



CITY OF  
**PALO  
ALTO**

## City Council Staff Report

**From: City Manager**

**Report Type: CONSENT CALENDAR**

**Lead Department: Planning and Development Services**

**Meeting Date: September 9, 2024**

Report #:2407-3290

### **TITLE**

CONSENT: Approval of a Record of Land Use Action to Upgrade the Property Located at 431-433 Kipling Street From a Category 4 Resource to a Category 2 Resource on the Local Historic Inventory.

### **RECOMMENDATION**

Staff recommends that Council reclassify 431-433 Kipling Street, an existing two-story mixed-use building located in the Downtown North neighborhood, from Historic Inventory Category 4 Resource ('Contributing Building') to a Category 2 Resource ('Major Building') as Recommended by the Historic Resources Board (HRB).

### **BACKGROUND**

The subject request is property owner-initiated. This report and Record of Land Use Action (Attachment B) provide background and support for the HRB's July 11, 2024, recommendation to upgrade the two-story building, located at 431-433 Kipling Street, from Historic Inventory Category 4 ('Contributing Building') to Category 2 ('Major Building'). The HRB staff report<sup>1</sup> included the consultant's assessment and inventory form. These documents are also available on the project webpage (Attachment C).

431-433 Kipling Street is located within the Downtown Commercial Community (CD-C) zone district with a Pedestrian Combining District (P) and provides a contrast to the larger commercial scale and higher density found on University Avenue and sections of Lytton Avenue and Cowper Streets. The building, constructed in 1901 by George W. Mosher, was listed in 1985 as a Category 4 "Contributing Building" to the local historic resources inventory.

431-433 Kipling Street exhibits the characteristics of the two-story square box building type, a Palo Alto residential house type that mixed familiar forms and finishes of the Colonial Revival, American Foursquare, and sometimes vernacular Greek Revival. The building is a unique

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<sup>1</sup> Link to July 11, 2024 HRB staff report with consultant assessment and inventory form  
<https://cityofpaloalto.primegov.com/Portal/Meeting?meetingTemplateId=14017>

example with its off-center entrance, hipped roof, and “shirtwaist” feature that separates the first and second floor with a belt course and cladding of separate materials.

## **ANALYSIS**

On July 11, 2024, the Historic Resources Board (HRB) reviewed the applicant’s proposal to reclassify the subject building from the current “Contributing Building” designation in Category 4 on the Historic Inventory to Category 2 “Major Building.” The Historic Resource Board (HRB) voted unanimously to recommend that the City Council reclassify 431-433 Kipling Street Avenue to Category 2.

The HRB staff report included three detailed findings for the consistency of the qualities of 431-433 Kipling Street with the Municipal Code Chapter 16.49 definition of a Category 2 resource.<sup>2</sup> (1) Under Criterion 2, the structure’s architectural style was one of the predominant forms of residences for the middle- and working-class during the early development of Palo Alto. (2) Under Criterion 5, the builder George W. Mosher made important contributions to the early built environment of Palo Alto. (3) Under Criterion 6, the structure showcases a high level of craftsmanship and architectural design. The analysis concluded that the qualities and values of 431-433 Kipling Street are considerably more significant than the qualities of a Category 4 resource and align more with definition of a Category 2 resource.

The HRB discussed its support for the reclassification to a Category 2 resource. The applicant participated in the review of the proposed reclassification and supports this recommendation; no members of the public spoke to the item. The language of the three findings for reclassification that HRB adopted are provided in the attached draft Record of Land Use Action (Attachment B). Each of the three findings reflect the language of the Municipal Code’s definition of Category 2.

Reclassification from a Category 4 to a Category 2 resource at the local level could allow for participation in the Floor Area Bonus/Transfer of Development Rights (TDR) program for qualifying rehabilitation projects. The Floor Area Bonus/TDR program is available for qualifying rehabilitation projects for local inventory Category 1 and 2 resources that are (a) zoned CD (Commercial Downtown) as set forth in PAMC Chapter 18.18, (b) zoned PF/City owned property, or (c) zoned Residential Transition (RT-35 and RT-50) in the South of Forest Area Phase 2 (SOFA 2) area.

There is no proposed rehabilitation work or request for TDR or a Floor Area Bonus with the applicant’s request to upgrade the local inventory category.

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<sup>2</sup> PAMC Sec. 16.49.020: Category 2: "Major building" means any building or group of buildings of major regional importance, meritorious works of the best architects or an outstanding example of an architectural style or the stylistic development of architecture in the state or region. A major building may have some exterior modifications, but the original character is retained.

## **POLICY IMPLICATIONS**

Comprehensive Plan Policy L-7.1.1 provides, in part, to update and maintain the City's Historic Resource Inventory to include historic resources that are eligible for local, State, or Federal listing. The proposed reclassification from a Category 4 to a Category 2 resource at the local level complies with guiding actions of Policy L-7.1.1 to update the City's Historic Resource Inventory.

Further, the project supports City efforts as provided by Comprehensive Plan Goal L-7 for the conservation and preservation of Palo Alto's historic buildings, sites, and districts.

Reclassification as a Category 2 would ensure future proposed development is reviewed in accordance with the procedures outlined in PAMC Chapter 16.49.

## **FISCAL/RESOURCE IMPACT**

There is no fiscal or resource impact associated with this application. The City's consultant costs were covered by the property owner through permit fees.

## **ENVIRONMENTAL REVIEW**

Maintenance of historic designation of a property or reclassification of historic designation of a property is not a project under the California Environmental Quality Act and CEQA Guidelines Section 21065 because it will not cause a direct change to the physical environment nor a reasonably foreseeable indirect physical change in the environment.

## **PUBLIC NOTIFICATION, OUTREACH & COMMENTS**

The Palo Alto Municipal Code requires notice of this public hearing to be published in a local paper and mailed to owners and occupants of property within 600 feet of the subject property at least ten days in advance. Notice of a public hearing for this project was published in the Daily Post on August 30, 2024, which is 10 days in advance of the meeting.

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

## **ATTACHMENTS**

Attachment A: Location Map

Attachment B: Draft Record of Land Use Action

Attachment C: Project Webpage with Plan Set

## **APPROVED BY:**

Jonathan Lait, Planning and Development Services Director