

135 Hamilton Avenue Mixed Use Project

Initial Study



CITY OF
**PALO
ALTO**

August 29, 2012

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

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ENVIRONMENTAL CHECKLIST
Department of Planning and Community Environment

PROJECT DESCRIPTION

1. PROJECT TITLE

135 Hamilton Avenue Mixed Use Project

2. LEAD AGENCY NAME AND ADDRESS

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

3. CONTACT PERSON AND PHONE NUMBER

Clare Campbell, Planner
City of Palo Alto
650-617-3191

4. PROJECT SPONSOR'S NAME AND ADDRESS

Perry Palmer
Keenan Lovewell Ventures
700 Emerson Street
Palo Alto, CA 94301

5. APPLICATION NUMBER

11PLN-00463

6. PROJECT LOCATION

The project site is located in the downtown area of Palo Alto, in the northern part of Santa Clara County, west of U.S. Highway 101 and east of State Route 82 (El Camino Real), as shown on Figure 1, *Regional Map*. The project site is located on the westerly corner of the intersection of Hamilton Avenue and High Street, as shown on Figure 2, *Vicinity Map*.

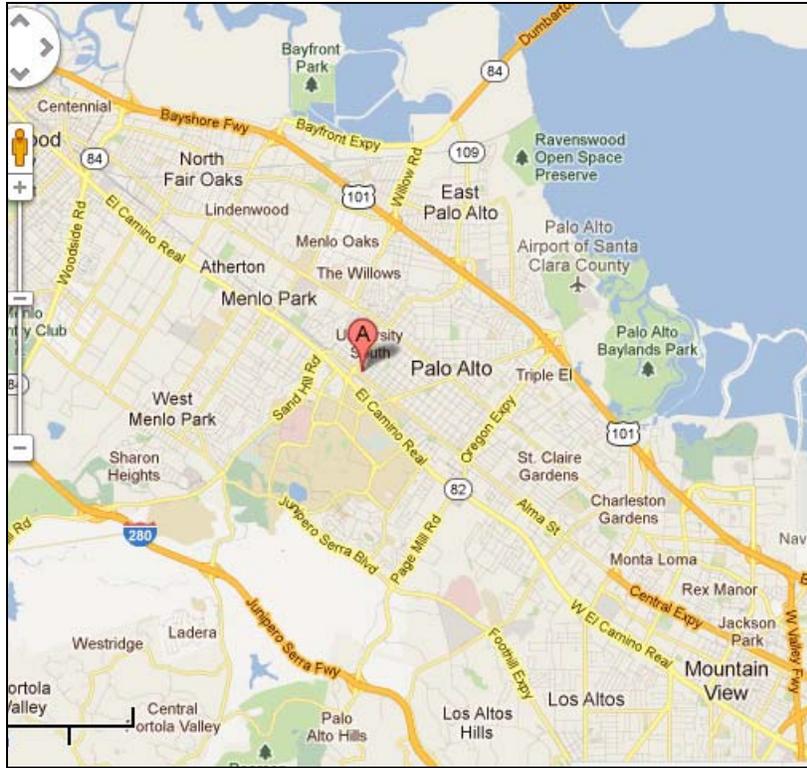


Figure 1: Regional Map

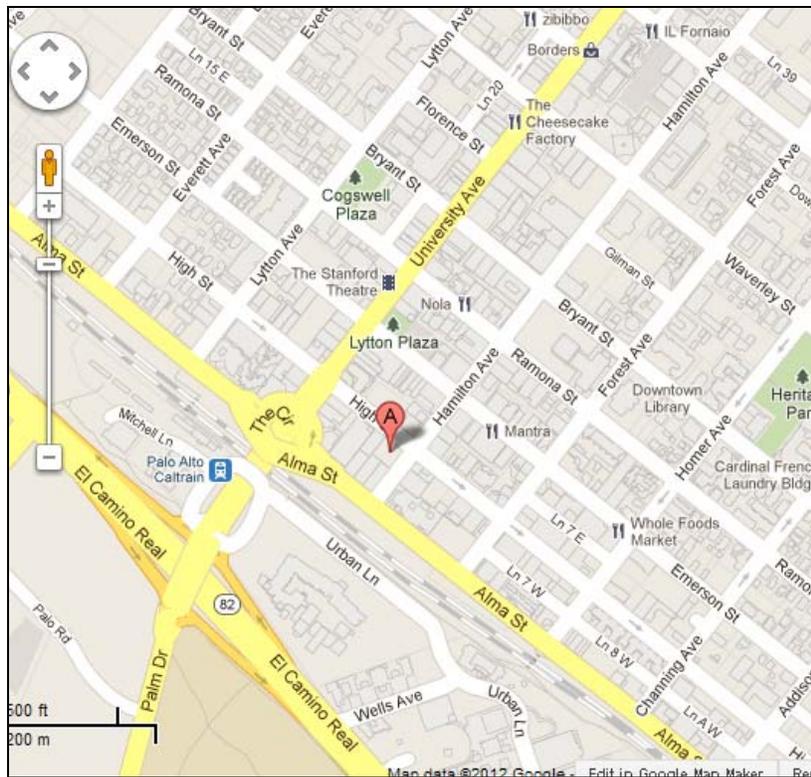


Figure 2: Vicinity Map

7. GENERAL PLAN DESIGNATION

The project area is designated as Regional/Community Commercial in the Palo Alto 1998 – 2010 Comprehensive Plan. This land use designation includes larger shopping centers and districts that have wider variety goods and services than the neighborhood shopping areas. They rely on larger trade areas and include such uses as department stores, bookstores, furniture stores, toy stores, apparel shops, restaurants, theaters, and non-retail services such as offices and banks. The proposed mixed use project is consistent with the Comprehensive Plan designation.

8. ZONING

The project site is zoned CD-C(P), Downtown Commercial District - Community with a Pedestrian shopping combining district overlay. The CD downtown commercial district is intended to be a comprehensive zoning district for the downtown business area, accommodating a wide range of commercial uses serving city-wide and regional business and service needs, as well as providing for residential uses and neighborhood service needs. The CD commercial downtown district is specifically created to promote the following objectives in the downtown area of Palo Alto: (1) control the rate and size of commercial development; (2) preserve and promote ground-floor retail uses; (3) enhance pedestrian activity; (4) create harmonious transitions from the commercial areas to adjacent residential areas; and (5) where applied in conjunction with Chapter 16.49 of the Palo Alto Municipal Code, preserve historic buildings.

The (P) Pedestrian shopping combining district is intended to modify the regulations of the CD-C downtown commercial district in locations where it is deemed essential to foster the continuity of retail stores and display windows and to avoid a monotonous pedestrian environment in order to establish and maintain an economically healthy retail district.

The proposed mixed use project is consistent with the allowed uses and district purposes outlined for the CD-C(P) zone.

9. PROJECT DESCRIPTION

The proposed project is a new four-story 27,149 square foot mixed-use building on an existing vacant lot. The building would include three floors of commercial use, approximately 20,000 square feet, and two two-bedroom residential units on the top floor. The project also includes a full basement to be used for the parking garage. In addition to the required Palo Alto Architectural Review process, the project would also require approval of a Variance request to allow a five-foot ten-inch encroachment into the 7' Special Setback on Hamilton Avenue for a length of approximately 84 feet.

The standard development of a mixed-use project in the CD-C zone district is limited to a maximum of 2:1 (limited to 1:1 for commercial and 1:1 for residential) for the floor area ratio (FAR). As permitted by Palo Alto Municipal Code (PAMC) Section 18.18, this site is eligible

to be developed up to a 3:1 FAR with the incorporation of Transfer of Development Rights (TDR's). The proposed project has a 2.74: 1.0 FAR.

Review Process

The project is required to undergo Architectural Review, and possibly a Design Enhancement Exception or Variance, for the Planning entitlement and shall obtain appropriate encroachments permits from the Public Works department for construction activities in the city right-of-way, as well as the standard required building permits. The project is required to comply with the Palo Alto Municipal Code (PAMC).

10. SURROUNDING LAND USES AND SETTING

The project area is a commercial zone with a variety of uses that include office, restaurants, personal services, and retail.

11. OTHER PUBLIC AGENCY APPROVALS REQUIRED

Not applicable.

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. **[A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e. g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).]**
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "(Mitigated) Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).

- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (C)(3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

DISCUSSION OF IMPACTS

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

A. AESTHETICS

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

Issues and Supporting Information Resources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project: (other than public streets and adjacent sidewalks) between 9:00 a.m. and 3:00 p.m. from September 21 to March 21?					

DISCUSSION:

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

The project will clearly be visible and noticeable since the existing condition of the parcel is vacant and fully undeveloped. The proposed project is generally consistent with the development standards for the CD-C(P) zone district, and through the Architectural Review process, the approved project will have less than significant visual impacts.

Mitigation Measures: None Required

B. AGRICULTURAL AND FOREST RESOURCES

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

Issues and Supporting Information Resources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	1				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	1, 2-MapL9				X

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g) ¹) or timberland (as defined in Public Resources Code section 4526 ²)?	1				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?	1				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	1				X

DISCUSSION:

The project area is not located in a “Prime Farmland”, “Unique Farmland”, or “Farmland of Statewide Importance” area, as shown on the maps prepared for the Farmland Mapping and Monitoring Program of the California Resources Agency. The site is not zoned for agricultural use, and is not regulated by the Williamson Act. The project area is within a fully developed urban area and has no impacts on forest or timberland.

Mitigation Measures: None Required

C. AIR QUALITY

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct with implementation of the applicable air quality plan (1982 Bay Area Air Quality Plan & 2000 Clean Air Plan)?	1,5			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation indicated by the following:					
i. Direct and/or indirect operational emissions that exceed the Bay Area Air	1,5			X	

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

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

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Quality Management District (BAAQMD) criteria air pollutants of 80 pounds per day and/or 15 tons per year for nitrogen oxides (NO), reactive organic gases (ROG), and fine particulate matter of less than 10 microns in diameter (PM ₁₀);					
ii. Contribute to carbon monoxide (CO) concentrations exceeding the State Ambient Air Quality Standard of nine parts per million (ppm) averaged over eight hours or 20 ppm for one hour(as demonstrated by CALINE4 modeling, which would be performed when a) project CO emissions exceed 550 pounds per day or 100 tons per year; or b) project traffic would impact intersections or roadway links operating at Level of Service (LOS) D, E or F or would cause LOS to decline to D, E or F; or c) project would increase traffic volumes on nearby roadways by 10% or more)?	1,5			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	1,5			X	
d) Expose sensitive receptors to substantial levels of toxic air contaminants?	1,5			X	
i. Probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds 10 in one million	1			X	
ii. Ground-level concentrations of non-carcinogenic TACs would result in a hazard index greater than one (1) for the MEI	1			X	
e) Create objectionable odors affecting a substantial number of people?	1			X	
f) Not implement all applicable construction emission control measures recommended in the <i>Bay Area Air Quality Management District CEQA Guidelines</i> ?	1				X

DISCUSSION:

The project site is located in the Santa Clara Valley, which is part of the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) has the primary responsibility for ensuring that the Santa Clara Valley Air Basin attains and maintains compliance with federal and state ambient air quality standards. This regional agency regulates air quality through its permit authority

over most types of stationary emission sources and through its planning and review process. Ambient air quality standards are set to protect public health. There are currently both Federal and State ambient air quality standards by USEPA and state air quality agencies, CALEPA for California. California air quality standards are generally more stringent than federal standards. Continuous air monitoring by these agencies and BAAQMD ensure that air quality standards are being met and improved.

It is anticipated that during construction activities that there may be temporary air quality impacts. The project's construction related activities are required to comply with BAAQMD and Palo Alto's regulations and therefore will not conflict with any applicable air quality plans, expose any sensitive receptors to substantial pollutants, nor add any objectionable odors to the neighborhood.

Mitigation Measures: None Required

D. BIOLOGICAL RESOURCES

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

DISCUSSION:

The project site is a vacant paved parking lot located within a fully developed urban setting. There are no sensitive plants or animal species identified in this area. The street trees to be replaced are not a species identified as “protected” under the City’s municipal code and their removal would not conflict with local ordinances.

Mitigation Measures: None Required

E. CULTURAL RESOURCES

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

DISCUSSION:

The proposed project involves construction activities within a fully developed and previously disturbed site. The proposed project will not create any cultural impacts to the affected area. For all projects, if during grading and construction activities, any archaeological or human remains are encountered, construction shall cease and a qualified archaeologist shall visit the site to address the find. The Santa Clara County Medical Examiner’s office shall be notified to provide proper direction on how to proceed. If any Native American resources are encountered during construction, construction shall cease immediately until a Native American descendant, appointed by the Native American Heritage Commission of the State of California, is able to evaluate the site and make further recommendations and be involved in mitigation planning.

Mitigation Measures: None Required

F. GEOLOGY, SOILS AND SEISMICITY

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	11, 7				X
ii) Strong seismic ground shaking?	2-MapN10, 7			X	
iii) Seismic-related ground failure, including liquefaction?	2-MapN5, 7				X
iv) Landslides?	2-MapN5, 7				X
b) Result in substantial soil erosion or the loss of topsoil?	1, 7				X
c) Result in substantial siltation?	1, 7				X
d) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	2-MapN5, 7				X
e) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	2-MapN5, 7			X	
f) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	1, 7				X
g) Expose people or property to major geologic hazards that cannot be mitigated through the use of standard engineering design and seismic safety techniques?	1,5, 7				X

DISCUSSION:

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

The project site is located in an area with expansive soils and strong seismic ground shaking. The new building will be constructed to meet the current building code standards and the project is not anticipated to create any new geology, soils and seismicity impacts.

Mitigation Measures: None Required

G. GREENHOUSE GAS EMISSIONS

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

DISCUSSION:

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

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

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

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

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

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

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

The proposed project is comprised of two residential units and 20,000 square feet of commercial office area. Based on the size of the project, in comparison with types of significant projects listed in the table above, the project is not anticipated to create significant operational GHG emissions or to create significant vehicle trips beyond the existing conditions. During the construction phase of the project there would be a temporary increase in emissions; this discussion is provided in the Air Quality section of this report.

Mitigation Measures: None Required

H. HAZARDS AND HAZARDOUS MATERIALS

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

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

DISCUSSION:

The project site was occupied by repair and welding operations in the early 1900’s, and by a gasoline service station between the 1930’s and 1960’s. Since that time, the site has been used as a paved parking lot. A Phase I Environmental Site Assessment (ESA) and subsurface investigations report was completed in 2006 and updated in 2012 for the project site. Soil samples were collected in the suspected approximate locations of the former fuel pump islands and underground storage tanks, respectively. The soil samples contained trace elements of hazardous materials from the previous uses, but at concentrations below the Regional Water Quality Control Board Environmental Screening Level. Based on the Phase I ESA findings and results of the soils and groundwater investigations performed, no additional investigative activities were recommended at this time. During earthwork operations, as part of the construction activities, any underground storage tanks, fuel conveying piping, or potentially contaminated soils encountered should be managed in accordance with the applicable laws and regulations.

The proposed project does not involve the use or creation of hazardous materials. The project site is not designated as an evacuation route and is not located within or near the wildland fire danger area. The proposed project would have less than significant impacts with regard to public safety, hazards and hazardous materials.

Mitigation Measures: None Required

I. HYDROLOGY AND WATER QUALITY

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	1,2,5,7				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	2-MapN2, 7				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	1,5				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	1,5				X
e) Create or contribute runoff water which would	1,5				X

exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?					
f) Otherwise substantially degrade water quality?	1,5				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	2-MapN6				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	2-MapN6				X
i) Expose people or structures to a significant risk of loss, injury or death involve flooding, including flooding as a result of the failure of a levee or dam or being located within a 100-year flood hazard area?	2-MapN8				X
j) Inundation by seiche, tsunami, or mudflow?	2-MapN6				X
k) Result in stream bank instability?	1,5				X

DISCUSSION:

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

Mitigation Measures: None Required

J. LAND USE AND PLANNING

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	1,5				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	1,2,3,4,5				X
c) Conflict with any applicable habitat conservation plan or natural community	1,2				X

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
conservation plan?					
d) Substantially adversely change the type or intensity of existing or planned land use in the area?	1,5				X
e) Be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height?	1,5				X
f) Conflict with established residential, recreational, educational, religious, or scientific uses of an area?	1,5				X
g) Convert prime farmland, unique farmland, or farmland of statewide importance (farmland) to non-agricultural use?	1,2,3				X

DISCUSSION:

The proposed mixed-use project is compatible with the existing downtown land uses in the immediate vicinity. The site improvements are intended to compliment and enhance the existing commercial district and are not anticipated to create any land use impacts.

Mitigation Measures: None Required

K. MINERAL RESOURCES

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

DISCUSSION:

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

Mitigation Measures: None Required.

L. NOISE

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

DISCUSSION:

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

district with an active train station a few blocks away; the existing noise conditions are not quiet and the temporary construction activities will not create any new significant noise impacts.

Mitigation Measures: None Required

M. POPULATION AND HOUSING

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	1				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	1, 5				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	1, 5				X
d) Create a substantial imbalance between employed residents and jobs?	1, 6				X
e) Cumulatively exceed regional or local population projections?	1				X

DISCUSSION:

The proposed project, on a vacant parcel, is not anticipated to have any impacts on the city population; the new residential units and commercial area is not substantial enough to change the population growth for the city.

Mitigation Measures: None Required

N. PUBLIC SERVICES

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

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Police protection?	1				X
c) Schools?	1				X
d) Parks?	1				X
e) Other public facilities?	1				X

DISCUSSION:

The proposed project is located within a fully developed and already serviced area. The project’s needs can be accommodated by the existing services and does not require any expansion of facilities and services. The project is anticipated to have no significant impacts upon the existing public services of the City.

Mitigation Measures: None Required

O. RECREATION

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

DISCUSSION:

The proposed project, with two residential units and commercial area, is not anticipated to generate a significant number of new users so as to create impacts to the existing City recreational facilities.

Mitigation Measures: None Required

P. TRANSPORTATION AND TRAFFIC

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

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

DISCUSSION:

The proposed project is anticipated to generate less than 50 net new peak hour vehicle trips, which is below the City’s threshold for requiring a focused traffic analysis, and less than the local congestion management agency’s (CMA) threshold for a detailed traffic impact analysis (100 trips). Based on the relatively low traffic generation estimates, the project is not anticipated to result in significant peak hour or daily traffic impacts.

Parking in and of itself is not considered an environmental impact, but rather the related vehicle emissions that are generated by the project’s patrons, who have to drive around looking for parking. The proposed project requires 84 parking spaces, four for the two residential units and 80 for the commercial area (one space for every 250 sf of floor area); the project includes 23 onsite spaces. The project qualifies for parking reductions due to the use of TDR’s and may be eligible for other reductions outlined in the municipal code. The project will comply with the parking requirements as outlined in Title 18 of the Palo Alto Municipal Code. There will, however, be a net deficiency in parking spaces, which may incrementally add to parking concerns in the downtown and surrounding neighborhoods. Those impacts, however, will not cause significant increases in congestion or deterioration in air quality.

The proposed project does not encourage growth and development and is not anticipated to create significant traffic and transportation impacts.

Mitigation: None Required

Q. UTILITIES AND SERVICE SYSTEMS

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

DISCUSSION:

The proposed project is located within a fully developed and already serviced area. The utility related needs of the new commercial and residential units can be accommodated by the existing infrastructure and does not require any expansion of facilities and services. The project is anticipated to have no significant increase in the demand on existing utilities and service systems or impacts to these services.

Mitigation Measures: None Required

R. MANDATORY FINDINGS OF SIGNIFICANCE

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

DISCUSSION:

As discussed in the Biological Resources section, this project does not impact sensitive wildlife or plant habitats, and the project’s cumulative impacts are limited to the GHG emissions. A project of this scope is not anticipated to create cumulatively considerable impacts of any other nature. See the Greenhouse Gas Emissions section for further discussion.

SOURCE REFERENCES

1. Project Planner's knowledge of the site and the proposed project
2. Palo Alto Comprehensive Plan, 1998-2010
3. Palo Alto Municipal Code, Title 18 – Zoning Ordinance
4. Palo Alto Tree Technical Manual, Municipal Code Chapter 8.10.030, June 2001
5. Project Plans
6. Focused Traffic Study 135 Hamilton Ave, February 2012
7. Geotechnical Investigation, April 2007
8. Not used
9. California Environmental Quality Act Air Quality Guidelines, June 2010
10. Palo Alto Historic Resources Inventory
11. Alquist-Priolo Earthquake Fault Zoning Map
12. Palo Alto Municipal Code, Section 9.10-Noise Ordinance

DETERMINATION

On the basis of this initial evaluation:

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

Project Planner

Date