



MEMORANDUM

Date	October 9, 2024
To	Emily Kallas, Planner, City of Palo Alto
From	Carolyn Mogollon, Project Manager Akoni Danielsen, President & Principal Project Manager
Subject	4075 El Camino Way Assisted Living Project – CEQA Categorical Exemption Qualification

I. Introduction to Categorical Exemptions

The California Environmental Quality Act (CEQA) Guidelines contain classes of projects that have been determined not to have a significant effect on the environment and are, therefore, exempt from the provisions of CEQA. CEQA Guidelines Sections 15301 – 15333 constitute the list of categorically exempt projects and contain specific criteria that must be met in order for a project to be found exempt. CEQA Guidelines Section 15301 Existing Facilities sets forth conditions for projects that result in negligible expansion of an existing use and may be found categorically exempt. Additionally, CEQA Guidelines Section 15300.2 includes a list of exceptions to exemptions, none of which may apply to a project in order for it to qualify for a categorical exemption (i.e., if an exception applies, a project is precluded from being found categorically exempt).

The City of Palo Alto, serving as the Lead Agency, is completing environmental review for the 4075 El Camino Way Assisted Living project (“project”) in compliance with CEQA, the CEQA Guidelines (California Code of Regulations Section 15000 et. seq.), and the regulations and policies of the City of Palo Alto. This Memorandum describes the proposed project and provides analysis and evidence to support a determination by the City of Palo Alto that the project would be eligible for a Categorical Exemption under CEQA Guidelines Section 15301.

II. Existing Conditions

The project is located on a 2.5-acre site that consists of one parcel (Assessor’s Parcel Number [APN]: 132-43-77) at 4075 El Camino Way in the City of Palo Alto. The project site is currently developed with a 121 unit, 83,511-square-foot assisted living facility. The existing assisted living facility is three-stories tall and has a maximum height of 32.5 feet. Fifty-five parking spaces are currently

provided in a one-level below grade parking garage. The project site is located in an urbanized part of Palo Alto, surrounded by existing residential and commercial uses. The project site is bordered by an existing apartment building to the north, a Goodwill store to the south, El Camino Way to the west and a single-family residential neighborhood to the east. Robles Park is located approximately 588 feet southeast of the project site. The Union Pacific Railroad (UPRR) tracks are located approximately 1,000 feet northeast of the project site. The project site's regional location and general vicinity are shown in Figure 1 and Figure 2, respectively. Figure 3 provides an aerial photograph of the project site and the surrounding land uses.

The site is designated as Neighborhood Commercial in the 2030 Comprehensive Plan. This designation is intended to support shopping centers with off-street parking that serve the immediate neighborhood. Additionally, in locations along El Camino Real and Alma Street, residential and mixed-use projects are also allowed in this category. The maximum non-residential floor-area-ratio (FAR), i.e. the ratio of building area allowed in relation to site area, for the site's Neighborhood Commercial designation is 0.4.

III. Project Description

The project would expand the existing assisted living facility by adding 16 new units totaling 6,865 square feet, primarily on the second and third floors. No change in building height is proposed. The project requests an amendment to the existing Planned Community Permit for the site to allow for the proposed expansion. No increase in parking or modifications to the circulation of the site are proposed. Figures 4 and 5 show the proposed site plan and renderings of the building facade.

No off-site improvements are proposed as part of this project.

Mechanical Equipment Operations

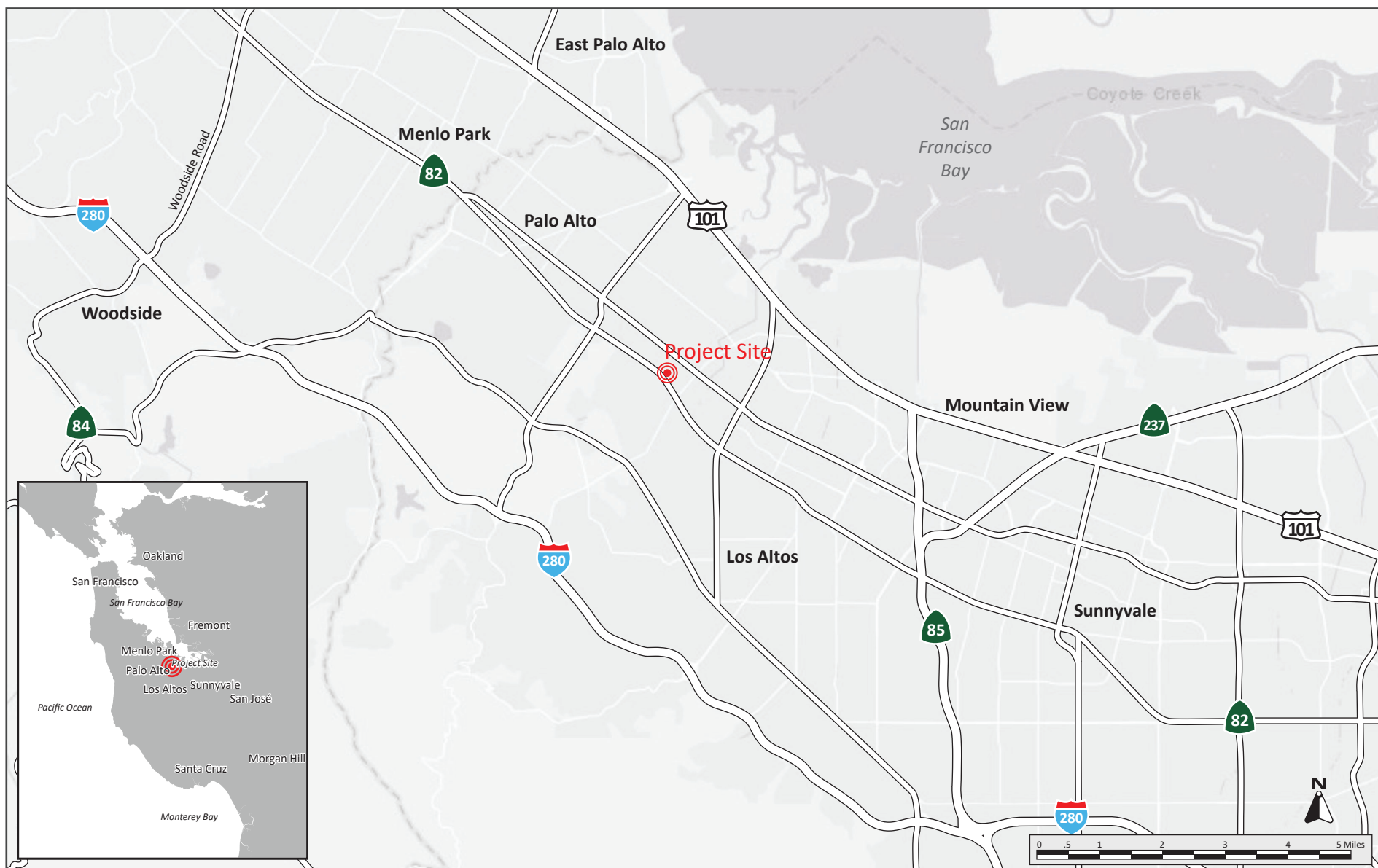
The project would include installation of new mechanical equipment for heating, ventilation and air conditioning (HVAC). Three new rooftop heat pump units (Daikin RXYQ96TTJU) would be installed on the rooftop of the building and 30 interior coil fans (Daikin FXAQ07PVJU) would be installed within the proposed addition. No diesel generators are proposed by the project.

Green Building Measures

The proposed building additions would be designed to conform to the California Green Building Code energy and building efficiency requirements.

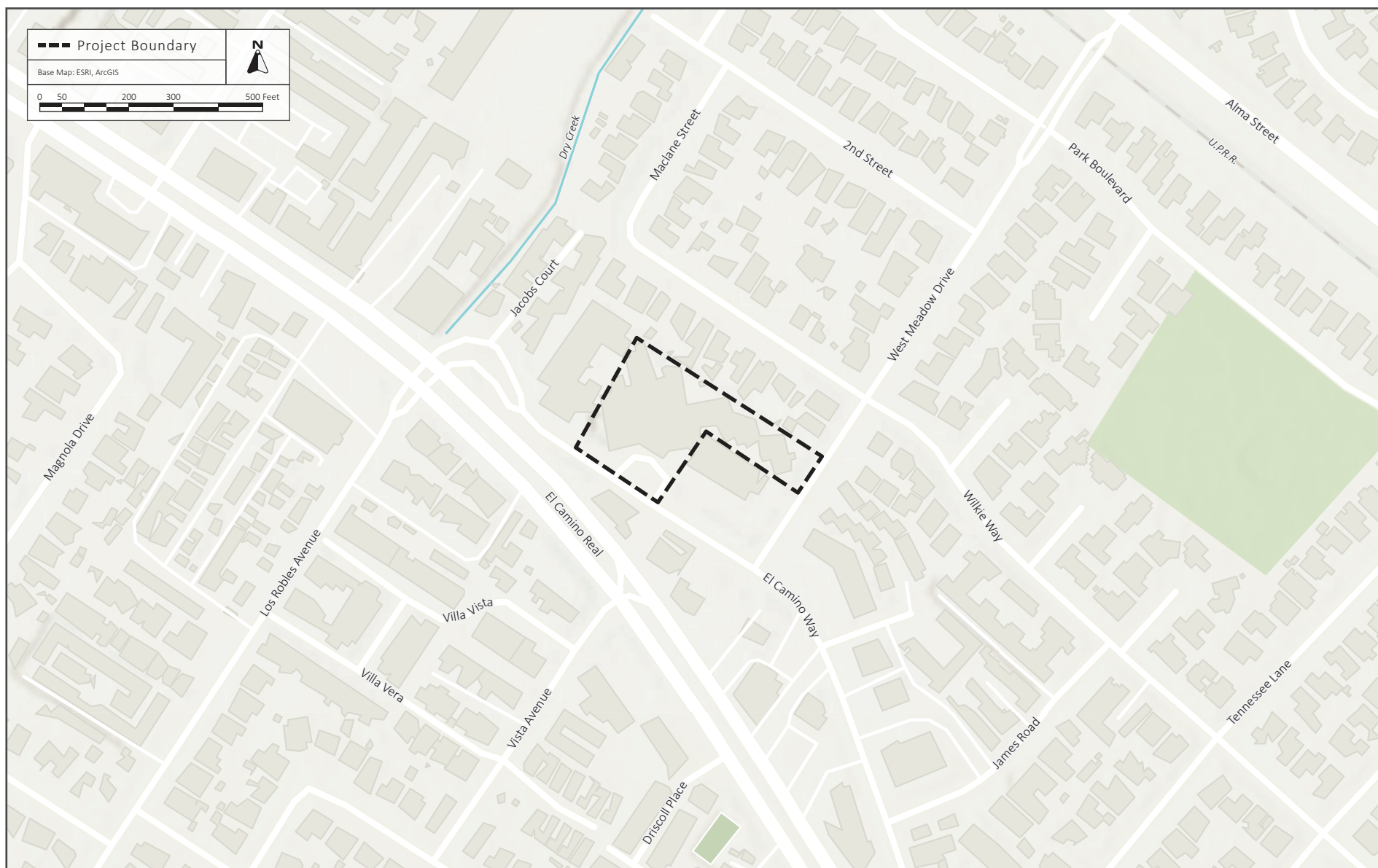
Landscaping

All existing trees would be preserved and with implementation of the project. Tree trimming would occur to allow for movement of equipment throughout the site during construction.



REGIONAL LOCATION MAP

FIGURE 1



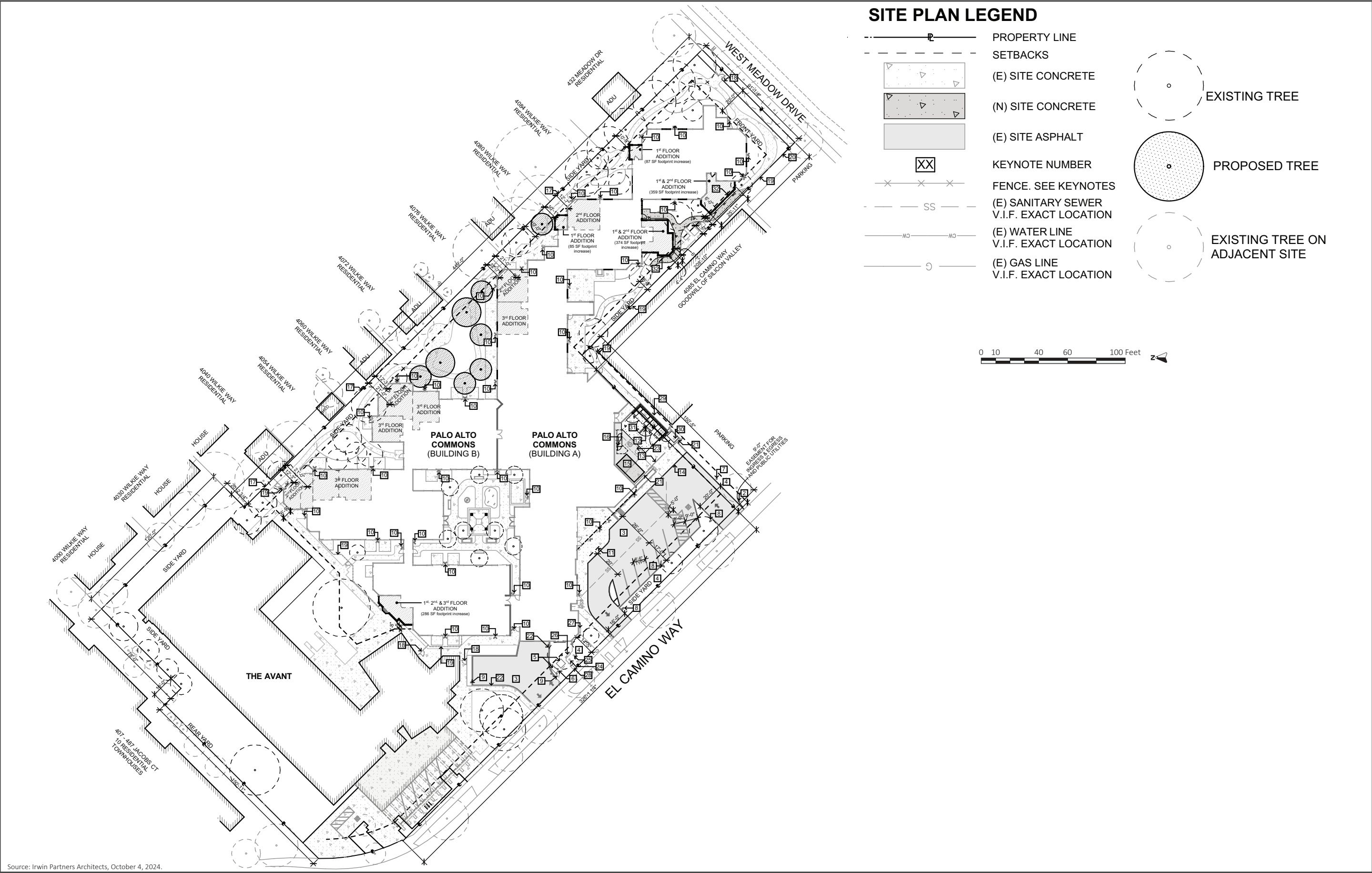
VICINITY MAP

FIGURE 2



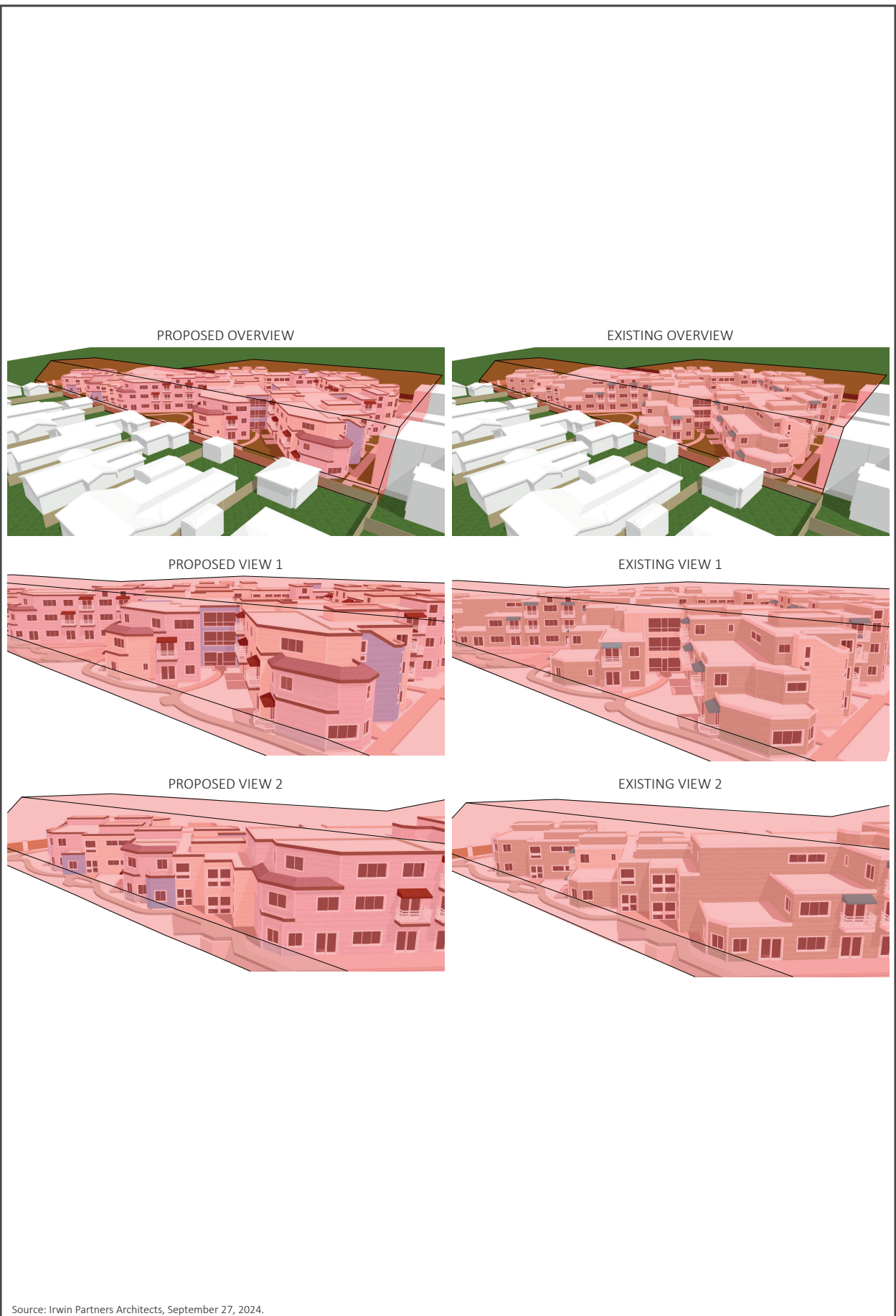
AERIAL PHOTOGRAPH OF THE PROJECT SITE AND SURROUNDING LAND USES

FIGURE 3



CONCEPTUAL SITE PLAN

FIGURE 4



Construction

Construction of the project would be completed in one phase over a period of approximately one year and six months beginning in January 2025. Construction activities would occur between 8:00 AM and 6:00 PM Monday through Friday. During project construction, portions of the exterior of the building will be removed and foundation, building construction, and exterior coating work will be completed for the proposed addition. The maximum depth of excavation required to construct the project would be two feet six inches below ground surface (bgs). The project would result in the export of approximately 65 cubic yards of soil from the site, which would require approximately five or six truck haul trips. No pile driving is proposed.

IV. Environmental Review

The purpose of this section is to document whether any of the exceptions listed in CEQA Guidelines Section 15300.2 apply to the project and assess the project's eligibility for a Categorical Exemption from CEQA under Section 15301 (Class 1) Existing Facilities.

Section 15300.2 – Exceptions

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

This exception only applies to Class 3, 4, 5, 6, and 11 exemptions. The proposed project is categorically exempt under Class 1; therefore, this exception is not applicable to the project under CEQA Guidelines Section 15300.2(a).

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The existing assisted living facility was constructed in 1989. No other expansions have occurred on-site since the building's initial construction and no reasonably foreseeable future expansions are known. Therefore, there are no other projects of the same type in the same place currently under construction or that are anticipated to be under construction at the same time as the proposed project.

The project's impacts could potentially combine with the impacts of nearby development projects to create cumulative impacts. Within the vicinity of the project site, one mixed-use development project was approved approximately 207 feet west of the project site at 4115 El Camino Real. The development project at 4115 El Camino Real includes construction of a three-story building

containing seven residential units and four commercial units. This nearby project was approved by City Council in December 2019 and is currently under construction. As of late Spring 2024, only minor exterior work and interior finishing remains to be completed. The exact construction schedule for the project at 4115 El Camino Real is unknown and it is unclear whether construction activities would overlap with the proposed project. Although unlikely, if construction activities overlap, construction noise impacts for both projects would be reduced with implementation of City standard best practices. Additionally, because there are no sensitive receptors in direct line of sight of both projects (located between the two projects), no receptors would be affected by cumulative construction noise impacts.

Construction air quality impacts associated with the proposed project and the project at 4115 El Camino Real would be minimal due to the limited quantity and length of operation of construction equipment proposed on the project site and to be used during the remaining construction phases at 4115 El Camino. Both the proposed project and the project at 4115 El Camino Real would be required to comply with Bay Area Air Quality Management District (BAAQMD) Best Management Practices for controlling fugitive dust during construction. Due to the limited nature of construction activities, and with implementation of standard practices, cumulative construction air quality impacts would be less than significant.

For these reasons, the project would not result in a significant cumulative impact due to successive projects of the same type and in the same location over time or due to the combined effects of simultaneous construction activities in the immediate vicinity.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed project and site do not contain any features that are unique or that would constitute 'unusual' circumstances in Palo Alto or the greater San Francisco Bay Area. The existing 83,511-square-foot, three story building is not unusually large or tall. The 2.5-acre site is neither uncommonly large or particularly small, and the surrounding uses (residential and commercial) are commonly present near assisted living developments. The site is fully developed, surrounded by existing urban development, and does not contain special-status species or sensitive habitats that could be impacted by the project. The project site does not contain geologic or seismic characteristics that are unusual to the area. The building is typical of assisted living facilities and would not include any unusual operational features or characteristics, and the proposed units would be similar in nature and function to the facility's existing units.

Construction of the project would be completed in one phase lasting approximately one year and six months. During this time, construction activities would occur between 8:00 AM and 6:00 PM on weekdays. Proposed construction equipment would be typical of existing building additions including a mini excavator and small forklift. Typical maximum instantaneous noise levels for this equipment ranges from 59 to 67 dBA Lmax at a distance of 25 feet, which is within the City's

threshold of 110 dBA at a distance of 25 feet from the nearest receptor. Construction will also be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and between 9:00 a.m. and 6:00 p.m. on Saturdays in accordance with the Title 9 of the municipal code. Therefore, implementation of the proposed project would result in a less than significant construction noise impact, and nothing about the project's construction methods, duration, or relationship to surrounding uses is unusual. Vibration levels generated by operation of construction equipment would range from 0.000 to 0.244 in/sec PPV at the nearest residence to the northeast of the site.¹ These vibration levels are below the 0.3 in/sec PPV threshold. Therefore, the project would not result in a significant vibration impact.

Operation of the proposed project would include use of mechanical equipment for heating, ventilation, and air conditioning, similar to those used by the existing assisted living facility on-site. As discussed in Section III Project Description, the project would install two condensing units (Daikin RXYQ96TTJU) on the rooftop of the building, and 30 interior fan coils (Daikin FXAQ07PVJU) within the new residential units. According to the manufacturer's specifications, noise levels for the Daikin rooftop condensing units would be 61 dBA at 3 feet and noise levels for the Daikin interior wall-mounted units would be 31 to 36 dBA at 3 feet. Due to the low noise levels generated by the interior wall-mounted units, and distance between the mechanical equipment and the nearest residences, the noise level increase generated by the proposed mechanical equipment would not be measurable or detectable. Therefore, the project would result in a less than significant impact.

Operation of the proposed assisted living facility expansion project would also result in 49 additional daily vehicle trips on area roadways including El Camino Way, where the average daily vehicle traffic volume is 10,000 trips.^{2,3} Therefore, based on review of the existing and existing plus project traffic volumes, the project would not result in a doubling of traffic on roadway segments in the project vicinity and the project alone would not result in a significant permanent noise increase.⁴

The project site is located approximately 1,000 feet from the UPRR/Caltrain tracks. Conditions related to train noise reflection noise from the building façade are discussed in detail below.

Reflection of Train Noise

A noise study was completed to assess the potential for the additional residential units proposed along the northeast façade of the building to result in reflection of train horn noise on the

¹ Illingworth & Rodkin, Inc. *Palo Alto Commons Project, 4075 El Camino Way, Palo Alto, CA – Noise and Vibration Assessment*. October 8, 2024.

² Hexagon Transportation Consultants, Inc. *Parking Study for the Proposed Assisted Living Facility Expansion at 4075 EL Camino Way in Palo Alto, California*. April 2, 2024.

³ City of Palo Alto. *2016 ADT Counts Map*. 2016.

⁴ Illingworth & Rodkin, Inc. *Palo Alto Commons Project, 4075 El Camino Way, Palo Alto, CA – Noise and Vibration Assessment*. October 8, 2024.

neighboring residences along Wilkie Avenue. Reflected noise occurs when a noise bounces off a flat surface parallel to the noise source.

The northeast façade of the building is parallel to the UPRR/Caltrain tracks. However, as shown in Figure 5, the existing and proposed building facades contain multiple varied angles which do not represent flat surfaces parallel to the UPRR tracks, and the façades of the proposed additional units make up a small percentage of the overall northeast façade, further limiting potential for increased noise reflections of train noise off the building. To simulate potential noise reflections, noise measurements were taken adjacent to the existing building and along the property line near the neighboring residences while trains passed. The noise measurements taken along the property line near the neighboring residents were up to one dBA higher than those taken at the building façade. Therefore, it is anticipated that no more than a one dBA increase in levels would occur as a result of noise reflection from the proposed addition. A one dBA increase is barely detectable outside of a laboratory environment and would not be perceptible from the neighboring residences. Therefore, noise level increases due to reflected train horn noise against the proposed building additions would be less than significant.

As discussed above, the proposed project is not unique in its location, size, construction, or operation and would not result in significant impacts. Therefore, the project would not result in a significant effect on the environment due to unusual circumstances.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

There are no officially designated state scenic highways in the project area. The nearest officially designated state highway is Interstate 280, which is located approximately 2.5-miles west of the project site and is not visible from the project site.⁵ The project, therefore, would not damage scenic resources within a highway officially designated as a state scenic highway, and no exception to the exemption applies under 15300.2(d).

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

⁵ California Department of Transportation. "California State Scenic Highway System Map". Accessed May 29, 2024. <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>.

The project site is not included on any lists compiled pursuant to Section 65962.5 of the Government Code; therefore, no exception to the exemption applies under 15300.2.⁶

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The project site does not contain historic resources.^{7,8,9} There are no historic resources adjacent to the project site. There are no historic resource in the project vicinity.¹⁰ For these reasons, the project would not result in a substantial adverse change in the significance of a historical resource.

Section 15301 – Existing Facilities

Section 15301, or Class 1, applies to projects that consist of operation, repair, maintenance, permitting leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

As discussed in Section III Project Description, the project proposes a 6,861 square-foot, 16-unit expansion to an existing assisted living facility consisting of 121 units and 83,511 square-feet. Although the proposed project would increase the existing number of units and building area on-site, the new units are for assisted living and residents of these units would not generate new daily vehicular trips or otherwise result in notable changes to the ongoing use of the facility. The proposed addition represents a negligible increase in use (the number of units increases by 13 percent) and minor alteration of the existing facility (total building area increases by eight percent) compared to existing conditions. Only two new employees would be required to operate the expanded assisted living facility, representing a three percent increase in employees compared to existing conditions. No changes to on-site parking are proposed, as the improvements are not expected to result in substantial new vehicle traffic to the site from residents, employees, or visitors.¹¹ For these reasons, the proposed expansion would not result in a substantial expansion of the current use and is eligible for categorical exemption under Guidelines Section 15301.

⁶ California Environmental Protection Agency. "Cortese List Data Resources". Accessed February 2, 2024. <https://calepa.ca.gov/sitecleanup/corteselist/>.

⁷ National Parks Service. "National Register Database and Research." Accessed February 2, 2024. <https://www.nps.gov/subjects/nationalregister/database-research.htm#table>

⁸ California Office of Historic Preservation. "California Historic Resources." Accessed February 2, 2024. <https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=43>

⁹ City of Palo Alto. City of Palo Alto Master List of Structures on the Historic Inventory. Accessed February 2, 2024. <https://www.cityofpaloalto.org/files/assets/public/v/1/planning-amp-development-services/historic-preservation/historic-inventory/city-historic-inventory-list.pdf>

¹⁰ Ibid.

¹¹ Hexagon Transportation Consultants, Inc. *Parking Study for the Proposed Assisted Living Facility Expansion at 4075 El Camino Way in Palo Alto, California*. April 2, 2024.

V. Conclusion

As documented in Section IV. Environmental Review, none of the exceptions contained in CEQA Guidelines Section 15300.2 apply to the project and the project is consistent with the criteria in CEQA Guidelines Section 15301. The project, therefore, qualifies as exempt from the provisions of CEQA under Class 1 of the CEQA Guidelines.

APPENDICES

Appendix A: Noise and Vibration Assessment

Appendix B: Parking Study