800 San Antonio Road Mixed-Use Project

Addendum to the Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project Environmental Impact Report (SCH # 2019090070)

prepared by

City of Palo Alto
Planning and Development Services Department
250 Hamilton Avenue
Palo Alto, California 94301
Contact: Emily Kallas, AICP, Planner

prepared with the assistance of

Rincon Consultants, Inc.
449 15th Street, Suite 303
Oakland, California 94612

February 2024

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1 Introduction

This document is an addendum to the Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project Environmental Impact Report (EIR) (State Clearinghouse #2019090070) adopted in November 2020 ("2020 EIR") (City of Palo Alto 2020a).

In accordance with Section 15164 of the *California Environmental Quality Act (CEQA) Guidelines*, codified in Sections 15000 et seq. of Title 14 of the California Code of Regulations, a lead agency must prepare an addendum to a previously certified EIR or adopted negative declaration if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred. Under Section 15162(a), where an EIR or negative declaration has been certified for a project, no subsequent EIR or negative declaration shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are substantial changes in the project or circumstances or substantially important new information that will cause the project to have significant new impacts or substantially increase previously identified significant impacts.

An addendum does not need to be circulated for public review but can be included in or attached to the final EIR or negative declaration (Section 15164(c)). The decision-making body must consider an addendum with the final EIR or negative declaration prior to making a decision on the project (Section 15164(d)). A brief explanation of the decision not to prepare a subsequent EIR or negative declaration pursuant to Section 15162, supported by substantial evidence, should be included in the addendum, the lead agency's findings on the project, or elsewhere in the record (Section 15164(e)). This explanation can be found in Section 4, Decision Not to Prepare a Subsequent Environmental Impact Report, of this addendum.

This addendum has been prepared in accordance with relevant provisions of CEQA (California Public Resources Code Section 21000, *et seq.*) and the *CEQA Guidelines*. It describes the proposed revisions to the project and compares the proposed project's impacts to those identified in the Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project EIR. The analysis demonstrates that the proposed project does not require the preparation of a subsequent or supplemental EIR.

2 Background

This section provides an overview of the Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project and its EIR to provide context for this addendum.

2.1 Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project Description

The previously approved Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project (referred to in the addendum as the "original project" or the "2020 project") involved an amendment to Section 18 of the Palo Alto Municipal Code (PAMC) to allow the application of the Housing Inventive Program (HIP) to 18 parcels in the HIP expansion area along the San Antonio Road corridor ("HIP expansion area"), which allowed for increased density of multi-family residential development. The EIR also analyzed the 788 San Antonio Road Mixed-Use Project, which involved development of two of the 18 parcels within the HIP expansion area, at 788, 790, and 796 San Antonio Road, with a four-story mixed-use structure with one retail tenant space, 102 dwelling units, and a two-level subterranean parking garage. Figure 1 shows the location of the HIP expansion area and the 788-796 San Antonio Road site within it.

Housing Incentive Program Expansion

The text amendment to the Zoning Ordinance, outlined in Title 18 of the PAMC, resulted in the following changes to zoning regulations that apply to the 18 properties in the HIP expansion area:

- Allow a waiver for housing projects to exceed maximum Floor Area Ratio (FAR), up to 2.0;
- Allow a waiver to exceed maximum site coverage;
- Allow rooftop gardens to count towards required open space;
- Exclude the first 1,500 square feet of retail use from parking requirements;
- Exempt certain area in subterranean garages from counting towards FAR; and
- Allow a waiver to reduce requirements related to preservation of existing retail space to allow for housing projects.

The 18 parcels included:

- 840 San Antonio Road
- 910 E. Charleston Road
- 824 San Antonio Road
- 816 San Antonio Road
- 808 - 814 San Antonio Road
- 800 San Antonio Road
- 796 San Antonio Road
- 788 – 790 San Antonio Road
- 780 San Antonio Road
- 762 San Antonio Road
- 760 San Antonio Road
- 744 - 750 San Antonio Road
- 720 San Antonio Road
- 708 - 710 San Antonio Road
- 705 San Antonio Road
- 4201 Middlefield Road
- 4227 Middlefield Road
- 4233 Middlefield Road

Figure 1 2020 Project Location

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The HIP expansion project as analyzed in the EIR would allow for up to 818 additional residential units in the HIP expansion area.

788 San Antonio Road Mixed-Use Project

The original project also included the development of two of the 18 parcels within the HIP expansion area at 788, 790, and 796 San Antonio Road. The project involved demolition of two existing on-site one-story commercial structures and the construction of a four-story mixed-use structure with one retail tenant space, 102 dwelling units, and a two-level subterranean parking garage. Uses on the first floor included 1,803 square-feet of retail space at the southwestern corner of the site and common areas along San Antonio Road, including a main entrance and lobby, mail room, bicycle parking rooms, and a bicycle repair room, and dwelling units arranged around the north, east, and south portions of the site. The floors above the first included residential units arranged around the central courtyard space. A communal landscaped roof garden was proposed at the fourth floor at the western portion of the building along San Antonio Road.

2.2 Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project EIR

The Palo Alto City Council certified the EIR for the original project in November 2020 ("2020 EIR"). The 2020 EIR evaluated potential environmental consequences associated with the project for all of the issue areas identified in the *CEQA Guidelines* Appendix G checklist.

The 2020 EIR found that the original project would have less than significant impacts, with implementation of mitigation measures, related to:

- Air Quality
- Biological Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Noise
- Tribal Cultural Resources

The following mitigation measures correspond to each of the above-mentioned environmental topics:

- Mitigation Measure AQ-1 (Construction Mitigation) would reduce air quality impacts to less than significant levels.
- Mitigation Measure BIO-1 (Nesting Bird Surveys and Avoidance) would reduce biological resources impacts to less than significant levels.
- Mitigation measures GEO-1 (Geotechnical Investigation) and GEO-2 (Discovery of Paleontological Resources) would reduce geology and soils impacts to less than significant levels.
- Mitigation Measure HAZ-1 (Site Risk Management Plan) would reduce hazards and hazardous materials impacts to less than significant levels.
- Mitigation Measure N-1 (Construction-Related Noise Reduction Measures) would reduce noise impacts to less than significant levels.
- Mitigation Measure TCR-1 (Unanticipated Discovery of Tribal Cultural Resources) would reduce tribal cultural resources impacts to less than significant levels.

The 2020 EIR found that the original project would have significant and unavoidable impacts related to Cultural Resources. The following mitigation measures related to cultural resources were required:

- Mitigation Measure CUL-1 (Historic Resource Evaluation)
- Mitigation MeasureCUL-4 (Interpretive Website)
- Mitigation Measure CR-1 (Worker's Environmental Awareness Program [WEAP])
- Mitigation Measure CR-2 (Unanticipated Discovery of Cultural Resources) would reduce impacts to cultural resources to less than significant levels.

These impacts would reduce impacts to archaeological resources to a less than significant level. However, since one of the existing structures located at 788 San Antonio Road is eligible for listing in the California Register of Historic Resources, mitigation measures CUL-2 (Rehabilitation and Restoration) and CUL-3 (Historic Documentation Package) would only be able to reduce significant direct impacts to the eligible historic resource to the extent feasible. Despite the implementation of CUL-2 and CUL-3, the historic resource would still be demolished as part of the original project, and therefore, the demolition of an individually eligible resource proposed by the 788 San Antonio Road Project would result in a significant and unavoidable adverse impact related to historical resources.

Impacts were found to be less than significant without mitigation for aesthetics, energy, greenhouse gas emissions, population and housing, public services, recreation, and utilities and service systems. The original project was found to have no impacts related to agriculture and forestry resources, hydrology and water quality, land use and planning, mineral resources, and wildfire.

3 800 San Antonio Road Mixed-Use Project

The City of Palo Alto, as the Lead Agency, prepared this addendum for the 800 San Antonio Road Mixed-Use Project (also referred to in this addendum as the "proposed project") in compliance with the CEQA, the *CEQA Guidelines* (California Code of Regulations Section 15000 et. seq.), and the regulations and policies of the City of Palo Alto, California.

3.1 Project Title

800 San Antonio Road Mixed-Use Project

3.2 Lead Agency and Contact

City of Palo Alto
250 Hamilton Avenue
Palo Alto, California 94301
Contact: Emily Kallas, AICP, Planner, 650-617-3125

3.3 Project Applicant and Contact

TimeSpace Group LLC
12230 Saratoga Sunnyvale Road
Saratoga, California 95070

3.4 Project Location

The project site is located at 800-814 San Antonio Road in between Middlefield Road and E. Charleston Road in the City of Palo Alto in Santa Clara County. The regional location for the project is shown on Figure 2, and an aerial view of the proposed project location in its local context is shown on Figure 3. The project site encompasses 0.88 acres on Accessor's Parcel Numbers 147-03-038 and 147-03-043.

3.5 Setting

Project Site and Surrounding Setting

The project site and its surroundings are generally flat with no substantial slopes. The project site is bounded by auto uses including Enterprise Rent-A-Car and Hertz Car Rental to the north, Expert Auto Care to the east, commercial uses including Bay Area Sanitize cleaning company and Top Decor Mending Company to the south, and San Antonio Road to the west. Across San Antonio Road to the west are professional offices, restaurants including Dohatsuten Ramen and Tapas restaurant, and the Central Chinese Christian Church.

Figure 2 Regional Location

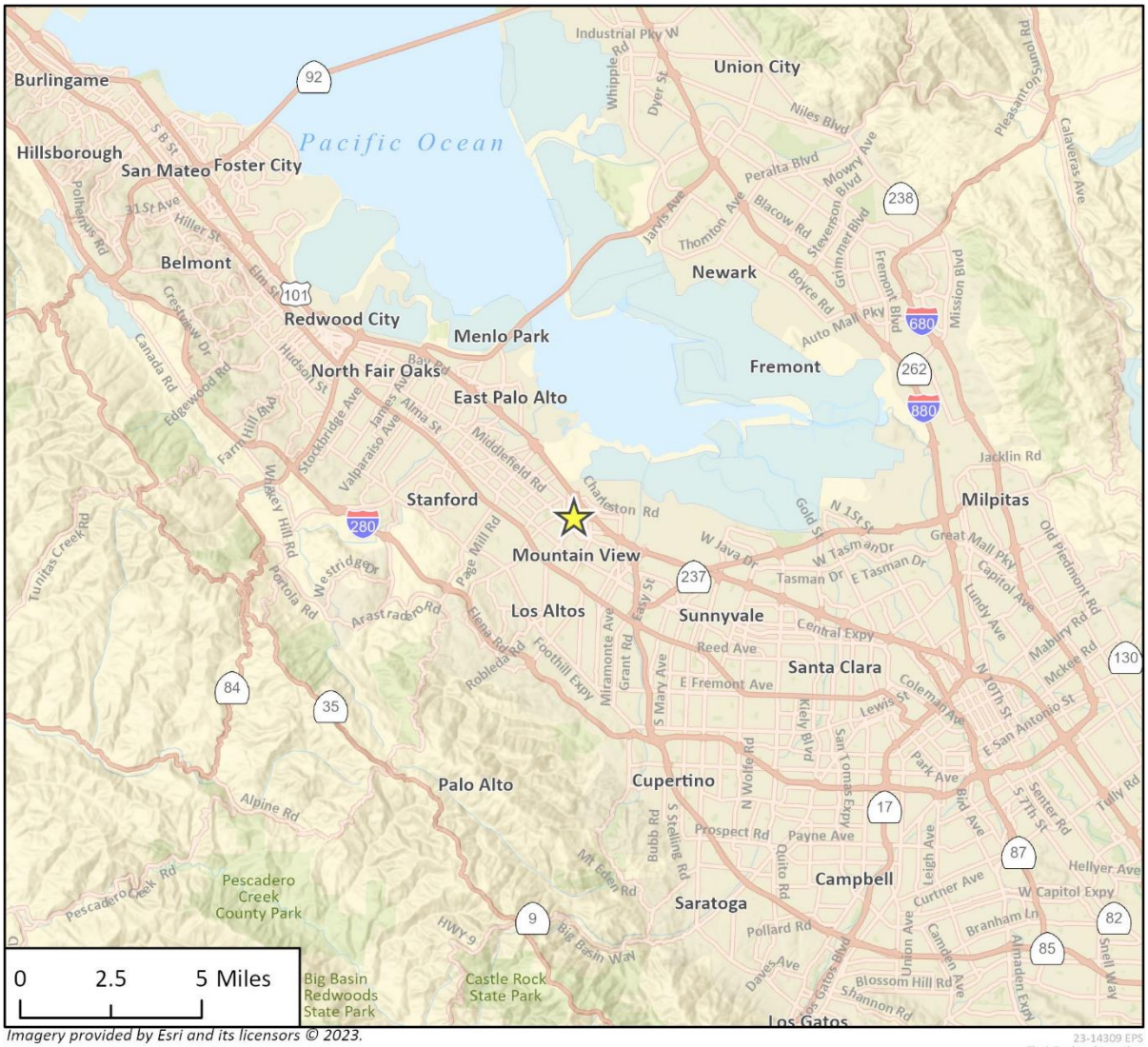


Figure 3 Project Location

Imagery provided by Microsoft Bing and its licensors © 2023.

23-14309 EPS
Fig 2 Project Location

The project site is currently developed with three commercial buildings and surface parking. The building at 800 San Antonio Road is one-story in height and is currently used as a learning center (Sequoia Academy); the building at 810 San Antonio Road is one-story in height and is currently used as a day spa (Body Kneads Day Spa); and the parcel at 814 San Antonio Road is one-story in height and is currently used as a general business office (Enterprise Rent-A-Car). There are 12 existing trees bordering the northern, eastern, and western boundaries of the project site.

Project Site Comprehensive Plan Designation and Zoning

The project site (APN 147-03-038 and APN 147-03-043) has a 2030 Comprehensive Plan land use designation of Service Commercial. As described in the City of Palo Alto's 2030 Comprehensive Plan, the Service Commercial land use designation plans for:

> "facilities providing citywide and regional services and relying on customers arriving by car. These uses do not necessarily benefit from being in high volume pedestrian areas such as shopping centers or Downtown. Typical uses include auto services and dealerships, motels, lumberyards, appliance stores and restaurants, including fast service types. In almost all cases, these uses require good automobile and service access so that customers can safely load and unload without impeding traffic. In some locations, residential and mixed-use projects may be appropriate in this land use category. Examples of Service Commercial areas include San Antonio Road, El Camino Real and Embarcadero Road northeast of the Bayshore Freeway. Non-residential FARs will range up to 0.4. Consistent with the Comprehensive Plan's encouragement of housing near transit centers, higher density multi-family housing may be allowed in specific locations…"

The project site is zoned Service Commercial (CS) District. The Palo Alto Municipal Code (PAMC), Chapter 18.16 states the intent of the CS District:

> "To create and maintain areas accommodating citywide and regional services that may be inappropriate in neighborhood or pedestrian-oriented shopping areas, and which generally require automotive access for customer convenience, servicing of vehicles or equipment, loading or unloading, or parking of commercial service vehicles."

3.6 Project Description

The proposed project would include merging the two existing parcels through a certificate of compliance to create one resulting 38,194 square-foot lot, rezoning the site to Planned Community (PC) in accordance with PMC Section 18.38, demolishing the existing on-site buildings, and construction of a five-story, 75-unit residential building with 1,078 square feet of ground-floor retail space. A mix of one-bedroom (7 units), two-bedroom (52 units), and three-bedroom units (16 units) would be provided across the five stories. Sixteen of the 75 units would be provided as affordable below market rate units.

Table 1 shows the proposed project characteristics. Figure 4 shows the project site plan.

Table 1 Proposed Project Characteristics

Feature	Proposed Project Details
Proposed Lot Changes	
Lot Changes	Merge two existing lots into one 0.88-acre lot
Site/Building Features	
Total Project Site Size	38,194 sf (0.88 acre)
Gross Building Area	114,581 sf
Total Units	75
Floor Area Ratio (FAR)	2.99[1]
Building Height	55 ft (at roof height)
	60 ft (maximum parapet height)
Front Setback	0 to 10-ft and a 24-ft special setback along San Antonio Road
Rear Setback	10 feet
Gross Building Area	
1st Floor	22,767 sf
2nd Floor	23,054 sf
3rd Floor	23,010 sf
4th Floor	23,010 sf
5th Floor	22,214 sf
Roof Level	527 sf
Total	**114,582 sf**
Landscaping	
Proposed Site Total	4,044 sf
Total On-Site Trees	12 trees
Total Trees to be Removed	10 trees
Proposed Number of Trees to be Planted	6 trees
Open Space	
Usable Open Space	12,287 sf
Vehicle Parking	
Basement Level 1	53 spaces
Basement Level 2	95 spaces[2]
Total	**148 spaces[3]**
Accessible Parking	5 spaces (including 1 van and 1 electric vehicle)
Bicycle Parking Spaces	**75 long-term spaces and 8 short-term spaces**

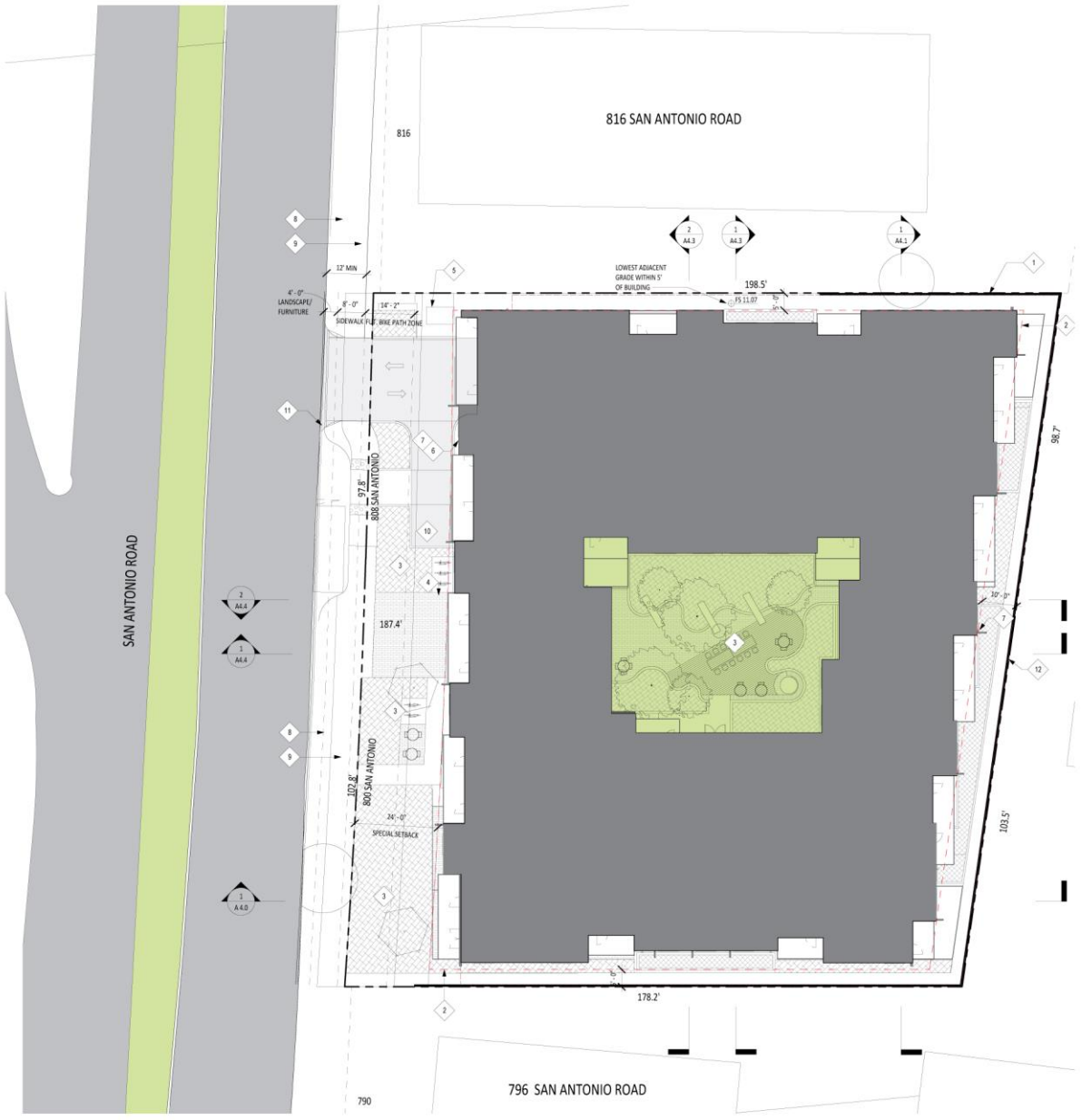
sf = square feet; ft = feet

[1] 114,581 sf/38,194 sf = 2.99 FAR

[2] Nine surface spaces and 86 stackers

[3] Seventy-five spaces are equipped with electric vehicle supply equipment-ready outlets.

Figure 4 Proposed Site Plan



SHEET NOTES

1. ACCESSIBLE PATHS OF TRAVEL TO COMPLY WITH CBC 11B-302, SHALL HAVE A CONTINUOUS COMMON SURFACE, NOT INTERRUPTED BY STEPS OR BY CHANGES IN LEVEL EXCEEDING ½ INCH AND 48" MIN CLEAR WIDTH. SURFACE CROSS SLOPES SHALL NOT EXCEED ¼" PER FOOT. WHEN THE SLOPE IN DIRECTION OF TRAVEL OF ANY WALK EXCEEDS ONE UNIT VERTICAL TO 20 UNITS HORIZONTAL, IT SHALL COMPLY WITH PROVISIONS OF CBC 11B-405 FOR RAMPS.
2. DRIVEWAY IN ACCORDANCE WITH PUBLIC WORKS STANDARDS, SEE CIVIL DRAWINGS
3. TRANSFORMER AS SHOWN IS CONCEPTUAL, CONFIGURATION AND REQUIREMENTS TO BE COORDINATED W/ CPAU

KEY NOTES

1. PROPERTY LINE
2. SITE SETBACK LINE
3. TREE, S.L.D
4. BICYCLE RACK, S.L.D.
5. PAD-MOUNTED TRANSFORMER PER CPAU REQUIREMENTS
6. FIRE DEPARTMENT CONNECTION
7. FIRE STANDPIPE VALVE
8. PLANTER STRIP, S.L.D.
9. SIDEWALK PER PAMC
10. TRASH STAGING AREA
11. EXISTING CURB CUT TO BE WIDENED FOR GARBAGE AND LOADING ACCESS
12. 7 FOOT HIGH ALUMINUM VERTICAL PICKET FENCE

LEGEND

- EXISTING BUILDING NOT IN CONTRACT
- PROPOSED BUILDING
- ACCESSIBLE PATH OF TRAVEL AND DIRECTION

0 16 32 Feet

N

Source: Lowney Arch, 2024.

The project site is within an area eligible for increased density under the City's Housing Incentive Program. However, the proposed project would exceed the site-specific allowances afforded by the Housing Incentive Program with respect to height and floor area. To allow for these increases, the applicant has submitted an application for a rezoning of the site to PC[1]in accordance with PAMC Section 18.38. This rezoning process allows for projects that exceed the otherwise applicable Development Standards in exchange for the public benefit of new housing units and increased BMR requirements within the mix of units.

The following entitlements are required for the proposed project:

- Rezoning to Planned Community (PC)
- Approval of Subdivision

Circulation and Parking

The project site is currently accessed via two driveways from San Antonio Road. For the proposed project, vehicular access to the project site would be provided via a single driveway at the location of the existing northern driveway at the northwest corner of the project site along San Antonio Road. The driveway would be widened and would lead into the subterranean parking lot.

The project would provide 148 parking spaces on two levels of subterranean parking. 53 spaces would be provided on proposed Basement Level 1 and 95 spaces (9 surface and 86 stackers) would be provided on Basement Level 2. Of the 148 total parking spaces, 75 would be electric vehicle supply equipment (EVSE)-ready charging stations, which would satisfy California Green Building Standards Code (CALGreen) Tier 2 EV standards.

The project would provide 75 long-term bicycle parking spaces in a 628 square-foot bike room on the ground floor and eight short-term bicycle parking spaces on a rack located in the project's San Antonio Road frontage.

Open Space and Amenities

The proposed project would include private open space in the form of balconies (upper floors) and patios (ground floor) for each residential unit. The proposed project would provide common open space in the form of a central interior 3,261 square-foot courtyard on the ground floor and a 1,342 square-foot roof deck. Active amenity spaces such as a 424 square-foot clubhouse and a 955 square-foot gym for use by residents would be provided on the ground floor.

Landscaping and Stormwater Features

There are currently seven trees on the project site and five street trees on the sidewalk right-of-way in front of the project site. The trees include two tree of havens, three coast live oaks, two holly oaks, two ash trees, one frontier elm, one Japanese black pine, and one weeping atlas cedar. The proposed project would include removal of seven on-site trees and three street trees, including the three Coast Live Oaks which are protected trees under the City of Palo Alto Tree Preservation Management Ordinance. Six trees would be planted as part of the proposed project. A tree protection plan that includes creating tree protection zones around each tree to be kept on site is

[1] The rezoning of a site to PC for a residential use has more recently been referred to as "Planned Home Zoning" to emphasize the focus on housing as the benefit to the community. However, PAMC Section 18.38, which outlines the requirement and process for Planned Community (PC) Zoning remains the underlying code supporting application of this policy.

included in the proposed project. The proposed project would also utilize water efficient irrigation systems.

Stormwater treatment on site would include direct runoff from roofs, sidewalks, and patios to landscaped areas as well as pervious pavements. The project would also include landscaped areas to limit stormwater runoff and would include drought-tolerant planting and flow-through planters.

Green Building Features

The proposed project would include an all-electric design and would not utilize natural gas. The proposed project would also include 75 EVSE-ready charging stations and energy efficient appliances, as well as solar photovoltaic (PV) zones on the roof.

Construction

Construction would occur over approximately 15 months for six days a week and would include the following phases:

- Demolition
- Site preparation
- Grading/excavation
- Building construction
- Interior/architectural coating
- Paving

To complete the construction of the project, grading would take place over most of the area of development, and approximately 38,806 cubic yards of soil would be excavated, of which 2,400 cubic yards would be used as fill and 36,406 cubic yards would be exported. Excavation would extend to a depth of up to 30 feet for the below grade parking.

Utilities

The City of Palo Alto Utilities department (CPAU) provides electric, natural gas, refuse, recycled water, storm drain, and wastewater collection, treatment, and disposal. Water would be provided by the San Francisco Public Utilities Commission (SFPUC). Police and fire protection services would be provided by the City of Palo Alto.

3.7 Proposed Project in Relation to 2020 EIR

As shown in Figure 5, the proposed project is within the HIP expansion area that was analyzed in the 2020 EIR. The 2020 project as analyzed in the 2020 EIR included the maximum number of dwelling units that would be allowed under the HIP program for all parcels within the HIP expansion area. According to the 2020 EIR, the proposed HIP expansion could add up to an estimated 818 residential units in the HIP expansion area.

Figure 5 Proposed Project in Relation to HIP Expansion Area

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As shown on Table 2-2 in Section 2, *Project Description,* of the 2020 EIR, the 2020 EIR assumed a maximum of 45.86 units for the parcel at 800 San Antonio Road and 48.09 units for the parcel at 808-814 San Antonio Road. Therefore, the maximum number of residential units for the project site, which encompasses 800-814 San Antonio Road, under the HIP was assumed to be 94 units. The proposed project would include 75 residential units, which would be within the maximum number of dwelling units assumed for the project site that was analyzed in the 2020 EIR.

The 2020 EIR also assumed a maximum FAR of 2.0 and a maximum height of 50 feet for the project site with the HIP. The proposed project would increase maximum FAR to 2.99 and maximum height to 55 feet at roof and 60 feet at parapet by requesting a rezoning of the site to a Planned Community (PC) Zone District.

4 Decision Not to Prepare a Subsequent Environmental Impact Report

As outlined in Section 15164 of the *CEQA Guidelines*, a lead agency shall prepare an addendum to a previously certified EIR or a (mitigated) negative declaration adopted for a proposed project, if some changes or additions are necessary but none of the conditions described in *CEQA Guidelines* Section 15162 calling for preparation of a subsequent EIR or (M)ND have occurred. The conditions described in Section 15162 include the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
    a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    b. Significant effects previously examined will be substantially more severe than shown in the previous EIR [or negative declaration];
    c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The *CEQA Guidelines* Section 15164 states that the Lead Agency or responsible agency shall prepare an addendum to an adopted EIR or negative declaration if only minor changes or additions are necessary but none of the conditions described above have occurred. The *CEQA Guidelines* further specify that a brief explanation of the decision not to prepare a subsequent EIR should be included in one of the following: the addendum itself, the Lead Agency's findings on the project, or elsewhere in the record. Pursuant to the *CEQA Guidelines*, an addendum does not need to be circulated for public review but can be included in or attached to the adopted EIR prior to deciding on the project.

The purpose of this addendum is to analyze the environmental impacts of the proposed project in relation to the environmental impacts identified for the project site in the certified Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project EIR. The following analysis was conducted pursuant to the requirements of *CEQA Guidelines* Section 15162.

5 Environmental Impacts

This addendum evaluates potential environmental impacts that could result from the proposed project. The existing environmental conditions in and around the project site are substantially the same under present conditions as described in the 2020 EIR. The analysis below provides updates where necessary to characterize potential impacts.

Appendix G of the *CEQA Guidelines* provides a checklist of environmental issues areas suggested for assessment in CEQA analyses. To provide a thorough and conservative analysis of potential impacts associated with the proposed project, this addendum addresses the 20 environmental issue areas suggested by Appendix G of the 2023 *CEQA Guidelines*, listed below.

- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Potential environmental impacts of the proposed project are analyzed to determine whether they are consistent with the impact analysis provided in the 2020 EIR, and whether additional mitigation measures are required to minimize or avoid further potential impacts. Where the following analysis identifies impacts, discussion of previously identified mitigation measures from the 2020 EIR and existing applicable policies and regulations are discussed, as relevant, with respect to mitigating potential impacts from the proposed project.

5.1 Aesthetics

Impacts Identified in the 2020 EIR

As discussed in Section 1, *Aesthetics*, of the Initial Study included in Appendix B of the 2020 EIR, the HIP expansion area is not located within a major view corridor or along a scenic route as identified by the City's Comprehensive Plan and is not located along or in proximity to a State Officially Designated Scenic Highway. Therefore, the 2020 project was found to have no impacts on scenic vistas or scenic resources. The 2020 EIR found that although the 2020 project would allow for the development multi-family residential buildings at higher densities than are currently allowed in the CS zoning district, future development would be subject to Major Architectural Review which would ensure that new development in the HIP expansion area would be consistent with regulations governing scenic quality and applicable zoning, resulting in less than significant impacts. The 2020 EIR also found that light sources from new developments under the HIP expansion would only incrementally add to the existing light levels already present as a result of the existing development

within the HIP expansion area and the surrounding street lighting and urban development. Therefore, impacts related to aesthetics were found to be less than significant.

Impacts of the Proposed Project

The proposed project would have a maximum parapet height of 60 feet with a FAR of 2.99, which would exceed the Service Commercial (CS) zoning district and HIP expansion maximum height and FAR requirements. However, the additional height and floor area beyond that contemplated in the 2020 EIR would not block scenic vistas, none of which are available through the site, and the HIP expansion area is not located within a major view corridor or along a scenic route as identified by the City's Comprehensive Plan.

Similar to the 2020 project, the project site is not located along or in proximity to a California State Officially Designated Scenic Highway and does not contain scenic resources such as rock outcroppings or historic buildings. Impacts would be less than significant and not greater than those identified in the 2020 EIR.

As discussed below in Section 5.11, Land Use and Planning, the project applicant has submitted an application for a rezoning of the site to Planned Community (PC) (also referred to as the Planned Home Zoning, PHZ, zone) in accordance with PAMC Section 18.38, which would allow exceedances in exchange for the public benefit of new housing units and additional Below Market Rate requirements (beyond those required in Chapter 16.65). The proposed project would exceed maximum height, FAR, and lot coverage, and would not satisfy the Retail Preservation requirements of a minimum of 1,500 square feet of retail space. However, similar to the 2020 project, the proposed project would be subject to the Planned Community Rezoning process, which incorporates the Major Architectural Review findings. This would help ensure that the proposed project would be consistent with the scale and character of the community as well as the City's adopted goals, policies, and guidelines related to site design. Furthermore, the proposed project would introduce a building of higher visual quality with a contemporary design compared to the existing buildings and several landscaping elements along the project frontage. The additional landscaping would reduce the visual impact of the project and soften the appearance of the new building. Impacts related to visual character and quality would be less than significant and would not be substantially greater than those identified in the EIR.

The project site is located in an urbanized area with relatively high levels of existing lighting. Primary sources of light adjacent to the project site include lighting associated with the existing residential and commercial buildings, including building-mounted and perimeter lighting as well as interior lighting visible through windows; streetlights; and headlights from vehicles on nearby streets. Sources of light on the project site include interior lighting visible through windows, headlights from vehicles, and exterior building lights to illuminate signage and parking areas. The primary source of glare adjacent to the project site is the sun's reflection from metallic and glass surfaces on buildings and on vehicles parked on adjacent streets and in adjacent parking areas. Vehicles parked on the project site are the primary source of daytime glare on the project site. The proposed project would incorporate exterior lighting in the form of pedestrian walkway lighting and other safety-related lighting. Interior lighting would also be visible through the proposed building's windows. These light sources would not have a significant impact on the night sky, as they would only incrementally add to the existing background light levels already present as a result of the surrounding street lighting and urban development. The project would include demolition of the existing surface parking and construction of two levels of subterranean parking, which would reduce the amount of light and

glare resulting from vehicles compared to existing conditions. Therefore, similar to the 2020 project, the proposed project would result in less than significant impacts to light and glare.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to aesthetics than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.2 Agriculture and Forest Resources

Impacts Identified in the 2020 EIR

As discussed in Section 2, *Agriculture and Forestry Resources*, of the Initial Study included in Appendix B of the 2020 EIR, no impacts related to agricultural or forest land were found to occur because there are no agricultural land or forest land near or adjacent to the HIP expansion area.

Impacts of the Proposed Project

Similar to the analysis of the original project in the 2020 EIR, the proposed project would not be located on or near agricultural or forest lands and would be located within an urbanized area of Palo Alto. No significant impacts to agriculture and forest resources would occur.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to agriculture and forest resources than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.3 Air Quality

Impacts Identified in the 2020 EIR

As discussed under Section 4.1, *Air Quality*, of the 2020 EIR, the 2020 project would reduce overall VMT by increasing mixed-use development in proximity to jobs, services, and transit, which would encourage the use of alternative modes of transportation and reduce the use of single-occupancy vehicles. This would further reduce emissions of the key ozone precursors, ROG and NO_X, particulate matter, TACs, and GHGs. As discussed in the 2020 EIR, employed residents in the City of Palo Alto average 19.15 daily miles per resident, including Palo Alto residents who commute outside of the City. Many of the employment positions located in Palo Alto are currently filled by non-resident commuters that average 28.08 daily miles per employee, and the overall average for Palo Alto is 26.06 daily miles per employee who works in Palo Alto. The 2020 project would add 818 units, with an estimated 1,000 jobholders residing in the residences, which would result in a potential annual reduction of more than 1.5 million miles, attributable to improving the balance of housing to jobs. Therefore, the 2020 project was found to be consistent with the goals of the 2017 Clean Air Plan.

The 2020 EIR found that the 2020 project could result in construction activities within the HIP expansion area that could potentially result in exceedances of BAAQMD 2017 thresholds for criteria air pollutants. However, with implementation of Mitigation Measure AQ-1 of the 2020 EIR which would require the quantification of construction emissions and inclusion of emissions control measures, construction impacts would be less than significant.

The 2020 EIR stated that it is unlikely projects in the HIP expansion area would exceed the BAAQMD operational emissions screening criteria of 325 dwelling units for low-rise apartment complexes and 494 dwelling units for mid-rise apartment complexes. Additionally, the 2020 EIR found that buildout of the HIP expansion would result in an annual reduction of more than 1.5 million miles, attributable to improving the balance of housing to jobs. Therefore, operational impacts were found to be less than significant.

As discussed in the 2020 EIR, the 2020 project would not expose existing sensitive receptors to substantial concentrations of toxic air contaminants (TACs) during construction since future projects would be subject to Mitigation Measure AIR-2a required in the EIR for the City's 2030 Comprehensive Plan, which requires future applicants to comply with the current BAAQMD basic control measures for reducing construction emissions of PM_{10} (Table 8-1, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the BAAQMD CEQA Guidelines). If individual projects would still exceed BAAQMD emissions thresholds for criteria pollutants, Mitigation Measure AQ-1 of the 2020 EIR would require further measures to reduce impacts to a less than significant level. Additionally, the 2020 EIR determined that the HIP expansion would not place new sources of TACs or $PM_{2.5}$ in proximity to receptors, and future projects including any use of stationary sources with the potential to emit TACs would be required to obtain an Authority to Construct, Permit to Operate, and/or Certificate of Registration from BAAQMD. Therefore, construction and operational impacts related to TACs were found to be less than significant.

Lastly, the 2020 EIR determined that implementation of the HIP expansion would not substantially cause new sources of odors and would not significantly expose sensitive receptors to existing odors, and impacts would be less than significant.

The 2020 EIR required the following mitigation measures:

AQ-1 **Construction Mitigation.** For individual projects in the HIP expansion area that exceed the BAAQMD air pollutant and precursor screening levels, the project proponent for that particular development shall conduct a quantifiable analysis to measure construction-related impacts to air quality for all construction phases as described in the BAAQMD CEQA Guidelines (2017). If project construction would exceed BAAQMD thresholds for criteria pollutants, the City shall require the construction contractor(s) to implement additional BAAQMD-approved measures beyond Basic Control requirements and demonstrate that such measures would reduce emissions to below thresholds. Additional measures for development projects that exceed significance criteria may include, but are not limited to:

1. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
2. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
3. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.

4. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
5. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
6. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
7. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12-inch compacted layer of wood chips, mulch, or gravel.
8. Minimizing the idling time of diesel-powered construction equipment to two minutes.
9. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NO_X reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.
10. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).
11. Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NO_X and PM.
12. Limiting import/export of soils or limiting the number of hauling trips per day to reduce emissions of NO_X associated with hauling truck trips.
13. Phasing construction activities to reduce daily equipment use.

With implementation of these mitigation measures, development under the 2020 project were found to have a less than significant impact related to air quality.

Impacts of the Proposed Project

The proposed project involves construction of 75 residential units, which would be within the density assumed for the site in the 2020 EIR of 94 units, and therefore would be within the density analyzed in the 2020 EIR. Similar to the 2020 project, the proposed project would provide infill residential development in the City of Palo Alto and would be consistent with Strategy TR10 of the 2017 Clean Air Plan, which supports land use patterns that reduce VMT and associated emissions and exposure to TACs, especially within infill locations and impacted communities. By placing future residents in proximity to transit, jobs, and services, the proposed project would reduce reliance on single-occupancy vehicles, thereby reducing VMT and air pollutants.

Consistent with Mitigation Measure AQ-1, the project was analyzed to determine if it would exceed BAAQMD thresholds for criteria pollutants. Because the proposed project would include demolition of the three existing commercial buildings, it would not satisfy BAAQMD air pollutant and precursor screening levels. Therefore, the project's construction and operational emissions were quantified and compared to BAAQMD's numeric thresholds. As shown in Table 2 and Table 3, the proposed project's construction emissions and operational emissions would not exceed BAAQMD thresholds

for ROG, NOx, PM_{10}, or $PM_{2.5}$ and impacts would be less than significant. Therefore, since project construction would not exceed BAAQMD thresholds for criteria pollutants, the proposed project would not be required to implement additional BAAQMD-approved measures beyond Basic Control requirements. Therefore, similar to the 2020 project, the proposed project would not result in emissions of criteria pollutants in excess of BAAQMD thresholds and impacts would be less than significant.

Table 2 Estimated Construction Emissions

	Maximum Emissions[1] (lbs/day)					
Construction Year	**ROG**	**SO_x**	**NO_x**	**CO**	**PM_{10} (exhaust)**	**$PM_{2.5}$ (exhaust)**
Modeled Maximum Daily Construction Emissions	5	<1	20	17	1	1
BAAQMD Thresholds (average daily emissions)	54	N/A	54	N/A	82	54
Threshold Exceeded?	No	N/A	No	N/A	No	No

N/A = not applicable; no BAAQMD threshold for CO or SOX.

Source: Table 2.1 "Overall Construction-mitigated" emissions in CalEEMod Project worksheets in Appendix C. Mitigated analysis accounts for construction site watering pursuant to BAAQMD recommended measures, City of Palo Alto Comprehensive Plan Policy N-5.5, and 2020 EIR Mitigation Measure AQ-1.

Table 3 Estimated Operational Daily Emissions

	Estimated Emissions (lbs/day)					
Sources	**ROG**	**NO_X**	**CO**	**PM_{10}**	**$PM_{2.5}$**	**SO_X**
Mobile	2	1	11	3	1	<1
Area	2	<1	6	<1	<1	<1
Energy	0	0	0	0	0	0
Total Gross Emissions	**4**	**1**	**17**	**3**	**1**	**<1**
BAAQMD Thresholds	54	54	N/A	82	54	N/A
Threshold Exceeded?	No	No	No	No	No	No

N/A = not applicable; no BAAQMD threshold for CO or SO_X

Totals may not add up due to rounding.

Source: Table 2.2 "Overall Operation-mitigated" winter emissions CalEEMod worksheets in Appendix C. Maximum daily emissions are reported.

Similar to the 2020 project, construction activities for the proposed project could generate TACs. However, the proposed project would be required to implement Mitigation Measure AIR-2a of the City's 2030 Comprehensive Plan EIR, which requires compliance with BAAQMD's *Basic Construction Mitigation Measures* to reduce fugitive dust impacts to a less than significant level. Similarly, the proposed project would only include residential uses and would not place new sources of TACs or $PM_{2.5}$ in proximity to sensitive receptors. The proposed project involves residential uses which do not generate substantial amounts of hazardous substances, including TACs such as cleaning solvents, paints, or landscape pesticides. Therefore, operational TAC emissions would be less than significant.

Table 3-3 in the BAAQMD's 2017 *CEQA Air Quality Guidelines* provides odor screening distances for land uses that have the potential to generate substantial odor complaints. The uses in the table include wastewater treatment plants, landfills or transfer stations, refineries, composting facilities, confined animal facilities, food manufacturing, smelting plants, and chemical plants (BAAQMD 2017a). The project does not propose, nor would locate, new sensitive receptors in proximity to, odor-emitting uses as identified in BAAQMD's 2017 *CEQA Air Quality Guidelines* or the Palo Alto Comprehensive Plan EIR. The proposed residential uses would not generate objectionable odors that would affect a substantial number of people. Therefore, the project would not substantially cause new sources of odors and would not significantly expose sensitive receptors to existing odors, and impacts would be less than significant.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to air quality than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary and Mitigation Measure AQ-1 from the 2020 EIR would continue to apply to the proposed project.

5.4 Biological Resources

Impacts Identified in the 2020 EIR

As discussed in Section 4, *Biological Resources*, of the Initial Study included in Appendix B of the 2020 EIR, the 2020 project was found to result in less than significant impacts to sensitive or special status species, riparian habitat, and established native resident or migratory wildlife corridors with implementation of Mitigation Measures BIO-1 (for HIP expansion area) and BIO-2 (for 788 San Antonio Road). The 2020 project was found to result in less than significant impacts related to conflicting with local policies or ordinances protecting biological resources as future projects under the HIP expansion would be subject to the City of Palo Alto Tree Preservation Ordinance (PAMC Chapter 8.10). The 2020 EIR found that the 2020 project would have no impact on federally protected wetlands since no wetland features occur on or adjacent to the HIP expansion area. The 2020 EIR also determined that the HIP expansion area is not located within an approved Habitat Conservation Plan, Natural Community Conservation Plan, or other approved State, regional, or local habitat conservation plan, and there would be no impacts.

The 2020 EIR required the following mitigation measures:

BIO-1 **Nesting Bird Surveys and Avoidance – HIP expansion area.** Construction, grading, site preparation and other ground-disturbing activities required for development allowed by the proposed HIP expansion that would involve vegetation or tree removal shall be prohibited during the general avian nesting season (February 1 – August 31), if feasible. If nesting season avoidance is not feasible, the applicant shall retain a qualified biologist, as approved by the City of Palo Alto, to conduct a preconstruction nesting bird survey to determine the presence/absence, location, and activity status of any active nests on or adjacent to the development site. The extent of the survey buffer area surrounding the site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the MBTA and CFGC, nesting bird surveys shall be performed

not more than 14 days prior to scheduled vegetation clearance and structure demolition. In the event that active nests are discovered, a suitable buffer (typically a minimum buffer of 50 feet for passerines and a minimum buffer of 250 feet for raptors) shall be established around such active nests and no construction shall be allowed within the buffer areas until a qualified biologist has determined that the nest is no longer active (*i.e.*, the nestlings have fledged and are no longer reliant on the nest). No ground disturbing activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Nesting bird surveys are not required for construction activities occurring between August 31 and February 1.

BIO-2 Nesting Bird Surveys and Avoidance – 788 San Antonio Road Project. Construction or any other site disturbing activities required for development at the project site that would involve vegetation or tree removal, shall be prohibited during the general avian nesting season (February 1 – August 31), if feasible. If nesting season avoidance is not feasible, the applicant shall retain a qualified biologist, as approved by the City of Palo Alto, to conduct a preconstruction nesting bird survey to determine the presence/absence, location, and activity status of any active nests on or adjacent to the development site. The extent of the survey buffer area surrounding the site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the MBTA and CFGC, nesting bird surveys shall be performed not more than 14 days prior to scheduled vegetation clearance and structure demolition. In the event that active nests are discovered, a suitable buffer (typically a minimum buffer of 50 feet for passerines and a minimum buffer of 250 feet for raptors) shall be established around such active nests and no construction shall be allowed within the buffer areas until a qualified biologist has determined that the nest is no longer active (*i.e.*, the nestlings have fledged and are no longer reliant on the nest). No ground disturbing activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Nesting bird surveys are not required for construction activities occurring between August 31 and February 1.

With implementation of mitigation measures, the project was found to have less than significant impacts related to biological resources.

Impacts of the Proposed Project

The project site is located in an urbanized area of Palo Alto that has been graded and developed/paved for the existing buildings and surface parking lots. As discussed in the 2020 EIR, the project site, which is within the area analyzed in the 2020 EIR, does not contain riparian habitat, special-status species, or sensitive natural communities (USFWS 2017a), and is not located within a known regional wildlife movement corridor or other sensitive biological area as indicated by the USFWS Critical Habitat portal or CDFW BIOS (USFWS 2017b; CDFW 2017). However, the proposed project involves removal of 10 trees which could contain bird nests and birds that are protected under the Migratory Bird Treaty Act (MBTA). Therefore, the proposed project would be required to implement Mitigation Measure BIO-1 of the 2020 EIR which would reduce impacts to nesting birds and special status wildlife to a less than significant level.

As discussed in the 2020 EIR, no wetlands and/or non-wetland waters occur on or adjacent to the project site. Adobe Creek, a riverine wetland resource, is located approximately 0.4 miles northwest of the project site. However, the proposed project would not involve or require the direct removal,

filling, hydrological interruption, or other means to the bed, bank, channel, or adjacent upland area of Adobe Creek, and no impact would occur.

According to the Arborist Report prepared for the site, 10 out of the 12 trees on-site would be removed, including three coast live oak trees which are protected under the City's Tree Preservation and Management Ordinance. A tree protection plan which includes creating tree protection zones around each tree to be kept on site is included in the proposed project. The City's Tree Preservation Management Ordinance (Palo Alto Municipal Code Chapter 8.10) would require the project applicant to obtain a Tree Removal Permit prior to removal and to replace the canopy of all the removed trees on the site either through on-site planting or through the payment of in-lieu fees. The proposed project would also be subject to the tree protection regulations in the Tree Technical Manual, which includes requirements for protecting trees during construction activities, such as preparation of a Tree Protection and Preservation Report and identification of construction guidelines intended to protect the trees during all phases of project implementation. With compliance with all regulations in the Tree Technical Manual and Tree Preservation and Management Ordinance, impacts related to conflicts with ordinances would be less than significant.

As discussed in the 2020 EIR, the project site is not located within an approved Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, and there would be no impacts.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to biological resources than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary. Mitigation Measure BIO-1 from the 2020 EIR would apply to the proposed project.

5.5 Cultural Resources

Impacts Identified in the 2020 EIR

As discussed in Section 4.2, *Cultural Resources,* the 2020 EIR, although no existing structures within the HIP expansion area are listed on the City's Historic Inventory or the California Register of Historical Resources (CRHR), there is a potential for eligible historical resources to be present in the HIP expansion area, and future development could result in a significant impact to a historical resource. Therefore, mitigation measures CUL-1 and CUL-2 are required to reduce impacts for future projects under the HIP in the HIP expansion area. Since future demolition of potentially eligible historical structures is speculative, further analysis is required for future development application under the HIP expansion once project-level information is available.

As discussed in Section 4.2, mitigation measures CUL-3 and CUL-4 would apply to the redevelopment of the 788 San Antonio Road site since the 788 San Antonio Road project would involve demolition of an eligible resource. Nonetheless, since the 788 San Antonio Road project would involve demolition of a historical resource, impacts would be significant and unavoidable.

The 2020 EIR required the following mitigation measures:

CUL-1 **Historic Resource Evaluation.** For future projects in the HIP expansion area that would involve demolition or modification of structures over 45 years in age, a Historic Resources Evaluation (HRE) shall be prepared by a qualified professional to determine the structure's eligibility for listing on the local or state historic registers. The report shall be submitted to the Planning Director and will be utilized by staff in their evaluation of the project and CEQA review. If the structure is determined to be eligible for listing on the local or state register, Mitigation Measure CUL-2 shall be implemented.

CUL-2 **Rehabilitation and Restoration.** For future projects in the HIP expansion area that involve modification of structures determined to be eligible for listing on the City's historic inventory or CRHR, prior to submittal for building permits, a qualified historic preservation architect shall review the plans for the modifications to verify that the work is in keeping with applicable Secretary of the Interior's Standards for Rehabilitation, such that the original materials and character-defining features will be retained and rehabilitated. The final design and materials associated with building modifications shall be reviewed and approved by the Director and the Historic Preservation Planner of the City of Palo Alto Planning and Community Environment Department.

CUL-3 **Historic Documentation Package.** Prior to issuance of demolition permits for the 788 San Antonio Road Mixed-Use Project, the applicant shall undertake Historic American Building Survey (HABS) documentation of the structure including its character defining features. The documentation should generally follow the HABS Level III requirements and include measured drawings that depict the size, scale, and dimensions of the subject property; digital photographic recordation of the interior and exterior of the subject property including all character-defining-features; a detailed historic narrative report; and compilation of historic research. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The original archival-quality documentation shall be offered as donated material to the City of Palo Alto Historic Inventory where it would be available for current and future generations. Archival copies of the documentation also shall be submitted to the City of Palo Alto Library where it would be available to local researchers. Completion of this mitigation measure shall be monitored and enforced by the City.

CUL-4 **Interpretive Website.** Prior to issuance of demolition permits for the 788 San Antonio Road Mixed-Use Project, the applicant shall develop an online interpretive website that displays materials concerning the history and architectural features of the property. Interpretation of the site's history shall be supervised by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards and may engage additional consultants to develop the display. The interpretative website, which may include, but are not limited to, a display of photographs, news articles, memorabilia, and/or video. The site shall be overseen by Palo Alto Historic Association, a similar non-profit, or the City of Palo Alto at the applicant's expense. The content of the site shall be approved by the Director of Planning & Development Services or designee.

With implementation of these mitigation measures, with the exception of the 788 San Antonio Road Project, which was determined to have a significant and unavoidable adverse impact on a historic resource, development under the 2020 project were found to have a less than significant impact related to historical resources.

Impacts to archaeological resources and human remains were discussed in Section 5, *Cultural Resources*, of the Initial Study of the 2020 EIR. As discussed in Section 5, a records search of the California Historical Resources Information System was conducted within a 0.5-mile radius of the project site, which also includes the entire HIP expansion area, and identified one potential archaeological resource, but it is thought to be destroyed. Nonetheless, construction activities could still unearth archaeological resources, and mitigation measures CR-1 and CR-2 would be required to reduce impacts to a less than significant level.

The Initial Study of the 2020 EIR required the following mitigation measures:

CR-1 **Worker's Environmental Awareness Program (WEAP).** For all development subject to the proposed HIP expansion, a qualified archaeologist shall be retained who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology to conduct WEAP training for archaeological sensitivity for all construction personnel prior to the commencement of ground disturbing activities. Archaeological sensitivity training should include a description of the types of cultural resources that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find.

CR-2 **Unanticipated Discovery of Cultural Resources.** For all development subject to the proposed HIP expansion, in the event that archaeological resources are unearthed during project construction, all earth-disturbing work near the find must be temporarily suspended or redirected until an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (NPS 1983) has evaluated the nature and significance of the find. If the discovery proves to be significant under CEQA, additional work, such as preservation in place or archaeological data recovery, shall occur as required by the archeologist in coordination with City staff and descendants and/or stakeholder groups, as warranted. Once the resource has been properly treated or protected, work in the area may resume. A Native American representative shall be retained to monitor mitigation work associated with Native American cultural material.

Impacts to human remains were found to be less than significant with adherence to the State of California Health and Safety Code Section 7050.5, which states that no further disturbance may occur if human remains were discovered until the county coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the county coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD would complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.

Impacts of the Proposed Project

The proposed project would be located on a site previously analyzed in the 2020 EIR, and therefore the cultural resources analysis for the 2020 project would apply to the proposed project. The proposed project would involve demolition of three commercial buildings and surface parking

currently on the project site. As discussed in Section 4.2, *Cultural Resources*, of the 2020 EIR, the three existing buildings on site at 800-814 San Antonio Road, Sequoia Academy, Body Kneads Day Spa, and Enterprise Rent-A-Car, were constructed in 1960, 1956, and 1956, respectively, and are considered "of age" to be potential historical resources since they are over 45 years in age. Therefore, in accordance with Mitigation Measure CUL-1, a Historical Resources Evaluation (HRE) (Appendix B) was conducted by Rincon Consultants to determine whether the proposed project would result in an impact to historical resources.

As part of the HRE, Rincon requested a search of the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC) at Sonoma State University on May 2, 2023, and reviewed the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Historical Landmarks list, and the Built Environment Resources Directory (BERD). The CHRIS records search and background research identified 15 cultural resources studies within 0.5 mile of the project site and identified two cultural resources within a 0.5 mile of the project site. However, none of the resources are located within or immediately adjacent to the project site.

As discussed in the HRE, the properties at 800 San Antonio Road and 808-814 San Antonio Road are recommended ineligible for listing in the NRHP or CRHR or for local listing. As such, the properties do not qualify as historical resources and their demolition would not result in a significant adverse impact as defined by Section 15064.5 of the CEQA Guidelines.

Further, the CHRIS records search failed to identify other cultural resources, including historic districts, in proximity to the project site. Rincon also did not identify any information to suggest that the project area may be sensitive for archaeological resources. Therefore, based on the findings in the HRE, the proposed project would have no impact on historical resources and likely a less than significant impact on cultural resources. Nonetheless, the proposed project would be required to continue to implement mitigation measures CUL-1 and CUL-2 which would ensure the protection of archaeological resources and human remains if identified during construction activities.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to cultural resources than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary and mitigation measures CUL-1, CR-1, and CR-2 from the 2020 EIR would continue to apply to the proposed project.

5.6 Energy

Impacts Identified in the 2020 EIR

As discussed in Section 4.3, *Energy*, of the 2020 EIR, construction activities in the HIP expansion area would be required to comply with applicable regulatory standards and construction contractors would be required to comply with the CARB In-Use Off-Road Diesel-Fueled Fleets Regulation, which imposes limits on idling and restricts the use of older vehicles. Additionally, although future development under the HIP expansion could increase area energy demand from greater electricity,

natural gas, and diesel/gasoline consumption, they would be required to incorporate the following design features and attributes in order to promote energy efficiency and sustainability:

- Compliance with the Palo Alto Green Building Ordinance and Energy Reach Ordinance to be 10 percent more energy efficient than the mandatory efficiency standards set by CALGreen. Development is required or encouraged to incorporate energy-saving features such as PV panels for renewable power, rooftop gardens, low indoor water use appliances, recycled water irrigation systems, and thermal insulation.
- Construction of infill residential or mixed-use development near two bus stops servicing four VTA routes, for easy public transit access.
- Incorporation of EV-ready outlets for future charging stations, in compliance with the Palo Alto Green Building Ordinance and Energy Reach Ordinance.

The 2020 EIR also determined that the HIP expansion would not conflict with goals and policies related to energy conservation in the City's Sustainability and Climate Action Plan (S/CAP) or 2030 Comprehensive Plan. Energy impacts were found to be less than significant.

Impacts of the Proposed Project

Similar to the 2020 project, the proposed project would result in the commitment of additional energy resources, including consumption of energy during construction and operation. As discussed in the 2020 EIR, construction-related energy impacts associated with the proposed project would be less than significant since construction contractors would be required to comply with the CARB In-Use Off-Road Diesel-Fueled Fleets Regulation, which would reduce fuel consumption and lead to the use of fuel-efficient vehicles during covered activities.

The proposed project would be required to comply with California State regulations for energy conservation including the California Energy Code and CALGreen, along with the City's Green Building Standards. The proposed project would include an all-electric design and would not include natural gas usage. City of Palo Alto Utilities (CPAU) would also supply electricity for the project, and currently provides 100 percent carbon neutral electricity and purchases carbon offsets to offset the GHG emissions from natural gas usage in the City. The project site is located near two bus stops servicing four VTA routes, thereby placing residents in a transit-accessible area and reducing reliance on single-occupancy vehicles. Additionally, pursuant to PAMC Section 16.14.420, the proposed project would include 75 EVSE-ready vehicle parking spaces. Therefore, similar to the 2020 project, the proposed project would not result in a wasteful and inefficient use of nonrenewable resources during the construction or operation of future development, and impacts would be less than significant.

Since the proposed project would be within the density envisioned for the site as analyzed in the 2020 EIR, the proposed project would be consistent with applicable energy efficiency policies outlined in the City's S/CAP and 2030 Comprehensive Plan. Therefore, for the same reasons as described in the 2020 EIR, impacts would be less than significant.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to energy than were identified in the

2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.7 Geology and Soils

Impacts Identified in the 2020 EIR

As discussed in Section 6, *Geology and Soils*, of the Initial Study included in Appendix B of the 2020 EIR, the parcel at 788 San Antonio Road was found to be underlain by soils potentially susceptible to liquefaction during a major earthquake, and given these findings, similar risk may be present at other parcels within the HIP expansion area. Implementation of Mitigation Measure GEO-1 would reduce impacts in the HIP expansion area to a less than significant level, and implementation of Mitigation Measure GEO-2 would reduce impacts at 788 San Antonio Road to a less than significant level. The Geotechnical Investigation completed at the 788 San Antonio Road project site also indicated that soils have a high plasticity and high to critical expansion potential, and the other 17 parcels within the HIP expansion area may also have a similar soil composition. Although Mitigation Measure GEO-1 would reduce impacts within the HIP expansion area to a less than significant level through requiring a detailed geotechnical investigation, Mitigation Measure GEO-3 would be required for the project at 788 San Antonio Road to reduce impacts to a less than significant level.

Additionally, the 2020 EIR found that construction activities could involve ground disturbance and excavation that could result in the unanticipated discovery of paleontological resources, and excavation at depths greater than 18 feet would involve removal of soils beyond the alluvial fan deposits and are more likely to result in the discovery of paleontological resources. Therefore, mitigation measures GEO-4 and GEO-5 would be required to reduce impacts within the HIP expansion area and at the 788 San Antonio Road project site, respectively, to a less than significant level.

As discussed in Section 6, *Geology and Soils*, of the 2020 EIR, the 2020 project would result in less than significant impacts related to ground shaking, landslides, and the loss of topsoil with adherence to best management practices (BMPs) outlined in the BAAQMD CEQA Guidelines, as well as other State, regional, and local regulations. The 2020 EIR also found that the 2020 project would have no impact regarding surface rupture occurring from active faulting; unstable geologic units or soils resulting in offsite landslide, lateral spreading, subsidence, or collapse; or septic tanks and alternative wastewater disposal systems.

The 2020 EIR required the following mitigation measures:

GEO-1 Geotechnical Investigation – HIP expansion area. Prior to approval of grading permits for a building or structure associated with the development allowed by the HIP expansion, a detailed final geotechnical investigation shall be performed to identify significant geotechnical constraints on the proposed development. The report shall develop formal recommendations for project design and construction, including site grading/soil preparation and foundation design. Among other components, the report shall include a quantitative evaluation of liquefaction susceptibility including projected levels of post-liquefaction settlement; an evaluation of soil shrink-swell potential; and an investigation of compressible soils that may be prone to settlement/subsidence. The report shall be provided by the applicant to the City of Palo Alto for review and approval and to ensure that foundations designed for all proposed structures are appropriate and meet code requirements. The geotechnical engineer of record shall also review the final grading,

drainage, and foundation plans to confirm incorporation of the report recommendations and field monitoring during project construction shall be performed to verify that the work is performed as recommended.

GEO-2 Geotechnical Design Considerations – 788 San Antonio Road Project. The project plans submitted for building permit approval shall incorporate the design recommendations outlined in the Geotechnical Investigation prepared by Stevens, Ferrone & Bailey Engineering Company, Inc. in March 2018 or any other design feature or measure shown to equivalently reduce impacts associated with liquefaction to the satisfaction of the Director of Public Works. These include:

- The foundation shall consist of a mat slab and be designed to resist 0.5 inch of differential settlement of the supporting soils.
- Underground pipelines shall be designed to compensate for the settlement caused by the liquefaction of the underlying supporting soils.
- A design groundwater table at 5 feet below existing ground surface shall be used for the project.

GEO-3 Unstable and Expansive Soils – 788 San Antonio Road Project. During construction the applicant or its designee shall incorporate the design recommendation outlined in the Geotechnical Investigation prepared by Stevens, Ferrone & Bailey Engineering Company, Inc. in March 2018 or other design feature or measure shown to equivalently reduce impacts associated with unstable or expansive soil to the satisfaction of the Director of Public Works. This includes exterior slabs with steel bars in lieu of wire mesh. To reduce potential crack formation, the installation of #4 bars spaced at approximately 18 inches on center in both directions should be considered. Score joints and expansion joints should be used to control cracking and allow for expansion and contraction of the concrete slabs. Flexible, relatively impermeable fillers are recommended to be used at all cold/expansion joints. The installation of dowels at all expansion and cold joints would reduce differential slab movements; if used, the dowels should be at least 30 inches long and should be spaced at a maximum lateral spacing of 18 inches.

GEO-4 Discovery of Paleontological Resources – HIP expansion area. Construction activities associated with the development allowed under the HIP expansion shall adhere to the following measures.

1. **Ground Disturbance.** For ground-disturbing activities for projects associated with the HIP expansion, in the event that an unanticipated fossil discovery is made, then in accordance with SVP (2010) guidelines, it is the responsibility of any worker who observes fossils within the project site to stop work in the immediate vicinity of the find and notify a qualified professional paleontologist who shall be retained to evaluate the discovery, determine its significance and if additional mitigation or treatment is warranted. Work in the area of the discovery will resume once the find is properly documented and authorization is given to resume construction work. Any significant paleontological resources found during construction monitoring will be prepared, identified, analyzed, and permanently curated in an approved regional museum repository.

2. **Excavation Below 18 Feet.** Prior to the commencement of grading and excavation below a depth of 18 feet for any project associated with the HIP expansion, applicants shall retain a qualified paleontologist approved by the County to monitor grading and excavation. Monitoring onsite shall occur whenever grading activities are occurring. Additional monitors in addition to one full-time monitor may be required to provide adequate coverage if earth-moving activities are occurring simultaneously. Any paleontological resources discovered by construction personnel or subcontractors shall be reported immediately to the paleontologist. In the event undetected buried resources are encountered during grading and excavation, work shall be halted or diverted from the area and the paleontologist shall evaluate the resource and propose appropriate mitigation measures. Measures may include testing, data recovery, reburial, archival review and/or transfer to the appropriate museum or educational institution. All testing, data recovery, reburial, archival review or transfer to research institutions related to monitoring discoveries shall be determined by the qualified paleontologist and shall be reported to the City.

GEO-5 Unanticipated Discovery of Paleontological Resources – 788 San Antonio Road Project. In the event an unanticipated fossil discovery is made during the course of project development, then in accordance with SVP (2010) guidelines, it is the responsibility of any worker who observes fossils within the project site to stop work in the immediate vicinity of the find and notify a qualified professional paleontologist who shall be retained to evaluate the discovery, determine its significance and if additional mitigation or treatment is warranted. Work in the area of the discovery will resume once the find is properly documented and authorization is given to resume construction work. Any significant paleontological resources found during construction monitoring will be prepared, identified, analyzed, and permanently curated in an approved regional museum repository.

With implementation of mitigation measures, the project was found to have less than significant impacts related to geology and soils.

Impacts of the Proposed Project

The proposed project would be located on a site previously analyzed in the 2020 EIR. Similar to the 2020 project, the proposed project site is not located in an area identified as having known earthquake faults and there would be no impact relating to ground rupture. The proposed project would be required to comply with regulations discussed in the 2020 EIR including the PAMC, California Building Code (CBC) chapters 16 and 18, the San Francisco Bay Regional Water Quality Control Board (SFRWQCB) National Pollutant Discharge Elimination System (NPDES) permit process, and policies within the Palo Alto Comprehensive Plan. With compliance with existing regulations, the proposed project would have less than significant impacts related to strong seismic shaking, landslides, and soil erosion.

Pursuant to Mitigation Measure GEO-1 of the 2020 EIR, a Geotechnical Investigation was completed for the project site by Rockridge Geotechnical on April 21, 2021 (Rockridge Geotechnical 2021; attached as Appendix C to this Addendum). The Geotechnical Investigation found that the potential for liquefaction-induced ground failure at the site is low, and the risk of surface faulting and consequent secondary ground failure is also low. However, the Geotechnical Investigation determined that near-surface clay for the site is likely to be highly expansive, and the historic groundwater level in the site vicinity is less than five feet below ground surface (bgs). Therefore,

pursuant to Mitigation Measure GEO-1 of the 2020 EIR, the proposed project would be required to comply with recommendations outlined in the Geotechnical Investigation related to design groundwater table; foundation and settlement; mat foundation; tiedown anchors; permanent below-grade walls; temporary shoring; soldier pile-and-lagging; continuous soil-cement mix soldier pile wall; secant pile wall; temporary excavation dewatering; and seismic design. With adherence to recommendations in the Geotechnical Investigation, impacts to geology and soils would be less than significant.

Since the proposed project would occur within the HIP expansion area, the same geologic units and fossil resources described in the 2020 EIR are expected to underlie the project site. As discussed in the 2020 EIR, Holocene alluvial fan deposits measure approximately 18 to 21 feet in thickness. As currently proposed, project ground disturbance would reach a maximum depth of 30 feet bgs during excavations associated with the subterranean parking component of the development. Since fossiliferous deposits are expected to occur at depths greater than 18 feet, the proposed project could potentially encounter fossil resources during project-related ground disturbance and impact paleontological resources. However, the proposed project would be required to continue to implement Mitigation Measure GEO-4 of the 2020 EIR, which outlines measures for the unanticipated discovery of paleontological resources. With adherence to Mitigation Measure GEO-4, impacts would be less than significant.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to geology and soils than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary and mitigation measures GEO-1 and GEO-4 from the 2020 EIR would continue to apply to the proposed project.

5.8 Greenhouse Gas Emissions

Impacts Identified in the 2020 EIR

As discussed in Section 4.4, *Greenhouse Gas Emissions*, of the 2020 EIR, the HIP expansion would generate approximately 705 MT of CO_2e during construction and 4,419 MT of CO_2e per year during operation. The 2020 EIR estimated that the HIP expansion would add an estimated 1,881 new residents, which would generate approximately 1.5 MT of CO_2e per service population annually. Since the emissions per service population would not exceed the BAAQMD efficiency threshold of 2.8 MT of CO_2e/SP per year, GHG impacts were found to be less than significant. Additionally, the 2020 EIR determined that the 2020 project would be consistent with the California Air Resources Board's (CARB) 2017 Scoping Plan, Plan Bay Area 2040, the City's S/CAP, and other State plans and policies. Therefore, the 2020 project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions and impacts were found to be less than significant.

Impacts of the Proposed Project

The proposed project involves construction of 75 residential units, which would be within the density assumed for the site in the 2020 EIR of 94 units, and therefore would be within the density

analyzed in the 2020 EIR. Although the BAAQMD has adopted updated GHG thresholds as of April 2022, since the proposed project would tier from the 2020 EIR, the City as the lead agency has chosen to apply the significance threshold applied in the 2020 EIR to inform the threshold for this analysis. As discussed in the 2020 EIR, GHG emissions generated by the HIP expansion would not exceed the BAAQMD 2030 interpolated efficiency threshold of 2.76 MT CO_2e per service population per year. Because the proposed project is within what was analyzed in the 2020 EIR, like the 2020 project, the proposed project would not generate a substantial increase in GHG emissions and would not conflict with AB 32 or SB 32. Additionally, the 2020 EIR accounted for natural gas usage, whereas the proposed project would include an all-electric design and would not utilize natural gas. Thus, the proposed project would result in reduced GHG emissions compared to what was analyzed in the 2020 EIR.

As discussed in the 2020 EIR, the 2020 project would be consistent with the 2017 Scoping Plan and the City's S/CAP. Similarly, the proposed project would place residents in proximity to transit, jobs, and services, thereby reducing VMT, and would comply with Palo Alto Green Building Code standards to include 75 EVSE-ready charging stations and energy efficient appliances. Therefore, the proposed project would also be consistent with the 2017 Scoping Plan, Plan Bay Area 2040, the City's S/CAP, and other State plans and policies related to GHGs. Impacts would be less than significant.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to GHG emissions than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new or revised mitigation measures are necessary.

5.9 Hazards and Hazardous Materials

Impacts Identified in the 2020 EIR

As discussed in Section 9, *Hazards and Hazardous Materials*, of the Initial Study included in Appendix B of the 2020 EIR, three schools are located within 0.25 miles of the HIP expansion area, and several of the parcels within the HIP expansion area are on a list compiled pursuant to Section 65962.5 of the Government Code. The 2020 EIR determined that while all of those listed cleanup sites have been closed, it is possible that residual contamination exists at properties adjacent to the listed cleanup sites, and construction activities could expose construction workers or nearby residents to potentially unacceptable health risks from contaminated soil. Therefore, Mitigation Measure HAZ-1 would be required to reduce impacts in the HIP expansion area to a less than significant level, and Mitigation Measure HAZ-2 would be required to reduce impacts on the 788 San Antonio Road project to a less than significant level.

The 2020 EIR found that the 2020 project would have less than significant impacts related to the use, storage, transportation, or disposal of hazardous materials and the release of hazardous materials into the environment. The 2020 EIR determined that the 2020 project would have no impact related to airport safety; interference with an adopted emergency response plan or emergency evacuation plan; or exposing people or structures to risk of loss, injury, or death involving wildland fires.

The 2020 EIR required the following mitigation measures:

HAZ-1 Site Risk Management Plan – HIP expansion area. Prior to issuance of permits allowing groundwater dewatering or earth-disturbing activity, the developer shall prepare a site risk management plan (SRMP). The SRMP will address known and unknown environmental issues that may be encountered during development. The plan shall identify appropriate measures to be followed when impacted soil and groundwater are encountered during demolition, excavation, dewatering, and construction. This includes health and safety measures to reduce exposure to potentially impacted soil and groundwater for construction workers and dust control measures to reduce exposure to contaminated dust particles for nearby residents.

Health and safety measures shall include the required personal protective equipment (PPE) to be used by site personnel, including action levels and decision criteria for upgrading the levels of PPE. The SRMP shall also identify personnel to be notified, emergency contacts, and a sampling protocol if impacted media is encountered. The excavation and demolition contractors shall be made aware of the possibility of encountering known and unknown hazardous materials including impacted soil and groundwater; and shall be provided with appropriate contact and notification information. The plan shall include a provision stating at what point it is safe to continue with the excavation or demolition, and identify the person authorized to make that determination. In addition, the SRMP shall include measures for the appropriate handling and profiling of impacted soil and groundwater to be removed from the project site and disposed offsite. Removal, transportation, and disposal of impacted soil and groundwater shall be performed in accordance with applicable federal, state, and local laws, regulations, and ordinances.

The SMRP shall be submitted to the City of Palo Alto for review and approval.

HAZ-2 Site Risk Management Plan – 788 San Antonio Road Project. Prior to issuance of permits allowing any groundwater dewatering or earth-disturbing activity, the developer shall prepare a site risk management plan (SRMP). The SRMP will address known and unknown environmental issues that may be encountered during development. The plan shall address the recommendations in the Phase II ESA prepared by AEI Consultants in February 2018 (Appendix C), including needed data to determine the extent of VOCs detected in soil and groundwater at the project site.

Additionally, the SMRP will identify appropriate measures to be followed when impacted soil and groundwater are encountered during demolition, excavation, dewatering, and construction. This includes health and safety measures to reduce exposure to potentially impacted soil and groundwater for construction workers and dust control measures to reduce exposure to contaminated dust particles for nearby residents.

Health and safety measures shall include the required personal protective equipment (PPE) to be used by site personnel, including action levels and decision criteria for upgrading the levels of PPE. The SRMP shall also identify personnel to be notified, emergency contacts, and a sampling protocol if impacted media is encountered. The excavation and demolition contractors shall be made aware of the possibility of encountering known and unknown hazardous materials including impacted soil and groundwater; and shall be provided with appropriate contact and notification information. The plan shall include a provision stating at what point it is safe to continue with the excavation or demolition, and identify the person authorized to make that determination. In addition, the SRMP shall include

measures for the appropriate handling and profiling of impacted soil and groundwater to be removed from the project site and disposed offsite. Removal, transportation, and disposal of impacted soil and groundwater shall be performed in accordance with applicable federal, state, and local laws, regulations, and ordinances.

The SMRP shall be submitted to the Santa Clara County Department of Environmental Health be contacted to provide review and oversight. In addition, the plan will be submitted to the City of Palo Alto for review and approval.

With implementation of mitigation measures, the project was found to have less than significant impacts related to hazards and hazardous wastes.

Impacts of the Proposed Project

The proposed project would be located on a site previously analyzed in the 2020 EIR. Therefore, ground disturbance associated with the proposed project was anticipated in the 2020 EIR. Similar to the 2020 project analyzed in the 2020 EIR, the proposed project could require the transportation, use, and storage of hazardous materials during construction activities. Additionally, the proposed project would require the demolition of three existing commercial buildings on site which could potentially cause the release of asbestos, polychlorinated biphenyl (PCBs), or lead based paint. However, the project would be subject to federal, State, and local regulations that minimize risks associated with the transportation of hazardous materials and handling hazardous materials, which would reduce impacts to a less than significant level.

As discussed in the 2020 EIR, the project site is not listed on a list of hazardous material sites compiled pursuant to Section 65962.5 of the Government Code. However, the proposed project would be located 0.18 miles southeast of the Meira Academy and 0.24 miles northwest of the Palo Alto Preparatory School, and the hauling of potentially hazardous soils during construction could occur within 0.25 miles of the schools, resulting in potentially significant impacts. Nonetheless, the proposed project would be required to comply with Mitigation Measure HAZ-1 of the 2020 EIR and prepare a SRMP, which would reduce impacts to a less than significant level.

Similar to the 2020 project, the proposed project would not be located within two miles of a public airport as the Palo Alto Airport of Santa Clara County (PAO) is located approximately 2.5 miles northwest of the site. The proposed project would not obstruct existing roadways or require the construction of new roadways or access points. Additionally, the proposed project is located within an urban area and is not located adjacent to or within the vicinity of wildlands. Therefore, the proposed project would have no impacts related to airport safety; interference with an adopted emergency response or emergency evacuation plan; or risk of loss, injury or death involving wildland fires.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to hazards and hazardous materials than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary. Mitigation Measure HAZ-1 from the 2020 EIR would continue to apply to the proposed project.

5.10 Hydrology and Water Quality

Impacts Identified in the 2020 EIR

As discussed in Section 10, *Hydrology and Water Quality*, of the Initial Study included in Appendix B of the 2020 EIR, the 2020 project would not violate water quality standards or substantially degrade surface or ground water quality; would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge; would not result in substantial erosion or siltation on- or off-site; would not increase the rate or amount of surface runoff to result in flooding on- or off-site; would not substantially alter the existing drainage pattern of the area; would not be located in a flood hazard, tsunami, or seiche zone; and would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, there were no impacts related to hydrology and water quality.

Impacts of the Proposed Project

The proposed project would be located on a site previously analyzed in the 2020 EIR. Therefore, ground disturbance associated with the proposed project was anticipated in the 2020 EIR. As discussed in the 2020 EIR, the 2020 project would result in no impacts related to hydrology and water quality. Similarly, the proposed project would be required to comply with the same federal, State, and local regulations governing stormwater runoff and water quality as outlined in the 2020 EIR, resulting in less than significant impacts to runoff water and drainage, water quality standards, and polluted runoff. Specifically, similar to the 2020 project, pursuant to Chapter 16.11 of the PAMC, the project is considered a "significant redevelopment project" because it would result in the replacement of 10,000 square feet or more of impervious surface. Significant redevelopment projects must treat, either through capture, flow-through filtration, or a combination of capture and flow-through filtration, the volume of stormwater specified in the PAMC. Since the project would involve replacing more than 10,000 square feet of impervious surfaces, it would be subject to the Program's C.3 requirements for controlling potential impacts of land development on stormwater quality and flow, including appropriate site design measures, pollutant source controls, and treatment control measures. The proposed project would include flow-through planters and would include 15 LID treatment drainage areas around the borders of the site. The proposed project would also include a bioretention area on the eastern boundary of the site. Therefore, the proposed project would not violate water quality standards, waste discharge requirements, or degrade water quality, and impacts would be less than significant.

Adobe Creek, approximately 0.4 miles northwest of the project site, is the closest watercourse to the site. The project site and surrounding areas are currently developed, and construction of the proposed project would not alter the course of this creek or other stream or river (no other surface water features are identified in the project area).

The project site is connected to an existing stormwater drainage system located in the City of Palo Alto Matadero Creek Watershed. Stormwater runoff in the project area is currently flowing directly to Matadero Creek and eventually to the San Francisco Bay. The project site currently has 37,360 square feet of impervious surfaces. The proposed project would reduce the amount of impervious surfaces by 4,930 square feet for a total of 32,430 square feet of impervious surfaces. Therefore, the new surfaces would not substantially increase runoff from the project site such that new or increased flooding would occur on- or off-site. Similar to the 2020 project, the proposed project would involve retention of the existing surface runoff system and configuration at the site would be maintained and would not introduce new surface water discharges, would not substantially increase

runoff volumes, result in substantial erosion or siltation, and would not result in flooding on- or off-site. The project would also not alter the existing drainage pattern of the site or area. Similar to the 2020 project, impacts would be less than significant.

The proposed project would involve excavation up to approximately 30 bgs for the construction of the subterranean parking structure. According to the Geotechnical Investigation completed for the project (Appendix A), historic groundwater level in the site vicinity is less than five feet bgs. Therefore, excavation would likely encounter groundwater and dewatering would be needed during construction. The proposed project would be required to comply with the City's *Construction Dewatering System Policy and Plan Preparation Guidelines* and submit a Construction Dewatering Plan to the City's Public Works Department. The Public Works Department would review and permit the dewatering plan prior to commencement of dewatering as part of the Street Work Permit process. With adherence to the City's policies regarding dewatering, contaminated groundwater would not enter the stormwater system, and impacts would be less than significant. Additionally, since water supply to the project site would not rely on groundwater supplies, and the proposed project would not involve installation of new groundwater wells or use of groundwater from existing wells, impacts on groundwater supplies or interference with groundwater recharge would be less than significant.

As discussed in the 2020 EIR, the HIP expansion area is located approximately two miles from the San Francisco Bay and approximately 20 miles from the coast of the Pacific Ocean and is not located within a tsunami inundation zone. Since the proposed project is located within the boundaries of the HIP expansion area and is located in a low hazard area for tsunami, seiche, and mudflow, impacts related to the risk of release of pollutants due to project inundation would be less than significant.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to hydrology and water quality than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.11 Land Use and Planning

Impacts Identified in the 2020 EIR

As discussed in Section 11, *Land Use and Planning*, of the Initial Study included in Appendix B of the 2020 EIR, the 2020 project would not physically divide an established community and would be consistent with the Palo Alto Municipal Code and the City's 2030 Comprehensive Plan. The HIP expansion program would involve an amendment to the PAMC to apply the HIP to the 18 parcels within the HIP expansion area, which would allow for increased FAR, elimination of maximum density requirements, and allowance to apply for a waiver to reduce requirements related to the preservation of existing retail space. The 2020 project would result in amended zoning requirements with which future housing projects would be required to comply. The 2020 EIR found no impacts related to land use and planning.

Impacts of the Proposed Project

The proposed project would include construction of a five-story, 75-unit residential building with 1,078 square feet of retail space and two levels of subterranean parking and would not include the construction of new roads or linear infrastructure or otherwise divide a community. There would be no impact in this regard, similar to the original project.

The proposed project has a 2030 Comprehensive Plan land use designation of Service Commercial and is zoned Service Commercial (CS). Pursuant to the provisions of PAMC Section 18.16.040(a)(1), multi-family residential uses are only permitted as part of a mixed-use development, or on Housing Inventory Sites, or for CN and CS sites on El Camino Real, or on CC(2) sites. The 2030 Comprehensive Plan allows for higher density multi-family housing in specific locations.

2030 Comprehensive Plan Consistency

Similar to what was analyzed in the 2020 EIR, the proposed mixed-use development would be consistent with the land uses envisioned for the Service Commercial land use designation under the 2030 Comprehensive Plan. Further, the Service Commercial land use designation does not have a maximum residential density and therefore the proposed project density would not conflict with density requirements.

The parcel at 808-814 San Antonio Road is identified as a housing inventory site in the City's 6th Cycle Housing Element with an assumed density of 40 dwelling units per acre, for approximately 17 units. The proposed project would include 75 residential units on this parcel as well as the adjacent parcel. As discussed in the Project Description, the number of residential units for the project site under the 2020 EIR was assumed to be 94 units. The 75 residential units proposed for the project would be within the number of dwelling units assumed for the project site that was analyzed in the 2020 EIR.

Similar to what was analyzed in the 2020 EIR, the proposed project would be consistent with policies L-1.1, 1.3, 1.11, 3.1, 6.1, and 6.7 of the 2030 Comprehensive Plan, and would involve high-quality urban design elements, including landscaping elements and open space, and a sensitivity to the existing built environment and neighboring uses. The proposed project would not conflict with the 2030 Comprehensive Plan or the City's 6th Cycle Housing Element and impacts would be less than significant.

Palo Alto Zoning Code Consistency

Table 4 compares existing CS development standards, the changes applied by the HIP, and the proposed project. As shown in the table, with the HIP applied, the proposed building would conform to the applicable zoning standards density, but would exceed site-specific allowances afforded by the HIP with respect to FAR, maximum height, and site coverage. Additionally, pursuant to PAMC Section 18.16.060, the proposed project would not satisfy the City's Retail Preservation requirements to add a minimum of 1,500 square feet of retail space. Nonetheless, the applicant has submitted an application for a rezoning of the site to Planned Community (PC) (also referred to as the Planned Home Zoning, PHZ, zone) in accordance with PAMC Section 18.38. This rezoning process allows housing projects to deviate from applicable Development Standards in exchange for the public benefit of new housing units with the City of Palo Alto.

Table 4 Zoning Development Standards Comparison Table

Development Standard	CS Base Zoning (Prior to HIP)	CS Zoning with HIP	Proposed Project
Maximum FAR	1.0	2.0	2.99
Maximum Residential Density	30 units per acre	No Maximum	85 units per acre
Maximum Site Coverage	50 percent	No Maximum	60 percent
Maximum Height	50 feet	50 feet	60 feet

The project would also be required to comply with the City's Below Market Rate (BMR) Program (PAMC Chapter 18.15). This program requires developers of projects with five or more units to provide 15 percent of the units to be affordable or to pay in-lieu fees to fund affordable housing projects in the city. The proposed project would exceed the number of BMR housing required to provide for 20 percent, or 16 units, of BMR housing. The proposed project would also be reviewed by the Architectural Review Board pursuant to the planned community rezoning process as outlined in PAMC Chapter 18.38. Therefore, with approval of the rezoning to Planned Community, the proposed project would be consistent with applicable regulations in the PAMC, and impacts would be less than significant.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to land use and planning than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.12 Mineral Resources

Impacts Identified in the 2020 EIR

As discussed in Section 12, *Mineral Resources*, of the Initial Study included in Appendix B of the 2020 EIR, Palo Alto does not contain mineral deposits of regional significance, and therefore no impacts related to mineral resources would occur.

Impacts of the Proposed Project

The proposed project would have no impact to mineral resources as development on the project site was analyzed in the 2020 EIR and is not located on mineral deposits or near mining operations.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to mineral resources than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.13 Noise

Impacts Identified in the 2020 EIR

As discussed in Section 4.5, *Noise*, of the 2020 EIR, construction of projects under the HIP expansion, including the 788 San Antonio Road project, would temporarily increase ambient noise levels at sensitive receptors in and near the HIP expansion area. As discussed under Impact N-1, construction noise within 100 feet of sensitive receptors would exceed measured daytime ambient noise by at least 10 dBA L_{eq}, resulting in potentially significant impacts on noise-sensitive receptors. However, future projects under the HIP would be required to implement Mitigation Measure N-1, which would reduce construction noise impacts to a less than significant level.

The 2020 EIR determined that operational noise impacts from the 2020 project would be less than significant. The 2020 EIR found that new HVAC equipment included in future projects would not generate greater noise than existing HVAC equipment at commercial and institutional buildings in the urbanized HIP expansion area, and on-site mechanical equipment would have a less than significant noise impact. The 2020 EIR also found that traffic generated by the HIP expansion would not increase background traffic volumes on roadway segments next to sensitive receptors by more than approximately 10 percent. A 10 percent increase in traffic volume would result in a 0.4 dBA increase in traffic noise, which would not exceed the Federal Transit Administration's (FTA) criterion for a significant increase in traffic noise of 1 dBA. The 2020 EIR determined that noise from delivery and trash trucks would also be consistent with existing noise levels and would not have a significant impact on sensitive receptors. Additionally, although the exposure of new residents to noise is not a CEQA issue since CEQA is only concerned with the impacts of a project on the environment and not the effects the existing environment may have on a project, the 2020 EIR determined that future project applicants would be required to design exterior wall assemblies to achieve interior levels of 45 dBA L_{dn}, which would prevent the exposure of new residents to excessive noise.

As discussed in Section 4.5 of the EIR, construction activities for projects under the HIP expansion would not generate vibration levels that would exceed Caltrans' recommended criterion of 0.5 PPV for potential damage of historic and old buildings from transient vibration sources. Therefore, vibrational impacts were found to be less than significant.

The 2020 EIR required the following mitigation measure:

N-1 **Construction-Related Noise Reduction Measures.** The applicant shall apply the following measures during construction of projects in the HIP expansion area:

- *Mufflers.* Construction equipment shall be properly maintained and all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds, as applicable, shall be in good condition and appropriate for the equipment. During construction, all equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers, consistent with manufacturers' standards.
- *Electrical Power.* Electrical power, rather than diesel equipment, shall be used to run compressors and similar power tools and to power temporary structures, such as construction trailers or caretaker facilities.
- *Equipment Staging.* All stationary equipment (e.g., air compressors, portable generators) shall be staged as far away from sensitive receptors as feasible. Where feasible, construct temporary noise barriers around stationary equipment in a manner

that fully blocks the line of sight to residential windows in the adjacent apartment complex.

- *Equipment Idling.* Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.
- *Workers' Radios.* All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near construction activity.
- *Smart Back-up Alarms.* Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.
- *Sound Barrier.* During the demolition, site preparation, grading, building, and paving phases of construction, temporary sound barriers shall be installed and maintained facing sensitive receptors (e.g., residential units, educational facilities) located within 100 feet of the center of construction activity. Temporary sound barriers shall, at a minimum, block the line of sight between noise-generating construction equipment and adjacent windows at sensitive receptors and shall be placed as close to the source equipment as feasible. Such barriers shall be field tested to reduce noise by at least 10 dBA at sensitive receptors. A sound barrier can achieve a 5 dBA noise level reduction when it is tall enough to break the line-of-sight from the source equipment to the sensitive receptor, and it can achieve an approximate 1 dBA additional noise level reduction for each 2 feet of height after it breaks the line of sight (FHWA 2011). Mobile sound barriers may be used as appropriate to attenuate construction noise near the source equipment.
- *Disturbance Coordinator*. The applicant shall designate a disturbance coordinator who shall be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler) and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

With implementation of this mitigation measure, the project was found to have less than significant impacts related to noise.

Impacts of the Proposed Project

The proposed project involves construction of 75 residential units, which would be within the density assumed for the site in the 2020 EIR of 94 units, and therefore would be within the density analyzed in the 2020 EIR. The proposed project would also be located on a site previously analyzed in the 2020 EIR, and therefore the noise analysis for the 2020 project would apply to the proposed project. As discussed in the 2020 EIR, construction noise could reach as high as an estimated 87 dBA L_{eq} at the nearest noise-sensitive receptors at a distance of 50 feet during the building construction phase, which would exceed measured daytime ambient noise levels ranging from 71 to 73 dBA L_{eq} along arterial streets by up to 16 dBA L_{eq}. Additionally, within a distance of 100 feet of construction activity, noise reaching 81 dBA L_{eq} would exceed existing ambient noise by an estimated 10 dBA L_{eq}. Similar to the 2020 project, the proposed project would be required to comply with Mitigation

Measure N-1 which would reduce the exposure of nearby sensitive receptors to construction noise to a less than significant level.

Similar to the 2020 project analyzed in the 2020 EIR, the proposed project's HVAC equipment, delivery and trash truck activity, and off-site traffic increases (less than 1dBA) would not generate noise in excess of standards set forth in the City's general plan or noise ordinance. Additionally, future residents would be required to comply with the City's Noise Ordinance, specifically PAMC Section 9.10.040, which states that "no person shall produce, suffer or allow to be produced by any machine or device, or any combination of same, on commercial or industrial property, a noise level more than eight dB above the local ambient at any point outside of the property plane." Therefore, for the same reasons described in the 2020 EIR, these operational noise impacts would remain less than significant.

As discussed in the 2020 EIR, construction activities would generate vibration levels reaching an estimated 0.210 PPV at a distance of 25 feet, if vibratory rollers are used to pave asphalt. Nonetheless, this vibration level would not exceed 0.25 PPV, Caltrans' recommended criterion for distinctly perceptible vibration from transient sources, and the proposed project also would not utilize vibratory rollers during construction activities. Therefore, similar to the 2020 project, the impacts of vibration on people and structures would be less than significant.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to noise than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary. Mitigation Measure N-1 from the 2020 EIR would continue to apply to the proposed project.

5.14 Population and Housing

Impacts Identified in the 2020 EIR

As discussed in Section 14, *Population and Housing*, of the Initial Study included in Appendix B of the 2020 EIR, the HIP expansion would allow for up to 818 new residential units and an addition of 1,881 new residents to the City population. Nonetheless, the 2020 EIR found that the housing growth associated with the 2020 project would be within Association of Bay Area Governments (ABAG) projections and would not substantially induce population growth. The 2020 EIR also found that the 2020 project would not displace substantial numbers of existing people or housing. Therefore, population and housing impacts were found to be less than significant.

Impacts of the Proposed Project

The proposed project involves construction of 75 residential units which would be within the density assumed for the site in the 2020 EIR of 94 units, and therefore would be within the density analyzed in the 2020 EIR. As discussed in the 2020 EIR, the increase in population and housing associated with the 2020 project, and consequently the proposed project, would be within ABAG's population forecasts for the city. Additionally, the proposed project would facilitate development of 75 residential units, which would help meet the City's Regional Housing Need Assessment goal. Furthermore, since there are no existing housing units or people residing on the project site, the

proposed project would not displace housing units or people. The proposed project would not result in unplanned population growth and would not displace housing or people, and impacts would be less than significant.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to population and housing than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.15 Public Services

Impacts Identified in the 2020 EIR

As discussed under Section 15, *Public Services and Recreation*, of the Initial Study included in Appendix B of the 2020 EIR, the 2020 project would not require expanded or new fire or police facilities, schools, or libraries. The 2020 EIR found that future projects under the HIP expansion would be located in existing urbanized areas already served by existing Palo Alto Fire Department (PAFD) and Palo Alto Police Department stations (PAPD), as well as Palo Alto Unified School District (PAUSD) schools. Public services impacts were found to be less than significant.

Impacts of the Proposed Project

The proposed project involves construction of 75 residential units, which would be within the density assumed for the site in the 2020 EIR of 94 units, and therefore would be within the density analyzed in the 2020 EIR. The proposed project would be consistent with the development goals and vision of the 2030 Comprehensive Plan and would produce housing for an increase in population within the expectations for Palo Alto. Similar to the 2020 project, the proposed project would be located in an urbanized area already served by existing PAFD and PAPD facilities, as well as PAUSD schools and the Palo Alto City Library. The proposed project would be required to comply with the same regulations as discussed in the 2020 EIR such as the California Fire Code and Senate Bill 50 (Section 65995(h)). For the same reasons as described in the 2020 EIR, the proposed project would result in less than significant impacts related to fire services, police services, schools, and libraries.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to public services than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.16 Recreation

Impacts Identified in the 2019 MND

As discussed in Section 16, *Recreation*, of the Initial Study included in Appendix B of the 2020 EIR, the 2020 project would result in only an incremental reduction in available recreational space per resident in the city and would not substantially alter citywide demand for parks such that substantial physical deterioration of parks would occur, or the construction of new recreational facilities would be required. Recreation impacts were found to be less than significant.

Impacts of the Proposed Project

The proposed project involves construction of 75 residential units, which would be within the density assumed for the site in the 2020 EIR of 94 units, and therefore would be within the density analyzed in the 2020 EIR. Similar to the 2020 project, although proposed project would contribute additional residents to the city's population, it would not substantially alter citywide demand for parks such that substantial physical deterioration of parks would occur, or the construction of new recreational facilities would be required. The proposed project would not include recreational facilities other than the on-site areas that would serve future residents of the project. The parks and recreational spaces closest to the project site are the Cubberley Community Center, approximately 0.6 mile southwest of the site, Wyandotte Park in Mountain View, approximately 0.6 mile southeast of the site, Ramos Park in Palo Alto, approximately 0.8 miles northwest of the site, and Mitchell Park in Palo Alto, approximately 1.1 miles northwest of the site Typically a condominium project exceeding 50 dwelling units would be required to provide Parkland Dedication. However, due to the site size and location, the applicant is requesting in-lieu fees to be charged, as allowed by PAMC 21.50.030(b)(1). Similar to the 2020 project, construction of the proposed project would not involve off-site activities or construction that would directly affect these parks, and impacts would be less than significant.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to recreation than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.17 Transportation

Impacts Identified in the 2020 EIR

As discussed in Section 4.6, *Transportation*, of the 2020 EIR, the 2020 project would not conflict with applicable policies addressing transit, roadway, bicycle, and pedestrian facilities, and impacts would be less than significant.

The 2020 EIR determined that the 2020 project would result in a net increase in 15,000 daily home-based vehicle miles traveled (VMT), and pursuant to City of Palo Alto standards, the project's VMT impact would be significant if the project would exceed the daily home-based VMT per resident threshold of 11.33 miles per resident (equivalent to 85 percent of the County home-based VMT average of 13.33 miles per resident). The 2020 EIR found that the 2020 project's VMT is anticipated

to be the most similar to the west side of San Antonio Road (TAZ 482) since it has existing multi-family dwellings, which has an average home-based VMT per resident of 11.02. Therefore, the 2020 project was found to generate a VMT per resident rate below the impact thresholds, resulting in less than significant VMT impacts.

The 2020 EIR found that the HIP expansion would not affect the configuration of the roadway network or introduce potentially hazardous design features such as sharp curves or dangerous intersections.

Pursuant to California Public Resources Code section 21099(b(2) and CEQA Guidelines Section 15064.3, "a project's effect on automobile delay shall not constitute a significant environmental impact." As explained in the 2020 EIR, because the City has updated its CEQA thresholds in accordance with state regulations, this analysis does not make significance conclusions with respect to impacts on Level of Service (LOS). However, although LOS is no longer the City's metric for analyzing traffic impacts under CEQA, the 2020 EIR describes traffic operations at the studied intersections in terms of LOS for informational purposes. The 2020 EIR found that development facilitated by the HIP expansion was found not to result in traffic delays that would exceed the City's standards.

The 2020 EIR also determined that the HIP expansion would not alter the capacity or configuration of streets on which emergency vehicles travel. Therefore, impacts related to traffic hazards and emergency access were found to be less than significant.

Impacts of the Proposed Project

Since the proposed project would be located on a parcel previously analyzed in the 2020 EIR and would be within the density analyzed in the 2020 EIR, similar to the 2020 project, the proposed project would have a project VMT most similar to the west side of San Antonio Road (TAZ 482) which has existing multi-family dwellings bordering San Antonio Road and an average home-based VMT per Capita of 11.02 miles per resident, which is below the City's VMT per resident standard of 11.33 miles. In addition, the proposed project would include 1,078 square feet of retail use which would be below the 10,000 square-foot screening criteria for local-serving retail outlined in the City's VMT Screening Criteria (City of Palo Alto 2020b). Therefore, the proposed project would not result in a significant VMT impact.

Similar to the 2020 project, the proposed project would border an existing Class III bicycle route with shared motor vehicle/bicycle travel lanes on San Antonio Road and would be located within a 1.5-mile walking distance from the San Antonio Caltrain Station via San Antonio Road, San Antonio Avenue, and Central Expressway. VTA bus route 32 serves the San Antonio Caltrain station and has a stop at the Middlefield Road/San Antonio Road intersection, which is a 0.4-mile walking distance (seven-minute walk) from the project site. The proposed project would include 75 long-term bicycle parking spaces and eight short-term bicycle parking spaces, which would be sufficient to meet the City's requirements for new residential development and encourage future residents to bicycle. Additionally, as discussed in Section 4.6, *Transportation*, of the 2020 EIR, the proposed project would not increase demand for bus and rail services beyond the current or planned capacity of the transit network, and project-specific demand also would not exceed transit capacity. Therefore, as with the 2020 project, the proposed project would result in less than significant impacts to transit, roadway, bicycle, and pedestrian facilities.

Similar to the 2020 project, the proposed project would only add residential units on a property adjacent to San Antonio Road but would not affect the configuration of this or other roadways. It

would not introduce potentially hazardous design features such as sharp curves or dangerous intersections. Additionally, the City and PAFD would review development proposals to ensure adequate emergency access in accordance with applicable regulations, including the California Building Code and Fire Code. As discussed above, although LOS is no longer the City's metric for analyzing traffic impacts under CEQA, for informational purposes only, since the project-generated trips would be within those accounted for and analyzed in the 2020 EIR, it can be determined that the proposed project would not result in traffic congestion that substantially impedes emergency vehicles on roadways. Therefore, impacts to traffic hazards and emergency access would be less than significant.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more significant impacts with respect to transportation than were identified in the 2020 EIR. None of the conditions listed in CEQA Guidelines Section 15162 requiring preparation of a subsequent EIR would occur. No new or revised mitigation measures are necessary.

5.18 Tribal Cultural Resources

Impacts Identified in the 2020 EIR

As discussed in Section 18, *Tribal Cultural Resources*, of the Initial Study included in Appendix B of the 2020 EIR, under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." In May 2016, the City of Palo received a single request from a tribe to be contacted in accordance AB 52. However, through subsequent correspondence with the tribe, it was concluded that the tribe had contacted the City of Palo Alto in error and did not wish to be contacted regarding future projects within the City's jurisdiction. The tribe, the Torres Martinez Desert Cahuilla Indians, is not traditionally or culturally affiliated with the geographic area within the City of Palo Alto. Because no other tribes had requested to be contacted, no notices in accordance with AB 52 were sent. Additionally, a Sacred Lands File (SLF) search was conducted as part of the 2020 EIR, which provided negative results.

As discussed in the 2020 EIR, although no tribal cultural resources are expected to be present within the HIP expansion area, there is the possibility of encountering undisturbed subsurface tribal cultural resources during demolition and construction activities. Mitigation Measure TCR-1 would be required to reduce impacts in the HIP expansion area and at the 788 San Antonio Road project site to a less than significant level.

The 2020 EIR required the following mitigation measures:

TCR-1 Unanticipated Discovery of Tribal Cultural Resources – HIP expansion area. In the event that cultural resources of Native American origin are identified during construction of any development associated with proposed HIP expansion, all earth-disturbing work in the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the County, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in

accordance with state guidelines and in consultation with Native American groups. The plan would include avoidance of the resource or, if avoidance of the resource is infeasible, the plan would outline the appropriate treatment of the resource in coordination with the archeologist, if applicable, and the appropriate Native American tribal representative.

TCR-1 Unanticipated Discovery of Tribal Cultural Resources – 788 San Antonio Road Project. In the event that cultural resources of Native American origin are identified during construction of any development associated with the proposed project site, all earth-disturbing work in the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the County, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. The plan would include avoidance of the resource or, if avoidance of the resource is infeasible, the plan would outline the appropriate treatment of the resource in coordination with the archeologist, if applicable, and the appropriate Native American tribal representative.

With implementation of mitigation measures, the project was found to have less than significant impacts related to tribal cultural resources.

Impacts of the Proposed Project

The proposed project would be located on a parcel previously analyzed in the 2020 EIR. As with the project analyzed in the 2020 EIR, tribal cultural resources are not expected to be present on-site. Nonetheless, like the original project, the proposed project would include construction activities such as grading and excavation to a depth of approximately 30 feet which could lead to unanticipated discovery of tribal cultural resources. Therefore, Mitigation Measure TCR-1 would continue to apply to the proposed project which would address potential impacts in the event tribal cultural resources are found during construction. Impacts would be less than significant with mitigation incorporated.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to tribal cultural resources than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary and Mitigation Measure TCR-1 from the 2020 EIR would continue to apply to the proposed project.

5.19 Utilities and Service Systems

Impacts Identified in the 2020 EIR

As discussed in Section 19, *Utilities and Service Systems*, of the Initial Study included in Appendix B of the 2020 EIR, the city's Regional Water Quality Control Plan (RWQCP) would have sufficient wastewater capacity to serve the 2020 project, and the 2020 project would not exceed wastewater treatment requirements or require or result in the construction of new wastewater treatment

facilities. Similarly, the city would have sufficient water supplies to accommodate the increased demand from the 2020 project, since Palo Alto's Urban Water Management Plan (UWMP) states that the city can reliably meet the projected water demand in each of the hydrological conditions through 2035. The 2020 EIR determined that the 2020 project would not result in a substantial physical deterioration of public water facilities and would not require the construction of new water facilities. The 2020 EIR also found that the Kirby Canyon Landfill would have sufficient permitted capacity to accommodate the project's solid waste disposal needs, and the 2020 project would not result in substantial physical deterioration of public solid waste facilities. Therefore, utilities and service systems impacts were found to be less than significant.

Impacts of the Proposed Project

The proposed project involves 75 residential units, which would be within the density assumed for the site in the 2020 EIR of 94 units, and therefore would be within the density analyzed in the 2020 EIR. As discussed in the 2020 EIR, new development under the HIP, including the proposed project, would not require or result in the construction of new water or wastewater treatment facilities or expansion of facilities. The City would have available water supply through 2035 to serve the increased water demand for the proposed project, and the RWQCP would have sufficient capacity to accommodate the increase in wastewater generation for the proposed project. Similarly, the Kirby Canyon Landfill would have sufficient permitted capacity to accommodate the proposed project's solid waste disposal needs. For the same reasons as described in the 2020 EIR, the proposed project would not cause a significant impact to water, wastewater, and solid waste facilities.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to utilities and service systems than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.20 Wildfire

Impacts Identified in the 2020 EIR

As discussed in Section 20, *Wildfire*, of the Initial Study included in Appendix B of the 2020 EIR, the HIP expansion area is not located in or near a Fire Hazard Severity Zone or Very High Hazard Severity Zone for wildland fires. There would be no impacts related to wildfire.

Impacts of the Proposed Project

Similar to the 2020 project, the proposed project is not located in or near a Fire Hazard Severity Zone or Very High Hazard Severity Zone for wildland fires (Cal Fire 2008). Similar to the 2020 project, there would be no impacts related to wildfire.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to wildfire than were identified in the

2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary.

5.21 Mandatory Findings of Significance

Impacts Identified in the 2020 EIR

As discussed in Section 21, *Mandatory Findings of Significance*, of the Initial Study included in Appendix B of the 2020 EIR, impacts to nesting birds would be less than significant with the implementation of mitigation measures BIO-1 and BIO-2. As discussed in Section 4.2, Cultural Resources, of the 2020 EIR, impacts to cultural and historical resources would be less than significant with implementation of mitigation measures CUL-1 through CUL-4 as well as CR-1 and CR-2. Impacts to human beings associated with air quality, hazards and hazardous materials, and noise impacts would be less than significant with implementation of mitigation measures AQ-1, HAZ-1, and N-1. The 2020 EIR also found that with adherence to the above-mentioned mitigation measures, the 2020 project would not result in cumulatively considerable impacts and cumulative impacts would be less than significant.

Impacts of the Proposed Project

Since the proposed project would be located on a parcel previously analyzed in the 2020 EIR and would be within the density analyzed in the 2020 EIR, similar to the 2020 project, cumulatively considerable impacts would be less than significant with continued implementation of mitigation measures AQ-1, BIO-1, CUL-1, CR-1, CR-2, HAZ-1, and N-1. The proposed project would not cause a significant impact to plant and animal communities, historical and cultural resources, or human beings with implementation of mitigation. Additionally, since the proposed project would be within the density analyzed in the 2020 EIR, the project's contributions to cumulative impacts would be the same as any project within the buildout of the 2020 EIR, and therefore the proposed project's impacts would not be cumulatively considerable, similar to the conclusions of the 2020 EIR.

Conclusion

No substantial changes have occurred that require major revisions to the 2020 EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts than were identified in the 2020 EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR would occur. No new mitigation measures are necessary and mitigation measures AQ-1, BIO-1, CUL-1 and CUL-2, HAZ-1, and N-1 from the 2020 EIR would continue to apply to the proposed project.

6 Conclusion

This addendum demonstrates that potential impacts associated with the proposed project are consistent with potential impacts characterized in and mitigation measures developed for the 2020 EIR. Substantive revisions to the 2020 EIR are not necessary because no new significant impacts or impacts of substantially greater severity than previously described would occur as a result of the proposed project. Therefore, the following determinations are applicable:

- No further evaluation of environmental impacts is required for the proposed project
- No Subsequent EIR or negative declaration is necessary per *CEQA Guidelines* Section 15162
- This addendum is the appropriate level of environmental analysis and documentation for the proposed project in accordance with *CEQA Guidelines* Section 15164

Pursuant to *CEQA Guidelines* Section 15164(c), this addendum will be included in the public record for the 2020 EIR and will be considered as part of the deliberations on the proposed project. Documents related to this addendum will be available at the City of Palo Alto Planning and Development Services Department.

7 References and Preparers

References

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List of Preparers

Rincon Consultants, Inc. prepared this addendum under contract to the City of Palo Alto. Persons and firms involved in data gathering, analysis, project management, and quality control include the following:

RINCON CONSULTANTS, INC.

Abe Leider, AICP CEP, Principal-in-Charge
Karly Kaufman, MESM, Project Manager
Nichole Yee, Environmental Planner
Bill Vosti, Program Manager – Air Quality, GHG Emissions, and Noise
Audrey Brown, GIS Specialist