TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER

DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT

DATE: FEBRUARY 19, 2002

SUBJECT: REQUEST OF PROPERTY OWNERS OF A PORTION OF TRACT 796 FOR CONSIDERATION OF SINGLE STORY HEIGHT COMBINING ZONING IN THE GREER PARK NEIGHBORHOOD (VAN AUKEN CIRCLE)

REPORT IN BRIEF

A majority of the property owners of a portion of Tract 796 have requested City initiation of a single story (S) height combining (overlay) zone district in their portion of the Greer Park neighborhood. The City adopted a single story overlay zone district as part of the Zoning Ordinance in 1992 and has since applied the zoning district to nine areas in the Walnut Grove, Green Meadows, Charleston Meadows, Blossom Park, Barron Park, Meadow Park, Channing Park and Garland neighborhoods. In the previous nine requests from neighbors, the City Council initiated the zone change process for subsequent review by the Planning and Transportation Commission and City Council. This request meets the four criteria established by the City for applying the overlay zone to single family neighborhoods.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Compliance of Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Support</td>
<td>Strong level of support (signed requests from owners of 40 of the 58 parcels, or 69 percent).</td>
</tr>
<tr>
<td>Appropriate Boundaries</td>
<td>The application indicates a roughly rectangular neighborhood, easily defined by existing street patterns.</td>
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<tr>
<td>Prevailing Single Story Character</td>
<td>All 58 properties are currently single story, similar in age (1950s) and design (all are Eichler homes).</td>
</tr>
<tr>
<td>Moderate Lot Sizes</td>
<td>The lots are generally moderate in size (31 of 58 lots, or 53 percent are between 6,000 and 8,000 square feet), and all are in a consistent lotting pattern.</td>
</tr>
</tbody>
</table>
Consequently, staff recommends that the Council initiate the request for a single story overlay zone in this neighborhood and refer the matter to the Planning and Transportation Commission for review and recommendation to the City Council.
RECOMMENDATION
Staff recommends that the City Council initiate and refer to the Planning and Transportation Commission consideration of a single story height combining district for the R-1 single family area in a portion of Tract 796 as shown on the attached map (Attachment A).

BACKGROUND
On July 13, 1992, the City Council adopted a single story height combining district (S) as part of the Zoning Ordinance and applied the overlay to the Walnut Grove neighborhood (181 lots). Subsequently, the single story height combining district has been applied as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Tract</th>
<th>Neighborhood</th>
<th>No. Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 26, 1993</td>
<td>--</td>
<td>Green Meadows</td>
<td>243</td>
</tr>
<tr>
<td>January 21, 1997</td>
<td>795</td>
<td>Charleston Meadows</td>
<td>96</td>
</tr>
<tr>
<td>September 15, 1997</td>
<td>840</td>
<td>Charleston Meadows</td>
<td>61</td>
</tr>
<tr>
<td>November 17, 1997</td>
<td>709</td>
<td>Blossom Park</td>
<td>16</td>
</tr>
<tr>
<td>November 16, 1998</td>
<td>714 and portions of 4738</td>
<td>Barron Park</td>
<td>20</td>
</tr>
<tr>
<td>November 16, 1998</td>
<td>1722 and portions of 1977</td>
<td>Meadow Park</td>
<td>75</td>
</tr>
<tr>
<td>July 17, 2000</td>
<td>--</td>
<td>Channing Park I and II</td>
<td>57</td>
</tr>
<tr>
<td>September 24, 2001</td>
<td>1371</td>
<td>Garland (Elsinore Drive)</td>
<td>68</td>
</tr>
</tbody>
</table>

The attached letter from the property owners of Tract 796 (Attachment B) requests application of the overlay district to 58 of the single family parcels contained in this tract.

DISCUSSION
Application of Overlay Zone Guidelines
The Single Story Height Combining District (S) Overlay Zone Guidelines (guidelines), adopted by the City Council on December 14, 1992 (Attachment C), established criteria to guide the consideration of zone change requests for application of the Single Story Height Combining District (S). The Guidelines state that "for neighborhoods that contain and have been developed consistent with a single story deed restriction, these guidelines are to be treated with a greater degree of flexibility [than neighborhoods without the restriction].” This flexibility was directed by City Council as detailed in the December 10, 1992 staff report (CMR:555:92) Staff has been informed by several property owners that all of the 58
homes involved in this application have the same single story deed restriction (Attachment D). Although staff has not verified this fact for all 58 properties at this time, deed restrictions are typically the same on tracts built at the same time. All 58 lots were originally developed with Eichler homes in the 1950s. None of the original homes have been torn down and replaced. Several homes have been remodeled but still retain the original Eichler layout.

City staff mailed property owners a letter and questionnaire on December 4, 2001 (Attachment E) explaining the single story overlay and asking for written confirmation of any change in support of, or opposition to, the proposed overlay. Also, City staff held a neighborhood meeting on December 20, 2001 to answer residents’ questions about the overlay and poll property owners to determine if the current number of supporters and opponents of the overlay has changed. About ten property owners attended the meeting and a majority expressed their support for the overlay. Staff received eleven ballots in the mail or at the meeting. Of the eleven ballots, nine affirmed their support and two registered their opposition to the overlay. As of December 31, 2001, the number of supporters remained at 40 and the number who did not support the overlay remained at 18, resulting in a 69 percent rate of support.

The application is evaluated using the following criteria:

1. Level and Format of Owner Support: An application for a single story overlay zone map amendment should meet with "overwhelming" support by owners of the affected property.

The application is accompanied by signed requests from 40 of the 58 property owners within Tract 796 (see Attachment F). Of the 18 owners who did not support the overlay, only two have submitted their opposition in writing. The remaining 16 chose not to sign the petition in favor of the overlay and, therefore, are considered not in support. Because all 58 of the homes within the neighborhood have been developed consistent with a single story deed restriction, the S overlay guidelines stipulate that this criterion can be treated with a greater degree of flexibility than neighborhoods without the restriction. Regardless of the deed restriction, the 69 percent rate of support can be considered overwhelming and the first criterion has been satisfied. The City generally considers a minimum of 70 percent to constitute overwhelming support for single story overlays.

2. Appropriate Boundaries: An application for a single story overlay zone map amendment should be accompanied by a map indicating the address and location of those owners who are co-applicants for the zoning request. Boundaries should define an identifiable neighborhood.

The application is accompanied by a map showing addresses and locations of the co-applicants. The map indicates an identifiable neighborhood in a roughly rectangular
shape that is easily defined by existing street patterns. All homes in the area front on either Van Auken Circle, Greer Road or Amarillo Avenue. The lots east of Greer Road are within Tract 796 but are not part of this application. Therefore, the second criterion has been satisfied.

3. Prevailing Single Story Character: An area proposed for a single story overlay zone map amendment should be of a prevailing single story character where the vast majority of existing homes are single story. It is desirable that homes be similar in age, design, and character.

All 58 properties included in this application are currently single story. All of the 58 homes have a single story deed restriction. All 58 homes were built by Eichler in the 1950s and none have been torn down and replaced since then. The Eichler homes are all of a similar age and character. Therefore, the third criterion has been satisfied.

4. Moderate Lot Sizes: An area proposed for a single story overlay zone map amendment should be characterized by moderate lot sizes (7,000 to 8,000 square feet) with a generally consistent lotting pattern.

Of the 87 lots, 21 are less than 6,000 square feet, 29 are between 6,000 and 7,000 square feet and two are between 7,000 and 8,000 square feet. Of the remaining lots, two are between 8,000 and 9,000 square feet, two are between 9,000 and 10,000 square and two are larger than 10,000 square feet. Staff believes that it is reasonable to consider the 6,000 to 7,000 square foot lots as moderate in this case, because the single story guidelines provide for a greater degree of flexibility for neighborhoods that contain and have been developed consistent with a single story deed restriction, such as this neighborhood. Therefore, a majority of the lots (31 of the 58 lots or 53 percent) can be considered moderate in size. The neighborhood has a consistent lotting pattern that is defined by three streets: Van Auken Circle, Greer Road, and Amarillo Avenue. Therefore, the fourth criterion can be considered to be satisfied.

The application generally meets all four of the criteria established by the Single Story Height Combining District (S) Overlay Zone Guidelines. City initiation of the zone change process is recommended because the neighborhood created by this portion of Tract 796 cannot apply for the zone change without written authorization from each property owner. With some property owners expressing opposition to the zone change and others not responding to the neighborhood survey, it would not be realistic to expect the neighborhood to obtain the necessary authorizations and file the zone change request for all 58 parcels. Therefore, it is necessary for the City to initiate the zone change process if the overlay application is to be considered.
RESOURCE IMPACT
If the City initiates the requested zone change, fees normally associated with a zone change application would not be charged.

POLICY IMPLICATIONS
The recommendation in this staff report is consistent with Palo Alto Comprehensive Plan Goal L-3, Policy L-12, which calls for preserving the character of residential neighborhoods by encouraging new or remodeled structures to be compatible with the neighborhood and adjoining structures.

ALTERNATIVES
The alternatives available to the City Council include:

1) Expand or contract the boundaries of the proposed overlay district; or

2) Deny the request to initiate consideration of a single story height combining district for the Tract 796 (Van Auken Circle) neighborhood.

TIMELINE
If the Council elects to initiate this zoning application, staff anticipates that the application will be reviewed by the Planning and Transportation Commission at a public hearing in March. Following Commission review, the application will return to the City Council for a public hearing.

ENVIRONMENTAL REVIEW
Should the City Council initiate review of this application, an environmental assessment will be conducted and will accompany the staff report to the Planning and Transportation Commission.

ATTACHMENTS
A. Location Map
B. October 22, 2001 request from the property owners of a portion of Tracts 796 for City approval of a single story overlay zone
C. Single Story Height Combining District (S) Overlay Zone Guidelines
D. Copy of tract deed restriction
E. Neighborhood letter and questionnaire dated December 4, 2001
F. Map of supporters in the area

PREPARED BY:  _________________________________________
Chandler Lee, Contract Planner
DEPARTMENT HEAD REVIEW: ______________________________
STEVE EMSLIE
Director of Planning and Community Environment

CITY MANAGER APPROVAL: ______________________________
EMILY HARRISON
Assistant City Manager

CC: Eric Whitehorn, 906 Van Auken Circle, Palo Alto, CA 94303
Arthur Grantz, 930 Van Auken Circle, Palo Alto, CA 94303
All property owners shown in Attachment B