TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT

DATE: DECEMBER 6, 2004 CMR:500:04

SUBJECT: 792 MATADERO AVENUE: REQUEST BY IALITA AND PRASAD PARIMI TO SUBDIVIDE THE PARCEL LOCATED AT 792 MATADERO AVENUE IN THE R-1 ZONE DISTRICT. THE PROJECT CONSISTS OF SUBDIVIDING A SINGLE 12,667 SQUARE FOOT PARCEL INTO TWO EQUALLY SIZED 6,333 SQUARE FOOT PARCELS WITH 55.85 FOOT WIDTHS RATHER THAN THE 60 FOOT WIDTH REQUIRED BY SECTION 18.12.050 OF THE PALO ALTO MUNICIPAL CODE. ENVIRONMENTAL ASSESSMENT: AN INITIAL STUDY HAS BEEN COMPLETED AND A NEGATIVE DECLARATION HAS BEEN PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECOMMENDATION
Staff and the Planning and Transportation Commission (Commission) recommend that the City Council: (1) approve the Negative Declaration (Attachment E), with a finding that the project will not result in significant environmental impacts; and (2) approve the preliminary Parcel Map based on the findings and conditions in the draft Record of Land Use Action (Attachment A).

BACKGROUND
This project is before the Council due to the requested exception for lot width. Preliminary parcel maps conforming to the Zoning and Subdivision Ordinances may be approved by the Director of Planning and Community Environment without Council action. The Director of Planning and Community Environment, however must forward any preliminary parcel map with exceptions to the Planning and Transportation Commission and the City Council for action.

BOARD/COMMISSION REVIEW AND RECOMMENDATION
The Commission reviewed this project at its regularly scheduled meeting of November 10, 2004. The Commission discussed the project and explained that it supports the application because the proposed lots would be consistent with the neighborhood character and that the future development of the lots would have little impact on traffic or
trees. It noted that the project would be consistent with the lot pattern, would not impact a historic property, and would create standard lots over 6,000 square feet. It also noted that the project would have no impact on riparian habitat and would not cause public health or environmental damage. After closing the public hearing, the Commission unanimously recommended that the City Council approve the Preliminary Parcel Map in accordance with the findings and conditions of approval contained in the draft Record of Land Use Action. The Commission also recommended that the Council adopt the Negative Declaration. (Attachment E)

**DISCUSSION**  
**Minimum Lot Width**  
The project site is located in the Single-Family Residential (R-1) Zone District. The Site Development Regulations for the R-1 zone district require newly created parcels to have a minimum lot width of 60 feet. The proposal is to subdivide the single parcel into two equally sized parcels that would each have a lot width of only 55.85 feet.

Since the proposed new parcels would be approximately 4.15 feet narrower than the 60-foot width required by the R-1 zone district, the applicant has applied for a conditional exception per Palo Alto Municipal Code (PAMC) Section 21.32.010 (Subdivisions), which sets forth a process to allow exceptions to the requirements and regulations of the R-1 zone district.

It is important to note the new lots would not be substandard. The lots would exceed the minimum lot depth as well as the minimum lot size required by the zoning. No exceptions would be needed for the future development of the parcels.

**Future Development**  
The existing residence on the project site would be required to be demolished prior to recordation of the Parcel Map. If the application is approved, one single-family residence could be built on each of the resulting lots. Any proposal for construction, on either of the two resulting parcels, must conform to all zoning requirements and be subject to all applicable Development Impact Fees. To ensure conformance with the existing neighboring homes, new two-story construction on either lot would be subject to review under the Single Family Individual Review Program.

**RESOURCE IMPACT**  
The two lots that would be created are in an urbanized area of the city that is already served by city services such as police and fire and would not have a detrimental effect on City resources. Utility services are already provided in the street that provides access to the project. Being that only one residence presently exists on the property, Development Impact Fees would be required to be paid to the City prior to the issuance of a building permit for the second of two residences that could be built on the resulting two lots.

**POLICY IMPLICATIONS**  
The project’s Compliance with applicable comprehensive plan policies is provided in a table attached to this report.  
(Attachment D)
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. This project is not exempt from CEQA because the subdivision would create two lots that do not meet the 60 feet minimum lot width required by the zoning ordinance. In conformance with CEQA, an Environmental Impact Assessment was conducted. Staff has determined that the project poses no significant impacts and a Negative Declaration was prepared and is included as attachment E to this report.

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Director of Planning and Community Environment

CITY MANAGER APPROVAL: _________________________________
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ATTACHMENTS
Attachment A: Draft Record of Land Use Action
Attachment B: Location Map
Attachment C: Subdivider’s Statement
Attachment D: Comprehensive Plan Table
Attachment E: Environmental Checklist Form and Negative Declaration
Attachment F: Planning Commission Staff Report dated November 10, 2004 (without Attachments) (Council Members only)
Attachment G: Minutes of Planning and Transportation Commission meeting on November 10, 2004 (Council Members only)
Attachment H: Preliminary Parcel Map (Council Members only)

COURTESY COPIES:
Mary Ann Welton
Jean Wren