



Agenda Date: April 4, 2013

To: Architectural Review Board

From: Tim Wong, Senior Planner

Department: Planning and Community Environment

Subject: 567-595 Maybell Avenue [12PLN-00453]: Request by Candice Gonzalez on behalf of Palo Alto Housing Corporation, for a new Planned Community (PC) zone district to allow a 15 single family homes and a 60 unit affordable rental project for seniors on parcels having a combined area of 107,392 square feet and zoned R-2 and RM-15. An initial study and Mitigated Negative Declaration has been prepared and the public comment period concludes on April 8, 2013.

RECOMMENDATION

Staff recommends that the Architectural Review Board (ARB) recommend approval of the Development Plan associated with the Planned Community zone change request to the Planning and Transportation Commission based upon draft findings (Attachments A) and subject to the conditions of approval (Attachment B).

A draft Initial Study and Mitigated Negative Declaration has been prepared for the Planning Community zone request. The document was published on March 22, 2013 for public review and submittal of comments through April 11, 2013.

BACKGROUND

The proposed project, as described in the Summary section below, was submitted to the City on November 6, 2012 as a request to rezone the site from Low Density Residential (R-2) and Residential Multi-family (RM-15) to a Planned Community (PC) zone to allow for the development of a 15-unit, single-family home subdivision and a 60-unit, multi-family senior affordable rental development. The single-family homes would be two and three story units of approximately 1,900 -2,300 square feet. The affordable senior development would be a four story, 60-unit building with an overall height of 45 feet. Forty-two (42) parking spaces with five spaces in reserve, would be provided for the senior development.

The project was reviewed by the Planning and Transportation Commission (PTC) at the February 13, 2013 PTC public hearing. The PTC initiated the PC zone district by a vote of 4-2. Meeting minutes

from the February 13, 2013 PTC session are provided as Attachment D of this report.

Planned Community Zone Change Process

Rezoning to a PC district follows a unique set of procedures and standards, which are described in Chapter 18.38 of the Palo Alto Municipal Code (PAMC). The first step in the PC process is PTC review of the concept plans, development program statement and draft development schedule. With favorable feedback, the PTC, the development plan, site plan, landscape plan and design plans are submitted for ARB review. The environmental document is prepared and circulated prior to ARB consideration. The development plan recommended for approval by the ARB is then returned to the PTC, together with a draft zoning ordinance and environmental document, for its final review and recommendation to the City Council.

September 18, 2012 Council Study Session

The City Council conducted a study session based on conceptual site and elevation plans for comment and feedback. In the site plan, the proposed single family homes on Maybell Avenue had individual driveways. The common Council comments were the safety impacts on pedestrian and bicycle traffic of the proposed Maybell single family homes using Maybell Avenue for vehicular access, the “cookie cutter” design of the single family subdivision and the desire for a shared community open space. Based on Council comments, the applicant revised their site plan for the development to access Clemo Avenue. In addition, greater community open space was added. The applicant submitted the revised site plan as part of the PC application submittal on November 6, 2011.

In addition, during a public hearing, the Council approved a \$3.2 million site acquisition loan to PAHC in November 2012 to PAHC. The City has provided another \$2.6 million loan in March 2013. PAHC conducted public outreach meetings to neighborhood associations prior to the September Council study session. In addition, residents within 600 ft. of the project site received notices about the Study Session.

January 17, 2013 ARB Preliminary Review

The ARB reviewed the submitted site plan during the January 17, 2013 meeting. While generally favorable to the overall design of the site, there were some additional comments regarding the proposed development. Some of the comments that were made included:

- For the single family homes, the commissioners felt that too many materials were used on the facades;
- It was suggested that the applicant reduce some of the “verticality” of the SFD’s along Maybell Avenue to be more compatible with the existing homes across the street including receding the massing on the upper floors;
- There were concerns on height of the senior development and the shadowing effect created by the senior building. A shadow study was suggested, and
- Some ARB members felt that the senior development was too isolated and some measures were needed to better integrate the building such as a walking path to Maybell Avenue.

February 13, 2013 P&TC Initiation

At the February 13, 2013 PTC public hearing, staff had recommended to the PTC to initiate the PC process. During the meeting, there was discussion about the PC process in general and the required public benefits. There were a number of comments about site planning and the proposed design of the

buildings. Some of the comments included:

- The number of parking spaces provided for the senior development seemed low. Some of the commissioners felt that the 47 spaces provided for senior development was inadequate. Other commissioners felt that the senior development was providing too many spaces while there was inadequate parking for the single family residences.
- The facades of the senior development needed some additional design features.
- It may be more appropriate to decrease the number of proposed single family lots and increase the individual lot sizes.

While the PTC felt that there were some concerns with the proposed plan, they felt the application was sufficient to initiate the PC zone change process.

SUMMARY

Site Information

The project site is comprised of two parcels (APN # 137-25-109 and -108) located at the corner of Maybell and Clemo Avenues (see Attachment C, Site Location Map). The combined lot size is approximately 107,392 square feet (2.46 acres). The larger parcel (93,639 square feet) and the smaller parcel (13,753 square feet) are zoned RM-15 and R-2. The R-2 zone district runs the length of Maybell Avenue and is approximately 0.5 acres. The remainder of the site is zoned RM-15. The current land use is a non-functioning orchard and four existing one-story single family homes on Maybell Avenue. The homes were built between the late 1950's to the early 1970's. The building square footages range from 2,500-3,500 square feet. Historical records show the orchard has not been in operation since the early 1990's. Vehicular access to the site is from both Maybell Avenue and Clemo Avenue with a barrier at the end of Clemo Avenue to prevent vehicular traffic from Clemo Avenue on to Maybell Avenue.

A Phase I and a Phase II Environmental Assessment was prepared prior to purchase of the site. No significant environmental impacts or concerns have been identified. There were minor concerns about existing contaminants in the soil. The applicant initiated a voluntary cleanup program with the County to remediate the soil containing residual levels of pesticides, lead arsenic, and petroleum hydrocarbons. On November 30, 2012, the County of Santa Clara, Department of Environmental Health issued a letter confirming the completion of the remedial actions to their satisfaction.

Surrounding Uses

The project site is surrounded by the following land uses:

- West- Single Family residences of one and two stories (Zoning: R-1)
- North - Multifamily residences (Arastradero Park owned by PAHC, Zoning: PC-2656)
- East- Multifamily residences (The Tan Plaza Continental, Zoning: PC-2218)
- South- Briones Park (Zoning: PF)

Project Description

The applicant's comprehensive project description and supplementary statements in support of the proposed PC district zone change are provided as Attachment D.

The applicant, Palo Alto Housing Corporation (PAHC), has requested a rezoning of the 2.46 acre site

to Planned Community (PC) to allow increased density, smaller lot sizes and additional height above the maximums of the underlying zone districts. The proposed 15 single-family homes and 60 multifamily units would exceed the 34 units allowed under the current zoning, R-2 and RM-15, by 41 units. PAHC plans to subdivide the 2.46-acre property. There are two components to the proposed development: a 15 unit single-family subdivision and a 60-unit affordable rental apartment building for seniors. The project's inclusion of affordable rental housing units allows for the granting of "concessions" under State Density Bonus Law per Government Section 65915. Requested concessions are described below. The project would be designed to meet or exceed the City's green point rating system.

The two legal parcels have zoning designations of R-2 and RM-15. The proposed new development use would replace the existing residential and the two adjacent residential zoned parcels would form a single PC zoned site. The PC district is intended to accommodate developments for residential, commercial, and other activities, including combinations of uses appropriately requiring flexibility under controlled conditions not otherwise attainable under other districts.

The project includes the demolition of the four existing single family homes along Maybell Avenue and construction of 15 single-family units and a 60-unit affordable senior rental housing development.

Senior Units

PAHC proposes to build a four-story multi-family structure of approximately 56,192 square feet with a height of approximately 45 feet above grade. The senior rental building would be on a one-acre parcel on the northeast corner of the site and would include 59 one-bedroom apartments and one two-bedroom apartment for an on-site manager, common areas such as a community room with computer lab, laundry rooms on each floor, a resident services office, as well as outdoor common area space. The affordable apartments would have an average size of 600 square feet and be affordable to senior households earning 30-60% of the Area Median Income (AMI).

The total floor area breakdown and unit distribution of the senior development is as follows:

	<u>Sq. ft.</u>	<u>Res. Units</u>
First Floor	16,116	14
Second Floor	13,976	16
Third Floor	13,883	16
Fourth Floor	12,237	28
Total	56,192	60

The fourth floor will also have a roof terrace and an exercise room available for all the residents.

Roof top photovoltaic energy systems are proposed to pre-heat water prior to entering a central boiler. Photovoltaic electric solar panels are proposed to power the community room. Water conservation will be achieved with drought-tolerant landscaping of all vegetated areas. Energy Star appliances will be used in the residences. Additional sustainable measures will be met throughout the construction and materials selection process which may include recycled aggregate, engineered lumber, no added formaldehyde insulation and modular cabinets, low-VOC paints, wood coatings and adhesives, and low-emitting flooring.

Single Family Housing Units

The market rate units would be located on the remaining 1.46 acre portion of the site, running adjacent to the perimeter of the property, bordering Maybell and Clemo Avenues. The 15-unit subdivision would be fee simple lots of approximately 2,300 to 3,400 square feet with residence sizes between 1,800-2,400 square feet. A majority of the homes are three-story with an approximate height of 35 feet.

There would be eight single-family houses located on Maybell Avenue, one on a corner lot, and six along Clemo Avenue. The houses on Maybell Avenue would be two or three stories with an average height of approximately 25 feet for the two story houses and 35 feet for the three story units. The corner house would have three stories with an overall height of 35 feet. They will be setback approximately 12 feet from Maybell Avenue. In response to the January 17, 2013 ARB preliminary review, the applicant has redesigned the proposed homes to step back the upper stories of the three story homes from the first story to reduce the “verticality” and massing of the homes. Houses on Clemo Avenue would have three stories and a height of 35 feet. The Clemo Avenue homes would be setback 20 feet to accommodate the mature oak trees that are along Clemo Avenue. In order to avoid parking impacts on Maybell and Clemo Avenues, two car garage parking would be provided at the rear of each unit, accessed by an alley in the interior of the site. Garage parking at the rear of the homes would allow an uninterrupted sidewalk along Maybell Avenue which will connect existing sidewalks north and south of the property. Seven of the units will also have additional apron parking (in front of the garage doors) that will accommodate an additional two parking spaces for a total of 14 parking spaces.

DISCUSSION

Zoning Compliance

The application is generally in compliance with the requirements of the Planned Community (PC) Zone District. However, the proposed senior affordable development is inconsistent with height and daylight plane requirements. The proposed 45 foot height of the senior development exceeds the 35 foot maximum height requirement and the daylight plane requirement. The height and daylight plane requirements are applicable as the project site is within 150 feet of existing residentially zoned parcels. The Arastradero Park and Tan Plaza Apartments are within 150 feet of the proposed senior development.

Section 18.38.050(e) requires a daylight plane be established along that portion of the lot that abuts the neighboring residential property. The daylight plane is to be measured beginning at a height of 10 feet and increasing inward at 1:2 slope (30 degree angle). Using this formula, the building would protrude into the daylight plane at approximately mid-way of the second floor of the senior development. In addition, Section 18.38.050(b) requires that building height be a maximum of 35 feet if within 150 feet of residentially zoned parcels otherwise the maximum height is 50 feet. The height of the proposed senior development is 45 feet.

The applicant is requesting concessions per State Density Bonus Law Government Code Section 54915 for relief from the daylight plane and height requirement in exchange for providing affordable housing.

Staff has prepared a zoning comparison table (Attachment D) that analyzes the development standards

for the proposed PC zone development compared to a development of the site following the existing RM-15 and, by comparison, the RM-40 development standards. RM-40 development standards are included since the proposed density of the development is most similar to RM-40 zoning. In addition, the site development regulations of the Village Residential housing type (PAMC 18.13.050) were compared with the proposed project, in that the proposed single-family lots are generally consistent with the purpose and applicability of Village Residential.

The Project exceeds the RM-40 requirements for height, daylight plane and Village Residential setback requirements. The proposed senior building exceeds the maximum allowable height and extends into the daylight plane. The single family residences on Maybell Avenue would not meet the setback requirements for the RM-40 zone. In order to meet the goals of the Project, the applicant has requested PC zoning in that the development plan would not specifically conform to any of the multi-family residence district. Furthermore, the PC district, if granted, would be applicable only to the approved Development Plan, thereby ensuring that only the proposed project could be developed. Any future redevelopment of the site to a different use would require additional rezoning that could only be approved by the City Council.

Context Based Design Criteria

Although the project is not subject to the RM zone district requirements, staff completed a comparison of the proposed project to the Context Based Design Criteria as outlined in Section 18.13.060 of the Zoning Code in the RM code. The proposed design appears to be consistent with many of the requirements. In summary the project would provide pedestrian walk-ability by adding the sidewalk on Maybell Avenue, a bicycle-friendly environment with the removal of driveways on Maybell Avenue and connectivity through design elements with the existing neighborhoods. In addition, the applicant is proposing to add new trees along Maybell Avenue to help improve the visual appearance of the Maybell Avenue streetscape.

The Maybell Avenue homes would minimize massing with increased setbacks at the top two floors. The proposed homes on Clemo Avenue have given a larger front yard setback to integrate the existing mature oak trees into the design of the homes. All the residential units have a presence on the street and are not walled-off or oriented exclusively inward.

The parking design is consistent with the design criteria in the parking is located behind the single family residences and is concealed from public view. Landscaping provides a visual buffer between vehicle circulation areas and abutting properties

Circulation

All ingress and egress for the single-family homes and the senior apartments would be from a single entry way from Clemo Avenue with the exception of the corner lot. It would have its own driveway. All automobile traffic would be directed to Arastradero Road. The existing automobile traffic barrier would remain; therefore there would be not vehicular traffic from Clemo Avenue onto Maybell Avenue. By redirecting all ingress and egress traffic onto Clemo Avenue, the four existing driveways would be removed and additional four street parking spaces would be created.

A traffic study was prepared to analyze the impacts of the proposed single Clemo Avenue driveway. The study concluded that there would be a potentially significant impact for all the traffic to be directed to the non-signalized intersection of Clemo Avenue and Arastradero. The study proposed

alternatives to move the Clemo barrier east of the proposed driveway to direct the traffic onto Maybell Avenue or to create an addition access way directly onto Maybell Ave.

PAHC owns the adjacent property to the north, Arastradero Park. Arastradero Park is a 65 unit affordable housing development consisting of one, two, three and four bedroom units. The 65 units are distributed in two and three story buildings on the three acre property. Access to the property is from Maybell Avenue and Arastradero Road. PAHC is working with its lenders to obtain an easement from Arastradero Park to the project site.

Parking

The plan provides for 42 parking spaces with five reserve spaces for a total of 47 spaces for the senior development. One space would be an electric vehicle (EV) space. The City requires 1.5 units per one-bedroom unit and 2 spaces per two-bedroom unit. Therefore the development would typically require a total of 91 parking spaces. However, the City has recognized that senior developments generate less traffic impacts and require less parking than other residential developments. The developer is providing 47 parking stalls for 60 units or a ratio of .78 stalls per unit. This ratio is consistent or exceeds other parking ratios for senior developments throughout the City.

Parking for the single family homes would be provided with two car garages. Access to the garages is from the interior of the project site. Driveways are proposed for each home to accommodate additional parking. There would be street parking on Maybell and Clemo Avenues.

Trees

There are twelve oak trees on the site adjacent to Clemo Avenue. Ten of the oaks are mature oak trees that are proposed to be retained. Two other oak trees are in fair to poor condition and are proposed to be removed. The oak trees will be retained and have been integrated into the overall design of the project. An arborist's report has been prepared that evaluates each oak tree and includes a tree preservation and protection plan which outlines the necessary protection measures to be implemented during construction to prevent injuries to the trees to remain. These recommendations include installation of protective fencing around the trees during construction, that any grading or excavation within Tree Protection Zones (TPZs) must be accomplished through hand digging, and that a qualified arborist must supervise any cutting of roots greater than one inch diameter. In addition, the single family residences along Clemo Avenue would be set back an average of 40 feet from the property line to accommodate the oak trees. The trees will also provide a privacy screen between the homes and Briones Park.

Medium sized canopy trees are proposed along Maybell Ave. The new frontage trees would be located in each front yard of the Maybell Avenue homes.

Density Bonus and Concessions per Government Code Section 65915

As discussed, the senior development exceeds the height and daylight plane requirements in the PC zone district. The applicant has requested "concessions" through Government Code Section 65915. Under Government Code Section 65915, developments that provide more than 20% affordable housing in the development are eligible for incentives or concessions. An incentive or concession can be used to provide regulatory "relief" from zoning requirements. Per the State law, the development is eligible for up to three concessions. Examples of concessions are reduction in required setbacks, exceeding maximum floor area ratios, reduction in parking requirements, or in this instance,

exceeding the height limit and encroaching into the required daylight plane. These concessions are allowed "by right" through State law. The jurisdiction must grant the concession unless the jurisdiction finds that the concession is not necessary for the production of the affordable housing or if it creates an adverse impact on a Historical Resource.

A number of developments, both market rate and affordable, have used density bonus concessions. Palo Alto Family Apartments, located at 801 Alma Street, developed by Eden Housing, is a 50 unit affordable rental development. Eden requested concessions to encroach into the required setbacks, exceed the maximum floor area ratio (FAR) and not provide private useable space. The development at 195 Page Mill Road also requested concessions to allow residential uses in GM zoning and to exceed the maximum FAR in return for providing 17 affordable housing units.

Community Concerns

The project applicant has contacted nearby neighborhood associations and has discussed the proposed project with them. The current design incorporates the comments received from the neighborhood meetings.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act (CEQA) and began circulation on March 23, 2013. Public comments are requested through April 11, 2013. The Mitigated Negative Declaration is contained in Attachment F.

ATTACHMENTS

Attachment A: Findings
Attachment B: Conditions of Approval
Attachment C: Site Location Map
Attachment D: PC application and project description*
Attachment E: Zoning Comparison Chart
Attachment F: Mitigated Negative Declaration
Attachment G: Development Plans (ARB members only)*

*Prepared by Applicant; all other attachments prepared by staff

PREPARED BY: Tim Wong, Senior Planner

REVIEWED BY: Steven Turner, Advance Planning Manager 

ATTACHMENT A
FINDINGS FOR ARCHITECTURAL REVIEW APPROVAL
567 -595 Maybell Avenue
12PLN-00453

The design and architecture of the proposed improvements, as conditioned, complies with the Findings for Architectural Review as required in Chapter 18.76 of the PAMC.

1. The design is compatible with the immediate environment of the site in that the proposed development is located within a residential area, adjacent to similar uses and zoning;
2. The design is appropriate to the function of the project in that the project will provide for enhanced landscaping, pedestrian and bike friendly amenities, and provides for better and safer circulation connections for pedestrians, bicyclists and vehicles. Green building features will be incorporated into the single family residences and multifamily building to meet green building standards;
3. The design is compatible with approved improvements both on and off the site in the proposed development, as conditioned, includes improvements necessary for the residential development;
4. The planning and siting of the various functions and building on the site create an internal sense of order and provide a desirable environment for the occupants, visitors and the general community in that the proposed design is compatible with the applicable design guidelines, development standards and performance criteria and Comprehensive Plan;
5. The amount and arrangement of open space are appropriate to the design and the function of the structures in that the new landscaping and street trees will help provide visual appeal;
6. Sufficient ancillary functions are provided to support the main functions of the project that the proposal includes sufficient automobile and bicycle parking, outdoor activity areas and common open space areas. The project includes installing a sidewalk to connect existing sidewalks to the east and west of the project site;
7. Access to the property and circulation thereon are safe and convenient for pedestrians, cyclists and vehicles in development;
8. Natural features are appropriately preserved and integrated with the project. The mature oak trees on Clemo Avenue have been integrated into the design of the single family homes;
9. The materials, textures, colors and details of construction and plan material are appropriate expressions of the design and function in that the proposed design concept creates an effective design along Maybell Avenue;

10. The landscape design concept for the site, as shown by the relationship of plant masses, open space, scale plant forms and foliage textures and colors create a desirable and functional environment in that the landscaping softens the appearance of the buildings, walkways, and parking lot through plantings and creates an effective outdoor activity area for the residents;
11. Plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which would lend to be drought-resistant and to reduce consumption of water in its installation and maintenance in that appropriate plant materials are proposed;
12. The project exhibits green building and sustainable design that is energy efficient, water conserving, durable and non-toxic, with high-quality spaces and high recycled content materials. The following considerations should be utilized in determining sustainable site and building design:
 - a. Optimize building orientation for heat gain, shading, day lighting, and natural ventilation;
 - b. Design of landscaping to create comfortable micro-climates and reduce heat island effects.
 - c. Design for easy pedestrian, bicycle and transit access;
 - d. Maximize on site stormwater management through landscaping and permeable paving;
 - e. Use sustainable building materials;
 - f. Design lighting; plumbing and equipment for efficient energy and water use;
 - g. Create healthy indoor environments;
 - h. Use creativity and innovation to build more sustainable environments.

Green building features will be incorporated to achieve green buildings standards.

13. The design is consistent and compatible with the purpose of architectural review, which is to:
 - a. Promote orderly and harmonious development in the city;
 - b. Enhance the desirability of residence or investment in the city;
 - c. Encourage the attainment of the most desirable use of land and improvements;
 - d. Enhance the desirability of living conditions upon the immediate site or in adjacent areas; and
 - e. Promote visual environments which are of high aesthetic quality and variety and which, at the same time, are considerate of each other.

The design is consistent for all of the reasons and findings enumerated above.

ATTACHMENT B
DRAFT CONDITIONS OF APPROVAL
567 -595 Maybell Avenue
12PLN-00453

Planning Division

1. The plans submitted for Building Permit shall be in substantial compliance with plans dated March 14, 2013 except as modified to incorporate these conditions of approval.
2. These ARB conditions of approval shall be printed on the plans submitted for building permits.
3. The existing city street trees shall be maintained and protected during construction per City of Palo Alto requirements.
4. Upon submittal of the application for a building permit, the project is required to comply with the City's Green Building Program (PAMC 16.14). The project required to complete a green building application, and implement the programs requirements in building plans and throughout construction. More information and the application can be found at http://www.cityofpaloalto.org/depts/pln/sustainability_green_building_building/application/default.asp.

Public Works

5. SUBDIVISION APPLICATION: The applicant needs to file for a Major Subdivision Application with the Planning Department for creating five (5) or more parcels. A Major Subdivision typically requires the approval of tentative and final maps. A building permit cannot be issued until the final map is recorded at the County Recorder's Office.
6. OFFSITE IMPROVEMENTS: As part of this project, the applicant, at minimum, will be required to repave (2-inch grind and pave) the full width of Maybell Avenue and Clemo Avenue and install all new sidewalk, curb, gutter, and driveway approach in the public right-of-way along the property frontage per Public Works' latest standards and/or as instructed by the Public Works Inspector. The plan must note that any work in the right-of-way must be done per Public Works' standards by a licensed contractor who must first obtain a *Permit for Construction in the Public Right-of-Way* ("Street Work Permit") from Public Works at the Development Center.
7. STREET TREES: The applicant may be required to replace existing and/or add new street trees in the public right-of-way along the property's frontage. Call City Public Works' arborist at 650-496-5953 to arrange a site visit so he can determine what street tree work will

be required for this project. The site or tree plan must show street tree work that the arborist has determined including the tree species, size, location, staking and irrigation requirements. Any removal, relocation or planting of street trees; or excavation, trenching or pavement within 10 feet of street trees must be approved by the Public Works' arborist. The plan must note that in order to do street tree work, the applicant must first obtain a *Permit for Street Tree Work in the Public Right-of-Way* ("*Street Tree Permit*") from Public Works' Urban Forestry.

8. **STORM WATER RUNOFF SYNOPSIS:** Provide a synopsis of pre and post-development storm water runoff flows and drainage systems. Summarize existing storm water drainage patterns such as where the existing site runoff drains to. Explain the increase in the site storm water runoff flow for post-development. Show justification that the existing City storm water drainage system has the capacity to handle the increase in the flow.
9. **STORM WATER TREATMENT:** This project must meet the latest State Regional Water Quality Control Board's (SRWQCB) C.3 provisions. The applicant is required to satisfy all current storm water discharge regulations and shall provide calculations and documents to verify compliance. All projects that are required to treat storm water will need to treat the permit-specified amount of storm water runoff with the following low impact development (LID) methods: rainwater harvesting and reuse, infiltration, evapotranspiration, or biotreatment. However, biotreatment (filtering storm water through vegetation and soils before discharging to the storm drain system) will be allowed only where harvesting and reuse, infiltration and evapotranspiration are infeasible at the project site. Complete the Infiltration/Harvesting and Use Feasibility Screening Worksheet (Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Stormwater Handbook - Appendix I). ***Vault-based treatment will not be allowed as a stand-alone treatment measure.*** Where storm water harvesting and reuse, infiltration, or evapotranspiration are infeasible, vault-based treatment measures may be used in series with biotreatment, for example, to remove trash or other large solids.

Reference: Palo Alto Municipal Code Section 16.11.030(c)

[http://www.scvurppp-w2k.com/permit_c3_docs/c3_handbook_2012/Appendix I-Feasibility_2012.pdf](http://www.scvurppp-w2k.com/permit_c3_docs/c3_handbook_2012/Appendix_I-Feasibility_2012.pdf)

In order to qualify the project as a **Special Project** for LID treatment reduction credit, complete and submit the Special Projects Worksheet (Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Stormwater Handbook - Appendix J: Special Projects). Any Regulated Project that meets all the criteria for more than one Special Project Category may only use the LID treatment reduction credit allowed under one of the categories.

[http://www.scvurppp-w2k.com/permit_c3_docs/c3_handbook_2012/Appendix J-](http://www.scvurppp-w2k.com/permit_c3_docs/c3_handbook_2012/Appendix_J-)

Special_Projects_2012.pdf).

The applicant must incorporate permanent storm water pollution prevention measures that treat storm water runoff prior to discharge. The prevention measures shall be reviewed by a qualified **third-party reviewer** who needs to certify that it complies with the Palo Alto Municipal Code requirements. This is required prior to the issuance of a building permit. The third-party reviewer shall be acquired by the applicant and needs to be on the Santa Clara Valley Urban Runoff Pollution Prevention Program's (Program) list of qualified consultants. Any consultant or contractor hired to design/and/or construct a storm water treatment system for the project cannot certify the project as a third-party reviewer.

http://www.scvurppp-w2k.com/consultants2012.htm?zoom_highlight=consultants

Within 45 days of the installation of the required storm water treatment measures and prior to the issuance of an occupancy permit for the building, **third-party reviewer** shall also submit to the City a certification for approval that the project's permanent measures were constructed and installed in accordance to the approved permit drawings. The project must also enter into a maintenance agreement with the City to guarantee the ongoing maintenance of the permanent C.3 storm water discharge compliance measures. The maintenance agreement shall be executed prior to the first building occupancy sign-off.

10. SWPPP: The proposed development will disturb more than one acre of land. Accordingly, the applicant will be required to comply with the State of California's General Permit for Storm Water Discharges Associated with Construction Activity. This entails filing a Notice of Intent to Comply (NOI), paying a filing fee, and preparing and implementing a site specific storm water pollution prevention plan (SWPPP) that addresses both construction-stage and post-construction BMP's for storm water quality protection. The applicant is required to submit two copies of the NOI and the draft SWPPP to the Public Works Department for review and approval prior to issuance of the building permit.
11. LOADING DOCK: If there is a loading dock, storm runoff from loading docks where chemicals or hazardous materials may be handled shall not drain to a street, gutter, or storm drain. See 16.09.032(b)(4)(D). It is recommended that the loading dock(s) be covered to preclude the need for a drain.
12. GREASE/OIL REMOVAL DEVICE: If there will be a kitchen and food serving area in the new Senior Building, any drains in the food service facilities shall be connected to a grease removal device.
13. PEDESTRIAN CIRCULATION: The pedestrian circulation shown for Senior Building on Sheet C2 indicates pedestrian route through neighboring property to access the public

sidewalk at the north end of the property. Such encroachment through a private property is not recommended by the City.

14. The following comments are provided to assist the applicant at the building permit phase. You can obtain various plan set details, forms and guidelines from Public Works at the City's Development Center (285 Hamilton Avenue) or on Public Works' website:
http://www.cityofpaloalto.org/depts/pwd/forms_permits.asp

Include in plans submitted for a building permit:

15. GRADING & EXCAVATION PERMIT: For disturbing greater than 10,000 SF of land area, a *Grading and Excavation Permit* needs to be obtained from PWE at the Development Center before the building permit can be issued. Refer to the Public Works' website for "Excavation and Grading Permit Instructions." For the *Grading and Excavation Permit* application, various documents are required including a grading and drainage plan, soils report, Interim and Final erosion and sediment control, and storm water pollution prevention plan (SWPPP). Refer to our website for "Grading and Excavation Permit Application" and guidelines. Indicate the amount of soil to be cut and filled for the project.

<http://www.cityofpaloalto.org/civicax/filebank/documents/11695>

16. GRADING AND DRAINAGE PLAN: The plan set must include a grading and drainage plan prepared by a licensed professional that includes existing and proposed spot elevations and showing drainage flows to demonstrate proper drainage of the site. Other site utilities may be shown on the grading plan for reference only, and should be so noted. No utility infrastructure should be shown inside the building footprint. Installation of these other utilities will be approved as part of a subsequent Building Permit application.

Site grading, excavation, and other site improvements that disturb large soil areas may only be performed during the regular construction season (from April 16 through October 15th) of each year the permit is active. The site must be stabilized to prevent soil erosion during the wet season. The wet season is defined as the period from October 15 to April 15. Methods of stabilization are to be identified within the Civil sheets of the improvement plans for approval.

17. BEST MANAGEMENT PRACTICES (BMP's): In order to address potential storm water quality impacts, the plan shall identify BMP's to be incorporated into the Storm Water Pollution Prevention Plan (SWPPP) that will be required for the project. The SWPPP shall include permanent BMP's to be incorporated into the project to protect storm water quality. (Resources and handouts are available from PWE. Specific reference is made to Palo Alto's companion document to "Start at the Source", entitled "Planning Your Land Development Project").

The developer shall require its contractor to incorporate BMP's for storm water pollution prevention in all construction operations, in conformance with the SWPPP prepared for the project. It is unlawful to discharge any construction debris (soil, asphalt, sawcut slurry, paint, chemicals, etc.) or other waste materials into gutters or storm drains. (PAMC Chapter 16.09).

The applicant is required to paint the "No Dumping/Flows to Barron Creek" logo in blue color on a white background, adjacent to all storm drain inlets. Stencils of the logo are available from the Public Works Environmental Compliance Division, which may be contacted at (650) 329-2598. A deposit may be required to secure the return of the stencil. Include the instruction to paint the logos on the construction grading and drainage plan. Include maintenance of these logos in the Hazardous Materials Management Plan, if such a plan is part of this project.

18. STORM WATER POLLUTION PREVENTION: The City's full-sized "Pollution Prevention - It's Part of the Plan" sheet must be included in the plan set. Copies are available from Development Center or on our website. Also, the applicant must provide a site-specific storm water pollution control plan sheet in the plan set.

<http://www.cityofpaloalto.org/civicax/filebank/documents/2732>

19. IMPERVIOUS SURFACE AREA: Since the project will be creating or replacing 500 square feet or more of impervious surface, the applicant shall provide calculations of the existing and proposed impervious surface areas. The calculations need to be filled out in the *Impervious Area Worksheet for Land Developments* form which is available at the Development Center or on our website, then submitted with the building permit application.

<http://www.cityofpaloalto.org/civicax/filebank/documents/2718>

20. WORK IN THE RIGHT-OF-WAY - If any work is proposed in the public right-of-way, such as sidewalk replacement, driveway approach, curb inlet, storm water connections or utility laterals, the following note shall be included on the *Site Plan* next to the proposed work:

"Any construction within the city right-of-way must have an approved *Permit for Construction in the Public Street* prior to commencement of this work. THE PERFORMANCE OF THIS WORK IS NOT AUTHORIZED BY THE BUILDING PERMIT ISSUANCE BUT SHOWN ON THE BUILDING PERMIT FOR INFORMATION ONLY."

21. LOGISTICS PLAN: The contractor must submit a logistics plan to PWE prior to commencing work 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, concrete pours, crane lifts, work hours, noise control, dust control, storm water

pollution prevention, contractor's contact, noticing of affected businesses, and schedule of work. The plan will be part of the building permit submittal.

<http://www.cityofpaloalto.org/civicax/filebank/documents/2719>

22. **FINALIZATION OF BUILDING PERMIT:** The Public Works Inspector shall sign off the building permit prior to the finalization of this permit. All off-site improvements shall be finished prior to this sign-off. Similarly, all as-builts, on-site grading, drainage and post-developments BMP's shall be completed prior to sign-off.

Public Works Water Quality

23. **PAMC 16.09.170, 16.09.040 Discharge of Groundwater:** The project is located in an area of suspected or known groundwater contamination with Volatile Organic Compounds (VOCs). If groundwater is encountered then the plans must include the following procedure for construction dewatering:

Prior to discharge of any water from construction dewatering, the water shall be tested for volatile organic compounds (VOCs) using EPA Method 601/602 or Method 624. The analytical results of the VOC testing shall be transmitted to the Regional Water Quality Control Plant (RWQCP) 650-329-2598. Contaminated ground water that exceeds state or federal requirements for discharge to navigable waters may not be discharged to the storm drain system or creeks. If the concentrations of pollutants exceed the applicable limits for discharge to the storm drain system then an Exceptional Discharge Permit must be obtained from the RWQCP prior to discharge to the sanitary sewer system. If the VOC concentrations exceed the toxic organics discharge limits contained in the Palo Alto Municipal Code (16.09.040(m)) a treatment system for removal of VOCs will also be required prior to discharge to the sanitary sewer. Additionally, any water discharged to the sanitary sewer system or storm drain system must be free of sediment.

24. **PAMC 16.09.180(b)(11) Carwash Required** New Multi-family residential units and residential development projects with 25 or more units shall provide a covered area for occupants to wash their vehicles. A drain shall be installed to capture all vehicle wash waters and shall be connected to an oil/water separator prior to discharge to the sanitary sewer system. The oil/water separator shall be cleaned at a frequency of at least once every six months or more frequently if recommended by the manufacturer or the Superintendent. Oil/water separators shall have a minimum capacity of 100 gallons. The area shall be graded or bermed in such a manner as to prevent the discharge of storm water to the sanitary sewer system; (Note: the Senior Housing component of this development may apply for an exemption to this requirements, in which case any hose bibs must be fitted with lock-outs or other connections controls and signage indicating that car washing is not allowed.)

25. **PAMC 16.09.180(b)(10) Dumpsters for New and Remodeled Facilities** New buildings and residential developments providing centralized solid waste collection, except for single-family and duplex residences, shall provide a covered area for a dumpster. The area shall be adequately sized for all waste streams and designed with grading or a berm system to prevent water runon and runoff from the area.
26. **PAMC 16.09.180(b)(14) Architectural Copper** On and after January 1, 2003, copper metal roofing, copper metal gutters, copper metal down spouts, and copper granule containing asphalt shingles shall not be permitted for use on any residential, commercial or industrial building for which a building permit is required. Copper flashing for use under tiles or slates and small copper ornaments are exempt from this prohibition. Replacement roofing, gutters and downspouts on historic structures are exempt, provided that the roofing material used shall be prepatinated at the factory. For the purposes of this exemption, the definition of "historic" shall be limited to structures designated as Category 1 or Category 2 buildings in the current edition of the Palo Alto Historical and Architectural Resources Report and Inventory.
27. **PAMC 16.09.175(k)(2) Loading Docks**
- (i) Loading dock drains to the storm drain system may be allowed if equipped with a fail-safe valve or equivalent device that is kept closed during the non-rainy season and during periods of loading dock operation.
 - (ii) Where chemicals, hazardous materials, grease, oil, or waste products are handled or used within the loading dock area, a drain to the storm drain system shall not be allowed. A drain to the sanitary sewer system may be allowed if equipped with a fail-safe valve or equivalent device that is kept closed during the non-rainy season and during periods of loading dock operation. The area in which the drain is located shall be covered or protected from rainwater run-on by berms and/or grading. Appropriate wastewater treatment approved by the Superintendent shall be provided for all rainwater contacting the loading dock site.
28. **PAMC 16.09.180(b)(5) Condensate from HVAC** Condensate lines shall not be connected or allowed to drain to the storm drain system.
29. **PAMC 16.09.180(b)(b) Copper Piping** Copper, copper alloys, lead and lead alloys, including brass, shall not be used in sewer lines, connectors, or seals coming in contact with sewage except for domestic waste sink traps and short lengths of associated connecting pipes where alternate materials are not practical. The plans must specify that copper piping will not be used for wastewater plumbing.

30. PAMC 16.09.205(a) Cooling Systems, Pools, Spas, Fountains, Boilers and Heat

Exchangers It shall be unlawful to discharge water from cooling systems, pools, spas, fountains boilers and heat exchangers to the storm drain system.

31. PAMC 16.09.165(h) Storm Drain Labeling Storm drain inlets shall be clearly marked with the words "No dumping - Flows to Bay," or equivalent.

Fire Department

32. Fire sprinkler, standpipe, fire alarm and underground fire supply installations require separate submittal to the Fire Prevention Bureau.

33. Roof access shall be provided from both stairways. A hatch with ladder access is acceptable where access via stair is not otherwise required. Hatch must be a minimum 36 x 48 inches in size. Where alternating tread access is approvable under the code, a ship's ladder shall be provided instead.

Utilities

GENERAL

33. The applicant shall comply with all the Electric Utility Engineering Department service requirements noted during plan review.

34. The applicant shall be responsible for identification and location of all utilities, both public and private, within the work area. Prior to any excavation work at the site, the applicant shall contact Underground Service Alert (USA) at 1-800-227-2600, at least 48 hours prior to beginning work.

35. The applicant shall submit a request to disconnect all existing utility services and/or meters including a signed affidavit of vacancy, on the form provided by the Building Inspection Division. Utilities will be disconnected or removed within 10 working days after receipt of request. The demolition permit will be issued after all utility services and/or meters have been disconnected and removed.

THE FOLLOWING SHALL BE INCORPORATED IN SUBMITTALS FOR ELECTRIC SERVICE

36. A completed Utility Service Application and a full set of plans must be included with all applications involving electrical work. The load sheet must be included with the preliminary submittal.

37. Only one electric service lateral is permitted per parcel. Utilities Rule & Regulation #18.

38. If this project requires padmount transformers, the location of the transformers shall be shown on the site plan and approved by the Utilities Department and the Architectural Review Board. Utilities Rule & Regulations #3 & #16.
39. The developer/owner shall provide space for installing padmount equipment (i.e. transformers, switches, and interrupters) and associated substructure as required by the City.
40. The customer shall install all electrical substructures (conduits, boxes and pads) required from the service point to the customer's switchgear. The design and installation shall be according to the City standards and shown on plans. Utilities Rule & Regulations #16 & #18.
41. Location of the electric panel/switchboard shall be shown on the site plan and approved by the Architectural Review Board and Utilities Department.
42. All utility meters, lines, transformers, backflow preventers, and any other required equipment shall be shown on the landscape and irrigation plans and shall show that no conflict will occur between the utilities and landscape materials. In addition, all aboveground equipment shall be screened in a manner that is consistent with the building design and setback requirements.
43. For services larger than 1600 amps, the customer will be required to provide a transition cabinet as the interconnection point between the utility's padmount transformer and the customer's main switchgear. The cabinet design drawings must be submitted to the Electric Utility Engineering Department for review and approval.
44. For underground services, no more than four (4) 750 MCM conductors per phase can be connected to the transformer secondary terminals; otherwise, bus duct must be used for connections to padmount transformers. If customer installs a bus duct directly between the transformer secondary terminals and the main switchgear, the installation of a transition cabinet will not be required.
45. The customer is responsible for sizing equipment according to the National Electric Code requirements. The service conductors shall be sized per City standards. Utilities Rule & Regulation #18.
46. Any additional facilities and services requested by the Applicant that are beyond what the utility deems standard facilities will be subject to Special Facilities charges. The Special Facilities charges include the cost of installing the additional facilities as well as the cost of ownership. Utilities Rule & Regulation #20.
47. Projects that require the extension of high voltage primary distribution lines or reinforcement of offsite electric facilities will be at the customer's expense and must be coordinated with the Electric Utility.

DURING CONSTRUCTION

48. Contractors and developers shall obtain permit from the Department of Public Works before digging in the street right-of-way. This includes sidewalks, driveways and planter strips.
49. At least 48 hours prior to starting any excavation, the customer must call Underground Service Alert (USA) at 1-800-227-2600 to have existing underground utilities located and marked. The areas to be check by USA shall be delineated with white paint. All USA markings shall be removed by the customer or contractor when construction is complete.
50. The customer is responsible for installing all on-site substructures (conduits, boxes and pads) required for the electric service. No more than 270 degrees of bends are allowed in a secondary conduit run. All conduits must be sized according to National Electric Code requirements and no 1/2 – inch size conduits are permitted. All off-site substructure work will be constructed by the City at the customer's expense. Where mutually agreed upon by the City and the Applicant, all or part of the off-site substructure work may be constructed by the Applicant.
51. All primary electric conduits shall be concrete encased with the top of the encasement at the depth of 30 inches. No more than 180 degrees of bends are allowed in a primary conduit run. Conduit runs over 500 feet in length require additional pull boxes.
52. All new underground conduits and substructures shall be installed per City standards and shall be inspected by the Electrical Underground Inspector before backfilling.
53. The customer is responsible for installing all underground electric service conductors, bus duct, transition cabinets, and other required equipment. The installation shall meet the National Electric Code and the City Standards.
54. Meter and switchboard requirements shall be in accordance with Electric Utility Service Equipment Requirements Committee (EUSERC) drawings accepted by Utility and CPA standards for meter installations. Shop/factory drawings for switchboards (400A and greater) and associated hardware must be submitted for review and approval prior to installing the switchgear to:

Gopal Jagannath, P.E.
Supervising Electric Project Engineer
Utilities Engineering (Electrical)
1007 Elwell Court
Palo Alto, CA 94303

Catalog cut sheets may not be substituted for factory drawing submittal.

55. All new underground electric services shall be inspected and approved by both the Building Inspection Division and the Electrical Underground Inspector before energizing.

AFTER CONSTRUCTION & PRIOR TO FINALIZATION

56. The customer shall provide as-built drawings showing the location of all switchboards, conduits (number and size), conductors (number and size), splice boxes, vaults and switch/transformer pads.

PRIOR TO ISSUANCE OF BUILDING OCCUPANCY PERMIT

57. The applicant shall secure a Public Utilities Easement for facilities installed on private property for City use.
58. All required inspections have been completed and approved by both the Building Inspection Division and the Electrical Underground Inspector.
59. All fees must be paid.
60. All Special Facilities contracts or other agreements need to be signed by the City and applicant.

SUBDIVISION PROJECTS

61. There may be other conditions applicable to your project that can be found in previous sections of this document.
62. Only one electric service lateral is permitted per parcel.
63. 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.
64. The civil drawings must show all existing and proposed electric facilities (i.e. conduits, boxes, pads, services, and streetlights) as well as other utilities. 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.
65. 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.
66. The tentative parcel map shall show all required easements as requested by the City.

Utilities Water, Gas Wastewater

PRIOR TO ISSUANCE OF DEMOLITION PERMIT

67. Prior to demolition, the applicant shall submit the existing water/wastewater fixture unit loads (and building as-built plans to verify the existing loads) to determine the capacity fee credit for the existing load. If the applicant does not submit loads and plans they may not receive credit for the existing water/wastewater fixtures.
68. The applicant shall submit a request to disconnect all utility services and/or meters 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.

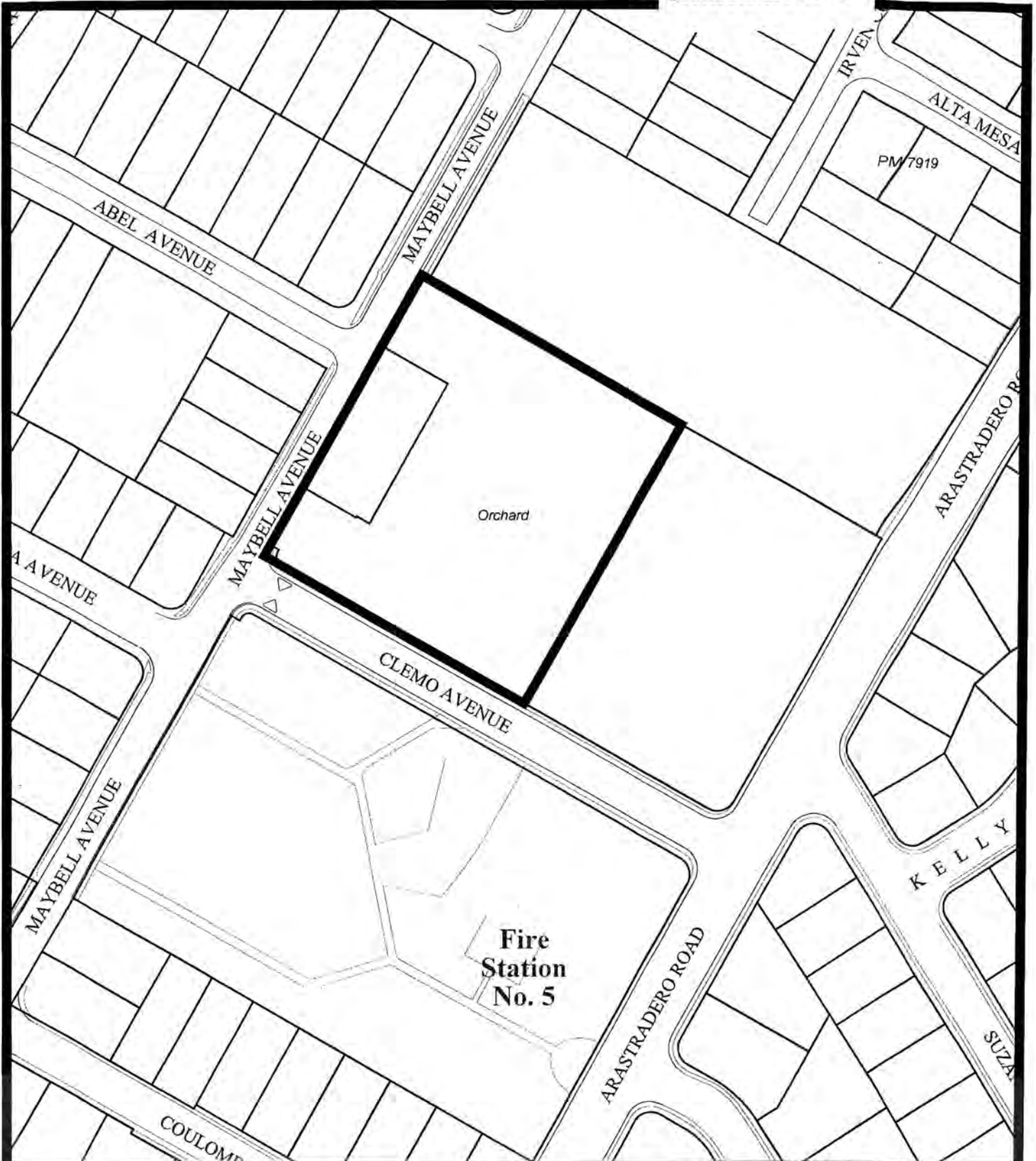
FOR BUILDING PERMIT

69. The applicant shall submit a completed water-gas-wastewater service connection application - load sheet for City of Palo Alto Utilities for each residential or commercial unit. The applicant must provide all the information requested for utility service demands (water in fixture units/g.p.m., gas in b.t.u.p.h, and sewer in fixture units/g.p.d.). The applicant shall provide the existing (prior) loads, the new loads, and the combined/total loads (the new loads plus any existing loads to remain).
70. The applicant shall submit improvement plans for utility construction. The plans must show the size and location of all underground utilities within the development and the public right of way including meters, backflow preventers, fire service requirements, sewer mains, sewer cleanouts, sewer lift stations and any other required utilities.
71. There is no sewer main in Clemo Ave and the sewer main in Maybell Ave is constricted to 6" in the last block approaching El Camino Real. As part of this project the applicant is required to pipe burst the 6" section of main sewer main to 8".
72. Water and gas services for each single family home will be served directly off Maybell Ave or Clemo Ave.
73. The applicant must show on the site plan the existence of any auxiliary water supply, (i.e. water well, gray water, recycled water, rain catchment, water storage tank, etc).
74. The applicant shall be responsible for installing and upgrading the existing utility mains and/or services as necessary to handle anticipated peak loads. This responsibility includes all costs associated with the design and construction for the installation/upgrade of the utility mains and/or services.
75. The applicant's engineer shall submit flow calculations and system capacity study showing that the on-site and off-site water and sanitary sewer mains and services will provide the domestic, irrigation, fire flows, and wastewater capacity needed to service the development

and adjacent properties during anticipated peak flow demands. Field testing may be required to determine current flows and water pressures on existing water main. Calculations must be signed and stamped by a registered civil engineer. The applicant is required to perform, at his/her expense, a flow monitoring study of the existing sewer main to determine the remaining capacity. The report must include existing peak flows or depth of flow based on a minimum monitoring period of seven continuous days or as determined by the senior wastewater engineer. The study shall meet the requirements and the approval of the WGW engineering section. No downstream overloading of existing sewer main will be permitted.

76. For contractor installed water and wastewater mains or services, the applicant shall submit to the WGW engineering section of the Utilities Department **four** copies of the installation of water and wastewater utilities off-site improvement plans in accordance with the utilities department design criteria. All utility work within the public right-of-way shall be clearly shown on the plans that are prepared, signed and stamped by a registered civil engineer. The contractor shall also submit a complete schedule of work, method of construction and the manufacturer's literature on the materials to be used for approval by the utilities engineering section. The applicant's contractor will not be allowed to begin work until the improvement plan and other submittals have been approved by the water, gas and wastewater engineering section. After the work is complete but prior to sign off, the applicant shall provide record drawings (as-builts) of the contractor installed water and wastewater mains and services per City of Palo Alto Utilities record drawing procedures. For contractor installed services the contractor shall install 3M marker balls at each water or wastewater service tap to the main and at the City clean out for wastewater laterals.
77. An approved reduced pressure principle assembly (RPPA backflow preventer device) is required for all existing and new water connections from Palo Alto Utilities to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive. The RPPA shall be installed on the owner's property and directly behind the water meter within 5 feet of the property line. RPPA's for domestic service shall be lead free. **Show the location of the RPPA on the plans.** Residential single family homes with no special cross connection hazards will be allowed to use double check assemblies.
78. An approved reduced pressure detector assembly is required for the existing or new water connection for the fire system (non single family home buildings only) to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive (a double detector assembly may be allowed for existing fire sprinkler systems upon the CPAU's approval). reduced pressure detector assemblies shall be installed on the owner's property adjacent to the property line, within 5' of the property line. **Show the location of the reduced pressure detector assembly on the plans.**
79. All backflow preventer devices shall be approved by the WGW engineering division. Inspection by the utilities cross connection inspector is required for the supply pipe between the meter and the assembly.
80. Existing wastewater laterals that are not plastic (ABS, PVC, or PE) shall be abandoned per the WGW Utilities Standards.

81. The applicant shall pay the capacity fees and connection fees associated with new utility service/s or added demand on existing services. The approved relocation of services, meters, hydrants, or other facilities will be performed at the cost of the person/entity requesting the relocation.
82. Each unit or place of business shall have its own water and gas meter shown on the plans. Each parcel shall have its own water service, gas service and sewer lateral connection shown on the plans.
83. A separate water meter and backflow preventer is required to irrigate the approved landscape plan. Show the location of the irrigation meter on the plans. This meter shall be designated as an irrigation account and no other water service will be billed on the account. The irrigation and landscape plans submitted with the application for a grading or building permit shall conform to the City of Palo Alto water efficiency standards. New gas service installations are required. Show the new gas meter locations on the plans. The gas meter locations must conform with utilities standard details.
84. The applicant shall secure a public utilities easement for facilities installed in private property. The applicant's engineer shall obtain, prepare, record with the county of Santa Clara, and provide the utilities engineering section with copies of the public utilities easement across the adjacent parcels as is necessary to serve the development.
85. All existing water and wastewater services that will not be reused shall be abandoned at the main per WGW Utilities procedures.
86. Utility vaults, transformers, utility cabinets, concrete bases, or other structures can not be placed over existing water, gas or wastewater mains/services. Maintain 1' horizontal clear separation from the vault/cabinet/concrete base to existing utilities as found in the field. If there is a conflict with existing utilities, Cabinets/vaults/bases shall be relocated from the plan location as needed to meet field conditions. Trees may not be planted within 10 feet of existing water, gas or wastewater mains/services or meters. New water, gas or wastewater services/meters may not be installed within 10' of existing trees. Maintain 10' between new trees and new water, gas and wastewater services/mains/meters.
87. To install new gas service by directional boring, the applicant is required to have a sewer cleanout at the front of the building. This cleanout is required so the sewer lateral can be videoed for verification of no damage after the gas service is installed by directional boring.
88. All utility installations shall be in accordance with the City of Palo Alto utility standards for water, gas & wastewater.
89. The applicant shall obtain an encroachment permit from Caltrans for all utility work in the El Camino Real right-of-way. The applicant must provide a copy of the permit to the WGW engineering section.



The City of
Palo Alto



Location Map

567-595 Maybell Ave.

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



MAYBELL ORCHARD DEVELOPMENT PROJECT DESCRIPTION

Planned Community (PC) Zone Change

Originally Filed November 6, 2012

REVISED March 15, 2013

INTRODUCTION

On June 22, 2012, Palo Alto Housing Corporation (PAHC) entered into a Purchase and Sale Agreement with Sambuceto Partners and Maybell Sambuceto Properties to acquire the properties located at 567-595 Maybell and 575-587 Maybell, in the City of Palo Alto, California. The APN numbers for the property are: 137-25-108 & 137-25-109. The main purpose of this acquisition is for PAHC to develop a much-needed affordable housing development in Palo Alto. Escrow for the transaction was successfully closed on November 30, 2012 and PAHC now owns the property.

PAHC is applying for a Planned Community (PC) Zone Change, Architectural Review Board (ARB), environmental review, and tree removal for the property. PAHC has had preliminary meetings with City staff and neighbors, as well as a City Council study session in September of 2012 and an ARB preliminary review session in February of 2013. Relying on input from the surrounding community, City staff and policy makers, PAHC is applying for:

PROPOSED APPLICATIONS

1. PC Zone change from R-2 and RM-15;
 - a. Architectural Review Board (ARB)
 - b. Environmental Review & Approval per CEQA; and
 - c. Tree Removal

DEVELOPMENT PROGRAM STATEMENT

The two parcels presently carry R-2 and RM-15 zoning designations. Approval of the Planned Community (PC) Zone Change Application to rezone the 2.46-acre underutilized property would allow for the redevelopment of the site into a mixture of fifteen single-family, market rate homes and sixty affordable, rental housing units. The apartments will serve extremely-low to low income seniors with incomes in the range of 30-60% of the Area Median Income (AMI) for Santa Clara County.

City codes for high-density residential development do not provide sufficient flexibility to develop the proposed community under standard regulations. The proposed development will not be attainable without a PC Zone change. The application allows for greater City oversight to ensure a unified, comprehensively planned development that will guarantee the development of affordable housing, thereby providing substantial public benefit to the City of Palo Alto.

A PC Zone Change would enable PAHC to build sixty affordable, rental housing units for seniors on approximately 1 acre of the site, and to set aside approximately 1.46 acres for market rate housing development to be either developed by PAHC or a private developer. The sale of the market rate portion will significantly reduce the costs associated with the land acquisition and development for the sixty unit senior housing project.

The project will increase the affordable housing stock available to the City's aging population. According to Census Data, the senior population has been the fastest growing age group in Santa Clara County, and second fastest growing in Palo Alto, over the last ten years. The Housing Element, part of the City's Comprehensive Plan, reports that Palo Alto seniors are deciding to age in place and many will begin to shift from larger single-family homes to smaller units. According to the Silicon Valley Council on Aging, twenty percent of seniors in Palo Alto are living at or near the federal poverty level. The project will provide long-term affordability restrictions and will leverage the monetary contributions of the City and the County for the public benefit. Furthermore, the project will help the City meet its regional housing needs per the Association of Bay Area Government's housing allotment. The property is a designated a Housing Inventory site under the City's Housing Element.

EXISTING CONDITIONS

The subject property is the configuration of two contiguous parcels of land with a net site area of approximately 2.465 acres (107,392 square feet). The larger parcel, currently zoned RM-15, contains a former apricot orchard and two single-family houses. The smaller parcel, currently zoned R-2, contains two additional single-family homes. These four one-story houses were built in the 1950s and 1960s and range in size from approximately 900 square feet to 1,500 square feet. All four homes face Maybell Avenue and have two-car garages. 567 Maybell Avenue has an additional attached one-car garage so there are presently a total of five garages fronting Maybell. Unlike typical single-family dwellings, none of the houses have their own individual lot. All homes are in need of maintenance, repair and upgrades.

The former orchard, which comprises the majority of the larger parcel behind the four houses, was family-run by the property owner, producing fruit until roughly 1990. Since the early 1990s, the orchard has not been maintained. The south frontage of the orchard along Clemo Avenue is lined with large mature live oak trees.

The entire property is level and at grade with surrounding properties and is served by all major utilities.

PROJECT DESCRIPTION

The project will provide sixty affordable rental apartments, including fifty-nine (59) one-bedroom units and one (1) two-bedroom unit for the onsite manager. The project will also include common areas such as a community room, computer room, laundry rooms on each floor, manager's office, resident services office, visiting nurse's office, exercise room, as well as outdoor common spaces including a large courtyard and patio, community garden, and rooftop terrace. The units will have an average size of approximately 600 square feet and rents will

range from \$532-1,065 per month for one person and will be adjusted annually based on Santa Clara County AMI. The fifteen single-family homes will range between 1,840 and 2,330 square feet. The homes will have three and four bedrooms and will vary in height between two and three stories.

The following provides a brief description of the application:

Architecture. Elevations vary in height. The two-story homes will not exceed 25 feet and the three-story homes will not exceed 35 feet. All of the single-family homes will feature architectural elements that will enhance the diversity of the streetscape, including step-backs on each floor. The senior apartment building will be four stories. Fenestration of the building will be achieved through large windows, alcoves, textures, and stepping floors back on the southern side of the building. In doing so, the elevations will be broken into several plains, reducing the mass of the building. The single-family homes and the apartment building will compliment the natural features of the site and will take into consideration adjacent properties in order to blend into the overall neighborhood fabric.

Height. The single-family homes along Maybell and Clemo Avenues will have maximum heights of approximately 32 feet, and the senior apartment building will have a maximum height of approximately 45 feet. Massing and orientation of the buildings will respect and mirror the massing of the neighboring structures by stepping back upper stories. The development will gradually step up in height from the two and three-story homes along Maybell and Clemo Avenues, to the four-story senior apartment building. This gradual step up in height will provide continuity between the one and two story homes present to the west of the development, the three story APAC apartment complex to the north, and the eight-story TAN apartment building to the east.

Setbacks. The eight homes along Maybell Avenue will have approximately 12 foot front-yard setbacks, 7 foot side-yard setbacks and 18-foot rear yard/driveway apron setbacks. The corner house will have (approximately) a five foot setback from Clemo Avenue, a 20 foot setback from Maybell Avenue, and a 5 foot side- and rear-yard setback. The six remaining homes along Clemo Avenue will have between 10 and 20 foot front yard setbacks in order to preserve and feature the mature live oaks lining the street, 12 foot side yards, and between 2 and 10 foot rear setbacks. Fourteen (14) of the 15 homes will have alley-loaded garages, allowing space for the addition of an uninterrupted sidewalk along Maybell Avenue which will connect existing sidewalks to the north and south of the property. These improvements will make Maybell Avenue a safer bicycle and pedestrian route.

Development. The senior apartments will have a standard size of approximately 600 square feet and the manager's 2-bedroom unit will be approximately 726 square feet. The development will, at a minimum, meet ADA requirements for accessibility in bathrooms and kitchens. Gas and water will be provided to the building via a single meter and are included in the rent. Internet and cable service will be available throughout the building and each resident will have the option of contracting with an independent contractor for this service. Each unit and the common areas will be provided electricity via individual meters. Roof top photovoltaic energy systems are proposed to pre-heat water prior to entering a central boiler. Heating and cooling

will be supplied to each unit via individual meters. Photovoltaic electric solar panels are proposed to power the community room. Water conservation will be achieved with drought-tolerant landscaping of all vegetated areas and the use of Energy Star appliances. Additional sustainable measures will be met throughout the construction and materials selection process which may include recycled aggregate, engineered lumber, no added formaldehyde insulation and modular cabinets, low-VOC paints, wood coatings and adhesives, and low-emitting flooring. Other green features will be explored as funding permits.

The single-family homes will range in size between 1,840 and 2,330 square feet. The protected/heritage oak trees along Clemo Avenue will be preserved. PAHC plans to have edible landscaping and/or a memorial plaque in the courtyard of the senior apartment building as a tribute to the agricultural history of the neighborhood. The project is designed to meet or exceed the City's green point rating system and will be environmentally sustainable. **Table 1** and **Table 2** illustrate the proposed housing mix and livable square footage.

Table 1 – Senior Apartments Housing Mix

Apartment Composition	Square Feet	Apartments Housing Mix				Unit Total Square Feet
		Floor 1	Floor 2	Floor 3	Floor 4	
Unit 1 – 1 Bedroom	600	14	16	16	13	35,400
Unit 2 – 2 Bedroom	796	0	0	0	1	796
Apartment TOTAL	-	14	19	14	13	36,196

Table 2 – Single Family Housing Mix

Single-Family Home Design	Square Feet	Single Family Housing Mix			
		Quantity	Height	Bed	Bath
Plan 1A	2,330	2	3 story	4	3.5
Plan 1B	2,330	3	3 story	4	3.5
Plan 1C	1,901	3	2 story	3	2.5
Plan 2	2,304	1	2 story	4	3.5
Plan 3A	1,832	2	3 story	4	4
Plan 3B	1,840	3	3 story	4	4
Plan 3C	1,840	1	3 story	4	4

The senior apartments will provide high-quality rental housing to seniors with annual incomes ranging from 30% - 60% of the Area Median Income (AMI). **Table 3** illustrates the Santa Clara County income limits per home size as a percent of AMI, which are adjusted annually.

Table 3 – Santa Clara County Area Median Income (AMI)

Area Median Income Santa Clara County	Number In Household			
	1	2	3	4
100% Income Level	\$71,000	\$81,100	\$91,200	\$101,300
60% Income Level	\$42,600	\$48,660	\$54,720	\$60,780
30% Income Level	\$21,300	\$24,330	\$27,360	\$30,390

Source: TCAC 2013 Maximum Income Levels

Open Space. The apartment building will surround a large courtyard, complete with interesting landscape elements, walking and seating areas and a community garden. The community room will open up to an outdoor patio, making the courtyard easily accessible to residents. The current plans include a roof terrace. The landscaping plan includes a walking path through the courtyard and a connecting path from the senior apartment building to Briones Park. The garages for the single-family homes are alley-loaded, providing front yard open space for each house.

Tree Removal. S.P. McLenahan Co. has drafted a tree survey and tree protection plan. A site visit with David Dockter was conducted and S.P. McClenahan Co. Inc. is following through on the recommendations of the City. The mature Oak trees along Clemo Avenue will remain and have been incorporated into the project design. The tree protection plan is included as **Attachment A.**

Parking for Senior Apartments. The senior apartments will have a total of 47 parking spaces, inclusive of three handicap spaces. Five of these spaces will be placed in a landscaped parking reserve which can be converted to parking if necessary. The typical parking ratio for a senior development in Palo Alto has been approximately .5. The Maybell Orchard Apartment project will have a parking ratio of .78, accommodating residents as well as visitor parking needs. For comparison, the Stevenson House, a 120-unit low-income senior housing development in Palo Alto, presently has a parking ratio of .45 spaces per unit and is well-parked. PAHC's Sheridan senior apartments has a parking ratio of .35. **Table 4** provides an overview of parking at nearby senior properties.

Table 4 – Senior Development Automobile Parking

PROPERTY	California City	Total Homes	Spaces Provided	Parking Ratio
Sheridan Sr. Apt	Palo Alto	57	20	.35
Stevenson House	Palo Alto	120	54	.45
Fair Oaks Plaza	Sunnyvale	124	84	.67
DeVries Place	Milpitas	103	70	.68
Eden Issei	Hayward	100	52	.52
Maybell Orchard	Palo Alto	60	47	.78

PAHC will monitor parking demand at the senior apartments. Parking will be metered by assigning spaces to residents as needed, with proof of registration and insurance. Due to the

typically lower car ratios for seniors and affordable housing properties in general, we expect to be more than sufficiently parked to allow extra spaces for visitors and PAHC staff. Five spaces will be landscaped as a parking reserve. Should further parking prove to be necessary for the senior housing, the parking reserve can be converted into parking. Furthermore, PAHC is exploring the option of providing a shared van for resident use. Also, PAHC plans to provide an Electric Vehicle charging station on-site.

Parking for Single-Family Homes. Fourteen of the single-family homes will have alley loaded two-car garages. The corner home (corner of Maybell and Clemo) will have a garage loading onto Clemo Avenue. In addition to the two-car garage, seven of the homes along Maybell and the corner home on Clemo will have guest parking for two additional cars in the driveway apron.

Covered Parking. The zoning code requires residential parking to be concealed from the street for projects with six units or more. Although uncovered, all of the proposed parking spaces will be concealed from Clemo and Maybell Avenues through a combination of landscaping and building locations on the site. The single-family homes and existing live Oak trees will shield the parking area from view from Maybell and Clemo Avenues.

Bicycle Parking for Seniors. Palo Alto Municipal Code does not address bicycle parking requirements for senior housing. The City of Santa Rosa requires 1 bicycle parking space per 8 units of senior affordable housing if a private garage or bicycle storage space is not provided. The City of Mountain View does not have a requirement for bicycle parking related specifically to senior affordable housing. However, Mountain View requires a minimum number of bicycle parking spaces equal to 5% of required vehicle parking spaces, which equates to roughly one bicycle parking space per ten units.

The current plans for the senior apartment building include indoor bicycle parking for 20 bikes (1 space per 3 units) on the western end of the building, adjacent to the stairwell, and a rack for an additional 7 guest bicycles (just over 1 space per 10 units) located just to the east of the main entrance. Table 5 provides comparable bicycle parking for local affordable senior apartments.

Table 5 – Palo Alto Affordable Senior Bicycle Parking

PROPERTY	California City	Total Homes	Spaces Provided	Parking Ratio
Sheridan Sr. Apt	Palo Alto	57	24	.42
Stevenson House	Palo Alto	120	40	.33
Maybell Orchard	Palo Alto	60	27	.45

Public Transit - Bus. The project is within 500 feet of the north-south peninsula artery, El Camino Real. El Camino Real is served by Santa Clara Valley Transit Agency (VTA) Bus Routes "22", "Rapid 522" and "88." The bus stop for each of these routes is less than a five-minute walk from the property. Additionally, the Palo Alto shuttle route extension will bring the free shuttle within a few blocks of the development.

The Palo Alto "Crosstown Shuttle" operates a circular route through Palo Alto, providing service to Mitchell Park, Main Library, midtown shopping, downtown Palo Alto and the Palo Alto Caltrain Station, among other destinations. It runs Monday-Friday from roughly 9:00am-5:00pm.

The "22" operates along El Camino Real, running northwest to the Palo Alto train station and southeast to San Jose. It runs 24 hours a day, with buses every 12 minutes from 6:00am-7:00pm and every 30 minutes after 7:00pm, seven days a week. It runs every 15 minutes on Saturday and Sunday.

The "Rapid 522" also operates along El Camino Real, running northwest to the Palo Alto train station and south to the Eastridge Transit Center. It runs during workweek daytime hours with service approximately every 15 minutes from 5:30am to 8:30pm. It runs every 15 minutes on Saturday and Sunday between 6:00am and 8:00pm.

The "88" runs between the Palo Alto V.A. and Middlefield/Colorado streets, serving south Palo Alto neighborhoods with easy access to grocery stores and satellite colleges at the Cubberley Center; it runs during workweek daytime hours with service approximately every hour from 6:30am to 6:30pm. There is no service on Saturday and Sunday.

Public Transit - Caltrain. Railway access is readily available at the Palo Alto, San Antonio, and California Avenue Caltrain stations.

The California Avenue train station is located approximately 2.0 miles north of the property. Access to the station involves a short 9 minute bus ride and a 6 minute walk. Alternatively, the station is a 39 minute walk or a 10 minute bike ride from the property.

The Palo Alto train station is a major transit station for Caltrain operations. The station is located approximately 3.5 miles north of the property. Access to the station involves a short 20 minute bus ride that drops off right at the train platform.

The San Antonio train station is located approximately 1.9 miles east of the property. Access to the station involves a 15 minute bus ride and a 15 minute walk. Alternatively, the station is a 33 minute walk or a 10 minute bike ride from the property via sidewalks and a Class I pedestrian trail.

Development Schedule. The anticipated development schedule is as follows:

November 2012	Secure City/County and Additional Funding
November 30, 2012	Close of Escrow
March 2013	Architectural Review Board Approval
June 2013	Council Development Permit & Design Review Approval
June 2013	Market Rate Portion Land Sale
July 2013	Deadline to apply for tax credit financing for 2012 year
September/October 2013	Obtain Grading/Building Permit
October 2013	Commence Construction
October 2014	Complete Construction*
October/November 2014	Obtain Occupancy Permit
December 2014	Full Occupancy and Operational

* Site constraints & difficulties associated with winter construction may cause delays.

CONCESSIONS

Government Code section 65915 provides zoning concessions for the development of affordable housing. The following provides a brief description of the concessions that are being sought for the development.

Height. The maximum allowable height for any PC district is fifty feet. However, Section 18.38.150(b) requires that the maximum height within 150 feet of any residentially zoned or applicable PC district shall be 35 feet. The single-family homes are in compliance; however, the senior building exceeds this restriction by approximately 10 feet. The senior building's strategic placement on the property nearest the APAC apartment community and the TAN Plaza Apartments allows the building to blend in with the context of the 3-story and 8-story adjacent developments. As discussed in the project description, the entire development smoothly transitions up in height from the two and three story single family homes, to the four-story senior building, linking the existing one and two story homes along Maybell with the three-story APAC apartments to the north of the property and the eight story TAN apartment building to the east.

Daylight Plane. The PC code requires that setbacks be scaled to the height of each building—the taller the building, the greater the setback—ensuring minimal shading of neighboring properties. Given the four story height of the senior building, the structure would need to be set back 72 feet from the property line in order to comply with the daylight plane zoning ordinance.

Due to the limited size of the property, setbacks meeting the daylight plane requirement are not possible. At the request of the Architectural Review Board, a shadow study was conducted, included on **Plan Sheet A2.1**. The study shows that the structures on the neighboring properties are subject to minimal shading due to their setbacks from the property line and their height. The three-story APAC apartment community to the north of the senior building is setback 57 feet from the property line with a parking area and a driveway in between, thereby limiting the possibility that residents will be shaded by the senior building. The eight-story TAN apartment building is similarly setback from the property line behind carports and a drive aisle. Due to the height and location of the TAN building, it is not shaded by the senior building. The single-family homes do not present any daylight plane issues.

567 - 595 Maybell Avenue
Palo Alto, California
Master Landscape Design Concept

Landscape Design Intent:

The Maybell Orchard residential development combines single detached housing with a senior housing element, and the landscape compositions are scaled and presented in the character of the development. The planting character will be a mix of predominantly evergreen species with some deciduous species that are found in the Northern California plant communities that qualify in the Bay-Friendly Plant List definitions, including native and Mediterranean style material that provide visual interest of contrasting textures, foliage and flower colors throughout the year. In addition, the species and compositions will provide for minimal maintenance efforts (trimming, feeding, treatment of diseases), as well as provide durability to reduce replacement costs, supporting the project as part of the surrounding neighborhood while providing its own sense of place.

Landscape Irrigation:

The irrigation for the development will be dominated by a mixture of drip application for shrub and ground cover areas, complimented with bubbler application for the trees, reducing water run-off and general water waste. There is one modest area of turf for the senior housing element that will receive overhead spray application.

Long Term Maintenance:

The plant palette will be comprised of materials that minimize maintenance attention needs, through appropriate growth size and habit selection, species suitability for the plant community low-water requirements, and composition density within the limited planting areas. The fertilization and measures of care will be compliant with Green Building Guideline practices utilizing organic materials acquired locally.

567-595 MAYBELL AVENUE PLANNED COMMUNITY-ZONING COMPARISON TABLE

DEVELOPMENT STANDARD	R-2 REQUIREMENTS	RM-15 REQUIREMENTS (Village Residential)	RM-40 REQUIREMENTS (COMPARISON)	PLANNED COMMUNITY REQUIREMENTS	PROPOSED DEVELOPMENT	
					Single Family Homes	Senior
Minimum Site Area (sq. ft.)	6000	8500		No minimum	1.5 acre	1 acre
Minimum Site Width (feet)	60	70		No minimum	±36'	196'
Minimum Site Depth (feet)	100	100		No minimum	±68 or 95'	248'
Minimum Front Setback (feet)	30	20	0-25	NA	12'-20'	10
Minimum Rear Setback (feet)	30	10	10	NA	0-12'	10
Daylight Plane	Front and Rear Daylight Plane is initial height at 16 ft. with a 60 degree rise. Side Daylight Plane is initial height of 10 ft. with a 45 degree rise.	No daylight plane for side and rear lot lines for sites abutting a RM-30, RM-40, Planned Community or nonresidential district that does not contain a single-family or two-family residential use for lots with width of 70 feet or greater.		Within 150 feet of any R-E, R-1, R-2, RM, Resi PC zone, the angle at 10 feet side/rear property line, increases 3 ft. height for each 6 ft. distance from line (unless 60% residential,	Lot 1 does not comply with the PC Daylight Plane requirement	Northern and Eastern elevations do not comply with PC Daylight Plane requirement
Base Site Coverage	40%	35%	45%	NA	30%	38%
Maximum FAR	6000	0.5:1	1.0:1	NA	30,681 sq. ft. of single-family residential floor area, FAR .47:1	56,192 sq. ft. of senior residential floor area, FAR 1.29:1

DEVELOPMENT STANDARD	R-2 REQUIREMENTS	RM-15 REQUIREMENTS (Village Residential)	RM-40 REQUIREMENTS (COMPARISON)	PLANNED COMMUNITY REQUIREMENTS	PROPOSED DEVELOPMENT	
					Single Family Homes	Senior
Maximum Height (feet)	30	35	40	Within 150 feet of any R-E, R-1, R-2, RM zone or Resi PC zone, the maximum height is 35 ft ft.	35	The proposed 46 foot Senior building does not comply with the height requirement.
Residential Density (units/acre)	2	15	40	NA	10	60
Usable Open Space (%)	NA	35	20	NA	26-32	20
Minimum Usable Open Space (sf per unit)	NA	200	100	NA	792-1056	285
Minimum Common Open Space (sf per unit)	NA	100	50	NA	None	142
Minimum Private Open Space (sf per unit)	NA	50	50	NA	792-1056	None

567 Maybell Avenue

Proposed Planned Community Zone District

**For Development Of 15 Single Family Residences
And A 60-Unit Multifamily Affordable Rental
Project For Seniors**

Initial Study



CITY OF
**PALO
ALTO**

March, 2013

ENVIRONMENTAL CHECKLIST
City of Palo Alto
Department of Planning and Community Environment

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ENVIRONMENTAL CHECKLIST
Department of Planning and Community Environment

PROJECT DESCRIPTION

1. PROJECT TITLE

567 Maybell Avenue (APN 137-25-108/109) – Proposed Planned Community Zone District for Development of 15 Single Family Residences And a 60-Unit Multifamily Affordable Rental Project For Seniors

2. LEAD AGENCY NAME AND ADDRESS

City of Palo Alto
Department of Planning and Community Environment
250 Hamilton Ave.
Palo Alto, CA 94303

3. CONTACT PERSON AND PHONE NUMBER

Tim Wong, Housing Coordinator
City of Palo Alto
650-329-2561

4. PROJECT SPONSOR'S NAME AND ADDRESS

Palo Alto Housing Corporation
725 Alma Street
Palo Alto, CA 94301-2403
650-321-9709

5. APPLICATION NUMBER

12PLN-00453

6. PROJECT LOCATION

The project site is located north of Arastradero Road, in the southern part of Palo Alto, in the northern part of Santa Clara County, west of State Route 82 (El Camino Real) and east of Foothill Expressway, as shown on Figure 1, *Regional Map*. The project site is located on the southeasterly corner of Maybell and Clemo Avenues, as shown on Figure 2, *Location Map*.

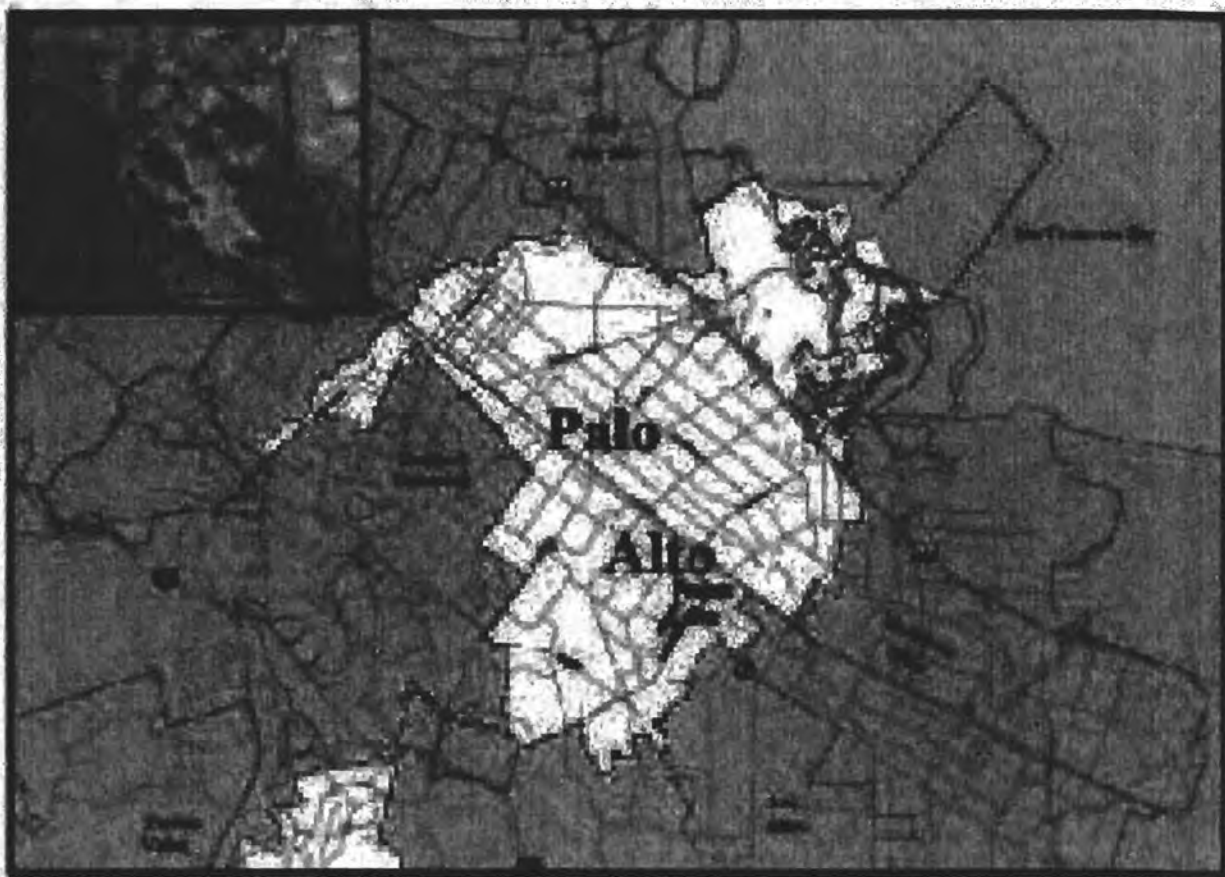


Figure 1: Regional Map

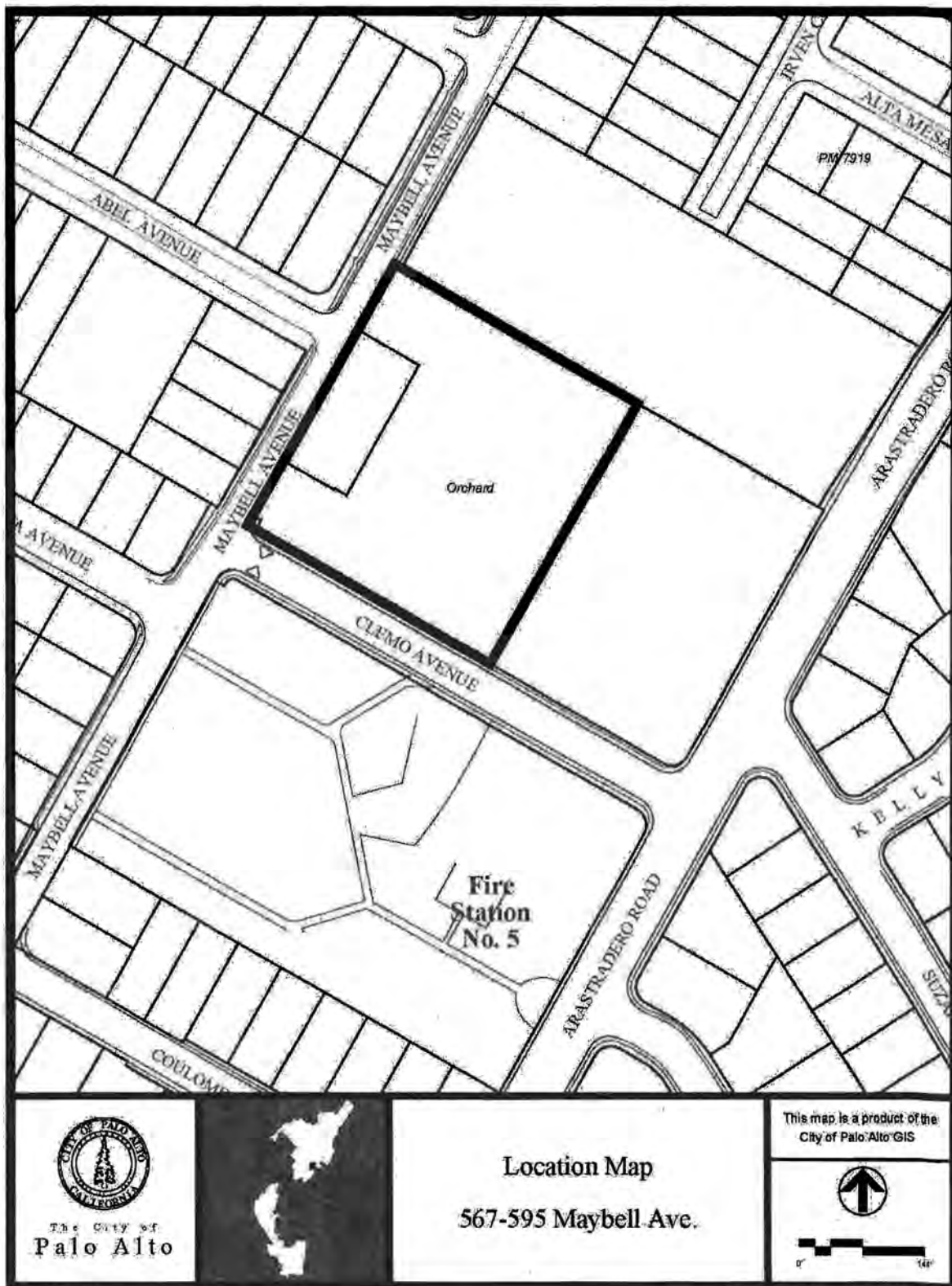


Figure 2: Location Map

7. GENERAL PLAN DESIGNATION

The project site is comprised of two parcels, which are designated as Single Family and Multiple Family Residential in the Palo Alto 1998 – 2010 Comprehensive Plan. The proposal to develop 15 single family residences and a 60-unit multifamily affordable rental development for seniors is compatible with the single family and multiple family land use designations.

8. ZONING

The project site is zoned R-2, Two Family Residential District and RM-15, Low Density Multiple-Family Residential District. The existing R-2 two-family residence district is intended to allow a second dwelling unit under the same ownership as the initial dwelling unit on appropriate sites in areas designated for single-family use by the Palo Alto Comprehensive Plan, under regulations that preserve the essential character of single-family use. The RM-15 low-density multiple-family residence district is intended to create, preserve and enhance areas for a mixture of single-family and multiple-family housing which is compatible with lower density and residential districts nearby, including single-family residence districts. The RM-15 residence district also serves as a transition to moderate density multiple-family districts or districts with nonresidential uses. Permitted densities in the RM-15 residence district range from eight to fifteen dwelling units per acre.

As a part of this proposal, the applicant is requesting that the site be rezoned to a new Planned Community (PC) zone district. The PC planned community district is intended to accommodate developments for residential, commercial, professional, research, administrative, industrial, or other activities, including combinations of uses appropriately requiring flexibility under controlled conditions not otherwise attainable under other districts. The planned community district is particularly intended for unified, comprehensively planned developments which are of substantial public benefit, and which conform with and enhance the policies and programs of the Palo Alto Comprehensive Plan.

As established by the process for rezoning to the PC district, a Planned Community (PC) Ordinance will be drafted, which will include identification of the permitted and conditionally permitted uses and site improvements which would apply to this site, as well as a schedule for completion of the project. In order to grant the zone change, the Planning and Transportation Commission (PTC) and City Council must consider findings regarding the need for flexibility that is not available through the general districts, that the project will result in public benefits not otherwise attainable by application of the general districts, and that the uses and regulations shall be consistent with the Palo Alto Comprehensive Plan and compatible with existing and potential uses on adjoining sites or within the general vicinity. The terms of the PC Ordinance will ensure compliance with the standards of the zone district and the Comprehensive Plan.

9. PROJECT DESCRIPTION

Background

Site Information

The project site is comprised of two parcels (APN # 137-25-109 and 108) located at the corner of Maybell and Clemo Avenues. The combined lot size is approximately 107,392 square feet (2.46 acres). The larger parcel (93,639 square feet) and the smaller parcel (13,753 square feet) are zoned RM-15 and R-2, respectively. The Comprehensive Plan land use designation is Single Family and Multiple Family Residential. The sites currently contain a non-functioning orchard and four existing single family homes fronting on Maybell Avenue. The four homes were built in the 1950's and 1960's. Currently, vehicular access to the site is from both Maybell and Clemo Avenues with an automobile barrier at the end of Clemo Avenue to prevent vehicular traffic movements from Clemo Avenue on to Maybell Avenue.

Project Description

The Project consists of the demolition of the four existing single-family houses and removal of the orchard for the construction of 15 single-family homes and a 60-unit affordable rental development for seniors. The existing homes each have approximately 900 to 1500 square feet (sq. ft.) of floor area, and are single-story structures, built in the 1950's and 1960's. The demolition is necessary for the construction of the 15 single-family homes. The proposed single family homes would range between 1,900 to 2,400 square feet. The homes would be constructed on fee simple lots of approximately 2,300 to 3,400 square feet. The single-family homes would be sited adjacent to Maybell Avenue and Clemo Avenue, the western and southern boundaries of the property. Eight of the homes would face Maybell Avenue, one home would be located on a corner lot, and six homes would face Clemo Avenue. All automobile ingress and egress to the single family homes will be from a main entry driveway on Clemo Avenue, except for the corner unit, which will have its own driveway onto Clemo Avenue. In order to avoid parking impacts on Maybell and Clemo Avenues, garage parking would be provided at the rear of each unit.

The Maybell Avenue residences would be two and three story homes. The maximum height of the proposed three story homes is 35 feet and the two story homes would be approximately 24 feet tall. The corner home and six homes facing Clemo Avenue would be three story units with a maximum height of 35 feet. The intent is to sell the homes to a market rate developer to help defray development costs for the affordable senior rental development. The affordable senior development portion of the Project consists of fifty-nine (59) one-bedroom units and one (1) two-bedroom manager's unit in a single building consisting of four stories with an overall height of 46 feet. The one bedroom units would be approximately 600 square feet. The senior project will have common open space including a rooftop terrace, a community room, and an exercise room. The total floor area of the senior development is as follows:

First floor	16,116 sq. ft.
Second floor	14,115 sq. ft.
Third Floor	14,085 sq. ft.
Fourth Floor	12,237 sq. ft.
Total Floor Area	56,553 sq. ft.

Rents will target seniors with low, very low and extremely low incomes. Rents for the units will range from \$590 to \$1,181 per month. Rents will be adjusted annually.

Review Process

Rezoning to a PC district follows a set of procedures and standards, which are prescribed in Chapter 18.38 of the Palo Alto Municipal Code (PAMC). The PC process begins with PTC review of the concept plans, development program statement and draft development schedule. If the PTC recommends initiating the PC request, the development plan, site plan, landscape plan and design plans are submitted to the ARB for design review in the same manner as any commercial or mixed-use project. The environmental document is prepared and circulated prior to ARB consideration. The development plan recommended for approval by the ARB is then returned to the PTC, together with a draft PC ordinance and environmental document, for review and recommendation to the City Council. The PC ordinance would identify the permitted and conditionally permitted uses and site improvements, as well as a schedule for completion of the project. The PTC may recommend a PC zone change only if it finds that:

1. The site is so situated, and the use or uses proposed for the site are of such characteristics that the application of general districts or combining districts will not provide sufficient flexibility to allow the proposed development.
2. Development of the site under the provisions of the PC planned community district will result in public benefits not otherwise attainable by application of the regulations of general districts or combining districts. In make the findings required by this section, the Planning and Transportation Commission and City Council, as appropriate, shall specifically cite the public benefits expected to result from use of the planned community district.
3. The use or uses permitted, and the site development regulations applicable within the district shall be consistent with the Palo Alto Comprehensive Plan, and shall be compatible with existing and potential uses on adjoining sites or within the general vicinity.

The project shall also obtain appropriate encroachments permits from the Public Works department for construction activities in the city right-of-way, as well as the standard required building permits. The project is required to comply with the Palo Alto Municipal Code (PAMC).

10. SURROUNDING LAND USES AND SETTING

To the west of the project, across Maybell Avenue, are 1-2 story single family residences. The adjacent parcel to the north is the Arastradero Park Apartments, owned by the Palo Alto Housing Corporation (PAHC). The multifamily residences are 2-3 stories. East of the parcel is the Tan Plaza Continental, an 8-story, 61-unit multi-family residential building with an overall height of approximately 90 feet. South of the site is Briones Park. On the southern corner of Clemo Street and Arastradero Road is Palo Alto Fire Station No. 5.

11. OTHER PUBLIC AGENCY APPROVALS REQUIRED

None required.

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. **[A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e. g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).]**
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "(Mitigated) Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (C)(3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

DISCUSSION OF IMPACTS

The following Environmental Checklist was used to identify environmental impacts, which could occur if the proposed project is implemented. The left-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of the checklist. Discussions of the basis for each answer and a discussion of mitigation measures that are proposed to reduce potential significant impacts are included.

A. AESTHETICS

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially degrade the existing visual character or quality of the site and its surroundings?	1,2,3,5			X	
b) Have a substantial adverse effect on a public view or view corridor?	1, 2-Map L4, 5			X	
c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	1, 2-Map L4, 5				X
d) Violate existing Comprehensive Plan policies regarding visual resources?	1,2,5				X
e) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1,5			X	
f) Substantially shadow public open space (other than public streets and adjacent sidewalks) between 9:00 a.m. and 3:00 p.m. from September 21 to March 21?	1,5				X

DISCUSSION:

The project proposes construction of 15 single family homes with heights ranging from two to three stories located along the Maybell and Clemo Avenue street frontages. The maximum height of the three story homes would be 35 feet, and the two story homes would be approximately 24 feet tall. The proposed affordable senior housing portion of the project would be in a four story building with an overall height of 46 feet. The four story building would be located away from the street frontages, adjacent to an 8-story, 90 foot tall multiple family residential building to the east, and a two to three story apartment complex to the north.

The Palo Alto Comprehensive Plan contains the following land use policies which relate to aesthetics and visual resources:

POLICY L-3: Guide development to respect views of the foothills and East Bay hills from public streets in the developed portions of the City.

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.

POLICY L-5: Maintain the scale and character of the City. Avoid land uses that are overwhelming and unacceptable due to their size and scale.

The project area is in a relatively flat area of the City, and does not offer views of the foothills or East Bay hills from the public streets. Therefore, the project will not have an adverse impact on a public view or view corridor. The portion of the site to be developed with single family residences is adjacent to existing single family residences along Maybell Avenue. Briones Park is across the street on Clemo Avenue. Although the existing homes along Maybell Avenue are primarily single story, these properties are zoned R-1, which allows building heights of 30 to 33 feet, depending on the roof pitch. The proposed project is generally compatible with the scale and character of the neighborhood.

The project is subject to design review and approval by the City through the Architectural Review process. The purpose of architectural review is to: (1) Promote orderly and harmonious development in the city; (2) Enhance the desirability of residence or investment in the city; (3) Encourage the attainment of the most desirable use of land and improvements; (4) Enhance the desirability of living conditions upon the immediate site or in adjacent areas; and (5) Promote visual environments which are of high aesthetic quality and variety and which, at the same time, are considerate of each other.

The project is not adjacent to a State Scenic Highway, so there would be no impact to trees, rock outcroppings, and historic buildings within a state scenic highway. Any exterior lighting proposed for the project will be required to comply with City ordinances relating to light and glare, and will not create a new source of substantial light or glare. The proposed four story building is located more than 200 feet from Briones Park and, therefore, will not create a shadow on public open space.

Mitigation Measures: None Required

Conclusion: The proposed project would not result in significant, adverse visual or aesthetic impacts.
(Less Than Significant Impact)

B. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board.

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	1				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	1, 2-MapL9				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g) ¹) or timberland (as defined in Public Resources Code section 4526 ²)?	1				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?	1				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	1,8				X

¹ PRC 12220(g): "Forest land" is land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

² PRC 4526: "Timberland" means land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis after consultation with the district committees and others.

DISCUSSION:

The project area is not located in a "Prime Farmland", "Unique Farmland", or "Farmland of Statewide Importance" area, as shown on the maps prepared for the Farmland Mapping and Monitoring Program of the California Resources Agency. The site is not zoned for agricultural use, and is not regulated by the Williamson Act. A portion of the site contains a nonfunctioning peach orchard. This site was part of a larger orchard which was active between 1909 and 1990, and which included the adjacent site which is now Briones Park. The remaining orchard is on an approximately two acre portion of the site, is surrounded by urban uses and is no longer suitable for agricultural use. The project area is within a fully developed urban area and has no impacts on forest or timberland.

Mitigation Measures: None Required

Conclusion: The proposed project would not result in impacts to agricultural resources. (No Impact)

C. AIR QUALITY

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct with implementation of the applicable air quality plan (1982 Bay Area Air Quality Plan & 2000 Clean Air Plan)?	1,5				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation indicated by the following:					
i. Direct and/or indirect operational emissions that exceed the Bay Area Air Quality Management District (BAAQMD) criteria air pollutants of 80 pounds per day and/or 15 tons per year for nitrogen oxides (NO), reactive organic gases (ROG), and fine particulate matter of less than 10 microns in diameter (PM ₁₀);	1,5,9				X
ii. Contribute to carbon monoxide (CO) concentrations exceeding the State Ambient Air Quality Standard of nine parts per million (ppm) averaged over eight hours or 20 ppm for one hour(as demonstrated by CALINE4 modeling, which would be performed when a) project CO emissions exceed 550 pounds per day or 100 tons per year; or b) project traffic would impact intersections or roadway links operating at Level of Service (LOS) D, E or F or would cause LOS to decline to D, E or F; or c) project would increase traffic volumes on nearby roadways by 10% or more)?	1,5,6			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an	1,5,6		X		

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?					
d) Expose sensitive receptors to substantial levels of toxic air contaminants?	1,5				X
i. Probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds 10 in one million	1				X
ii. Ground-level concentrations of non-carcinogenic TACs would result in a hazard index greater than one (1) for the MEI	1				X
e) Create objectionable odors affecting a substantial number of people?	1				X
f) Not implement all applicable construction emission control measures recommended in the <i>Bay Area Air Quality Management District CEQA Guidelines</i> ?	1,9				X

DISCUSSION:

A project would have a significant effect on air quality if air pollutant emissions would cause the exceedance of ambient air quality standards, contribute to existing or projected air quality exceedances, or expose sensitive receptors to substantial pollutant concentrations.

The project site is located in the Santa Clara Valley, which is part of the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) has the primary responsibility for ensuring that the Santa Clara Valley Air Basin attains and maintains compliance with federal and state ambient air quality standards. This regional agency regulates air quality through its permit authority over most types of stationary emission sources and through its planning and review process. Ambient air quality standards are set to protect public health. There are currently both Federal and State ambient air quality standards by USEPA and state air quality agencies, CALEPA for California. California air quality standards are generally more stringent than federal standards. Continuous air monitoring by these agencies and BAAQMD ensure that air quality standards are being met and improved.

Both the U.S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants which represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each pollutant are described in criteria documents. The major criteria pollutants are ozone, carbon monoxide, nitrogen dioxide, and particulate matter.

The Bay Area is currently designated as a nonattainment area for state and national ozone standards and as a nonattainment area for the state particulate matter (PM10 and PM2.5) standards. The Bay Area 2005 Ozone Strategy has been prepared to address ozone nonattainment issues. No PM10 or

PM2.5 plan has been prepared or is required under state air quality planning law. The 2005 Ozone Strategy was developed in order to bring the area into attainment of federal and State ambient air quality standards for ozone and particulate matter violations. As noted below, the proposed project would not result in a significant increase in emissions of particulate matter or ozone precursors during operation. Construction emissions, with implementation of the mitigation measures below, would also not result in significant emissions of particulate matter or ozone precursors. Therefore, the proposed project would not conflict with or obstruct implementation of the BAAQMD's air quality plans to bring the Air Basin into attainment for particulate matter and ozone, resulting in a less-than-significant impact.

The proposed project includes demolition of the four existing single family residences on the sites, and construction of 15 new single family residences and a 60-unit multifamily affordable rental project for seniors, as well as parking, circulation and landscaping of the site. The project would affect local pollutant concentrations in two ways. First, during project construction, the project would affect local particulate concentrations by generating dust. Over the long term, the project would result in emissions due to motor vehicle trips associated with the residential use proposed by the project, and the motor vehicle trips would affect carbon monoxide concentrations along the local road network.

Short Term Air Quality Impacts: Construction activities at the project site would involve use of equipment and materials that would emit ozone precursor emissions. With respect to the construction phase of the project, applicable BAAQMD regulations would relate to portable equipment (e.g., Portland concrete batch plants, and gasoline- or diesel-powered engines used for power generation, pumps, compressors, pile drivers, and cranes), architectural coatings, and paving materials. Project construction would be subject to the requirements of BAAQMD Rules and Regulations.

During construction, the project would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions. Project-related construction activities would include demolition, site preparation, earthmoving, and general construction activities. Construction-related fugitive dust emissions would vary from day to day, depending on the level and type of activity, silt content of the soil, and the weather. In the absence of mitigation, construction activities may result in significant quantities of dust, and as a result, local visibility and PM10 and PM2.5 concentrations may be adversely affected on a temporary and intermittent basis during the construction period. In addition, the fugitive dust generated by construction would include not only PM10, but also larger particles, which would fall out of the atmosphere within several hundred feet of the site and could result in nuisance-type impacts. The BAAQMD considers any project's construction related impacts to be less than significant if the required dust-control measures are implemented. Without these measures, the impact is generally considered to be significant, particularly if sensitive land uses are located in the project vicinity.

Long Term Air Quality Impacts: With respect to the operational-phase of the project, emissions would be generated primarily from motor vehicle trips to the project site. The *Traffic Impact Analysis for the Proposed Residential Development at Maybell Avenue and Clemo Avenue in Palo Alto, California*, prepared by Hexagon Transportation Consultants, Inc., February 26, 2013, indicates that the proposed project would generate 238 net new daily vehicle trips, with 16 net new trips occurring during the AM peak hour and 21 net new trips occurring during the PM peak hour. The minor increase in vehicle trips generated by the project would only marginally increase daily emissions of ozone

precursors and PM10 and would be well below BAAQMD established thresholds for consideration of a significant impact. Consequently, the project would not affect air quality in the region or conflict with or obstruct implementation of the applicable Air Quality Attainment Plans. Any stationary sources on site would be subject to the BAAQMD Rules and Regulations. Compliance with BAAQMD Rules and Regulations would ensure that the project would not conflict with or obstruct implementation of the applicable air quality plans.

Sensitive Receptors: BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include residences, school playgrounds, childcare centers, retirement homes, convalescent homes, hospitals and medical clinics. In the case of this project, other residential uses are located adjacent to and across the street from the project site. The proposed project would be subject to the measures recommended by the BAAQMD (listed below in Mitigation Measure 3a), which would reduce construction-related PM10 and PM2.5 emissions to a less than significant level.

Objectionable Odors: As a general matter, the types of land use development that pose potential odor problems include wastewater treatment plants, refineries, landfills, composting facilities, and transfer stations. No such uses would occupy the project site. Therefore, the project would not create objectionable odors that would affect a substantial number of people. Also, there are no existing odor sources in the vicinity of the project site that would impact future occupants of the project site. Project odor impacts are therefore considered to be less-than-significant.

Mitigation Measures:

During construction, the project sponsor shall require the construction contractor to implement the following measures required as part of BAAQMD's basic and enhanced dust control procedures required for all construction sites. These include:

- Water all active construction areas daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

Conclusion: Based on the size of the project and the minor increase in vehicle trips generated, the project would not result in significant long-term or local air quality impacts. Implementation of the mitigation measures during construction will reduce potential short-term impacts to a less than significant level. **(Less Than Significant Impact with Mitigation)**

D. BIOLOGICAL RESOURCES

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 2-MapN1, 5				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, including federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	1,2-MapN1, 5				X
c) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	1,8-MapN1, 5				X
d) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or as defined by the City of Palo Alto's Tree Preservation Ordinance (Municipal Code Section 8.10)?	1,2,3,4,5,7		X		
e) Conflict with any applicable Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	1,5				X

DISCUSSION:

The project site is in a fully developed urban area, and does not contain any habitat suitable for special status species of plant or animal life. There are no wetlands or riparian habitat on or near the site. In urban areas, the lack of natural nesting habitat results in resident and migratory birds nesting in ornamental and/or street trees. The existing oak trees on the site may provide nesting sites for migratory birds. However, these trees are to remain and will be protected during construction. Therefore, the impact on migratory birds would be less than significant. There is no habitat or natural community conservation plan which applies to the project site.

Tree Preservation: According to the *Arborist Report*, 567-595 Maybell Avenue, prepared by John H. McClenahan, McClenahan Consulting, LLC, the project site now contains four older single family homes and a large orchard. There are approximately 90 fruit trees located in the orchard that will be removed with the project. Most of the fruit trees are apricot, with a pistachio, some citrus and chestnut. There are ten larger oaks on the Clemo Avenue frontage which will be preserved as a part of

the project. In addition, some of the trees in better condition along the east property line will be preserved to provide screening.

The Arborist's Report provides an analysis of the condition of 39 non-fruit trees on the site. The Oaks to be preserved along the Clemo frontage are in fair to good condition. There are two oak trees along this frontage which are in poor to fair condition and are proposed for removal. The Coast Live Oak trees along the proposed site access are generally in fair to good condition and are to be preserved.

The Arborist's Report also includes a tree preservation and protection plan which outlines the necessary protection measures to be implemented during construction to prevent injuries to the trees to remain. These recommendations include installation of protective fencing around the trees during construction, that any grading or excavation within Tree Protection Zones (TPZs) must be accomplished through hand digging, and that a qualified arborist must supervise any cutting of roots greater than one inch diameter. In addition, the single family residences along Clemo Avenue would be set back an average of 40 feet from the property line to accommodate the oak trees.

Mitigation Measure:

In order to make sure the proper tree protection measures are followed during construction, the project sponsor shall comply with the Tree Preservation and Protection Plan outlined in the *Arborist's Report*, 567-595 Maybell Avenue, prepared by John H. McClenahan, McClenahan Consulting, LLC, November 26, 2012.

Conclusion: Implementation of the mitigation measures requiring tree protection during construction and tree preservation will reduce potential impacts to a less than significant level. **(Less Than Significant Impact with Mitigation)**

E. CULTURAL RESOURCES

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly destroy a local cultural resource that is recognized by City Council resolution?	1,10				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	1,2-MapL8				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	1,2-MapL8				X
d) Disturb any human remains, including those interred outside of formal cemeteries?	1,2-MapL8				X
e) Adversely affect a historic resource listed or eligible for listing on the National and/or California Register, or listed on the City's Historic Inventory?	1,2-MapL7, 10				X
f) Eliminate important examples of major periods of California history or prehistory?	1				X

DISCUSSION:

The proposed project involves demolition of four existing single family homes on the site and construction of 15 single family residences and 60 multifamily affordable housing units for seniors. The four homes to be demolished were built in the 1950's and 1960's and are typical single story ranch style homes from that era. None of the buildings on the site is listed on the National or California Register of historic resources, nor are they listed on the City's Historic Inventory.

Buried Prehistoric and Historic Resources: Based on relevant archaeological reports for the immediate area, there are no known cultural resources associated with the site, and the proposed project will not create any cultural impacts to the affected area. For all projects, if during grading and construction activities, any archaeological or human remains are encountered, construction shall cease and a qualified archaeologist shall visit the site to address the find. The Santa Clara County Medical Examiner's office shall be notified to provide proper direction on how to proceed. If any Native American resources are encountered during construction, construction shall cease immediately until a Native American descendant, appointed by the Native American Heritage Commission of the State of California, is able to evaluate the site and make further recommendations and be involved in mitigation planning.

Mitigation Measures: None Required

Conclusion: Since the site has already been disturbed by the previous residential and orchard use, it is not expected that the project would have an impact on prehistoric or historic archaeological resources, and the site is not listed on any register of historic resources. The proposed project would not result in significant impacts to cultural resources (**Less Than Significant Impact**)

F. GEOLOGY, SOILS AND SEISMICITY

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	11,17				X
ii) Strong seismic ground shaking?	2-MapN10, 17			X	
iii) Seismic-related ground failure, including liquefaction?	2-MapN5, 17				X
iv) Landslides?	2-MapN5, 17				X
b) Result in substantial soil erosion or the loss of topsoil?	1				X
c) Result in substantial siltation?	1,17				X
d) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	2-MapN5, 8, 17				X
e) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	2-MapN5, 8, 17			X	
f) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	1,8				X
g) Expose people or property to major geologic hazards that cannot be mitigated through the use of standard engineering design and seismic safety techniques?	1,5				X

DISCUSSION:

According to the Phase 1 Environmental Assessment, Maybell Property, Palo Alto, California, prepared by Rosewood Environmental Engineering, July 2, 2012, the project site is located in Santa

Clara Plain of the San Francisco Bay Area. The Santa Clara Plain forms the floor of the Santa Clara Valley. The plain is broad, flat to undulating gently sloping alluvial fan that extends northeast from the base of the foothills of the Santa Cruz Mountains to the salt evaporators that now occupy the marshes that formerly bordered San Francisco Bay. The foothills rise sharply to about 400 feet above mean sea level (+400 feet MSL) west of Junipero Serra Boulevard (about 150 feet MSL). The plain drops gently across 3.5 miles to about +5 feet MSL at the Bay margin and is incised by streams such as San Francisquito and Barron Creeks near the site. Based on geotechnical borings at the site, first groundwater is encountered in a sand lens below a layer of gray-blue tight clay. The groundwater was somewhat confined and rose approximately six inches in the open borehole over an hour.

Seismicity: The San Francisco Bay Area is one of the most seismically active regions in the United States. Generally, the City of Palo Alto would experience a range from weak to very violent shaking in the event of a major earthquake along the San Andreas or Hayward fault. Although hazards exist, development would not expose people or property to major geologic hazards that cannot be addressed through the use of standard engineering design and seismic safety techniques, as required by building codes. With proper engineering new development is not expected to result in any significant adverse short or long-term impacts related to geology, soils or seismicity.

The major cause of damage during an earthquake is ground shaking, with frequency and amplitude of motion dependent on local geologic conditions. Sites on bedrock tend to have sharp, high frequency jolts with little amplitude, while sites on deep alluvium receive lower frequency shocks but suffer movement with high amplitude.

Regional studies have suggested that the response of certain soils such as baymuds to earthquakes will also vary according to the depth of soil and the magnitude of the quake. Thus, ground accelerations of smaller quakes are magnified as much as three times over the underlying bedrock, whereas ground accelerations of a large quake (7.5 or more on the Richter scale) would be reduced to a value below that of the underlying bedrock.

Landslides: The natural factors that promote landsliding are steep slopes, poorly consolidated bedrock, and occasional heavy rainfall are generally found in hilly areas. The project site is in an area that is relatively flat.

Liquefaction: Soil liquefaction is a condition where saturated granular soils near the ground surface undergo a substantial loss of strength during seismic events. Loose, water-saturated soils are transformed from a solid to a liquid state during ground shaking. Liquefaction can result in serious deformations. Soils most susceptible to liquefaction are loose, uniformly graded, saturated fine-grained sands that lie close to the ground surface. The project site is not identified on the State of California Seismic Hazard Zones Official Map, Palo Alto Quadrangle, as being susceptible to liquefaction, and is not in an area where soils have a moderate potential for expansion.

Construction of the proposed project will be required to meet current building code standards and may be required to submit geologic reports to address potential geologic impacts associated with the development. With proper engineering, new development is not expected to result in any significant adverse short or long-term impacts related to geology, soils or seismicity.

Mitigation Measures: None Required

Conclusion: Since the proposed development will be required to comply with the current building code requirements and meet any geological and earthquake standards of the current code, no adverse impacts related to geology, soils or seismicity are expected. **(Less Than Significant Impact)**

G. GREENHOUSE GAS EMISSIONS

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	1,5,9			X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	1,5,9			X	

DISCUSSION:

The San Francisco Bay Area Air Basin (SFBAAB) is currently designated as a nonattainment area for state and national ozone standards and national particulate matter ambient air quality standards. SFBAAB's nonattainment status is attributed to the region's development history. Past, present and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

The Bay Area Air Quality Management District's (BAAQMD) approach to developing a Threshold of Significance for Green House Gas (GHG) emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move us towards climate stabilization. If a project would generate GHG emissions above the threshold level, it would be considered to contribute substantially to a cumulative impact, and would be considered significant.

The Thresholds of Significance for operational-related GHG emissions are:

- For land use development projects, the threshold is compliance with a qualified GHG reduction Strategy; or annual emissions less than 1,100 metric tons per year (MT/yr) of CO₂e; or 4.6 MT CO₂e/SP/yr (residents + employees). Land use development projects include residential, commercial, industrial, and public land uses and facilities.
- For stationary-source projects, the threshold is 10,000 metric tons per year (MT/yr) of CO₂e. Stationary-source projects include land uses that would accommodate processes and equipment that emit GHG emissions and would require an Air District permit to operate. If annual emissions of operational-related GHGs exceed these levels, the proposed project would result in a cumulatively

considerable contribution of GHG emissions and a cumulatively significant impact to global climate change.

The BAAQMD has established project level screening criteria to assist in the evaluation of impacts. If a project meets the screening criteria and is consistent with the methodology used to develop the screening criteria, then the project's air quality impacts may be considered less than significant. Below are some screening level examples taken from the BAAQMD CEQA Air Quality Guidelines, 06/2010 (Table 3-1, Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes).

Land Use Type	Operational GHG Screening Size **
Single-family	56 du
Apartment, low-rise	78 du
Apartment, mid-rise	87 du
Condo/townhouse, general	78 du
City park	600 acres
Day-care center	11,000 sf
General office building	53,000 sf
Medical office building	22,000 sf
Office park	50,000 sf
Quality restaurant	9,000 sf

**If project size is => screening size, then it is considered significant.

The proposed project consists of construction of 15 single family residence and 60 multifamily affordable apartments for seniors, and is replacing four single family homes. The combined total of 75 units would fall within the thresholds established by the BAAQMD's CEQA Air Quality Guidelines. It is not anticipated that the project will create significant operational GHG emissions. The *Traffic Impact Analysis for the Proposed Residential Development at Maybell Avenue and Clemo Avenue in Palo Alto, California*, prepared by Hexagon Transportation Consultants, Inc., December 14, 2012, indicates that a senior housing development has a much lower vehicle trip generation rate than other residential uses (2.20 daily trips per unit), which would result in comparatively lower emissions. The traffic impact analysis indicates that the project would generate a total of 238 new daily trips, with 16 net new trips during the AM peak hour and 21 net new trips during the PM peak hour, which does not represent a significant increase in vehicle trips. During the construction phase of the project there would be a temporary increase in emissions; this discussion is provided in the Air Quality section of this report.

Mitigation Measures: None Required

Conclusion: The project will not result in a significant impact on greenhouse gas emissions (**Less Than Significant**)

H. HAZARDS AND HAZARDOUS MATERIALS

*Note: Some of the thresholds can also be dealt with under a topic heading of **Public Health and Safety** if the primary issues are related to a subject other than hazardous material use.*

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routing transport, use, or disposal of hazardous materials?	1,5				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	1,5				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	1,5				X
d) Construct a school on a property that is subject to hazards from hazardous materials contamination, emissions or accidental release?	1,5				X
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	1,2-MapN9, 8			X	
f) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	1				X
g) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working the project area?	1				X
h) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	1,2-MapN7				X
i) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	1,2-MapN7, 16				X
j) Create a significant hazard to the public or the environment from existing hazardous materials contamination by exposing future occupants or users of the site to contamination in excess of soil and ground water cleanup goals developed for the site?	1,5,8			X	

DISCUSSION:

Background Information: Hazardous materials encompass a wide range of substances, some of which are naturally occurring and some of which are man-made. Examples of hazardous materials include pesticides, herbicides, petroleum products, metals (e.g., lead, mercury, arsenic), asbestos and chemical compounds used in manufacturing. Determining if such substances are present on or near project sites is important because exposure to hazardous materials above certain thresholds can result in adverse health effects on humans, as well as harm to plants and wildlife.

Due to the fact that these substances have properties that, above certain thresholds, are toxic to humans and/or the ecosystem, there are multiple regulatory programs in place that are designed to minimize the chance for unintended releases and/or exposures to occur. Other programs establish remediation requirements for sites where contamination has occurred.

The proposed residential project does not involve the use, creation or transportation of hazardous materials. Maybell and Clemo Avenues are not designated as evacuation routes. The project site is within an urban area and is not located within or near the wildland fire danger area.

A Phase I Environmental Assessment was prepared by Rosewood Environmental Engineering on July 2, 2012 to determine if there are any recognized environmental conditions associated with the project site. The property was evaluated for the presence of potentially adverse environmental conditions and the adjacent properties were evaluated for secondary potential contaminated sites with a review of potential contamination sources within a one-mile radius of the site.

As a part of the assessment, site observations were made to determine the presence of any hazardous materials. Disturbed soil and a cleared area were observed in the southeast corner of the site in a copse of trees. A 1940s era tractor was observed in the southern quadrant of the orchard. Numerous spigots on standpipes of the irrigation system were noted throughout the orchard. The ground around the tree in the orchard was cleared of weed for fire control. The irrigation for the orchard remained in place and operational drawing from City water supply. A well in the back yard of the house at 595 Maybell once served the orchard and houses, but is no longer operational.

No evidence of staining or subsidence was present that would indicate a removed tank or spill in the orchard area. Representative soil sampling indicated that uniform application of pesticides had occurred in the orchard. The four houses on the site were examined, and it was determined that based on the age of the houses, it is likely that asbestos containing materials may be present.

Site History: The site was a part of the Rancho Rincon de San Francisquito, which encompassed a total of 8,400 acres and covered much of the South Palo Alto and Barron Park Areas. The Maybelle (original spelling) tract was laid out in 1905, which subdivided this area into orchard tracts from three to five acres in size. This site was a part of a larger apricot orchard, which was active from 1909 to 1990. The larger orchard included the adjacent site, which is now occupied by Briones Park.

The Phase I Environmental Assessment identified five potential recognized environmental concerns as follows:

1. Elevated Arsenic concentrations in a localized area near the former raised shed approximately eight feet by eight feet in area and two feet deep.

2. Total Petroleum Hydrocarbon as oil and grease concentrations in an area approximately twenty by twenty feet in area and three feet deep in the area of the former tractor garage.
3. Agricultural Organo-chloride pesticide application in the apricot orchard.
4. A former underground storage tank (UST) that had been removed without permits. Based on the results of a previous Phase II investigation of the tank grave, it does not appear that the tank or associated piping leaked.
5. Potential Asbestos and Lead-based building materials and coatings in the houses on the site.

Based on these factors, a new Phase II environmental assessment was conducted (*Phase II Environmental Assessment, Maybell Property, Palo Alto, California*, prepared by Rosewood Environmental Engineering, July 20, 2012). The Phase II Environmental Assessment addressed the agricultural pesticides, Arsenic, and TPH in soil, but did not address the potential asbestos and lead-based paint; it was determined that these potential hazards could be remediated at the time of demolition of the structures.

The results of the Phase II Environmental Assessment indicate the following:

1. Residual organo-chloride pesticide concentrations at the site are compatible with residential use.
2. Elevated concentrations of Arsenic above naturally occurring background levels were found at the Site affecting approximately 5 cubic yards of soil in the area of the former raised shed. These soils will need to be remediated for the area to be compatible with residential use.
3. Elevated concentrations of Non-RCRA waste, non-carcinogenic Total Petroleum Hydrocarbons (TPH) as oil and grease were detected in the area of the former tractor garage. No BETX constituents were detected. The TPH is likely highly degraded tractor lubricant and perhaps spilled diesel from more than 20 years ago, when the tractor was last used. This area should be remediated to set aside any potential concerns future residents may have about the environmental condition of the property or the suitability of the site for residential land use.
4. The first groundwater beneath the site is in a silty sand lens approximately 40 feet deep beneath a thick layer of tight, blue-gray clay. It is unlikely that there is a beneficial use for the water or that there is an exposure pathway for groundwater to affect beneficial use waters, sensitive receptors, or create a concern to future residents due to soil gas. The groundwater likely would not be encountered during excavation for subterranean garages at the Site.
5. The groundwater well at the Site is not properly shut off from the municipal water supply and so cannot be sampled or destroyed without jeopardizing the continued water supply to the houses on the Site.

Based on a previous Phase II Environmental Assessment, a former underground storage tank grave was discovered and investigated resulting in the opinion that the tank had not leaked.

Recommendations: Based on the findings of the Phase I and Phase II Environmental Assessments, the following recommendations for site-specific issues were made by Rosewood Environmental Engineering. The specific actions that will be necessary at the site include:

1. No further action with regard to residual organo-chloride pesticide concentrations at the Site.

2. Remediation of Arsenic affected soil under the oversight of the Santa Clara Water District in a Voluntary Clean-up Program. In general, the remediation will require over-excavation of the affected soil, packing the soil in boxes, hauling the soil to an appropriate class landfill for the concentrations in soil, and confirmatory soil sampling to ensure the Arsenic is below background concentrations.
3. The TPH-affected soil from the tractor garage area should also be over-excavated and remediated similar to the Arsenic, but will likely not require the same class of landfill as there is no RCRA waste involved.
4. No further action is recommended with regard to the groundwater at the site.
5. The groundwater well at the site must be properly shut off from the municipal water supply by a plumber before well destruction. Well destruction need not occur until after the demolition of the houses, but before grading commences. The well should be properly permitted as closed under the oversight of the Santa Clara Water District.
6. A "no further action" letter should be requested from the Santa Clara Water District with regard to the former tank to document tank closure.
7. If the houses are to be demolished, they should have demolition-level asbestos and lead-based paint sampling conducted beforehand to determine proper remediation procedures and disposal of materials.
8. Should any pipe that might lead to an underground fuel or septic tank be located during mass grading operations, it should be reported to the Environmental Engineer and carefully evaluated. If any PVC, concrete or metal pipes not associated with the irrigation system are exposed during grading or excavation operations the Environmental Engineer should be notified and they should be removed from the grading site under supervision.
9. During any grading or excavation activities on the property, soil technicians and operators must be made aware to look for unusual conditions suggesting buried debris or other potential adverse environmental conditions that may be discovered on the property. It is likely that septic tanks are present from the old residence and the current residence at the south east part of the site. If any of these conditions is encountered, then the Environmental Engineer must be notified and the specific condition appropriately remedied in accordance with the local, county, and state and Regional Water Quality Control Board (RWQCB) requirements.
10. According to site observations, the EDR report, county records, the property owner, and persons familiar with the site, no additional water wells than the one noted exists on the site. However, if any is encountered during the Site development activities it should be destroyed according to local, county and state regulations.

Mitigation Measure:

In order to mitigate any potential impacts related to existing environmental conditions on the site, the project sponsor shall comply with the recommendations made in the *Phase II Environmental Assessment, Maybell Property, Palo Alto, California*, prepared by Rosewood Environmental Engineering, July 20, 2012.

Conclusion: With implementation of the mitigation measure requiring remediation of existing environmental conditions on the site, there will be no adverse impacts with regard to public safety, hazards and hazardous materials. **(Less Than Significant Impact With Mitigation)**

I. HYDROLOGY AND WATER QUALITY

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	1,2,5				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	2-MapN2				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	1,5				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	1,5				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	1,5				X
f) Otherwise substantially degrade water quality?	1,5				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	2-MapN6				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	2-MapN6 13				X
i) Expose people or structures to a significant risk of loss, injury or death involve flooding, including flooding as a result of the failure of a levee or dam or being located within a 100-year flood hazard area?	2-MapN8,1 3, 13				X
j) Inundation by seiche, tsunami, or mudflow?	2-MapN6 13				X
k) Result in stream bank instability?	1,5				X

DISCUSSION:

The project site is located equidistance between Barron Creek to the northwest and Adobe Creek to the southeast. Both creeks flow to the east and lie approximately 1,000 feet from the site. Barron Creek

appears to be primarily flowing through underground structures, while Adobe Creek appears to be following its natural course.

Hydrology and Flooding: The project site is shown on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) Community Panel No. 06085C 0017 H. The site is mapped into Flood zone X, which is not a Special Flood Hazard Area. Zone X is described as an area of moderate risk to flooding (outside of the 100-year flood but inside the 500-year flood limits). The special floodplain construction rules are not applicable to structures in an "X" zone. The site is not subject to inundation from a seiche, tsunami, or mudflow.

Water Quality: The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality. Regulations set forth by the U.S. Environmental Protection Agency (EPA) and the State Water Resources Control Board have been developed to fulfill the requirements of this legislation. EPA's regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by water quality control boards, which for the Palo Alto area is the San Francisco Bay Regional Water Quality Control Board (RWQCB).

Proposed projects are required to comply with Provision C.3 of the City's NPDES permit and the City's local policies and ordinances regarding urban runoff and water quality. In practical terms, the C.3 requirements seek to reduce water pollution by both reducing the volume of stormwater runoff and the amount of pollutants that are contained within the runoff. The methods used to achieve these objectives vary from site to site, but can include measures such as a reduction in impervious surfaces, onsite detention facilities, biofiltration swales, settlement/debris basins, etc.

Drainage and Flooding: The project site is not located within a 100-year flood hazard area. Therefore, implementation of the project would not result in people or structures being exposed to any significant flood risk.

Water Quality: Construction activities the project site could temporarily generate dust, sediment, litter, oil, paint and other pollutants that could contaminate runoff from the site.

All development is required to comply with building codes that address flood safety issues. Development projects are required to implement Best Management Practices (BMPs) for construction activities as specified by the California Storm Water Best Management Practices Handbook (CASQA, 2003) and/or the Manual of Standards for Erosion and Sediment Control Measures (ABAG, 1995). The BMPs include measures guiding the management and operation of construction sites to control and minimize the potential contribution of pollutants to storm runoff from these areas. These measures address procedures for controlling erosion and sedimentation and managing all aspects of the construction process to ensure control of potential water pollution sources. All development projects must comply with all City, State and Federal standards pertaining to storm water run-off and water quality.

Mitigation Measures: None Required

Conclusion: The proposed project would not result in substantial adverse flooding or drainage impacts. With implementation of Best Management Practices during construction, water quality impacts would be less than significant (**Less Than Significant Impact**)

J. LAND USE AND PLANNING

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	1,5				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	1,2,3,5				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	1,2				X
d) Substantially adversely change the type or intensity of existing or planned land use in the area?	1,5				X
e) Be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height?	1,5				X
f) Conflict with established residential, recreational, educational, religious, or scientific uses of an area?	1,5				X
g) Convert prime farmland, unique farmland, or farmland of statewide importance (farmland) to non-agricultural use?	1,2,3				X

DISCUSSION:

Setting: The proposed project includes the initiation of a new Planned Community (PC) zone district to allow the development of 15 single family residences and a 60 unit multifamily affordable rental project for seniors on parcels having a combined area of 107,392 square feet (2.46 acres) and zoned R-2 and RM-15. Surrounding land uses include multiple family residential uses adjacent to the site along both Maybell and Clemo Avenues, single-family residences across Maybell Avenue from the site, and Briones Park across Clemo Avenue from the site.

General Plan Land Use Designation: The project site is designated as Single Family and Multiple Family Residential in the Palo Alto 1998 – 2010 Comprehensive Plan. The proposal to develop 15 single-family residences and a 60-unit multifamily affordable rental development for seniors is compatible with the single family and multiple family land use designations.

Zoning Designation: The project site is zoned R-2, Two Family Residential District and RM-15, Low Density Multiple-Family Residential District. The existing R-2 two-family residence district is intended to allow a second dwelling unit under the same ownership as the initial dwelling unit on

appropriate sites in areas designated for single-family use by the Palo Alto Comprehensive Plan, under regulations that preserve the essential character of single-family use. The RM-15 low-density multiple-family residence district is intended to create, preserve and enhance areas for a mixture of single-family and multiple-family housing which is compatible with lower density and residential districts nearby, including single-family residence districts. The RM-15 residential district also serves as a transition to moderate density multiple-family districts or districts with nonresidential uses. Permitted densities in the RM-15 residence district range from eight to fifteen dwelling units per acre.

As a part of this proposal, the applicant is requesting that the site be rezoned to a new Planned Community (PC) zone district. The PC district is intended to accommodate developments for residential, commercial, professional, research, administrative, industrial, or other activities, including combinations of uses appropriately requiring flexibility under controlled conditions not otherwise attainable under other districts. The planned community district is particularly intended for unified, comprehensively planned developments which are of substantial public benefit, and which conform with and enhance the policies and programs of the Palo Alto Comprehensive Plan.

PC Zone District Process: The first of the three required findings to be made by the PTC to recommend a PC is that: "The project site is so situated, and the use or uses proposed for the site are of such characteristics that the application of general districts or combining districts will not provide sufficient enough flexibility to allow the proposed development." As noted earlier, the project site consists of two zoning designations: Residential Multifamily-15 (RM-15) and Residential-2 (R-2). The RM-15 zoned portion of the site is 93,692 sq. ft. (87%) of the 107,392 sq. ft. project site. The R-2 parcel is surrounded by the RM-15 zone and extends through approximately half the Maybell Avenue frontage.

The proposed development appears to be consistent with many of the requirements of the Planned Community zone district as outlined in Section 18.38.060 of the Municipal Code. The proposed density of the development is most similar to RM-40 zoning. However, the Project exceeds the RM-40 requirements for height, daylight plane and Village Residential setback requirements. The proposed senior building exceeds the maximum allowable height and projects into the daylight plane. The single family residences on Maybell Avenue would not meet the setback requirements for the RM-40 zone. In order to meet the goals of the Project, the applicant has requested PC zoning in that the development plan would not specifically conform to any of the multi-family residence districts. Furthermore, the PC district, if granted, would be applicable only to the approved Development Plan, thereby ensuring that only the proposed Project could be developed. Any future redevelopment of the site to a different use would require additional rezoning that could only be approved by the City Council.

Land Use Compatibility: Land use conflicts can arise from two basic causes: 1) a new development or land use may cause impacts to persons or the physical environment in the vicinity of the project site or elsewhere; or 2) conditions on or near the project site may have impacts on the persons or development introduced onto the site by the new project. Both of these circumstances are aspects of land use compatibility. Potential incompatibility may arise from placing a particular development or land use at an inappropriate location, or from some aspect of the project's design or scope.

Depending on the nature of the impact and its severity, land use compatibility conflict can range from minor irritation and nuisance to potentially significant effects on human health and safety. The discussion below distinguishes between potential impacts from the proposed project upon people and the physical environment, and potential impacts from the project's surroundings upon the project itself.

Impacts From the Project: Any proposed housing project could change the character of a project site. The proposed project, however, is located in an area where there are currently similar residential uses. There are existing single-family residences adjacent to the proposed single-family residences along the Maybell frontage, and there are existing multifamily residential project adjoining the portion of the site to be developed with the four-story senior apartment building. The PC zoning district will provide development standards that will ensure that new development will have similar characteristics (such as mass, bulk, height and density) as the surrounding areas. Therefore, it is not anticipated that there will be land use compatibility impacts from the proposed project.

Impacts to the Project: The surrounding uses are similar in nature to the proposed use, and will be compatible with the proposed uses on the project site. No on-going land use conflicts with adjacent uses are anticipated.

Mitigation Measures: None Required

Conclusion: The proposed project would not result in significant, adverse land use impacts. **(Less Than Significant Impact)**

K. MINERAL RESOURCES

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	1,2				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	1,2				X

DISCUSSION:

The City of Palo Alto has been classified by the California Department of Conservation (DOC), Division of Mines and Geology (DMG) as a Mineral Resource Zone 1 (MRZ-1). This designation signifies that there are no aggregate resources in the area. The DMG has not classified the City for other resources. There is no indication in the 2010 Comprehensive Plan that there are locally or regionally valuable mineral resources within the City of Palo Alto.

Mitigation Measures: None Required.

Conclusion: The proposed project would not result in impacts to known mineral resources. **(No Impact)**

L. NOISE

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	1,2,12			X	
b) Exposure of persons to or generation of excessive ground borne vibrations or ground borne noise levels?	1,2,12			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	1,2,12				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	1,2,12			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, would the project expose people residing or working in the project area to excessive noise levels?	1				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	1				X
g) Cause the average 24 hour noise level (Ldn) to increase by 5.0 decibels (dB) or more in an existing residential area, even if the Ldn would remain below 60 dB?	1				X
h) Cause the Ldn to increase by 3.0 dB or more in an existing residential area, thereby causing the Ldn in the area to exceed 60 dB?	1				X
i) Cause an increase of 3.0 dB or more in an existing residential area where the Ldn currently exceeds 60 dB?	1				X
j) Result in indoor noise levels for residential development to exceed an Ldn of 45 dB?	1				X
k) Result in instantaneous noise levels of greater than 50 dB in bedrooms or 55 dB in other rooms in areas with an exterior Ldn of 60 dB or greater?	1				X
l) Generate construction noise exceeding the daytime background Leq at sensitive receptors by 10 dBA or more?	1,12				X

DISCUSSION:

The project site is not located on a major arterial street, nor is it near a freeway or railroad. Therefore, there should be no adverse roadway noise impacts to future residents of the project site. The project is not located within an airport land use plan, and is not in an area impacted by airport noise.

Noise is defined as unwanted sound. Noise can be disturbing or annoying because of its pitch or loudness. Pitch refers to relative frequency of vibrations, higher pitch signals sound louder to people.

A decibel (dB) is measured based on the relative amplitude of a sound. Ten on the decibel scale marks the lowest sound level that a healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis such that each 10 decibel increase is perceived as a doubling of loudness. The California A-weighted sound level, or dBA, gives greater weight to sounds to which the human ear is most sensitive.

Sensitivity to noise increases during the evening and at night because excessive noise interferes with the ability to sleep. Twenty-four hour descriptors have been developed that emphasize quiet-time noise events. The Day/Night Average Sound Level, L_{dn} , is a measure of the cumulative noise exposure in a community. It includes a 10 dB addition to noise levels from 10:00 PM to 7:00 AM to account for human sensitivity to night noise.

Noise Impacts From Construction: Construction of the project would generate noise, and would temporarily increase noise levels at adjacent land uses. The significance of noise impacts during construction depends on the noise generated by various pieces of construction equipment, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors.

Construction activities generate considerable amounts of noise, especially during the construction of project infrastructure when heavy equipment is used. Typical hourly average construction generated noise levels are about 75 dBA to 80 dBA measured at a distance of 100 feet from the source during busy construction periods (e.g., earth moving equipment, impact tools, etc.). Construction generated noise levels drop off at a rate of about six dBA per doubling of distance between the source and receptor.

Construction noise impacts are more significant when construction occurs during noise-sensitive times of the day (early morning, evening, or nighttime hours near residential uses), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction lasts extended periods of time. Construction activities could result in annoyances to existing uses adjacent to the project site.

All development, including construction activities, must comply with the City's Noise Ordinance (PAMC Chapter 9.10), which restricts the timing and overall noise levels associated with construction activity. Short-term temporary construction noise that complies with the Noise Ordinance would result in impacts that are expected to be less than significant.

Mitigation Measures: None Required

Conclusion: Because the project would be required to comply with the City's Noise Ordinance, potential noise impacts would be reduced to a less than significant level. **(Less Than Significant Impact)**

M. POPULATION AND HOUSING

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	1				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	1, 5			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	1, 5			X	
d) Create a substantial imbalance between employed residents and jobs?	1			X	
e) Cumulatively exceed regional or local population projections?	1				X

DISCUSSION:

The proposed project will increase the City's housing stock by 71 housing units, by replacing 4 existing single family residences with 15 single family residences and 60 multifamily affordable apartment units for Seniors. This site is one of the Housing Inventory Sites identified in the Draft 2009-2014 Housing Element currently being reviewed for compliance with State Housing Element Law by the State Department of Housing and Community Development.

Palo Alto currently has an imbalance between employed residents and jobs; there are 80,000 jobs and 30,404 employed residents, which translates into 2.63 jobs per employed resident. The addition of 75 housing units will increase the supply of housing in Palo Alto and slightly alter the City's jobs/housing ratio, which would lessen the imbalance between employed residents and jobs. The proposed project will not displace housing or residents since 75 dwelling units will replace the four existing single-family residences on the site.

Mitigation Measures: None Required

Conclusion: The proposed project would not result in a significant population or housing impact. The potential impact on the jobs/housing balance is a positive one. **(No Impact)**

N. PUBLIC SERVICES

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a) Fire protection?	1				X
b) Police protection?	1				X
c) Schools?	1				X
d) Parks?	1				X
e) Other public facilities?	1				X

DISCUSSION:

The City of Palo Alto is a built out community, and this project is on an infill parcel that is adequately served by public services and facilities such as parks and schools. The site is adjacent to Briones Park, a neighborhood park that serves the surrounding area. The minor increase in population from this housing development would not adversely impact Police and Fire response times since this site is in an existing developed area.

The single-family residential portion of the project would generate new students resulting in an increase in school population. Palo Alto Unified School District (PAUSD) collects school impact fees on new residential and commercial construction within District boundaries. Fees are used only for construction and reconstruction of school facilities. The City of Palo Alto does not issue building permits for a project until PAUSD has certified that school impact fees have been paid. Therefore, the proposed development would contribute through payment of fees toward future construction of facilities to address the needs of increased school population from the project.

Mitigation Measures: None Required

Conclusion: The proposed residential project would not result in significant impacts to public facilities. **(Less Than Significant Impact)**

O. RECREATION

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	1				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	1				X

DISCUSSION:

The City of Palo Alto is served by a variety of parks and recreation facilities located throughout the community. The City's recreational system is augmented by local school facilities, which are available to the general public. The proposed residential development could increase usage of nearby parks and recreation facilities. However, it is expected that the increase in population from the project can be accommodated by the existing parks and recreation facilities in Palo Alto. As noted, the site is adjacent to Briones Park, a neighborhood park that serves the surrounding area. There are no existing recreational uses on the project site, so the project would not displace any recreation facilities.

Mitigation Measures: None Required

Conclusion: Implementation of the proposed housing project would not result in significant impacts to park and recreational facilities. **(Less Than Significant Impact)**

P. TRANSPORTATION AND TRAFFIC

Issues and Supporting Information Resources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	1,5,6			X	
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	1,5,6			X	
c) Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	1,5				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	1,5				X
e) Result in inadequate emergency access?	1,5				X
f) Result in inadequate parking capacity that impacts traffic circulation and air quality?	1,5,6			X	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian, transit & bicycle facilities)?	1,2,5,6			X	
h) Cause a local (City of Palo Alto) intersection to deteriorate below Level of Service (LOS) D and cause an increase in the average stopped delay for the critical movements by four seconds or more and the critical volume/capacity ratio (V/C) value to increase by 0.01 or more?	1,5,6			X	
i) Cause a local intersection already operating at LOS E or F to deteriorate in the average stopped delay for the critical movements by four seconds or more?	1,5,6			X	
j) Cause a regional intersection to deteriorate from an LOS E or better to LOS F or cause critical movement delay at such an intersection already operating at LOS F to	1,5,6			X	

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
increase by four seconds or more and the critical V/C value to increase by 0.01 or more?					
k) Cause a freeway segment to operate at LOS F or contribute traffic in excess of 1% of segment capacity to a freeway segment already operating at LOS F?	1,5,6			X	
l) Cause any change in traffic that would increase the Traffic Infusion on Residential Environment (TIRE) index by 0.1 or more?	1,5,6			X	
m) Cause queuing impacts based on a comparative analysis between the design queue length and the available queue storage capacity? Queuing impacts include, but are not limited to, spillback queues at project access locations; queues at turn lanes at intersections that block through traffic; queues at lane drops; queues at one intersection that extend back to impact other intersections, and spillback queues on ramps.	1,5,6			X	
n) Impede the development or function of planned pedestrian or bicycle facilities?	1,5,6			X	
o) Impede the operation of a transit system as a result of congestion?	1,5,6			X	
p) Create an operational safety hazard?	1,5				X

DISCUSSION:

Existing Roadway Network: The project site is located at the intersection of Maybell and Clemo Avenues. Maybell Avenue is a two-lane north-south residential roadway that begins at Donald Drive in the south and continues north to El Camino Real. Clemo Avenue is a two-lane east-west roadway that runs between Maybell Avenue and Arastradero Road. Just east of Maybell Avenue, Clemo Avenue has concrete bulb-outs preventing vehicle access to and from Maybell Avenue. Clemo Avenue forms the southern border of the project site and provides direct access to the site.

Regional access to the project is provided via El Camino Real, a six-lane roadway that serves as a north-south route of travel, although it is aligned in a predominately east-west orientation in the vicinity of the project site. Arastradero Road connects to El Camino Real, and is primarily a two-lane road in the vicinity of the project site. Arastradero Road provides access to the site via Clemo Avenue.

Existing Transit Service. Transit service in the area includes local bus service provided by the Santa Clara Valley Transportation Authority (VTA), and train service from the Caltrain commuter line, which provides service along the Peninsula from San Francisco in the north to Gilroy in the south. Local bus service to the project site includes VTA routes 22 and 522, which run along El Camino Real

and connect to the Palo Alto Transit Center to the north and the San Antonio Transit Center to the south. Both of these transit centers are adjacent to Caltrain Stations (University Avenue and San Antonio stations). VTA route 86 runs along Arastradero Road and provides access to Palo Alto Veterans Hospital.

Existing Pedestrian and Bicycle Facilities: Pedestrian facilities comprise sidewalks, crosswalks and pedestrian signals. Bicycle facilities comprise paths (Class I), lanes (Class II), and routes (Class III). Bicycle paths are paved trails that are separate from roadways. Bicycle lanes are lanes on roadways designated for bicycle use by striping, pavement legends, and signs. Bicycle routes are roadways designated for bicycle use by signs only.

There are sidewalks adjacent to the project site along Clemo Avenue, but there are no sidewalks along the Maybell frontage. As a part of the project, sidewalks will be provided adjacent to the single-family residences along Maybell and Clemo Avenues.

Maybell Avenue is an existing bicycle boulevard, which serves as part of the School Commute Corridor Network throughout Palo Alto. Arastradero Road contains Class II bicycle lanes and connects to various north south routes throughout the community.

Traffic Impacts: Traffic operations at intersections are typically described in terms of “Level of Service” (LOS). LOS is a qualitative measure of the effect of several factors on traffic operating conditions, including speed, travel time, traffic interruptions, freedom to maneuver, safety, driving comfort, and convenience. It is generally measured quantitatively in terms of vehicular delay and described using a scale that ranges from LOS A to F, with LOS A representing essentially free-flow conditions and LOS F indicating over-capacity conditions with substantial congestion and delay.

According to the *Traffic Impact Analysis for the Proposed Residential Development at Maybell Avenue and Clemo Avenue in Palo Alto California*, prepared by Hexagon Transportation Consultants, the proposed project is anticipated to generate 238 net new daily trips, with 16 net new trips occurring during the AM peak hour and 21 net new trips occurring during the PM peak hour.

Daily traffic counts were collected in May 2012 on Maybell Avenue in the vicinity of the project site. The results showed there are approximately 3,320 daily trips (both directions) on Maybell Avenue, between Thwain Way and Pena Court, during a typical weekday. The traffic analysis also looked at operating conditions at three signalized and three unsignalized intersections in the vicinity of the project site. It was determined that all of the signalized intersections currently operate at acceptable levels of service, measured against City of Palo Alto and the VTA’s Congestion Management Program’s (CMP) standards. The unsignalized intersections all currently operated with reasonable delays. The traffic study noted that there is congestion on Arastradero Road between 7:50 a.m. and 8:25 a.m., and congestion on Maybell Avenue between 7:45 a.m. and 8:15 a.m., from traffic accessing nearby schools. There is also more pedestrian and bicycle traffic on Maybell Avenue during this time period.

Project Impact on Traffic – Project Access Alternative Scenarios: The project proposes two access points for traffic entering and exiting the site. Access to the site would be provided by one driveway on Clemo Avenue and an access easement through the Arastradero Park Apartment Complex

(APAC) to the north that would connect to an existing driveway on Maybell Avenue. In the event the access easement through the adjacent APAC property cannot be obtained, the project would be access through a single driveway on Clemo Avenue. The traffic study looked at two additional site access scenarios, both of which would include the single access point on Clemo Avenue.

Clema via Arastradero Access: The first alternative presumes that the Clema barrier at the intersection of Clema and Maybell Avenues would remain in its current location so that all trips to and from the project site would access Clema Avenue via Arastradero Road. Under this alternative, there would be an increase in trips on Arastradero Road, as all project sites would access the project site via Arastradero Road. This alternative would result in a slight decrease in traffic on Maybell Avenue, as the project would replace existing homes that currently have access via Maybell Avenue.

Clema via Maybell Access: The second alternative assumes that the Clema barrier would be moved to the other side of the project driveway allowing access from Clema Avenue to Maybell Avenue, but preventing through traffic to Arastradero Road. The project site would not be accessible via Arastradero Road because of the barrier. Under this alternative, all project traffic will be added to the Clema/Maybell intersection and no traffic will be added to the Clema/Arastradero intersection.

Level of Service Analysis

Proposed Project: The traffic study looked at existing traffic volumes plus the added trips generated by the project as originally proposed with two access points. The results showed that measured against City of Palo Alto and Congestion Management Plan (CMP) standards, all of the signalized intersections would continue to operate at acceptable levels of service during the AM and PM peak hours, and all of the unsignalized intersections would continue to operate with reasonable delays.

Alternatives: The traffic study also looked at intersection levels of service under existing plus project and cumulative plus project conditions for the two alternative access scenarios. Under either access alternative, the peak-hour levels of service would be unchanged at all but one of the study intersections. The intersection of Arastradero Road and Clema Avenue would incur a substantial increase in delay and deterioration in the level of service during the AM peak hour if the project were limited to a single driveway on Clema Avenue with the current barrier location. As previously noted, this intersection is currently subject to frequent blockages as queues extend along Arastradero Road from the downstream intersection at Coulombe Drive past Clema Avenue. Thus, the "Clema via Arastradero" access alternative, which would funnel all of the project traffic through the Clema/Arastradero intersection, would exacerbate the existing congestion at this intersection.

In contrast, moving the Clema barrier to the east of the project driveway so that all project trips would access Clema Avenue via Maybell Avenue would result in less delay. An analysis of the projected traffic volumes at the newly created Maybell/Clema intersection shows that the stop-controlled Clema Avenue approach would operate at LOS A in the AM and PM peak hours. Furthermore, compared to the Clema/Arastradero intersection, queue blockages were observed to occur less frequently at the Clema/Maybell intersection.

Traffic Signal Warrants: The traffic study provided traffic signal warrant analysis for the project as proposed and for both site access alternatives. The analysis shows that the peak-hour volume warrants would not be satisfied at the unsignalized study intersections during the AM and PM peak hours under

existing or cumulative conditions with the project as proposed or under either access alternative.

Cumulative Conditions: The traffic study also looked at forecasted far-term future (year 2020) traffic conditions. The cumulative conditions were estimated by applying an annual growth factor of 1.1 per cent over a period between when the existing traffic counts were taken and the year 2020. The project traffic volumes were also included. The results show that all signalized intersections would continue to operate at acceptable levels of service during the AM and PM peak hours, and the unsignalized intersections would continue to operate with reasonable delays. However, the side street delay on Clemo Avenue would operate at a poor Level of Service (LOS) during the PM peak hour. The poor LOS is primarily a result of the future traffic growth projected to occur between existing and cumulative conditions. During field observations, it was noted that this intersection has a significant number of pedestrian crossings and it is sometimes blocked by through queues on Arastradero Road. The project would add 6 and 4 project trips to the westbound approach on Clemo Avenue during the AM and PM peak hours respectively. It is not expected that these trips would significantly contribute to this projected side street delay.

Neighborhood Traffic Volume: Residential areas are especially sensitive to traffic because otherwise relatively small increases in traffic can impact the livability of the neighborhood. A concern common to many residents is the possibility that a new development will cause an increase in traffic volume on their streets. A tool for measuring the effects of increases in traffic on neighborhood "livability" was developed by D.K. Goodrich. The tool is named the TIRE index, or Traffic Infusion on Residential Environments.

The TIRE index uses average daily traffic (ADT) volume to determine the amount of daily traffic that could be added to a roadway before residents would perceive the increase in traffic. The amount of daily traffic that can be added before residents would notice directly correlates to the amount of daily traffic already present on the street. According to this methodology, a noticeable traffic increase occurs when the difference in index between no project and project conditions is 0.10 or more. An increase in index of 0.10 corresponds to an increase in ADT of between 20 and 30 percent.

To quantify the perceptions of its residents, the TIRE index was applied to Maybell Avenue. Daily traffic counts were conducted on May 29th, 30th, and 31st of 2012 (Tuesday, Wednesday and Thursday, respectively) to determine the existing traffic on this street. According to the TIRE index, 825 daily trips could be added to Maybell Avenue before residents would perceive a change. The proposed project would add 80 daily trips to Maybell Avenue. According to the TIRE index, it is unlikely that residents along Maybell Avenue would notice an increase in traffic as a result of the proposed development.

Clema via Arastradero Access Alternative: Under this alternative, the project would not add any trips to Maybell Avenue between Thain Way and Pena Court. On the contrary, the project would result in a decrease in volumes on this segment as the project would replace existing homes that currently have direct access to Maybell Avenue.

Clema via Maybell Access Alternative: Under this alternative, the proposed project would add approximately 150 daily trips to Maybell Avenue. According to the TIRE index, it is unlikely that

residents along Maybell Avenue would notice this projected increase in traffic as a result of the proposed development.

On Site Circulation and Parking: The on-site circulation was reviewed in accordance with generally accepted traffic engineering standards. Generally, the proposed plan would provide adequate circulation throughout the site. The site would include 47 uncovered surface parking spaces for the senior housing units including three accessible parking spaces. Parking stalls are oriented at 90 degrees to the drive aisles. Aisle widths are appropriate for 90-degree parking, and there are no dead end aisles. A passenger loading zone is shown in front of the community room at the proposed senior housing component. Parking for the single-family residential units would occur in attached two-car garages. In addition, all but one of the single-family units adjacent to Maybell Avenue has driveway aprons that are 18 feet deep, which would allow for two additional parking spaces per unit. With the exception of one unit at the corner of Maybell Avenue and Clemo Avenue that would have direct access to Clemo Avenue, all single-family units would be accessed by internal drive aisles. As described previously, access to the public street system from the northern driveway requires traveling through the adjacent property.

Traffic Study Conclusions: The traffic study indicates the following conclusions regarding the proposed project and the two site access alternatives:

As currently proposed, the project would be accessed via a single driveway on Clemo Avenue. With the current Clemo barrier, all project trips would access Clemo Avenue via Arastradero Road. The stop-controlled Clemo Avenue approach at Arastradero Road would incur a substantial increase in delay and deterioration in the level of service during the AM peak hour if the project were limited to a single driveway on Clemo Avenue with the current barrier location.

Alternatively, the Clemo barrier could be relocated east of the project driveway so that all project trips would access Clemo Avenue via Maybell Avenue. An analysis of both site access alternatives shows that all of the signalized study intersections would operate at acceptable levels of service under existing plus project and cumulative plus project conditions during both the AM and PM peak hours. The analysis also showed that none of the unsignalized intersections would meet the peak hour signal warrants and the unsignalized study intersections would operate with reasonable overall average delays. Moving the Clemo barrier to the east of the project driveway so that all project trips would access Clemo Avenue via Maybell Avenue would result in reasonable delays and acceptable levels of service at the stop-controlled Clemo Avenue approach at Maybell Avenue. Furthermore, residents along Maybell Avenue would not notice a change in traffic as a result of the proposed development. As stated earlier, given the severity of queuing, bike and pedestrian trips on Arastradero Road, it would be beneficial to relocate the barrier on Clemo Avenue to east of the project driveway, so that the project trips cannot access Arastradero Road via Clemo Avenue.

As an alternative, the project would be served by two driveways—one driveway on Clemo Avenue and an access easement through the Arastradero Park Apartment Complex (APAC) to the north that would connect to an existing driveway on Maybell Avenue. The analysis of the proposed project shows that it is unlikely that residents along Maybell Avenue would notice an increase in traffic as a result of the proposed development. In addition, all of the signalized study intersections would operate

at acceptable levels of service under existing, existing plus project, and cumulative conditions during both the AM and PM peak hours. The analysis also showed that none of the unsignalized intersections would meet the peak hour signal warrants and the unsignalized study intersections would operate with reasonable overall average delays. However, the side-street delay on Clemo Avenue would operate at a poor LOS during the PM peak hour under cumulative conditions with or without the project. The poor LOS is primarily a result of future traffic growth projected to occur between existing and cumulative conditions. Furthermore, the level of service analysis at this intersection does not reflect the significant number of pedestrian crossings and frequent blockages by through queues on Arastradero Road that were observed during the AM peak hour. The project would add 6 and 4 project trips to the westbound approach on Clemo Avenue during the AM and PM peak hours, respectively.

Generally, the proposed plan would provide adequate circulation throughout the site. The existing live oak trees located along the project frontage on Clemo Avenue are not expected to interfere with the visibility of drivers exiting the proposed Clemo Avenue driveway. In order to ensure that on-street parking does not obscure the view for outbound traffic, it is recommended that the curb be painted red for a distance of 65 feet east of the driveway. Adequate sight distance is provided at the existing Maybell Avenue driveway at the APAC.

Potential Impacts: If the Clemo Avenue driveway is the only access to the site and the access barriers on Clemo are not relocated, the stop-controlled Clemo Avenue approach at Arastradero Road would incur a substantial increase in delay and deterioration in the level of service during the AM peak hour. This would result in a potential significant effect on traffic operations at this intersection. If the access easement is obtained and there is site access from both Clemo and Maybell Avenues, there would be no significant adverse traffic impacts expected from the project. Or alternatively, if the Clemo barrier could be relocated east of the project driveway so that all project trips would access Clemo Avenue via Maybell Avenue, there would be no significant adverse traffic impacts expected from the project.

Mitigation Measures:

1. In order to ensure that there are no adverse impacts to traffic circulation, one of the following mitigation measures shall be required.
 - a. The project sponsor shall obtain an access easement through the adjacent Arastradero Park Apartment Complex to connect the site access aisle to the existing driveway for APAC on Maybell Avenue.
 - b. If an access easement cannot be obtained and access is from a single driveway on Clemo Avenue, the access barriers on Clemo Avenue shall be relocated from the intersection of Maybell Avenue to east of the project driveway on Clemo Avenue.
2. In order to ensure that on-street parking does not obscure the view for outbound traffic from the Clemo Avenue driveway, the curb shall be painted red for a distance of 65 feet east of the driveway.

Conclusion: Based on the traffic analysis and the mitigation measures proposed, it has been determined that with mitigation, there would be no significant adverse impacts to traffic and circulation from the proposed project. **(Less Than Significant Impact With Mitigation)**

Q. UTILITIES AND SERVICE SYSTEMS

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	1,5				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	1,5				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	1,5				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	1,5				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	1,5				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	1,5				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?	1,5				X
h) Result in a substantial physical deterioration of a public facility due to increased use as a result of the project?	1,5				X

DISCUSSION:

The City of Palo Alto Utilities Department provides water and sewer services as well as gas and electric service. Palo Alto also provides refuse and storm drain service, operated through the Public Works Department.

There are existing utilities in place in the area to serve the proposed development. There are existing water and gas lines within both the Clemo and Maybell Avenue rights-of-way, and the proposed single-family residences and apartment building will connect to these existing lines. There is an existing sanitary sewer main within the Maybell Avenue right-of-way. A new 8-inch diameter sanitary sewer main will be installed in the Clemo Avenue right-of-way to connect to the existing main in Maybell Avenue and serve the proposed residences. A new storm drain system will be installed on site, and a new storm drain line will be installed in the Maybell Avenue right-of-way to connect to an existing storm drain located at the intersection of Maybell and Baker Avenues.

Mitigation Measures: None Required

Conclusion: There is adequate capacity in the existing Palo Alto utilities and service systems to accommodate the proposed project (**Less Than Significant Impact**)

R. MANDATORY FINDINGS OF SIGNIFICANCE

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	1,2,3,4,5,10				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	1			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	1,5				X

DISCUSSION:

With the implementation of policies in place and avoidance measures required by the City of Palo Alto and other agencies as described in the specific sections of this report, as well as implementation of the mitigation measures proposed (refer to Environmental Checklist and Discussion of Impacts), on pages 7 through 44 of the Initial Study, the proposed project would not result in significant environmental impacts.

Mitigation Measures: None required.

Conclusion: The proposed project is not expected to have impacts that are cumulatively considerable. **(Less Than Significant Impact)**

SUMMARY OF MITIGATION MEASURES:

1. During construction, the project sponsor shall require the construction contractor to implement the following measures required as part of BAAQMD's basic and enhanced dust control procedures required for all construction sites. These include:
 - a. Water all active construction areas daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
 - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
 - c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - d. Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
 - e. Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
 - f. Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
2. In order to make sure the proper tree protection measures are followed during construction, the project sponsor shall comply with the Tree Preservation and Protection Plan outlined in the *Arborist's Report*, 567-595 Maybell Avenue, prepared by John H. McClenahan, McClenahan Consulting, LLC, November 26, 2012.
3. In order to mitigate any potential impacts related to existing environmental conditions on the site, the project sponsor shall comply with the recommendations made in the *Phase II Environmental Assessment, Maybell Property, Palo Alto, California*, prepared by Rosewood Environmental Engineering, July 20, 2012.
4. In order to ensure that there are no adverse impacts to traffic circulation, one of the following mitigation measures shall be required.
 - a. The project sponsor shall obtain an access easement through the adjacent Arastradero Park Apartment Complex to connect the site access aisle to the existing driveway for APAC on Maybell Avenue.
 - b. If an access easement cannot be obtained and access is from a single driveway on Clemo Avenue, the access barriers on Clemo Avenue shall be relocated from the intersection of Maybell Avenue to east of the project driveway on Clemo Avenue.
5. In order to ensure that on-street parking does not obscure the view for outbound traffic from the Clemo Avenue driveway, the curb shall be painted red for a distance of 65 feet east of the driveway.

SOURCE REFERENCES

1. Project Planner's knowledge of the site and the proposed project
2. Palo Alto Comprehensive Plan, 1998-2010
3. Palo Alto Municipal Code, Title 18 – Zoning Ordinance
4. Palo Alto Tree Technical Manual, Municipal Code Chapter 8.10.030, June 2001
5. Project Plans
6. *Traffic Impact Analysis for the Proposed Residential Development at Maybell Avenue and Clemo Avenue in Palo Alto, California*, prepared by Hexagon Transportation Consultants, Inc., February 26, 2013
7. Arborist Report, 567-595 Maybell Avenue, prepared by John H. McClenahan, McClenahan Consulting, LLC, November 26, 2012
8. Phase I and Phase II Environmental Assessments, Maybell Property, Palo Alto, California, prepared by Rosewood Environmental Engineering, July 2, 2012 and July 20, 2012
9. Bay Area Air Quality Management District, *CEQA Guidelines*, Updated May, 2012
10. Palo Alto Historic Resources Inventory
11. Alquist-Priolo Earthquake Fault Zoning Map
12. Palo Alto Municipal Code, Section 9.10-Noise Ordinance
13. Federal Emergency Management Agency, *Flood Insurance Rate Map, Community Panel No. 06085C 0017H*, May 18, 2009
14. CEQA Guidelines – Environmental Thresholds (Professional judgment and expertise and review of document).
15. Association of Bay Area Governments, *Dam Failure Inundation Hazard Map for Palo Alto/Stanford*, 1995. <http://www.abag.ca.gov/cgi-bin/pickdamx.pl>
16. Association of Bay Area Governments (ABAG), *Wildfire Hazard Maps and Information*, November 2004
17. State of California, *Seismic Hazard Zones Palo Alto Quadrangle Official Map*, October 18, 2006

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Project Planner

Date