



Planning & Transportation Commission

Staff Report (ID # 8401)

Report Type:

Meeting Date: 1/31/2018

Summary Title: Public Facilities (PF) Zoning Ordinance Amendment

Title: PUBLIC HEARING: Recommendation to the City Council to Adopt an Ordinance Amending Palo Alto Municipal Code (PAMC) Title 18 (Zoning), Chapter 18.28 (Special Purpose, PF, OS and AC Districts), Sections 18.28.050 (Site Development Standards), 18.28.060 (Additional PF District Design Requirements), and 18.28.090 (Parking and Loading) to Revise Development Standards for City Essential Services Buildings and Appurtenant or Ancillary Structures Including Emergency Communication Towers, and Public Parking Facilities within the Public Facilities (PF) Zone District within the Downtown and California Avenue Districts, and to Make Other Clerical or Technical Corrections. CEQA: The proposed Ordinance is evaluated in the Draft Environmental Impact Report (EIR) for the Palo Alto Public Safety Building and Public Parking Garage Project at 250 and 350 Sherman Avenue. The Draft EIR was published January 8, 2018 for a 45 day comment period ending February 22, 2018. For More Information, Contact Amy French at Amy.french@cityofpaloalto.org.

From: Hillary Gitelman

Recommendation

Staff recommends the Planning and Transportation Commission (PTC) take the following action(s):

1. Consider the draft environmental impact report (DEIR) as it relates to the proposed text amendment, and
2. Recommend that the City Council adopt the attached Ordinance (Attachment A).

Report Summary

The City Council has provided direction to staff to undertake the necessary efforts toward establishing a new public safety building (PSB) and public parking garage on Sherman Avenue in the California Avenue Business District and another public parking garage Downtown on Hamilton Avenue. Both project design and environmental review have been underway to prepare the required plans, analysis and documents for Council's consideration of the projects for approval. Plans for these structures are subject to the Architectural Review process and are currently being reviewed by the Architectural Review Board (ARB). To implement these projects consistent with the Council's objectives, Zoning Code amendments are required to the development regulations for Public Facilities (PF) zoned properties located in the Downtown and California Avenue Business Districts. The proposed Sherman Avenue developments and the Zoning Code text amendments have been analyzed in a draft environmental impact report (DEIR) prepared for the project. The Downtown garage is being considered under a separate environmental impact report.

The January 8, 2018 DEIR, provided separately to PTC members ten days prior to the PTC meeting, principally addresses the proposed construction of a parking garage at 350 Sherman Avenue and a Public Safety Building at 250 Sherman Avenue. The 45-day public comment period ends February 22, 2018. All comments received during the public comment period will be addressed in the Final EIR. The PTC's role for this project is to consider the environmental analysis, as it relates to the text amendment, and to make a recommendation to Council on the proposed ordinance amending the PF zoning development regulations. The text amendments are drafted to give the Council latitude in applying the PF development regulations as it relates to city projects only and specifically public parking garages and essential public safety buildings within the Downtown and California Avenue Business Districts. The amendments would not apply to private development.

Background

The Council gave staff direction during project "Prescreening" meetings on April 3 and 11, 2017 to bring back an ordinance with text amendments to enable processing of the applications for a new public safety building and public parking garages¹. The proposed projects are located within the Downtown Parking Assessment District and the California Avenue Business District (which was formerly also a Parking Assessment District). The City maintains public parking garage structures in both of these districts. The districts' primary Comprehensive Plan land use designation is Regional/Community Commercial, and they both contain commercial uses, mixed uses and residential uses. The California Avenue area is a Priority Development Area or PDA, which Palo Alto has identified as an area for investment, new homes and job growth. The

1

April 3 Council report link: <http://www.cityofpaloalto.org/civicax/filebank/documents/56666>

April 3 Council video link: <http://midpenmedia.org/city-council-122/>

April 11 Council report link: <http://www.cityofpaloalto.org/civicax/filebank/documents/56784>

April 11 Council video link: <http://midpenmedia.org/city-council-123/>

Association of Bay Area Governments (ABAG) website notes that PDAs (along with Priority Conservation Areas or PCAs) are “the foundation for sustainable regional growth and Plan Bay Area.”²

California Avenue Area/Sherman Avenue PSB Project Site

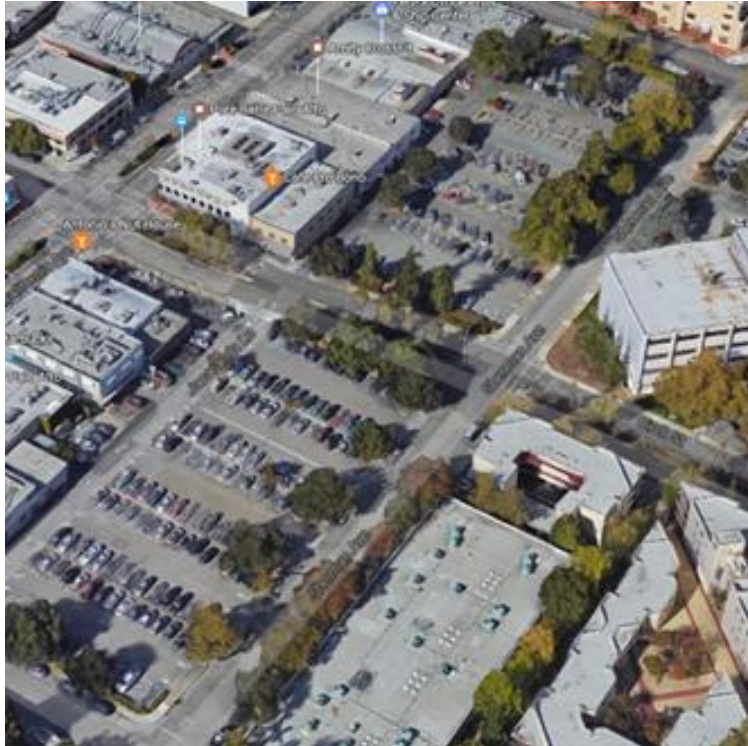
The 2.3 acre PSB Project site (encompassing both the PSB and the public parking garage) is currently comprised of two parking lots (Lots C-6 and C-7) on two blocks located at 250 and 350 Sherman Avenue, bound by Sherman Avenue, Jacaranda Lane, Ash Street, and Park Boulevard, and bisected by Birch Street. Jacaranda is generally the service and delivery alley for California Avenue businesses. The site (plus the portion of Birch Street between the two lots) includes 39 trees.

Across Sherman Avenue from the project site are the Santa Clara County Courthouse (the tallest nearby building) and parking lot. Properties fronting Ash Street between Grant Avenue and Sherman Avenue include multiple-family residential uses and Sarah Willis Park. Land uses along Park Boulevard from Grant Avenue to Sherman Avenue include office/commercial uses, including several restaurants.

The buildings in the project vicinity are generally one to three stories; the Courthouse is four stories. The PSB site at 250 Sherman has a different Comprehensive Plan land use designation (Major Institution/Special Facilities) than the designation of the parking garage site at 350 Sherman (Regional/Community Commercial).

The DEIR provided to PTC members in advance of this report provides a full description of the filed projects at 250 and 350 Sherman Avenue, which are subject to Architectural Review and recommendation to City Council. A bird’s eye view of the PSB Project site is shown on the following page. The upper lot is the proposed PSB site and the lower lot is the proposed public parking garage site. Both blocks are zoned PF. The public parking garage would be built before the Public Safety Building.

² <https://abag.ca.gov/priority/development/> is the ABAG website URL



Downtown, Hamilton Avenue Garage Project Site

The 0.67 acre Hamilton Garage site is the City parking lot on the western corner of Hamilton Avenue and Waverley Street with driveway access to both streets and to Lane 21, a one-way alley from Waverley to Bryant Streets. The “L”-shaped lot has 205 feet of frontage to the south on Hamilton, 100 feet of frontage to the east on Waverley and 62 feet frontage on Lane 21. The parking lot contains 86 existing parking spaces. Zoned PF, the site has a Regional/ Community Commercial Comprehensive Plan Land Use Designation.

The project application was filed in October 2017 for ARB review. The ARB and PTC have received copies of the DEIR for the project. Briefly, the project is the construction of a new four-story public parking garage consisting of five above ground parking levels and one basement parking level, along with a 2,188 square foot (sq. ft.) retail space fronting Waverley Street. The structure height would be 49’-10” to the top of the fifth deck, 58’6” to the top of the Photo-Voltaic panel support structure, and 63’ to the top of the elevator shaft. It would provide approximately 338 automobile parking stalls, including nine accessible spaces and nine electric vehicle-charging station stalls. A 438 sq. ft. bicycle parking area would provide 50 bicycle parking spaces. The building would be designed with infrastructure to allow installation of photovoltaic panels mounted above the uppermost parking deck. The targeted construction start year is 2019, so the lot can open to traffic in 2020.

A bird’s eye view image on the following page shows the existing parking lot next to the AT&T building, which abuts a retail building to the west on Hamilton Avenue. The site is next to commercial buildings that front University Avenue and Waverley Street; Waverley Street businesses currently use the City parking lot to gain access to the rear of the buildings. The site

is across from the historic US post office on Hamilton Avenue, across from All Saints Episcopal Church on Waverley Street, and on the opposite corner from the brick-finished Wells Fargo Bank building.



Analysis³

The operational and design requirements of a new public safety building cannot be achieved based on the existing PF zoning regulations. To maximize the number of garage parking spaces and other program objectives as directed by Council, code amendments are required. The proposed code changes have limited applicability - to city projects located within the Downtown and California Avenue Business Districts on PF zoned lots. The amendments also reflect an approach to not only address the three projects being considered now, but also account for future city projects in the Downtown and California Avenue Business Districts that may conflict with PF zoning. Code language has been drafted to give City Council the authority to grant modifications to development standards for qualifying projects.

Proposed PF Zoning Amendment

The purpose of the PF zone is to accommodate governmental, public utility, educational, and community service or recreational facilities. The development standards and parking facility

³ The information provided in this section is based on analysis prepared by the report author prior to the public hearing. Planning and Transportation Commission in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose to take an alternative action from the recommended action.

setbacks for the PF Zone District are at odds with the City Council's goals for new public parking structures in the Downtown and California business districts, and given emergency services requirements for the new PSB.

1. Public Safety Building. The goal is to locate and operate the City's Police Department, Office of Emergency Services, Emergency Operations Center, Emergency Communications (911 Dispatch) Center, and Fire Administration Division in one centralized facility that:

- Is sized to accommodate public safety services, operations, equipment and personnel in one centralized space to meet the programmatic needs, which include provision of ample subterranean parking spaces for emergency services employees, security for the operations yard, and a functional emergency telecommunications mono-pole, and
- Meets the standards of an essential services facility to substantially increase the probability of maintaining operation after a major earthquake, natural disaster, or other substantial disruption or disaster.

2. Sherman Avenue Public Parking Garage. The goals are to:

- Provide more parking in the California Avenue Business area of Palo Alto (therefore maximizing parking spaces on the 350 Sherman site), and
- Construct the garage prior to the PSB in a manner that would minimize disruption of existing parking facilities for current users of the surface parking lots on the project site.

3. Hamilton Avenue Public Parking Garage. The goals are to:

- Increase parking spaces in the downtown area to the maximum extent possible to meet parking demands in the downtown area and reduce parking spillover to the nearby residential neighborhoods,
- Provide neighborhood serving retail uses and pedestrian friendly storefront on Waverley Street,
- Use street frontages to contribute to the economic vitality of the City, and
- Provide visually appealing structure compatible with downtown character and nearby historic buildings.

A brief summary of the code changes needed to accommodate these project objectives is provided below, as are Zoning compliance tables for both projects (Attachments B and C). The PF zone development standards, design requirements, and parking and loading regulations are proposed to be modified to apply to public parking facilities and essential services buildings (including the emergency communications tower to be installed on the PSB roof) in the Downtown and California Avenue Business Districts. The attached ordinance is intended to allow for exceptions to the Public Facilities (PF) zone regulations and require Council review and facilitate Council decisions on applicable project applications. In summary, the following exceptions from the PF zone standards are requested:

(1) Exceed the height limit:

- For the PSB, for the emergency communications tower (135 feet tall);
- For the Sherman Garage, to reach a height of 40'7" to the top of the parking structure and 49 feet to the top of the photovoltaic structure, heights exceeding the maximum 35 foot height limit within 150 feet of a residential zone district; and
- For the Hamilton Garage, to exceed the 50 foot height limit by 8'6" for the photo-voltaic panel support structure (the elevator tower at 63' is allowed by code).

(2) Exceed maximum Floor Area Ratio (FAR):

- The Sherman Garage would have a 3.57:1 FAR, where 1:1 FAR is allowed; and
- The Hamilton Garage would have a 3.8:1 FAR; where 1:1 FAR is allowed.

(3) Exceed the maximum site coverage:

- The Sherman Garage would have a 89.3% site coverage, where 45% is the maximum allowed because the maximum lot coverage allowed in the PF zone is 'equal to the site coverage established by the most restrictive adjacent district, which is the RM-40 zone (where site coverage is limited to 45% of the site); and
- The Hamilton Garage is allowed up to 100% site coverage (since, per PAMC 18.28.050(a) Table 2, for parking facilities, the maximum site coverage is equal to the site coverage established by the most restrictive *adjacent* district, which is the CD zone, where there is no maximum site coverage for non-residential development).

(4) Encroach into minimum setbacks:

- For Sherman Garage, encroach fully into setbacks along three streets (Birch, Ash, Sherman) and one alley (Jacaranda),
- For Hamilton Garage, the building columns would encroach fully to meet the property lines on two streets (Hamilton Avenue and Waverley Street), and
- For the PSB, from the alley (Jacaranda) for the parking lot and courtyard walls and from the alley, and below grade parking facility from three streets (Sherman, Park and Birch).

Hamilton Avenue Setback

The 375 Hamilton Avenue Garage project includes a request to encroach seven feet into the seven-foot Hamilton Avenue special setback (structure to encroach five feet, architectural cladding/finishes, benches and planters will encroach the full seven feet). PAMC Title 20, Chapter 20.08 Setback Lines, Section 20.08.030 prohibits placement of new buildings or structures between the street line and setback line. PAMC Title 18 Section 18.76.030 (3) states that variances may be granted to the requirements of Title 20. The attached PF ordinance would allow Council to approve the proposed Downtown parking garage encroachment into seven-foot and 20-foot Hamilton setbacks. The Hamilton Avenue special setback extends from Alma Street to Waverley Street (with the exception of the City Hall site). This setback is also imposed upon properties on the block between Cowper and Webster Streets.

Findings for Zoning Amendment Approval

In accordance with Palo Alto Municipal Code (PAMC) Chapter 18.80, a text amendment can only be approved if a finding is made documenting the necessity through public interest or general welfare. Changes to zoning regulations may be initiated by City Council, by the PTC on its own initiative or by application of the property owner. In this case, the City Council's direction was the impetus for the proposed text amendment. The code requires the PTC to send its recommendation that sets forth the findings and determinations of the commission with respect to the proposed change. The City Council would also review each eligible public facility project following submittal of an application for a specific site within either Downtown or the California Avenue area, if the project includes a request for Council adjustment of the development standards.

Consistency with the Comprehensive Plan

Below are listed the Comprehensive Plan policies relevant to the proposed ordinance changes, which would enable Council to approve the proposed garages and Public Safety Building that do not fully conform with current PF development standards. The policies are identified as follows:

- Policy T-5.6, strongly encourage the use of below-grade or structured parking, and explore mechanized parking instead of surface parking for new developments of all types while minimizing negative impacts including on groundwater and landscaping where feasible,
- Policy T-5.8, promote vehicle parking areas designed to reduce stormwater runoff, increase compatibility with street trees and add visual interest to streets and other public locations. Encourage the use of photovoltaic panel or tree canopies in parking lots or on top of parking structures to provide cover, consistent with the Urban Forest Master Plan,
- Policy T-5.10, encourage the use of adaptive design strategies in new parking facilities in order to facilitate reuse in the future if and when conditions warrant,
- 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.
- Policy L-1.10, 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-4.2, encourage street frontages that contribute to retail vitality in all Centers. Reinforce street corners in a way that enhances the pedestrian realm or that form corner plazas. Include trees and landscaping,
- Policy L-4.5, maintain and enhance the University Avenue/Downtown as a major commercial center of the City with a mix of commercial, civic, cultural, recreational and residential uses. Promote quality design that recognizes the regional and historical importance of the area and reinforces its pedestrian character,
- Policy L-4.8, maintain the existing scale, character and function of the California Avenue business district as a shopping, service and office center intermediate in

- function and scale between the Downtown and the smaller neighborhood business areas,
- Policy L-6.1, promote high quality design and site planning that is compatible with surrounding development and public spaces,
- Policy L-9.2, encourage development that creatively integrates parking into the project, including locating it behind buildings or underground wherever possible, or by providing for shared use of parking areas. Encourage other alternatives to surface parking lots that minimize the amount of land devoted to parking while still maintaining safe streets, street trees, a vibrant local economy and sufficient parking to meet demand,
- Policy L-9.7 strengthen the identity of important community-wide gateways, including...entries to commercial districts,

The above policies are a subset of policies identified in the January 18, 2018 ARB report's Record of Land Use Action for the 350 Sherman garage project.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA), the proposed ordinance modification has been evaluated in a Draft Environmental Impact Report (DEIR) with a concurrent application for the Palo Alto Public Safety Building and public parking garage project at 250 and 350 Sherman Avenue. The Draft EIR was published January 8, 2018 for a 45-day public comment period ending February 22, 2018. The DEIR may be viewed online at: <https://www.cityofpaloalto.org/civicax/filebank/documents/62804>.

On January 22, 2018, Council is reviewing staff's recommendation to reduce the below grade parking garage levels to one level below grade. The project description in the DEIR includes: (a) the location and boundaries of the project site; (b) the background leading up to the proposed project; (c) the overall objectives sought by the project; (d) the various project design and operational characteristics; (e) the potential project construction timing; and (f) the jurisdictional approvals required to implement the project.

The DEIR notes there are no significant unavoidable impacts requiring Council to make a statement of overriding considerations. Potential impacts from the project and mitigation measures to reduce the impacts to a "less than significant" level are identified in these topic areas:

- Air Quality (related to construction emissions),
- Biological Resources (related to nesting birds and protected and street tree removals),
- Cultural Resources (potential disturbance of archeological, paleontological and tribal resources),
- Geology and Soils (geotechnical hazards related to excavation and grading),
- Hazards and Hazardous materials (potential exposure to existing groundwater and soil contamination), and

- Noise (project construction noise, ground borne vibration from construction, project operational noise).

The PSB Project and Downtown Garage project, even with the code amendment, would have no significant and unavoidable impacts.

No projects other than the PSB Project and Downtown Garage project are currently contemplated to be affected by the proposed code amendment. Thus, there are no reasonably foreseeable future developments, physical changes to the environment or impacts that may result from the proposed ordinance. And as a result, environmental review of potential future developments would be an impossible task involving wholly speculative evaluation of impacts. As the DEIR states, "To the extent that other PF-zoned sites in the Downtown and California Avenue business districts are included by this ordinance revision, development of those sites would be subject to their own environmental review."

PTC Participation

In April and May 2017, the PTC provided initial comments on the scope of environmental review of the Sherman Avenue and Hamilton Avenue parking garages, and PSB, during EIR scoping sessions. Links to the PTC reports and videos are provided below:

The May 31, 2017 PTC Hamilton Avenue Project scoping meeting staff report is viewable here: <https://www.cityofpaloalto.org/civicax/filebank/documents/57978>, the video of the PTC meeting is viewable at: <http://midpenmedia.org/planning-transportation-commission-49/>, and the minutes are viewable at: <http://www.cityofpaloalto.org/civicax/filebank/documents/58628>

The April 12, 2017 PTC PSB Project scoping meeting staff report is viewable here: <http://www.cityofpaloalto.org/civicax/filebank/documents/56874>, the video of the PTC meeting is viewable at: <http://midpenmedia.org/planning-transportation-commission-46/>, and the excerpt PTC minutes were provided in the Preliminary ARB report found here: <http://www.cityofpaloalto.org/civicax/filebank/documents/58034>

The PTC is requested to receive testimony on the DEIR, then focus comments on the portion of the DEIR that address the PF district text changes, which is the Land Use section (chapter 12). The PTC may discuss the DEIR more broadly and individual Commissioners may provide comments on other chapters following the PTC meeting. The relevant excerpt is provided below in italicized text:

***"Zoning Amendments.** In order to meet the project's program needs and objectives, the proposed PSB and parking garage would require amendments to the City of Palo Alto Municipal Code (PAMC) Title 18 (Zoning), Chapter 18.28 (Special Purpose [PF, OS and AC] Districts), Sections 18.28.050, 18.28.060, and 18.28.090 to revise the Public Facilities (PF) zone parking and development standards to allow encroachments into the Minimum Setbacks (front, rear, interior side, and street side setbacks), Maximum Floor Area Ratio (FAR), and a public parking garage that would exceed Maximum Floor Area Ratio (FAR),*

Maximum Site Coverage, and Maximum Height (including within 150 feet of a residential district) in the Public Facilities zone. Also, the PAMC currently limits the monopole height to 65 feet; therefore, the proposed monopole, at 135 feet, would exceed City height restrictions. The same PF zone regulations being processed for the public parking garage include zoning text changes to allow for the planned monopole and alley setback encroachment by the PSB. To the extent that other PF-zoned sites are included by this ordinance revision, those sites would be subject to their own environmental review.

PSB Project DEIR and Comments Process

For CEQA purposes, development of the two Sherman Avenue sites is considered one project, though separate entitlements can be issued following Council action on the EIR, and separate building permits are required for each building. Comments on the PSB Project DEIR during the 45 day review period can be submitted in writing or presented orally at the January 31, 2018 PTC hearing.

Public comments on the DEIR were received at the January 18, 2018 ARB hearing of the public parking garage at 350 Sherman (which the ARB continued to March 1, 2018). The ARB staff report of January 18, 2018 for the Garage project is viewable here: <https://www.cityofpaloalto.org/civicax/filebank/documents/62876>. A video of the meeting on January 18, 2018 is viewable here: <http://midpenmedia.org/category/government/city-of-palo-alto/boards-and-commissions/architectural-review-board/>. Minutes of the ARB meeting will be viewable here: <https://www.cityofpaloalto.org/gov/boards/architectural/default.asp>. The ARB members commented verbally on the aesthetics, biological resources, noise and transportation sections of the DEIR. Additionally, one ARB member provided written comments regarding the phrasing of the aesthetics chapter with respect to the design versions of the project (as the designs for both buildings are undergoing modifications).

375 Hamilton Avenue Project DEIR Publication

The DEIR for the proposed parking garage with retail space at 375 Hamilton Avenue is anticipated to be released in February 2018. The analysis of the PF zone changes contained in the PSB Project DEIR would be applicable to the Hamilton Avenue project.

Next Steps

The pending Architectural Review applications for two garages and the public safety building (PSB) will benefit first from the PF zone changes; these applications are not subject to PTC review and recommendation, though the PTC's comments are requested on the DEIR portion that addresses the PF ordinance modifications.

The ARB conducted the first formal review of both Sherman Avenue projects in October (minutes are viewable here: <http://www.cityofpaloalto.org/civicax/filebank/documents/62441>). The ARB reviewed the 350 Sherman Avenue parking garage again on January 18, 2018 and continued the hearing March 1, 2018. Revisions to the PSB plans are underway and a second ARB review of the PSB will be scheduled. The Hamilton Garage project and DEIR are scheduled

to be presented to the ARB in mid-February and continued to a date certain following the end of the project's DEIR comment period. Council is tentatively scheduled to review the PF ordinance and the DEIRs for both the PSB and Downtown Garage projects in late spring 2018.

Public Notification, Outreach & Comments

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper. Notice of a public hearing for this project was published in the *Palo Alto Weekly* on January 12, 2018, which is 19 days in advance of the meeting.

Public Comments

As of the writing of this report, no public comments on the ordinance changes had been received.

Alternative Actions

In addition to the recommended action, the PTC may:

1. Suggest modified findings in the ordinance, or
2. Provide input and continue the review to a future hearing, date certain.

Report Author & Contact Information

Amy French, AICP, Chief Planning Official
(650) 329-2336
Amy.french@cityofpaloalto.org

PTC⁴ Liaison & Contact Information

Jonathan Lait, AICP, Assistant Director
(650) 329-2679
jonathan.lait@cityofpaloalto.org

Attachments:

- Attachment A: Draft ORD Amending Ch 18.28 PF Zone (PDF)
- Attachment B: Zoning Compliance Table PSB and Garage (DOCX)
- Attachment C: Zoning Compliance Table 375 Hamilton Avenue (DOCX)
- Attachment D: DEIR (PTC MEMBERS HARDCOPIES, COVER MEMO TO WEBLINK) (DOCX)

⁴ Emails may be sent directly to the PTC using the following address: planning.commission@cityofpaloalto.org

Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending Palo Alto Municipal Code (PAMC) Title 18 (Zoning), Chapter 18.28 (Special Purpose (PF, OS and AC) Districts), Sections 18.28.050, 18.28.060 and 18.28.090 to Revise the Public Facilities (PF) Zone Parking and Development Standards to Allow Council Approval of Exceptions to PF Development Standards, Including Setback Lines Imposed By a Special Setback Map, and Required Parking Location for City Parking Facilities in the Downtown and California Avenue Business District and for Essential Services Buildings, and Make Other Clerical or Technical Corrections

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

SECTION 1. Section 18.28.050 (Site Development Standards), subsection (a) and Table 2, of Chapter 18.28 (Special Purpose (PF, OS and AC) Districts) of Title 18 (Zoning) is amended to read as follows:

18.28.050 Site Development Standards

(a) Development Standards

Table 2				
Special Purpose District Site Development Standards				
	PF	OS⁽⁵⁾	AC	Subject to Regulations in Chapter <u>or Section</u>:
Minimum Site Specifications				
Site Area (acres)		10	5	
Site Width (ft)			250	
Site Depth (ft)			250	
Minimum Setbacks (ft)	Setback lines imposed by a special setback map pursuant to Chapter 20.08 of this code shall apply			<u>Section 18.28.060(e)</u>
Front Setback	— ⁽²⁾	30	30	<u>Section 18.28.060(e)</u>
Rear Setback	— ⁽²⁾	30	30	<u>Section 18.28.060(e)</u>
Interior Side Setback	— ⁽²⁾	30	15	<u>Section 18.28.060(e), Chapter 20.08</u>
Street Side Setback	— ⁽²⁾	30	24	<u>Section 18.28.060(e)</u>
Maximum Floor Area Ratio	1:1 ⁽³⁾	See Table 3		<u>Section 18.28.050(b), 18.28.060(e)</u>
Site Coverage and Impervious Coverage				
Maximum Site Coverage	30% ⁽³⁾		10%	<u>Section 18.28.060(e)</u>

Additional Site Area permitted covered by impervious ground surfaces			10% ⁽¹⁾	
Maximum Impervious Coverage		See Table 3 ⁽⁴⁾		Section 18.28.050(b) 18.28.070(m)
Height Restrictions				
Maximum Height (ft)	50	25	35	Section 18.28.060(e)
Maximum Height within 150 feet of a residential district (ft)	35			Section 18.28.060(a)
Maximum Number of Stories		2		
Daylight Plane for site lines abutting a residential district				
Initial height (ft)	10			
Slope	1:2			
Residential Density			1 unit/acre	
(1) For cemetery uses, all markers of graves shall be flush with grade level, and shall be considered impervious area under this requirement.				
(2) The minimum front, side, and rear yards in the PF public facilities district shall be equal to the respective front, side, and rear yards required in the most restrictive abutting district; provided, that no yard adjoining a street shall be less than 20 feet and that no interior yard shall be less than 10 feet. See Section 18.28.060(e) for exceptions to these development standards.				
(3) Provided that, for parking facilities the maximum floor area ratio and site coverage shall be equal to the floor area ratio and site coverage established by the most restrictive adjacent district. See Section 18.28.060(e) for exceptions to these development standards.				
(4) Including buildings and all impervious ground surfaces, calculated pursuant to the provisions of Section 18.28.070(m).				
(5) See section Section 18.28.070(r) for specific exceptions to these development standards.				

...

SECTION 2. Section 18.28.060 (Additional PF District Design Requirements) of Chapter 18.28 (Special Purpose (PF, OS and AC) Districts) of Title 18 (Zoning) is amended to add a new subsection (e) to read as follows:

18.28.060 Additional PF District Design Requirements

The following additional regulations shall apply in the PF district:

...

(e) Development Standards Exceptions

The City Council may in its discretion modify the development standards in Table 2 of Section 18.28.050 and setback lines established by a special setback map under Chapter 20.08 of Title 20, to achieve community objectives for the following facilities:

- (i) Parking facilities, including appurtenant structures, within the Downtown and the California Avenue business district, where the parking facility is the principal use and is owned or leased, and operated or used, by the City of Palo Alto. "California Avenue business district" means that area bounded by the following streets in the city of Palo Alto: Grant Avenue to the south, El Camino Real to the west, College Avenue to the north, and Park Boulevard to the east.
- (ii) Essential Services Buildings as defined in Health and Safety Code section 16007, as amended, including appurtenant or ancillary structures.

The exceptions shall be included in the review of the project through the applicable development review process.

SECTION 3. Section 18.28.090(a) (Parking and Loading) of Chapter 18.28 (Special Purpose (PF, OS and AC) Districts) of Title 18 (Zoning) is amended to read as follows:

18.28.090 Parking and Loading

Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord with Chapter 18.40. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and the design standards established by Chapter 18.42. In addition, parking facilities shall be subject to the following regulations:

(a) PF District

In the PF district, no required parking space shall be located in the first 10 feet adjoining the street property line of any required yard. The City Council may waive this requirement for eligible parking facilities and Essential Services Buildings through the process provided in Section 18.28.060(e).

...

SECTION 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. The environmental impacts of this ordinance have been examined and disclosed pursuant to the provisions of the California Environmental Quality Act of 1970, together with related state implementation guidelines and regulations (collectively, "CEQA"), under that certain Final Environmental Impact Report for the City of Palo Alto Public Safety Building and California Avenue Garage project ("Final EIR") considered and certified by the City Council on _____, for which

NOT YET APPROVED

findings were adopted by Council by Resolution No. _____, all prior to Council approval of this ordinance.

SECTION 6. This ordinance shall be effective on the thirty-first date after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

NOT PARTICIPATING:

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

Mayor

APPROVED:

City Manager

Director of Planning & Community
Environment

ATTACHMENT B
ZONING COMPARISON TABLE
250 and 350 Sherman Avenue

Table 1: COMPARISON WITH CHAPTER 18.28 (PUBLIC FACILITIES (PF) DISTRICT)

Regulation	Required by PF Zone – Code to be Revised	Existing	Proposed
Minimum Site Area, width and depth 250 Sherman	None	55,164 sf	No change proposed
Minimum Site Area, width and depth 350 Sherman	None	41,843 sf	No change proposed
PF Zone Setbacks - Minimum front, side, and rear yards in the PF zone shall be equal to the respective front, side, and rear yards of the most restrictive abutting district, <u>provided no yard adjoining a street shall be less than 20 feet, and no interior yard shall be less than 10 feet</u> – this provision is proposed to be modified			
PSB Front/Rear and Street Side Yard Setbacks (SB) <ul style="list-style-type: none"> • Park • Birch • Sherman 	20 feet	NA	<u>Park</u> : SB 21'9"=8" above grade, SB 0' below grade ; <u>Birch</u> : SB 48' above grade to main building wall, 33' to canopy edge, and 25' to base of ramp cover, SB approx. 18' below grade <u>Sherman</u> : SB 25' above grade, SB below grade near Sherman Av
PSB Interior Side Yard Jacaranda Lane	10 feet	NA	<u>Building</u> SB is 20' or greater (SB range: 36'3" to 46'3" until second jog in property line), SB below grade is within 10 feet <u>CMU wall/Fence</u> SB is 10' until employee garden where SB to CMU wall is 3'2" for length of 40' approx. wall height exceeds four feet
Parking Garage Front/Rear and Street Side Yard Setbacks <ul style="list-style-type: none"> • Birch • Ash • Sherman 	20 feet	NA	Building encroaches above & below, all frontages <u>Birch</u> : SB 11'2" above grade, 36' below grade; <u>Ash</u> : SB 0' above grade , likely same SB below grade (section not provided in set) <u>Sherman</u> : 0' SB above grade, 0' SB below grade.
Parking Garage Interior Side Yard Jacaranda Lane	10 feet minimum	NA	SB is 2'3" over 2/3 of the wall length ; where property line jogs into Jacaranda Lane, SB is met.
PSB Site Coverage – based on most restrictive adjacent district (PF zone, which allows 30% coverage and 1:1 FAR)	30%	NA	29.2%

Garage Site Coverage - (or equal to adjacent most restrictive district, or PF)	30%	NA	Site Coverage 89.3% (compare to CC(2) which allows 100% site coverage and RM-40 which allows 45% site coverage)
PSB - Max. Floor Area Ratio (FAR);	1:1	NA	0.74:1
Garage - Max. Floor Area Ratio (FAR); note: 18.04.030 (B)(i) only exempts parking facilities that are accessory to a permitted or conditional use on the same site; the parking garage is not accessory use	1:1 (the most restrictive adjacent district)	NA	FAR 3.57:1
PSB - Max. Building Height; SW corner is within 150' of residential RM-40 zone	35' at SW corner of PSB site within 150' of residential zone; 50' elsewhere	NA	49 feet building (PSB is not within 150' of residential zone) 139' emergency telecom tower
Parking Garage Max Height; SE corner is within 150' of residential RM=40 zone	35' SE corner of Garage site within 150' of residential zone	NA	40'7" to top of parking structure and approximately 49 feet to the top of PV structure; height exceeds 35 feet within 150' radius of RM-40
Daylight Plane for site lines abutting one or more residential zone districts other than an RM-40 or PC Zone	10' up and 1:2 slope	NA	NA
250 Sherman PSB number of parking spaces	Other uses not listed	155 public spaces	162 spaces for PSB; PCE Director determines parking requirement for use not listed
350 Sherman Parking Structure number of spaces	NA	143 public spaces	636 public spaces (replaces the existing spaces on both blocks (143 + 155) and adds 338 spaces

ATTACHMENT F
ZONING COMPARISON TABLE
375 Hamilton Avenue

Table 1: COMPARISON WITH CHAPTER 18.28 (PUBLIC FACILITIES DISTRICT)

Regulation	Required	Existing	Proposed
Minimum Site Area, width and depth	None	29,164 sf	29,164 sf
PF Setbacks - Minimum front, side, and rear yards in the PF zone shall be equal to the respective front, side, and rear yards of the most restrictive abutting district, <u>provided no yard adjoining a street shall be less than 20 feet, and no interior yard shall be less than 10 feet – this provision would need to be modified for public parking structures</u>			
Front Yard (Waverley)	0' in CD district (10')	NA	Approximately 2 feet to wall (encroaches 8') – 0' to columns - PF code to be revised
Rear Yard (next to ATT bldg)	10 feet	NA	2 feet (encroaches 8') – PF code to be revised
Interior Side Yard (at CVS and backing Waverley addressed lots)	10 feet	NA	10 feet – CVS and side of Tai Pan, 16 feet- from rear lines of Waverley buildings
Street Side Yard (Hamilton, special setback)	PAMC 20.08 special setback line: <i>Seven feet on Hamilton; PF Zone requires 20 feet</i>	NA	Approximately 2 feet to wall, 0' to columns (encroaches 18 feet into PF 20' setback, and 5' into 7' special setback) – PF code to be revised
Min. yard for lot lines abutting or opposite residential districts or residential PC districts	10 feet ⁽²⁾	NA (not abutting 510 Waverley, CDC-GF-P, may have residential use on upper floor)	NA
Build-to-lines	NA	NA	NA
Max. Site Coverage	Equal to site coverage established by most restrictive adjacent district (CD)	NA	NA
Max. Building Height	50 feet	NA	63' stair/elev. Tower 58'6" to top of PV structure 48'10" elsewhere – PF code to be revised

Max. Floor Area Ratio (FAR)	Equal to FAR established by most restrictive adjacent district (1:1 for non-residential use in CDC zone with increase allowed with TDR not to exceed 3:1 in CDC)	NA	139,217 sf - Including below grade parking area (27,834.4 sf for each of four floors above grade plus 27,834.4 sf below grade); for FAR calculation, 111,383 sf above grade (3.8:1 FAR)
Daylight Plane for lot lines abutting one or more residential zone districts other than an RM-40 or PC Zone	None	NA	NA

ATTACHMENT D

DEIR hardcopies to PTC Members and Libraries only

The DEIR can be reviewed on the City's PSB project webpage

<http://www.cityofpaloalto.org/news/displaynews.asp?NewsID=3339&TargetID=1>