Palo Alto Park Mutual Water Company
APN: 063-154-240 & 063-154-210
2190 Addison Avenue, East Palo Alto, CA 94303

Project Number: ADR22-011

RE: Replacement of Well#3/Pumphouse

Dear Mrs. Lincoln,

Upon review of the plans and application materials that you submitted on July 19, 2022, East Palo Alto Planning has APPROVED your application for an Administrative Design Review (ADR22-011) permit for replacement of Well #3/ pumphouse

The requested proposal is exempt pursuant to Section #15301 (e) (1) Existing Facilities; of the California Environmental Quality Act (CEQA) Guidelines.

PROPERTY DESCRIPTION

The subject property is located at 2190 Addison Avenue, East Palo Alto (Assessor Parcel Number: 063-154-240)

The Palo Alto Park Mutual Water Company (PAPMWC) owns approximately 1.5 acres at 2190 Addison Avenue (APN 063-154-240 & 063-154-210). The PAPMWC has owned this site since the 1920s and has used it exclusively for the production, storage, and treatment of drinking water. Its offices are also located at this site. Per the applicant, these utilities have been operating at this location for over 90 years. No City planning permits have been issued previously for this parcel.

The current site comprises of the following: 1422-square foot and 450 square foot administration buildings; one 282 square-foot existing tank building, one pump station, seven well buildings, one 129.7 square-foot carport and a 350,000-gallon tank. In addition to the structures listed, there are a men's and a women's restrooms (30 square feet each), an 88.8 square feet storage shed and a 10,000 gallons water tank.

The existing Well 3, also known as the pumphouse, is approximately 107 square feet (9’9” x 10’11”) in size and nine feet and seven inches tall. It also includes an exterior concrete housekeeping slab and walkway.
In September 2021, the existing Well 3 failed and the applicant is requesting a permit for the construction of approximately 180-square foot (16’ x 11’4”) replacement Well 3 to be drilled and incorporated into the production system. The height of the new replacement Well 3 is proposed to be twelve feet. The applicant also proposes to demolish the existing slab and walkway and replace it with a new slab and walkway of similar dimensions.

The new replacement would be located five feet away from the carport and fifteen feet from the existing 1422 square feet building. The existing well is located one foot and four inches away from the carport and eighteen feet and six inches from the existing building.

The subject parcel has a General Plan designation of Public Institutional (PI) and is not within the Floodplain. This designation provides for public uses such as water storage facilities, and utility stations or rights-of-way. The allowed land uses in this zoning are public buildings, fire stations, police stations, city corporation yards, and other public and related ancillary uses.

<table>
<thead>
<tr>
<th>Property Owner(s)</th>
<th>Niambi Lincoln</th>
</tr>
</thead>
<tbody>
<tr>
<td>APN</td>
<td>063-154-240 &amp; 063-154-210</td>
</tr>
<tr>
<td>Existing Use</td>
<td>Utilities</td>
</tr>
<tr>
<td>Lot Size</td>
<td>1.5 acres</td>
</tr>
<tr>
<td>General Plan</td>
<td>PI</td>
</tr>
<tr>
<td>Zoning:</td>
<td>PI</td>
</tr>
<tr>
<td>Flood Zone</td>
<td>Not in a flood zone</td>
</tr>
</tbody>
</table>

With respect to any change in impervious surface, per the applicant, the net effect is no change. No increase in impervious surfaces is proposed. While new impervious surface is proposed for the replacement Well 3, the applicant proposes to convert an equivalent amount of existing impervious surface areas into landscaping.

**ADMINISTRATIVE DESIGN REVIEW FINDINGS**

1. **The proposed use is consistent with the General Plan and any applicable specific plan;**

   The project is located at 2190 Addison Avenue. The General Plan land use designation is PI (Public Institutional). This designation provides for public uses such as water storage facilities, and utility stations or rights-of-way, which is consistent with the current use at the parcel.

2. **The proposed use is allowed within the subject zone and complies with all other applicable provisions of the Development Code and the Municipal Code;**

   The existing Well 3 is approximately 107 square feet (9’9” x 10’11”) in size and nine feet and seven inches tall. The existing well is located one-foot and four inches away from the carport and eighteen feet and six inches from the existing 1422 square feet building.
The size of the new proposed Well 3 building is proposed to be approximately 180 square feet (16’ x 11’4”). The height of the new replacement Well 3 is proposed to be twelve feet in height and it would be located five feet away from the carport and fifteen feet from the existing 1422 square-foot building.

Per the East Palo Alto Municipal Code (EPAMC) Chapter 18.16, an administrative use permit is required for any major or minor utilities that are proposed on a site in the Public Institutional zone. No City planning permits have been issued for this site. However, the facility has been in existence since the 1920s and prior to the formation of the City, thus the use is deemed legal non-conforming.

Per the East Palo Alto Municipal Code (EPAMC), Chapter 18.24, the height of an accessory structure which is greater than 120 square feet in size shall be no greater than 15 feet. The new proposed Well 3 building complies with this standard. The code also states that any accessory structure greater than 120 square feet in size shall be located at least six feet away from the adjacent structures. Even though the new replacement well is proposed to be five feet away from the carport, it still improves the legal non-conforming distance as the existing Well 3 building was located only one foot and four inches away from the carport.

As the modification is primarily the replacement of existing facilities, it does not increase the degree of nonconformity. The replacement of the existing well would not adversely modify the existing nonconforming use. Please refer to the non-conforming adjustment findings mentioned below for more details.

3. The design, location, size, perception of mass and bulk, interference with light and air and operating characteristics of the proposed use are compatible with the allowed uses in the vicinity, as detailed in the General Plan or any applicable Specific Plan;

The PAPMWC has owned this site since the 1920s and has used it exclusively for the production, storage, and treatment of drinking water. Its offices are also located at this site. Per the applicant, these utilities have been operating at this location for over 90 years. The scope of this project is only the replacement of the existing Well 3 building. The proposed replacement Well 3 would be constructed with similar colors and materials as the existing Well 3.

4. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use; and
The current use of the site and Well 3 at 2190 Addison Avenue is utilities/facilities for the production, storage, and treatment of drinking water and associated offices. The proposed 180-square foot replacement Well 3 to the existing site is replacement of the previous use. The proposed use would not be detrimental to the neighborhood because it would comply substantially with all requirements. The applicant is not proposing to remove any trees.

5. **The subject site is:**
   
a. **Physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities; and**

   The current site comprises of two existing buildings, one existing tank building, one pump station, seven well buildings, one carport, men’s and women’s restrooms, storage shed, a 350,000-gallon tank, and a 10,000-gallon water tank. The proposed new well building is a replacement of the existing well building and would be 180 square feet in size. The proposed Well 3 building would be part of the existing facilities with adequate public and emergency vehicle access and connection to public service and utilities.

   b. **Served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate.**

   There is no change in the use of the site. The project is in a fully developed area of the city and is served by streets that are adequate in width and improvement to serve the current use.

**NON CONFORMANCE ADJUSTMENT FINDINGS**

1. **The nonconforming adjustment is necessary because the use or structure was legal when it was originally initiated or constructed, but changes in the Development Code or the applicable zone development standards caused the use or structure to become legal nonconforming.**

   The Palo Alto Park Mutual Water Company (PAPMWC) owns approximately 1.5 acres at 2190 Addison Avenue (APN 063-154-240 & 063-154-210). Per the applicant, the PAPMWC has owned this site since the 1920s, prior to the incorporation of the City of East Palo Alto, and has used it exclusively for the production, storage, and treatment of drinking water. Its offices are also located at this site. Per the applicant, these utilities have been operating at this location for over 90 years. In September 2021, the existing Well 3 failed and the applicant is requesting a permit for the construction of approximately an 180-square foot (16’ x 11’4”) replacement Well 3 to be drilled and incorporated into the production system. Per EPAMC Chapter 18.16, an administrative use permit is required for any major or minor utilities that are proposed on a site in the Public Institutional
zone. No planning permits were issued by the City for this site, which has existed since the 1920’s, thus the use is deemed non-conforming use.

2. **Approving the nonconforming adjustment for the use or structure will not pose a serious hazard to the public health or safety of persons residing or working on or adjacent to the parcel;**

   The current use of the site at 2190 Addison Avenue is utilities/facilities for the production, storage, and treatment of drinking water and associated offices. The proposed 180 square-foot replacement Well 3 is the replacement of the previous use. The proposed structure would have similar dimensions as the existing Well 3 and is designed and located so would continue to be compatible with the surrounding uses and not be detrimental to the neighborhood.

3. **The location, size, and operating characteristics of the legal nonconforming use or structure are compatible with the existing and future land uses in the vicinity;**

   The applicant has applied for a nonconforming adjustment as a utility use which would have otherwise required an administrative use permit. No City planning permit has been issued previously for this parcel. The project scope only comprises of replacement of the existing Well 3 building with a new Well 3 building, which is of similar size in a similar location and would utilize similar color and materials.

4. **The modification does not increase the nonconforming situation or represent a significant increase of the nonconforming design standard.**

   The size of the Well 3, which had failed in September 2021, is 9’9” x 10’11” (107 square feet). The height of the existing Well 3 is nine feet and seven inches. The existing Well 3 has been proposed to be demolished along with exterior concrete housekeeping slab and walkway and would be replaced with a new pumphouse slab, and walkway of similar dimensions and a new Well 3 in the same general location. The existing well is located one foot and four inches away from the carport and eighteen feet and six inches from the existing 1422 square feet building.

   The applicant is requesting a permit for the construction of approximately an 180-square foot (16’ x 11’4”) replacement Well 3 to be drilled and incorporated into the production system. The height of the new replacement Well 3 is proposed to be twelve feet in height. The new replacement well will be five feet away from the carport and 15 feet from the existing building.

   The scope of the project is only the replacement of Well 3 with a Well 3 building of similar size, similar materials and similar location as the existing building, thus
the proposed modification to the non-conforming situation does not represent an increase of the degree of nonconformity.

**Appeal Procedure:** In accordance with Chapter 18, Article 7, Section 18.100.030 A. 1 of the East Palo Alto City Code, the Planning Director’s decision may be appealed, in writing, to the Planning Commission within 15 days of the determination date. Appeal forms can be obtained from the City’s webpage at [http://www.ci.east-palo-alto.ca.us/DocumentCenter/View/2755](http://www.ci.east-palo-alto.ca.us/DocumentCenter/View/2755), and must be submitted with the appropriate fee before the end of the appeal period.

This approval is valid for a period of two (2) years and will lapse on August 26, 2024, if the approval is not exercised, meaning the issuance of building permits and the start of construction. **Please note this deadline as this letter serves as your only reminder of the term of approval and no other notice will be sent by this office.** Please do not hesitate to contact me by telephone at (650) 853-3189 or by email at mmathur@cityofepa.org or planning@cityofepa.org if you have any additional questions regarding this matter.

Sincerely,

*Manushi Mathur*

Manushi Mathur  
Associate Planner

Approved for Transmittal  
Cc’d Elena Lee, Planning Manager

**CONDITIONS OF APPROVAL**

**Planning Division**

1. The project shall be constructed in substantial compliance with the drawings and application materials submitted as part of East Palo Alto planning application ADR22-011 and attached hereto and incorporated by reference.

2. The applicant shall hold harmless the City, its officers, agents, and employees from any liability or claims for damages due to the injury of any person, loss of life, or damage to property caused by, or arising out of activities authorized by these approvals. The applicant shall employ legal counsel approved by the city and/or indemnify the City for the cost of legal counsel and legal services.

3. This approval is valid for a period of two (2) years and will lapse on September 2, 2024. If the applicant is unable to secure building permits before September 2, 2024, the applicant must submit an application for an extension at least thirty (30) days before expiration in order to extend the term of the permit.
4. Modifications to the approved plans shall be subject to the approval of the Planning Manager.

5. Landscaping to replace the impervious surfaces shall be in the form of ground cover to allow maximum permeability, such as grass.

6. Parking shall be in compliance with the City of East Palo Alto Municipal Code.

7. Building permits may be required for accessory structures that exceed 120 sf in size unless it is exempted by the Building Division per 2013 CBC 7 CRC Section [A] 105.2.3. See handout for specifics and confirm with the Building Division: https://www.cityofepa.org/sites/default/files/fileattachments/building/page/3771/work_exempt_from_building_p_rm341.pdf.