



Planning & Transportation Commission

Staff Report (ID # 14694)

Report Type:	Action Items	Meeting Date: 9/14/2022
Summary Title:	Comprehensive Plan Land Use Map Change for Homekey Project	
Title:	PUBLIC HEARING: 1237 San Antonio Road [22PLN-00113]: Recommendation on a Comprehensive Plan Amendment for the Northwest Portion of the Site Changing the Land Use Map Designation from "Public Conservation Land" (CL) to "Major Institution Special Facilities" (MISP). Environmental Assessment: Exempt from the California Environmental Quality Act (CEQA) pursuant to AB 2553. Contact Melissa McDonough at melissa.mcdonough@cityofpaloalto.org .	
From:	Jonathan Lait	

Recommendation

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

1. Recommend that the City Council adopt the attached resolution amending the Comprehensive Plan land use designation at 1237 San Antonio Road to create an alignment between the existing use and its designation.

Report Summary

This Comprehensive Plan Amendment is brought forward to align the map to the site's existing (and proposed future) use. The applicant, LifeMoves, on behalf of the owner and co-applicant, the City of Palo Alto, is relocating the City of Palo Alto (City) GreenWaste facilities from its current site on one portion of Area C of 1237 San Antonio Road to the rear portion of the same site as a result of adding Palo Alto Homekey to Area C. Palo Alto Homekey will be a new facility to provide support services and temporary housing for those experiencing homelessness. A portion of the area, approximately 11,800 square feet, has the land use designation of Public Conservation Land (CL). This land has not been conserved and has been used for Public Works project staging, and other uses (such as truck parking). The Palo Alto Homekey Project is statutorily exempt from the California Environmental Quality Act (CEQA).

City Council discussed and approved Palo Alto Homekey and provided guidance on August 9, 2021, August 30, 2021, September 27, 2021, November 1, 2021, June 21, 2022, and August 15, 2022 related to this project. The Architectural Review Board (ARB) reviewed and provided feedback on the project on July 21, 2022. The existing designation for the northwest portion of the site, part of the Palo Alto Homekey area, conflicts with its actual, longstanding use as gravel-covered, staging area for the storage of sorting containers used for building materials debris, construction staging, and general truck parking. The requested change to the designation would bring this segment of the site into alignment with the adjoining portions and align with the existing and proposed future use.

Background

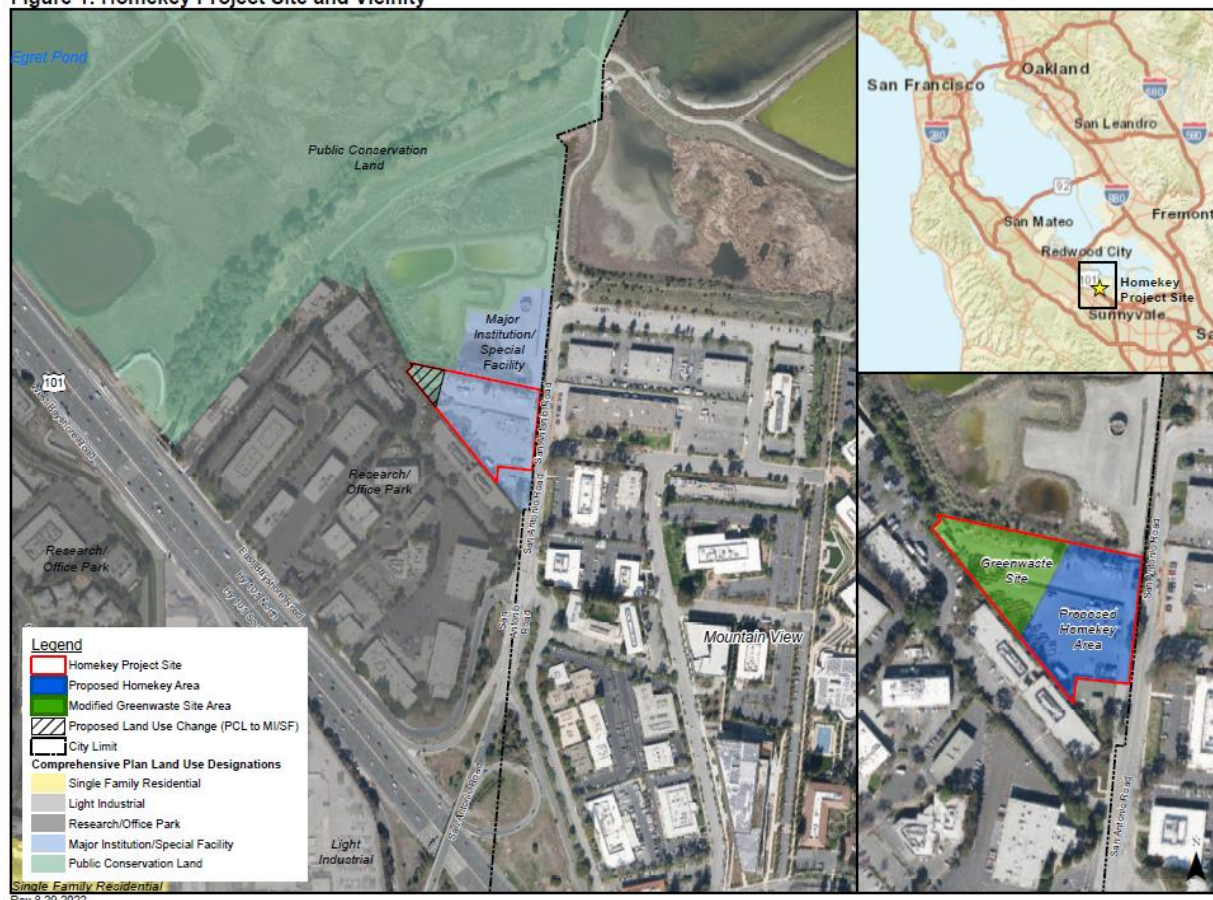
Project Information

Owner:	City of Palo Alto
Architect:	Charles Bloszies, Office of Charles F. Bloszies
Representative:	Joanne Price, LifeMoves
Legal Counsel:	Eric Casher, Meyers Nave

Property Information

Address:	1237 San Antonio Road
Neighborhood:	Baylands
Lot Dimensions & Area:	Approximately 1.1 acre (47,874 square feet), the southwestern portion of 13.27 acre (578,041 square feet) former Los Altos Treatment Plant (LATP). Approximately 0.84 acre (36,420 square feet) has a Comprehensive Plan designation of MISP, with 0.26 acre (11,454 square feet) designated CL
Housing Inventory Site:	N/A
Located w/in a Plume:	N/A
Protected/Heritage Trees:	N/A
Historic Resource(s):	N/A
Existing Improvement(s):	None
Existing Land Use(s):	GreenWaste sorting facility and temporary construction/staging area
Adjacent Land Uses & Zoning:	North: Public Facilities District (PF), vacant remainder of former LATP site for 10.64 acres, then the Baylands West: Research, Office and Limited Manufacturing District (ROLM), Site and Design Review Combining District (D), Automobile Dealership Combining District (AD), office use (Google) East: ROLM (D)(AD), GreenWaste facility, office use (Google) South: ROLM (D)(AD), office use (Google)
Special Setbacks:	None
Aerial View of Property:	

Figure 1: Homekey Project Site and Vicinity



Source: City of Palo Alto Planning Department

Land Use Designation & Applicable Plans/Guidelines

Zoning Designation:	Public Facilities (PF)
Comp. Plan Designation:	Major Institution/Special Facility (MISP), Public Conservation Land (CL)
Context-Based Design:	Not applicable (N/A)
Downtown Urban Design:	N/A
SOFA II CAP:	N/A
Baylands Master Plan:	Yes
ECR Guidelines ('76 / '02):	N/A
Proximity to Residential Uses or Districts (150'):	N/A
Located w/in AIA (Airport Influence Area):	N/A

Prior City Reviews & Action

City Council:	August 9, 2021 https://bit.ly/3dOKgiQ
	August 30, 2021 https://bit.ly/3R6o2Yd
	September 27, 2021 https://bit.ly/3QY3EIA

	November 1, 2021 https://bit.ly/3PChcs5
	June 21, 2022 https://bit.ly/3PGDmcM
	August 15, 2022 https://bit.ly/3A7vGug
PTC:	None.
HRB:	None.
ARB:	July 21, 2022 https://bit.ly/3AeWBV9

On August 9, 2021, the City Council voted 6-1 to support advancing an application for the Project Homekey Program for an emergency shelter in a portion of the Former LATP site. In a September 27, 2021 report to the City Council, staff noted "The relocation of the Green Waste facilities from their current location to the rear area, as proposed, may require a Comprehensive Plan Amendment."

City Council support has continued throughout the application and initial design process, most recently with a vote on August 15, 2022, to authorize the City Manager to execute a State Standard Agreement in the event of a Homekey grant award, to extend the declaration of emergency shelter crisis, and to receive an update on the project status. Since that time, the State has informed the City that the City has officially received the grant award for \$26.6 million.

Projects funded under AB 140 (Homekey) are automatically deemed consistent with all local planning and zoning requirements and no discretionary approvals can be required. This is outlined in Health and Safety Code section 50675.1.3. Since the City is the landowner and wants to ensure a quality project with public participation, the City Council asked that, though not required, the ARB review the project. The ARB's discussion on July 21, 2022 was a courtesy review and the hearing provided the public an additional forum to offer comments on the design. A video of the ARB meeting is viewable here: <https://midpenmedia.org/architectural-review-board-7212022/>

Project Description

The project is to relocate the GreenWaste operation and related infrastructure to ensure continuity of operations while accommodating the development of a publicly-funded interim supportive housing facility (Palo Alto Homekey) for those experiencing homelessness. The project involves relocating GreenWaste from the front portion of the site along San Antonio Road to the backmost portion of the site. The proposed work includes creating driveway access, performing grading, providing electrical service, installing a new transformer, and installing electric vehicle (EV) charging stations. While much of the site has been in use by GreenWaste for sorting of construction debris, a portion of this area has been more typically used as a construction/staging area; this area is mapped as Public Conservation Land (CL) in the Comprehensive Plan Land Use Designations map. The CL portion is a trapezoid roughly 0.26 acre (11,454 square feet). In its current state, the CL portion is gravel-covered and used contiguously with the rest of the current GreenWaste sorting area. As the CL-designated area

has been used, for all intents and purposes, as MISP for six years by GreenWaste, the proposed Comprehensive Plan Amendment would update the designation to align with its usage.

Requested Entitlements, Findings and Purview

Typically, the City requires Site and Design Review for a new use or a new building within the PF(D) Zone District and staff would evaluate the project for consistency with the Zoning Code as part of that process. Additionally, the State typically requires a California Environmental Quality Act (CEQA) analysis. However, the State deems all projects funded under AB 140 (Homekey) as automatically consistent with all local planning and zoning requirements and the City cannot require any discretionary approvals. This is outlined in Health and Safety Code section 50675.1.3. Therefore, per State law, the City may only ministerially approve/disapprove the project, noting that the project is exempt from CEQA pursuant to AB 140 and AB 2553.

Analysis

Neighborhood Setting and Character

The location proposed for GreenWaste operations and Palo Alto Homekey is an over two-acre part of a larger parcel located adjacent to the Baylands. To the north are other portions of the former LATP site (Areas A and B).¹ Area C of the former LATP site is where GreenWaste, under contract with the City, has a sorting operation. Palo Alto Homekey is proposed for the front half of the site at 1237 North San Antonio, with GreenWaste reconfiguring its sorting layout and relocating to the back half of the site. There is one remaining tank structure in Area B and the exact height of this structure is unknown, but it is estimated to be approximately 20 feet tall based on Google Maps images.

To the south are tall one-story office buildings currently occupied by Google. The existing grade of these sites are low, approximately 2.5 to 4 feet lower than the adjacent San Antonio Road. Across the street from the project site, in the City of Mountain View, are additional tall one-story office buildings that are elevated a couple of feet above the grade of San Antonio Road and separated from San Antonio Road by landscaped berms. Palo Alto Homekey is required by flood zone regulations to elevate the finished first floor by 5 feet, which brings the grade slightly higher than the height of the existing road, similar to the buildings across the street, but higher than the neighboring sites on the same side of San Antonio. The buildings on these sites pre-date the requirement to raise the finished floor above the base flood elevation.

Zoning Compliance²

As a project funded by AB 140 (Homekey), it is exempt from Zoning Regulations. However, a zoning analysis was provided in the July 21, 2022 report to the ARB for awareness.

Consistency with the Comprehensive Plan, Area Plans and Guidelines³

¹ A map showing these areas is shown in the August 15, 2016 City Council Staff Report, <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/reports/city-manager-reports-cmrs/year-archive/2016/081516-7082-approval-of-license-agreement-for-gw-to-use-former-latps.pdf>

² The Palo Alto Zoning Code is available online: http://www.amlegal.com/codes/client/palo-alto_ca

The Comprehensive Plan land use designations for the project site are:

- Major Institution/Special Facilities (MISP) are characterized as institutional, academic, governmental and community service uses and lands that are either publicly owned or operated as non-profit organizations.
- Public Conservation Lands (CL) are characterized as open lands primarily for preservation and enhancement of the natural state of the land and its plants and animals.

GreenWaste has been leasing from the City, and operating at this site, a construction debris sorting area, consistent with the MISP designation since moving from its former facility at 2000 Geng Road at the end of 2016. The operations are primarily located at the front of the site, away from the CL area. The CL area has been used as a staging area historically, between 1984 and 1991 by the Palo Alto Utilities Department, and more recently, in 2020, by the Granite Construction Company for storing material and equipment. However, the CL area is in no visible way distinct or different from the other parts of the site. The portion of the site currently designated CL is not open, preserved, or in a natural state as it appears long compacted and gravel covered. The project includes a change in land use designation for this subsection of the site from CL to MISP in alignment with the rest of the site and its current and proposed future usage.

Multi-Modal Access & Parking

The site is located within walking distance from the VTA ACE shuttle stop near San Antonio Rd. and Casey Ave, and the MVgo shuttle stop near Marine Way and Casey Ave. Both lines run limited morning and evening weekday services and connect to other lines. The nearest bus stop with weekend service is located 1.5 miles away at Charleston Road and Huff Avenue in Mountain View, though it is safely bikeable through Baylands and Shoreline Park trails.

There are no minimum parking requirements set forth in the Zoning Code for this land use.

Consistency with Application Findings

Land Use Map Designation Amendment

To approve the land use map designation amendment, the City Council would need to consider any finding the PTC recommends in support of the applicant's request. The staff analysis finds that the proposed Land Use Map amendment is consistent with the following goals and policies of the Comprehensive Plan (detailed in Attachment A):

1. Land Use and Community Design Element: Policies L-1.8, L-1.9, L-2.3, L-7.16
2. Safety Element: Policy S-3.9
3. Community Services and Facilities Element: Goal C-5, Policies C-1.3, C-1.22, C-5.1, Program C-1.22.2
4. Governance Element: Goal G-3
5. Housing Element: Goal H-3, Policy H-3.5, Programs H-3.36, H-3.5.1

³ The Palo Alto Comprehensive Plan is available online: <https://www.cityofpaloalto.org/Departments/Planning-Development-Services/Long-Range-Planning/2030-Comprehensive-Plan>

Environmental Review

Numerous state laws, including but not limited to AB 140 (2021) and AB 2553 (2020) have exempted emergency shelter projects, and specifically projects funded by Homekey, from the requirements of CEQA. Specifically, the proposed resolution changing the land use designation of the site is exempt under Government Code section 8698.4, subdivision (a)(4) (AB 2553) as an action to facilitate the lease of City owned land for a homeless shelter.

Public Notification, Outreach & Comments

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper and mailed to owners and occupants of property within 600 feet of the subject property at least ten days in advance. Notice of a public hearing for this project was published in the *Daily Post* on September 2, 2022, which is 12 days in advance of the meeting. Postcard mailing occurred on August 31, 2022, which is 14 days in advance of the meeting.

Public Comments

As of the writing of this report, no project-related, public comments were received.

Alternative Actions

In addition to the recommended action, the Planning & Transportation Commission may:

1. Continue the project to a date certain; or
2. Recommend project denial based on revised findings.

Either of the above alternative actions could result in Palo Alto Homekey not moving forward. The Homekey award requirements mandate tight timelines, including spending down of monies in eight months from the date of award and completion/occupancy within 12 months.

Report Author & Contact Information

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PTC⁴ Liaison & Contact Information

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amy.french@cityofpaloalto.org

Attachments:

- Attachment A: Resolution Amending Comprehensive Plan Land Use Map by Changing the Land Use Designation for 1237 San Antonio Rd from CL to MISP (PDF)

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

Not Yet Adopted

Resolution No. ____

Resolution of the Council of the City of Palo Alto Amending the Comprehensive Plan Land Use Map by Changing the Land Use Designation for 1237 San Antonio Road from "Public Conservation Land" (CL) to "Major Institution Special Facilities" (MISP)

RECITALS

- A. The City and LifeMoves Inc. have received funding from the California Department of Housing and Community Development Homekey Program to develop an interim shelter for individuals experiencing homelessness at 1237 San Antonio Road.
- B. In order to facilitate the development of this project, the City's solid waste hauler, Greenwaste, is relocating to another portion of the site, which has historically been used for storage and staging.
- C. Although this area has been used for storage purposes, it is currently has a Comprehensive Plan Land Use Designation Public Conservation Land (CL).
- D. In order to better align the Comprehensive Plan Land Use Designation with the past, present, and future uses of the site, the City desires to amend the Land Use Designation to "Major Institution Special Facilities" (MISP).
- E. The Planning and Transportation Commission, after a duly noticed public hearing on September 14, 2022, recommended that the City Council amend the Land Use Map of the City of Palo Alto Comprehensive Plan as set forth below.
- F. The City Council considered said recommendation after a duly noticed public hearing held on _____, and now desires to amend the Land Use Map as set forth below.

NOW, THEREFORE, the Council of the City of Palo Alto RESOLVES as follows:

SECTION 1. The City Council finds that the public interest, health, safety and welfare of Palo Alto and the surrounding region would be furthered by an amendment of the Land Use Map of the Palo Alto Comprehensive Plan as set forth in Section 2.

SECTION 2. The proposed Land Use Map amendment is consistent with the following goals and policies of the Comprehensive Plan:

Land Use and Community Design Element	
Goal/Policy Program	Consistency

Not Yet Adopted

Policy L-1.8 Maintain an active engagement with Santa Clara County, San Mateo County, neighboring cities, other public agencies including school districts and Stanford University regarding land use and transportation issues	The proposed amendment enables the development of Palo Alto Homekey, a project involving close engagement and coordination with the City of Mountain View and Santa Clara County.
Policy L-1.9 Participate in regional strategies to address the interaction of jobs, housing balance and transportation issues.	The proposed amendment enables the development of Palo Alto Homekey, which is an important component of both a regional (i.e., Santa Clara County) and statewide effort to quickly expand housing for persons experiencing or at risk of homelessness.
Policy L-2.3 As a key component of a diverse, inclusive community, allow and encourage a mix of housing types and sizes integrated into neighborhoods and designed for greater affordability, particularly smaller housing types, such as studios, co-housing, cottages, clustered housing, accessory dwelling units and senior housing.	The proposed amendment enables the development of Palo Alto Homekey which would increase housing diversity by introducing transitional housing to Palo Alto.
Policy L-7.16 Continue to consult with tribes as required by California Government Code Section 65352.3. In doing so, use appropriate procedures to accommodate tribal concerns when a tribe has a religious prohibition against revealing precise information about the location or previous practice at a particular sacred site.	In relation to the proposed amendment, staff is following (concurrently) all appropriate noticing procedures for tribal consultation.
Safety Element	
Goal/Policy/Program	Consistency

Not Yet Adopted

Policy S-3.9 Reduce solid waste generation through requiring salvage and reuse of building materials, including architecturally and historically significant materials.	The proposed amendment will allow GreenWaste to maintain its existing building materials sorting operations while allowing the development of new transitional housing (i.e., Palo Alto Homekey).
Community Services and Facilities Element	
Goal/Policy/Program	Consistency
Policy C-1.3 Streamline and improve delivery and provision of services and to meet the changing needs of our population.	The proposed amendment enables the development of Palo Alto Homekey which would provide a focused, centralized array of services to our unhoused population.
Policy C-1.22 Support and promote County, City, State and nonprofit services addressing the needs of the low-income and unhoused community especially in the areas of permanent supportive housing and temporary housing which addresses food, clothing, health care, mental health and transportation needs.	The proposed amendment enables the development of Palo Alto Homekey transitional housing, which would provide an array of services and address a variety of needs including food, health care, mental health care, and jobs.
Program C1.22.2 Work with Santa Clara and San Mateo Counties, the State of California, the federal government, nonprofit agencies, business and other organizations to define roles and responsibilities in the comprehensive provision of permanent supportive housing and temporary shelter, food, clothing and transportation for those in need.	The proposed amendment enables the development of Palo Alto Homekey a project involving working with a variety of stakeholders, including the State, Santa Clara County, the City of Mountain View, LifeMoves (a local nonprofit), and others. This work includes defining and distributing roles and responsibilities relating to meeting the needs of the unhoused.
Goal C-5 Sustain the health, well-being, recreation and safety of residents and visitors and improve the quality,	The proposed amendment enables the development of Palo Alto Homekey which would introduce transitional housing and services to improve the lives and outcomes of the unhoused.

Not Yet Adopted

quantity and affordability of social services for all community members, including children, youth, teens, seniors, the unhoused and people with disabilities.	
Policy C-5.1 Demonstrate an ongoing commitment to the health and well-being of the public.	The proposed amendment enables the development of Palo Alto Homekey a project demonstrating the City's ongoing financial commitment to increasing the health and well-being of the unhoused in our community.
Governance Element	
Goal/Policy/Program	Consistency
Goal G-3 Collaboration with regional partners and support on regional issues.	The proposed amendment enables the development of Palo Alto Homekey, which is an important component of both a regional (i.e., Santa Clara County) and statewide effort to quickly expand housing for persons experiencing or at risk of homelessness.
Housing Element	
Goal/Policy/Program	Consistency
Goal H-3 Meet underserved housing needs and provide community resources to support our neighborhoods.	The proposed amendment enables the development of Palo Alto Homekey which would help meet a currently underserved need for transitional housing.
Program H-3.36 Continue to participate with and support agencies addressing homelessness.	The proposed amendment enables the development of Palo Alto Homekey a project involving participating with and supporting a variety of agencies addressing homelessness.
Policy H-3.5 Support the provision of emergency shelter, transitional housing, and ancillary services to address homelessness.	The proposed amendment enables the development of Palo Alto Homekey, an emergency shelter providing transitional housing and ancillary services to address homelessness.
Program H-3.5.1 Continue to participate in the Santa Clara County Homeless Collaborative as well as work with adjacent jurisdictions to develop additional shelter opportunities.	The proposed amendment enables the development of Palo Alto Homekey an emergency shelter and the first transitional housing in the city.

Not Yet Adopted

SECTION 3. The City Council hereby amends the Land Use Map of the Palo Alto Comprehensive Plan by changing the designation of the area depicted in "Exhibit A" from Conservation Lands and Major Institution/Special Facilities. "Exhibit A" is attached to this resolution and incorporated into it by this reference.

SECTION 4. The Council finds that the adoption of this resolution is exempt from review under the California Environmental Quality Act pursuant to Government Code section 8698.4, subdivision (a)(4) because the change in land use designation is an action to facilitate the lease of City owned land for a homeless shelter.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Figure 1: Homekey Project Site and Vicinity

