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701-702 Ellsworth Place

MOTION: Councilman Arnold moved, seconded by Beahrs, the adoption of the following ordinance:

Ordinance No. 2343 entitled "Ordinance of the Council of the City of Palo Alto Amending Section 2 of Ordinance No. 1810 Being the Development Plan for the Property Known as 2901-2905 Middlefield Road and 701-702 Ellsworth Place."

Pearson, Rohrs, Rus, Sher, Worthington

Noes: None

67-2C-2

City Council Minutes

4-3-67

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Planning Officer Fourcroy outlined the recommendation of the Planning Commission and noted the ordinance before the Council had been changed to reflect Council action of March 13.

MOTION: Councilman Pearson introduced the following ordinance and moved, seconded by Arnold, its approval for first reading:

Ordinance of the Council of the City of Palo Alto Amending Section 2 of Ordinance No. 1810 Being the Development Plan for the Property Known As 2901-2905 Middlefield Road and 701-702 Ellsworth Place."

The ordinance was approved for first reading on the following roll call vote:

Ayes: Arnold, Beahrs, Comstock, Cooley, Debs, Dias, Pearson, Rohrs, Sher, Worthington

~~Debs: Mays~~

City Council Minutes

3-20-67

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MOTION: Councilman Arnold moved, seconded by Beahrs, to continue discussion of the matter until March 20.

The motion to continue carried by majority voice vote.

Change of District  
Sunset International Petroleum Corporation

Planning Officer Fourcroy outlined the background concerning the application for change of district received from Sunset International Petroleum Corporation.

MOTION: Councilman Arnold introduced the following ordinance and moved, seconded by Beahrs, its approval for first reading:

"Ordinance of the Council of the City of Palo Alto Amending Section 3.02 of Ordinance No. 1324, the Zoning Ordinance, Changing the Zoning of Certain Property Known as a Portion of the Rancho El Corte de Madera Abutting the Existing P-C District in the Vicinity of the 1600 and 1700 Blocks of Arastrodero Road from R-E:A to P-C."

Paul Reimer, of George S. Nolte, Inc., objected to the wording of Section 3, paragraph 2, although he stated he understood it would cause no conflict.

AMENDMENT: Councilman Sher moved, and it was duly seconded, to change the wording to conform to that suggested by the Planning Commission.

Discussion followed as to the best way to state the section of the ordinance in question.

MOTION: Councilman Beahrs moved, and it was duly seconded, to continue the matter to the next Council meeting (March 20, 1967) so that the wording may be clarified and a new ordinance prepared.

Councilman Sher asked that the motion include that the ordinance as redrafted incorporate the action of the Planning Commission. Councilman Beahrs agreed to include it.

The motion to continue carried by unanimous voice vote.

(The Council recessed from 9:25 to 9:40 p.m.)

Change of District - Ray T. Lindsay

Planning Officer Fourcroy referred to the application for a change of district from Ray T. Lindsay and suggested the staff prepare a study for a plan for Ellsworth Street.

MOTION: Councilman Flint moved, seconded by Beahrs, to uphold the recommendation of the Planning Commission and introduced the following ordinance for approval for first reading:

"Ordinance of the Council of the City of Palo Alto Amending Section 3.02 of Ordinance No. 1324, the Zoning Ordinance, Changing the Zoning of Certain Property Known as 2905 Middlefield Road from P-C to R-3:G."

Planning Commissioner Brenner replied to question from Council concerning the zoning of the property in question.

Dean Lindsay, 499 Middlefield Road, Palo Alto, spoke for Ray T. Lindsay. He stated that his firm had tried to develop interest in a professional building for the property but had been unsuccessful and, therefore, would like to build an apartment house on the property.

MOTION: Councilman Cooley moved, seconded by Beahrs, to continue the matter until the staff study on development specifically referring to the matter of right-of-way is ready and report back to the Planning Commission.

The motion failed by the following roll call vote:

Ayes: Beahrs, Cooley, Debs, Flint

Noes: Arnold, Pearson, Rohrs, Sher, Worthington

MOTION: Councilman Debs moved, seconded by Beahrs, to refer the entire matter back to the Planning Commission.

Councilman Debs then withdrew his motion with the consent of his second.

AMENDMENT: Councilman Debs moved, seconded by Flint, that the ordinance incorporate the plans of the Planning Commission report (Exhibits A, B and C of the development plan of March 13, 1967).

MOTION: Councilman Arnold moved, seconded by Beahrs, to continue the item to allow the staff to clarify it and recommend an ordinance in line with Council discussion.

The motion carried unanimously by voice vote.

MOTION: Councilman Cooley moved, seconded by Rohrs, that the staff be requested to make a study of this particular area with particular reference to right-of-way which has been discussed concerning the future development of Ellsworth Way.

The motion carried by majority voice vote.

Revision of Zoning Ordinance - Ellis L. Jacobs

MOTION: Councilman Debs moved, and it was duly seconded, to uphold the recommendation of the Planning Commission and take no action on the proposed revision to the zoning ordinance defining lot area and open space as requested by Ellis L. Jacobs, architect.

Raul Reimer of George S. Nolte, Inc., stated that at the time of the original proposal it was to the best knowledge of Dr. Lee and Sunset that the property sold to Sunset was 129 plus acres and through an oversight the 2 plus acres under discussion at this meeting were omitted. He said this application was a formality to comply with acreage presented previously. He said there would be no road addition or change of plan. He added that the applicant would prefer to have the zone change accomplished and that the land use map not be basically approved and he suggested a simple statement that at the time of the submission of the tentative map the road pattern be in accordance with something acceptable to the land owners, the City staff, and all concerned.

No one else wishing to speak, the Public Hearing was declared closed.

The Planning Officer suggested amending item 2 under Recommendations to read "At the time of the submission of the tentative subdivision map the lots and streets shall be designed..."

Commissioner Brenner felt she preferred to leave the statement as originally written in that it seemed somewhat questionable to add 2 acres to the P-C when they do not add to the O-A (Open Area District) or other design.

Chairman Stromquist felt that problem was not especially related since the zone change use map shown is not being included as part of the documents of development at this time and is not being approved with the lot pattern shown. He said he felt the basic intent of the P-C development was not being changed at this time.

**MOTION:**

Commissioner Ware moved the acceptance of the resolution draft and the amendment suggested so that it read: "This Commission, pursuant to the afore recited summary of hearing and report of findings, does hereby recommend to the City Council of the City of Palo Alto the adoption of amendment to Section 3.02 of Ordinance No. 1324, the Zoning Ordinance, as set forth in Exhibit "2" attached hereto reclassifying from R-E:A District that certain property as more particularly designated, described and shown on Exhibit "5" attached hereto in accordance with the following restrictions: (1) The subject two acres shall be added to and become a part of the adjacent parcel of the Rancho Arastradero lands. (2) At the time of the submission of the tentative subdivision map, the lots and streets shall be designed to allow suitable and appropriate extension(s) of the street system of the Rancho Arastradero development into the abutting properties in such manner as to serve the properties located generally between the subject property and Los Trancos Road."

**MOTION  
SECONDED,  
CARRIED.**

~~Chairman Stromquist seconded the motion and it carried unanimously.~~

Zoning

Application of Ray T. Lindsay to change the P-C (Planned Community) district development plan applying to property located at 2905 Middlefield Road from Administrative-Professional uses to Multi-Family Residential uses. (67-ZC-2)

The Planning Officer requested the record show that the Notice of Public Hearing had been published and mailed as required by the Zoning Ordinance and the Affidavit of Publication and Certificate of Mailing were on file; that the report of the Planning Officer was mailed to the Commissioners and the applicant prior to the Hearing, was available to the public, and was made part of the record by reference.

Commissioner Grench asked whether it would be necessary to advertise a

public hearing for a change of zone in that he felt a change in a P-C development might not be quite the same as a request for R-3:G (Garden Apartment District Regulations) zoning.

The Planning Officer replied that in line with what had been submitted this would meet an R-3:G zoning and he did not feel there would be a requirement to advertise on that basis; that if there was a proposal to go to C-2 (Central Business District Regulations) or more intensive development, he would have no hesitation in saying it should be advertised, and that he would certainly re-advertise if the Planning Commission felt the notice that was sent out did not adequately convey the situation.

The Public Hearing was declared open.

Ray T. Lindsay, 499 Middlefield Road, said that they had attempted a professional development but that there had been an exodus to the vicinity of the hospital resulting in many vacancies. He said there was no indication that this was the proper location for that type of development. He felt the zoning as R-3:G and development of the 12 units proposed would be in keeping with the General Plan for that area, that the design would complement the area and be for the good of the community and the City.

No one else wishing to speak, the Public Hearing was declared closed.

MOTION: Commissioner Brenner moved to adopt the recommendation of the Planning Officer and the resolution reclassifying to R-3:G.

MOTION  
SECONDED: Commissioner Ware seconded the motion.

Commissioner Grench felt it might be wise to readvertise the public hearing as a zone change and offered a substitute motion to that effect.

The motion died for lack of a second.

Commissioner Gordon asked for clarification as to whether the plans as shown were meaningless in a change to R-3:G.

The Planning Officer confirmed that this was correct and added that the applicant would be committed to R-3:G requirements.

Commissioner Gordon wondered whether the property between Ellsworth Place and the Matadero Canal would be adaptable for building under R-3:G and what canal setbacks there would be, if any.

The Planning Officer said the canal setback would be six feet as in the situation immediately across the canal.

To a question by Chairman Stromquist concerning the right of way of Ellsworth Place, the Planning Officer answered that Ellsworth Place is a private right of way and is encumbered with easements and could not be built on; that setbacks would depend on the front, rear and side of the property as determined by the Building Inspector.

George Cody, architect representing the applicant, said the R-3:G use is based on the overall consideration of the total property and the 12 units would use up the number of units permitted for the land area; that in addition it would be very difficult and very uneconomical to develop the land between Ellsworth Place and the canal in any way.

MOTION  
CARRIED: The motion carried on a 4 to 1 vote.