



## NOTICE OF EXEMPTION

**PROJECT TITLE:**

Office Building Replacement at 901 California Avenue

**PROJECT LOCATION:**

901 California Avenue, Palo Alto, Santa Clara County, CA 94304

**PROJECT DESCRIPTION:**

Approval of a Major Architectural Review to allow the demolition of an existing two-story office building totaling approximately 55,000 square feet and construction of a new two-story approximately 55,583 square foot office building with a 2,709 square foot amenity space.

**NAME OF PUBLIC  
AGENCY APPROVING  
THE PROJECT:**

City of Palo Alto

**NAME OF PERSON OR  
GROUP CARRYING OUT  
PROJECT:**

Radika Bunton, Alexandria Real Estate Equities  
1700 Owens Street, Suite 590  
San Francisco, CA 94158

**EXEMPT STATUS**

(check one)

- Ministerial (Sec. 21080(b)(1); 15268)
  - Declared Emergency (Sec. 21080(b)(3); 15269(a))
  - Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
  - Categorical Exemption: CEQA Guidelines §15301 (existing facilities); 15303 (Small Structures)
  - Statutory Exemptions.
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**REASONS WHY  
PROJECT IS EXEMPT:**

See Attachment A

**PROJECT CONTACT:**

Garrett Sauls  
Planner, Department of Planning and Development Services  
[Garrett.Sauls@CityofPaloAlto.org](mailto:Garrett.Sauls@CityofPaloAlto.org); (650) 329-2471

**IF FILED BY APPLICANT:**

1. Attach certified document of exemption finding.
2. Declare if a Notice of Exemption has been filed by the public agency approving the project

Yes

N/A

*Garrett Sauls*  
Signature (Public Agency)

Planner  
Title

10/13/2022  
Date

## **ATTACHMENT A: Documentation of Project's Eligibility for Class 2 Exemptions Under CEQA**

The City has determined that the proposed Office Building Replacement at 901 California Avenue Project is categorically exempt from CEQA under the Class 2 (Replacement or Reconstruction) Exemptions. CEQA Guidelines §15302 reads: "Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to: (b) *Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.*"

The information herein documents the project's compliance with these exemptions in addition to confirming that no exceptions to the exemptions, as outlined in CEQA Guidelines §15300.2, apply to the project.

### **Eligibility for Exemption**

The Project is eligible for a Class 2 (15302) exemption because it consists of the redevelopment of an existing parcel by replacing the existing 54,930 square foot office building with a new 55,583 office building. Other site improvements associated with the project are primarily focused on increasing landscaping and modifying the parking lot to bring the site into compliance with the City's current requirements. While there will be an addition of 653 square feet, this will not substantially alter the purpose or capacity of the building as the future use will remain as an office building. The project will include a future 2,709 sf amenity space on the ground floor of the building, such as a cafeteria or fitness center, which will provide services on site for the building's employees. This area is exempt from the City's calculations of floor area because it is intended to reduce the need for vehicle trips off site during the day. The applicant will also be required to participate in Stanford's robust TDM program which targets reducing vehicle trips by 30% in accordance with the City's Comprehensive Plan. Therefore, the replacement of the existing building would be consistent with the Class 2 exemptions.

### **Exceptions to the Exemptions**

The City is aware that there are six categories or exceptions that preclude the use of Categorical Exemptions, as listed in CEQA Guidelines 15300.2 These categories, followed by the reason(s) the City believes they are not applicable to this project, are as follows:

*15300.2(a) Location. Classes 3,4,5,6 and 11 are qualified by consideration of where the project is to be located—a project that is ordinarily insignificant in its impact may in a particularly sensitive environment be significant*

The proposed project would be located on an existing developed site, most of which is currently utilized as an office building. The project site is located within a developed area; no special status species are known to occur on or within the immediate vicinity of the project site.

*15300.2(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The project is a stand-alone redevelopment project that would not be completed in multiple phases that could result in a cumulative impact over time.

*15300.2(c) Significant Effect. There are no unusual circumstances creating the possibility that the project will have a significant effect on the environment pursuant to CEQA.*

There is nothing unique about the site, such as the presence of cultural resources and nothing unique about the project itself that would constitute an unusual circumstance, creating the possibility that the project will have a significant effect on the environment pursuant to CEQA. Although the project includes a minor addition in floor area when compared to the existing building, the addition falls within the maximum allowances for the site based on the current zoning code and will not substantially alter the buildings capacity. The site is located on the GeoTracker database through a voluntary Site Cleanup Program but records show the volatile organic compounds exist from a combination of off-site sources and on-site releases of chlorinated solvents from historical (non-UST related) operations. (see 15300.2(e) below for discussion). Standard conditions of approval for management of volatile organic compounds would be included as part of any decision and in accordance with the City's Comprehensive Plan. These have the potential to result in impacts on future tenants, which represent impacts of the environment on the project rather than impacts of the project on the environment. Therefore, this would not represent an unusual circumstance and would not require further evaluation in compliance with CEQA (CBIA v. BAAQMD).

*15300.2(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, with a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*

The project site is not visible from a scenic highway. I-280 and Skyline Blvd (HWY 35) are the only State scenic highways in Palo Alto and they are not visible from the project site.

*15300.2(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

901 S. California Avenue is listed on Geotracker under the Site Cleanup Program database, as a result of a voluntary application for environmental oversight and the Cost Recovery Agreement executed between Merck and the Water Board, dated February 2019. This is a voluntary agreement, not a Cleanup and Abatement Order, and staff has confirmed with representatives from the Water Board that the site is not listed as a Leaking Underground Storage Tank (LUST) case. Thus, 901 S. California Avenue is not on any list compiled pursuant to Section 65962.5.

*15300.2(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of an historical resource.*

There are no historic resources listed or that are known to be eligible for listing within the work area. Therefore, the project would not have the potential to cause a substantial adverse change in the significance of a historic resource.