



City of Palo Alto

City Council Staff Report

(ID # 10451)

Report Type: Consent Calendar

Meeting Date: 6/17/2019

Summary Title: SECOND READING: 2321 Wellesley Street: Zone Change from R-1 to RMD(NP)

Title: SECOND READING: Adoption of an Ordinance of the Council of the City of Palo Alto Amending the Zoning Map of the City of Palo Alto for 2321 Wellesley Street to Change the Zoning from the R-1 (Single Family Residential) to the RMD (NP) (Two Unit Multiple-Family Residential District With Neighborhood Preservation Overlay) Zoning District (FIRST READING: June 3, 2019, PASSED 7-0)

From: City Manager

Lead Department: City Clerk

The City Council first heard this on Monday, June 3, 2019 where it passed 7-0 with no changes. It is now before the City Council for second reading.

Attachments:

Attachment A: Draft Ordinance (DOCX)

Attachment C: Draft Record of Land Use Action (DOCX)

Not Yet Approved

Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Amending the Zoning Map of the City of Palo Alto for 2321 Wellesley Street to Change the Zoning from the R-1 (Single Family Residential) to the RMD(NP) (Two Unit Multiple-Family Residential District with Neighborhood Preservation Overlay) Zoning District.

The Council of the City of Palo Alto ORDAINS as follows:

SECTION 1. Findings and Declarations.

A. The Planning and Transportation Commission conducted a duly noticed public hearing on December 12, 2018, at which it reviewed, considered, and recommended the Palo Alto Municipal Code (PAMC) Section 18.08.040 (the Zoning Map) be amended to rezone that certain real property commonly known as 2321 Wellesley Street and more particularly described in Exhibit A) change the zoning from the R-1 (Single Family Residential) to the RMD(NP) (Two Unit Multiple-Family Residential District with Neighborhood Preservation Overlay) zoning district.

B. The City Council held a duly noticed public hearing on May 13, 2019, and considered the subject amendment of the Zoning Map, including the recommendation by staff and the Planning and Transportation Commission and all public comments received prior to or at the hearing.

C. The site has existed as a vacant site within the R-1 zone, and the uses proposed for the site under the RMD (NP) zone are of such characteristics that the proposed dwellings meets the application of the general district and the combining district.

D. Development of the site under the provisions of the RMD (NP) (Two Unit Multiple-Family Residential District) (Neighborhood Preservation Combining District) will result in public benefits not otherwise attainable by application of the regulations of existing general district (R-1 Single Family Residential) in that the Project includes the following public benefit that is inherent to the Project and above those required by city zoning districts:

- An undeveloped lot will be developed with a two unit residential building in a residential neighborhood with mixed zoning, developed under the RMD(NP) general district and combining district to provide two dwelling units with less restrictions in regards to the development standards for the additional dwelling unit if the site were to be developed within the existing R-1 general district.
- The council further finds that these public benefits are of sufficient

Not Yet Approved

importance to make the Project as a whole, which includes an additional housing unit of greater size than that which the existing zoning would permit, and as the additional housing unit is located below grade and would be exempted from the calculation of floor area, allowing more desirable dwellings to be developed which are considered a public benefit.

E. The uses permitted and the site development regulations applicable within the District are consistent with the Comprehensive Plan and are compatible with the existing and potential uses on the adjoining sites or within the general vicinity in that the Project would be consistent with the following Comprehensive Plan policies:

- Local Land Use Policy L-3.1 which seeks to *“Ensure that new or remodeled structures are compatible with the neighborhood and adjacent structures”*

SECTION 2. Amendment of Zoning Map. Section 18.08.040 of the Palo Alto Municipal Code, the “Zoning Map,” is hereby amended by changing the zoning from the Single Family Residential (R-1) to the Two Unit Multiple-Family Residential District with Neighborhood Preservation Overlay (RMD(NP)) zoning district for all that real property situated in the City of Palo Alto, County of Santa Clara, State of California, described in Exhibit A (Legal Description and Map) attached hereto and incorporated herein by reference, and commonly known as 2321 Wellesley Street.

SECTION 3. Environmental Review. The City Council finds that the zoning map amendment is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303(b) (New Construction or Conversion of Small Structures). This application falls under this exemption as it involves a proposed duplex residential structure that totals no more than six dwelling units in an urbanized area.

SECTION 4. This Ordinance shall be effective on the thirty-first (31st) day after its passage and adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Not Yet Approved

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Deputy City Attorney

City Manager

Director of Planning and
Community Environment

Exhibit A – Legal Description and Map

Not Yet Approved

Exhibit A
APN 137-02-024

The following described real property situated in the City of Palo Alto, County of Santa Clara, State of California:

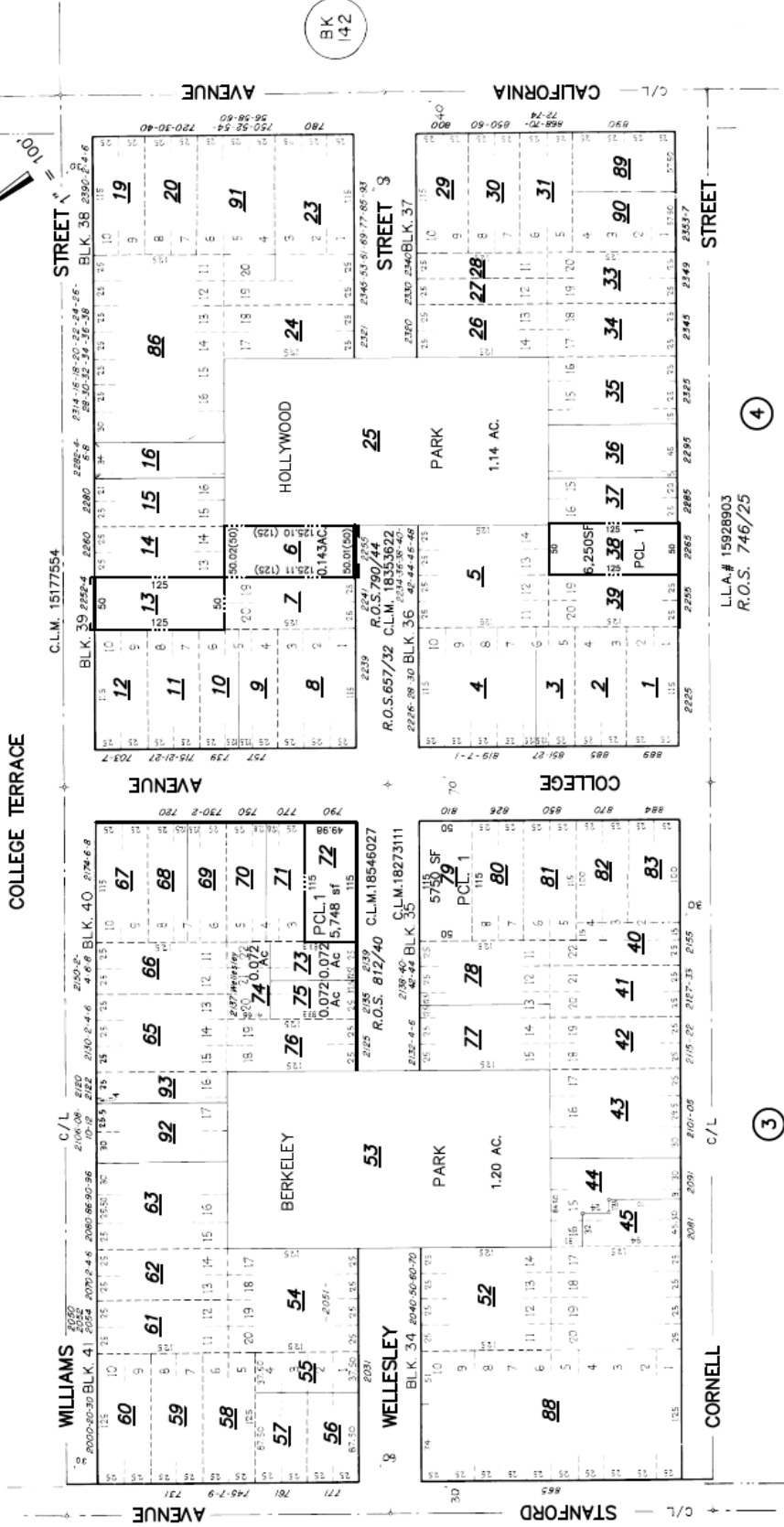
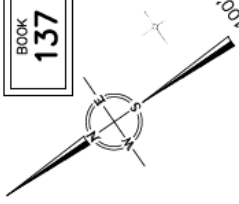
Lots seventeen (17) and eighteen (18) in Block thirty-eight (38) as delineated and so designated upon Map entitled, "College Terrace, Santa Clara County, California", and which Map was recorded in the Office of the County Recorder of the County of Santa Clara, State of California on October 8, 1891 in Book "E" of Maps, at page 121, Records of said County.

Saving and excepting therefrom the portion conveyed by N. L. Rogers to City of Palo Alto, by Deed dated April 8, 1931 and recorded on April 21, 1931 in Liber 565 of Official Records, page 268, in the Office of the County Recorder of the County of Santa Clara, State of California, described as follows:

Beginning at the point of intersection of the Northeasterly line of Wellesley Street and the Northwesterly line of Lot 17, Block 38, College Terrace; thence Northeasterly along said Northwesterly line of Lot 17, Block 38, College Terrace, seventy-five (75) feet; thence Northwesterly along a line parallel to the Northeasterly line of Wellesley Street thirty (30) feet; thence Southwesterly along a line parallel to the Northwesterly line of Lot 17, Block 38, College Terrace, seventy-five (75) feet to the Northeasterly line of Wellesley Street; thence Southeasterly along said Northeasterly line of Wellesley Street, 30 feet to the point of beginning, being a portion of Cambridge Avenue.

The above described property as conveyed to the City of Palo Alto is a portion of the property as lies within the bounds of Cambridge Avenue, and which was abandoned by the City of Palo Alto by Resolution passed on July 21, 1930.

Commonly known as 2321 Wellesley Street, Palo Alto, CA 94306



BK 142

FOR SET. MAP 081
LAWRENCE E. STONE — ASSESSOR
Cadastral map for assessment purposes only.
Compiled under R. & T. Code, Sec. 327.
Effective Roll Year 2016-2017

APPROVAL NO. 2019-_____

**RECORD OF THE COUNCIL OF THE CITY OF PALO ALTO LAND USE APPROVAL FOR 2321 WELLESLEY:
MAJOR ARCHITECTURAL REVIEW (18PLN-00174)**

On _____, 2019, the Council held a duly noticed public hearing and, after considering all of the evidence presented, approved the application to allow a request for Major Architectural Review and Zone Change to change the zoning district from R-1 to RMD(NP) and allow the construction of a new attached duplex two-story home. In approving the application, the Council make the following findings, determination and declarations:

SECTION 1. Background.

A. The applicant requested a Zone Change and Major Architectural Review to change the zoning district from R-1 to RMD(NP) and allow the construction of a new attached duplex comprised of an approximately 2,915 square foot, two-story single family home with an attached 1,126 square foot duplex unit in the basement (“The Project”).

B. Following staff review, the Planning and Transportation Commission (PTC) reviewed the project on December 12, 2018, and the Architectural Review Board Review (ARB) reviewed the project on December 20, 2018. The PTC recommended approval of the construction project and the zoning map amendment no additional conditions. The ARB recommended approval of the project with conditions to update the landscaping to better meet the ARB findings for native landscaping, revise the front yard pathway to provide ease of access to the trash enclosure, and to not allow mechanical equipment near the setbacks. The plans were updated accordingly per the ARB’s conditions of approval.

C. On June 3, 2019, the City Council held a duly noticed public hearing, at which evidence was presented and all persons were afforded an opportunity to be heard in accordance with the Palo Alto Municipal Code and the Council’s Policies and Procedures.

SECTION 2. Environmental Review.

On June 3, 2019, The City Council made a determination that was in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Specifically, the project is exempt from CEQA per Guideline Section 15303(b) (New Construction or Conversion of Small Structures). This application falls under this exemption as it involves a proposed duplex residential structure that totals no more than six dwelling units in an urbanized area.

SECTION 3. Architectural Review Findings.

The design is approved as it meets the required Architectural Review Findings as detailed by the following:

Finding #1: The design is consistent with applicable provisions of the Palo Alto Comprehensive Plan, Zoning Code, coordinated area plans (including compatibility requirements), and any relevant design guides.

The project is consistent with Finding #1 because:

The proposed project complies with the RMD zoning code and requires no exceptions to the development standards. The project is subject to the Neighborhood Preservation Combining District (NP) Design Guidelines. The purpose of design review of properties in an (NP) combining district is to achieve compatibility of scale, silhouette, façade articulation, and materials of new construction with existing structure on the same property or on surrounding properties within a combining district. The proposed project is generally consistent with the Comprehensive Plan, below is an analysis of the applicable goals and policies:

Comp Plan Goals and Policies	How project adheres or does not adhere to Comp Plan
<p>The Comprehensive Plan land use designation for the site is Single Family (SF) Residential which applies to residential neighborhoods primarily characterized by detached single-family homes. Accessory dwelling units or duplexes are allowed subject to certain size limitations and other development standards and duplexes may be allowed in select, limited areas where they would be compatible with neighborhood character and do not create traffic and parking problems.</p>	<p>The project consists of a two family residential development (duplex), which is consistent with the Comp Plan land use designation.</p>
Land Use and Community Design	
<p>GOAL L-1: A compact and resilient city providing residents and visitors with attractive neighborhoods, work places, shopping districts, public facilities and open spaces.</p>	<p>This is an infill project that would develop an existing vacant lot with low density residential uses. The project proposes a duplex with an architectural style and massing that fits within the character of the neighborhood.</p>
<p>Goal L-2 An enhanced sense of “community” with development designed to foster public life, meet citywide needs and embrace the principles of sustainability</p>	<p>The design of the project fits into the character of the neighborhood and provides two new units of housing in the City.</p>
<p>Policy L-3.1 Ensure that new or remodeled structures are compatible with the neighborhood and adjacent structures.</p>	<p>The design of the two family dwelling with its two story craftsmen style is compatible with the adjacent multiple family developments and the single family developments in the area as it would be an intermediary between the massing of the adjacent single family residential and multi-family residential</p>

	developments in the neighborhood.
Goal L-3 Safe, attractive residential neighborhoods, each with its own distinct character and within walking distance of shopping, services, schools and/or other public gathering places.	The project will develop a vacant parcel within a residential neighborhood, directly adjacent to a public facility (College Terrace Library) with a craftsman styled two family dwelling that is consistent in scale with the surrounding neighborhood character.

The project has also been reviewed for conformance with the development standards in the Zoning Code and found to be in compliance with the intent and regulations contained therein. A comprehensive review of the project to applicable development standards is included in the administrative record.

Finding #2: The project has a unified and coherent design, that:

- a. creates an internal sense of order and desirable environment for occupants, visitors, and the general community,
- b. preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,
- c. is consistent with the context-based design criteria of the applicable zone district,
- d. provides harmonious transitions in scale, mass and character to adjacent land uses and land use designations,
- e. enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

The project is consistent with Finding #2 because:

The neighborhood is comprised of various residential buildings one to two stories in height. The project proposes to construct a building that is taller than the single family homes across the street, although the proposed height of 28 feet tall is consistent with the adjacent RMD zoned properties with multifamily buildings. Though the project proposed two dwelling units, the second (smaller) dwelling unit is proposed in the basement and is accessed via lightwells on each side of the proposed residence, allowing the proposed building to be consistent with the single family homes in the area, while providing larger residences within walking distance of City amenities. The context-based design criteria are not applicable to the RMD(NP) zoning district.

Finding #3: The design is of high aesthetic quality, using high quality, integrated materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

The project is consistent with Finding #3 because:

The project proposes a new duplex with a classic craftsmen inspired two story style with appropriate architectural features such as exposed rafters and wood shingle siding. This would allow the new

building to blend in with the existing homes, the College Terrace Library, and a neighborhood that has an eclectic collection of architectural styles.

Finding #4: The design is functional, allowing for ease and safety of pedestrian and bicycle traffic and providing for elements that support the building’s necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

The project is consistent with Finding #4 because:

The design of the new buildings will provide sufficient parking on site that is accessible to both dwellings within the proposed duplex. The project also provides sufficient open space for each unit in both private and common areas on-site.

Finding #5: The landscape design complements and enhances the building design and its surroundings, is appropriate to the site’s functions, and utilizes to the extent practical, regional indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained.

The project is consistent with Finding #5 because:

The project provides a variety of low to moderate water usage plants. Some of the plantings that are selected in the landscape plan are California native plants such as the Hearst's Ceanothus, Pacific Wax Myrtle, and the Western Columbine. In addition, the plant selection includes some species that attract pollinators such as Dwarf English Lavender, Citrus limon 'Meyer Improved', Hearst's Ceanothus, Star Jasmine, and the Cecil Brunner Climbing Rose when they flower.

Finding #6: The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

The project is consistent with Finding #6 because:

In accordance with the City’s Green Building Regulations, the project will satisfy the requirements for CALGreen Mandatory + Tier 2. In addition, as shown on sheet 1 of the submitted plans, the project includes solar panels on the roof.

SECTION 4. Architectural Review Approval Granted. Architectural Review Approval is hereby granted for the Project by the *City Council* pursuant to PAMC Section 18.77.070 of the Palo Alto Municipal Code, June 3, 2019 and subject to the conditions of approval in Section 6 of this Record.

SECTION 5. Plan Approval. The plans submitted for Building Permit shall be in substantial conformance with those plans prepared by Jarvis Architects titled “2321 & 2323 Wellesley Street, Palo Alto, CA 94306”, consisting of 13 pages, dated August 2, 2018, and received April 11, 2019. A copy of these plans is on file in the Department of Planning and Community Development. The conditions of approval in Section 6 shall be printed on the cover sheet of the plan set submitted with the Building Permit application.

SECTION 6. Conditions of Approval.

PLANNING DIVISION

1. CONFORMANCE WITH PLANS: Construction and development shall conform to the approved plans entitled, "2321 & 2323 Wellesley Street" stamped as received by the City on April 11th, 2019 on file with the Planning Department, 250 Hamilton Avenue, Palo Alto, California except as modified by these conditions of approval.
2. BUILDING PERMIT. Apply for a building permit and meet any and all conditions of the Planning, Fire, Public Works, and Building Departments.
3. BUILDING PERMIT PLAN SET. The ARB approval letter including all Department conditions of approval for the project shall be printed on the plans submitted for building permit. Project plans submitted for Building permits shall incorporate the following changes:
 - a. Update the project landscaping to better meet the ARB findings for native landscaping,
 - b. Revise the front yard pathway to provide ease of access to the trash enclosure
4. PROJECT MODIFICATIONS: All modifications to the approved project shall be submitted for review and approval prior to construction. If during the Building Permit review and construction phase, the project is modified by the applicant, it is the responsibility of the applicant to contact the Planning Division/project planner directly to obtain approval of the project modification. It is the applicant's responsibility to highlight any proposed changes to the project and to bring it to the project planner's attention.
5. REQUIRED PARKING: All RMD zoned two family residential developments shall be provided with a minimum of two covered parking space (10 foot by 20 foot interior dimensions) and one uncovered parking space (8.5 feet by 17.5 feet).
6. UTILITY LOCATIONS: In no case shall utilities be placed in a location that requires equipment and/or bollards to encroach into a required parking space. In no case shall a pipeline be placed within 10 feet of a proposed tree and/or tree designated to remain.
7. BAY WINDOWS: The proposed bay windows shall have an interior base at least 18 inches above the floor joists, have no exterior skirt wall, projecting no more than two feet, and with more than 50% window surface. Bay windows that do not meet this definition will be counted towards the homes floor area ratio (FAR), which may cause the home to be out of compliance with required Zoning standards. Any changes to proposed bay windows must first be reviewed and approved by the Director of Planning and Community Environment.
8. NOISE PRODUCING EQUIPMENT: All noise producing equipment shall be located outside of required setbacks, except they may project 6 feet into the required street side setbacks. In accordance with Section 9.10.030, no person shall produce, suffer or allow to be produced by any

machine, animal or device, or any combination of same, on residential property, a noise level more than six dB above the local ambient at any point outside of the property plane.

9. FENCES. Fences and walls shall comply with the applicable provisions of Chapter 16.24, Fences, of the Palo Alto Municipal Code (PAMC). Heights of all new and existing fencing must be shown on the Building Permit plans.
10. BASEMENT CONSTRUCTION WALLS: Any walls, temporary or otherwise, installed to facilitate construction of a basement shall be removed or constructed in such a way as to not significantly restrict the growth of required landscaping, to the satisfaction of the Director of Planning.
11. PROJECT EXPIRATION. The project approval shall be valid for a period of two years from the original date of approval. In the event a building permit(s), if applicable, is not secured for the project within the time limit specified above, the ARB approval shall expire and be of no further force or effect. Application for extension of this entitlement may be made prior to the one year expiration.
12. ESTIMATED IMPACT FEE: Development Impact Fees, currently estimated in the amount of \$9,656.00, shall be paid prior to the issuance of the related building permit.
13. IMPACT FEE 90-DAY PROTEST PERIOD. California Government Code Section 66020 provides that a project applicant who desires to protest the fees, dedications, reservations, or other exactions imposed on a development project must initiate the protest at the time the development project is approved or conditionally approved or within ninety (90) days after the date that fees, dedications, reservations or exactions are imposed on the Project. Additionally, procedural requirements for protesting these development fees, dedications, reservations and exactions are set forth in Government Code Section 66020. IF YOU FAIL TO INITIATE A PROTEST WITHIN THE 90-DAY PERIOD OR FOLLOW THE PROTEST PROCEDURES DESCRIBED IN GOVERNMENT CODE SECTION 66020, YOU WILL BE BARRED FROM CHALLENGING THE VALIDITY OR REASONABLENESS OF THE FEES, DEDICATIONS, RESERVATIONS, AND EXACTIONS. If these requirements constitute fees, taxes, assessments, dedications, reservations, or other exactions as specified in Government Code Sections 66020(a) or 66021, this is to provide notification that, as of the date of this notice, the 90-day period has begun in which you may protest these requirements. This matter is subject to the California Code of Civil Procedures (CCP) Section 1094.5; the time by which judicial review must be sought is governed by CCP Section 1094.6.
14. INDEMNITY: To the extent permitted by law, the Applicant shall indemnify and hold harmless the City, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City for its actual attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.

15. FINAL INSPECTION: A Planning Division Final inspection will be required to determine substantial compliance with the approved plans prior to the scheduling of a Building Division final. Any revisions during the building process must be approved by Planning, including but not limited to; materials, landscaping and hard surface locations. Contact your Project Planner, Samuel Gutierrez at samuel.gutierrez@cityofpaloalto.org to schedule this inspection.

PUBLIC WORKS URBAN FORESTRY

16. NEW TREES—PERFORMANCE MEASURES. New trees shall be shown on all relevant plans: site, utility, irrigation, landscape, etc. in a location 10' clear radius from any (new or existing) underground utility or curb cut.

a. Add note on the Planting Plan that states, "Tree Planting. Prior to in-ground installation, Urban Forestry inspection/approval required for tree stock, planting conditions and irrigation adequacy. Contact (650-496-5953)."

b. Landscape Plan tree planting shall state the Urban Forestry approved species, size and using Standard Planting Dwg. #604 for street trees or those planted in a parking median, and shall note the tree pit dug at least twice the diameter of the root ball. Wooden cross-brace is prohibited.

c. Add note on the Planting & Irrigation Plan that states, "Irrigation and tree planting in the right-of-way requires a street work permit per CPA Public Works standards."

d. Landscape plan shall include planting preparation details for trees specifying digging the soil to at least 30-inches deep, backfilled with a quality topsoil and dressing with 2-inches of wood or bark mulch on top of the root ball keeping clear of the trunk by 1-inch.

e. Automatic irrigation bubblers shall be provided for each tree. Standard Dwg. #513 shall be included on the irrigation plans and show two bubbler heads mounted on flexible tubing placed at the edge of the root ball. The tree irrigation system shall be connected to a separate valve from other shrubbery and ground cover, pursuant to the City's Landscape Water Efficiency Standards. Bubblers mounted inside an aeration tube are prohibited.

17. TREE PROTECTION COMPLIANCE. The owner and contractor shall implement all protection and inspection schedule measures, design recommendations and construction scheduling as stated in the TPR & Sheet T-1, and is subject to code compliance action pursuant to PAMC 8.10.080. The required protective fencing shall remain in place until final landscaping and inspection of the project. Project arborist approval must be obtained and documented in the monthly activity report sent to the City. The mandatory Contractor and Arborist Monthly Tree Activity Report shall be sent monthly to the City (pwps@cityofpaloalto.org) beginning with the initial verification approval, using the template in the Tree Technical Manual, Addendum 11.

18. **PLAN CHANGES.** Revisions and/or **changes to plans before or during construction** shall be reviewed and responded to by the (a) project site arborist, or (b) landscape architect with written letter of acceptance before submitting the revision to the Building Department for review by Planning, PW or Urban Forestry.
19. **TREE DAMAGE.** Tree Damage, Injury Mitigation and Inspections apply to Contractor. Reporting, injury mitigation measures and arborist inspection schedule (1-5) apply pursuant to TTM, Section 2.20-2.30. Contractor shall be responsible for the repair or replacement of any publicly owned or protected trees that are damaged during the course of construction, pursuant to Title 8 of the Palo Alto Municipal Code, and city Tree Technical Manual, Section 2.25.
20. **GENERAL.** The following general tree preservation measures apply to all trees to be retained: No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.
21. **BUILDING PERMIT SUBMITTAL- PROJECT ARBORIST CERTIFICATION LETTER.** Prior to submittal for staff review, attach a Project Arborist Certification Letter that he/she has; (a) reviewed the entire building permit plan set submittal and, (b) verified all his/her updated TPR mitigation measures and changes are incorporated in the plan set, (c) affirm that ongoing Contractor/Project Arborist site monitoring inspections and reporting have been arranged with the contractor or owner (see Sheet T-1) and, (d) understands that design revisions (site or plan changes) within a TPZ will be routed to Project Arborist/Contractor for review prior to approval from City.
22. **TREE PROTECTION VERIFICATION.** Prior to any site work verification from the contractor that the required protective fencing is in place shall be submitted to the Urban Forestry Section. The fencing shall contain required warning sign and remain in place until final inspection of the project.
23. **EXCAVATION RESTRICTIONS APPLY (TTM, Sec. 2.20 C & D).** Any approved grading, digging or trenching beneath a tree canopy shall be performed using 'air-spade' method as a preference, with manual hand shovel as a backup. For utility trenching, including sewer line, roots exposed with diameter of 1.5 inches and greater shall remain intact and not be damaged. If directional boring method is used to tunnel beneath roots, then Table 2-1, Trenching and Tunneling Distance, shall be printed on the final plans to be implemented by Contractor.
24. **OBLIGATION TO MONITOR AND PROTECT NEIGHBORING TREES.** Project site arborist will protect and monitor neighboring trees/protected redwood/protected oak during construction and share information with the tree owner. All work shall be done in conformance with State regulations so as to ensure the long term health of the tree. Project site arborist will request access to the tree on the neighboring property as necessary to measure an exact diameter, assess condition, and/or perform treatment. If access is not granted, monitoring and any necessary treatment will be performed from the project site.

PUBLIC WORKS ENGINEERING

25. EXCAVATION & GRADING PERMIT: The site plan must include an earthworks table showing cut and fill volumes. If the total is more than 100 cubic yards, a grading permit will be required. Applicant shall prepare and submit an excavation and grading permit to Public Works separately from the building permit set and prior to building permit issuance. The permit application and instructions are available at the Development Center and on our website. http://www.cityofpaloalto.org/gov/depts/pwd/forms_and_permits.asp.
26. BASEMENT DRAINAGE: Due to high groundwater throughout much of the City and Public Works prohibiting the pumping and discharging of groundwater, perforated pipe drainage systems at the exterior of the basement walls or under the slab are not allowed for this site. A drainage system is, however, required for all exterior basement-level spaces, such as lightwells, patios or stairwells. This system consists of a sump, a sump pump, a backflow preventer, and a closed pipe from the pump to a dissipation device onsite at least 10-feet from the property line and 3-feet from side and rear property lines, such as a bubbler box in a landscaped area, so that water can percolate into the soil and/or sheet flow across the site. Include these dimensions on the plan. The device must not allow stagnant water that could become mosquito habitat. Additionally, the plans must show that exterior basement-level spaces are at least 7-3/4" below any adjacent windowsills or doorsills to minimize the potential for flooding the basement. Public Works recommends a waterproofing consultant be retained to design and inspect the vapor barrier and waterproofing systems for the basement.
27. The site drainage system that collects runoff from downspouts and landscape area shall be separated from the pump system that discharges runoff from light wells. Plot and clearly label the two separate systems and include the separate outfalls for each system.
28. BASEMENT SHORING: Shoring Plans prepared by a licensed professional are required for the Basement Excavation and shall be submitted with the Grading and Excavation Permit. Shoring for the basement excavation, including tiebacks, must not extend onto adjacent private property or into the City right-of-way without having first obtained written permission from the private property owners and/or an encroachment permit from Public Works.
29. DEWATERING: **Contact Public Works as soon as possible to set up a meeting to discuss new dewatering regulations.** Excavation may require dewatering during construction. Public Works only allows groundwater drawdown well dewatering. Open pit groundwater dewatering is not allowed. **Dewatering is only allowed from April through October** due to inadequate capacity in our storm drain system. The geotechnical report for this site must list the highest anticipated groundwater level. We recommend that a piezometer be installed in the soil boring. The contractor shall determine the depth to groundwater immediately prior to excavation by using a piezometer or by drilling an exploratory hole. Based on the determined groundwater depth and season, the contractor may be required to dewater the site or stop all grading and excavation work. In addition Public Works may require that all groundwater be tested for contaminants prior to initial discharge and at intervals during dewatering. If testing is required, the contractor must retain an

independent testing firm to test the discharge water for contaminants Public Works specifies and submit the results to Public Works.

30. GRADING & DRAINAGE PLAN: The plan set must include a grading & drainage plan prepared by a licensed professional that includes existing and proposed spot elevations and drainage flow arrows to demonstrate proper drainage of the site. Adjacent grades must slope away from the house a minimum of 5% or 2% per 2013 CBC section 1804.3. Downspouts and splashblocks should be shown on this plan, as well as any site drainage features such as swales, area drains, bubblers, etc. Grading that increases drainage onto, or blocks existing drainage from neighboring properties will not be allowed. Public Works generally does not allow rainwater to be collected and discharged into the street gutter but encourages the developer to keep rainwater onsite as much as feasible by directing runoff to landscaped and other pervious areas of the site.
31. STORM WATER POLLUTION PREVENTION: The City's full-sized "Pollution Prevention - It's Part of the Plan" sheet must be included in the plan set. The sheet is available here: <http://www.cityofpaloalto.org/civicax/filebank/documents/2732>
32. IMPERVIOUS SURFACE AREA: This project creates or replaces 500 square feet or more of impervious area, the applicant needs to fill out the impervious area worksheet and submit it with the building permit application. The Impervious Area Worksheet for Land Developments form and instructions are available at the Development Center or on our website. <http://cityofpaloalto.org/civicax/filebank/documents/2718>
33. RESIDENTIAL&SMALL PROJECTS STORMWATER TREATMENT: This project may trigger the California Regional WaterQuality Control Board's revised provision C.3 for stormwater regulations(incorporated into the Palo Alto Municipal Code, Section16.11) that apply to residential land development projects that create or replace between 2,500 and 10,000 square feet of impervious surface area. The applicant must implement one or more of the following site design measures:
 - Direct roof runoff into cisterns or rain barrels for reuse.
 - Direct roof runoff onto vegetated areas.
 - Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
 - Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
 - Construct sidewalks, walkways, and/or patios with permeable surfaces.
 - Construct driveways, and/or uncovered parking lots with permeable surfaces.
34. Provide the following note on the Site Plan and/or Grading and Drainage Plan: "Contractor shall not stage, store, or stockpile any material or equipment within the public road right-of-way." Construction phasing shall be coordinated to keep materials and equipment on-site.
35. WORK IN THE RIGHT-OF-WAY: The plans must clearly indicate any work that is proposed in the public right-of-way, such as sidewalk replacement, driveway approach, or utility laterals. The plans must include notes that the work must be done per City standards and that the contractor performing this work must first obtain a Street Work Permit from Public Works at the Development

Center. If a new driveway is in a different location than the existing driveway, then the sidewalk associated with the new driveway must be replaced with a thickened (6" thick instead of the standard 4" thick) section. Additionally, curb cuts and driveway approaches for abandoned driveways must be replaced with new curb, gutter, and planter strip.

36. Provide the following note on the Site Plan and adjacent to the work within the Public road right-of-way: "Any construction within the city's public road right-of-way shall have an approved Permit for Construction in the Public Street prior to commencement of this work. THE PERFORMANCE OF THIS WORK IS NOT AUTHORIZED BY THE BUILDING PERMIT ISSUANCE BUT SHOWN ON THE BUILDING PERMIT FOR INFORMATION ONLY."
37. STREET TREES: Show all existing street trees in the public right-of-way. Provide a note adjacent to street trees: "Any removal, relocation or planting of street trees; or excavation, trenching or pavement within 10 feet of street trees must be approved by Public Works' arborist (phone: 650-496-5953)." Show construction protection of the trees per City requirements.
38. SIDEWALK, CURB & GUTTER: As part of this project, the applicant must replace those portions of the existing sidewalks, curbs, gutters or driveway approaches in the public right-of-way along the frontage(s) of the property that are broken, badly cracked, displaced, or non-standard, and must remove any unpermitted pavement in the planter strip. Contact the Public Works' Inspector at 650-496-6929 to arrange a site visit so the inspector can determine the extent of replacement work. Include a scan copy of the Site Inspection Directive from the PW Inspector in the plan set whether replacement work is required or not. If replacement work is required, the site plan submitted with the building permit plan set must show the extent of the replacement work. The plan must note that any work in the right-of-way must be done per Public Works' standards by a licensed contractor who must first obtain a Street Work Permit from Public Works at the Development Center.
39. Provide the following as a note on the Site Plan: "The contractor may be required to submit a logistics plan to the Public Works Department prior to commencing work that addresses all impacts to the City's right-of-way, including, but not limited to: pedestrian control, traffic control, truck routes, material deliveries, contractor's parking, concrete pours, crane lifts, work hours, noise control, dust control, stormwater pollution prevention, contractor's contact, noticing of affected surrounding properties, and schedule of work. The requirement to submit a logistics plan will be dependent on the number of applications Public Works Engineering receives within close proximity to help mitigate and control the impact to the public right-of-way. If necessary, Public Works may require a Logistics Plan during construction."

UTILITIES WGW

40. Any water service, gas service, or wastewater lateral not in use must be disconnected and abandoned.

41. The City's gas and sewer main only reach half way of the property on Wellesley St. (owner to contact CPAU for water & gas meter and sewer clean out locations).
42. Each unit shall have its own water and gas meter. Each parcel shall have its own water service, gas service, and wastewater lateral connection. (all WGW utility services/meters/lateral per CPAU latest standards)
43. The applicant shall be responsible for installing and upgrading the existing utility mains and/or services as necessary to handle anticipated peak loads. This responsibility includes all costs associated with the design and construction for the installation/upgrade of the utility mains and/or services.
44. The contractor/applicant shall not disconnect any part of the existing water, gas, or wastewater mains except by expressed permission of the WGW utilities inspector and shall submit a schedule of the estimated shutdown time to obtain said permission.
45. If the existing utility service/s will cross one property to serve another property after the property line is moved, the utility service/s has to be relocated or the applicant will need a PUE across the impacted property.
46. Only City Staff can work on the City gas distribution system.

GREEN BUILDING

This section contains general information to assist the applicant team in understanding the requirements that will be applicable to the project at plan check, inspection, and post-occupancy. Requirements are subject to change. You may also email Melanie Jacobson or Kelsey Anderson at greenbuilding@CityofPaloAlto.org for specific questions about your project. Please also visit the Green Building Compliance page for more details:

http://www.cityofpaloalto.org/gov/depts/ds/green_building/default.asp

Local Energy Reach Code for Residential Projects

There are two options for compliance with the local Energy Reach Code:

47. **Energy Efficiency Option 1: No Photovoltaic System. If the project includes new construction, then the project triggers the Local Energy Efficiency Reach Code.** For all new single-family residential and multi-family residential, non-residential construction, the performance approach specified within the 2016 California Energy Code shall be used to demonstrate that the TDV Energy of the proposed new-single family residential or multi-family construction is at least: 10 percent less than the TDV Energy of the Standard Design if the proposed building does not include a photovoltaic system. (Ord. 5383 § 1 (part), 2016)
48. **Energy Efficiency Option 2: With a Photovoltaic System. If the project includes new construction, then the project triggers the Local Energy Efficiency Reach Code.** For all new single-family residential and multi-family residential, the performance approach specified within the 2016

California Energy Code shall be used to demonstrate that the TDV Energy of the proposed new-single family residential or multi-family construction is at least: 20 percent less than TDV Energy of the Standard Design if proposed building includes a photovoltaic system. (Ord. 5383 § 1 (part), 2016)

Green Building Requirements for Residential Projects

The following conditions apply to the project:

49. **CALGreen Checklist: If the project is a new construction residential building**, then the project must meet the California Green Building Code Mandatory requirements outlined in Chapter 4, (with local amendments) plus Tier 2 minimum pre-requisites and electives outlined in Appendix A4* (with local amendments). The project must hire a Green Building Special Inspector for a pre-permit third-party design review and a third-party green building inspection process. The project must select from the City's list of approved inspectors found on the Green Building Compliance Webpage. PAMC 16.14.080 (Ord. 5393 § 1 (part), 2016)

*Note: Projects subject to Tier 1 or Tier 2 shall not be required to fulfill any requirements outlined in Appendix A4.2 Energy Efficiency. All energy efficiency measures are found in the 2016 California Energy Code and the Palo Alto Energy Reach Code PAMC 16.17 & 16.18.

50. **Model Water Efficient Landscape Ordinance: If the rehabilitated project has an aggregate (combined) landscape area of greater than 2,500 square feet**, the project is subject to the Model Water Efficient Landscape Ordinance (MWELO) and the project will require an separate permit for Outdoor Water Efficiency. See Outdoor Water Efficiency Submittal Guidelines and permit instructions at the following link.

http://www.cityofpaloalto.org/gov/depts/ds/green_building/outdoor_water_efficiency_.asp

51. **Recycled Water Infrastructure for Landscape: If the project is either a new construction or a rehabilitated landscape and is greater than 1,000 square feet**, then the project must install a dedicated irrigation meter related to the recycled water infrastructure. PAMC 16.14.230 (Ord. 5393 § 1 (part), 2016). The project applicant shall indicate the requirements on the Permit Plans.

52. **Recycled Water Infrastructure for Landscape: If the project is outside the boundaries of the recycled water project area and is greater than 1,000 square feet**, then the project must install recycled water infrastructure for irrigation systems. PAMC 16.14.230 (Ord. 5393 § 1 (part), 2016). The project applicant shall indicate the requirements on the Permit Plans.

53. **Construction & Demolition: For residential construction projects subject to Tier 1 or Tier 2 requirements**, the project must meet the enhanced construction waste reduction at 80% construction waste reduction. PAMC 16.14.260 (Ord. 5393 § 1 (part), 2016) The project shall use the Green Halo System to document the requirements. <https://www.greenhalosystems.com>

54. **Deconstruction Survey: If the project is a single-family residential dwellings of any size applying for a demolition permit**, a deconstruction survey is required. PAMC 16.14.135 (Ord. 5393 § 1

(part), 2016) Projects shall comply with the instructions found on the following page:
http://www.cityofpaloalto.org/gov/depts/ds/green_building/cnd_debris_diversion_program.asp

55. **EVSE: If the project is a new detached single-family dwelling**, then the project shall comply with the following requirements for electric vehicle supply equipment (EVSE) as shown in:

a) The property owner shall provide as minimum a panel capable to accommodate a dedicated branch circuit and service capacity to install at least a 208/240V, 50 amperes grounded AC outlet (Level 2 EVSE). The raceway shall terminate in close proximity to the proposed location of the charging system into a listed cabinet, box, enclosure, or receptacle. The raceway shall be installed so that minimal removal of materials is necessary to complete the final installation. The raceway shall have capacity to accommodate a 100-ampere circuit.

(b) Design. The proposed location of a charging station may be internal or external to the dwelling, and shall be in close proximity to an on-site parking space. The proposed design must comply with all applicable design guidelines, setbacks and other code requirements. PAMC 16.14.420. (Ord. 5393 § 2, 2016)

56. **OPTIONAL**: The project may be eligible for several rebates offered through the City of Palo Alto Utilities Department. These rebates are most successfully obtained when planned into the project early in design. For the incentives available for the project, please see the information provided on the Utilities website: <http://www.cityofpaloalto.org/gov/depts/utl/residents/resrebate>

SECTION 7. Term of Approval.

Architectural Review Approval. The approval shall be valid for two years from the original date of approval.

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

APPROVED:

City Clerk

Director of Planning and
Community Environment

APPROVED AS TO FORM:

Senior Asst. City Attorney

PLANS AND DRAWINGS REFERENCED:

1. Those plans prepared by Jarvis Architects titled "2321 & 2323 Wellesley Street, Palo Alto, CA 94306", consisting of 13 pages, dated August 2, 2018, and received April 11, 2019.