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## Architectural Review Board Staff Report

**From: Jonathan Lait, Planning and Development Services Director**  
**Lead Department: Planning and Development Services**

**Meeting Date: June 1, 2023**  
**Report #: 2305-1455**

### TITLE

**640 Waverley [23PLN-00092]:** Request for Preliminary Architectural Review To Allow Demolition of a Single Family Home and to Allow Development of a Proposed Four-Story, approximately 10,400 Square Foot Mixed-Use Development Comprised of Ground Floor Office and Three Levels of Residential (Four Residential Units in Total) with a Basement and Below-Grade Parking. Environmental Assessment: Not a Project. The Formal Application Will be Subject to California Environmental Quality Act (CEQA) Review. Zoning District: CN (Neighborhood Commercial). For More Information Contact the Project Planner Claire Raybould at [Claire.Raybould@Cityofpaloalto.org](mailto:Claire.Raybould@Cityofpaloalto.org).

### RECOMMENDATION

It is recommended that the Architectural Review Board (ARB) take the following action(s):

1. Review and provide informal comments. No formal action is requested.

### EXECUTIVE SUMMARY

The applicant is requesting preliminary architectural review of the proposed redevelopment of a 5,277 sf lot to demolish two single-family homes (two-family land use) and to redevelop the site with a proposed four-story, approximately 10,400 square foot mixed-use development comprised of ground floor office and three levels of residential (four residential units in total). The project also includes a basement and a below-grade residential parking facility.

No formal direction is to be provided to the applicant and Board members should refrain from forming and expressing opinions either in support or against the project. For preliminary review applications, staff performs a cursory review of the project for compliance with the Comprehensive Plan and Zoning Code. A comprehensive review of a future project for compliance with applicable codes and adopted policies would follow the submittal of a formal application. Accordingly, there may be aspects of this preliminary review application that do not comply with municipal regulations or require additional discretionary applications beyond architectural review. The purpose of this meeting is to provide the applicant an opportunity to present a conceptual project to the Board and receive initial comments.

Board members may identify aspects of the project that are appropriate given the neighborhood context and consistent with city policies or areas of concern that the applicant may want to reconsider in a formal submittal. Community members are also encouraged to provide early input to the project.

## BACKGROUND

### Project Information

Owner:	Linnovations, LLC
Architect:	Hayes Group Architects
Representative:	Mason Hayes, Hayes Group Architects
Legal Counsel:	N/A

### Property Information

Address:	640 Waverley Street
Neighborhood:	University South
Lot Dimensions & Area:	51 feet wide x 105 feet long (5,277 sf)
Housing Inventory Site:	Not applicable
Located w/in a Plume:	Not applicable
Protected/Heritage Trees:	None
Historic Resource(s):	None
Existing Improvement(s):	Two single-story residences totaling approximately 1,000 sf
Existing Land Use(s):	Two-family residential (640 and 646 Waverley Street)
Adjacent Land Uses & Zoning:	North: RM-40 (Multi-family and Office uses) West: CD-C (P) and PF (Mixed-use and Post office) East: CD-C and DHS (Category 2 Single-Family Home and mixed-use) South: CD-C and PF (Public surface parking lot and mixed-use)

### Aerial View of Property:



Source: Google Maps

### Land Use Designation & Applicable Plans

Zoning Designation:	CD-C(P) (Commercial Downtown-Community with Pedestrian combining district)
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Comp. Plan Designation:	Community Commercial
Context-Based Design Criteria:	Applicable
Downtown Urban Design Guide:	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
Located w/in the Airport Influence Area:	Not applicable
<u>Recent Prior City Reviews &amp; Action</u>	
City Council:	None
PTC:	None
HRB:	None
ARB:	None

The proposed project has not gone to any hearings or study sessions. However, the HRB held a hearing to discuss a previously proposed three-story, mixed-use development with a basement for this site on May 25, 2017. At the hearing, the HRB discussed a Historic Resources Evaluation (HRE) prepared for this site and a development project. The HRE concluded that the site is not historic and discussed the proposed three-story development's context in relationship to the neighboring Category 2 historic structure. The three-story structure was never ultimately developed.

## PROJECT DESCRIPTION

The applicant proposes to demolish the two existing single-story residences and to construct a new 15,831 sf, four-story mixed-use building. The ground floor would include 5,277 sf of office and the upper levels would include four residential dwellings. A ramp provides access to a lift with an underground parking facility providing seven parking spaces. Parking spaces would be provided for the residents but not for the commercial tenants. Vehicular access would be provided from Waverley Street. The project includes a parking lift that would enable cars access to the underground garage. The property owner has not yet determined whether the units would be proposed for rental or ownership. If the units are proposed for ownership, a Tentative Map and Final Map process would also be required in conjunction with any formal application.

## ANALYSIS

Preliminary review applications receive a cursory review for compliance with zoning regulations and consistency with the comprehensive plan or other applicable policy documents. A more comprehensive review will occur upon formal submittal, which may reveal other code or policy concerns. At this point in project development, the ARB is encouraged to provide feedback to the applicant on the preliminary drawings.

### Neighborhood Setting and Character

The subject site is located within the Downtown Commercial Community (CD-C) district. Surrounding buildings generally range from two to five stories in height. The immediately adjacent mixed-use building to the west is four stories with two levels of office and two residences. A two-story single-family residence that is listed as a Category 2 Historic building sits immediately adjacent the site to the east. To the rear of the site is a surface level City-owned public parking lot.

### Consistency with the Comprehensive Plan, Area Plans and Guidelines<sup>1</sup>

The project is designated Community Commercial (CC). The community commercial land use designation includes “districts that have a wider variety of goods and services than the neighborhood shopping areas. They rely on larger trade areas and include such uses as....apparel shops, restaurants, theaters and non-retail services such as offices and banks... In some locations, residential and mixed-use projects may also locate in this category. Non-residential FARs range from 0.35 to 2.0.”

The proposed mixed-use project, which includes ground floor office and multi-family residential use on the three levels above, would be consistent with this land use designation. The proposed office floor area would not exceed the allowable floor area ratio indicated for this land use designation. The proposed residential floor area is approximately 1.55:1, consistent with the allowable floor area for residential use. Residential uses, especially as part of a mixed-use development, are encouraged in proximity to major transit stops. A complete analysis of the project’s consistency with the Comprehensive Plan objectives and policies will be completed as part of any formal application.

### Zoning Compliance<sup>2</sup>

A preliminary review of the proposed project’s consistency with applicable zoning standards has been performed. The project is located within the Downtown Commercial Community Zone District (CD-C) as well as within the pedestrian (P) combining district. A summary table of the project’s consistency with the zoning district is provided in Attachment C.

The project would be subject to the Objective Design Standards set forth in Chapter 18.24 of the code. However, the applicant has indicated their intent to forego compliance with Chapter 18.24 and instead comply with the context-based design criteria for the CD-C Zone District as set forth in PAMC 18.18.110. Staff encourages the ARB to comment in particular with respect to Guideline 4, residential and low-density transitions, as it relates to transitions in massing, limiting sun/shade impacts, and privacy (positioning of upper floor windows and balconies as well as minimizing site lines).

### *Annual Office Limit*

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<sup>1</sup> The Palo Alto Comprehensive Plan is available online:

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

<sup>2</sup> The Palo Alto Zoning Code is available online: [http://www.amlegal.com/codes/client/palo-alto\\_ca](http://www.amlegal.com/codes/client/palo-alto_ca)

The proposed project would be subject to the annual office limit under PAMC Section 18.40.210 because the project includes over 2,000 net new sf of office space, unless the applicant chooses to restrict the space to medical office or nonprofit office use. The annual office limit allows for up to 50,000 sf per fiscal year and allows up to 100,000 sf with a rollover from the previous year. Currently, there is 41,239 sf of office space that was rolled over from the fiscal year 2022. Therefore, the threshold for this fiscal year is 91,239 sf. Currently, the project and other known projects anticipated within the 2023 fiscal year, if all are approved, would total less than 50,000 sf and, therefore would not exceed the threshold.

#### Parking

The proposed project provides seven total parking spaces, including one tandem space. Under the City's zoning ordinance, the proposed use would be required to provide 27 spaces. However, the under new state law enacted by Assembly Bill 2097, the City cannot impose minimum automobile parking requirements for residential uses and most commercial uses (including office) located within a one-half mile of a major transit stop. The site is located within 0.5 mile of the University Avenue Caltrain Station, which qualifies as a major transit stop. Therefore, no automobile parking spaces is required under state law for the proposed project, but bicycle and an accessible parking space may still be required.

Nevertheless, if parking is proposed, the formal application will require additional information to show the ramp details (e.g. slope), turning radius/maneuvering for the underground garage, and evaluate how the access/egress can be designed for the site to ensure safety and ease of use.

A Transit Demand Management Plan may also be required in accordance with the PAMC Section 18.52.050(d).

#### Housing Accountability Act and Senate Bill 330

The proposed project qualifies as a Housing Development in accordance with the Housing Accountability Act and Senate Bill 330 regulations because the project it is at least two-thirds residential. The applicant has not filed a pre-application in accordance with Senate Bill 330. However, regardless of whether a pre-application is filed for the formal project, Senate Bill 330 also includes no net loss of housing requirements as well as any tenant relocation requirements if the existing housing has been used as residential rental in the past five years. Information about the current and historic use of the site (for the past five years) would be required as part of any formal application for the City to ensure compliance with Senate Bill 330 regulations. The project would provide four units to replace two existing units and therefore the project would comply with the no net loss of housing requirements.

#### Historic

Although the project site has been deemed ineligible for listing in the California Register of Historic Resources, the project is located adjacent to a Category 2 historic single-family residence. The adjacent building, constructed in 1908, has been evaluated and found to be eligible for the National Register of Historic Places as well as the California Register of Historical Resources. Staff

encourages the ARB to provide feedback on the contextual relationship between the proposed project and the existing historic structure at 1650 Waverley Street.

#### Consistency with Application Findings

Once a formal application is submitted, the project will need to meet the City's findings for approval under PAMC 18.76. The findings have been included for reference in Attachment B.

#### **STAKEHOLDER ENGAGEMENT**

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper. Notice of a public hearing for this project was published in the *Daily Post* on May 19, which is 12 days in advance of the meeting. Postcard mailing occurred on May 17, which is 14 days in advance of the meeting.

#### Public Comments

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

#### **ENVIRONMENTAL REVIEW**

The subject review involves no discretionary action and is therefore not a project and not subject to review pursuant to the California Environmental Quality Act (CEQA). If a formal application is filed, an analysis of the project's conformance with CEQA will be performed.

#### **ATTACHMENTS**

Attachment A: Location Map

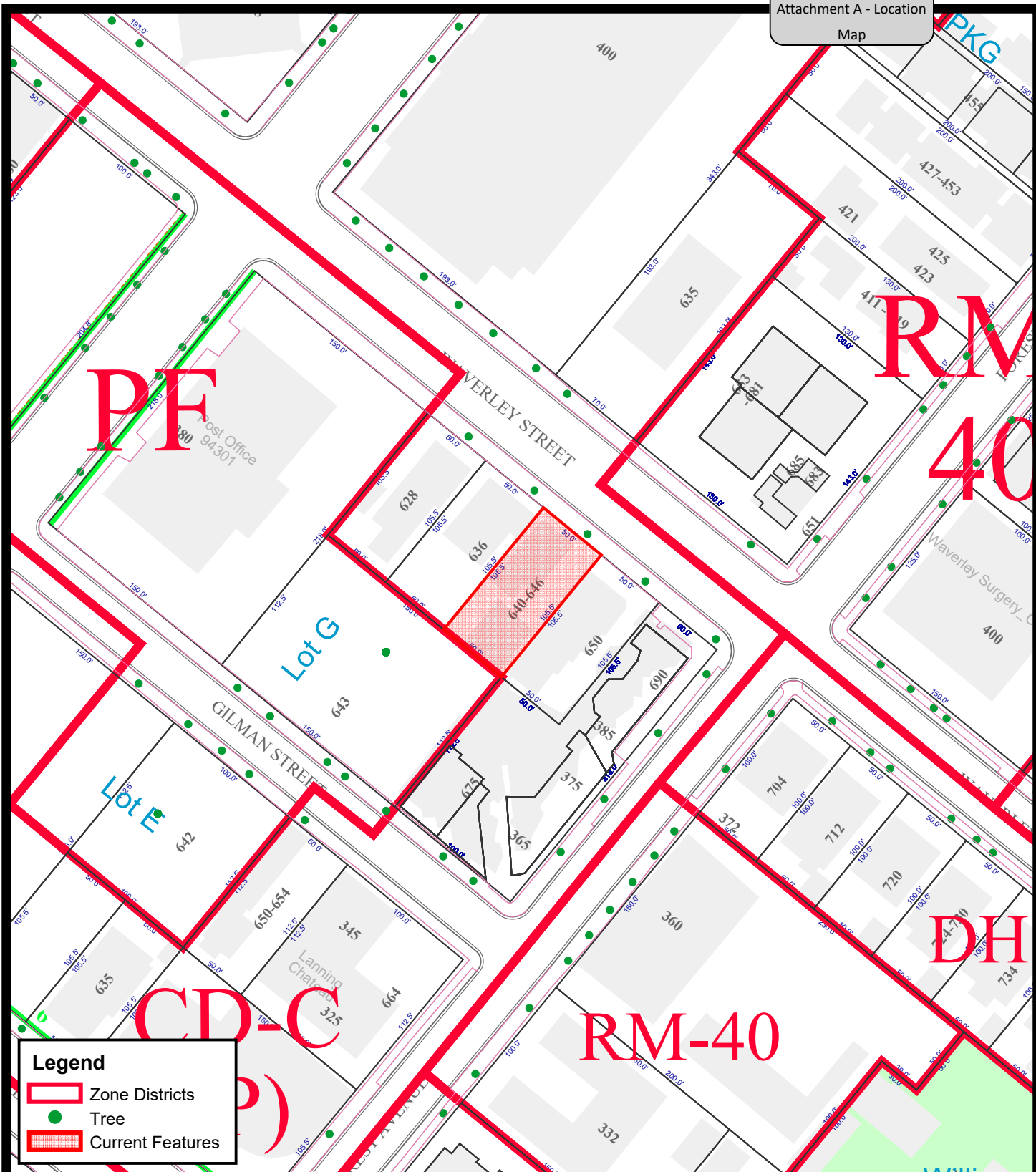
Attachment B: ARB Findings for Approval

Attachment C: Zoning Comparison Table

Attachment D: Project Plans

#### **AUTHOR/TITLE:**

Claire Raybould, Senior Planner



**Legend**

- Zone Districts
- Tree
- Current Features



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# Attachment A: Location Map 640 Waverley Street

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





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**ATTACHMENT B  
ARB FINDINGS FOR APPROVAL**

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In order for the ARB to make a future recommendation of approval, the project must comply with the following Findings for Architectural Review as required in Chapter 18.76.020 of the PAMC.

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

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

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

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

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

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

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



**ATTACHMENT C**  
**ZONING CONSISTENCY TABLE**  
640 Waverley Street, 23PLN-00092

<b>Table 1: COMPARISON WITH CHAPTER 18.18 (CD-C DISTRICT)</b> Mixed-Use Development Standards			
<b>Regulation</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
<b>Minimum Building Setback</b>			
Front Yard	None Required	8 feet for residential, 5 feet for commercial	
Rear Yard	10 feet for residential portion; no requirement for commercial portion	10 feet for residential portion; 1 foot, 6 inches for commercial portion	
Interior Side Yard	None Required	1 foot	
Street Side Yard	No requirement	1 foot	
<b>Maximum Site Coverage</b> (building footprint)	None Required	92.8% 4,899 sf	
<b>Landscape Open Space Coverage</b>	20% 1,000 sf	34.2% 1,805 sf	
<b>Private Open Space</b>	150 sf per residential unit (600 sf)	3,157 sf	
<b>Maximum Height</b>	50 feet	50 feet (measured to mid-slope)	
<b>Daylight Plane for lot lines abutting one or more residential zoning districts or a residential PC district</b>	Daylight plane height and slope identical to those of the most restrictive residential zone abutting the lot line	Not Applicable (No residential zone district abutting the lot line)	
<b>Residential Density (net)</b>	40	33 du/ac (4 units)	
<b>Maximum weighted average unit size</b>	1,500 sf		
<b>Maximum Nonresidential Floor Area Ratio (FAR)</b>	1.0:1 FAR	0.41:1 FAR 2,200 sf	
<b>Maximum Residential Floor Area Ratio (FAR)</b>	2.0:1	1.55:1 FAR 8,190 sf	
<b>Total Floor Area Ratio</b>	3.0:1 15,831 sf	1.96:1 10,390 sf	

**18.18.100 Performance Standards.** In addition to the standards for development prescribed above, all development shall comply with the performance criteria outlined in 18.40 of the Zoning Ordinance.

**18.18.110 Context-Based Design Criteria.** Development in a commercial district shall be responsible to its context and compatible with adjacent development, and shall promote the establishment of pedestrian oriented design.

Type	Required	Proposed
Vehicle Parking (within the Downtown Parking Assessment District)	None required in accordance with Assembly Bill 2097  Per PAMC: 1/250 sf of gross floor area for a total of 21 parking spaces for office use and 6 for residential use	5 (including one tandem and two ADA stalls*)
Bicycle Parking	1/2,500 sf (40% long term and 60% short term) for office= 2 spaces (1 long term, one short term)  1 long-term space per unit; 1 guest space= 5 spaces  Total Long Term: 5 Short Term: 2	Long Term: 5 Short Term: 2
Loading Space	None required	None

\*Because ADA stalls count twice per PAMC, the applicant is indicating 7 total spaces on the project plans

## Attachment D

### **Project Plans**

Project plans are available to the public online. Hardcopies of the plans have been provided to Board members.

#### **Directions to review Project plans online:**

1. Go to: [bit.ly/PAPendingprojects](https://bit.ly/PAPendingprojects)
2. Scroll down to find “640 Waverley Street” and click the address link
3. On this project specific webpage you will find a link to the project plans and other important information

#### **Direct Link to Project Webpage:**

<https://www.cityofpaloalto.org/Departments/Planning-Development-Services/Current-Planning/Projects/640-Waverley-Street>