



# City of Palo Alto

## City Council Staff Report

(ID # 10150)

---

**Report Type: Action Items**

**Meeting Date: 4/8/2019**

**Summary Title: 3225 El Camino Real: Final Map**

**Title: PUBLIC HEARING/QUASI-JUDICIAL. 3225 El Camino Real [18PLN-00166]: Request for Approval of a Final Map to Create a Two Lot Vertical Airspace Subdivision for a Retail/Office Space, Four Apartments and Four Condominiums. The Final Map Also Includes Access and Utility Easements. Environmental Assessment: Exempt From the Provisions of the California Environmental Quality Act (CEQA) in Accordance With Guideline Section 15268(b)(3) (Ministerial Projects). Zoning District: Service Commercial (CS)**

**From: City Manager**

**Lead Department: Planning and Community Environment**

### **Recommendation**

Staff recommends City Council take the following action(s):

1. Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15268(b)(3) and in conformance with the previously adopted Initial Study/Mitigated Negative Declaration prepared for the associated development application (15PLN-0003), and
2. Approve subject final map on the consent calendar pursuant to Palo Alto Municipal Code Section 21.16 and the Subdivision Map Act

### **Executive Summary**

The requested action is approval of a final subdivision map for recordation. This action follows review and approval of the Vesting Tentative Map application by the Planning and Transportation Commission (PTC) and City Council. The Final Map consists of a two lot vertical subdivision. Parcel 1 (the “commercial parcel”), would include retail and office space and four apartments, and Parcel 2 (the “residential parcel”) would include four residential condominiums as shown on the Vesting Tentative Map Council approved on June 25, 2018.

### **Background**

The Planning and Transportation Commission (PTC) reviewed the Vesting Tentative Map in a public hearing on April 25, 2018 (Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=64676>) and

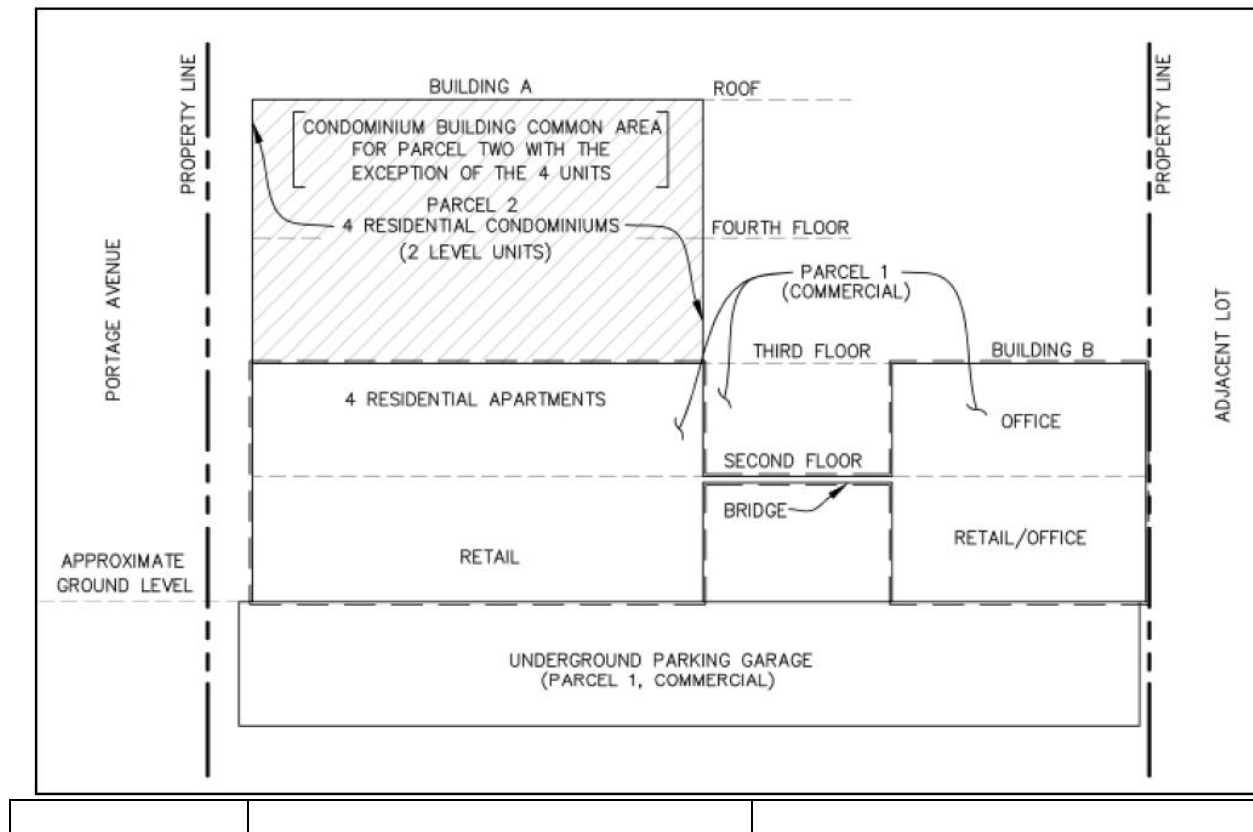
recommended approval to the City Council. On June 25, 2018 (Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=69864.37&BlobID=65567>), the City Council reviewed the Vesting Tentative Map in a public hearing and approved it with conditions of approval. The action of the City Council was based on its findings that the proposed subdivision will have no significant environmental impact and is in conformance with all state and local laws and regulations, and applicable Comprehensive Plan Elements in effect at that time.

A related Architectural Review application was recommended for approval by the Architectural Review Board on February 18, 2016 (Staff Report: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?BlobID=51103>) and the effective approval by the Director of Planning and Community Environment was on April 21, 2016.

### Discussion

On June 25, 2018, the City approved a Vesting Tentative Map for the project site. The Final Map is now submitted as Tract 10485. The 0.68-acre project site is in the Ventura neighborhood at the intersection of Portage Avenue and El Camino Real. The Final Map includes a two lot, vertical subdivision, as shown below.

### Cross-Section View of Proposed Parcels




The Final Map is the official, legal document to be recorded with the County to allow for separate ownership of the four condominiums units and the commercial/apartment space. The Final Map is prepared under the direction of a registered civil engineer and is based on a survey. The map includes easements for utilities and access.

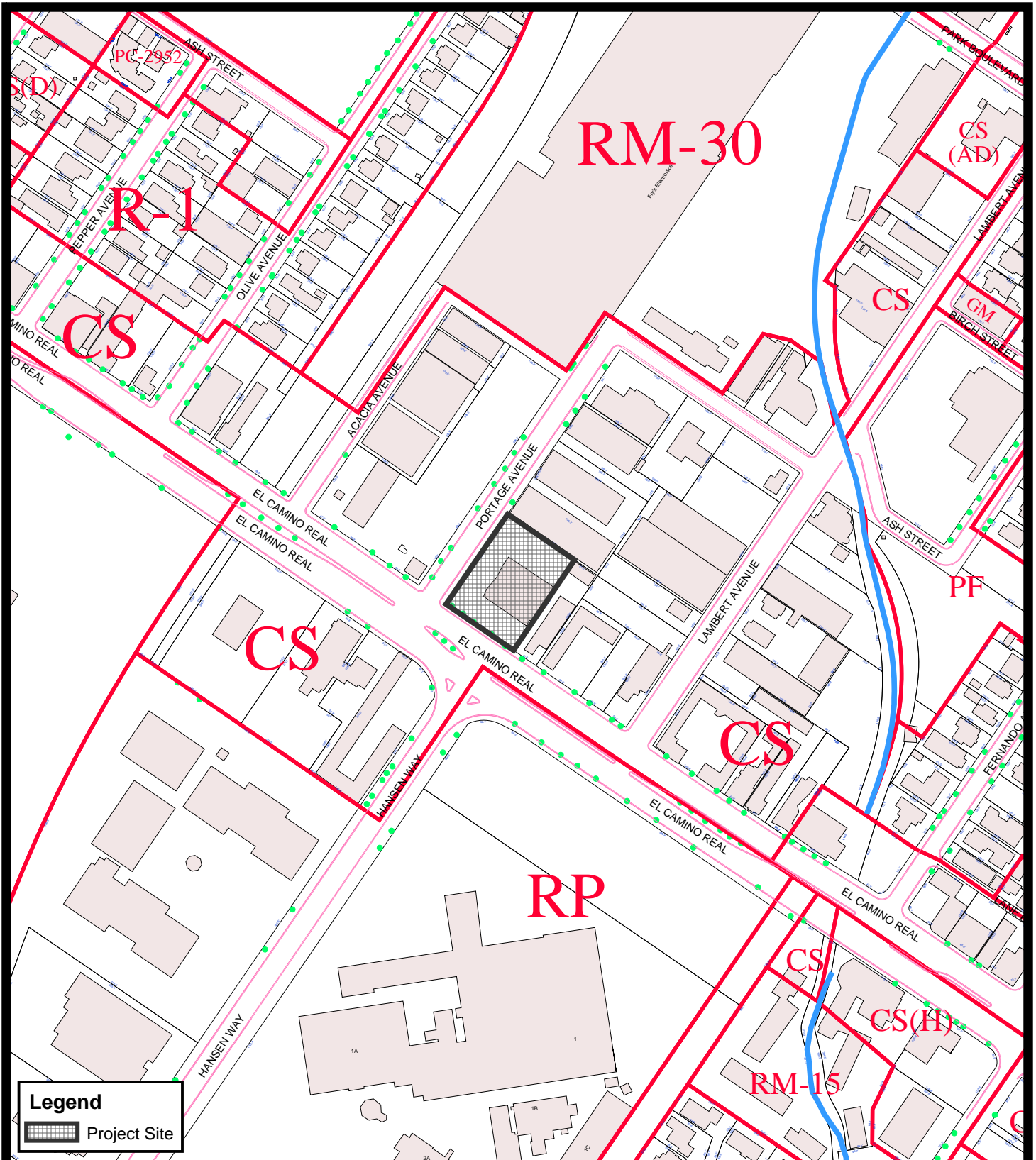
As required by the Subdivision Map Act, after review and confirmation by various City departments, it is determined that the Final Map presented substantially conforms to the approved Vesting tentative map. Approval of a Final Map is ministerial if the Final Map is in substantial conformance with the approved Vesting Tentative Map. While many cities delegate approval of the Final Map to the City Engineer, under PAMC Section 21.16, the City Council is responsible for the approval. The Final Map also includes a Subdivision Improvement Agreement, describing any obligations for improvements by the subdivider and the payment of bonds by the subdivider for financial security to ensure these improvements are completed as described within the Agreement.

**Environmental Review**


In conformance with the California Environmental Quality Act (CEQA), staff determined the Final Map is covered under the CEQA Guidelines Section 15268(b)(3), approval of final subdivision maps. The project is in conformance with the previously adopted Mitigated Negative Declaration for the associated development project (15PLN-00003). No further CEQA evaluation is necessary for the request.

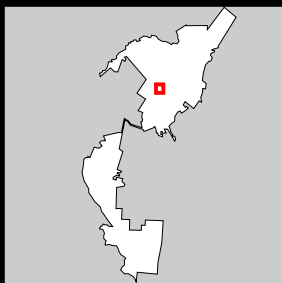
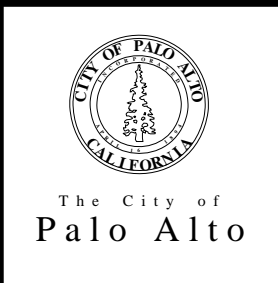
**Attachments:**

- Attachment A: Location Map
- Attachment B: Project Plans
- Attachment C - 3225 El Camino Real VTM RLUA



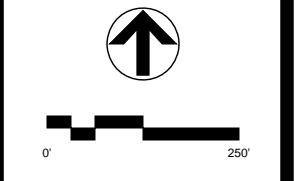
**Legend**

 Project Site



3225 El Camino Real  
 Final Map  
 17PLN-00166

This map is a product of the  
 City of Palo Alto GIS



This document is a graphic representation only of best available sources. The City of Palo Alto assumes no responsibility for any errors ©1989 to 2019 City of Palo Alto

## Attachment B

### **Project Plans**

Hardcopies of project plans are provided to Board members. These plans are available to the public online and/or by visiting the Planning and Community Environmental Department on the 5<sup>th</sup> floor of City Hall at 250 Hamilton Avenue.

#### **Directions to review Project plans online:**

1. Go to: [bit.ly/PAPendingprojects](http://bit.ly/PAPendingprojects)
2. Scroll down to find "3225 El Camino Real" and click the address link
3. On this project specific webpage you will find a link to the project plans and other important information

#### **Direct Link to Project Webpage:**

<https://www.cityofpaloalto.org/news/displaynews.asp?NewsID=4207>

**ACTION NO. 2018-05**  
**RECORD OF THE COUNCIL OF THE CITY OF PALO ALTO LAND USE ACTION FOR**  
**3225 EL CAMINO REAL: VESTING TENTATIVE MAP, 17PLN-00007**  
**(JOHN VIDOVICH, APPLICANT)**

At its meeting on June 25, 2018, the City Council of the City of Palo Alto (“City Council”) approved the Vesting Tentative Map for the development of a two-lot subdivision project making the following findings, determinations and declarations:

SECTION 1. Background.

A. On January 5, 2017, John Vidovich applied for a Vesting Tentative Map for the development of a two (2) parcel subdivision project (“The Project”).

B. The project site is comprised of one existing lot (APN No. 132-38-042) of approximately 29,962 square feet. The site contains one existing commercial structure. Commercial land uses (office and retail) are located adjacent to the lot to the north, west and east. To the project’s south, across a major arterial road (El Camino Real), are hotel and office land uses.

C. Following staff review, the Planning and Transportation Commission reviewed the project and recommended approval on April 25, 2018, subject to conditions of approval.

SECTION 2. Environmental Review.

The City as the lead agency for the Project has determined that the project is subject to environmental review under provisions of the California Environmental Quality Act (CEQA) under Guideline section 15070, Decision to Prepare an Initial Study-Mitigated Negative Declaration (IS-MND). An initial study was prepared for the project and it has been determined that there is potential for significant impacts that would require mitigation measures to reduce them to a less than significant level. These include mitigations for protection for nesting birds and appropriate construction methodology to prevent soil vapor intrusion into the structure. The IS-MND was made available for public review beginning December 4, 2015, through January 8, 2016, and approved by the Director of Planning and Community Environment on April 21, 2016. The Initial Study and Negative Declaration are contained as Attachment J in the February 18, 2016, Architectural Review Board Staff Report (ID #6508).

SECTION 3. Vesting Tentative Map Findings.

A legislative body of a city shall deny approval of a Parcel Map, if it makes any of the following findings (California Government Code Section 66474). The City Council cannot make these findings for the following reasons:

1. *That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451:*

The site is consistent with the Comprehensive Plan as described below.

2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans:*

The Project is consistent with the following Comprehensive Plan policies: Policy L-1.2: Limit future urban development to currently developed lands within the urban service area [...] The Project site is located within the urban service area and the Project is consistent with this policy by continuing the reuse of land within this area; and Policy L-1.5: Encourage land uses that address the needs of the community and manage change and development to benefit the community. The Project would facilitate the construction of a mixed-use commercial and residential development that would create eight new residential units, ground-floor retail and office space that maximizes the lot's utility to the benefit of the surrounding community; and Policy L-2.2: Enhance connections between commercial and mixed-use centers and the surrounding residential neighborhoods by promoting walkable and bikeable connections and a diverse range of retail and services that caters to the daily needs of residents. The Project provides a 4.5 foot public access easement along the El Camino Real street frontage to accommodate a 12 foot wide sidewalk that will serve to enhance the pedestrian environment. Additionally, 10 short-term bicycle parking facilities are provided in front and behind the plaza area (an additional 10 long-term bike lockers are provided in the below-grade parking garage) which encourages active modes of transportation such as bicycling; and Policy L-4.3: Encourage street frontages that contribute to retail vitality in all Centers. Reinforce street corners in a way that enhances the pedestrian realm or that form corner plazas. Include trees and landscaping. The approved development project associated with the subdivision Project provides a highly visible and substantial open plaza with pedestrian-friendly amenities such as seating areas, decorative pavers and planters that will visually engage and promote activity within the development.

3. *That the site is not physically suitable for the type of development:*

The Project site is suitable for mixed use development; it is comprised of one large relatively flat lot in a commercial corridor along a major arterial road (El Camino Real) in the Service Commercial (CS) zoning district. The lot would be subdivided into two parcels; one 25,121 square foot (sf) commercial parcel and one 7,377 sf residential parcel for condominium purposes not to exceed four (4) residential condominium units. There is no required minimum site area, width, or depth for mixed-use developments in the CS zoning district. A public access easement will be dedicated with the Final Map to provide an additional 4.5 feet of sidewalk between the front property line and back of walk along the El Camino Real frontage to create a 12 foot effective sidewalk width. The Project site would allow for a total of eight multi-family residential units on two parcels in a vertical arrangement as permitted for mixed-use developments in the CS zoning district.

4. *That the site is not physically suitable for the proposed density of development:*

The project would create eight multi-family residential units which compliant with the maximum allowable residential density as calculated for the total site area (30 DU/acre = 20 DU). See Palo Alto Municipal Code Section 18.16.060 – Table 4 (3).

5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat:*

As conditioned in the Final IS-MND approved by the Director of Planning and Community Environment on April 21, 2016, the Project will not cause environmental damage or injure fish, wildlife, or their habitat, in that property is not adjacent to sensitive habitat areas and would incorporate mitigation measures to reduce impacts to nesting birds to a less than significant level .

6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems:*

An environmental analysis identifies a few potentially significant impacts related to the associated development project's improvements that would require mitigation measures to reduce them to a less than significant level. These include mitigations for protection for nesting birds and appropriate construction methodology to prevent soil vapor intrusion into the structure as reported in the Final IS-MND approved by the Director of Planning and Community Environment on April 21, 2016.

7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.*

The design of the subdivision will not conflict with any easements for access through or use of the property. A public access easement will be dedicated with the Final Map to the provide an additional 4.5 feet of sidewalk between the front property line and back of walk along the El Camino Real frontage to create a 12 foot effective sidewalk width.

SECTION 4. Vesting Tentative Map Approval Granted.

Vesting Tentative Map Approval is filed and processed in accordance to PAMC Section 21.13.020 and granted by the City Council under PAMC Sections 21.12 and 21.20 and the



California Government Code Section 66474, subject to the conditions of approval in Section 7 of this Record.

**SECTION 5. Final Map.**

The Final Map submitted for review and approval by the City Council shall be in substantial conformance with the Vesting Tentative Map prepared by John Koroyan titled "Vesting Tentative Map For Condominium Purposes," consisting of nine (9) pages, stamped as received May 21, 2018, except as modified to incorporate the conditions of approval in Section 6. A copy of the Vesting Tentative Map is on file in the Department of Planning and Community Environment, Current Planning Division. Prior to the expiration of the Vesting Tentative Map approval, the subdivider shall cause the subdivision or any part thereof to be surveyed, and a Final Map, as specified in Chapter 21.08, to be prepared in conformance with the Vesting Tentative Map as conditionally approved, and in compliance with the provisions of the Subdivision Map Act and PAMC Title 21 and submitted to the City Engineer (PAMC Section 21.16.010[a]).

**SECTION 6. Conditions of Approval.**

**Planning Division**

1. ALLOWED FAR. The total FAR allowed for Parcels 1 and 2 shall not exceed the FAR that would be permitted if the parcels were merged (i.e. total FAR shall be based on the land area of 29,962 square feet). For purposes of FAR, Parcels 1 and 2 shall not enjoy additional rights nor be subject to additional limitations compared to a single parcel on the site.
2. REQUIRED SETBACKS. All setbacks shall be based on a vertical plane extending from the perimeter property lines of the total site.
3. PARKING FOR PARCEL 2. The required eight (8) parking spaces plus associated guest parking, as required by PAMC 18.52, for Parcel 2 shall be provided for on Parcel 1. Related easements will be required to access said parking, as further described in the CC&Rs dated March 13, 2018.
4. MITIGATION MONITORING AND REPORTING PROGRAM. Mitigation Monitoring and Reporting Program (MMRP), prepared for this project in compliance with the California Environmental Quality Act (CEQA), shall be incorporated by reference as conditions of approval and is attached hereto for convenience. The applicant shall comply with all specified mitigation measures in the timelines outlined in the project's MMRP. Prior to requesting issuance of any related demolition and/or construction permits, the applicant shall meet with the Project Planner to review and ensure compliance with the MMRP, subject to the satisfaction of the Director of Planning of Planning and

Community Environment.

5. DEVELOPMENT IMPACT FEES. Payment in the amount of \$885,230.74 for the associated Development Impact Fees was paid to the City on April 6, 2018. No additional impact fees are required.
6. 90-DAY PROTEST PERIOD. The applicant is hereby notified that the approved plans, these conditions of approval, and the adopted City fee schedule constitute written notice of the description of the dedications, reservations, amount of fees and other exactions related to the project. California Government Code Section 66020 provides that a project applicant who desires to protest the fees, dedications, reservations, or other exactions imposed on a development project must initiate the protest at the time the development project is approved or conditionally approved or within ninety (90) days after the date that fees, dedications, reservations or exactions are imposed on the Project. Additionally, procedural requirements for protesting these development fees, dedications, reservations and exactions are set forth in Government Code Section 66020. IF YOU FAIL TO INITIATE A PROTEST WITHIN THE 90-DAY PERIOD OR FOLLOW THE PROTEST PROCEDURES DESCRIBED IN GOVERNMENT CODE SECTION 66020, YOU WILL BE BARRED FROM CHALLENGING THE VALIDITY OR REASONABLENESS OF THE FEES, DEDICATIONS, RESERVATIONS, AND EXACTIONS. If these requirements constitute fees, taxes, assessments, dedications, reservations, or other exactions as specified in Government Code Sections 66020(a) or 66021, this is to provide notification that, as of the date of this notice, the 90-day period has begun in which you may protest these requirements. This matter is subject to the California Code of Civil Procedures (CCP) Section 1094.5; the time by which judicial review must be sought is governed by CCP Section 1094.6.

**Building Division**

7. All occupancy separations, rated shafts and easements shall be constructed and maintained per the draft of the COMBINED CONDOMINIUM DECLARATION AND COVENANTS, CONDITIONS AND RESTRICTIONS dated March 13, 2018.

**Public Works Engineering Department**

8. Both proposed parcels will need to be in compliance with Provision C.3 – New Development and Redevelopment under Municipal Regional Stormwater Permit 2.0, as specified by the Santa Clara Valley Urban Runoff Pollution Prevention Program. Compliance with this requirement will be verified prior to Building permit issuance.
9. The property owner shall provide a public access easement for the additional dimension of sidewalk between the property line and back of walk and/or building edge to create a free and clear sidewalk measuring 12 feet in width. Applicant shall plot and label the public access easement on the Final Map.

10. Off-site improvements such as curb and gutter, sidewalk replacement, street tree replacement and/or new street trees, street lights, utility upgrades or street resurfacing, striping are typically required with subdivisions. Since the proposed projects are part of subdivision, applicant(s) shall be aware that off-site improvements such as those listed above will be required. At a minimum plans provide an Off-site improvement Plan set that show new curb, gutter and sidewalk along the project frontages to be removed and replaced, full street width resurfacing (grind and overlay) will be required, new street trees, striping, all off-site utility upgrades. Applicant shall meet with Urban Forestry to evaluate if a new street tree can be planted along the project frontages.
11. Subdivision Improvement Agreement is required to secure compliance with condition of approval and security of improvements onsite and offsite per PAMC Section 21.16.220.

AS PART OF THE FINAL MAP PROCESS

12. The Final Map shall include CITY ENGINEER STATEMENT, CITY SURVEYOR STATEMENT, BENEFICIARY STATEMENT, DIRECTOR OF PLANNING AND COMMUNITY ENVIRONMENT STATEMENT and CITY CLERK.
13. The City of Palo Alto does not currently have a City Surveyor we have retained the services of Siegfried Engineering to review and provide approval on behalf of the City. Siegfried will be reviewing, signing and stamping the Final Map associated with your project. In effort to employ the services of Siegfried Engineering, and as part of the City's cost recovery measures, the applicant is required to provide payment to cover the cost of Siegfried Engineering's review. Our intent is to forward your Final Map to Siegfried for an initial preliminary review of the documents. Siegfried will then provide a review cost amount based on the complexity of the project and the information shown on the document. We will share this information with you once we receive it and ask that you return a copy acknowledging the amount. You may then provide a check for this amount as payment for the review cost. The City must receive payment prior to beginning the final review process.
14. Provide closure calculations and cost estimate for the off-site improvements described above.
15. Provide electronic copies of the documents provided.

PRIOR TO FINAL MAP RECORDATION

16. Submit wet signed and stamped mylar copy of the Final Map to the Public Works for signature. Map shall be signed by Owner, Notary and Surveyor prior to formal submittal.
17. Signed Subdivision Improvement Agreement and Security Bonds as described per PAMC 21.16.230.

PRIOR TO ISSUANCE OF A BUILDING PERMIT OR GRADING AND EXCAVATION PERMIT

18. Final Map shall be recorded with the County Recorder.

**Utilities Electrical Engineering**

19. The applicant shall grant the City the easement to access the transformer that will serve the new buildings.

**Housing/BMR**

20. Below Market Rate (BMR) Housing Requirement: This project's total BMR requirement is 0.60 units. When the BMR requirement results in a fractional unit, an in-lieu payment to the Residential Housing Fund may be made for the fractional unit instead of providing an actual BMR unit, except that larger projects of 30 or more units must provide a whole BMR unit for any fractional unit of one-half (0.50) or larger.

21. The applicant shall provide an in-lieu payment as specified in Section 16.65.060. The fractional in-lieu fee shall be paid prior to issuance of any building permits for the project; provided, however, that prior to issuance of the first building permit for the project, the applicant may elect to provide one additional inclusionary unit instead of paying the fractional in-lieu payment.

22. All BMR units constructed under this condition shall be in conformance with the City's BMR Program rules and regulations. In the event the applicant elects to construct a BMR unit, a BMR Agreement in a form acceptable to the City Attorney for the 0.60 BMR units shall be executed and recorded prior to final map approval or building permit issuance, whichever occurs first. Failure to comply with the timing of this condition and any adopted BMR Program rules and regulations shall not waive its later enforcement.

**SECTION 7. Term of Approval.**

Vesting Tentative Map. All conditions of approval of the Vesting Tentative Map shall be fulfilled prior to approval of a Final Map (PAMC Section 21.16.010[c]). Unless a Final Map is filed, and all conditions of approval are fulfilled within a two-year period from the date of Vesting Tentative Map approval, the Vesting Tentative Map shall expire and all proceedings shall terminate. An extension of time may be granted by the city council after recommendation of the planning commission, upon the written application of the subdivider, prior to the expiration of the Vesting Tentative Map approval, or any previous extension granted. Such extension(s) shall be subject to the maximum limitations set forth in the Subdivision Map Act.

PASSED: 7-1

AYES: Dubois, Filseth, Fine, Holman, Kniss, Tanaka, and Wolbach

NOES: Kou

ABSENT: Scharff

ABSTENTIONS: None

ATTEST:

DocuSigned by:

*Beth Minor*

27523117DA804D7...

City Clerk

APPROVED:

DocuSigned by:

*[Signature]*

293CF322E1294F6...

Director of Planning and  
Community Environment

APPROVED AS TO FORM:

DocuSigned by:

*Albert Yang*

15B6C45220134DC...

Deputy City Attorney

PLANS AND DRAWINGS REFERENCED:

Those plans prepared by John Koroyan titled "Vesting Tentative Map for Condominium Purposes," consisting of eight pages, stamped April 6, 2018.

# Appendix G

---

*Mitigation Monitoring and Reporting Program*



## **MITIGATION MONITORING AND REPORTING PROGRAM**

The Final Initial Study-Mitigated Negative Declaration identifies the mitigation measures that will be implemented to reduce the impacts associated with the 3225 El Camino Real Mixed-Use Project. The California Environmental Quality Act (CEQA) requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in section 21081.6(a)(1) of the Public Resources Code:

*... the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.*

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of adopting a mitigated negative declaration.

The mitigation monitoring table lists those mitigation measures that may be included as conditions of approval for the project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The project applicant will have the responsibility for implementing the measures, and the various City of Palo Alto departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.



3225 El Camino Real Mixed-Use Project  
**Mitigation Monitoring and Reporting Program**

<b>3225 El Camino Real Mixed-Use Project                      Final Initial Study-Mitigated Negative Declaration                      Mitigation Monitoring and Reporting Plan</b>					
Mitigation Measure	Action Required	When Monitoring to Occur	Implementation Responsibility	Monitoring Responsibility	
<b>BIOLOGICAL RESOURCES</b>					
<b>BIO-1</b>	<p><b>Nesting Birds.</b> To avoid disturbance of nesting and special-status birds, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (typically February through August in the project region). If construction must begin within the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 3 days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted within the Project Boundary, including a 300-foot buffer (500-foot for raptors), on foot, and within inaccessible areas (i.e., private lands) afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in the area. If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.</p>	<p>If work planned during nesting season, verification of completed surveys.</p> <p>Verification that prescribed measures taken and timing adhered to if species observed.</p>	<p>At least once before work commences.</p> <p>Periodically during initial ground disturbance and/or vegetation removal.</p>	Applicant	City of Palo Alto





3225 El Camino Real Mixed-Use Project  
**Mitigation Monitoring and Reporting Program**

<b>3225 El Camino Real Mixed-Use Project Final Initial Study-Mitigated Negative Declaration Mitigation Monitoring and Reporting Plan</b>					
<b>Mitigation Measure</b>	<b>Action Required</b>	<b>When Monitoring to Occur</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	
<b>HAZARDS AND HAZARDOUS MATERIALS</b>					
<b>HAZ-1</b>	<p><b>Soil and Groundwater Contamination.</b> A Phase II ESA (i.e. soil vapor assessment) shall be conducted by a City-approved qualified assessor to determine if off-gassing of TCE is occurring at the project site. If TCE-impacted soil vapor is identified beneath the project site, engineering controls shall be installed beneath the proposed structure and within the underground parking garage to prevent soil vapor intrusion into the structure. Common effective engineering control measures that could meet these objectives include:</p> <ul style="list-style-type: none"> <li>• Soil vapor barriers placed beneath the proposed structure.</li> <li>• Installation of an exhaust ventilation system in the parking garage, engineered to ventilate TCE in addition to vehicle exhaust.</li> </ul> <p>OR</p> <p>If a Phase II ESA is not conducted to determine if off-gassing is occurring, engineering controls as listed above or otherwise sufficient to address the condition to the satisfaction of the City's Building Official shall be constructed as part of the project. These engineering control measures shall be designed to reduce impacts associated with off-gassing of TCE to levels that would not be expected to adversely affect human health.</p>	<p>Review and approve Phase II and verification that engineering controls are in site plans, if applicable.</p> <p><i>Or</i></p> <p>Verification that engineering controls are in site plans.</p>	<p>Prior to the issuance of grading permit.</p>	<p>Applicant</p>	<p>City of Palo Alto</p>

