

The proposed project consists of subdividing the single 16,507 square foot parcel into two parcels. The parcel known as 701 Cowper Street would be 7,503 square feet and the parcel known as 711 Cowper Street would be 9,004 square feet. The minimum lot size is 8,500 square feet with a minimum lot width of 75 feet. The applicant has requested exceptions to create a parcel that would be smaller than minimum allowed site area in the RM-30 district. In addition, each parcel would not meet the minimum lot width requirements of the district. Exceptions have been requested for more narrow lot widths than what would otherwise be allowed in the district.

PROJECT HISTORY

In March, 1987, the owners were granted a Parcel Map and Certificate of Compliance to merge two parcels at 705 and 711 Cowper Street into one 16,507 square foot lot. Prior to the merger each parcel contained one of the two residential buildings that exist on the merged lot today. The purpose of the merger was to create a single lot that would allow the lodging use and parking facilities on one large lot. The merger eliminated the condition whereby portions of the parking facility and lodging use (including vehicular and pedestrian circulation) would cross a property line. Minor interior and exterior improvements have been made since the merger, but all structures have essentially remained unchanged.

The owners have indicated that they intend to cease the lodging use and have placed the property for sale. As a result of this decision, they have applied to re-establish the lot line that was removed in 1987. If approved, this subdivision would return the sites to the original configuration prior to 1987.

POLICY IMPLICATIONS

Comprehensive Plan

The proposed project is consistent with the following policies of the Comprehensive Plan:

Policy L-12: Preserve the character of residential neighborhoods by encouraging new or remodeled structures to be compatible with the neighborhood and adjacent structures. The proposed project would recreate two parcels with the lot area, lot width and lot depth that existed prior to the 1987 lot merger. This lot configuration is more compatible with the historic pattern of lots in the immediate neighborhood than the existing 16,507 square foot lot. In addition, as these structures are Category 3 buildings, they are not protected from demolition as described in the City of Palo Alto Historic Preservation Ordinance. The existing lot would be under redevelopment pressure to demolish the structures and create multiple-family housing. The granting of the subdivision would reduce redevelopment pressure, in that it is less likely that the structures would be demolished due to the more restrictive zoning requirements that would apply to new structures.

Zoning Ordinance Compliance

The project's compliance with the R-1 Ordinance is discussed below.

SUMMARY OF SIGNIFICANT ISSUES

Minimum Lot Area and Width

The project site is located in the Multiple-Family Residence, Medium Density (RM-30) district. The development regulations for the RM-30 zone district require newly created parcels to have a minimum square footage of 8,500 square feet and a minimum lot width of 75 feet. The proposed project would re-subdivide the existing 16,507 square foot parcel to the two parcels that existed prior to the lots being merged. The two parcels would not meet the minimum lot standards as described in the following table:

Table 1: Minimum Lot Standards not Met

Parameter	RM-30 Standard	705 Cowper	711 Cowper
Site Area (sqft)	8,500	7,500	9,000 (complies)
Width (feet)	75	50	60

Since the proposed parcels would not meet the lot width requirement and since 705 Cowper would have a site area of less than 8,500 square feet, the applicant has applied for conditional exceptions per Palo Alto Municipal Code (PAMC) Section 21.32.010 (Subdivisions) allowing exceptions to any of the lot design requirements of the RM-30 zone district.

Parcel Maps conforming to the Zoning and Subdivision Ordinances may be approved by the Director of Planning and Community Environment. However, the Director of Planning and Community must forward any Preliminary Parcel map with exceptions to the Planning Commission and the City Council for action.

In order to approve conditional exceptions, the City Council would be required to adopt the following findings:

- (1) There are special circumstances or conditions affecting the property.
- (2) The exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- (3) The granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
- (4) The granting of the exception will not violate the requirements, goals, policies, or spirit of the law.

The proposed findings are contained in the Record of Land Use Action, contained in Attachment B.

Staff supports the project because the Parcel Map will return the lots to their configuration that existed prior to the lot merger and will be consistent with the historic lot pattern of the neighborhood. In addition, the subdivision would reduce the redevelopment pressures that could result in the demolition of the two structures for additional multiple-family housing.

Other Zoning Regulations

The lot merger would result in the re-establishment of certain non-complying features of the existing buildings, including setbacks from the re-established lot line, daylight plane at the new lot line and additional floor area for 701 Cowper Street. As a condition of the subdivision approval, the applicant would be required to apply for architectural review of the removal of a walkway that currently connects the two buildings and for a Design Enhancement Exception (DEE) for the non-complying elements. The DEE process is the appropriate process to review these exceptions, in that the purpose of the DEE process is to allow minor exceptions that would enhance the design of a proposed project without altering the function or use of the site, or its impact on surrounding properties or enable the preservation of the architectural style of existing improvements on the site. The Commission is not required to take action on DEEs.

Future Development

Although the subdivision would reduce redevelopment pressure, the structures could still be demolished after the subdivision is granted, in that Category 3 structures are not protected from demolition. Any new construction would have to conform to all zoning requirements and be subject to all applicable development impact fees. Any new multi-family buildings of three units or greater would be subject to architectural review.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) lists a minor land division of property in an urbanized area into four or fewer parcels as exempt from CEQA if the subdivision is in conformance with all zoning regulations. The project is not exempt from CEQA because the subdivision would create two lots not in compliance with the requirements of the zoning ordinance. An Environmental Impact Assessment and a Negative Declaration was prepared for the project and is attached.

NEXT STEPS

Following review by the Commission, the application will be heard by the City Council. If Council approves the project, the applicant may apply for a final subdivision map. The Final Subdivision Map will be reviewed for compliance by City staff and the Director of Planning and Community Environment and then returned to the City Council on the consent calendar for final action.

ATTACHMENTS/EXHIBITS:

- Attachment A - Site Map
- Attachment B - Draft Record of Land Use Action
- Attachment C - Subdivider's Statement
- Attachment D- Environmental Checklist Form and Negative Declaration
- Attachment E- Preliminary Parcel Map [Commission members only]

COURTESY COPIES:

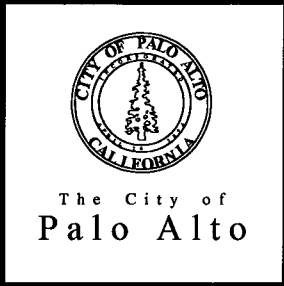
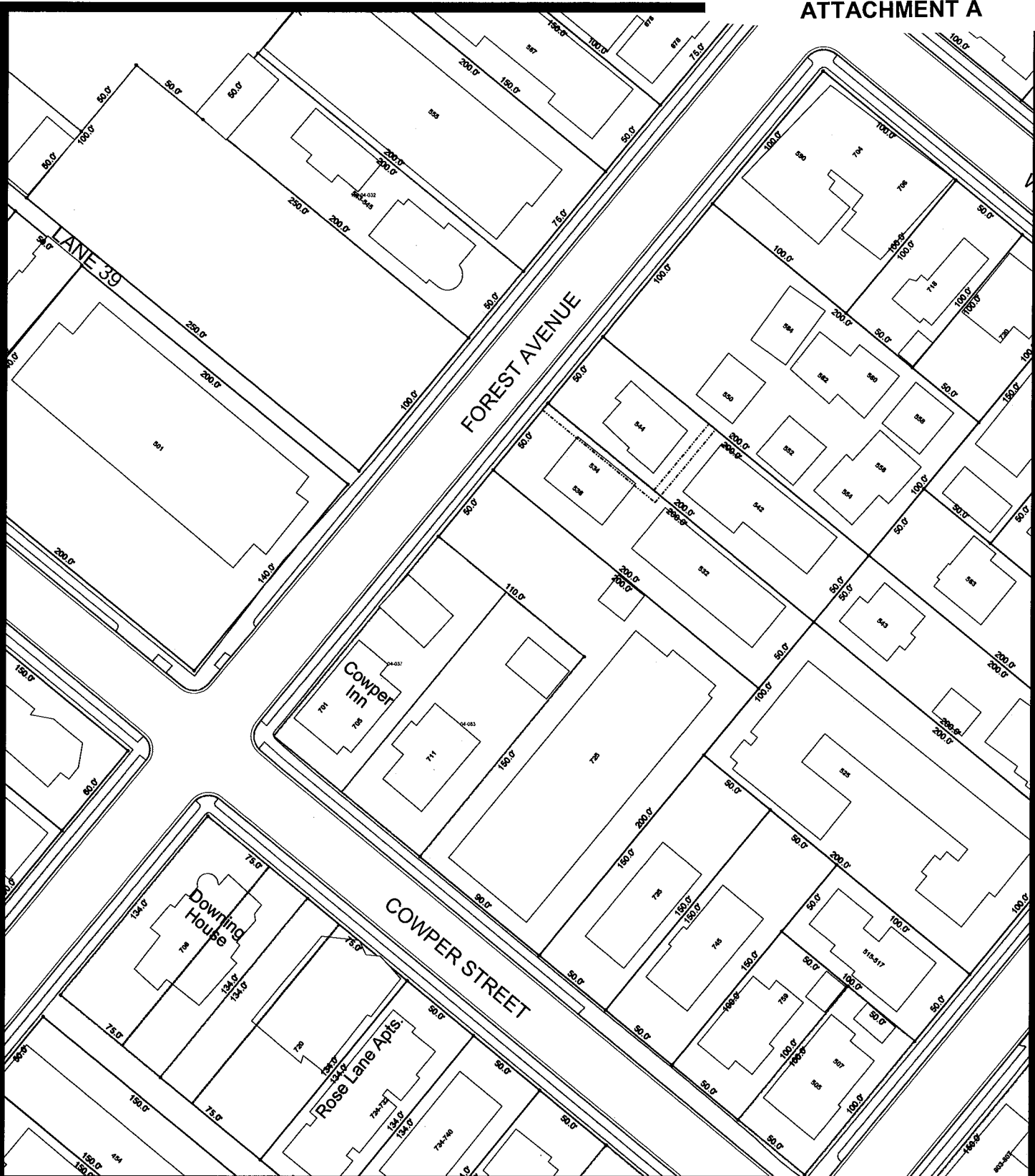
Steve Pierce, 215 Cowper Street, Palo Alto, CA 94301

John Woodworth, 301 Addison Avenue, Palo Alto, CA 94301

Prepared by: Steven Turner, Senior Planner

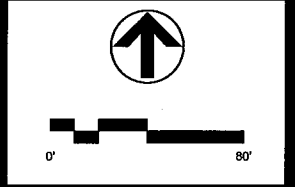
Reviewed by: Amy French, AICP, Manager of Current Planning

Department/Division Head Approval: 
Curtis Williams
Chief Planning and Transportation Official



Project Location
 Cowper Inn
 705-711 Cowper Street

This map is a product of the
 City of Palo Alto GIS



APPROVAL NO. 2006-____
RECORD OF THE COUNCIL OF THE CITY OF PALO ALTO
LAND USE ACTION FOR 705 AND 711 COWPER STREET:
PRELIMINARY PARCEL MAP WITH EXCEPTIONS 06PLN-102
(STEVE PIERCE, APPLICANT)

At its meeting on _____, 2006, the City Council of the City of Palo Alto approved the Preliminary Parcel Map with Exceptions to subdivide one parcel (approx. 16,507 square feet) and create two multiple-family RM-30 lots, each containing a Category 3 historic multi-family residential structure and accessory parking facilities, making the following findings, determination and declarations:

SECTION 1. Background. The City Council of the City of Palo Alto ("City Council") finds, determines, and declares as follows:

A. Proposed by Steve Pierce on behalf of John Woodworth, this project involves the subdivision of one parcel (approx. 16,507 square feet) and the creation of two multiple-family RM-30 lots, each containing a Category 3 historic multi-family residential structure and accessory parking facilities. The lot containing the home at 705 Cowper Street would be 7,503 square feet and the lot containing 711 Cowper Street would be 9,004 square feet. Each lot would contain two dwelling units. This density complies with the permitted density on the newly created lots that would be allowed in the RM-30 district.

B. This subdivision would reinstate a property line that was removed when the original lots were merged in 1987. The purpose of the 1987 merger was to create a single lot that would allow a lodging use and parking facilities on one large lot. Lodging is a permitted use within the RM-30 district. The merger eliminated the condition whereby portions of the parking facility and lodging use (including vehicular and pedestrian circulation) would cross a property line. The owner of the lot has indicated that the existing Lodging use is to cease operations. The owners have thus applied to return the lot to its historic configuration.

C. As a result of reinstating the property line at its historic location, the lots that would be created would not be consistent with specific lot design requirements as required in the RM-30 district. Exceptions to lot design would be required to allow a lot area of 7,503 square feet at 705 Cowper Street where 8,500 square feet would normally be the minimum lot

area, and site widths of 50-feet for 705 Cowper Street and 60-feet for 711 Cowper Street, where a 75-foot lot width would normally be required. The approval findings for granting these exceptions are contained in Section 3.

D. The Preliminary Parcel Map plan set includes information on the existing parcel and onsite conditions. These drawings are in compliance with the applicable provisions of the City's Subdivision Ordinance. These plans contain all information and notations required to be shown on a Preliminary Parcel Map (per PAMC Sections 21.12), and as conform to the design requirements concerning the creation of lots, walkways, and similar features (PAMC 21.20). Because the request is to create two Preliminary Parcel with exceptions, this request cannot be processed administratively through the Director and requires review by the Planning and Transportation Commission and City Council approval (PAMC 21.08.010).

SECTION 2. Environmental Review. The California Environmental Quality Act (CEQA) lists a minor land division of property in an urbanized area into four or fewer Preliminary Parcels as exempt from CEQA if the subdivision is in conformance with all zoning regulations. The project is not exempt from CEQA because the subdivision would create two lots not in compliance with the requirements of the zoning ordinance. An Environmental Impact Assessment and a Negative Declaration were prepared for the project.

SECTION 3. Conditional Exception Findings. Exceptions shall be granted only upon finding that the approval will secure substantially the objectives of the regulations or requirements to which the exceptions are requested, shall protect the public health, safety, convenience, and the general welfare and shall be consistent with and implement the policies and objectives of the Comprehensive Plan. Any approval of exceptions may be made upon such conditions as are deemed necessary to secure such compliance. Exceptions shall be granted only upon making the following specific findings:

A. There are special circumstances or conditions affecting the property. The existing site was created as a result of a merger between two smaller lots, each of which contained a Category 3 historic structure. The purpose of the 1987 merger was to create a single lot that would allow a lodging use and parking facilities on one large lot. Lodging is a permitted use within the RM-30 district. The merger eliminated the condition whereby portions of the parking facility and lodging use (including vehicular and pedestrian circulation) would cross a property line. The owner of the lot has indicated that the existing Lodging use is to cease operations. The owners have thus applied to return the lot

to its historic configuration. Re-subdividing the lots to their historic configuration would require conditional exceptions.

B. The exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner. By ceasing the lodging use, the property owner would return the use to residential use. As each site would contain accessory parking buildings and have access from a public street, there would be no requirements for automobile or pedestrian circulation over a shared property line. The exception would allow the property owner to re-subdivide the property to its historic configuration.

C. The granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated. The exception would allow the property owner to re-subdivide the property to its historic configuration. The owners have not applied to demolish the existing structures. By re-establishing the lot line, the existing buildings would also re-establish specific non-complying site development requirements with regard to setbacks, daylight plane, and floor area. The demolition of the structures would result in the loss of these legal, non-complying building features. Any new construction would be required to comply with existing site development regulations.

D. The granting of the exception will not violate the requirements, goals, policies, or spirit of the law. The subdivision would be in compliance with the Comprehensive Plan and the Subdivision Map Act. By re-establishing the lot line, the existing buildings would also re-establish specific non-complying site development requirements with regard to setbacks, daylight plane, and floor area. As conditioned, prior to the submittal of the Preliminary Parcel Map, a Design Enhancement Exception shall be secured for the non-complying features re-established as a result of the subdivision.

SECTION 4. Preliminary Parcel Map Findings.

A legislative body of a city shall deny approval of a Preliminary Parcel Map, if it makes any of the following findings (California Government Code Section 66474):

1. *That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451:*

The site does not lie within a specific plan area and would be consistent with the Comprehensive Plan.

2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans:*

The project would be consistent with the Subdivision Ordinance (PAMC Section 21.20) and the Comprehensive Plan Land Use map designation of Multiple-Family Residential. The project would be consistent with the following Comprehensive Plan policies: Policy L-12: Preserve the character of residential neighborhoods by encouraging new or remodeled structures to be compatible with the neighborhood and adjacent structures. The proposed project would recreate two parcels with the lot area, lot width and lot depth that existed prior to the 1987 lot merger. This lot configuration is more compatible with the historic pattern of lots in the immediate neighborhood than the existing 16,507 square foot lot. In addition, as these structures are Category 3 buildings, they are not protected from demolition as described in the City of Palo Alto Historic Preservation Ordinance. The existing lot may be under redevelopment pressure to demolish the structures and create multiple-family housing. The granting of the subdivision would reduce redevelopment pressure, in that it is less likely that the structures would be demolished due to the more restrictive zoning requirements that would apply to new structures.

3. *That the site is not physically suitable for the type of development:*

The subdivision and exception would allow the property owner to re-subdivide the property to its historic configuration, which is consistent with the lot pattern of the neighborhood. No further development is currently proposed.

4. *That the site is not physically suitable for the proposed density of development:*

The proposed density for each of the subdivided lots would be consistent with the regulations of the RM-30 district.

5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat:*

The subdivision of the Preliminary Parcel will not cause environmental damage or injure fish, wildlife, or their habitat, as no habitat for endangered, rare, threatened, or other sensitive species is present on site.

6. That the design of the subdivision or type of improvements is likely to cause serious public health problems:

The Preliminary Parcel Map will not cause serious public health problems, as the environmental concerns have been reviewed in the Environmental Assessment that was prepared for the project, and mitigation measures and conditions of approval have been approved to reduce impacts to a less than significant level.

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

The design the subdivision will not conflict with easements on or off the site, as all easements will be maintained and any adjustments or new easements shall only be allowed or established by the conditions of approval.

SECTION 4. Approval of Preliminary Parcel Map with Exceptions. Preliminary Parcel Map with exceptions approval is granted by the City Council under Palo Alto Municipal Code ("PAMC") Sections 21.13 and 21.20 and the California Government Code Section 66474, subject to the conditions of approval in Section 6 of this Record.

SECTION 5. Parcel Map Approval.

The Parcel Map submitted for review and approval by the City Council of the City of Palo Alto shall be in substantial conformance with the Preliminary Parcel Map prepared by Lea & Sung Engineers, Inc. titled "Tentative Preliminary Parcel Map", consisting of one page, dated and received June 29, 2006, except as modified to incorporate the conditions of approval in Section 6.

A copy of this Preliminary Parcel Map is on file in the Department of Planning and Community Environment, Current Planning Division.

Within two years of the approval date of the Preliminary Parcel Map, the subdivider shall cause the subdivision or any part

thereof to be surveyed, and a Preliminary Parcel Map, as specified in Chapter 21.08, to be prepared in conformance with the Tentative Map as conditionally approved, and in compliance with the provisions of the Subdivision Map Act and PAMC Section 21.16 and submitted to the City Engineer (PAMC Section 21.16.010[a]).

SECTION 6. Conditions of Approval.

Department of Planning and Community Environment

Planning Division

1. Prior to the submittal of the Parcel Map, the applicant shall apply for Architectural Review for the removal of the open walkway that currently connects the two residential buildings and a Design Enhancement Exception for those portions of the buildings that would not be consistent with the site development regulations for setbacks, daylight plane and floor area as a result of the re-establishment of the lot line.

2. A Preliminary Parcel Map, in conformance with the approved Preliminary Parcel Map, all requirements of the Subdivision Ordinance (PAMC Section 21.16), and to the satisfaction of the City Engineer, shall be filed with the Planning Division and the Public Works Engineering Division within two years of the Preliminary Parcel Map approval date (PAMC 21.13.020[c]).

Planning Division Arborist

3. Prior to submittal of any discretionary permit application or building permit application (grading, building, etc.) the following tree protection information shall be satisfied:

a. Site Plan Requirements. Extend the Type II street tree fencing to enclose the entire planter strip and from sidewalk to the outer branch dripline. The Site Plans shall denote Type II fencing around Street Trees and Type I fencing around Protected/Designated trees as *bold dashed lines* enclosing the Tree Protection Zone (per the approved Tree Protection Report) as shown on Detail #503, Sheet T-1, and the City Tree Technical Manual, Section 6.35-Site Plans.

b. The approved plans submitted for building permit shall include the following information: Sheet T-1_Tree Protection-it's Part of the Plan (http://www.city.palo-alto.ca.us/arb/planning_forms.html), complete the Tree Disclosure Statement and Inspection(s) #1-6 shall be checked.

c. Tree Preservation Report (PTR). The most current version of the TPR by the Project Arborist, dated June 20, 2006 shall be printed on Sheet T-1 and/or T-2 in its entirety. A prominent note shall be applied to the site plan stating, "All measures identified in the Tree Protection Report on Sheet T-1 and the approved plans shall be implemented, including inspections and required watering of trees."

d. Prior to submittal of any building permit, the applicant's Project Arborist shall review the entire plan set. Corrections shall be modified as necessary for consistency with the approved tree preservation report. The arborist shall provide a letter of acceptance of the plans, specifying the date of the plans, to accompany the submittal.

Department of Utilities- Water, Gas, Wastewater

4. Each Preliminary Parcel shall have its own water service, gas service and sewer lateral connection shown on the plans. Neither public nor private water, gas, and sewer lines can not cross the new property line to provide service across one lot for the other.

5. All existing water and wastewater services that will not be reused shall be abandoned at the main per WGW utilities procedures.

6. The applicant must show on the site plan the existence of any water well, or auxiliary water supply.

7. The applicant shall be responsible for installing and upgrading the existing utility 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 services.

8. Sewer drainage piping serving fixtures located below the next upstream sewer main manhole cover shall be protected by an approved backwater valve per California Plumbing Code 710.0. The upstream sewer main manhole rim elevation shall be shown on the plans.

9. For building upgrades, the applicant shall submit a completed water-gas-wastewater service connection application - load sheet for City of Palo Alto Utilities. The applicant must provide all the information requested for utility service demands (water in fixture units and g.p.m., gas in b.t.u.p.h, and sewer in fixture units).

10. For building upgrades, the applicant shall submit improvement plans for utility construction. The plans must show the size and location of all underground utilities within the development and the public right of way including meters, backflow preventers, fire service requirements, sewer mains, sewer cleanouts, sewer lift stations and any other required utilities.

11. Existing wastewater laterals that are not plastic (ABS, PVC, or PE) shall be replaced at the applicant's expense (for upgrades that exceed 50% of the value of the existing building).

12. The applicant shall pay the capacity fees and connection fees associated with the installation of the new utility service/s to be installed by the City of Palo Alto Utilities. The approved relocation of services, meters, hydrants, or other facilities will be performed at the cost of the person/entity requesting the relocation.

13. All utility installations shall be in accordance with the City of Palo Alto utility standards for water, gas & wastewater.

Department of Utilities- Electrical

14. After re-establishing the lot line for the above two properties, each property owner will have one electric service (i.e. one electric service per Preliminary Parcel) as per City's Rules & Regulations. If larger electric services are required by the new owners in the future, the City may have to upgrade its existing substructure and distribution system. This work will be done at property owner's expense.

15. Any new service may require the granting of a public utility easement (P.U.E.) for the purpose of locating a padmount transformer and all related substructure.

16. A completed Electric Load Sheet and a full set of plans must be included with all building permit applications involving electrical work. The load sheet must be included with the preliminary submittal.

SECTION 7. Term of Approval.

Preliminary Parcel Map. All conditions of approval of the Preliminary Map shall be fulfilled prior to approval of a Preliminary Parcel Map (PAMC Section 21.16.010[c]).

Unless a Preliminary Parcel Map is filed, and all conditions of approval are fulfilled within a two-year period from the date of Preliminary Parcel Map approval, or such extension as may be granted, the Preliminary Parcel Map shall expire and all proceedings shall terminate. Thereafter, no Preliminary Parcel Map shall be filed without first processing a Preliminary Parcel Map (PAMC Section 21.16.010[d]).

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:

Those plans prepared by Lea & Sung Engineers, Inc titled "Tentative Preliminary Parcel Map, consisting of one page, dated and received June 29, 2006.

Subdivider's Statement
(Revised June 22, 2006)

Section 21.12.050 of the Palo Alto Municipal Code requires that a "Subdivider's Statement" shall appear upon, or accompany, tentative or preliminary parcel maps, and shall contain the following information:

Address of the Subject Property: 705 & 711 Cowper St.
(If any of the items below are applicable, so state.)

Zone district (s): RM-30

(a) Existing use(s): Bed & breakfast, #705 has 5 bedrooms, 4.5 baths, kitchen, and a 2 bedroom, 2 bath apartment with kitchen. #711 has 6 bedrooms, 6.5 baths, and kitchen and a studio apartment with kitchen over the garage. (There are 4 dwelling units total)

(b) Proposed use (s): Unknown

(c) Improvements and public utilities proposed and the time at which such improvements are proposed to be completed: N/C, #705 and #711 are separately served and metered for water, electricity, and gas.

(d) Provisions for sewerage and sewage disposal: The sewer lateral serving the garage apartment at #711 will be relocated as illustrated on the Tentative Parcel Map

(e) Public areas proposed: N/C

(f) Tree planting proposed, existing tree location, species, size, dripline area (including trees

located on neighboring property that overhang the project site) and public trees within 30 feet of the project site: N/C (Refer to Arbonst Report)

(g) Proposed street lighting or any other outdoor lighting: N/C

(h) Existing restrictive covenants, leases, rights-of-way, licenses and encumbrances affecting use of land (attach copies): N/C

(i) Requested exceptions to any requirements of the Subdivision Ordinance.
(Attach separate sheets if necessary)

[Most exceptions relate to General Design requirements (Chapter 21.12) and particularly to lot size, dimensions, location or configuration. Applications for exceptions shall state fully the grounds of the application and the facts relied upon by the petitioner. Exceptions shall be granted only upon making certain findings, including the four listed below.]

Exceptions requested: Refer to Exhibit A

(1) There are special circumstances or conditions affecting the property. (Describe)

Refer to Exhibit C

- (2) The exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner. (Explain)

Refer to Exhibit C

- (3) The granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
(Explain)

Refer to Exhibit C

- (4) The granting of the exception will not violate the requirements, goals, policies or spirit of the law. (Explain)

Refer to Exhibit C

j. Requested variances from any of the requirements of the Zoning Ordinance.
(Attach separate sheets if necessary.)
(Variances for side existing buildings may be requested in
conjunction with subdivisions to be reviewed by the Planning Commission and City
Council.)

Variances requested: NONE

Reasons and Justification:

k. Manner in which compliance with applicable elements of the Comprehensive Plan,
including housing policies, shall be attained (if relevant): Refer to para. (i)(4) above

To the best of my knowledge, this application is in conformance with the Zoning Ordinance/
Subdivision Ordinance, and Comprehensive Plan as submitted or includes exceptions or
variances as indicated in (i) or (j) above.

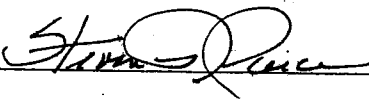
Signature of applicant 

Exhibit A

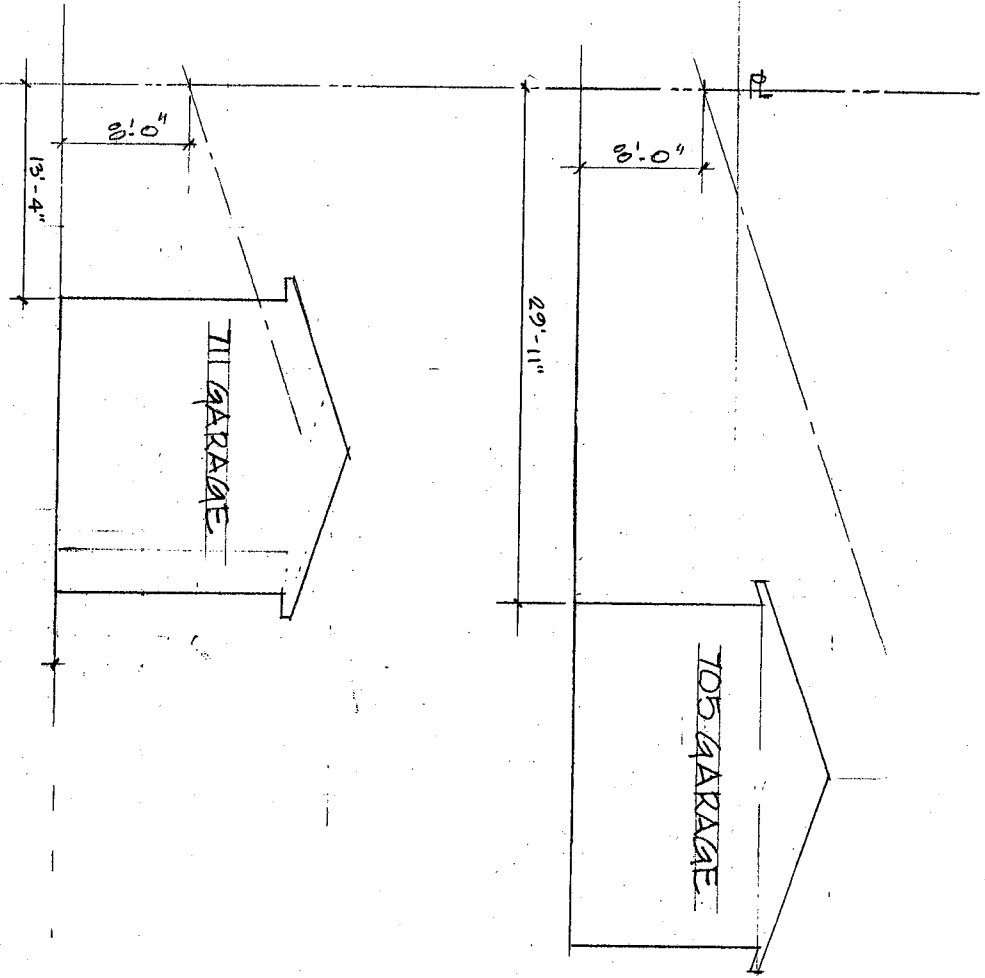
Lot Split Exceptions (Denoted by Shading)

705 and 711 Cowper St.

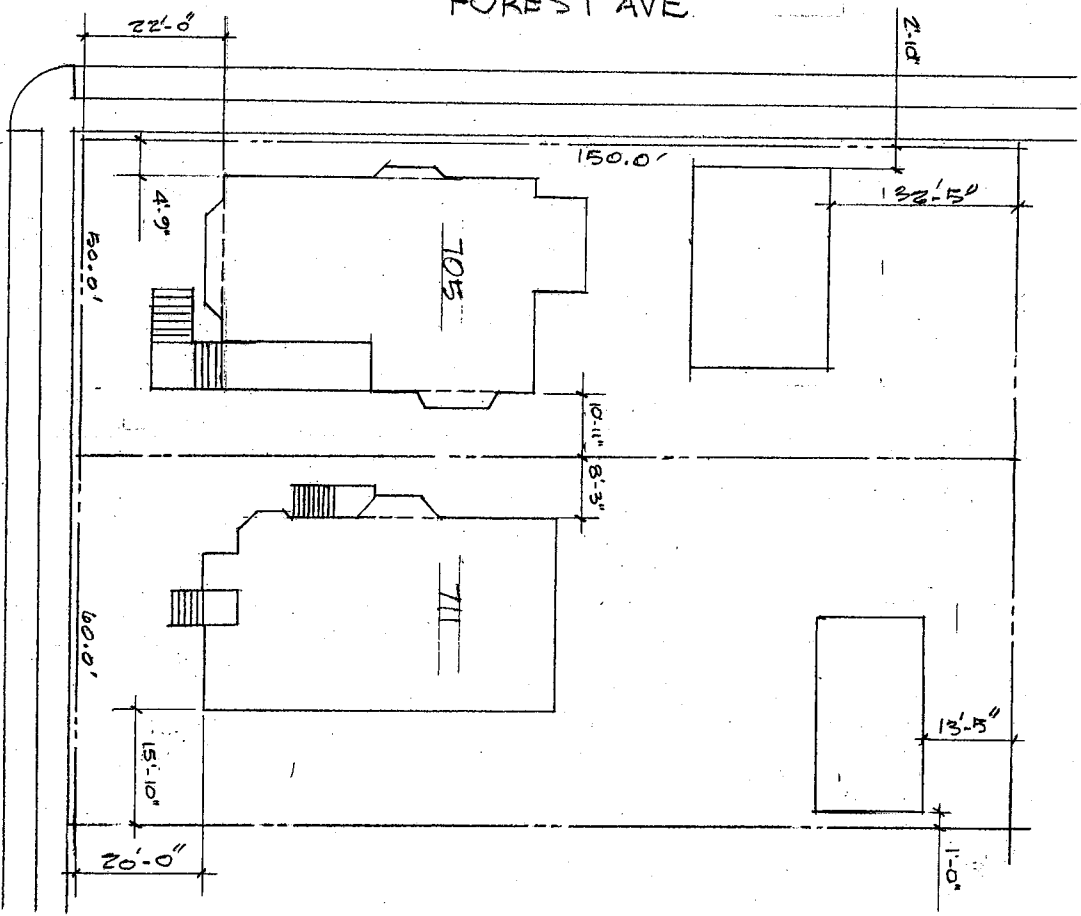
Parameter			705 Cowper			711 Cowper		
			Existing or Proposed Conditions	Development Standards		Existing or Proposed Condition	Development Standards	
				RM-30	R-1		RM-30	R-1
West sideyard setback (ft)								
	House	1st story	4-9	16-0	16-0	8-3	10-0	6-0
		2nd story	4-9	16-0	16-0	8-3	10-0	6-0
	Garage*	1st story	2-10	16-0	16-0	28-6	10-0	6-0
		2nd story	2-10	16-0	16-0	28-6	17-0	6-0
East sideyard setback (ft)								
	House	1st story	10-11	10-0	6-0	15-10	10-0	6-0
		2nd story	10-11	12-5	6-0	15-10	17-0	6-0
	Garage*	1st story	14-11	10-0	0-0	1-0	10-0	6-0
		2nd story	14-11	10-0	0-0	1-0	10-0	6-0
Rearyard setback (ft)								
	Garage*	1st story	30-0	10-0	0-0	13-4	10-0	20-0
		2nd story	30-0	10-0	0-0	13-4	10-0	20-0
West daylight plane								
	House		Refer to Exhibit B			Refer to Exhibit B		
	Garage		Refer to Exhibit B			Refer to Exhibit B		
East daylight plane								
	House		Refer to Exhibit B			Refer to Exhibit B		
	Garage		Refer to Exhibit B			Refer to Exhibit B		
Floor area (sf)								
	House							
		Finished	4,286			2,593		
		Unfinished	0			1,613		
		Total	4,286			4,206		
	Garage							
		Parking	736			540		
		Cottage	0			540		
		Hay loft	736			0		
		Total	1,472			1,080		
	Total for R-1		5,758		3,000	5,286		3,450
	Total for RM-30**		5,022	4,500		4,746	5,400	
Height (ft)								
	House		25-0	35-0	30-0	34-0	35-0	30-0
	Garage		16-6	NA	12-0	17-6	NA	12-0
Site area (ft)			7,500	8,500	6,000	9,000	8,500	6,000
Site width (ft)			50	75	60	60	75	60
Site depth (ft)			150		100	150		100
Density (du)			2	2	1	2	3	2
*Garage is set back more than 75 feet from front property line								
**Detached covered parking not included in floor area (PAMC 18.04.030B(1))								

EXHIBIT B (Page 2 of 2)

REAR DAYLIGHT PLANE



FOREST AVE.



COWPER ST.

SITE PLAN

178'-20'-0"

REVISION
6/20/06

FOREST AVE

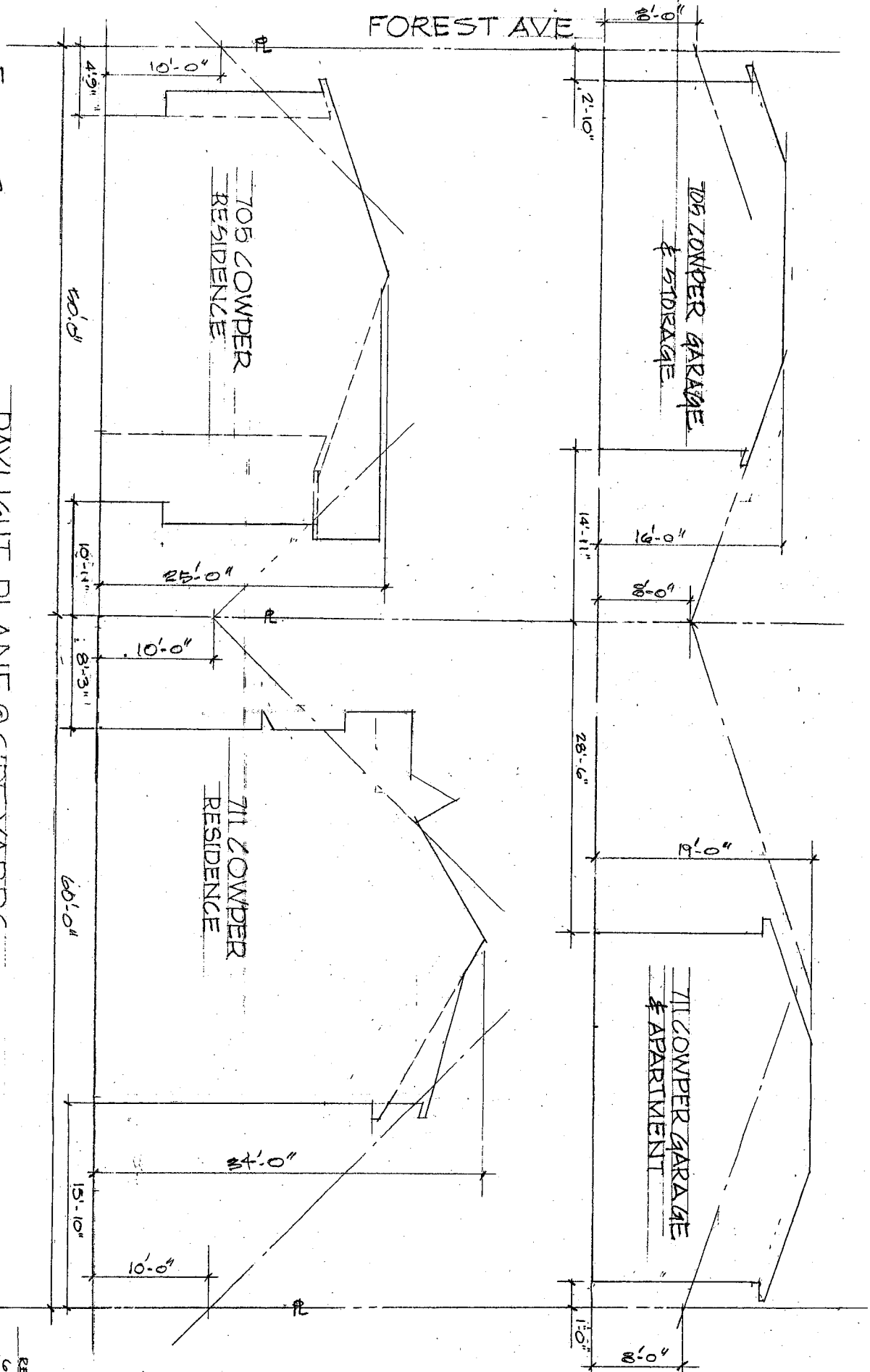


EXHIBIT B (PART 2)

DAYLIGHT PLANE @ SIDE YARDS

1/8" = 1'-0"

REVISION
6.20.06

Exhibit C
Response to Question (i) of Subdividers Statement

(1) Special Circumstances

- a) Original lot configuration: It is proposed to return the property to the two lot configuration that existed prior to 1985, when the merger was required by the city as a condition to build the "bridge" that connects the two structures.
- b) Historic homes: The homes at 705 and 711 Cowper are category III historic homes. The goal of the applicant is to facilitate the protection of these homes from demolition. When ownership changes, it is more likely that the homes will be upgraded and remain in single family use if they are located on separate parcels. As a single 16,500sf RM-30 lot the homes are much more vulnerable to removal.

(2) Preserve property right

- a) Historic homes: The homes were built long before the present code was implemented (705 Cowper, built 1896; 711 Cowper, built 1893) and do not conform to several development standards (e.g., setbacks, daylight plane, floor area) without the exceptions the homes would need to be relocated, architecturally altered, and downsized. In short, the structures cannot both retain their historic significance and meet the current code.

(3) Not detrimental to public

- a) Pre-existing condition: The proposed exceptions will not be a detriment because the structures and the lot configuration requested pre-existed all the adjacent construction. There will be no changes in the conditions that have existed for over 100 years.
- b) Enhance welfare: The proposal will enhance public welfare by facilitating the preservation of structures that are well known and venerated and are an important part of the streetscape and Palo Alto flavor.
- c) Denser alternative: Alternate uses, such as development of a denser project in accordance with the underlying zoning, would have more adverse effects on the neighborhood. They would increase traffic, reduce open space, and so forth.

(4) Not violate goals and policies

- a) Comprehensive Plan: The proposal conforms with several provisions of the Comprehensive Plan.

Policy L-12: Preserve the character of residential neighborhoods by encouraging new or remodeled structures to be compatible with neighborhood and adjacent structures.

Policy L-51: Encourage public and private upkeep and preservation of resources that have historic merit, including residences listed in the Historic Inventory.

Policy L-57: Develop incentives for the retention and rehabilitation of buildings with historic merit in all zones.

- b) PAMC, Chapter 16.49 Historic Preservation: The lot split will facilitate preservation of the homes and the exceptions are needed to maintain their current architectural integrity. This proposal is fully supported by the intent of PAMC 16.49 as articulated in the statement of purpose: "It is found that the protection, enhancement, perpetuation and use of structures, districts and neighborhoods of historical and architectural significance located within the city are of cultural and aesthetic benefit to the community."



ENVIRONMENTAL CHECKLIST FORM

City of Palo Alto

Department of Planning and Community Environment

1. **Project Title:** 705 & 711 Cowper Street Preliminary Parcel Map
2. **Lead Agency Name and Address:** City of Palo Alto – Planning Division
250 Hamilton Avenue, Palo Alto, CA 94301
3. **Contact Person and Phone Number:** Steven Turner, Senior Planner
(650) 329-2155
4. **Project Location:** 705 & 711 Cowper Street
Palo Alto, California
5. **Application Numbers:** 06PLN-00102
6. **Project Sponsors' Names and Addresses:** Steve Pierce
215 Cowper Street
Palo Alto, CA 94301
7. **General Plan Designation:** Multiple Family Residential
8. **Zoning District(s):** RM-30 Multiple Family Residential
9. **Description of the Project:**

The proposed project consists of subdividing a single 16,507 square foot parcel into two parcels. The parcel known as 705 Cowper Street would be 7,503 square feet and the parcel known as 711 Cowper Street would be 9,004 square feet. The site is located in the RM-30 zone district. The minimum lot size is 8,500 square feet with a minimum lot width of 75 feet. The applicant has requested an exception to create a parcel smaller than allowed in the RM-30 development regulations. In addition, each parcel would not meet the minimum lot width requirements. Prior to 1987, two lots did exist in the same configuration as depicted on the preliminary parcel map and each contained a residential structure. The applicant filed a Certificate of Compliance to merge the parcels into one 16,507 square foot parcel. This merger was accomplished to permit a lodging use on the site. The structure have essentially remained in the original condition since the 1989 merger, with only minor interior and exterior changes to accommodate the lodging use. The proposed parcel map will replace the same lot line prior to the lots being merged.

10. **Surrounding Land Uses and Setting:**
The proposed project site is located at 705 & 711 Cowper Street in the RM-30 (Multiple Family Residential) zone district. The site is surrounded by multiple- and single-family residential land uses. The site is composed of one parcel totaling 16,507 square feet and contains two residential structures containing two dwelling units in each building and a detached garages.
11. **Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).**
None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

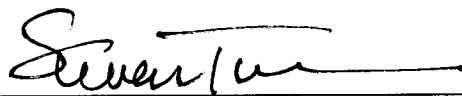
The environmental factors checked below would be potentially affected by this project as indicated by the checklist on the following pages.

	Aesthetics		Hydrology/Water Quality		Transportation/Traffic
	Agriculture Resources	X	Land Use/Planning		Utilities/Service Systems
	Air Quality		Mineral Resources		Mandatory Findings of Significance
	Biological Resources		Noise		
	Cultural Resources		Population/Housing		
	Geology/Soils		Public Services		
	Hazards & Hazardous Materials		Recreation		

DETERMINATION:

On the basis of this initial evaluation:

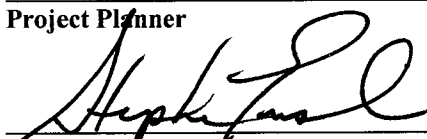
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	



 Project Planner

8/23/06

 Date



 Director of Planning and Community Environment

8/23/06

 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 © (3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

Issues and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:					
a) Have a substantial adverse affect on a scenic vista?	1, 3				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	1, 3				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	1				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1				X
II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	1				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	1, 3, 4				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	N/A				X
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	1, 3				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	1, 3				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	1, 3				X
d) Expose sensitive receptors to substantial pollutant concentrations?	1				X

e) Create objectionable odors affecting a substantial number of people?	1				X
IV. BIOLOGICAL RESOURCES. Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 3				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	1, 3				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	1, 3				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	1, 3				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	1, 3				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state conservation plan?	1, 3				X
V. CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of an historical resource pursuant to 15064.5?	1, 3 (map L-7)				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	1, 3 (map L-8)				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	1, 3 (L-4, L-8)				X

Issues and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries?	1, 3 (map L-8)				X
VI. GEOLOGY AND SOILS. Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	see below				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	1, 3				X
ii) Strong seismic ground shaking?	3 (map N-10)				X
iii) Seismic-related ground failure, including liquefaction?	3 (map N-5)				X
iv) Landslides?	3 (map N-5)				X
b) Result in substantial soil erosion or the loss of topsoil?	1				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off- site landslide, lateral spreading, subsidence, liquefaction or collapse?	3 (map N-5)				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	3 (map N-5),				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	1				X
VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project?					
a) Create a significant hazard to the public or the environment through the routing transport, use, or disposal of hazardous materials?	1				X

Issues and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	1				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	1				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	1				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	N/A				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working the project area?	N/A				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	1, 3 (map N-7)				X
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	1, 3 (map N-7)				X
VIII. HYDROLOGY AND WATER QUALITY. Would the project:					
a) Violate any water quality standards or waste discharge requirements?	1, 3				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	3 (map N-2)				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	1				X

Issues and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	1				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	1				X
f) Otherwise substantially degrade water quality?	1				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	3 (map N-6)				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	3 (map N-6)				X
i) Expose people or structures to a significant risk of loss, injury or death involve flooding, including flooding as a result of the failure of a levee or dam?	3 (map N-6, N-8)				X
j) Inundation by seiche, tsunami, or mudflow?	3 (maps N-6, N-8)				X
IX. LAND USE AND PLANNING. Would the project:					
a) Physically divide an established community?	N/A				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	1, 3, 4			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	1, 3				X
X. MINERAL RESOURCES. Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	1, 3				X

Issues and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	1, 3				X
XI. NOISE. Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	1, 3				X
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	3				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	3				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	1				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, would the project expose people residing or working in the project area to excessive noise levels?	N/A				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	N/A				X
XII. POPULATION AND HOUSING. Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	1, 3				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	N/A				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	N/A				X

Issues and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES.					
<p>a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</p> <p>Fire Protection?</p> <p>Police protection?</p> <p>Schools?</p> <p>Parks?</p> <p>Other Public facilities?</p>	<p>see below</p> <p>1</p> <p>1</p> <p>1</p> <p>1</p> <p>1</p> <p>1</p>				<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>
XIV. RECREATION					
<p>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</p>	1				<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>
<p>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?</p>	N/A				X
XV. TRANSPORTATION/TRAFFIC. Would the project:					
<p>a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?</p>	3 (maps T-7, T-8,12)				X
<p>b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?</p>	1				X

c) Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	N/A				X
Issues and Supporting Information Sources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	1				X
e) Result in inadequate emergency access?	1				X
f) Result in inadequate parking capacity?	1,4				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	1, 3				X
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	1, 3				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	1, 3				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	1, 3				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	1				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	1				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	3				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?	1				X

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	1, 3, 4				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	1, 3				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	1				X

SOURCE REFERENCES (Memoranda, analyses, reports, and assessments, noted below, pertain to project site):

1. Project Planner’s knowledge of the site and the proposed project.
2. Project Plans, entitled “Tentative Parcel Map” 705 & 711 Cowper Street prepared by Lea & Sung Engineering, dated 04/11/06
3. Palo Alto Comprehensive Plan, 1998-2010. Parenthetical references indicate maps found in the Comprehensive Plan.
4. Palo Alto Municipal Code, Title 18 (Zoning Ordinance).

EXPLANATION FOR CHECKLIST RESPONSES:

The proposed project consists of subdividing a single 16,507 square foot parcel into two parcels. The parcel known as 705 Cowper Street would be 7,503 square feet and the parcel known as 711 Cowper Street would be 9,004 square feet. The site is located in the RM-30 zone district. The minimum lot size is 8,500 square feet with a minimum lot width of 75 feet. The applicant has requested an exception to create a parcel smaller than allowed in the RM-30 development regulations. In addition, each parcel would not meet the minimum lot width requirements. Prior to 1989, two lots did exist in the same configuration as depicted on the parcel map and each contained a single family residence. The applicant filed a Certificate of Compliance to merge the parcels into one 16,507 square foot parcel. This merger was accomplished to permit a lodging use on the site. The structure have essentially remained in the original condition since the 1989 merger, with only minor interior and exterior changes to accommodate the lodging use. The proposed parcel map will replace the same lot line prior to the lots being merged.

The Parcel Map will create two nonconforming parcels in the RM-30 zone district. The Parcel Map will be returning the lot line that existed prior to the lots being merged and no public improvements will be required. Furthermore, since there would be only minor exterior alterations to the existing structures to comply with the subdivision.

In addition, the subdivision would reinstate non-complying elements of the two residential structures that were eliminated when the 1987 merger was accomplished. The new property line between the two structures would result in setback and daylight plane encroachments adjacent to the new property line and floor area for 705 Cowper Street that would exceed the maximum floor area allowed for a parcel within the RM-30 district.

The Environmental Checklist was completed and all but one environmental factor was determined to be “No Impact”. A brief explanation is required for all answers except “No Impact”. Since the project will be creating two non-conforming lots as discussed above, the project will be in conflict with the “Land Use and Planning” portion of the checklist. This impact was determined to be “Less than Significant” and is discussed below.

V. Cultural Resources

The existing buildings are designated as Category 3 on the City of Palo Alto Historic Inventory. Category 3 is defined as, “any building or group of buildings which are good local examples of architectural styles and which relate to the character of a neighborhood grouping in scale, materials, proportion or other factors. A contributing building may have had extensive or permanent changes made to the original design, such as inappropriate additions, extensive removal of architectural details, or wooden facades resurfaced in asbestos or stucco.” Category 3 buildings are designated as “Contributing Buildings”.

The Palo Alto Municipal Code (PAMC), Title 16.24, describes the conditions for the demolition of historic structures. Significant Buildings (Category 1 or 2) and Contributing Buildings (Category 3 or 4) in the downtown area are subject to a demolition moratorium, as are Significant Buildings outside of the downtown area. The project site, containing Contributing Buildings, is not located in the downtown area or within a designated historic district. Therefore, the Contributing Buildings on this site may be demolished.

The proposed subdivision would reduce the pressure for demolition, in that all the existing and additional nonconforming elements that would be present at each site could not be rebuilt if the homes were to be demolished. There would be significant benefits to maintain the existing structures, in that any new structure would have to comply with the site development regulations that are in effect at the time of redevelopment. The smaller lots would have less development potential than the structure that currently exist. Therefore, it is anticipated that the proposed subdivision would help to protect the cultural resources that currently exist, without increasing any impacts on nearby property owners.

Impact:	No Impact
Mitigation Measures:	None Required

IX. Land Use and Planning

The Comprehensive Plan land use designation for this property is Multiple-Family Residential and the Zoning Ordinance designation is Multiple Family Residential, medium Density. The site development regulations of the RM-30 district require parcels to have a minimum site width of 75 feet and a minimum site area of 8,500 square feet. The proposed subdivision is not consistent with these regulations because the lots to be created would have lot widths of less than 75 feet, and one of the lots would have a lot area of less than 8,500 square feet. The project applicant has applied for an exception to allow lot widths of 50-feet (for 705 Cowper Street) and 60-feet (for 711 Cowper Street) and a lot size of 7,503 square feet for 705 Cowper Street. The proposed exceptions would be reviewed by the Planning and Transportation Commission and the City Council to ensure they are appropriate for the site and not detrimental to surrounding uses. The project site is not located within a habitat or natural community conservation plan area and is located in a developed residential area which will not cause any physical divisions to established communities.

The parcel map would also reinstate certain non-complying elements of the structures that were eliminated as a result of the 1987 merger. The new property line between the two structures would result in setback and daylight plane encroachments adjacent to the new property line and floor area for 705 Cowper Street that would exceed the maximum floor area allowed for a parcel within the RM-30 district.

A Design Enhancement Exception (DEE) would be required to formally reinstate the non-complying elements of the structures. These non-complying elements would be reviewed as part of the minor architectural review process that would be required in order to remove the existing uncovered elevated walkway between the two residential buildings.

Impact:	Less than Significant
Mitigation Measures:	None required

