TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER

DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT

DATE: APRIL 28, 2008

CMR: 214:08

SUBJECT: APPROVAL OF SITE AND DESIGN REVIEW AND RECORD OF LAND USE ACTION TO ALLOW THE CONSTRUCTION OF A 3,600 SQUARE FOOT ULTRAVIOLET (UV) DISINFECTION FACILITY TO REPLACE THE EXISTING SYSTEM, AND THE ADOPTION OF A RESOLUTION APPROVING THE NEGATIVE DECLARATION FOR THE UV DISINFECTION FACILITY FOR THE PALO ALTO REGIONAL WATER QUALITY CONTROL PLANT AT 2501 EMBARCAPEDERO WAY

RECOMMENDATION
The Planning and Transportation Commission (PTC), Architectural Review Board (ARB) and staff recommend that the City Council adopt a Resolution to approve a Negative Declaration and the application for Site and Design Review for a new ultraviolet wastewater treatment facility, based on the findings and draft conditions of approval in the Record of Land Use Action (Attachments A & B).

PROJECT DESCRIPTION
The Regional Water Quality Control Plant (RWQCP) began planning for a sustainable future with the initiation of the Long-Term Goals Study (LTGS) in 2000. Through a series of workshops, the RWQCP and stakeholders established a set of goals for the plant that meet the environmental and socioeconomic needs of the community. The disinfection system was the focus of the LTGS because of its use of hazardous chemicals, and was identified for change as the first step towards sustainability. Subsequent studies and workshops with the stakeholders concluded that ultraviolet (UV) disinfection presents the most viable alternative for replacing the existing chemical disinfection system. The life cycle analysis showed that the UV alternative releases fewer toxins, consumes less energy, and lowers the RWQCP’s greenhouse gas emissions substantially. On August 6, 2007 (CMR:322:07), Council authorized consultants, RMC Water and Environment, to design the new UV facility. Construction of the project is tentatively scheduled to begin at the end of 2008, once all entitlements have been received and funding is secured.
The proposed UV wastewater treatment facility will be replacing the existing chemical based treatment system. The new UV facility would consist of a 3,600 square foot concrete channel structure approximately 80 feet long and 45 feet wide, sitting 11 feet above grade. The UV facility and the associated lamp washdown and cleaning area would be permanently covered by an open-walled structure that would be approximately 30 feet tall. The project includes the installation of photovoltaic (PV) panels on the structure’s roof top. The base of the structure is unfinished concrete with aluminum railings. The metal canopy will have a dark brown finish, similar to the existing buildings at the facility. Attachment D includes additional background information, site photos, and photosimulations of the project.

**DISCUSSION**

The project site is located within the Palo Alto Baylands Nature Preserve, bordered by Embarcadero Road and Harbor Road, directly across from the Bay. The site is zoned Public Facility with the Site and Design Overlay PF(D). The RWQCP has the primary function of treating the entire City’s wastewater before it is released into the Bay. The wastewater plant functions are an existing permitted use, and the proposed UV facility is compatible with existing uses at the site. Within the RWQCP site, there are numerous buildings and structures, all related to its daily operations. Along the Embarcadero Road and Harbor Road frontages, there is existing mature vegetation approximately 50 to 75 feet tall that screens many of the internal structures. The RWQCP is surrounded by passive recreational uses, the Palo Alto Airport, and office warehouse uses.

The project is in conformance with the zoning regulations for the PF zone district, but because the project is located in the Baylands Nature Preserve, there are additional principles for development that should be followed (see Attachment I). The overall mass of the project, due primarily to the canopy requirements, does not fit well with the Bayland’s aesthetic, but the project is well screened from all public views. However, the facility has a utilitarian function and has limited design alternatives.

The proposed project meets the four Site and Design review findings as outlined in Attachment A, Section 3.

**BOARD/COMMISSION REVIEW AND RECOMMENDATIONS**

On March 12, 2008, the Planning and Transportation Commission reviewed the proposed project and recommended (6-0-0-1) that the project be approved, with two additional conditions. There was one member of the public who spoke in general support of the project, but voiced concerns about the loss of four parking spaces and questioned the format of the Record of Land Use Action. Verbatim minutes are found in Attachment K.

At the PTC meeting, there was discussion about the importance of the landscape screening of the project and site overall. The conditions that were added by the Commission addressed these specific concerns. The first condition was to add landscaping to a section on Embarcadero Road that had a gap in the existing landscaping and secondly to prepare and implement a landscape plan for appropriate screening of the entire facility that is harmonious with the Baylands. Attachment A, Section 6, provides the complete list of draft conditions of approval for the project.
On April 3, 2008, the Architectural Review Board reviewed the proposed project and recommended (5-0) that the project be approved, with one additional condition to require that the project include an educational component for the public that describes the functions of this facility. The RWQCP has provided a summary of their existing educational program (Attachment E) that meets this ARB condition. No members of the public spoke on this item. Verbatim minutes are found in Attachment M.

**RESOURCE IMPACT**
The funds for the project have been appropriated in the Wastewater Treatment Enterprise fund. It is expected that grants and the State Revolving Fund will cover most of the estimated project cost of $21.3 million. Since the City is in the process of applying for more than one funding source, the specific breakdown of the funding for the project has yet to be determined.

**POLICY IMPLICATIONS**
The proposed project is consistent with the Comprehensive Plan and Baylands Master Plan and staff believes there are no other substantive policy implications. The project is well screened from public views, which mitigates its visual impact on the Baylands Nature Preserve. The project advances the City’s sustainability policies by using the UV treatment process and by incorporating the PV panels on the roof.

**ENVIRONMENTAL IMPACTS**
The proposed project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). An Initial Study has been completed and a Draft Negative Declaration has been prepared for this project in accordance with the CEQA requirements. The 30-day public comment period for this document was completed on February 29, 2008. No comments were received on the Draft Negative Declaration.

**PREPARED BY:**

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**CITY MANAGER APPROVAL:**

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**ATTACHMENTS**
A. Record of Land Use Action  
B. Resolution Approving the Negative Declaration  
C. Location Map  
D. Applicant Submittal / Background  
E. RWQCP Educational Program  
F. Comprehensive Plan Table  
G. Zoning Table  
H. Correspondence  
I. Site Assessment and Design Guidelines, Palo Alto Baylands Nature Preserve (excerpt)  
J. PTC Staff Report, March 12, 2008 w/o attachments  
K. PTC Excerpt Verbatim Minutes, March 12, 2008  
L. ARB Staff Report, April 3, 2008 w/o attachments  
M. ARB Excerpt Verbatim Minutes, April 3, 2008  
N. Negative Declaration and Initial Study Checklist  
O. Plans (Councilmembers only)*

* Prepared by Applicant; all other attachments prepared by Staff

**COURTESY COPIES**
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