



City of Palo Alto

City Council Staff Report

(ID # 7437)

Report Type: Action Items

Meeting Date: 11/14/2016

Summary Title: 900 N. California (Preliminary Parcel Map w/Exceptions)

Title: PUBLIC HEARING: 900 N. California Ave. [14PLN-00233]:

Recommendation for Approval of a Preliminary Parcel Map, With Exceptions, to Subdivide an Existing 30,837 Square Foot Parcel Into Three Parcels. The Parcel Map Exception is to Allow one of the Parcels to Exceed the Maximum Lot Area. Environmental Assessment: Exemption Pursuant to CEQA Guidelines Section 15061 (b)(3). Zoning District: Single-Family Residential District (R-1) **QUASI JUDICIAL

From: City Manager

Lead Department: Planning and Community Environment

Recommendation:

Staff recommends that the City Council take the following action(s):

1. Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), and
2. Approve the Record of Land Use Action (Attachment B) for the proposed preliminary parcel map application, with exceptions, based on findings and conditions of approval set forth in Attachment B

The Planning & Transportation Commission recommended approval at their meeting on October 26, 2016.

Executive Summary:

The applicant requests approval of a preliminary parcel map, with exceptions, to subdivide an approximately 30,837 square foot (sf) property into three separate parcels. The existing property contains three single-family homes, and the proposed project would provide individual parcels for three proposed single family homes with one secondary dwelling unit on the largest parcel. The proposed subdivision project is subject to a Subdivision review and the proposed homes are subject to Architectural Review by the Architectural Review Board (ARB). The ARB has reviewed the proposed homes and recommended approval to the Director. The

Planning and Transportation Commission reviewed the parcel map request and recommends approval. As designed, the project meets the applicable zoning requirements, with an exception requested for lot size on one lot.

Background:

Project Information

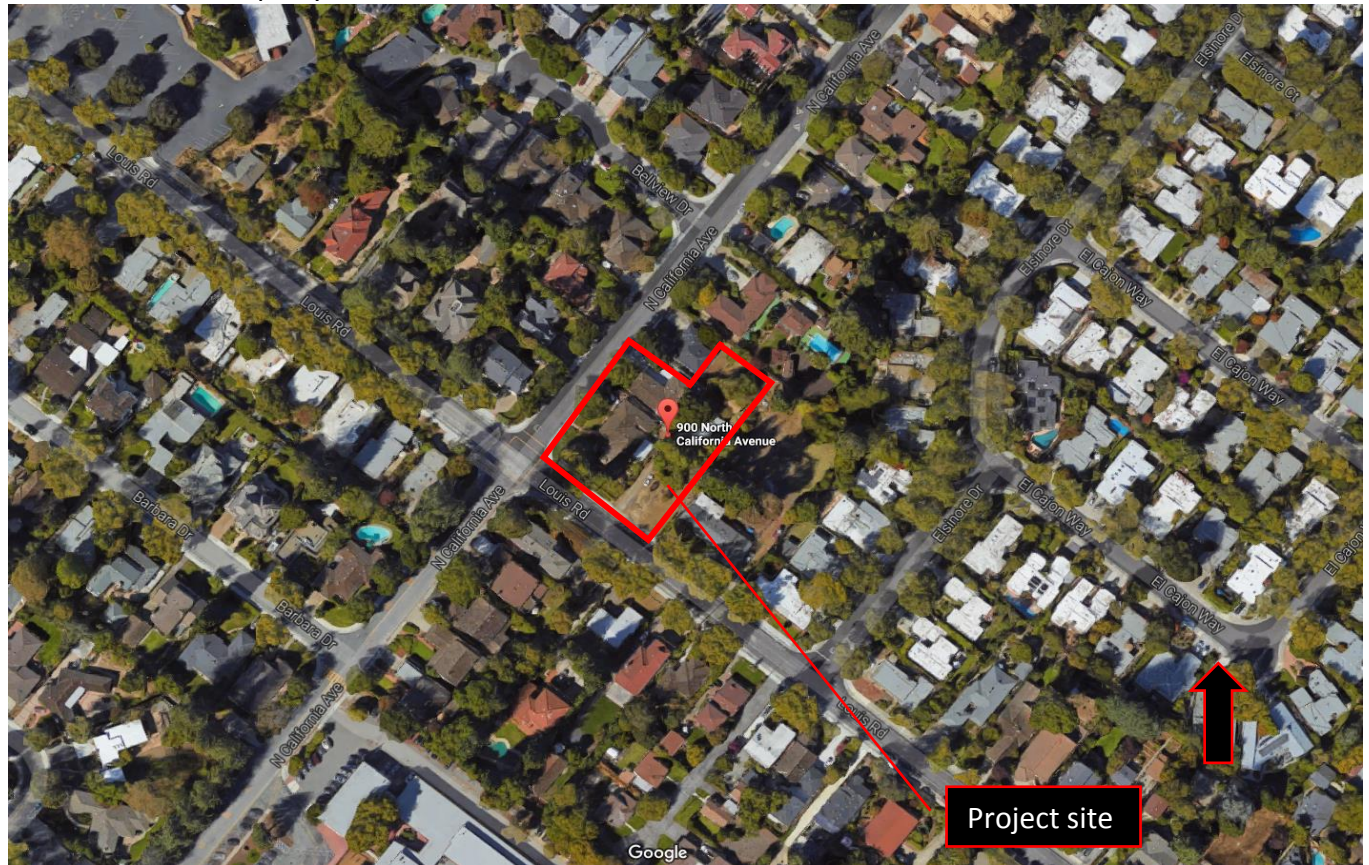
Owner:	Greg Xiong
Architect:	Kohler Associates Architects
Representative:	None
Legal Counsel:	None

Property Information

Address:	900 North California Avenue
Neighborhood:	Triple El
Lot Dimensions & Area:	Approximately 157 ft. by 231 ft.
Housing Inventory Site:	No
Located w/in a Plume:	No
Protected/Heritage Trees:	None
Historic Resource(s):	None

Existing Improvement(s):	Three single story single family homes: 2205 Louis Road – 746 sf. Detached Shed – 296 sf. 912 N California Avenue – 1,749 sf. 900 N California Avenue – 2,376.44 sf. Sun Room 367 sf.
Existing Land Use(s):	Single Family Residential
Adjacent Land Uses & Zoning:	North: R-1 (single family homes) West: R-1 (single family homes) East: R-1 (single family homes) South: R-1 (single family homes)

Aerial View of Property:



Land Use Designation & Applicable Plans

Zoning Designation:	R-1 Residential Single Family
Comp. Plan Designation:	Single Family
Context-Based Design Criteria:	Not applicable
Downtown Urban Design Guide:	Not applicable
South of Forest Avenue Coordinated Area Plan:	Not applicable
Baylands Master Plan:	Not applicable
El Camino Real Design Guidelines (1976 / 2002):	Not applicable
Proximity to Residential Uses or Districts (150'):	Yes, in a residential neighborhood
Located w/in the Airport Influence Area:	Not applicable

Prior City Reviews & Action

City Council:	None.
PTC:	The application was reviewed on October 26, 2016 and this report forwards the PTC’s recommendation to the City Council.
HRB:	None.
ARB:	The applicant submitted an application for three single family residences and one secondary dwelling unit. The City’s Architectural Review Board (ARB) conducted an architectural review for this project (15PLN-00155) on September 15, 2016. The report can be found at the following link: http://www.cityofpaloalto.org/civicax/filebank/documents/53783 The ARB recommended approval of the project to the Director of Planning and Community Environment, conditioned on the secondary dwelling unit and a detached garage returning to a subcommittee for further review and analysis.

Project Description

The applicant requests approval of a Preliminary Parcel Map, with exceptions, to create three single-family lots. The lots would be 8,033 sf, 9,379 sf, and 13,425 sf. The minimum lot size in the R-1 zoning district is 6,000 sf and the maximum lot size is 9,999 sf. The proposed Lot Three would exceed the maximum lot size of 9,999 sf. by proposing a lot that is 13,425 sf. Lot One would have access from Louis Road and Lots Two and Three would each have access from N. California Avenue. Attachment D provides a summary of the project’s compliance with the zoning standards.

Discussion:

The project is for a Preliminary Parcel Map with exceptions which is before the Council due to the requested exception to the maximum lot area requirement. 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.

Exceptions may be granted only upon a finding that the approval would substantially secure 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.

Conditional Exceptions

In accordance with PAMC Chapter 21.32, exceptions shall be granted only upon making 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.

In the event an exception is granted, any conditions necessary to achieve the objectives of this title, the comprehensive plan, or any provision of law shall be imposed. The applicant has articulated reasons for the proposed exception and these are contained in Attachments B and E.

Maximum Lot Size

The project site is a non-conforming parcel located in the Single-Family Residential (R-1) Zone District. The existing lot is square shaped, with a portion of it carved out. The site is approximately 170 feet deep along N. California Avenue and 156 feet wide along Louis Road. The existing parcel is non-conforming because the site contains three single-family homes. The Zoning Code requires that homes be located on individual parcels. The project would increase the conformance of the site by providing a parcel for each proposed home.

The Site Development Regulations for the R-1 zone district prohibit newly created parcels to exceed 9,999 square feet, and require newly created parcels to have a minimum site area of 6,000 square feet and minimum site width of 60 feet. The proposal is to subdivide the single 30,837 sf. parcel into three parcels whose sizes are 8,033 sf, 9,379 sf, and 13,425 sf. These parcels would meet the site width and depth requirements and eliminate the site's existing nonconforming status of three houses on one lot; however, the subdivision would result in one lot exceed the 9,999 sf. maximum.

Neighborhood Character

The 0.70 acre site is relatively flat and contains three existing single-family homes and a storage shed. The subject property is Zoned R-1. The site contains ash, oak, cypress, pine, and magnolia trees. The proposed subdivision improvements do not conflict with any of the trees. The Architectural Review (File #15PLN-00155) for the three proposed homes and the secondary dwelling unit on Lot 3, addresses management of these trees and the street trees. Adjacent and nearby homes are one-story on the subject lot's side of the street along both Louis Road and North California Street. Nearby homes across both streets are one and two stories with an overall mixed and moderate scale. Lot size varies significantly within the immediate

neighborhood and there is not a distinct lot pattern along the street at either side or across the intersection of Louis Road and North California Avenue. Two lots near the site are 25,410 and 20,000 square feet in lot area.

Consistency with the Comprehensive Plan¹

The site has a Comprehensive Plan land use designation of Single-family Residential and is not subject to any area plans or specific guidelines. Single family residential includes one dwelling unit on each lot as well as conditional uses requiring permits such as churches and schools. The net density in single family areas will range from 1 to 7 units per acre, but may rise to a maximum of 14 units in areas where second units or duplexes are allowed. On balance, the proposed three new homes meet the intent of the Comprehensive Plan. The project effectively provides approximately 4 dwelling units per acre where 1 to 5 dwelling units is allowed. Therefore, the project is consistent with the density prescribed by the Comprehensive Plan.

Consistency with other Comprehensive Plan policies is included in Attachment C.

Zoning Compliance²

The subdivision application complies with the zoning regulations set forth in the R-1 zoning district. Each site meets the minimum width (60 ft.) and depth (100 ft.) requirements and complies with the minimum lot size requirements by exceeding 6,000 sf for each lot. However, the proposal is asking for an exception to the maximum lot size of 9,999 sf. Attachment D provides a summary of the project's compliance with the zoning standards.

The site is not currently in compliance with the Zoning Code because it contains three single family homes on one parcel. The Zoning Code permits one single-family residence and an accessory dwelling unit on each parcel. The proposed project would ultimately bring the project more into compliance with the Zoning Code by providing parcels for each proposed single-family home and accommodated a secondary dwelling unit on one of the parcels. The project would therefore not reduce the number of units on the property, but would ultimately create better conformance with the Zoning Code.

Palo Alto Subdivision Code Compliance

PAMC Chapter 21 includes standards for reviewing parcel maps. Because the project includes deviations from the zoning standards for lot size, the applicant requests an exception to the maximum lot size standard pursuant to PAMC 21.32. This maximum lot size is established by PAMC 18.12.040, which states the maximum lot size in the R-1 zoning district is 9,999 sf. The

¹ The Palo Alto Comprehensive Plan is available online:

<http://www.cityofpaloalto.org/gov/topics/projects/landuse/compplan.asp>

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

project proposes Lot 3 to be 13,425 sf and contain a single-family home and secondary dwelling unit.

Future Development

The existing residences 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. The accompanying proposal for construction of three single-family homes on the three resulting parcels, conforms to all zoning requirements and would be subject to applicable development impact fees. The City's Architectural Review Board (ARB) reviewed the architecture because the project consisted of the three homes. The ARB recommended approval of the design to the Director of Planning and Community Environment on September 15, 2016. The appeal period will expire on November 15, 2016. The Director's approval of the architecture is not subject to Council approval of the parcel map. However, the homes will not be able to be constructed if the parcel map is not approved. Once the Parcel Map is approved, the parcels cannot be merged again because the resulting parcel would exceed the maximum site area.

Planning and Transportation Commission Review

The Commission reviewed this project at its meeting of October 26, 2016. The Commission discussed the project and supported 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 in the neighborhood, would not impact a historic property, and would create standard lots over 6,000 square feet. The Commission questioned the project property owner and the adjacent owner at 920 N. California Avenue about efforts to combine lots and achieve a more uniform lot development pattern. The owners indicated that conversations over the course of three to four years could not produce a solution. However, the property owner at 920 N. California Avenue supports the proposed project. Ultimately, the Commission stated that the project would increase the conformance of properties in the City by providing a lot for each house.

The Commission proposed a condition that the applicant submit a coordinated construction plan if and when houses for the proposed lots are constructed. The ARB has reviewed the proposed homes for the potential lots, and that project includes a condition of approval (#60) that requires the applicant and contractor to submit a construction logistics plan with the grading permit for the project. This condition is proposed as condition number 16 for the parcel map as well.

After closing the public hearing, the Commission unanimously recommended that the City Council approve the Preliminary Parcel Map with exceptions in accordance with the findings and amended conditions of approval contained in the draft Record of Land Use Action. The

Commission also recommended that the Council determine the project is exempt from CEQA pursuant to Section 15061(b)(3).

Policy Implications:

The project's Compliance with applicable comprehensive plan policies is provided in a table attached to this report. (Attachment C)

Resource Impact:

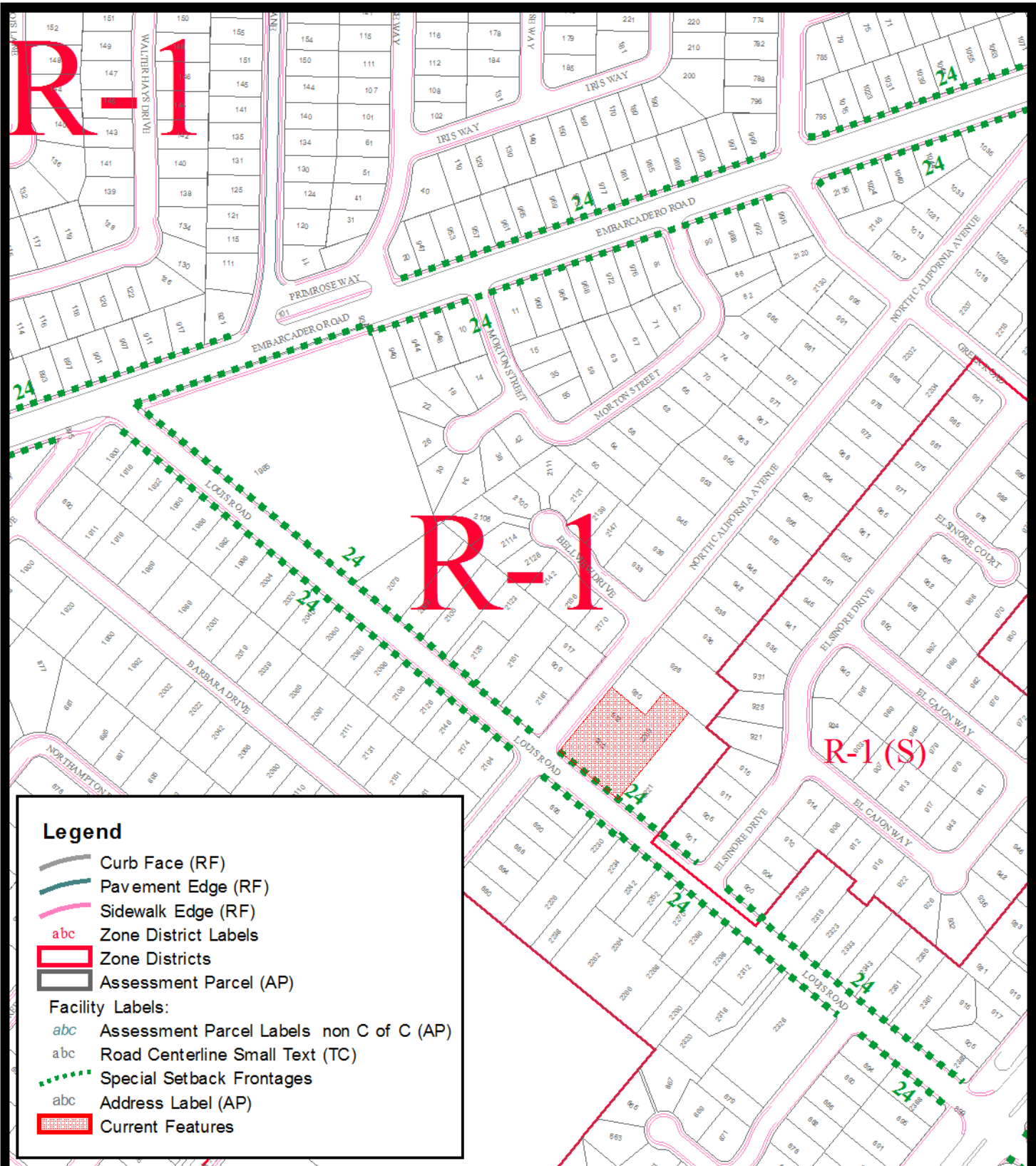
The three lots that would be created are in an urbanized area of the city that is already served by city services and would not have a detrimental effect on city resources. Utility services are already provided in the street that provides access to the project. Development Impact Fees totaling approximately \$50,793 dollars would be required to be paid to the City prior to the issuance of a building permit for the third of the three residences that could be built on the resulting three lots. Additionally, the City will realize incremental property and utility user revenues as well as a one-time documentary transfer tax once the parcel(s) are sold.

Environmental Review:

The subject project has been assessed 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 pursuant to Section 15061 (b)(3) in that it can be seen with certainty that the establishment of parcel lines to divide a noncompliant lot with three existing homes into two conforming lots and a third lot that remains nonconforming with respect to lot area simply due to the size of the one large existing parcel, will not result in a significant effect on the environment. There is no change to the overall boundary of the project site and a net increase of one secondary dwelling unit authorized by the local zoning regulations.

Attachments:

- Attachment A: Location Map (PDF)**
- Attachment B: Draft RLUA with Findings and Conditions (DOCX)**
- Attachment C: Comprehensive Plan Analysis (DOCX)**
- Attachment D: Zoning Compliance Table (DOCX)**
- Attachment E: Applicant's Project Description (PDF)**
- Attachment F: Project Plans (DOCX)**
- COI map All Bodies 2016 (PDF)**

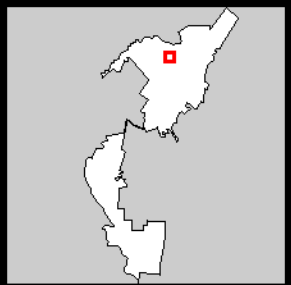
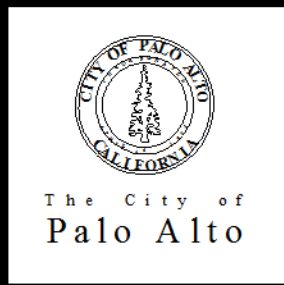


Legend

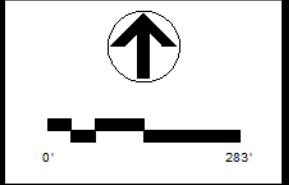
- Curb Face (RF)
- Pavement Edge (RF)
- Sidewalk Edge (RF)
- Zone District Labels
- Zone Districts
- Assessment Parcel (AP)

Facility Labels:

- Assessment Parcel Labels non C of C (AP)
- Road Centerline Small Text (TC)
- Special Setback Frontages
- Address Label (AP)
- Current Features



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



APPROVAL NO. _____
RECORD OF THE COUNCIL OF THE CITY OF PALO ALTO LAND USE
ACTION FOR 900 N. CALIFORNIA AVENUE: PRELIMINARY PARCEL MAP
APPLICATION [14PLN-00233]

On _____, 2016, the City Council of the City of Palo Alto considered and approved the Preliminary Parcel Map for the development of a three lot subdivision project with exceptions, making the following findings, determinations and declarations:

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

A. On June 25, 2014, Kohler Associates Architects on behalf of Greg Xiong applied for a Preliminary Parcel Map with exceptions for the development of a 0.70 acre parcel (“The Project”).

B. The project site is comprised of one lot (APN No. 137-51-021) of approximately 0.70-acres. The site contains three residential structures. Single-family residential land uses are located adjacent to the lot to the north, south, east and west.

C. Following staff review, the Planning and Transportation Commission reviewed the project and recommended approval on October 20, 2016 subject to conditions of approval.

SECTION 2. Environmental Review. The City as the lead agency for the Project has determined that the project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). The subject project has been assessed 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 pursuant to Section 15061(b)(3).

SECTION 3. Preliminary Parcel Map Findings.

A legislative body of a city shall deny approval of a 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 is consistent with the provisions of the Comprehensive Plan.

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

The map is consistent with the following Comprehensive Plan policies:

- a. Policy L-4: Maintain Palo Alto's varied residential neighborhoods while sustaining the vitality of its commercial areas and public facilities. Use the Zoning Ordinance as a tool to enhance Palo Alto's desirable qualities.
- b. Policy L-10: Maintain a citywide structure of Residential Neighborhoods, Centers, and Employment Districts. Integrate these areas with the City's and the region's transit and street system.
- c. Policy L-12: Preserve the character residential neighborhoods by encouraging new or remodeled structures to be compatible with the neighborhood and adjacent structures.

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

The site is well suited for the proposed three single family homes and one secondary dwelling unit. The proposed homes would replace three existing single-family homes, which complies with allowed uses of the R-1 zoning district.

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

The proposal for the site is consistent with all zoning regulations, with the proposed exceptions, including lot width, depth, and area.

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 minor subdivision will not cause environmental damage or injure fish, wildlife, or their habitat. The project site has been fully urbanized and developed and is centrally located within a developed residential area. There is no recognized sensitive wildlife or habitat in the project vicinity.

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

The creation three parcels for three single-family residential units and one secondary dwelling unit will not cause serious public health problems, because the site is designated for single family development.

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 proposed preliminary parcel map will not conflict with easements of any type, in that the map would create three parcels on the property, and would not affect any of the existing or proposed easements on or adjacent to the project site.

SECTION 4. Exception Findings

The project proposes exceptions to the zoning standards for lot size for the following and depicted on Preliminary Parcel Map:

- Lot Size (greater than 9,999 square feet): Lot 3.

1. *There are special circumstances or conditions affecting the property.*

The subject property is substantially larger in area than allowed by the zoning code. The site also includes three single family residences on one legal parcel, representing another noncompliant condition. The applicant's request for a preliminary parcel map with exceptions results in a more compliant condition within the project boundary and new development that will be more consistent with and compatible to the surrounding properties. It is not possible to subdivide the parcel into three or four fully compliant lots. The exception allows one of the three lots to be slightly larger in area than allowed by the code.

2. *The exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.*

The property owner is eligible to subdivide the existing parcel. The existing one parcel with three housing units does not conform to the maximum lot area for the R1 District. With the subdivision exception, the owner is able to create individual legal parcels for three residences, however, one the lots would remain non-conforming as to lot area. It is not possible to adjust the lot area of the other parcels or create a fourth parcel in order to achieve complete conformance with the city's property development standards. Subdividing the existing parcel into code compliant lots is not possible with the exception and approving the exception results in three lots that are more consistent and more compatible to properties in the general vicinity.

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.*

For the reasons cited above, the exception actually results in a housing development design that is more consistent with the pattern of single family development in the area and renders an existing nonconforming parcel into two conforming lots and one lot that is slightly larger than the maximum lot area authorized in the district. The lot area maximum exists to ensure future subdivisions meet a

desired scale and proportionality to other lots in the area. The existing 26,669 lot is inconsistent with that objective and the exceptions renders the parcel more compatible. Such action is neither detrimental to the public welfare nor injurious to other property in the area.

4. *The granting of the exception will not violate the requirements, goals, policies, or spirit of the law.*

The granting of the exception will further the requirements, goals, policies and spirit of the law by creating two legal parcels and a third, slightly nonconforming lot, from one lot that is significantly larger than required by the city's zoning code. From a neighborhood compatibility perspective, and consistency with the spirit of the law, the requested exception represents an improvement to the existing conditions found at the site and further advances the objectives of the code.

SECTION 5. Preliminary Parcel Map Approval Granted. Preliminary Tentative Map approval is granted by the City Council under PAMC Sections 21.12 and 21.20 and the California Government Code Section 66474, subject to the conditions of approval in Section 7 of this Record.

SECTION 6. Tentative Map Approval.

The Final Map submitted for review and approval by the City Council shall be in substantial conformance with the Preliminary Parcel Map prepared by WEC and Associates "Preliminary Parcel Map 900 N. California Avenue", consisting of three lots, dated August 19, 2014, except as modified to incorporate the conditions of approval in Section 7. A copy of this plan 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 Parcel Map, as specified in Chapter 21.08, to be prepared in conformance with the Preliminary Parcel 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 7. Conditions of Approval

Department of Planning and Community Environment

Planning Division

1. The applicant shall confirm the location all existing features of the site, including protected and non-protected trees, wells, structures, utilities, and easements to the satisfaction of Public Works, the Planning Division, and any other agency that would have an interest in those features.
2. The owner or designee prior to issuance of any building permit shall pay the applicable Development Impact fees.
3. The owner or designee prior to building permit issuance shall submit for review and approval a

construction traffic plan and construction phasing plan for development to the City.

4. Development Impact Fees: The proposed project will replace three homes, create three new parcels and add a secondary dwelling unit, therefore the estimated impact fee is \$50,793.08.
5. 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.

6. The applicant is hereby notified, as required by Government Code § 66020, that the approved plans, these conditions of approval, and the adopted City fee schedule set forth in Program H3.1.2 of the City of Palo Alto Comprehensive Plan constitute written notice of the description of the dedications, reservations, amount of fees and other exactions related to the project. As of the date of project approval, the 90 day period has begun in which the applicant may protest any dedications, reservations, fees or other exactions imposed by the City. Failure to file a protest in compliance with all of the requirements of Government Code § 66020 will result in a legal bar to challenging the dedications, reservations, fees or other exactions.
7. 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 and at Applicant's expense, elect to defend any such action with attorneys of its own choice.

Building Division

8. The existing buildings within the project area shall be demolished prior to recording the map. A separate permit shall be required for the removal of the building.
9. New addresses will be assigned to each lot with the subdivision, following recordation of the map. The applicant shall file and "Address request Form" and pay the required fee, to the Palo Alto Development Center.

Public Works Engineering Department

PRIOR TO PARCEL MAP SUBMITTAL

10. Provide a current Preliminary Title Report, printed less than 3 month from Parcel Map submittal date.

PRIOR TO PARCEL MAP RECORDATION.

11. The City of Palo Alto does not currently have a City Surveyor we have retained the services of Siegfried Engineering to review and provide approval on behalf of the City. Siegfried will be reviewing, signing and stamping the Parcel Map associated with your project.

In effort to employ the services of Siegfried Engineering, and as part of the City's cost recovery measures, the applicant is required to provide payment to cover the cost of Siegfried Engineering's review.

Our intent is to forward your Parcel Map to Siegfried for an initial preliminary review of the documents. Siegfried will then provide a review cost amount based on the complexity of the project and the information shown on the document. We will share this information with you once we receive it and ask that you return a copy acknowledging the amount. You may then provide a check for this amount as payment for the review cost. The City must receive payment prior to beginning the final review process.

12. Once the Parcel Map is approved by the City, submit wet signed and stamped mylar copy of the Parcel Map to the Public Works for signature. Map shall be signed by Owner, Notary and Surveyor prior to formal submittal.

PRIOR TO ISSUANCE OF A BUILDING PERMIT OR GRADING AND EXCAVATION PERMIT

13. Parcel Map shall be recorded with County Recorder.
14. Off-site improvements such as curb and gutter, sidewalk replacement, street tree replacement and/or new street trees, utility upgrades or street resurfacing are typically required with subdivisions. As part of the proposed of subdivision, applicant(s) shall be aware that off-site improvements such as those listed above will be required. At a minimum, plans for the building permits shall show curb, gutter and sidewalk along the project frontages to be removed and replaced, full-street width resurfacing (mill and overlay) will be required. The curb ramps at the intersection may also need to be upgrade as part of this project to comply to accessibility standards. Plans shall include existing and proposed striping plan. Applicant shall meet with Urban Forestry to evaluate if a new street tree can be planted along the project frontages.
15. If the existing buildings are to be demolished, applicant shall contact Urban Forestry at (650)496-5953 prior to demolition to verify tree protection measures are in place.
16. LOGISTICS PLAN: The applicant and contractor shall submit a construction logistics plan to the Public Works Department 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, on-site staging and storage areas, concrete pours, crane lifts, work hours, noise control, dust control, storm water pollution prevention, contractor's contact. The plan shall be prepared and submitted along the Rough Grading and Excavation Permit. Plot the construction fence, entrances, shoring, limits of over excavation, construction workers parking area, staging and storage areas within the private site for equipment and material. It shall include notes as indicated on the approved Truck Route Map for construction traffic to and from the site. Plan shall also indicate if the bus stop will need to be relocated and show how the bike lane will remain accessible during construction. The logistics plan will provide controls that minimize the disruption to neighbors and provides parking and staging on-site to the extent feasible.

Utilities Electrical Engineering

17. Applicant shall grant easement to all electric equipment including transformers, switches, electric pull boxes and vaults, electric conduit.
18. All equipment shall be pad mounted, NO underground equipment is allowed.
19. All the weather head shall follow CPAU standard (lower than 18')
20. Applicant shall install, owned and maintain the streetlight system on the private street. These street lights shall be fed through a meter pedestal.
21. Only one electric service lateral is permitted per parcel.
22. The developer/owner shall provide space for installing padmount equipment (i.e. transformers, switches, and interrupters) and associated substructure as required by the City. In addition, the owner shall grant a Public Utilities Easement for facilities installed within the subdivision as required by the City.
23. The civil drawings must show all existing and proposed electric facilities (i.e. conduits, boxes, pads, services, and streetlights) as well as other utilities.
24. The developer/owner is responsible for all substructure installations (conduits, boxes, pads, streetlights system, etc.) on the subdivision parcel map. The design and installation shall be according to the City standards and all work must be inspected and approved by the Electrical Underground Inspector.
25. The developer/owner is responsible for all underground services (conduits and conductors) to single-family homes within the subdivision. All work requires inspection and approval from both the Building Department and the Electrical Underground Inspector.
26. The tentative parcel map shall show all required easements as requested by the City.

Utilities Water Gas Wastewater Department

27. The applicant shall submit a request to disconnect all utility services and/or meters to the existing building including a signed affidavit of vacancy. Utilities will be disconnected or removed within 10 working days after receipt of request. The demolition permit will be issued by the Building Inspection Division after all utility services and/or meters have been disconnected and removed.
28. The applicant shall submit a completed water-gas wastewater service connection application-load sheets for City of Palo Alto Utilities. The applicant must provide all the information requested for utility service demands.
29. The applicant shall be responsible for installing and upgrading the existing services as necessary to handle anticipated peak loads. This responsibility includes all cost associated with design and construction for the installation/upgrade of the utility services.
30. Each parcel shall have its own water service, gas service and sewer lateral connection shown on the plans.
31. All utility installations shall be in accordance with the City of Palo Alto utility standards for water, gas, & wastewater.

SECTION 8. Term of Approval.

1. Preliminary Parcel Map. All conditions of approval of the Preliminary Parcel Map shall be fulfilled prior to map recordation (PAMC Section 21.16.010[c]). Unless a Tentative Map is filed, and all conditions of approval are fulfilled within a two- year period from the date of Preliminary Tentative Map approval, or such extension as may be granted, the Preliminary Tentative Map shall expire and all proceedings shall terminate.

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 WEC and Associates titled "Preliminary Parcel Map", consisting of five page, dated August 19, 2014.

ATTACHMENT C
COMPREHENSIVE PLAN ANALYSIS
900 N. California Avenue Parcel Map / File No. 14PLN-00233

<i>Comp Plan Goals and Policies</i>	<i>How project adheres or does not adhere to Comp Plan</i>
The Comprehensive Plan land use designation for the site is Single Family.	The project continues the single-family land uses.
<i>Land Use and Community Design Element</i>	
Goal L-1: A well-designed, compact city, providing residents and visitors with attractive neighborhoods, work places, shopping district, public facilities and open spaces.	The project maintains the character of the land uses in this area of the City. The project would subdivide one property into three residential lots for single family uses. It would retain the same number of housing units that exist on the site therefore maintaining the varied residential neighborhood.
POLICY L-4: Maintain Palo Alto’s varied residential neighborhoods while sustaining the vitality of its commercial areas and public facilities. Use the Zoning Ordinance as a tool to enhance Palo Alto’s desirable qualities.	
Goal L-2: An Enhanced Sense of “Community” with Development Designed to Foster Public Life and Meet Citywide Needs.	The project maintains the City’s network of residential neighborhoods and increases the conformity of the site. The proposed lots provide opportunities for the units to integrate into the City’s circulation network by providing connections from the lots to the streets and sidewalks. The project site contains three houses on one parcel. The proposed project would subdivide the property into three separate parcels, with one parcel for each house. The number of residential units would not be reduced, thereby retaining the structure of the residential neighborhood.
POLICY L-10: Maintain a citywide structure of Residential Neighborhoods, Centers, and Employment Districts. Integrate these areas with the City’s and the region’s transit and street system.	
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 would preserve the character of the residential neighborhood by creating three lots for three single-family homes. The lots could then be used for new or remodeled homes that would be compatible with the neighborhood.
POLICY L-12: Preserve the character residential neighborhoods by encouraging new or remodeled structures to be compatible with the neighborhood and adjacent structures.	

ATTACHMENT D
Project's Conformance with Zoning Code Regulations
900 N. California Avenue / File No. 14PLN-00233

Table 1: CONFORMANCE WITH CHAPTER 18.12.040 (R-1 DISTRICT)

Regulation	Required	Proposed			Conformance
		Lot 1	Lot 2	Lot 3	
Minimum Site Specifications					
Lot Size	6,000 s.f.	8,032.9 s.f.	9,378.7 s.f.	13,425 s.f.	Project Conforms
Site Width	60 ft.	72.375 ft.	84.5 ft.	60 ft.	Project Conforms
Site Depth	100 ft.	110.99 ft.	110.99 ft.	156.875 ft.	Project Conforms
Maximum Lot Size	9,999 s.f.	8,032.9 s.f.	9,378.7 s.f.	13,425 s.f.*	*Project Conforms with exception findings for Lot 3



June 25, 2014

Page 1 of 4

To: Amy French
Planning Department
City of Palo Alto
Palo Alto, California

Project: Minor Subdivision
900 N. California Avenue
Palo Alto, California
APN: 003-51-021

Dear Ms. French,

We are requesting approval for a Minor Sub-Division at the 900 North California Avenue. This property that is a total of 30,836.6 square feet. Our proposal is to divide this property to three separate parcels. The proposed properties will have the following dimensions and area:

-Lot 1: 8,032.9 sq ft - 110.99 ft x 72.375 ft.

-Lot 2: 9,378.70 sq ft - 110.99 ft x 84.5 ft.

-Lot 3: 13,425.00 sq ft - "L" shaped property: 60.0 feet wide at the North California frontage, 156.875 along the western property line, 120.00 feet at the rear property line, and 66.875 feet at the further eastern property line. It is 60.00 ft at the pan handle property line parallel to California Avenue. The closest eastern property line is 90.00 feet. Lots 1 and 2 fully comply with the City of Palo Alto R-1 sub-division requirements. Lot 3 meets the frontage, depth, and the minimum lot area requirements. It does exceed the maximum Lot Area of 10,000 SF by 3,425 SF.

Please see Attachment A for the proposed Site Plan divisions.

A. There are special circumstances or Conditions affecting the property:

The subject property at the corner of Louis Road and North California Avenue was originally 170.00 by 156.875 feet for total of 26,669.0 sq ft. The property at 920 California Avenue is 60.00 by 90.00 feet for a lot area of 5400 Sq. Ft.

We originally assumed the area of this property was created before the current lot size regulations were in place. However, Greg Xiong, our client for this project, was recently told the original lot size for 920 n. California was 60 x 100 feet. But, at some point, the City asked for a 10 foot street dedication. This is why the dimensions for 920 N. California are 60 x 90 feet and not 60 x 100 feet.

The remaining property has a awkward property shape, not conducive to create three equally shaped rectangular shaped properties. If the 920 N. California Avenue property did not exist, the overall site could have been divided in to four separate properties. (See Attachment B). All four properties would have met the required minimum and maximum lot areas.

B) The exception is necessary for the preservation and enjoyment of a substantial property right of petitioner:

The goal for sub-dividing this property is to create three usable properties and to construct three new homes for sale to the public. The result will be three new homes added to the City of Palo Alto's housing element. Lot 3 will have an additional 600 to 900 sq ft Guest House that will provide an additional living unit.

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; and

As mentioned above, the property at Lot 3 will have a 2nd Living Unit in the rear yard that will be available as a rental unit and will contribute to the overall housing count in Palo Alto. The proposed new homes will all be required to comply with all the current Zoning Regulations as well as the Individual Review process.

D) The granting of the exception will not violate the requirements, goals, policies, or spirit of the law.

Each of these three properties will comply with all the City of Palo Alto Zoning Regulations for the R-1 Zoning District and current Uniform Building Codes. The only exception we are asking for is to allow a larger than 10, 000 square foot property in a R-1 Zone District.

In conclusion, the owner of this property, Greg Xiong, and I have strived to comply with all the current zoning regulations to design three new homes that will contribute to overall housing supply of Palo Alto.

Yours Truly,

Roger K. Kohler
Architect C-7334

Attachments: Page 3- Proposed Lot. Page 4 – Lot Study without 920 N. California

721 COLORADO AVENUE, SUITE 102
650-328-1086

www.kohler-architects.com
email: info@kohler-architects.com

PALO ALTO, CALIFORNIA 94303
FAX 650-321-2860

Attachment F

Project Plans

Hardcopies of project plans are provided to Council Members. These plans are available to the public by visiting the Planning and Community Environmental Department on the 5th floor of City Hall at 250 Hamilton Avenue.

Directions to review Project plans online:

1. Go to: <https://palalto.buildingeye.com/planning>
2. Search for "900 California Avenue" and open the record by clicking on the green dot
3. Review the record details and open the "more details" option
4. Use the "Records Info" drop down menu and select "Attachments"
5. Open the attachment named "**900 California Avenue**"