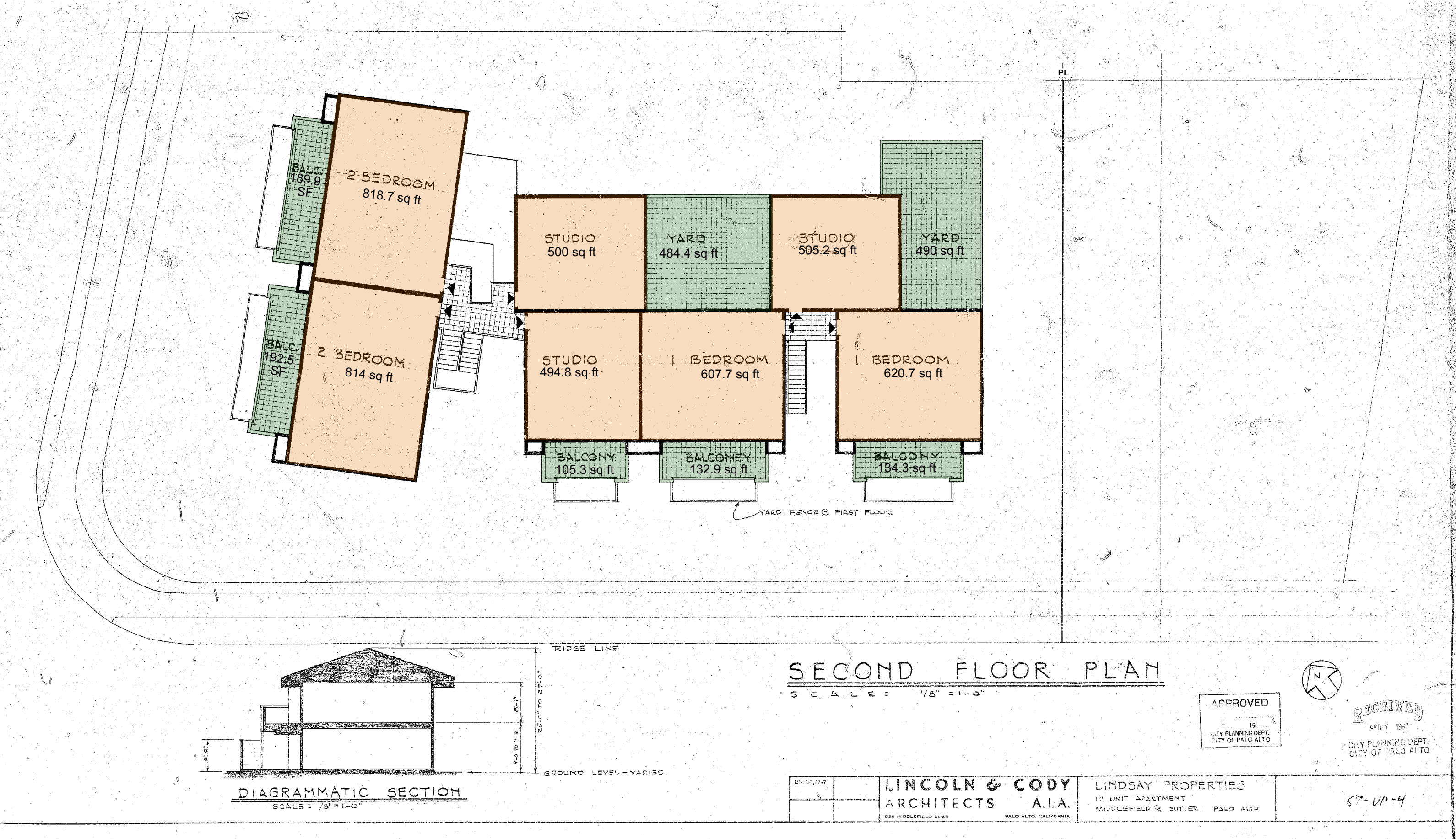
NO.	DESCRIPTION:	DATE:
	PTC SUBMITTAL	07.26.2023

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EXISTING PC 2343
DEVELOPMENT PLAN.
FOR REFERENCE ONLY.

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DRAWING NUMBER

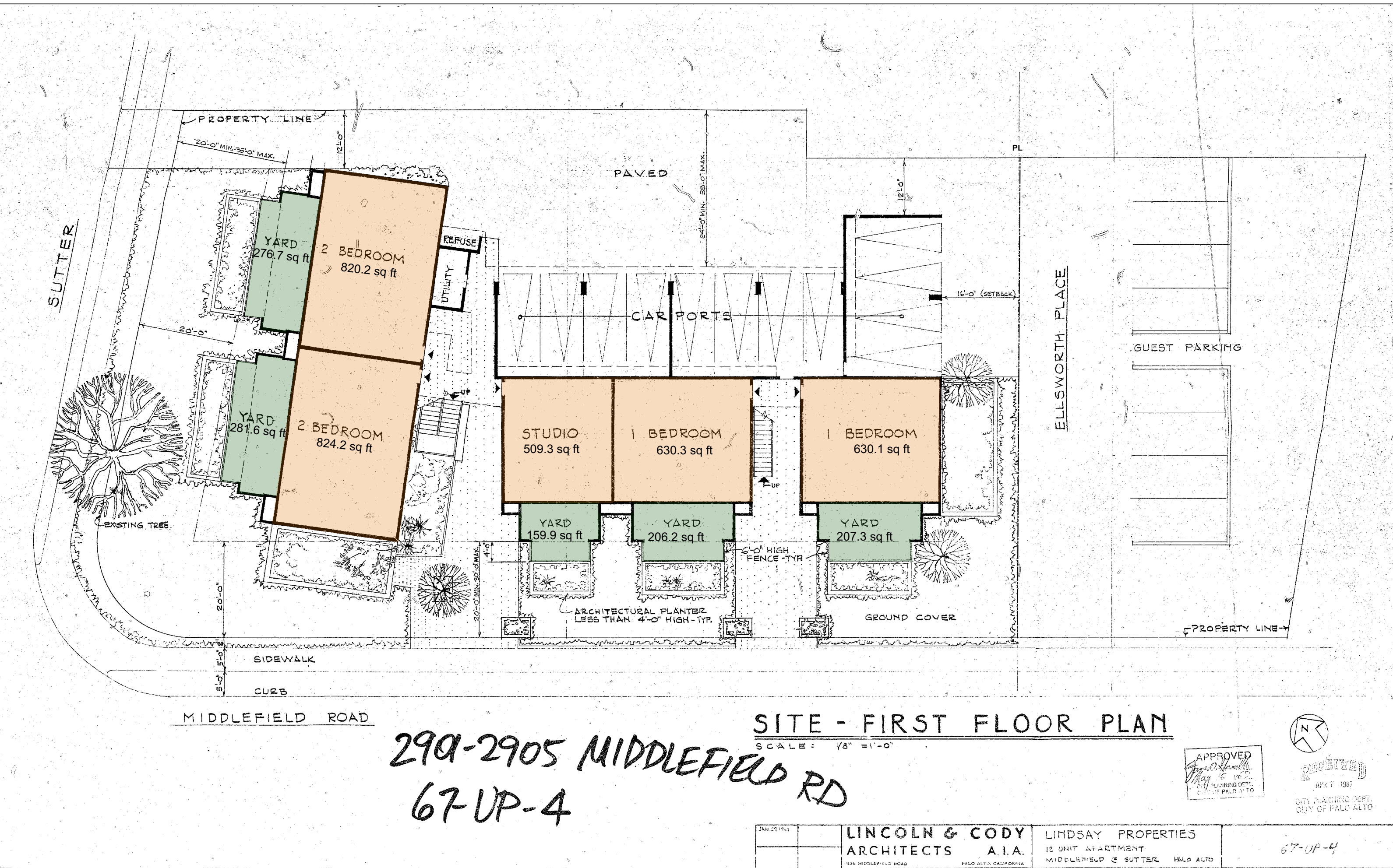
A1.0



PALO ALTO 2ND FLOOR PLAN

SCALE: 1/16" = 1'-0"

4



SITE - FIRST FLOOR PLAN

2901-2905 MIDDLEFIELD RD
67-UP-4

PALO ALTO SITE

SCALE: 1/16" = 1'-0"

3

EXISTING REFERENCE PLANS

(E) SITE AREA	26,386
(E) BUILDING AREA (APPROX.)	7,775
(E) FAR (APPROX.)	0.29
(E) UNITS	(4) 2 BEDROOM (4) 1 BEDROOM (4) STUDIO 12 UNITS TOTAL
(E) PRIVATE OPEN SPACE (APPROX.)	2,861
(E) PARKING	(MIDDLEFIELD) 12 COVERED (ELLSWORTH) 8 UNCOVERED 20 STALLS TOTAL
(E) BIKE PARKING	PROVIDED WITHIN UNITS

SITE DEVELOPMENT CALCULATIONS

1

ISSUANCE:

NO.	DESCRIPTION:	DATE:
	PTC SUBMITTAL	07.26.2023

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PHOTOS

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JOB NUMBER:
2202.00

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DRAWING NUMBER

A3.0



VIEW LOOKING TOWARDS MIDDLEFIELD
SCALE:

5



VIEW OF EXISTING 702 ELLSWORTH
SCALE:

4



VIEW FROM MIDDLEFIELD RD.
SCALE:

2



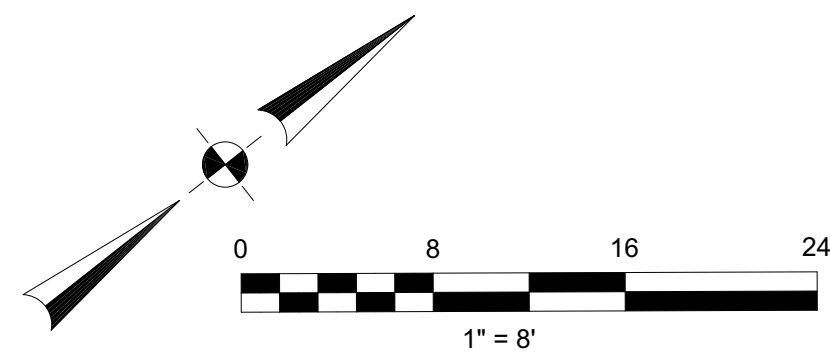
VIEW OF EXISTING 702 ELLSWORTH
SCALE:

3



MIDDLEFIELD FRONTAGE
SCALE:

1



BASIS OF BEARINGS

THE BEARING, SOUTH 52°00'00" EAST, OF THE CENTERLINE OF MIDDLEFIELD ROAD, AS SHOWN ON THAT CERTAIN RECORD OF SURVEY WHICH WAS FILED FOR RECORD IN BOOK 874 MAPS 13 ON JULY 23, 2014, SANTA CLARA COUNTY RECORDS, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

BENCHMARK

ELEVATIONS SHOWN HEREON ARE BASED UPON NAVD 88 DATUM BASED ON THE SANTA CLARA VALLEY BENCHMARK "BM 52-RESET" AS SHOWN BELOW, WITH A PUBLISHED ELEVATION OF 19.19 FEET.

NOTES:

BGT RELIED UPON A FIRST AMERICAN TITLE COMPANY PRELIMINARY TITLE REPORT, ORDER NO. 1003122, AS TITLE REFERENCE FOR ALL EASEMENTS OF RECORD PLOTTED HEREON.

UTILITIES SHOWN HEREON TAKEN FROM VISUAL SURFACE EVIDENCE AND SHOULD BE CONSIDERED AS APPROXIMATE ONLY. ACTUAL LOCATIONS OF UTILITIES MAY VARY. TRUE LOCATION OF UTILITIES CAN ONLY BE OBTAINED BY EXPOSING THE UTILITY.

THE LOCATION OF THE SEWER CLEANOUT WAS NOT FOUND BY THE FIELD CREW. THEREFORE, THE CLEANOUT(S), AND THE PROBABLE LOCATION OF THE SEWER LATERAL COULD NOT BE VERIFIED. VERIFICATION TO BE DONE BY OTHERS.

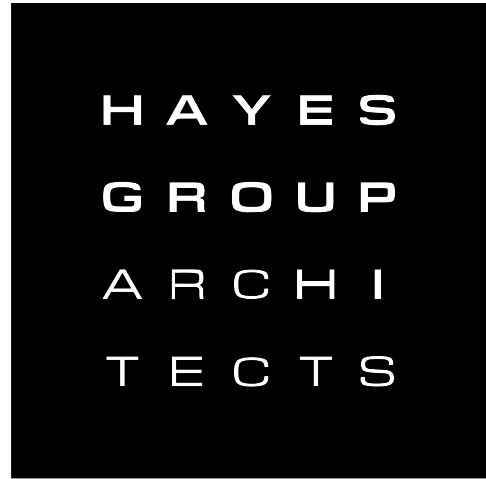
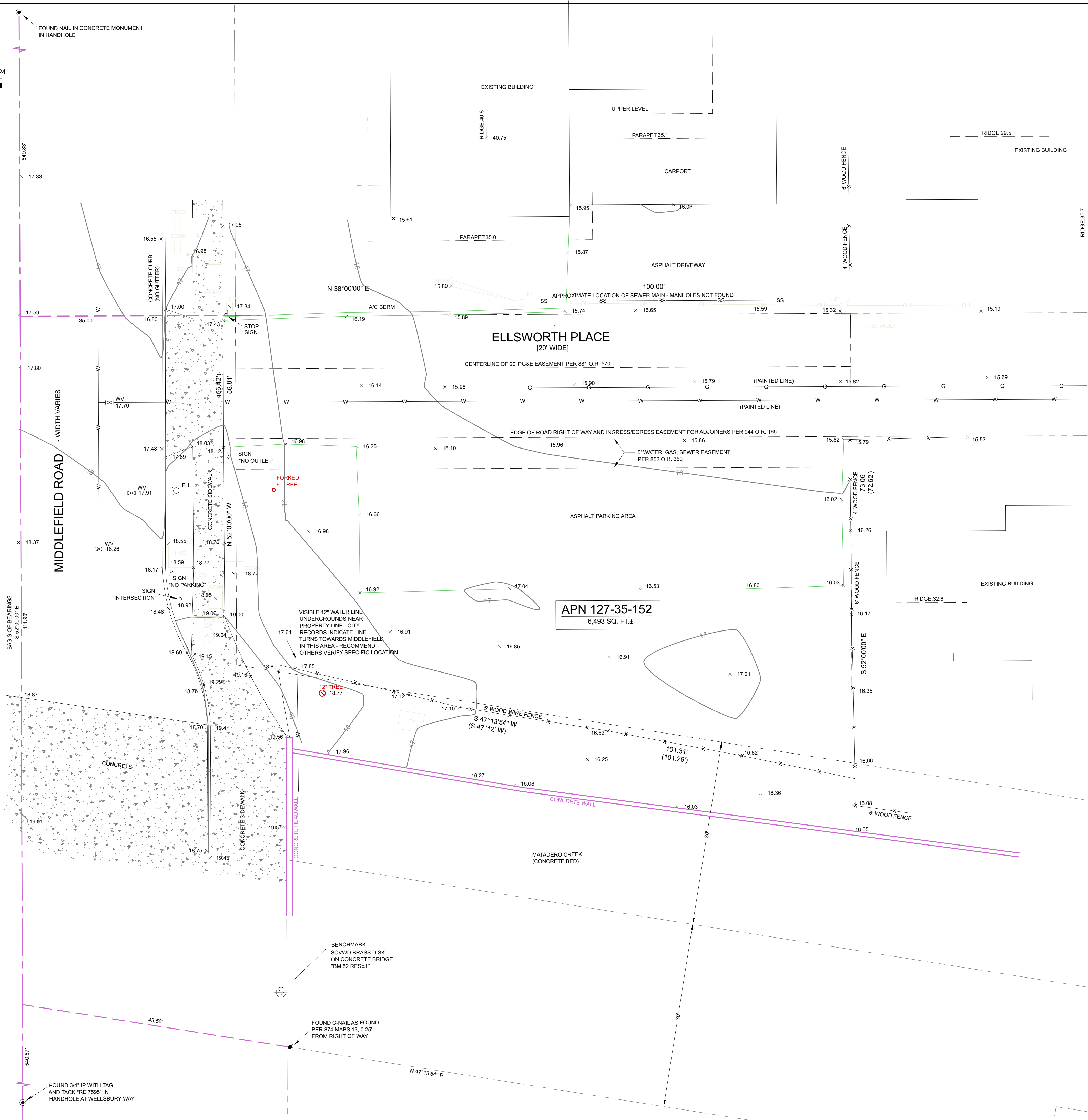
TREE LOCATIONS SHOWN HEREON ARE SHOWN SYMBOLICALLY WITH SYMBOL SIZES BASED UPON TRUNK DIAMETER AT CHEST HEIGHT, AT THE LOCATION WHERE THE TREE ENTERS THE GROUND SURFACE. LOCATIONS AND SIZES OF TREE TRUNKS CAN ONLY BE CONSIDERED APPROXIMATE UNLESS OTHERWISE STATED ON THE MAP. TREES OF TRUNK DIAMETER SIZES OF 6 INCHES OR GREATER WERE LOCATED BY THE FIELD CREW.

SURVEY PERFORMED BY: BGT LAND SURVEYING
www.bgtlandsurveying.com

LEGEND

DATE OF SURVEY: JANUARY 28, 2022

JOB NUMBER: 22-017	
BW	BACK OF WALK
CB	CATCH BASIN
C/L	CENTERLINE
CMP	CORRUGATED METAL PIPE
CI	CAST IRON PIPE
CO	CLEAN OUT BOX
CP	SURVEY CONTROL POINT
CPP	CORRUGATED PLASTIC PIPE
CTV	CABLE TELEVISION LINE
DI	DROP INLET
EM	ELECTRIC METER
EV	ELECTRIC VAULT
FF	FINISHED FLOOR
FL	FLOWLINE
FH	FIRE HYDRANT
GM	GAS METER
GRD	GROUND
GUY	GUY ANCHOR
GV	GAS VALVE
HCR	HANDICAP RAMP
HVE	HIGH-VOLT ELECTRIC
INV.	INVERT
IP	IRON PIPE
JP	JOINT POLE
KV	KILOVOLT
LAT.	LATERAL
LG	LIP OF GUTTER
MH	MH (TYPE UNKNOWN)
MON-MON	MONUMENT TO MONUMENT DISTANCE
PBV	PACBELL/SBC VAULT
PGE	PG&E VAULT
PIV	POST INDICATOR VALVE
PP	POWER POLE
SDMH	STORM DRAIN MANHOLE
SL	STREET LIGHT
SLB	STREET LIGHT BOX
SLV	STREET LIGHT VAULT
SSMH	SANITARY SEWER MANHOLE
SSV	SANITARY SEWER VAULT
TBC	TOP BACK OF CURB
TBM	TEMPORARY BENCHMARK
TS	TRAFFIC SIGNAL
TSB	TRAFFIC SIGNAL BOX
UNK	UNKNOWN TYPE
VCP	VITRIFIED CLAY PIPE
WBF	WATER BACK FLOW VALVE
WM	WATER METER BOX
WV	WATER VALVE
-CTV-	CABLE TELEVISION LINE
-E-	ELECTRICAL LINE
-G-	GAS LINE
-OH-	OVERHEAD LINE
-SD-	STORM DRAIN LINE
-SS-	SANITARY SEWER LINE
-T-	TELEPHONE LINE
-W-	WATER LINE



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NO. DESCRIPTION: DATE:

PTC SUBMITTAL 07.26.2023

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BGT SURVEY

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