ORDINANCE NO. ________
ORDINANCE OF THE COUNCIL OF THE CITY OF PALO ALTO
AMENDING THE ZONING MAP OF THE CITY OF PALO ALTO TO
CHANGE THE ZONE DESIGNATION FOR 420 CAMBRIDGE
AVENUE FROM COMMUNITY COMMERCIAL (2) ZONE
DESIGNATION TO THE PEDESTRIAN AND TRANSIT ORIENTED
DEVELOPMENT (PTOD) COMBINING DISTRICT.

The Council of the City of Palo Alto does ORDAIN as
follows:

SECTION 1. The City Council finds as follows:

A. The Planning and Transportation Commission, after
a duly noticed public hearing on October 15, 2008 has
recommended that the City Council rezone the subject site (420
Cambridge Avenue) to the California Avenue Pedestrian and
Transit Oriented Development Combining District (PTOD) zone
designation.

B. The Planning and Transportation Commission has
reviewed the facts presented at the public hearing, including
public testimony and reports and recommendations from the
director of planning and community environment or other
appropriate city staff.

C. The Planning and Transportation Commission finds
that the subject site is within the PTOD boundary;

D. The Planning and Transportation Commission finds
that rezoning the parcel to the California Avenue Pedestrian and
Transit Oriented Development Combining District (PTOD) zoning is
in accord with the Palo Alto Comprehensive Plan, in that the
Comprehensive Plan designation of the site is Regional Community
Commercial Research and Transit Oriented Residential.

E. The Council has held a duly noticed public
hearing on the matter on November 17, 2008, and has reviewed the
environmental documents prepared for the project and all other
relevant information, including staff reports, and all
testimony, written and oral, presented on the matter.

SECTION 2. The Council finds that the public interest,
health and welfare require an amendment to the Zoning Map of the
City of Palo Alto as set forth in Section 3.
SECTION 3. The Council hereby amends the Zoning Map of the City of Palo Alto to place the subject site (420 Cambridge Avenue), California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) zoning designation.

SECTION 4. The City Council further determines that the rezoning is subject to the following limitations:

a. The development shall be a mixed use project comprising ground floor retail or personal service uses with residential use on the upper floors;
b. Retail and/or personal service uses on the ground floor shall comprise approximately 1,360 square feet;
c. A minimum of four (4) residential units shall be provided, totaling approximately 6,000 square feet of floor area;
d. The maximum building height shall not exceed 40 feet; and

e. A minimum of eleven (11) off-street parking spaces shall be provided.

These limitations shall be recorded as conditions on the property, to the satisfaction of the City Attorney and Planning Director. Modifications to these conditions may be approved by the Planning Director only to the extent that increases or decreases do not exceed 10% of the allowable outlined in parts (a) through (d) and remain in compliance with all other applicable zoning requirements.

SECTION 5. The Council hereby finds that this rezoning is subject to environmental review under provisions of the California Environmental Quality Act (CEQA). An environmental impact assessment was prepared for the project and it has been determined that no potentially adverse impacts would result from the rezoning of the property; therefore, the project would have no significant impact on the environment.

SECTION 6. This ordinance shall be effective upon the thirty-first day after its passage and adoption.

INTRODUCED

PASSED:

AYES:

NOES:
NOT YET APPROVED

ABSENT:

ABSTENTIONS:

ATTEST:                                            APPROVED:

___________________________________________  ___________________________
City Clerk                                      Mayor

APPROVED AS TO FORM:

__________________________  ___________________________
Sr. Deputy City Attorney                      Director of Planning and
                                              Community Environment
City of Palo Alto  
Department of Planning and Community Environment  
California Environmental Quality Act  
NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION  

I. DESCRIPTION OF PROJECT  

Date: September 8, 2008
 Application Nos.: 08PLN-00020

Address of Project: 420 Cambridge Avenue

Assessor's Parcel No.: 124-32-008

Applicant: Clarum Homes  
599 California Avenue  
Palo Alto, CA  94306

Property Owner: Clarum Homes  
599 California Avenue  
Palo Alto, CA  94306

Project Location:

420 Cambridge Avenue  
Palo Alto, CA  94306

The project site is located in the northern section of the City 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 site is located mid-block on the north block face of Cambridge Avenue between Birch Street and Sedro Lane as shown on Figure 2, Vicinity Map.

Project Description:

420 Cambridge Avenue [08PLN-00020]: Request by Stuart Welte on behalf of Clarum Corporation for Preliminary Architectural Review of a four unit multifamily residential project totaling approximately 5,996 square feet and 1,362 square feet of ground floor commercial space and related site improvements. The formal application will include a request for a Zone Change to add the California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) Overlay to the existing CC(2) Zone District for this site. Environmental Assessment: An Initial Study has been completed and a Draft Mitigated Negative Declaration has been prepared in accordance with California Environmental Quality Act (CEQA) requirements. Zone District: CC(2).

II. DETERMINATION  

In accordance with the City of Palo Alto's procedures for compliance with the California Environmental Quality Act (CEQA), the City has conducted an Initial Study to determine whether the proposed project located at 420 Cambridge Avenue may have a significant effect on the environment. On the basis of that study, the City makes the following determination:
The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.

Although the project, as proposed, could have a significant effect on the environment, there will not be a significant effect on the environment in this case because mitigation measures have been added to the project and, therefore, a MITIGATED NEGATIVE DECLARATION is hereby adopted.

The attached initial study incorporates all relevant information regarding the potential environmental effects of the project and confirms the determination that an EIR is not required for the project.

In addition, the following mitigation measures have been incorporated into the project:

Mitigation Measures:

**Air Quality**

**Mitigation Measure C-1. Implement Required BAAQMD Control Measures for Construction Emissions of Fugitive Dust.** To control the generation of construction-related fugitive dust emissions, the project applicant shall require the construction contractor to implement all applicable and feasible control measures required by the BAAQMD, as summarized in Table III-3.

**Mitigation Measure C-2. Implement Additional Measures to Reduce Construction Exhaust Emissions.** The project applicant shall implement all feasible mitigation measures to reduce construction equipment exhaust emissions to limit construction-related exhaust emissions. Such measures could include but are not limited to:
- maintaining properly tuned engines
- minimizing the idling time of diesel powered construction equipment to two minutes
- using alternative powered construction equipment (i.e., CNG, biodiesel, electric)
- using add-on control devices such as diesel oxidation catalysts or particulate filters
- using equipment that meets California Air Resources Board’s (ARB) most recent certification standard for off-road heavy duty diesel engines
- phasing project construction; and
- limit the operating hours of heavy duty equipment.

**Geology, Soils and Seismicity**

**Mitigation Measure F-1:** Implementation of the construction techniques and erosion control measures required by the City of Palo Alto Public Works Department and requirements listed in the Geotechnical Study Update prepared by Fugro West (dated July 23, 2008) would reduce the geotechnical impacts to a less than significant level. Such measures include:

- The geotechnical conclusions and recommendations presented in the Geotechnical Investigation, prepared by Harza Engineering Company, dated October 19, 1999, are applicable to the project and shall be implemented in addition to supplemental or revised geotechnical recommendations presented in the Geotechnical Study Update, prepared by Fugro West, dated July 23, 2008 pertaining to new seismic design criteria and floor slab moisture protection considerations, and more project-specific recommendations for site grading and retaining walls.

**Noise**

**Mitigation Measure K-1:** Implementation of all of the recommendations provided in the Title 24 Acoustical Evaluation Exterior Sound Insulation, prepared by Wilson, Ihrig & Associates, Inc. (dated
June 27, 2008) for construction of the proposed development would reduce the temporary noise impact to a less than significant level:

- The following notes and details shall be included on the design drawings to insure that the construction details achieve the insulation potential of the basic building assemblies:
  - Use permanently non-hardening sealant around perimeter of window frames.
  - Select window assemblies with effective nonporous gaskets or weatherstripping to minimize air infiltration and sound leakage.
  - Provide airtight construction at all exterior walls with acoustical or other non-hardening sealant at floor plates.
  - Use door jamb and head gasketing and door bottom gasketing at entry doors to seal the solid core doors against weather and sound.
  - Caulk entry door thresholds as they are placed.

All of the above are required to comply with CCR Title 24 Thermal Insulation requirements.

- Construction Elements shall include the following:
  - Exterior Walls
    - Standard construction techniques (stucco, siding) are suitable to provide the necessary 19 dBA noise reduction
    - Proposed Structurally Insulated Panel (SIP) from Premier Building Systems, with wood siding on the exterior and ½” or 5/8” thick gypsum board on the interior face is suitable to provide the necessary 19dBA noise reduction
  - Ceiling/Roof
    - Standard construction techniques (roofing, truss or joists, insulation and gypsum board) are suitable to provide the necessary 19dBA noise reduction
    - Proposed Structurally Insulated Panel (SIP) from Premier Building Systems, with roofing material and ½” or 5/8” thick gypsum board on the ceiling is suitable to provide the necessary 19dBA noise reduction
  - Windows
    - Any dual-glazed, thermally rated window should be satisfactory to provide the necessary 19dBA noise reduction (e.g., ½” assembly with 1/8” plate – ¼” air -1/8” plate).
  - Entry and Patio Doors
    - Living Spaces – all entry doors connected to living spaces should have non-porous seals around the jam and door bottom.
    - Glazed Doors – all doors with glazing should also follow the recommendations listed above for windows.

Mitigation Measure K-2: Require implementation of and compliance with the City of Palo Alto's Standard Conditions of Approval and Noise Ordinance (PAMC 9.10). In addition, construction hours shall be established as per the construction management plan to minimize disturbance to surrounding residents, visitors, and businesses.

The Mitigated Negative Declaration and Initial Study may be viewed at the following locations:

1) City Hall, 250 Hamilton Avenue 5th Floor, Palo Alto, CA 94301
2) The Development Center, 285 Hamilton Avenue, Palo Alto, CA 94301
ENVIROMENTAL CHECKLIST FORM
City of Palo Alto
Department of Planning and Community Environment

PROJECT DESCRIPTION

1. PROJECT TITLE

420 Cambridge
Palo Alto, California

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

Lorraine Weiss, Contract Planner
City of Palo Alto
415-921-5344

4. PROJECT SPONSOR’S NAME AND ADDRESS

Stuart Welte
Clarum Corporation
599 College Avenue
Palo Alto, CA 94306

5. APPLICATION NUMBER

08PLN-00020

6. PROJECT LOCATION

420 Cambridge Avenue
Palo Alto
Parcel Numbers: 124-32-008
The project site is located in the northern section of the City 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 rectangular shaped parcel is located mid-block on the north block face of Cambridge Avenue between Birch Street and Sedro Lane as shown on Figure 2, Vicinity Map.

7. GENERAL PLAN DESIGNATION:

The project site is designated as Regional Community Commercial in the Palo Alto 1998 – 2010 Comprehensive Plan. This land use designation includes a 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. Examples include Stanford Shopping Center, Town and Country Village, and University Avenue/Downtown. Non-residential floor area ratios range from 0.35 to 2. The site is within the California Avenue Pedestrian and Transit-Oriented District (PTOD) designation which makes it eligible for the PTOD Overlay District.

8. ZONING

The 420 Cambridge Avenue site is zoned CC(2), Community Commercial 2 District. The CC(2) zone district is designed to accommodate residential use as part of a mixed use development. The project is a permitted use in this zone district if the project meets the development standards. The site is within the California Avenue Pedestrian and Transit-Oriented District (PTOD) designation which makes it eligible for the PTOD Overlay District.

9. PROJECT DESCRIPTION

The applicant’s conceptual plans are for a four-story mixed-use development. The applicant’s project description is provided as Attachment B to this report. The formal application for this project will include a request for a Zone Change to add the California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) Overlay to the existing zone.

The height of the building is proposed to be 39"-2.5" above grade. The four residential ownership units would be contained in four, three-story, detached townhouses above a ground floor podium providing a residential entry lobby at the front. Each residential unit would have three bedrooms with two and a half bathrooms in approximately 1,499 square feet of floor area. The plaza on top of the podium is designed as a common area providing access to the four residential units and separating the units. Patios and gardens would be provided for the residential units.

Approximately 1,362 square feet of commercial space would be located at the front of the podium with direct street access, intended for personal service use. A storage area and an accessible restroom is provided for the commercial space. Behind the commercial space, eleven parking spaces would be provided in a semi-depressed garage beginning three feet below grade. The garage would be accessed via a driveway ramp and would also contain bicycle storage space, a trash and recycling area with a recycling chute, and an elevator and stairs from the residential lobby to access the plaza level.

Architecture
The proposed architectural style is Eco-Functionalism, a contemporary design incorporating ecological friendly elements in a functional manner. Roofing materials include iron gray color
heat dissipated roofing, a photovoltaic array and solar hot water heater panels. Walls would be finished with woodland cream-color, hardi-plank exterior siding at the residential units, and woodland cream-color stucco with hand rubbed and sand finish and the commercial exterior walls would be light beige. The garage doors would be bronze-color painted metal mesh and the bronze color would also be used for the painted metal railings, gate and grille, and open metal mesh sunshade awnings at the residential entry lobby and at the front and rear of the dwelling units. Other materials include Navajo-beige louvered vents, corbels, eaves, fascia, outlook, posts, secondary doors and trims; burnished-amber painted trellis and deck; and Low-E, clear-glass windows.

Parking and Site Improvements
The garage would provide eight parking spaces for the residential units by utilizing a car stacking system to double the capacity of four standard parking spaces. There are also two guest parking spaces and a van accessible space. The bicycle parking provisions would include four long-term spaces and one short-term guest space for the residential units, one short-term space for the commercial unit, and a bicycle rack providing two spaces on the sidewalk in front of the commercial space.

10. SURROUNDING LAND USES AND SETTING

Surrounding uses include commercial retail, personal services and office uses along the subject block face of Cambridge Avenue, public facility and various commercial uses across Cambridge Avenue to the east, south and north, and single family and multiple-family residences on College Avenue to the west. The California Avenue Train Station is approximately two blocks north of the site.

11. OTHER PUBLIC AGENCIES

- County of Santa Clara, Office of the County Clerk-Recorder

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

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tr>
<td>Would the project:</td>
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<td>a) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
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420 Cambridge Page 4 Mitigated Negative Declaration
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<th>Issues and Supporting Information Resources</th>
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<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
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<td>Would the project:</td>
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<td>b) Have a substantial adverse effect on a</td>
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<td>public view or view corridor?</td>
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<td>c) Substantially damage scenic resources,</td>
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<td>including, but not limited to, trees,</td>
<td>Map L4</td>
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<td>rock outcroppings, and historic buildings</td>
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<td>within a state scenic highway?</td>
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<td>d) Violate existing Comprehensive Plan</td>
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<td>policies regarding visual resources?</td>
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<td>e) Create a new source of substantial light</td>
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<td>or glare which would adversely affect</td>
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<td>day or nighttime views in the area?</td>
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<td>f) Substantially shadow public open space</td>
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<td>(other than public streets and adjacent</td>
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<td>sidewalks) between 9:00 a.m. and 3:00 p.m.</td>
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<td>from September 21 to March 21?</td>
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**DISCUSSION:**

The project has been designed to be compatible with the surrounding development on this block of Cambridge Avenue. The overall building height to the plate line is 39'-2.5". The mixed-use development with four residential ownership units and a personal service commercial space would be contained in four, three-story, detached townhouses above a ground floor podium providing a residential entry lobby at the front and commercial space at the street level. The new structure would be approximately 13'-5" feet taller than the adjacent building to the east located at 410 Cambridge Avenue (which is 26' high), 21'-2.5" taller than the building to the west at 430 Cambridge Avenue (which is 18' high), 9'-2.5" taller than 438 Cambridge (which is 30'), and 450 Cambridge has been approved for a 40' tall building. The building would be approximately 13'-2.5" taller than the building to the rear of the site at 417 College Avenue which is approximately 26 feet high. The new building would add attractive detailed façades with pedestrian interest to the streetscape. Although the new building would be taller than most of the buildings along this blockface of Cambridge Avenue, the project is subject to final review by the Architectural Review Board, which will ensure a design that is aesthetically pleasing and compatible with its surroundings.

The building height is 39'-2.5" to the plate line which is well within the 40 foot maximum height limit in this zone district. Atop the roof are mounted solar panels and heat dissipators with diagonally sloped plates to accommodate the solar electrical and solar hot water panels. This solar mechanical equipment is 41'-8.5" at the midpoint and 44'-7" at its highest northern point.

The redevelopment of the site may result in a negligible increase in light and glare generated from the additional lighting of the site and glazing on the building. With the City's standard conditions of approval, the light and glare impacts of the project will not be significant. The conditions of approval will
require the shielding of lighting such that the light does not extend beyond the site, is directional, and that the source of light is not directly visible.

There is no public open space in the project vicinity.

**Standard Conditions:**

1. The project will be reviewed by the Architectural Review Board to ensure that the potential aesthetic impacts will be mitigated.

2. All windows shall be of a non-reflective material.

3. Any proposed exterior lighting shall be shown on the final construction drawings and shall be subject to the review and approval of the Palo Alto Planning Division. All lighting shall be minimal and shall direct light down and shield light away from the adjacent residences to the rear of the site.

**Mitigation Measures:** None required.

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**B. AGRICULTURAL 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.

<table>
<thead>
<tr>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<td><strong>Would the project:</strong></td>
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<td>a) Convert Prime Farmland, Unique Farmland,</td>
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<td>or Farmland of Statewide Importance</td>
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<td>(Farmland), as shown on the maps prepared</td>
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<td>pursuant to the Farmland Mapping and</td>
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<td>Monitoring Program of the California</td>
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<td>Resources Agency, to non-agricultural use?</td>
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<td>b) Conflict with existing zoning for</td>
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<td>agricultural use, or a Williamson Act</td>
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<td>contract?</td>
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<td>c) Involve other changes in the existing</td>
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<td>environment which, due to their location</td>
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<td>or nature, could result in conversion of</td>
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<td>Farmland, to non-agricultural use?</td>
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**DISCUSSION:**

The site 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.
Mitigation Measures: None required.

C. AIR QUALITY

<table>
<thead>
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<td>a) Conflict with or obstruct with implementation of the applicable air quality plan (1982 Bay Area Air Quality Plan &amp; 2000 Clean Air Plan)?</td>
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<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation indicated by the following:</td>
<td>1,14</td>
<td></td>
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</tr>
<tr>
<td>i. Direct and/or indirect operational emissions that exceed the Bay Area Air Quality Management District (BAAQMD) criteria air pollutants of 80 pounds per day and/or 15 tons per year for nitrogen oxides (NO), reactive organic gases (ROG), and fine particulate matter of less than 10 microns in diameter (PM$_{10}$);</td>
<td>1,14</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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)?</td>
<td>1,14</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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)?</td>
<td>1,14</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial levels of toxic air contaminants?</td>
<td>1,14</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds 10 in one million</td>
<td>1,14</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Issues and Supporting Information Resources</td>
<td>Sources</td>
<td>Potentially Significant Issues</td>
<td>Potentially Significant Unless Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
<td>No Impact</td>
</tr>
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<td>Would the project:</td>
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<tr>
<td>ii.  Ground-level concentrations of non-carcinogenic TACs would result in a hazard index greater than one (1) for the MEI</td>
<td>1,14</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e)  Create objectionable odors affecting a substantial number of people?</td>
<td>1,14</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f)  Not implement all applicable construction emission control measures recommended in the Bay Area Air Quality Management District CEQA Guidelines?</td>
<td>1,14</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>g)  Alter the air movement, moisture, or temperature, or cause any change in climate?</td>
<td>1,14</td>
<td></td>
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<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

The project site is located in Palo Alto, Santa Clara County, which is within the San Francisco Bay Area Air Basin (SFBAAB). Air quality conditions in the SFBAAB are regulated by the BAAQMD. The Santa Clara Valley is bounded by mountains to the east, west, and south, and by the San Francisco Bay to the north.

**Existing Air Quality Conditions**

Existing air quality conditions in the proposed project area can be characterized in terms of the ambient air quality standards that the federal and State governments have established for various pollutants and by monitoring data collected in the region. Monitoring data concentrations are typically expressed in terms of ppm or µg/m³. The nearest air quality monitoring stations are the Sunnyvale monitoring station, located at 910 Ticonderoga Drive and Redwood City station, located at 897 Barron Avenue. The Sunnyvale station, which monitors for ozone, is located in Santa Clara County, and the Redwood City station, which monitors for ozone, CO, PM10, and PM2.5, is located in San Mateo County.

Air quality monitoring data from Sunnyvale and Redwood City monitoring stations is summarized in Table III-2, *Air Quality Analysis, prepared by ICF Jones & Stokes, dated September 2008*. This data represents air quality monitoring data for the last three years (2005-2007) in which complete data is available. As indicated in Table III-2, the Sunnyvale monitoring station has experienced 4 violations of the federal 1-hour ozone standard and 2 violations of the State 8-hour ozone standard during the last three years in which complete data is available. Table III-2 also indicates that there have been 26.4 violations of the state PM2.5 standard over this period.

**Sensitive Land Uses**

The BAAQMD generally defines a sensitive receptor as a facility or land use that houses or attract members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly and people with illnesses. Examples of sensitive receptors include schools, hospitals, convalescent facilities, and residential areas. Sensitive receptors located in the vicinity of the proposed project area include residences, the three schools (Ananda Sangha School, Living Wisdom School, and Casa Dei Bambini Montessori) located within 750 feet to the southwest.

**Bay Area Air Quality Management District**
The BAAQMD has specified significance thresholds within its *BAAQMD CEQA Guidelines* to determine whether mitigation is needed for project related air quality impacts. The BAAQMD’s thresholds of significance for construction- and operation-related emissions are presented below.

**Construction**

BAAQMD does not require quantification of construction emissions. Instead, it requires implementation of effective and comprehensive feasible control measures to reduce PM10 emissions. PM10 emitted during construction activities varies greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, and weather conditions. Despite this variability in emissions, experience has shown that there are a number of feasible control measures that can be reasonably implemented to reduce PM10 emissions during construction; these measures are summarized in Table III-3. According to the BAAQMD, if all control measures listed in Table III-3, *Air Quality Analysis, prepared by ICF Jones & Stokes, dated September 2008*, are implemented (as appropriate, depending on the size of the project area), air pollutant emissions from construction activities are to be considered less than significant. However, quantification of emissions for large projects is useful as a means to provide information on the magnitude of emissions from construction.

Construction equipment also emits CO and ozone precursors (ROG and NOx). Construction-related emissions of these pollutants were not estimated, however, because they are already included in the emission inventory that forms the basis for the BAAQMD’s regional air quality plans and because those emissions are not expected to impede attainment or maintenance of ozone and CO standards in the Bay Area.

**Operation**

Operational emission thresholds are set forth in the BAAQMD’s *CEQA Guidelines: Assessing the Air Quality Impacts of Projects and Plans*. Project operations would result in a significant impact on air quality if it would result in either of the following:

- Net increase in pollutant emissions of 80 pounds per day (ppd) or 15 tons per year (tpy) of reactive organic gasses (ROG), oxides of nitrogen (NOx), or PM10; or
- A project-related contribution to CO concentrations exceeding the CAAQS for the 1- and 8-hour standards. Projects which do not result in the following are presumed to result in less-than-significant levels of CO emissions, and no estimation of CO concentrations is necessary:
  - Vehicle emissions of CO exceeding 550 ppd;
  - Project traffic impacting intersections or roadway links operating at Level of Service (LOS) D, E or F;
  - Project traffic causing intersection or roadway link LOS to decline to D, E or F;
  - Project traffic increasing traffic volumes on nearby roadways by 10% or more (unless the increase in traffic volume is less than 100 vehicles per hour)

Global climate change/GHG emission detailed discussion is in the cumulative effects sections under mandatory findings (Q).

**Discussion of Impacts**

*a. Conflict with or obstruct implementation of the applicable air quality plan?*

Because the Comprehensive Plan is used to help forecast the emissions budget within the BAAQMD’s 2007 Clean Air Plan, consistency with the City’s Comprehensive Plan would mean that the proposed project does not conflict with the 2007 Clean Air Plan. The proposed project is currently within the land use designation regional/community commercial and zoned CC-2 (Community Commercial), which is
consistent with the Comprehensive Plan’s zoning for the project site. Consequently, operational emissions associated with implementation of the proposed project are not anticipated to conflict with the BAAQMD’s 2007 Clean Air Plan and are considered less than significant. Additionally, the proposed project is applying the City of Palo Alto’s Pedestrian Transit Oriented Development (PTOD) overlay, which further fosters the reduction of operational emissions in perpetuity. Further, as previously indicated, construction-related emissions of ozone precursors and CO have already included in the emission inventory that forms the basis for the BAAQMD’s regional air quality plans and are not expected to impede attainment or maintenance of ozone and CO standards in the Bay Area. Consequently, this impact is considered less than significant, and no mitigation is required.

b i. Violate any air quality standard or contribute substantially to an existing or projected air quality violation indicated by direct and/or indirect operational emissions that exceed the BAAQMD criteria air pollutants of 80 pounds per day and/or 15 tons per year for NOX, ROG, PM10?

Project Construction
The BAAQMD has not set significance thresholds for construction related air pollutant emissions. For the assessment of construction impacts, the BAAQMD does not require quantification of construction emissions. Instead, it requires implementation of effective and comprehensive feasible control measures to reduce PM10 emissions PM10 emitted during construction activities varies greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, and weather conditions. Despite this variability in emissions, experience has shown that there are a number of feasible control measures that can be reasonably implemented to reduce PM10 emissions during construction; these measures are summarized in Table III-3 of the Air Quality Analysis, prepared by ICF Jones & Stokes, dated September 2008. According to the BAAQMD, if all control measures listed in Table III-3 are implemented (as appropriate, depending on the size of the project area), air pollutant emissions from construction activities are considered less than significant.

Construction equipment also emits CO and ozone precursors. Construction-related emissions of these pollutants were not estimated, however, because they are already included in the emission inventory that forms the basis for the BAAQMD’s regional air quality plans and because those emissions are not expected to impede attainment or maintenance of ozone and CO standards in the Bay Area. Without these measures, the impact is generally considered to be significant, particularly if sensitive land uses are located in the project vicinity. Construction activities for the proposed project would result in short term impacts on ambient air quality in the area. Temporary construction emissions would result directly from site clearance, grading, site preparation activities, and indirectly from construction equipment emissions and construction worker commuting patterns. Pollutant emissions would vary daily depending on the level of activity, the specific operations, and the prevailing weather.

As discussed above, the BAAQMD has not established significance thresholds for construction emissions, nor is quantification of such emissions required. However, to achieve a better understanding of the likely approximate level of construction-related emissions generated by project conditions, modeling was conducted, using the URBEMIS2007 (Version 9.2.4) model. URBEMIS2007 uses ARB, EPA, and air district emissions factors to estimate typical emissions (construction, area source, and vehicular) associated with land use development projects. This ARB-approved model is widely recommended and used by many California air districts for calculating emissions from a variety of projects. Because the project has not yet awarded construction sub-contracts, a detailed inventory of the equipment required to construct the proposed project is not available. Therefore, this analysis is based on anticipated construction equipment calculated by URBEMIS2007 that will be used during construction activities (Table III-4, Air Quality Analysis, prepared by ICF Jones & Stokes, dated September 2008).
It is anticipated that site-grading activities would result in the highest daily fugitive dust generation. Construction emissions were modeled using the default equipment horsepower and load factor information from URBEMIS2007, with an assumed construction period of 12 months, with 22 8-hour days of construction per month, and construction commencing in June 2009. Round trip truck haul distances were assumed to be 6 miles to the Palo Alto Landfill at 2380 Embarcadero Road. It was anticipated that 350 cubic yards would be exported to the landfill, and that a maximum of 5 round trips would occur daily due to materials import and export. It was also assumed that 10% of the project site (600 square feet) would be paved for the parking garage. Table III-5, *Air Quality Analysis, prepared by ICF Jones & Stokes, dated September 2008*, summarizes emissions of criteria pollutants associated with construction of the proposed project.

Impacts of construction emissions could be significant. Implementation of Mitigation Measure C-1 would reduce construction-related impacts to less than significant, while Mitigation Measure C-2 would further reduce construction-related exhaust emissions.

**Mitigation Measures:**

**Mitigation Measure C-1. Implement Required BAAQMD Control Measures for Construction Emissions of Fugitive Dust.** To control the generation of construction-related fugitive dust emissions, the project applicant shall require the construction contractor to implement all applicable and feasible control measures required by the BAAQMD, as summarized in Table III-3.

**Mitigation Measure C-2. Implement Additional Measures to Reduce Construction Exhaust Emissions.** The project applicant shall implement all feasible mitigation measures to reduce construction equipment exhaust emissions to limit construction-related exhaust emissions. Such measures could include but are not limited to:

- maintaining properly tuned engines
- minimizing the idling time of diesel powered construction equipment to two minutes
- using alternative powered construction equipment (i.e., CNG, biodiesel, electric)
- using add-on control devices such as diesel oxidation catalysts or particulate filters
- using equipment that meets California Air Resources Board’s (ARB) most recent certification standard for off-road heavy duty diesel engines
- phasing project construction; and
- limit the operating hours of heavy duty equipment.

**Significance after Mitigation:** Less than significant.

*b ii. Violate any air quality standard or contribute substantially to an existing or projected air quality violation indicated by 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)*

As indicated in Table III-6, *Air Quality Analysis, prepared by ICF Jones & Stokes, dated September 2008*, implementation of the proposed project would result in CO emissions of 13.4 pounds per day. In addition, traffic data provided by the project transportation engineer, RKH (Hopper pers. comms.) indicates that the nearest traffic intersection, El Camino Real & Cambridge Avenue, currently operates at LOS C during the peak traffic hour of the weekday. Implementation of the proposed project would add one to three vehicles during the peak hour, and would not affect LOS. Consequently, impacts to CO are considered less than significant.
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

As indicated in Table III-6, implementation of the proposed project would not generate emissions in excess of BAAQMD threshold levels. Consequently, this impact is considered less than significant.

d i. Expose sensitive receptors to substantial pollutant concentrations: Probability of contracting cancer for the Maximaly Exposed Individual (MEI) exceeds 10 in one million?

Construction activities are anticipated to involve the operation of diesel powered equipment for various activities. In October 2000, the ARB identified diesel exhaust as a TAC. As indicated above, construction activities would occur over a 12-month period starting in June 2009. The assessment of cancer health risks associated with exposure to diesel exhaust is typically associated with chronic exposure, in which a 70-year exposure period is often assumed. However, while excess cancer can result from exposure periods of less than 70 years, acute exposure periods (i.e., exposure periods of 2 to 3 years) to diesel exhaust are not anticipated to result in an increased health risk, as health risks associated with exposure to diesel exhaust are typically seen in exposures periods that are chronic in nature. Because construction activities will occur over a one-year period, and will not result in long-term emissions of diesel exhaust at the project site, this impact is considered less than significant. Note also that implementation of Mitigation Measure C-2 (Implement Additional Measures to Reduce Construction Exhaust Emissions) will further reduce emissions, including diesel particulates, from project activities. Consequently, this impact is considered less than significant.

d ii. Expose sensitive receptors to substantial pollutant concentrations: Ground-level concentrations of non-carcinogenic TACs would result in a hazard index greater than one (1) for the MEI?

Please see discussion in section d i, above.

e. Create objectionable odors affecting a substantial number of people?

Diesel exhaust from construction activities may generate temporary odors while construction of project improvements is underway. Once construction activities have been completed, these odors will cease. Operation of the proposed project would not generate any odors. This impact is considered less than significant.

f. Not implement all applicable construction emission control measures recommended in the Bay Area Air Quality Management District CEQA Guidelines?

As is indicated in section bi, above, Mitigation Measure C-1 requires the construction contractor to implement all applicable and feasible control measures required by the BAAQMD, as summarized in Table III-3, Air Quality Analysis, prepared by ICF Jones & Stokes, dated September 2008. Consequently, this impact is considered less than significant with mitigation.

g. Alter the air movement, moisture, or temperature, or cause any change in climate?

The project site is located in an area of the City that is completely built out with commercial and residential development. The project site is currently undeveloped, but the immediate surroundings are currently developed, and the proposed project is similar in physical design to other uses in the area.
Although the proposed building height will be higher than currently found on the site, the proposed project would not be a source of thermal emissions, and, due to the scale and character of the development, no substantial interference regarding prevailing wind patterns or climatic conditions is anticipated. Consequently, this impact is considered less than significant.

### D. BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
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<tr>
<td>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?</td>
<td>1,2-Map N-1</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>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?</td>
<td>1,2-Map N-1</td>
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<td>X</td>
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<tr>
<td>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?</td>
<td>1,2-Map N-1</td>
<td></td>
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<td>X</td>
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<tr>
<td>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)?</td>
<td>1,5,12, 14</td>
<td></td>
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<td>X</td>
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<tr>
<td>e) Conflict with any applicable Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</td>
<td>1,2,12, 14</td>
<td></td>
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</tbody>
</table>

**DISCUSSION:**

There are no existing trees planted on site. One 9.5” (diameter at chest height) Chinese Pistache street tree is planted in the public sidewalk fronting the subject property. This tree is proposed to remain. The project would contain conditions of approval that would protect the street tree during demolition, grading and construction activities in accordance with the City of Palo Alto’s ‘Tree Technical Manual’ which contains tree protection which are included in the conditions of approval. Street trees would be protected to the satisfaction of the Planning Division Arborist, based upon the requirements of the City of Palo Alto’s Tree Technical Manual. Any damage to the street trees would be treated in accordance with the Tree Technical Manual. The conditions of approval would result in impacts that are less than significant.
Mitigation Measures: None required.

E. CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>a) Directly or indirectly destroy a local cultural resource that is recognized by City Council resolution?</td>
<td>1,2-Map L-7</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?</td>
<td>1,2-Map L-8</td>
<td></td>
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<td>X</td>
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<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>1,2-MapL8</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>1,2-MapL8</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>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?</td>
<td>1,2-Map L-7</td>
<td></td>
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<td>X</td>
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<tr>
<td>f) Eliminate important examples of major periods of California history or prehistory?</td>
<td>1</td>
<td></td>
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<td></td>
<td>X</td>
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</table>

DISCUSSION:

The City of Palo Alto Comprehensive Plan, 1998-2010 (Map L-8) indicates that the site is in a moderate sensitivity archaeological resource area. The proposed project includes a basement/garage level. Based on existing conditions and the extent of the proposed project, no significant impacts are expected. While previous development of the site has altered the native landscape, the potential exists that Native American sites could be uncovered in future planning area construction. If approved, the project would contain conditions in the form of instructions in the case of the discovery of any cultural resources during grading and construction activities. The standard condition, detailed below, will reduce this potential to less than significant.

Standard Conditions:

1. 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

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
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<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
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<tr>
<td>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.</td>
<td>1,2-Map N-5,6,11</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
<td>2-Map N-10,6</td>
<td></td>
<td>X</td>
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<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td>2-Map N-5,6</td>
<td></td>
<td>X</td>
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<td></td>
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<tr>
<td>iv) Landslides?</td>
<td>2-Map N-5,6</td>
<td></td>
<td>X</td>
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<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
<td>1,5,13</td>
<td></td>
<td>X</td>
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<td></td>
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<tr>
<td>c) Result in substantial siltation?</td>
<td>1,5,13</td>
<td></td>
<td>X</td>
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</tr>
<tr>
<td>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?</td>
<td>2-MapN-5,6</td>
<td></td>
<td>X</td>
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</tr>
<tr>
<td>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?</td>
<td>2-MapN5</td>
<td></td>
<td>X</td>
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<tr>
<td>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?</td>
<td>6,13</td>
<td></td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>g) Expose people or property to major geologic hazards that cannot be mitigated through the use of standard engineering design and seismic safety techniques?</td>
<td>6,13</td>
<td></td>
<td>X</td>
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</tbody>
</table>
DISCUSSION:
The site located at 420 Cambridge would be subject to violent ground shaking (Map N-10). The geotechnical investigation prepared by Harza Engineering Company in 1999, and Geotechnical Study Update by Fugro West, Inc., dated July 23, 2008 details these and other hazards that have the potential to impact the development. Page 4 of the Geotechnical Study Update concludes that the geotechnical conclusions and recommendations presented in the October 19, 1999 geotechnical report are applicable to the project, as currently proposed, with supplemental or revised geotechnical recommendations presented pertaining to new seismic design criteria and floor slab moisture protection considerations, and more project-specific recommendations for site grading and retaining walls. These recommendations would be made conditions of project approval. As long as the recommendations provided in the Geotechnical Study Update are incorporated, construction of the proposed mixed-use development should be possible.

The entire state of California is in a seismically active area and the site located in a strong seismic risk area, subject to very strong ground shaking in the event of an earthquake. Seismic ground failure, including liquefaction and subsidence or subsidence, of the land is possible, but not likely at the site. No known faults cross the project site, therefore fault rupture at the site is very unlikely, but theoretically possible. All new construction will be subject to the provisions of the most current Uniform Building Code (UBC), portions of which are directed at minimizing seismic risk and preventing loss of life and property in the event of an earthquake.

The City’s required standard conditions of approval ensure that potential impacts on erosion and soil will not be significant. Project conditions of approval will require the applicant to submit a final grading and drainage plan subject to review by the Department of Public Works prior to issuance of any grading and building permits.

Mitigation Measure:

Mitigation Measure F-1: Implementation of the construction techniques and erosion control measures required by the City of Palo Alto Public Works Department and requirements listed in the Geotechnical Study Update prepared by Fugro West (dated July 23, 2008) would reduce the geotechnical impacts to a less than significant level. Such measures include:

- The geotechnical conclusions and recommendations presented in the Geotechnical Investigation, prepared by Harza Engineering Company, dated October 19, 1999, are applicable to the project and shall be implemented in addition to supplemental or revised geotechnical recommendations presented in the Geotechnical Study Update, prepared by Fugro West, dated July 23, 2008 pertaining to new seismic design criteria and floor slab moisture protection considerations, and more project-specific recommendations for site grading and retaining walls.

Significance after Mitigation: Less than significant.

G. 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.
<table>
<thead>
<tr>
<th></th>
<th>Question</th>
<th>Code(s)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Create a significant hazard to the public or the environment through the routing transport, use, or disposal of hazardous materials?</td>
<td>1,10,13</td>
<td>X</td>
</tr>
<tr>
<td>b)</td>
<td>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?</td>
<td>1,10</td>
<td>X</td>
</tr>
<tr>
<td>c)</td>
<td>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>1</td>
<td>X</td>
</tr>
<tr>
<td>d)</td>
<td>Construct a school on a property that is subject to hazards from hazardous materials contamination, emissions or accidental release?</td>
<td>1</td>
<td>X</td>
</tr>
<tr>
<td>e)</td>
<td>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?</td>
<td>1,2-MapN9,5</td>
<td>X</td>
</tr>
<tr>
<td>f)</td>
<td>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?</td>
<td>1</td>
<td>X</td>
</tr>
<tr>
<td>g)</td>
<td>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?</td>
<td>1</td>
<td>X</td>
</tr>
<tr>
<td>h)</td>
<td>Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>1,2-MapN7, 13</td>
<td>X</td>
</tr>
<tr>
<td>i)</td>
<td>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?</td>
<td>1,2-MapN7</td>
<td>X</td>
</tr>
<tr>
<td>j)</td>
<td>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?</td>
<td>1,10</td>
<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**
AEI Consultants prepared a Phase I Environmental Site Assessment for the project site. The investigation revealed no on-site evidence of historical recognized environmental conditions associated with the subject property or nearby properties and there are no known conditions to exist on the site regarding existing materials that may be deemed harmful or hazardous.
**H. HYDROLOGY AND WATER QUALITY**

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources Would the project:</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>1,13</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>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)?</td>
<td>2-MapN2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td>1,5,7</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>1,5,7,13</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td>1,5,7,13</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td>1,5,7,13,</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td>1,2-MapN6, 5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td>1,2-MapN6</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td>1,2-MapN6 &amp; N8</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
DISCUSSION:
The site is in Flood Zone X, which is not a special flood hazard zone. Drainage on-site is visually indeterminate without any defined natural or man-made structures. Topography indicates a natural grade slope falling slightly to the southeast of the site towards Cambridge Avenue. The existing drainage pattern of the site continues by sheet flow to the southeast, where it crosses over the sidewalk, or flows to the curb and gutter via under sidewalk drains. As proposed with a single, mixed-use residential and commercial building with parking below, site coverage would be similar to zero clearance development and runoff would only be slightly higher than predevelopment runoff due to the increase in impervious surface area. However, this amount of runoff is considerable a negligible change in runoff rate between pre and post development conditions. On-site runoff shall be collected by a series of drainage inlets connected into a single underground system that will ultimately discharge into the existing 24” storm drain in Cambridge Avenue.

During, grading and construction activities, storm water pollution could result. Runoff from the project site flows to the San Francisco Bay without treatment. Nonpoint source pollution is a serious problem for wildlife dependant on the waterways and for people who live near polluted streams or baylands. Therefore, conditions of approval, incorporated as part of an approved construction management plan (secured before building permit issuance) would include the following:

Standard Conditions of Approval:

- Prior to submittal of plans for a building permit, the applicant shall submit a drainage plan which includes drainage patterns on site and from adjacent properties.
- The applicant shall identify the Best Management Practices (BMP’s) to be incorporated into a Storm Water Pollution Prevention Plan (SWPPP) for the project. The SWPPP shall include both temporary BMP’s to be implemented during demolition and construction.

The standard conditions would result in impacts that are less than significant.

Mitigation Measures: None required.

I. LAND USE AND PLANNING

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources Would the project:</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
<td>1, 5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Issues and Supporting Information Resources</td>
<td>Sources</td>
<td>Potentially Significant Issues</td>
<td>Potentially Significant Unless Mitigation Incorporated</td>
<td>Less Than Significant Impact</td>
<td>No Impact</td>
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<tr>
<td>for the purpose of avoiding or mitigating an environmental effect?</td>
<td>1,2,3,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td>1,2-Map N1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Substantially adversely change the type or intensity of existing or planned land use in the area?</td>
<td>1,2,3,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height?</td>
<td>1,2,3,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) Conflict with established residential, recreational, educational, religious, or scientific uses of an area?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>g) Convert prime farmland, unique farmland, or farmland of statewide importance (farmland) to non-agricultural use?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

**DISCUSSION:**

**Comprehensive Plan**

The site is designated for Regional Community Commercial use in the City of Palo Alto’s Comprehensive Plan, 1998-2010, and the Zoning Designation is CC(2) (Community Commercial 2 District). This land use provides for a variety and depth of goods, services and uses usually not available in the neighborhood shopping areas. The development of a mixed-use building with residential and commercial use is consistent with this land use and the surrounding area. The project is consistent with Comprehensive Plan Policies and land use designation of Regional Community Commercial. Given the proposed design of the project, which minimizes potential effects to the surrounding uses (commercial and residential), it is compatible with all adjacent development. The Comprehensive Plan policies and programs most applicable to this project include:

**Policy L-6:** Where possible, avoid abrupt changes in scale and density between residential and non-residential areas and between residential areas of different densities.

**Policy L-13:** Evaluate alternative types of housing that increase density and provide more diverse housing opportunities.

**Policy L-28:** Maintain the existing scale, character, and function of the California Avenue business district as a shopping, service, and office center intermediate in function and scale between Downtown and the smaller neighborhood business areas.

**Policy L-29:** Encourage residential and mixed-use residential development in the California Avenue area.

**Policy L-48:** Promote high quality, creative design and site planning that is compatible with surrounding development and public spaces.
Program L-48: Use the Zoning Ordinance, design review process, design guidelines, and Coordinated Area Plans to ensure high quality residential and commercial design.

Policy L-49: Design buildings to revitalize streets and public spaces and to enhance a sense of community and personal safety. Provide an ordered variety of entries, porches, windows, bays and balconies along public ways where it is consistent with neighborhood character; avoid blank or solid walls at street level; and include human-scale details and massing.

Policy L-70: Enhance the appearance of streets and other public spaces by expanding and maintaining Palo Alto’s street tree system.

Policy H-2: Consider a variety of strategies to increase housing density and diversity in appropriate locations.

Policy H-4: Encourage mixed use projects as a means of increasing the housing supply while promoting diversity and neighborhood vitality.

Policy H-23: Reduce the cost of housing by promoting energy efficiency, resource management, and conservation for new and existing housing.

Policy N-15: Require new commercial, multi-unit, and single family housing projects to provide street trees and related irrigation systems.

Policy N-23: Reduce the discharge of toxic materials into the City’s sanitary sewer collection system by promoting the use of Best Management Practices.

Policy N-26: Support regional, state, and federal programs that improve air quality in the Bay Area.

Zoning
The site is located on Cambridge Avenue and adjacent to the California Avenue Business District. While residential uses are permitted as part of a mixed use development in the CC(2) zone, pursuant to Section 18.16.060(b) of the Zoning Code or on sites designated as Housing Opportunity Sites in the Housing Element of the Comprehensive Plan (Section 18.16.060(c)).

However, the applicant has applied for a request for a Zone Change to add the California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) Overlay to the existing CC(2) Zone District for this site. The PTOD Combining District permits mixed-use development where residential and non-residential uses are combined and may include two or more of the following uses: multi-family residential, non-residential uses which are limited to retail and personal services, eating and drinking services, other non-residential uses allowed except on the ground floor where an (R) overlay exists including offices, general business services, business and trade schools, private education facilities, day care center, community center, commercial recreation, convalescent facility, and research and development limited to sites where the underlying zoning district is GM and involving the use and storage of hazardous materials in quantities less than the exempt quantities allowed by Title 15 of the Municipal Code. In this development both residential and commercial (personal service) uses are proposed.

The “PTOD” Combining District, Section 18.34 of the Palo Alto Municipal Code (PAMC), is intended to allow higher density residential dwellings on commercial, industrial and multi-family parcels within a walk-able distance of the California Avenue Caltrain Station, while protecting low density residential parcels and parcels with historical resources that may also be located in or adjacent to this area. The combining district is intended to foster densities and facilities that:
(1) Support use of public transportation;
(2) Encourage a wide variety of housing types, commercial retail and limited office uses;
(3) Encourage project design that achieves an overall context-based development for the PTOD overlay area;
(4) Require streetscape design elements that are attractive pedestrians and bicyclists;
(5) Increase connectivity to surrounding existing and planned pedestrian and bicycle facilities; and
(6) Implement the city's Housing Element and Comprehensive Plan.

The proposed project meets each one of these objectives for the following reasons. The subject site is within walking distance of public transit in that it is approximately two blocks from the California Avenue Train Station, within a block and a half of the California Avenue and El Camino Real bus stop, and in close proximity to five additional bus stops along California Avenue. The proposal includes four townhouse units with a personal service use designed in an innovative manner and located in an area where many services are available. The project incorporates many of the context-based design criteria outlined in the PTOD Combining District Ordinance (these are further discussed in the PTOD Combining District Context-Based Design Criteria Compliance section below) and provides design elements that are desirable for pedestrians and bicyclists. The project, if approved, offers additional quality housing units designed in a sustainable manner, to increase the City’s housing stock. The proposed development combines residential and personal service uses, which are included in the list of allowable land uses in the PTOD Combining District.

All land uses are to be reviewed by the Planning and Transportation Commission and City Council at the time of a rezoning to PTOD. The project is subject to final review by the Architectural Review Board to ensure that the overall design is compatible with the surrounding structures, aesthetically pleasing, and any potential aesthetic impacts will be mitigated.

It should be noted that project consistency with the policies and programs of the City of Palo Alto Comprehensive Plan and PTOD Combining District Context-Based Design Criteria is ultimately determined by the City decision-makers as part of project merits review. The following has been prepared for information and use by the City decision-makers and is not intended to prejudge the City’s determination on project consistency with the Comprehensive Plan and the PTOD Ordinance.

**Context-Based Design Criteria Compliance**

The proposed building design complies with many of the requirements of the PTOD Combining District Context-Based Design Criteria as outlined in Section 18.34.050 of the Zoning Code. The project features comply with the PTOD Combining District as follows:

*The combining district establishes a requirement for promoting pedestrian walk-ability, a bicycle environment, and connectivity through design elements as well as street facades designed to provide a strong relationship with the sidewalks and the street to create an environment that supports and encourages pedestrian activity.* The project provides bicycle storage in the basement of the building for the residences and their guests and for the commercial personal service space as well as a bicycle rack on the public sidewalk on Cambridge Avenue in front of the site. A continuous 10-foot wide public sidewalk is maintained in front of the site and subject block face. The ground floor design is an attractive streetscape design with storefront windows for the personal service space facing the street and a clearly delineated entrance to this space, a separate residential entrance lobby with an overhead awning, and designated garage entry.

*The regulations also require that the building be designed to minimize massing and provide for articulation and design variety.* The rooflines are varied with flat roofs at the ground and second levels,
and sloped roofs at the third floor, and the building is set back on the second and third floors at the front and sides. A four-foot deep landscape buffer is proposed at rear of the property for the entire width of the parcel to provide privacy and screening to the residential use behind the project.

*Private and public open spaces are required so that they are usable to the residents, visitors, and employees of the site.* Several private open spaces with patios and gardens are included for each dwelling unit and a large common plaza is located in the center of the plaza level between the residences, and connects to various access points around the development. The two residential units fronting the street have balconies that face Cambridge Avenue. These balconies would offer “eyes on the street”. Some of the patio and garden spaces need to be modified in the next plan submittal to meet the minimum dimension requirements.

*Parking needs to be accommodated and not overwhelm the character of the project or detract from the pedestrian environment.* All of the residential parking is provided in the garage, shielded from public view.

*The project design and materials must achieve sustainability and green building design should be incorporated into the project.* Many sustainable features have been designed into the project. The applicant is aiming to achieve a LEED gold rating, which would exceed the City’s minimum green building requirements.

The project as proposed meets all applicable comprehensive plan and zoning regulations, and will thus have no impact.

**Mitigation Measures:** None required.

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**J. MINERAL RESOURCES**

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
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<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>1,8</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td>1,8</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

The project will not impact known mineral or locally important mineral resources.

**Mitigation Measures:** None Required.

---

**K. NOISE**
<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>1,2,5,8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive ground borne vibrations or ground borne noise levels?</td>
<td>1,2,5,8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>1,8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>1,3,8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>1,2,8</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>1,2</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>1,5,8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>1,5,8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Cause an increase of 3.0 dB or more in an existing residential area where the Ldn currently exceeds 60 dB?</td>
<td>1,5,8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>j) Result in indoor noise levels for residential development to exceed an Ldn of 45 dB?</td>
<td>1,5,8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>1,2-MaP,5,8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>l) Generate construction noise exceeding the daytime background Leq at sensitive receptors by 10 dBA or more?</td>
<td>1,5,8</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**DISCUSSION:**
The proposed site is located within a mixed-use area on Cambridge Avenue. The site is surrounded by commercial retail, personal services and office uses along the subject block face of Cambridge Avenue, public facility and various commercial uses across Cambridge Avenue to the east, south and north, and single family and multiple-family residences on College Avenue to the west. The existing noise
environment is dominated by traffic from Cambridge Avenue and with distant noise from El Camino Real, Oregon Expressway, and the freeway.

The proposed project, once completed, would not increase existing noise levels over the established threshold for the area. In addition, the site is not within any public or private airport zone. The construction of the project would temporarily increase current noise levels in the vicinity of the project site. Typical noise sources would include mechanical equipment associated with excavation and grading and noise of constructing the building. In addition there may be increases in ground-borne vibrations resulting from excavation, grading, and construction. While these noises would be short term in duration, they would result in a potentially significant noise impact unless mitigation is incorporated. Therefore, the following mitigations shall be, incorporated as part of an approved construction management plan (secured before building permit issuance) would include the following:

Mitigation Measures:

Mitigation Measure K-1: Implementation of all of the recommendations provided in the Title 24 Acoustical Evaluation Exterior Sound Insulation, prepared by Wilson, Ihrig & Associates, Inc. (dated June 27, 2008) for construction of the proposed development would reduce the temporary noise impact to a less than significant level:

- The following notes and details shall be included on the design drawings to insure that the construction details achieve the insulation potential of the basic building assemblies:
  - Use permanently non-hardening sealant around perimeter of window frames.
  - Select window assemblies with effective nonporous gaskets or weatherstripping to minimize air infiltration and sound leakage.
  - Provide airtight construction at all exterior walls with acoustical or other non-hardening sealant at floor plates.
  - Use door jamb and head gasketing and door bottom gasketing at entry doors to seal the solid core doors against weather and sound.
  - Caulk entry door thresholds as they are placed.

All of the above are required to comply with CCR Title 24 Thermal Insulation requirements.

- Construction Elements shall include the following:
  - Exterior Walls
    - Standard construction techniques (stucco, siding) are suitable to provide the necessary 19 dBA noise reduction
    - Proposed Structurally Insulated Panel (SIP) from Premier Building Systems, with wood siding on the exterior and ½" or 5/8" thick gypsum board on the interior face is suitable to provide the necessary 19dBA noise reduction
  - Ceiling/Roof
    - Standard construction techniques (roofing, truss or joists, insulation and gypsum board) are suitable to provide the necessary 19dBA noise reduction
    - Proposed Structurally Insulated Panel (SIP) from Premier Building Systems, with roofing material and ½" or 5/8" thick gypsum board on the ceiling is suitable to provide the necessary 19dBA noise reduction
  - Windows
    - Any dual-glazed, thermally rated window should be satisfactory to provide the necessary 19dBA noise reduction (e.g., ½” assembly with 1/8” plate – ¼” air -1/8” plate).
  - Entry and Patio Doors
- Living Spaces – all entry doors connected to living spaces should have non-porous seals around the jam and door bottom.
- Glazed Doors – all doors with glazing should also follow the recommendations listed above for windows.

**Mitigation Measure K-2:** Require implementation of and compliance with the City of Palo Alto’s Standard Conditions of Approval and Noise Ordinance (PAMC 9.10). In addition, construction hours shall be established as per the construction management plan to minimize disturbance to surrounding residents, visitors, and businesses.

**Significance after Mitigation:** Less than significant.

---

**L. POPULATION AND HOUSING**

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
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</tr>
<tr>
<td>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)?</td>
<td>1,2</td>
<td></td>
<td></td>
<td>X</td>
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</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Create a substantial imbalance between employed residents and jobs?</td>
<td>1,2</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Cumulatively exceed regional or local population projections?</td>
<td>1,2</td>
<td></td>
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<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

The project will add a mixed-use development including four residential units and a commercial personal service use space on an existing vacant site that was formerly occupied with a commercial building. California State Housing Element law requires that localities provide their “fair share” of the region’s housing needs. The Association of Bay Area Governments (ABAG) has determined that Palo Alto will need to add significant numbers of housing units to meet State law and to help reduce the imbalance between jobs and housing.

This project, which involves the addition of four townhouse units, will have a slightly positive effect on both the City’s imbalance between jobs and housing and on density. This project is expected to have a less than significant impact, and is supported by the City of Palo Alto Comprehensive Plan, Policy H-2:

“Policy H-2: Identify and implement a variety of strategies to increase housing density and diversity in appropriate locations. Emphasize and encourage the development of affordable and attainable housing.
The expansion of infrastructure to this site will not induce substantial growth in the project area because it is limited by current zoning.

Mitigation Measures: None required.

M. PUBLIC SERVICES

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
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</tr>
<tr>
<td>a) 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:</td>
<td>13</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>Fire protection?</td>
<td>13</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>Police protection?</td>
<td>1</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>Schools?</td>
<td>1</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>Parks?</td>
<td>1</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>Other public facilities?</td>
<td>1</td>
<td></td>
<td></td>
<td>X</td>
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</tr>
</tbody>
</table>

DISCUSSION:
Adherence to the Uniform Building and Fire Codes will minimize the potential damage and risk from fire and other hazards. However, existing laws represent minimum standards and do not safeguard against all hazards. This proposed development on the site would incrementally increase the demand for fire and police services, though would not represent any substantial change in required services. The police and fire departments have sufficient resources to accommodate moderate growth within the City. There would not be any substantial change in required services, including Fire, Police, Schools, Parks and other public facilities as a result of the proposed project. As a condition of project approval, in order to mitigate any impact on city services, the developer would be required to pay development impact fees prior to building permit issuance. These fees include a park fee, community center fee, library fee, and citywide transportation impact fee.

Mitigation Measures: None required.

N. RECREATION
<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Would the project:</strong></td>
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</tr>
<tr>
<td>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?</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
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</tbody>
</table>

**DISCUSSION:**
There would not be any substantial change to the demand of recreational services as a result of the proposed project.

**Mitigation Measures:** None required.

---

**O. TRANSPORTATION AND TRAFFIC**

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
<th>Sources</th>
<th>Potentially Significant Issues</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Would the project:</strong></td>
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<tr>
<td>a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?</td>
<td>1,9,13</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?</td>
<td>1,9</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>1,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td></td>
<td>e) Result in inadequate emergency access?</td>
<td>1,13</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) Result in inadequate parking capacity?</td>
<td>1,3,13</td>
<td></td>
<td>X</td>
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<tr>
<td></td>
<td>g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian, transit &amp; bicycle facilities)?</td>
<td>1,2,3,13</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>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?</td>
<td>1,9,13</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>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?</td>
<td>1,9,13</td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td></td>
<td>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 increase by four seconds or more and the critical V/C value to increase by 0.01 or more?</td>
<td>1,9,13</td>
<td></td>
<td>X</td>
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<tr>
<td></td>
<td>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?</td>
<td>1,9,13</td>
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<td>X</td>
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<tr>
<td></td>
<td>l) Cause any change in traffic that would increase the Traffic Infusion on Residential Environment (TIRE) index by 0.1 or more?</td>
<td>1,9,13</td>
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<td>X</td>
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<tr>
<td></td>
<td>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.</td>
<td>1,9,13</td>
<td></td>
<td>X</td>
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<tr>
<td></td>
<td>n) Impede the development or function of planned pedestrian or bicycle facilities?</td>
<td>1,5,9,13</td>
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<td>X</td>
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<tr>
<td></td>
<td>o) Impede the operation of a transit system as a result of congestion?</td>
<td>1,13</td>
<td></td>
<td>X</td>
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<td></td>
<td>p) Create an operational safety hazard?</td>
<td>1,5,13</td>
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<td>X</td>
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</tbody>
</table>

**DISCUSSION:**

The subject site is located along Cambridge Avenue, a two lane collector street, and approximately two blocks north of the California Avenue Train Station. Primary vehicular access to the site is via a driveway on Cambridge Avenue into a semi-depressed garage. The project site is in the California Avenue Parking Assessment District. The Zoning Code exempts a project from meeting parking
requirements within the California Avenue Parking Assessment District for floor area of the building, located sat or nearest grade, which does not exceed a floor area ratio of 0.5 to 1.0. With approximately 1,362 square feet of commercial personal service area proposed, the floor area ratio dedicated to this use is equal to .227:1. Therefore, the commercial personal service space on the ground level is exempt from parking.

The proposed project includes parking for the residential units in the garage utilizing a car stacking system to double the capacity of four standard parking spaces for a total of 8 spaces, 2 guest parking spaces and an accessible space which is compliance with the requirements of the Off-Street Parking Ordinance for this project. The bicycle parking provisions would include four long-term spaces and one short-term guest space for the residential units, one short-term space for the commercial unit, and a bicycle rack providing two spaces on the sidewalk in front of the commercial space along Cambridge Avenue.

While the project would increase the number of trips to the project site, 4 vehicle trips during the morning street peak hour (between 7:00 a.m. and 9:00 a.m., and 6 vehicle trips during the afternoon peak hour (between 4:00 p.m. and 6:00 p.m.), this number of trips that would be generated would be a less than significant impact.

Vehicle trips to and from the site will be distributed on the surrounding street system. It is estimated that about half of the peak hour vehicle trips will be oriented to El Camino Real while the other half will be oriented to Page Mill Road and the Oregon Expressway via Birch Street and Park Boulevard. The addition of only 1 to 3 vehicle trips on any on street segment or through any one intersection will have no measurable effect on the Level of Service (LOS) of the facility. A cursory analysis of the El Camino Real and Cambridge Avenue intersection using the TRAFFIX program and traffic volumes from the City's online data base indicates the intersection operates at LOS C during the peak traffic hour of the weekday. The addition of one to three vehicles through the intersection during the peak hour will not affect LOS.

The proposed project will not significantly increase traffic in the local area. However, temporary impacts to localized congestion including transportation, traffic and pedestrian circulation will result due to grading and construction activities. Construction traffic impacts would be temporary and are not anticipated to substantially disrupt peak traffic hours, though, conditions of approval, incorporated as part of an approved demolition and construction management plan (secured before building permit issuance) would include the following in order to minimize temporary traffic congestion during grading and construction activities:

**Recommended Condition of Approval:**
Traffic control measures during grading and construction activities, delivery of construction materials, retention of parking spaces for construction workers and on-site staff, shall be detailed as part of the construction management plan.

**Mitigation:** None.
P. UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Would the project:</td>
<td></td>
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<tr>
<td>a) Exceed wastewater treatment requirements</td>
<td>1,7,13</td>
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<td>X</td>
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<tr>
<td>of the applicable Regional Water Quality</td>
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<tr>
<td>Control Board?</td>
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<tr>
<td>b) Require or result in the construction of</td>
<td>1,7,13</td>
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<td></td>
<td>X</td>
</tr>
<tr>
<td>new water or wastewater treatment facilities</td>
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<tr>
<td>or expansion of existing facilities, the</td>
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<tr>
<td>construction of which could cause significant</td>
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<tr>
<td>environmental effects?</td>
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<tr>
<td>c) Require or result in the construction of</td>
<td>1,7,13</td>
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<td>X</td>
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<tr>
<td>new storm water drainage facilities or</td>
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<td>expansion of existing facilities, the</td>
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<tr>
<td>construction of which could cause significant</td>
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<tr>
<td>environmental effects?</td>
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<tr>
<td>d) Have sufficient water supplies available</td>
<td>1,7,13</td>
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<td>X</td>
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<tr>
<td>to serve the project from existing</td>
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<tr>
<td>entitlements and resources, or are new or</td>
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<tr>
<td>expanded entitlements needed?</td>
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<tr>
<td>e) Result in a determination by the</td>
<td>1,7,13</td>
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<td>X</td>
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<tr>
<td>wastewater treatment provider which serves</td>
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<td>or may serve the project that it has</td>
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<td>inadequate capacity to serve the project’s</td>
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<td>projected demand in addition to the</td>
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<tr>
<td>provider’s existing commitments?</td>
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<tr>
<td>f) Be served by a landfill with sufficient</td>
<td>1</td>
<td></td>
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<td>X</td>
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<tr>
<td>permitted capacity to accommodate the</td>
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<tr>
<td>project’s solid waste disposal needs?</td>
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<tr>
<td>g) Comply with federal, state, and local</td>
<td>1</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>statutes and regulations related to solid</td>
<td></td>
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<tr>
<td>waste?</td>
<td></td>
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<tr>
<td>h) Result in a substantial physical</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>deterioration of a public facility due to</td>
<td></td>
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<tr>
<td>increased use as a result of the project?</td>
<td></td>
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</tr>
</tbody>
</table>

DISCUSSION:
The proposed project would not significantly increase the demand on existing utilities and service systems, or use resources in a wasteful or inefficient manner. Standard conditions of approval require the applicant to submit calculations by a registered civil engineer to show that the on-site and off-site water, sewer and fire systems are capable of serving the needs of the development and adjacent properties during peak flow demands.

Trash and recycling facilities are proposed in the project to accommodate the expected waste and recycling streams that would be generated by the expected uses within the development which would not be expected to cause a significant impact.
Mitigation Measures: None required.

Q. MANDATORY FINDINGS OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>Issues and Supporting Information Resources</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Does the project have the potential to</td>
<td>1,2,5</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>degrade the quality of the environment,</td>
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<tr>
<td>substantially reduce the habitat of a</td>
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<tr>
<td>fish or wildlife species, cause a fish or</td>
<td></td>
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<tr>
<td>wildlife population to drop below self-</td>
<td></td>
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<tr>
<td>sustaining levels, threaten to eliminate</td>
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<tr>
<td>a plant or animal community, reduce the</td>
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<tr>
<td>number or restrict the range of a rare</td>
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<tr>
<td>or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
<td></td>
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</tr>
<tr>
<td>b) Does the project have impacts that are</td>
<td>1,2,5</td>
<td></td>
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<td></td>
<td>X</td>
</tr>
<tr>
<td>individually limited, but cumulatively</td>
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<tr>
<td>considerable? (“Cumulatively considerable”</td>
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<tr>
<td>means that the incremental effects of a</td>
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<tr>
<td>project are considerable when viewed in</td>
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<tr>
<td>connection with the effects of past projects,</td>
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<tr>
<td>the effects of other current projects, and</td>
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<tr>
<td>the effects of probable future projects)?</td>
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<tr>
<td>c) Does the project have environmental effects</td>
<td>1,5,13</td>
<td></td>
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<td>X</td>
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<tr>
<td>which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td></td>
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</tbody>
</table>

DISCUSSION:
The project does not 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. The proposed project would not eliminate an important example of California history.

The project does not have impacts that are individually limited, but cumulatively considerable nor does it have substantial environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. The project is located on Cambridge Avenue within the City’s California Avenue Business District where there are other projects where existing buildings are either rehabilitated or demolished and replaced. This infill development does not result in considerable effects to the environment, and therefore, would create less than significant impacts on the quality of the environment. When considered with other current projects and reasonably foreseeable future projects, the project is not anticipated to result in cumulatively significant impacts.

Global Climate Change Impacts
Global climate change is the alteration of the Earth’s weather including its temperature, precipitation, and wind patterns. Global temperatures are affected by naturally occurring and anthropogenic
generated atmospheric gases, such as carbon dioxide, methane, and nitrous oxide. These gases allow sunlight into the Earth’s atmosphere, but prevent radiative heat from escaping into outer space, which is known as the “greenhouse” effect. The world’s leading climate scientists have reached consensus that global climate change is underway and is very likely caused by humans. 20 Agencies at the international, national, state, and local levels are considering strategies to control emissions of gases that contribute to global warming. There is no comprehensive strategy that is being implemented on a global scale that addresses climate change; however, in California a multiagency “Climate Action Team”, has identified a range of strategies and the Air Resources Board, under Assembly Bill (AB) 32, has been designated to adopt the main plan for reducing California’s GHG emissions by January 1, 2009, and regulations and other initiatives for reducing GHG emissions by January 1, 2011. AB 32 requires achievement by 2020 of a statewide greenhouse gas emissions limit equivalent to 1990 emissions, and the adoption of rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions.

By 2050, the state plans to reduce emissions to 80 percent below 1990 levels. While the state of California has established programs to reduce greenhouse gas emissions, there are no established standards for gauging the significance of greenhouse gas emissions. Neither CEQA nor the CEQA Guidelines provide any methodology for analysis of greenhouse gases. Given the “global” scope of global climate change, the challenge under CEQA is for a Lead Agency to translate the issue down to the level of a CEQA document for a specific project in a way that is meaningful to the decision making process. Under CEQA, the essential questions are whether a project creates or contributes to an environmental impact or is subject to impacts from the environment in which it would occur, and what mitigation measures are available to avoid or reduce impacts.

The project would generate greenhouse gases primarily through electricity generation/use and generation of vehicle trips. Efforts to reduce the project’s greenhouse gas emissions by reducing electricity demand and reducing vehicle trips and miles, therefore, should be implemented. The proposed project would conform to the City’s Comprehensive Plan and other policies to reduce vehicle trips and miles traveled, and encourage automobile-alternative modes of transportation (e.g., public transit, walking and bicycling). The site is within the California Avenue Pedestrian and Transit-Oriented District (PTOD) designation and is in close proximity to transit and services.

Although greenhouse gas emissions generated by the project would cumulatively contribute to global climate change, to determine whether the proposed project would have a significant impact on global climate change is speculative, particularly given the fact that there are no existing numerical thresholds to determine an impact. However, in an effort to make a good faith effort at disclosing environmental impacts and to conform with the CEQA Guidelines [§16064(b)], it is the City’s position that, based on the nature and size of this project, its location within an established urban area served by existing infrastructure (rather than a greenfield site), the transit oriented nature of the project’s nominal percentage increase in greenhouse gas emissions and the measures included in the project to reduce vehicle use, the proposed project would not impede the state’s ability to reach the emission reduction limits/standards set forth by the State of California by Executive Order S-3-05 and AB 32. Over the long term, the expectation from regional planning agencies is that intensifying land uses near transit will lead to reduced dependence on the automobile and increased transit ridership. For these reasons, this project would not make a cumulatively considerable contribution to global climate change associated with greenhouse gas emissions. Based on the conceptual design of the project at this point, specific measures to reduce energy use have been identified. The project applicant has committed to implement several innovative measures beyond the requirements of
LEED certification into the design of the proposed project that would result in increased energy efficiency and reduced vehicle trips when compared to a traditional development.

The proposed project will be LEED Gold Certified, and will be built to 15% efficiency above Title 24 requirements, which would result in a 14% decrease in natural gas consumption of these buildings. In addition, the proposed project will have the following features which will help to increase energy efficiency and/or reduce emissions associated with project implementation and that will offset the project’s potential minor incremental contribution to global climate change:

- Recycling of 85% of Construction Waste
- High Efficiency Heating and Cooling Systems
- Passive & Mechanical Ventilation for Indoor Air Quality
- Plentiful, well oriented Daylighting
- Tankless or High Efficiency Water Heaters
- On-Demand Hot Water Recirculation Pumps
- Photovoltaic and Hot Water Panels on Roofs
- South Oriented Roofs for Solar Efficiency
- Drought Tolerant Landscaping
- Radiant Barrier Roofing
- Use of Fly Ash and Recycled Rebar in Concrete
- Structural Insulated Panels (SIP) at exterior walls
- Heat Dissipating Roof Technologies
- Low-E Windows with Sun Shade Awnings Above
- Landscaping, planters (150 to 200 square feet of planter space will be available in each residential unit), trellises, and roof deck planters help to uptake and sequester CO2, thereby further reducing emissions associated with implementation of the proposed project.
- Undergrounding of utility lines including electrical and remote transformer location to reduce potential harmful electromagnetic field effects.
- Low emission vehicle guest parking is provided to foster the use of vehicles with very low emissions.
- Separate trash and recycling containers are provided, located, and sized to permit the Palo Alto Sanitation Company to make fewer trips for pickup.
- Interior bicycle parking has been setup with long-term parking (via 4 bicycle lockers) and short-term parking (via a “U-two” rack for 2 bicycles). Two additional, exterior bicycle parking spaces are located in front of the building.
- Low and no formaldehyde cabinetry
- Low and no VOC finishes and materials throughout
- Showers in the commercial level for use by employees who bicycle or run to work.

In addition to the design features described above, the project applicant has committed to accommodating all City of Palo Alto requirements, including the City’s Green Building Ordinance and Climate Protection Plan.

**SOURCE REFERENCES**

1. Project Planner’s knowledge of the site and the proposed project
Map L-4, Community Design Features
Map L-7, Cultural Resources
Map L-8, Archaeological Resource Areas
Map L-9, Williamson Act Properties in Palo Alto (1997)
Map N-1, Natural Resources Areas
Map N-5, Geotechnical Hazards
Map N-10, Ground Shaking Potential

3. Palo Alto Municipal Code, Title 18 – Zoning Ordinance
4. Required compliance with the Uniform Building Code (UBC) Standards for Seismic Safety and Windload
11. Alquist-Priolo Earthquake Fault Zoning Map
13. City of Palo Alto Departmental Review

DETERMINATION

On the basis of this initial evaluation:

<table>
<thead>
<tr>
<th>I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
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</tbody>
</table>

| I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. |

| I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis |

420 Cambridge  Page 35  Mitigated Negative Declaration
as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

>Note: Project Planner signs upon completion of analysis but Director shall sign when the Negative Declaration or Mitigated Negative Declaration is adopted - after circulation, comment period over>

<table>
<thead>
<tr>
<th>Project Planner</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director of Planning and Community Environment</td>
<td>Date</td>
</tr>
<tr>
<td>Mitigation Measure/Conditions of Approval</td>
<td>Action Required</td>
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<tr>
<td>------------------------------------------</td>
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</tr>
<tr>
<td><strong>Air Quality</strong></td>
<td></td>
</tr>
<tr>
<td>C-1. Implement Required BAAQMD Control Measures for Construction Emissions of Fugitive Dust. To control the generation of construction-related fugitive dust emissions, the project applicant shall require the construction contractor to implement all applicable and feasible control measures required by the BAAQMD, as summarized in Table III-3.</td>
<td>Require dust and debris control plan.</td>
</tr>
<tr>
<td>C-2. Implement Additional Measures to Reduce Construction Exhaust Emissions. The project applicant shall implement all feasible mitigation measures to reduce construction equipment exhaust emissions to limit construction-related exhaust emissions. Such measures could include but are not limited to:</td>
<td>Require dust and debris control plan.</td>
</tr>
<tr>
<td><em>•</em> maintaining properly tuned engines</td>
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<tr>
<td><em>•</em> minimizing the idling time of diesel powered construction equipment to two minutes</td>
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<tr>
<td><em>•</em> using alternative powered construction equipment (i.e., CNG, biodiesel, electric)</td>
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<tr>
<td><em>•</em> using add-on control devices such as diesel oxidation catalysts or particulate filters</td>
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<td><em>•</em> using equipment that meets</td>
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<tr>
<td>Mitigation Measure/Conditions of Approval</td>
<td>Action Required</td>
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<td>------------------------------------------</td>
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<tr>
<td>California Air Resources Board's (ARB) most recent certification standard for off-road heavy duty diesel engines • phasing project construction; and • limit the operating hours of heavy duty equipment.</td>
<td>Ensure that final design-level geotechnical report incorporates applicable requirements.</td>
</tr>
</tbody>
</table>

**Geology & Soils**

F-1. Implementation of the construction techniques and erosion control measures required by the City of Palo Alto Public Works Department and requirements listed in the Geotechnical Study Update prepared by Fugro West (dated July 23, 2008) would reduce the geotechnical impacts to a less than significant level. Such measures include:

- The geotechnical conclusions and recommendations presented in the Geotechnical Investigation, prepared by Harza Engineering Company, dated October 19, 1999, are applicable to the project and shall be implemented in addition to supplemental or revised geotechnical recommendations presented in the Geotechnical Study Update, prepared by Fugro West, dated July 23, 2008 pertaining to new seismic design criteria and floor slab moisture protection considerations, and more project-specific recommendations for site grading and retaining walls.
<table>
<thead>
<tr>
<th>Mitigation Measure/Conditions of Approval</th>
<th>Action Required</th>
<th>When Monitoring to Occur</th>
<th>Monitoring Frequency</th>
<th>Responsible Department</th>
<th>Initial</th>
<th>Date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Noise</strong></td>
<td>Implement during construction</td>
<td>Prior to final occupancy</td>
<td>Once unless modifications are made</td>
<td>Building Division</td>
<td></td>
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</tr>
<tr>
<td>K-1: Implementation of all of the recommendations provided in the Title 24 Acoustical Evaluation Exterior Sound Insulation, prepared by Wilson, Ihrig &amp; Associates, Inc. (dated June 27, 2008) for construction of the proposed development would reduce the temporary noise impact to a less than significant level:</td>
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<td>- The following notes and details shall be included on the design drawings to insure that the construction details achieve the insulation potential of the basic building assemblies:</td>
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<td>o Use permanently non-hardening sealant around perimeter of window frames.</td>
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<td>o Select window assemblies with effective nonporous gaskets or weatherstripping to minimize air infiltration and sound leakage.</td>
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<tr>
<td>o Provide airtight construction at all exterior walls with acoustical or other non-hardening sealant at floor plates.</td>
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<tr>
<td>o Use door jamb and head gasketing and door bottom gasketing at entry doors to seal the solid core doors against weather and sound.</td>
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<td>o Caulk entry door thresholds as they are placed.</td>
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<tr>
<td>Mitigation Measure/Conditions of Approval</td>
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<td>When Monitoring to Occur</td>
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<td>with CCR Title 24 Thermal Insulation requirements.</td>
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<td>• Construction Elements shall include the following: Exterior Walls</td>
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<td>o Standard construction techniques (stucco, siding) are suitable to provide the necessary 19 dBA noise reduction</td>
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<tr>
<td>Proposed Structurally Insulated Panel (SIP) from Premier Building Systems, with wood siding on the exterior and ½&quot; or 5/8&quot; thick gypsum board on the interior face is suitable to provide the necessary 19dBA noise reduction</td>
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<tr>
<td>Ceiling/Roof</td>
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<tr>
<td>o Standard construction techniques (roofing, truss or joists, insulation and gypsum board) are suitable to provide the necessary 19dBA noise reduction</td>
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<tr>
<td>o Proposed Structurally Insulated Panel (SIP) from Premier Building Systems, with roofing material and ½&quot; or 5/8&quot; thick gypsum board on the ceiling is suitable to provide the necessary 19dBA noise reduction</td>
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<tr>
<td>Windows</td>
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<td>o Any dual-glazed, thermally rated window should be satisfactory to provide the necessary 19dBA noise reduction (e.g., ½&quot; assembly</td>
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<tr>
<td>Mitigation Measure/Conditions of Approval</td>
<td>Action Required</td>
<td>When Monitoring to Occur</td>
<td>Monitoring Frequency</td>
<td>Responsible Department</td>
<td>Initial</td>
<td>Date</td>
<td>Comments</td>
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<tr>
<td>with 1/8&quot; plate – 1/4&quot; air -1/8&quot; plate). Entry and Patio Doors o Living Spaces – all entry doors connected to living spaces should have non-porous seals around the jam and door bottom. o Glazed Doors – all doors with glazing should also follow the recommendations listed above for windows.</td>
<td>Code enforcement based on noise complaints</td>
<td>Throughout demolition, grading, and construction</td>
<td>On-going</td>
<td>Planning Division Building Division</td>
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</tbody>
</table>

**K-2.** Require implementation of and compliance with the City of Palo Alto's Standard Conditions of Approval and Noise Ordinance (PAMC 9.10). In addition, construction hours shall be established as per the construction management plan to minimize disturbance to surrounding residents, visitors, and businesses.
Chapter 18.34

PEDESTRIAN AND TRANSIT ORIENTED DEVELOPMENT (PTOD) COMBINING DISTRICT REGULATIONS

Sections:
18.34.010 Purposes
18.34.020 Applicability
18.34.030 Land Uses
18.34.040 Pedestrian and Transit Oriented Development (PTOD) Combining District Regulations
18.34.050 Pedestrian and Transit Oriented Development (PTOD) Combining District Context-Based Design Criteria
18.34.060 Review Process
18.34.070 Non-conforming Uses and Non-complying Facilities

18.34.010 Purposes

(a) California Avenue Pedestrian and Transit Oriented Combining District

The California Avenue Pedestrian and Transit Oriented Development (PTOD) Combining District is intended to allow higher density residential dwellings on commercial, industrial and multi-family parcels within a walkable distance of the California Avenue Caltrain station, while protecting low density residential parcels and parcels with historical resources that may also be located in or adjacent to this area. The combining district is intended to foster densities and facilities that:

(1) Support use of public transportation;

(2) Encourage a variety of housing types, commercial retail and limited office uses;

(3) Encourage project design that achieves an overall context-based development for the PTOD overlay area;

(4) Require streetscape design elements that are attractive pedestrians and bicyclists;

(5) Increase connectivity to surrounding existing and planned pedestrian and bicycle facilities; and

(6) Implement the city’s Housing Element and Comprehensive Plan.

(b) [Reserved]

(Ord. 4914 § 2 (part), 2006)

18.34.020 Applicability

(a) The California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) may be combined with any R-1, CC(2), CN, GM, PF, RM30, or RM40 district or combination of such districts within the designated California Avenue PTOD boundary (Exhibit A, reflected on the city’s Zoning Map), consistent with the provisions of Chapters 18.08 and 18.80. Where so combined, the regulations established by this
<table>
<thead>
<tr>
<th>USE</th>
<th>EXISTING CC(2)</th>
<th>PROPOSED PTOD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ACCESSORY &amp; SUPPORT USES</strong></td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Accessory facilities and activities customarily associated with or essential to permitted uses, and operated incidental to the principal use.</td>
<td>CUP</td>
<td>Not permitted</td>
</tr>
<tr>
<td>Drive-in services or take-out services associated with permitted uses</td>
<td></td>
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</tr>
<tr>
<td>Tire battery, and automobile service facilities, when operated incidental to a permitted retail service or shopping center having a gross floor area of more than 30,000 square feet.</td>
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<tr>
<td><strong>EDUCATIONAL, RELIGIOUS, AND ASSEMBLY USES</strong></td>
<td>P</td>
<td>P with mix use development only**</td>
</tr>
<tr>
<td>Business and Trade Schools</td>
<td></td>
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</tr>
<tr>
<td>Churches and Religious Institutions</td>
<td>P</td>
<td>Not permitted</td>
</tr>
<tr>
<td>Private Educational Facilities</td>
<td>P</td>
<td>P with mix use development only**</td>
</tr>
<tr>
<td>Private Clubs, Lodges, or Fraternal Organizations</td>
<td>P</td>
<td>Not permitted</td>
</tr>
<tr>
<td><strong>MANUFACTURING AND PROCESSING USES</strong></td>
<td>CUP</td>
<td>Not permitted</td>
</tr>
<tr>
<td>Recycling Centers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warehousing and Distribution</td>
<td>P</td>
<td>Prohibited</td>
</tr>
<tr>
<td><strong>MIXED USE DEVELOPMENT</strong>, where residential and non-residential uses are combined including:</td>
<td>P*</td>
<td>P</td>
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<tr>
<td>Multi-family residential</td>
<td></td>
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<tr>
<td>Non-residential uses, limited to</td>
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</tr>
<tr>
<td>• Retail and personal services</td>
<td>P</td>
<td></td>
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<tr>
<td>• Eating and drinking services</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>• Other non-residential uses allowed except on the ground floor where an (R) overlay exists:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Offices</td>
<td>P</td>
<td></td>
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<tr>
<td>- General business services</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>- Business and trade schools</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>- Private education facilities</td>
<td>P</td>
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<td>- Day care center</td>
<td>P</td>
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<tr>
<td>- Community center</td>
<td>P</td>
<td></td>
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<tr>
<td>- Commercial recreation</td>
<td>P</td>
<td></td>
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<tr>
<td>- Convalescent facility;</td>
<td>P</td>
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<tr>
<td>- Research &amp; development, limited to sites where the underlying zoning district is GM and involving the use and storage of hazardous materials in quantities less than the exempt quantities allowed by Title 15 of the Municipal Code.</td>
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<td></td>
</tr>
<tr>
<td><strong>OFFICE USES</strong></td>
<td>CUP</td>
<td>Not permitted</td>
</tr>
<tr>
<td>Medical Offices</td>
<td></td>
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<tr>
<td>Professional and General Business Offices</td>
<td>P</td>
<td>P with mix use development only**</td>
</tr>
<tr>
<td><strong>PUBLIC/QUASI-PUBLIC USES</strong></td>
<td>CUP</td>
<td>Not permitted</td>
</tr>
<tr>
<td>Utility Facilities essential to provision of utility services but</td>
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</table>


excluding construction/storage yards, maintenance facilities, or corporation yards.

<table>
<thead>
<tr>
<th>USES</th>
<th>CUP</th>
<th>P with mix use development only**</th>
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</thead>
<tbody>
<tr>
<td><strong>RECREATION USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Recreation</td>
<td>CUP</td>
<td>P with mix use development only**</td>
</tr>
<tr>
<td>Outdoor Recreation Services</td>
<td>CUP</td>
<td>Not permitted</td>
</tr>
<tr>
<td><strong>RESIDENTIAL USES</strong></td>
<td></td>
<td></td>
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<tr>
<td>Multiple-Family</td>
<td>P*</td>
<td>P</td>
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<tr>
<td>Home Occupations</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Residential Care Homes</td>
<td>P</td>
<td>Prohibited</td>
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<tr>
<td><strong>RETAIL USES</strong></td>
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<tr>
<td>Eating and Drinking Services, excluding drive-in and take-out services</td>
<td>P</td>
<td>P with mix use development only**</td>
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<tr>
<td>Retail Services, excluding liquor stores</td>
<td>P</td>
<td>P with mix use development only**</td>
</tr>
<tr>
<td><strong>SERVICES USES</strong></td>
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<tr>
<td>Ambulance Services</td>
<td>CUP</td>
<td>Not permitted</td>
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<tr>
<td>Animal Care, excluding boarding and kennels</td>
<td>P</td>
<td>Not permitted</td>
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<tr>
<td>Automobile Service Stations</td>
<td>CUP</td>
<td>Not permitted</td>
</tr>
<tr>
<td>Convalescent Facilities</td>
<td>P</td>
<td>P with mix use development only**</td>
</tr>
<tr>
<td>Day Care Centers</td>
<td>P</td>
<td>P with mix use development only**</td>
</tr>
<tr>
<td>Small Family Day Care Homes</td>
<td>P</td>
<td>Not permitted</td>
</tr>
<tr>
<td>Large Family Day Care Homes</td>
<td>P</td>
<td>Not permitted</td>
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<tr>
<td>Small Adult Day Care Homes</td>
<td>P</td>
<td>Not permitted</td>
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<tr>
<td>Large Adult Day Care Homes</td>
<td>P</td>
<td>Not permitted</td>
</tr>
<tr>
<td>Banks and Financial Services</td>
<td>P</td>
<td>Not permitted</td>
</tr>
<tr>
<td>General Business Services</td>
<td>CUP</td>
<td>P with mix use development only**</td>
</tr>
<tr>
<td><strong>TEMPORARY USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farmers Markets</td>
<td>CUP</td>
<td>CUP</td>
</tr>
<tr>
<td>Temporary Parking Facilities, provided that such facilities shall remain no more than five years.</td>
<td>CUP</td>
<td>Not permitted</td>
</tr>
<tr>
<td><strong>TRANSPORTATION USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking as a principal use</td>
<td>CUP</td>
<td>Not permitted</td>
</tr>
<tr>
<td>Transportation Terminals</td>
<td>CUP</td>
<td>Not permitted</td>
</tr>
</tbody>
</table>

P = Permitted Use
CUP = Conditional Use Permit
* Residential is only permitted as part of a mixed use development, pursuant to the provisions of Section 18.16.060(b), or on sites designated as Housing Opportunity Sites in the Housing Element of the Comprehensive Plan, pursuant to the provisions of Section 18.16.060(c).
** See allowable uses in Mixed Use Development. Otherwise noted as a prohibited use per 18.34.030(C).

All land uses must be reviewed and approved by the Planning and Transportation Commission and City Council at the time of rezoning to PTOD.
PLANNING & TRANSPORTATION DIVISION
STAFF REPORT

TO: PLANNING & TRANSPORTATION COMMISSION
FROM: Lorraine Weiss Contract Planner
DEPARTMENT: Planning and Community Environment
AGENDA DATE: October 15, 2008

SUBJECT: 420 Cambridge Avenue: Request for a Zone Change from the existing CC(2) zoning to the California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) Overlay District for this site, to allow for a four unit multifamily residential project totaling approximately 6,000 square feet and 1,360 square feet of ground floor commercial space and related site improvements. Environmental Assessment: An Initial Study has been completed and a Draft Mitigated Negative Declaration has been prepared in accordance with California Environmental Quality Act (CEQA) requirements. Zone District: CC(2).

RECOMMENDATION:
Staff recommends that the Planning and Transportation Commission (Commission) recommend that the City Council adopt the Mitigated Negative Declaration and approve the requested Zone Change from CC(2) Community Commercial 2 District to the California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) for this site.

PTOD PROCESS:
Rezoning and review of the site to a PTOD combining district is initiated by the Planning and Transportation Commission for recommendation to the City Council for a final decision. Intended land uses are reviewed by both the Planning and Transportation Commission and the City Council. Subsequently, upon approval of a rezoning to the PTOD combining district, the project plans are submitted for major architectural review to the Architectural Review Board (ARB), who will review the final design for compliance with the architectural review criteria pursuant to Chapter 18.76 of the Zoning Code and Section 18.34.050.
BACKGROUND:

Project Description
The applicant’s conceptual plans are for a four-story mixed-use development. The project involves a Zone Change from CC(2) Community Commercial 2 District to the California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) Combining District for this site. The applicant indicates that the PTOD zoning is more suited for the site than its current Community Commercial 2 zoning. The PTOD zoning offers more flexibility with development standards for residential development and is less restrictive than the existing zoning. The proposed zoning allows for more density, additional height, floor area, and no minimum building setbacks. Please refer to the applicant’s statement of intent in Attachment H.

The height of the building is proposed to be 39"-2.5" above grade. The four residential ownership units would be contained in four, three-story, detached townhouses above a ground floor podium providing a residential entry lobby at the front. Each residential unit would have three bedrooms with two and a half bathrooms in approximately 1,499 square feet of floor area. The plaza on top of the podium is designed as a common area providing access to the four residential units and separating the units. Patios and gardens would be provided for the residential units.

Approximately 1,362 square feet of commercial space would be located at the front of the podium with direct street access, intended for personal service use. A storage area and an accessible restroom would be provided for the commercial space. Behind the commercial space, eleven parking spaces would be provided in a semi-depressed garage beginning three feet below grade. The garage would be accessed via a driveway ramp and would also contain bicycle storage space, a trash and recycling area with a recycling chute, and an elevator and stairs from the residential lobby to access the plaza level.

The garage would provide eight parking spaces for the residential units by utilizing a car stacking system to double the capacity of four standard parking spaces. There are also two guest parking spaces and a van accessible space. The bicycle parking provisions would include four long-term spaces and one short-term guest space for the residential units, one short-term space for the commercial unit, and a bicycle rack providing two spaces on the sidewalk in front of the commercial space.

Site Information
The site is a rectangular parcel located mid-block on the north block face of Cambridge Avenue between Birch Street and Sedro Lane as shown in Attachment B, Vicinity Map.

Surrounding uses include commercial retail, personal services and office uses along the subject blockface of Cambridge Avenue, public facility and various commercial uses across Cambridge Avenue to the east, south and north, and single family and multiple-family residences on College Avenue to the west. The California Avenue Train Station is approximately two blocks north of the site.

The site was formerly occupied with a 1,872 square foot building housing a barbershop and hair salon. The structure was demolished in 2000 and the site has remained vacant since then.

Preliminary ARB Review
The applicant elected to have an optional preliminary review of the project design by the ARB. On July 17, 2008, the ARB reviewed the preliminary project application design. Minutes of the July 17, 2008
ARB meeting are provided as Attachment G of this staff report.

**DISCUSSION:**
This is the first project application to be submitted for the California Avenue PTOD Combining District Zoning.

**Zone Change Amendment**
Attachment A is a draft Ordinance in support of the requested change to the California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) Overlay for this site. The “PTOD” Combining District, Section 18.34 of the Palo Alto Municipal Code (PAMC), is intended to allow higher density residential dwellings on commercial, industrial and multi-family parcels within a walk-able distance of the California Avenue Caltrain Station, while protecting low density residential parcels and parcels with historical resources that may also be located in or adjacent to this area. The site is located within the boundaries prescribed for the PTOD district.

The combining district is intended to foster densities and facilities that:

1. Support use of public transportation;
2. Encourage a wide variety of housing types, commercial retail and limited office uses;
3. Encourage project design that achieves an overall context-based development for the PTOD overlay area;
4. Require streetscape design elements that are attractive pedestrians and bicyclists;
5. Increase connectivity to surrounding existing and planned pedestrian and bicycle facilities; and
6. Implement the city’s Housing Element and Comprehensive Plan.

The proposed project meets each one of these objectives for the following reasons. The subject site is within walking distance of public transit in that it is approximately two blocks from the California Avenue Train Station, within a block and a half of the California Avenue and El Camino Real bus stop, and in close proximity to five additional bus stops along California Avenue. The proposal includes four townhouse units with a personal service use designed in an innovative manner and located in an area where many services are available. The project incorporates many of the context-based design criteria outlined in the PTOD Combining District Ordinance (these are further discussed in the PTOD Combining District Context-Based Design Criteria Compliance section below) and provides design elements that are desirable for pedestrians and bicyclists. The project, if approved, offers additional quality housing units designed in a sustainable manner, to increase the City’s housing stock.

**Proposed Land Uses**
Please refer to Table 1 in Attachment C comparing the existing CC(2) and proposed PTOD uses. Residential use is only permitted as part of a mixed use development in the CC(2) zone (the existing zone district) pursuant to Section 18.16.060(b) of the Zoning Code or on sites designated as Housing Opportunity Sites in the Housing Element of the Comprehensive Plan (Section 18.16.060(c)). The PTOD Combining District permits standalone residential use or mixed-use development where the uses include: multi-family residential with non-residential uses limited to retail and personal services, eating and drinking services, a variety of other non-residential uses, except on the ground floor where an (R) overlay exists. The proposed development includes multi-family residential use with a personal service use.
When the project was previously reviewed by the ARB on a preliminary basis, letters were received by commercial neighbors in the area. A concern was expressed that the character of this commercial area could change if mixed-use development including multi-family housing should be approved and constructed. The CC(2) zone, however, permits residential use as part of mixed-use development under specific circumstances, so residential use is not currently prohibited in this district.

Intended land uses are to be reviewed by the Planning and Transportation Commission and City Council at the time of a rezoning to PTOD. The proposed development combines residential and personal service uses, which are included in the list of allowable land uses in the PTOD Combining District.

Proposed Development Regulations
The California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) regulations may be applied in lieu of the CC(2) district within the designated California Avenue PTOD boundary upon rezoning. Please refer to Attachment D of this report, the Development Standards Table, comparing the existing CC(2) Zone District development regulations with the PTOD Combining District standards. The PTOD Combining District regulations apply in lieu of the CC(2) zone uses and regulations. If a development standard (such as setbacks) is not addressed by the PTOD Combining District regulations, the Architectural Review Board has the discretion to determine the appropriate standard (such as setbacks) within the context of neighboring sites and buildings pursuant to the context-based design criteria of Section 18.34.050. As shown in the Development Standards Table, Attachment D, the project complies with the PTOD Combining District zoning regulations.

Context-Based Design Criteria Compliance
The proposed building design appears to comply with the requirements of the PTOD Combining District Context-Based Design Criteria as outlined in Section 18.34.050 of the Zoning Code. Some of the elements that are featured in the project include the following:

- The combining district establishes a requirement for promoting pedestrian walkability, a bicycle environment, and connectivity through design elements as well as street facades designed to provide a strong relationship with the sidewalks and the street to create an environment that supports and encourages pedestrian activity. The project provides bicycle storage in the basement of the building for the residences and their guests and for the commercial personal service space as well as a bicycle rack on the public sidewalk on Cambridge Avenue in front of the site. A continuous 10-foot wide public sidewalk is maintained in front of the site and subject blockface. The ground floor design is an attractive streetscape design with storefront windows in front of the personal service space facing the street and a clearly delineated entrance to this space, a separate residential entrance lobby with an overhead awning, and designated garage entry.

- The regulations also require that the building be designed to minimize massing and provide for articulation and design variety. The rooflines are varied with flat roofs at the ground and second levels and sloped roofs at the third floor, and the building is setback on the second and third floors at the front and sides. A 4-foot deep landscape buffer is proposed at rear of the property for the entire width of the parcel to provide privacy and screening to the residential use to the back of the property.

- Private and public open spaces are required so that they are usable to the residents, visitors, and
employees of the site. Several private open spaces with patios and gardens are included for each dwelling unit and a large common plaza is located in the center of the plaza level between the residences and connects to various access points around the development. The two residential units fronting the street have balconies that face Cambridge Avenue which would offer “eyes on the street.” Some of the patio and garden spaces need to be modified in the next plan submittal to meet the minimum dimension requirements.

- Parking needs to be accommodated and not overwhelm the character of the project or detract from the pedestrian environment. All of the residential parking is provided in the garage and out of sight from public view.

- The project design and materials must achieve sustainability and green building design should be incorporated into the project. Many sustainable features have been designed into the project. The applicant is aiming to achieve a LEED Gold rating and exceed the minimum requirements for Green Building Standards.

Once a formal ARB application is submitted and reviewed by the ARB, findings for architectural review found in Section 18.76.020(d) of the Zoning Ordinance and findings applicable in the California Avenue PTOD Combining District must be made pursuant to Section 18.34.050(b). These findings deal with the pedestrian and bicycle environment, street building facades, massing and articulation, project open space, parking design, and sustainability and green building design.

**Green Building Regulations Compliance**

The project proposes many sustainable design principles including: recycling 85% of the construction waste, high efficiency heating and cooling systems, passive and mechanical ventilation for indoor air quality, daylighting, east/west and vertically oriented operable windows for passive ventilation, solar hot water heating, tankless or high efficiency water heaters, on-demand hot water recirculation pumps, photovoltaic panels on roofs, solar hot water panels on roofs, south oriented roofs for solar efficiency, drought tolerant landscaping, radiant barrier roofing, use of fly ash in concrete, use of recycled rebar, structural insulated panels (SIP) at exterior walls, heat dissipating roof technologies, low-e windows with sun shade awnings above, and 15% or better improved energy performance above Title 24 Energy Compliance Requirements. On a preliminary review of the project at this conceptual stage, the project appears to achieve a LEED Gold rating. Additionally, with regards to the Build It Green Greenpoint Checklist, the applicant completed the Multifamily Greenpoint Checklist and is able to attain 160.48 points where the minimum is 70 points.

**POLICY IMPLICATIONS:**
The project site is designated as Regional Community Commercial in the Palo Alto 1998 – 2010 Comprehensive Plan. While residential use is only permitted as part of a mixed-use development in the CC(2) zone with specific conditions, the PTOD Overlay zone allows for residential and non-residential uses with less restrictive development standards. The site is also within the Transit Oriented Residential designation in the Comprehensive Plan which would be applicable to projects within walking distance (2,000 feet) from a Caltrain Station. The land use category is intended to generate residential densities that support substantial use of public transportation and especially use of Caltrain. The project, as proposed, is consistent with Comprehensive Plan and zoning designations and would provide a positive
precedent for fulfilling the City’s policy objectives in this transit-oriented district.

ENVIRONMENTAL REVIEW:
A Mitigated Negative Declaration, which reviewed the environmental issues as required by the California Environmental Quality Act (CEQA), was circulated for a 20-day public review period from September 26, 2008 to October 15, 2008. A copy of the Mitigated Negative Declaration and Initial Study are provided in Attachments E and F, respectively. Staff has recommended mitigation measures pertaining to air quality, geology and soils, and noise which would lessen potential impacts to a less than significant level. The conditions of approval and mitigation measures would be applied to the Major Architectural Review approval, however, not the rezoning.

CORRESPONDENCE:
As of the preparation of this report, Staff has not received any letters in reference to this application.

TIMELINE:
Application submitted: January 23, 2008
ARB Preliminary Review: July 17, 2008
Application deemed complete: August 21, 2008
CEQA public review period began: September 26, 2008
PTC hearing date: October 15, 2008

ATTACHMENTS:
A. Draft Zone Change Ordinance for Approval of Rezone to Community Commercial (2) with a California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) Overlay for this site.
B. Vicinity Map
C. Table 1: Existing, Proposed, & PTOD Uses
D. Table 2: Development Standards Table
E. Mitigated Negative Declaration
F. Initial Study
G. ARB Meeting Minutes of July 17, 2008
H. Applicant’s Written Narrative*
I. Applicant’s Letter*
J. Public Correspondence
J. Project Plans*

* provided by applicant

COURTESY COPIES:
Stuart Welte, Clarum Corporation

Prepared by: Lorraine Weiss, Contract Planner

Department/Division Head Approval: Curtis Williams, Interim Director
Planning and Transportation Commission
Verbatim Minutes
October 15, 2008

DRAFT EXCERPT

420 Cambridge Avenue*: Request for a Zone Change to the California Avenue Pedestrian and Transit Oriented Development Combining District (PTOD) Overlay from the existing CC(2) Zone District for a four unit multifamily residential project with ground floor commercial space at this site. Environmental Assessment: An Initial Study has been completed and a Draft Mitigated Negative Declaration has been prepared in accordance with California Environmental Quality Act (CEQA) requirements. Zone District: CC(2).

Mr. Curtis Williams, Interim Planning Director: Lorraine Weiss is our contract planner on this project and will present it to you.

Ms. Lorraine Weiss, Contract Planner: Good evening Chair Garber and members of the Commission. This is the first project application that will be submitted for the California Avenue PTOD Combining District zoning. The City Council approved the boundary for this district and up on the screen we just have the map to show what that boundary would be. Each parcel within the boundary must be rezoned to PTOD.

The purpose of the combining district, and that is also shown up on the screen, is to foster densities and facilities with six objectives in mind. They include first to support the use of public transportation; second to encourage a wide variety of housing types, commercial retail and limited office uses; third to encourage project design that achieves an overall context-based development for the PTOD overlay area; fourth to require street streetscape design elements that are attractive pedestrian and bicyclists; fifth to increase connectivity to surrounding existing and planned pedestrian and bicycle facilities; and lastly to implement the City’s Housing Element and Comprehensive Plan. In terms of the PTOD process the Planning and Transportation Commission initiates the rezoning of the site to a PTOD Combining District and makes a recommendation to the City Council. Both the Commission and the City Council review the proposal for the intended land uses. The City Council makes the final decision on the rezoning and land uses and subsequent to that design plans for a project would be forwarded to the Architectural Review Board for final design review.

In terms of a project I will give you a brief project description. Tonight the applicant’s proposal includes conceptual plans for a four story mixed use development. The project involves a zone change from the existing CC(2) District to the California Avenue Pedestrian and Transit Oriented Development Combining District for the site in order to allow a four unit multiple family residential project, which totals approximately 6,000 square feet, and then 1,360 square feet of ground floor commercial space, and related site improvements. The dwelling units are approximately 1,500 square feet each.
In terms of the proposed land uses the PTOD Combining District permits standalone residential use or mixed use development where uses include specifically multiple family residential with nonresidential uses limited to retail and personal services, eating and drinking services, and a variety of other nonresidential uses. Multiple family residential use with the personal service use is proposed, which are included in the allowable list of land uses for the PTOD Combining District. That is provided for you in a Table of Use, Table 1.

The Architectural Review Board did have a preliminary review of the project as the applicant elected to have this optional review. They reviewed the preliminary plans on July 17. Should the City Council approve the rezoning and the intended land uses then a formal major application for ARB would return to them for final review.

Just to let you know, the applicant has provided many elements of the project to meet Green Building compliance and we would allow him to discuss that if you wish when he makes his presentation.

So finally I would like to say that Staff does find that the project meets the six objectives in that the subject site is within walking distance of public transit, it is approximately two blocks from the California Avenue Train Station, within a block and a half of the California Avenue and El Camino Real bus stop, and in close proximity to five other bus stops along California Avenue. The proposal includes four townhouse units with personal service use designed in an innovative manner and is located in an area where there are many services available. The project incorporates many of the context-based design criteria that are outlined in the PTOD Ordinance and provides design elements that are desirable for pedestrians and bicyclists. If approved the project offers quality housing units designed in the sustainable manner to increase the City’s housing stock thus Staff is recommending that the Commission recommend to the City Council to adopt the Mitigated Negative Declaration and to approve the requested zone change from CC(2) to the PTOD for this site. I would be happy to answer any questions of the Commission.

Chair Garber: Thank you. Curtis.

Mr. Williams: Yes, Chair Garber and Commissioners, I just wanted to add a couple of comments in that this is the first project that you have reviewed under the PTOD zoning. I know not all of you were on the Commission when this zoning was established. There was a lot of discussion about the process and the fact that it was a sort of new kind of zoning allowing for some higher intensity, and particularly higher intensity, residential in this particular area.

The initial proposal was essentially to treat this as any other combining district where within that boundary you could come in and apply to use these standards, go through architectural review, there was concern at that time that we wanted to see how this went initially. So rather than just applying it as we normally would a combining district instead the boundary was just set there and essentially you are an eligible property if you are within that boundary to request rezoning to this zone. So that each parcel that wanted to be rezoned had to go through this zoning process. That is why it is coming to the Commission and Council. I would encourage you in that spirit to look at the uses and the sort of bigger picture issues with this. We have provided an opportunity to go through a preliminary review with ARB so that you get a sense for what the design for the
project is. This is not a Design Review per se although you are certainly welcome to ask some of
those questions. I think the applicant will speak a bit to their design. However, the focus should
really be on is this the kind of project that we are looking for in the PTOD zone? Although it is a
small parcel, Staff believes this is a very good example for the first project that we see of an
example of a good mixed use project and appropriate design for the area and are recommending
this to you. Thank you.

Chair Garber: Thank you. I would also like to note for the record that Commissioner Fineberg
has joined us. The applicant may make a presentation at this time. You will have 15 minutes.

Mr. Stuart Welte, Applicant: Good evening Planning Commissioners. My name is Stuart Welte
and I am an architect. I am working with Clarum Homes and Environmental Innovations and
Design. Just a brief description of who we are and what we do and where we have come from.
We were founded in 1994 and we are headquartered in Palo Alto. We are a family owned
development company. We are devoted to building exceptional new home communities and
mixed use apartment communities throughout California. We have adhered to a mission of
building sustainable communities since 1999 when the company began installing solar powered
systems in our homes as standard equipment not just options. We were recognized in 2006 by
receiving one of the Governor’s awards, there are 14 of those given out each year to various
categories, and we won ours in the category of sustainable communities. We were the only
builder and developer to win such an award. The other recipients were large philanthropic
groups restoring wetlands, etc. So we have put a lot of hard work into really understanding how
items in LEED work, and how communities work, and how people would like to put the two
together. We have had a lot of opportunities to work with this through the last couple of
decades.

When the PTOD zoning district came along here in Palo Alto we thought that is wonderful. It is
just so perfect. We have had this vacant lot here in Palo Alto for some time and toyed with the
idea of building a commercial building or an office building or something of that sort and though
it just didn’t really – experiencing the area on a daily basis we know that it is a vibrant
commercial area and it works very well, however, what is obviously lacking is activity and
neighborhood feeling and sort of a livable community at all times of every day, every day of the
week. So this is a perfect opportunity for that to be achieved. This is our version of how we
think is the best way to achieve that.

We have worked hard with Planning, with Staff, and with I think every department in the City.
We have gone so far as to solicit letters of our analysis of the design from a code standpoint,
from the ICC, etc. So we have done a lot of footwork on this project, put all of our experience
and sort of know-how into the project. I think the culmination of it is truly a wonderful balance
between achieving the energy efficient aspects of life and also the livable amenities that people
expect from their daily life.

We have four units here, not just one and not just two, but on the other hand not ten. So it is a
good balance for the location and size of the site. We have opportunity on the ground level for
retail commercial personal services and we have accounted for parking for all of those items not
only from a vehicular standpoint but from a pedestrian friendly and bicyclist standpoint. Obviously there are plenty of public transportation routes nearby and so that dovetails well.

The design of the homes, we dubbed ‘eco-functionalism,’ that is a term that we toss around a lot because it really does describe what we focus on. We expect our designs and our assembly to be functional. They don’t necessarily have to be machined, they don’t have to be churned out like a stamp in that sort of a modular fashion, on the other hand we do take modularity into consideration for aspects of ease of building for the subcontractors and the contractors who are learning to use some of the sort of avant-guard assemblies that we use. We use panels, which are not a real common form of building in the industry, however, it is extremely energy efficient and has real good acoustical qualities. The orientation of the units themselves we focus on trying to put the right rooms in the right location and not necessarily having all of the rooms always in the same location per unit but keeping again the modularity of the assemblies in a sustainable manner so that we are not building too many different things. We have a lot of variety in the unit. The variety is geared toward allowing passive systems to work, passive ventilation, and passive heating cooling. We are careful to locate a good number and variety of windows and openings from room to room as well as from room to the outside. This allows a person to easily tailor their environment without having to knee-jerkingly flip on the heat or the cooling. When that does happen however, we do have what we think of as a state-of-the-art heating and cooling system which allows thermal sharing between units and possibly with the commercial space below. So not only is the project zoned within each unit so that the heating and cooling can be shared, the energy use can be shared between the rooms, but it can also be shared between units. So that is an item that is definitely not common but works very well and is becoming more common. We have photovoltaic and solar thermal panels so that we can not only create electricity and in the past most of the projects that we have done where we have put the array on each home we followed up with the residents and they say that they have received either a very low or sometimes a zero energy bill. Because of the net metering in California they are allowed to create their own electricity and then balance that out with their use over the year. So that will occur here. We have gone to the point of integrating also the solar thermal so we can also heat the hot water with the sun. So we are doing our best to use as much of the wind power and the solar power that we have available to us while also focusing very hard on like I say, creating a dynamic space to live within and also spaces that are transformable and usable by a person throughout several years as their lifestyle changes.

If you have any questions I would be happy to answer anything that you may have. Thank you very much.

Chair Garber: Thank you. In terms of process we will have our representative from the ARB speak, and then we will have members from the public speak, and then we will go to questions, and then comments after that so you may be called back. With that, may I have our representative from the ARB, Board Member Solnick?

Mr. David Solnick, Architectural Review Board: Hi. I just wanted to say a couple of things. The main issue that is before you here of course is a zone change. The members of the ARB really had no or were quite unanimous about this being a perfectly appropriate project for a
PTOD. The mix of uses, the number of units, residential units, the retail on the ground floor, the
parking, really everything made a whole lot of sense for a PTOD project.

I should remind you it was a preliminary hearing so there was no vote, there were no
conclusions, but I think it is fair to say that what I am about to say is probably more my opinion
than necessarily the Board’s as a whole. We don’t really have that whole Board opinion yet on
the design. It came to us with a DEE for height and it looks from what I can tell from the Staff
Report that is no longer in there. I think that is good. The concern was that it was a four-
story project rather than three. It wasn’t clear why the townhouses needed to be three story
versus two. Really I think the reason that they are three story is that the designer chose to make
them detached. So the project is ground floor retail, and then four single family detached homes
on that podium. It is a bit of an unusual configuration for an urban type zoning which is what
PTOD is intended to be. By bringing those units in that is what makes them taller and that is
ultimately why it went to the fourth floor.

I had some questions about its environmental credentials in that regard. Single detached homes
are intrinsically less efficient than attached homes because you have more exterior walls, which
gain and lose heat and conditioned air.

The one other issue I had with the environmental aspects of the project is that there was a single
unit plan, which was rotated in four cardinal directions for the four units. I think both the
detached homes and that repetitive use of a single floor plan were really marketing decisions and
were not environmental decisions. Those are sort of big design items that have impact on
environmental but don’t show up in LEED, don’t show up in the BIG checklist. So again, I think
this is a wonderful project I think the zoning change should happen there is no issue about that
but one of the reasons I wanted to say this publicly is I think there is a tendency, we are going to
see some projects that kind of use the LEED and use the BIG checklist and do a really great job
and are really gung-ho for environmental stuff but don’t always necessarily do the sort real basic
stuff that a lot of good design has been doing for many decades. I think this is an example of
that. It has some fantastic environmental things in it, technical things, the solar panels, the water
heating, there is just a really long list of them, but I think some of the more basic things are
lacking in the environmental realm.

Aside from the environmental I think the three stories would be more in keeping with its context
than four stories would and I think it would be a better project but that is something the ARB
could deal with when it comes back there.

Chair Garber: Great, thank you. If there are any members of the public that would like to speak
on this now would be the time to do it. I have no cards at the moment. So with that the public
hearing will remain open until we complete questions and comments. Commissioner Sandas I
believe you have a question and before I have you start I want to clarify a couple of things with
the Planning Director.

Our auspice here is simply the change of recommending the new zoning and the change of
zoning here. We are not here to evaluate or discuss the merits of the project necessarily, is that
correct?
Mr. Williams: Right, not the design merits of the project. It is essentially that this use is appropriate and the combination is appropriate and you have sort of a conceptual idea of what the design would be. Your recommendation is specific to the zoning.

Chair Garber: Thank you. Commissioner Sandas.

Mr. Williams: If I could I didn’t finish what I was going to say. In terms of your review of the zoning basically this is what the criteria are, in other words, the purposes of the PTOD zoning. Some of these are design oriented but I think without getting into design details you can make judgments on this and as long as it furthers the intent of this I think that is what the basis in terms of your recommendation. I apologize for missing going over it.

Chair Garber: Thank you. Commissioner Sandas.

Commissioner Sandas: Thank you. I have two questions and the first questions was answered but I just can’t help but say I just want to make sure we focus more on PTOD elements and less on design. We can get caught up in that and we don’t need to.

I have one question for the applicant. Can you tell me if the four residential units will be apartments or condominiums?

Mr. Welte: They will be condominiums.

Commissioner Sandas: Condominiums.

Mr. Welte: Actually, if I may follow up real briefly, I just spoke with Mr. Solnick and I reminded him that we took very thorough notes at our preliminary ARB and incorporated a lot of the comments that they had into our current version of the set but he apparently hadn’t been routed a set. So he hadn’t seen our new design, which I gave him right now and I think he acknowledges that we definitely took into consideration a lot of the Board’s concerns. The one thing we didn’t change entirely was the height although we did lower the building it is still technically four stories but it is lower than it was.

Commissioner Sandas: Right, it is underneath the 50 foot height limit for the PTOD.

Mr. Welte: That is correct.

Commissioner Sandas: It is 47 feet I thought. Thank you. I think that the ARB will be able to work with that kind of information and we will focus on the district.

Mr. Welte: Thank you.

Chair Garber: Commissioner Tuma.
Vice-Chair Tuma: Clarification or question of Staff. Bullet item number three deals with the context-based development for the PTOD. Could you expand on that a little bit particularly for those of us who were not on the Commission at the time and what we are really looking at and what that really means?

Mr. Williams: Yes. We did also provide at your places tonight a copy of the Chapter 18.34 from the code. About the last half of that chapter is the context-based design criteria, which are a series of diagrams and text that essentially address things such as the streetscape, the building façades along the street, massing and articulation, so it is not a uniform look to the structure, how it relates to adjacent structures especially to low density, adjacent residential, how public and private open spaces are designed, how parking is laid out. Those are design criteria, which we believe this project substantially meets. There are probably or possibly tweaks to that that the ARB will get into. These will be used by the ARB in more detail with their final review of the design. So some of these diagrams are specific to circumstances that don’t exist here and some of them pertain to these. So ARB will be looking again at more detail at these diagrams and the criteria when they review it. We do believe that in this case some of the things related to connectivity through the site and that this is just too small a site to affect that but things like the streetscape, and building up to the street, and having attractive street frontage, and providing for bicycles and pedestrians and such are addressed to some extent at this point and will be addressed in more detail with the ARB’s formal review when they get there.

Vice-Chair Tuma: Okay. Then just a follow up to ask a specific question about something that you mentioned. Am I correct in reviewing the zoning map surrounding parcels that there are no low-density residential parcels abutting or immediately surrounding this project? Is that right? It is hard to tell across the street.

Ms. Weiss: That is correct.

Mr. Williams: There is no zoning, low-density residential zoning. There actually are some single-family to the rear that are in RM-15 zone district. It is single family and multi-family it is kind of mix back there on the street behind, on College.

Vice-Chair Tuma: Okay, thank you.

Chair Garber: I have just one question. Could you remind us what the next steps after this hearing are?

Mr. Williams: The next would be going to the Council with the rezoning. Then if the Council approves the rezoning then the applicant making the formal design submittal and review by the ARB. That would be the end of the process absent any appeal of the Design Review.

Chair Garber: Thank you. Are there any other comments? I apologize Commissioner Keller you did have your light on and then Commissioner Fineberg.

Commissioner Keller: A few clarifications for the record. Firstly I think that the PTOD height limit is 40 feet not 50 is that correct?
Ms. Weiss: Yes.

Commissioner Keller: I am seeing a nod from Staff. The second thing is I believe that the zone on College Avenue behind the subject property is RM-30 not RM-15 from the zoning map. Is that correct?

Mr. Williams: You may be right. Let’s check.

Commissioner Keller: It is on Attachment D of the Staff Report it looks like.

Mr. Williams: Then it must be right. I knew it was a multi-family zone and you are right it is RM-30.

Commissioner Keller: So there is a single-family residence there which happens to be on a multi-family zoned lot?

Mr. Williams: Right.

Commissioner Keller: Okay. In addition, is it part of our task to consider the recommendation of adoption of the Negative Declaration?

Ms. Weiss: Yes.

Commissioner Keller: Thank you. Is there any feedback from the adjacent residential neighbors behind this project?

Ms. Weiss: Yes. The residential neighbor behind the project along College Avenue and the applicant have had a lot of discussion about the project, a lot of changes have been made based on those discussions, and the residential neighbor behind the project now agrees and supports the project.

Commissioner Keller: Thank you. My final question is in mixed use in CS and CN zones there is a minimum amount of commercial use, which is retail. Is there a minimum amount of use – are there similar requirements in mixed use in PTOD comparable to the CN and CS requirements?

Mr. Williams: No there are not. The PTOD allows either an all residential project or a mixed use and it doesn’t specify a minimum it actually specifies a maximum amount of commercial and a lesser amount of office if office is proposed as opposed to personal services or retail. In this case I don’t know exactly what the FAR is for the commercial. It is .23 approximately commercial FAR and it is allowed to go up to .35 in the PTOD if it were office it is allowed to go to .25 only. The exception to that is that there are areas of this that have an R-Retail overlay and the PTOD Ordinance specifies that that remains in place. This does not happen to be one of those areas but if you are on California Avenue for instance and you have the R overlay so you would have to have retail on the first floor in that particular situation. On Cambridge the R
overlay does not exist so it does not require the nonresidential on the first floor. This could have been brought in as an entirely residential project. The applicant chose to do it as mixed use.

Commissioner Keller: So the fact that the applicant is proposing to put what apparently is some sort of retail type service on the ground floor is in some sense a bonus to us and the applicant doesn’t actually have to do that. Although it seems perfectly reasonable, there is a lot of retail and service type use in the adjacent properties nearby.

Mr. Williams: Right it is not required of the applicant.

Commissioner Keller: All right, thank you.

Chair Garber: Commissioner Fineberg and then Lippert.

Commissioner Fineberg: For those of us who are new on the Commission that were not here when the PTOD overlay was discussed years past can you review a little bit, not the specifics but which set of development standards apply? Is it what is in the middle column of Attachment D? I don’t want to delve into specifics because I understand we are not doing a specific project review but I just want to be real clear about which set of development standards apply.

Ms. Weiss: When you look at Table 2, Development Standards, it would be the proposed PTOD zone requirements, which is the middle column.

Commissioner Fineberg: Okay. When do we do the examination of the details and if it is later how do we then do a Negative Declaration now? How do we review a Negative Declaration of environmental impact if the project has not come to its form yet?

Mr. Williams: First of all the process does not have the Commission do any detailed design review. That is an ARB function. We do have at least a concept and more than a concept actually at this point on this project but all we need is a concept of what is going on there in terms of the intensities and setbacks and that to be able to do the environmental review. So even if we did not have any project proposed on there we could still and would do an environmental review essentially based on the maximum development intensity that could go on the site. In this case we have a specific project to base the review on.

Commissioner Fineberg: So we look then at the maximum allowed floor area and height. I understand we are not doing specific design review as ARB would be but the things that are our purview the floor area ratio, height, setback, but the proposed requirements we would assume at their max and then if there is no impact in the DEIR that is what we are looking at.

Mr. Williams: Right, in the Negative Declaration.

Commissioner Fineberg: Okay. Can either the applicant or Staff explain why this site was demolished in 2000, the preexisting buildings on the site?
Mr. Welte: At that time we were actually in the process of pulling building permits. We had gone all the way through with a commercial project, an office building, so we had performed the demolition portion of that. When we were pulling the building permits the market crashed for commercial and there was absolutely no way we could get the construction loan to build commercial. Since then it has been vacant because we have not been able to figure out what to do with it. So this actually a perfect opportunity to take what is really sort of a blight in that neighborhood and turn it into a real value to the neighborhood and everybody.

Commissioner Fineberg: Thank you. I am not sure if we got an answer when Commissioner Tuma asked about the neighboring residences that you mentioned that were behind it. Has there been any complaint or concern about conflicts of land uses or noise not maybe during construction because that is always an issue but do we have a sense of how consistent this building will be with those nonconforming residential uses?

Ms. Weiss: The residential neighbor directly behind the subject site had some concerns that were mostly design related. There were some noise related issues also but through design changes they were able to mitigate what was perceived to be a noise impact. Now he is in concurrence and agreement with the new design changes that are shown in the plans that you have tonight.

Commissioner Fineberg: Thank you.

Chair Garber: Commissioner Lippert.

Commissioner Lippert: I have some questions regarding massing and daylight plane and how all this works with our PTOD guidelines. I guess the architect might be the best person to answer these questions.

On A-9.1 you have a shadow study.

Mr. Welte: Yes.

Commissioner Lippert: Obviously you show it at the summer/winter solstice and then the spring/fall.

Mr. Welte: Yes.

Commissioner Lippert: Why did you select I guess it would be close to 12:00 noon and 4:00 PM but then why are there not morning solar studies?

Mr. Welte: We were asked to provide solar studies for two times during the day, three times a year. So we tried to spread those out into areas where we thought most people functioned onsite. So the 4:00 PM and the 11:30 sort of catch people as they are coming in. In the morning they are rushing to work and at noon they might be stopping home because they might be working nearby, maybe stopping home to enjoy a lunch in their garden or the people in the retail area may
be coming and going for lunch, etc. The evening then is when most people really have more
time to start relaxing and enjoying their site. So that is why we chose those times.

Commissioner Lippert: May I question December 21 at 4:00 in the afternoon? I think you are
going to find that the sun is probably just peaking below the horizon at that point even though it
will be light there won’t be any perceived shadow.

Okay, and then with regard to the solar panels what is the reason why there?

Mr. Welte: What we are trying to do here with solar panels is to – the zoning ordinance allows
things like solar panels and those sorts of constructions to be over and above the required height
limit. We don’t necessarily think that is a great thing and not only that we don’t necessarily
think that some of the ways of mounting some of this equipment is the best thing. We have gone
full circle with this. We have gone through decades and times when people just threw solar
panels on their roofs and then thought five years or ten years later boy, I could have done that a
little bit better. So what we have tried to do is to incorporate it into the form of the building. So
we are trying to turn the solar array shelf into a sculptural portion of the top of the building. It is
setback from all sides and then it is oriented, rotated and oriented, due south.

Commissioner Lippert: So the solar panels are oriented north-south?

Mr. Welte: Yes.

Commissioner Lippert: Independent of the roof.

Mr. Welte: The entire roof is shifted on its axis so that is tilted from point to point.

Commissioner Holman: Okay, got it, okay. Next, with regard to the solar orientation what is the
efficiency? What are we getting in the way of volts per unit? Is it going to be covering the
utilities for them completely?

Mr. Welte: Yes, we focus on mostly electric appliances because of our photovoltaic arrays. We
use photovoltaic array inverter net metering scenario that we found, we have done several
different versions believe me over the last 15 years. We have a version now that is very highly
energy efficient even if we don’t have the optimum angle and we obviously don’t have a tracking
system. So we pick an average. We work with not only the photovoltaic vendors but also our
energy consultants to optimize that angle and the position of the array. So once that is set we can
hope for around 75 percent efficiency of gathering that sunlight and turning it into electricity.
Once we have it then it is a matter of using it as efficiently as possible turning it from DC to AC
and not losing much, etc., etc. down the line. So everything that occurs from the time it leaves
the sun to the time it gets to your appliance you are losing a bit here and a bit there. so we have
tried to work out systems that allow that to be as efficient as possible and we have come up with
like I say actually checking back with many of our – like I say, we put this on homes and
buildings as a standard item not as an option. So we have many, many thousands of residents
that we can check with and we ask them how are things? How is your bill? Well, we either have
zero or we have a negative. They don’t receive any money back but that negative turns into a
zero or a positive later on so it balances over the 12 months. As a case in point, because of the
efficiency of, well not entirely because of that but partly because of the efficiency of the energy
systems that we put on their homes the people who have bought into our homes and have lived in
them now for 15 years there are no foreclosures.

Chair Garber: I am going to interrupt you just briefly. Have you received an answer to your
question?

Commissioner Lippert: Yes. I have more than enough information but I do have two other
minor massing questions.

Chair Garber: Please go ahead.

Commissioner Lippert: The balconies that are at the top level off on the side of the property,
those are fire escapes?

Mr. Welte: They are not fire escapes they are actually fire access. We worked closely with the
Fire Department, had several meetings with Building and Fire Department, and because of the
site, it is a very unique site, we designed several different options and scenarios for access to the
rooftops of all the units because of the arrays, etc. that was a concern. So this option with what
we call the bridges those are really for the Fire Department. Mr. Simpkinson, that is his
preferred option.

Commissioner Lippert: I am thinking in terms of the massing and the impacts on adjacent
properties. Couldn’t they happen internally or between paired units going the other direction?

Mr. Welte: They want to go from front to back. There is an option where they can climb onto
the roof, off the roof onto the balcony, and then across to the next unit. I think that is addressing
what you are suggesting where it does not occur on the side of the front unit. Mr. Simpkinson
preferred not to do that. He said that is possibility but he preferred not to. So he much prefers
the version we have now where they can access it directly from the terrace.

Commissioner Lippert: Then I guess another question associated with that is the parapet walls
that come up particularly high on the sides. I can understand one coming up high because of the
building next door.

Mr. Welte: That was also worked out with the ICC, International Code Council, where we wrote
letters. We worked with the Building Department here and they suggested that we have a good
scenario but let’s verify it. We wrote letters to the ICC and it took 40-some days to get a
response and we got a favorable response that yes, we can do what we are doing as long as we
have those walls to that height.

Commissioner Lippert: It is question for Staff if you don’t mind. It seems to me that some of
the fire components and some of the health, safety, welfare components of what fire is asking for
is conflicting with some of our PTOD criteria. How do we reconcile that?
Mr. Williams: Well, I think we will rely on ARB to identify if there are those points and they are uncomfortable with it then I think we are going to need to talk to the Fire Department. At this point we are not at the point of having that level of discussion yet and I think that is something that is going to come out of the ARB review. Again, we will sit down with Fire and I think we can do that in advance of the ARB review too and try to identify what we have heard in this dialogue but that is really the design stage of the project not whether or not the zoning is appropriate for the site.

Commissioner Lippert: I guess the reason why I am asking these questions is that we drafted these criteria that were to be used in PTOD and in some ways some of the health and safety constraints are trumping what we are trying to do here. So I am trying to get an understanding as to how we can reconcile that. That’s all.

Mr. Williams: Again, all I can say is we can deal with it when we have that more specifically defined with the Board I think as to where those conflicts are and if they feel that that’s jeopardizing the compliance with some of those design criteria then we need to go back and visit. I have seen the Board in action enough to know that they are not very willing to just accept the Fire Department says this has to be done or code says such and such without asking hard questions. Sometimes it does turn out that is the case but generally they want to get to the bottom of is there another way to do it that is more consistent with the design that they are looking for.

Commissioner Lippert: Thank you.

Chair Garber: If there are no more questions we will go to comments. I do have one Commissioner that is prepared to raise a motion but we will hold that for just a moment if there are other comments that the Commissioners would like to make. Commissioner Lippert.

Commissioner Lippert: I guess the first time around it is always going to be problematic because here we are, we wrote the rules and now we have to finally I guess eat our own recipe so to speak. I see that there is a conflict here between some of the criteria that we have created and what is being imposed on us by another department, the Fire Department in this case. I understand completely about the solar angles and get that. You can’t really change the angle of the sun in order to make solar panels efficient. You have to change the building and make the building conform to the sun. When it comes to the Fire Department in some ways what they are asking for in the way of their access is right on the edge of the property making the building appear in some ways a little more massive than what I envisioned. The idea is we wanted this to be something that would be able to fit in with the community and be compatible with our criteria here. So I have concerns with having those accesses on the top floor where they run the depth of the property. That is one of my big concerns.

Then the second is that firewall that needs to come up. Until there is another building next to it that comes up another story I don’t see why that really needs to be there either. So I would ask that we look at some of those issues. I am still in support of the idea of rezoning for PTOD but I do begin to see where we are having some conflicts with what our criteria were in setting up this
standard and what is being imposed I think on Planning as well as the Architectural Review Board.

Chair Garber: If there are no more comments, Commissioner Sandas.

MOTION

Commissioner Sandas: I move that the Planning and Transportation Commission recommend that the City Council adopt the Mitigated Negative Declaration and approve the requested zone change from CC(2) to the California Avenue PTOD Combining District for this site at 420 Cambridge Avenue.

Chair Garber: Approve as opposed to initiate. We are initiating.

Mr. Don Larkin, Senior Assistant City Attorney: No you are not initiating.

Commissioner Sandas: We are recommending.

Chair Garber: Thank you. May I hear a second?

SECOND

Commissioner Lippert: I will second that.

Chair Garber: Commissioner Lippert. There is a motion on the floor. Would the maker like to address their motion?

Commissioner Sandas: Yes, I just want to say that this project meets the six criteria that are on the screen for the PTOD. I believe it is a good primary example. It is a good first step in the PTOD especially being that it is a multi-use project. The fact that they are striving for LEED Gold is an additional benefit.

Chair Garber: Would the seconder like to speak?

Commissioner Lippert: Yes, I don’t really have much more that I can add. I think that it does follow the criteria that we have setup for it. Other than seeing some minor conflicts that are really an issue of cleaning up some of our stuff and understanding where we draw the line so to speak.

Mr. Williams: We will pass those comments along to ARB so they are aware that this has been raised.

MOTION PASSED (6-0-0-1, with Commissioner Holman absent)

Chair Garber: Thank you. If there are no other comments? All those in favor of the motion as stated say aye. (ayes) Opposed? That passes unanimously with Commissioner Holman absent.
Mixed-Use Occupancy Clarification Letter

NAME: City of Palo Alto
Planning and Community Environment
250 Hamilton Ave 5th Floor
P.O. Box 10250
Palo Alto, CA 94303

ATTN: The City of Palo Alto
City Council

FROM: Submitted by:
Stuart Welte, AIA
599 College Avenue
Palo Alto, CA 94306
Fon.650.793.2856 Fax.650.322.4550
stuart@clarum.com

ATTACH: Drawing Sets A0-A16
(8) 12x18 (color) & (1) 24x36 (b/w)

Clarum Homes is dedicated to creating an environmentally friendly mixed-use development at 420 Cambridge Avenue that offers occupant friendly designs and appealing architecture. We respectfully submit this letter to clarify the range of uses allowed for the ground floor commercial space.

Per our 10-15-2008 Planning Commission Report and from PAMC:

a) We are applying for the PTOD rezoning per the Planning Commission excerpt (P.1), thus our ground floor use is intended to be a Commercial Use with the intent of focusing on Personal Services.
b) We would like to request that this space allow a use such as “Green design and sales services”, “Customized Analysis for energy efficiency and carbon foot print reduction”, or similar small office use.
c) We feel that a business such as a “green design services” or “green design services and sales” fits the intended purpose of a “Personal Services” definition (under a category such as PAMC 18.04 Definition: 114(E); (Page 17 of Definitions)).
d) Additionally, Attachment “C” from the Planning Staff Report outlines “P” permissible uses under the Proposed PTOD section which include: Personal Services, Retail, Offices, General Business Services, etc.

We appreciate your consideration of the environmental and neighborhood benefits of the proposed Pedestrian Transit Oriented District mixed-use design and ask for your approval of this clarification.

Sincerely,

Stuart Welte, AIA
V.P., Architecture / Development
Clarum Homes / Byldan Corporation /
Environmental Innovations in Design-EID
650.793.2856

599 College Avenue, 2nd Floor, Palo Alto, California 94306
(650) 322-7069 Fax (650) 322-4550

420 Cambridge Mixed Use Clarification 11-03-2008.doc
(113) "Patio cover" is defined in subsection (24), Canopy.

(113.1) "Porch" means a roofed open area, attached to or part of the building and with direct access to the residence. Please see definition for "vaulted entry feature" for similar structures greater than 12 feet in height.

(114) "Personal service" means a use providing services of a personal convenience nature, and cleaning, repair or sales incidental thereto, including:

(A) Beauty shops, nail salons, day spas, and barbershops;

(B) Self-service laundry and cleaning services; laundry and cleaning pick-up stations where all cleaning or servicing for the particular station is done elsewhere; and laundry and cleaning stations where the cleaning or servicing for the particular station is done on site, utilizing equipment meeting any applicable Bay Area Air Quality Management District requirements, so long as no cleaning for any other station is done on the same site, provided that the amount of hazardous materials stored does not at any time exceed the threshold which would require a permit under Title 17 (Hazardous Materials Storage) of this code;

(C) Repair and fitting of clothes, shoes, and personal accessories;

(D) Quick printing and copying services where printing or copying for the particular service is done on site, so long as no quick printing or copying for any off-site printing or copying service is done on the same site;

(E) Internet and other consumer electronics services;

(F) Film, data and video processing shops, including shops where processing for the particular shop is done on site, so long as no processing for any other shop is done on the same site; and

(G) Art, dance or music studios intended for an individual or small group of persons in a class (see "commercial recreation" for other activities).

(114.2) "Porte-cochere" means a covered structure attached to a residence or adjacent to a residence and erected over a driveway, which is completely open on three or more sides and used for the temporary unloading and loading of vehicles.

(114.3) "Privacy" means a reasonable expectation that personal activities conducted within and around one's home will not be subject to casual or involuntary observation by others. Complete or absolute privacy is not a realistic expectation.

(115) "Private educational facility" means a privately owned school, including schools owned and operated by religious organizations, offering instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of California.

(116) "Professional office" means a use providing professional or consulting service in the fields of law, architecture and architectural design, engineering, accounting, and similar professions, including associated product testing and prototype development, but excluding product manufacturing or assembly and excluding the storage or use of hazardous materials in excess of permit quantities prescribed in Title 15 of the Municipal Code.
chapter shall apply in lieu of the provisions established by the underlying CC(2), CN, GM, RM30, and/or RM40 zoning district(s). Compliance with the provisions of Chapter 18.30(A), Retail Shopping (R), and Chapter 18.30(B), Pedestrian Shopping (P), combining districts shall also be required where such combining districts are applicable.

(b) [Reserved]

c) A pedestrian and transit oriented development combining district may be applied to a parcel through rezoning of the site, within the specified boundaries of the district, as shown on the city's approved zoning maps, pursuant to the provisions and process outlined in Section 18.34.060 of this chapter and Chapter 18.80 of the Zoning Ordinance.

(Ord. 4914 § 2 (part), 2006)

18.34.030 Land Uses

(a) The following land uses shall be permitted in the California Avenue Pedestrian and Transit Oriented Development (PTOD) Combining District, subject to limitations outlined in Sections 18.34.040 and 18.34.050.

<table>
<thead>
<tr>
<th>Land Uses</th>
<th>PTOD California Avenue</th>
<th>PTOD University Avenue [Reserved]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple-family residential housing</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Mixed-use development, where residential and non-residential uses are combined</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>See Section 18.34.030(b) below for specific uses</td>
<td></td>
</tr>
<tr>
<td>LiveWork Units</td>
<td>CUP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Subject to limitations of Section 18.34.040(b)</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Subject to limitations of Section 18.34.040(c)</td>
<td></td>
</tr>
</tbody>
</table>

P = Permitted Use                        CUP = Conditional Use, Use Permit Required

(b) Mixed use development, where residential and non-residential uses are combined, may include two or more of the following uses:

1) Multi-family residential;

2) Non-residential uses, limited to:
   (A) Retail and personal services;
   (B) Eating and drinking services;
   (C) Other non-residential uses allowed except on the ground floor where an (R) overlay exists:
      (i) Offices;
      (ii) General business services;
      (iii) Business and trade schools;