

APPROVAL NO. 2024-_____
RECORD OF THE COUNCIL OF THE CITY OF PALO ALTO LAND USE ACTION FOR 3265 El
Camino Real: PLANNED COMMUNITY REZONING
[FILE NO 24PLN-00012]

On _____, the City Council of the City of Palo Alto ("City Council") approved a Planned Community Rezoning, making the following findings, determinations, and declarations:

SECTION 1. Background.

A. On January 10, 2024 Architect Isaiah Stackhouse, on behalf of Half Dome Capital, LLC. ("Applicant") applied for a Planned Community Rezoning and Comprehensive Plan Text Amendment to construct a 100% affordable, six-story, 55 dwelling unit housing development with ground level lobby and parking garage.

B. The project site consists of one existing, vacant, parcel located at 3265 El Camino Real (APN 132-38-020) totaling 0.17 acres.

C. On September 11, 2023 Council conducted a prescreening review of the proposed legislative actions in accordance with PAMC 18.79

D. On April 10, 2024 the Planning and Transportation Commission (PTC) held a duly noticed public hearing and recommended that the applicant submit the proposed plans to the Architectural Review Board (ARB) based on the conceptual design and proposed project in accordance with the Planned Community Rezoning process.

E. Following the Planning and Transportation Commission's initial review, the ARB held a duly noticed public hearing on April 18, 2024 to provide feedback and allow for public comment on the proposed project. On November 21, 2024, the ARB held a duly noticed public hearing and recommended approval of the proposed project.

F. On January 15, 2025, the PTC held a duly noticed public hearing and recommended approval of the proposed project.

G. On _____, the City Council reviewed the request for a Planned Community rezoning. After hearing public testimony, the Council voted to approve/adopt:

- Resolution _____ adopting the 15183 CEQA Exemption;
- Ordinance _____ amending the zoning of the proposed resulting parcel to Planned Community _____; and
- This Record of Land Use Action

H. This application is subject to the conditions set forth in Section 6 of this Record of Land Use Action.

SECTION 2. Environmental Review.

In accordance with the California Environmental Quality Act (CEQA) the City prepared a Category 15183 Environmental Exemption ("Exemption") for the 3265 El Camino Real Housing Project to provide an assessment of the potential environmental consequences of approving and constructing the Project. The Draft

Exemption was published on the project webpage on [REDACTED]. The City Council certified and made related findings by Resolution No [REDACTED] on [REDACTED], prior to approval of the decision that is the subject of this RLUA.

SECTION 3. PLANNED COMMUNITY FINDINGS

Finding #1: The site is so situated, and the use or uses proposed for the site are of such characteristics that the application of general districts or combining districts will not provide sufficient flexibility to allow the proposed development.

The project is consistent with Finding #1 because:

The proposed project includes a density of units for the site that exceed what is allowed by the size of the parcel. The property is very narrow and short which limits its ability to achieve the minimum 44-unit Housing Inventory Site capacity without exceeding many of the CS zone district requirements.

Finding #2: Development of the site under the provisions of the PC planned community district will result in public benefits not otherwise attainable by application of the regulations of general districts or combining districts. In making the findings required by this section, the planning commission and city council, as appropriate, shall specifically cite the public benefits expected to result from use of the planned community district.

The project is consistent with Finding #2 because:

The primary public benefit for this project is additional housing units to assist the City in reaching their Regional Housing Needs Assessment goals. Under the CS zoning, the maximum development potential of this property would be 5 units, but through this PC application the project proposes 55 units. This site is currently listed as a Housing Inventory Site with an expected capacity of 44 units. The project proposes 100% of the units to be designated Below Market Rate, 25% allocated to Low Income and 75% to Moderate Income households. In addition, the owner has agreed to limit the affordable rents for the Low-Income units at 70% and the Moderate-Income units at 110% of SCC AMI, instead of the traditional City standard of 80% and 120% of Santa Clara County AMI respectively.

Finding #3: The use or uses permitted, and the site development regulations applicable within the district shall be consistent with the Palo Alto Comprehensive Plan, and shall be compatible with existing and potential uses on adjoining sites or within the general vicinity.

The project is consistent with Finding #3 because:

The project is compatible with the Comprehensive Plan as detailed further in Section 4, Finding #1 below. The proposed uses are compatible with the surrounding neighborhood, as it is hotels, restaurants, day cares, and offices. The City has developed the North Ventura Coordinated Area Plan (NVCAP) for properties in this vicinity which will increase housing and mixed-use sites within this area. Additional care has been taken to ensure viability of the existing street tree.

SECTION 4. ARCHITECTURAL REVIEW FINDINGS

The design and architecture of the proposed improvements, as conditioned, complies with the Findings for Architectural Review as required in Chapter 18.76 of the PAMC.

Finding #1: The design is consistent with applicable provisions of the Palo Alto Comprehensive Plan,

Zoning Code, coordinated area plans (including compatibility requirements), and any relevant design guides.

The project is consistent with Finding #1 because:

With approval of the requested Comprehensive Plan Amendment and Planned Community Rezoning in accordance with **Ordinance _____ and Resolution _____**, the proposed project complies with the zoning code and Comprehensive Plan. The project is not located within a coordinated area plan area as the application was deemed complete prior to the adoption of NVCAP. The El Camino Real/South El Camino Real Design Guidelines apply to the project and a comparative analysis has been provided in attachment _____. The proposed project is consistent with relevant goals and policies set forth in the Comprehensive Plan. Below is an analysis of the applicable goals and policies:

<i>Comp Plan Goals and Policies</i>	<i>How project adheres or does not adhere to Comp Plan?</i>
The Comprehensive Plan land use designation for the site is Service Commercial.	The project proposes high-density housing along El Camino Real, the City's high-quality transit corridor, which is an area designated for high-density housing. The site is located less than a mile from the California Avenue Caltrain station but has a Northbound/Southbound VTA bus stop within 500 feet from the parcel.
<i>Land Use Element</i>	
Policy L-1.3 Infill development in the urban service area should be compatible with its surroundings and the overall scale and character of the city to ensure a compact, efficient development pattern.	The project is an urban infill development proposal in the urban service area of the city.
Policy L-1.6: Encourage land uses that address the needs of the community and manage change and development to benefit the community.	The project provides 55 units to those with low income (50-80% of AMI) and moderate incomes (80%-120%, restricted to no greater than 110%). The project seeks to address the housing crisis that the City Council has identified as a top priority, particularly targeting the deepest affordability levels.
Policy L-1.11: Hold new development to the highest development standards in order to maintain Palo Alto's livability and achieve the highest quality development with the least impacts.	The material palette consists of traditional materials, like stucco and metal panels, in a warm neutral color scheme to complement the surrounding context.
Policy L-2.5 Support the creation of affordable housing units for middle to lower income level earners, such as City and school district employees, as feasible.	This project includes 100% of the units as BMR units at the Low Income (25%) and Moderate Income (75%) criteria.
Policy L-2.8: When considering infill redevelopment, work to minimize displacement of existing residents.	The property is undeveloped; therefore, no residents would be displaced as a result of this project.

Policy L-2.11 Encourage new development and redevelopment to incorporate greenery and natural features such as green rooftops, pocket parks, plazas and rain gardens.	The proposed building includes a rooftop terrace for the residents, which will provide the primary open/landscape space for the site. Trees will be planted at the roof and replacement trees will be provided off-site to expand the City's tree canopy.
Policy L-3.1: Ensure that new or remodeled structures are compatible with the neighborhood and adjacent structures.	Although the development is taller than adjacent single-story developments, the proposed massing at the ground floor transitions well between the one- and two-story structures. The proposed design steps in-ward at the shared interior sides of the property to maximize the massing breaks between neighboring structures given the narrowness of the site.
Policy L-3.4: Ensure that new multi-family buildings, entries and outdoor spaces are designed and arranged so that each development has a clear relationship to a public street.	The building is designed to have the primary pedestrian entry off El Camino Real.
Policy L-6.1: Promote high-quality design and site planning that is compatible with surrounding development and public spaces.	The proposed residential building places its massing along El Camino Real in keeping with the minimum 50% built-to setback requirements. In addition, the primary entries occur along El Camino Real which reinforces the streetscape between the adjacent restaurant and hotel uses.
Policy L-6.2: Use the Zoning Ordinance, design review process, design guidelines and Coordinated Area Plans to ensure high quality residential and commercial design and architectural compatibility.	The project is consistent with the City's Zoning Ordinance and, on balance, meets the City's design guidelines and the ARB findings for approval.
Policy L-6.7 Where possible, avoid abrupt changes in scale and density between residential and non-residential areas and between residential areas of different densities. To promote compatibility and gradual transitions between land uses, place zoning district boundaries at mid-block locations rather than along streets wherever possible.	Although the development is taller than adjacent single-story developments, the proposed massing at the ground floor transitions well between the one- and two-story structures. The proposed design steps in-ward at the shared interior sides of the property to maximize the massing breaks between neighboring structures given the narrowness of the site.
Policy L-9.2: Encourage development that creatively integrates parking into the project, including by locating it behind buildings or underground wherever possible, or by providing for shared use of parking areas. Encourage other alternatives to surface parking lots that minimize the amount of land devoted to parking while still maintaining safe streets, street trees, a vibrant local economy and sufficient parking to meet demand.	The current site is undeveloped and the proposed project provides all vehicle parking inside a garage.

Policy L-9.3: Treat residential streets as both public ways and neighborhood amenities. Provide and maintain continuous sidewalks, healthy street trees, benches and other amenities that promote walking and “active” transportation.	The project proposes to increase the sidewalk along El Camino Real by providing a public easement to allow for a 12-foot effective sidewalk width. In addition, the applicant is proposing short-term bike parking in the public right of way that will help to activate the streetscape for individuals that visit the site.
Policy T-1.19 Provide facilities that encourage and support bicycling and walking.	The project includes long-term bicycle parking in compliance with the code requirements. The applicant is proposing short-term bike parking in the public right of way that will help to activate the streetscape for individuals that visit the site.
Policy T-5.1: All new development projects should manage parking demand generated by the project, without the use of on-street parking, consistent with the established parking regulations. As demonstrated parking demand decreases over time, parking requirements for new construction should decrease.	The property owner is providing all tenants with a free VTA passes as a part of their TDM plan as well as un-bundling parking spaces with the units to incentivize multi-modal forms of transit.
Policy N-2.10: Preserve and protect Regulated Trees, such as native oaks and other significant trees, on public and private property, including landscape trees approved as part of a development review process and consider strategies for expanding tree protection in Palo Alto.	The project protects existing street trees. Any tree of 4” removed will be replaced pursuant to City requirements to ensure no net loss of canopy, as required by code.
Program H2.1.2: Allow increased residential densities and mixed-use development only where adequate urban services and amenities, including roadway capacity, are available.	The project is located within an urban area along the El Camino Real corridor in close proximity to high-quality transit.
Goal H-2: Support the construction of housing near schools, transit, parks, shopping, employment and cultural institutions.	The project infills an existing vacant property with a new multi-family housing development in a transit-oriented location that is also near schools, shopping, and employment along El Camino Real and within the immediate vicinity of Stanford Research Park.

The project has also been reviewed for conformance with the development standards in the zoning code (see Attachment C for a complete zoning consistency analysis). The proposed project exceeds City Council’s 20% minimum affordable housing requirement for Planned Home Zoning (PHZ) applications by providing an affordability rating of 75.3% based on Option #2 of the PHZ guidelines. In addition, the owner has agreed to limit affordable rents for the Low-Income units at 70% and the Moderate-Income units at 110% of Santa Clara County AMI, instead of the traditional City standard of 80% and 120% of SCC AMI respectively. This substantial benefit justifies the deviations from the zoning code requested by the applicant.

Finding #2: The project has a unified and coherent design, that:

- a. creates an internal sense of order and desirable environment for occupants, visitors, and the general

- community,
- b. preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,
- c. is consistent with the context-based design criteria of the applicable zone district,
- d. provides harmonious transitions in scale, mass and character to adjacent land uses and land use designations,
- e. enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

The project is consistent with Finding #2 because:

The use of stucco and metal panel elements within the design is well composed and reflects a consistent and coherent order between the proposed structure in context with the surrounding stucco buildings. The entrance along the ground floor on El Camino Real is clearly defined and the transition in scale between the surrounding buildings is appropriate as the building places most of its massing at the front and rear of the site and tapers inward along the shared interior side property lines. Given the narrowness and shallowness of the site, ground level landscaping is minimized, however, substantial landscaping has been provided at the rooftop which provides the majority of the open/landscape space requirements for the property.

Finding #3: The design is of high aesthetic quality, using high quality, integrated materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

The project is consistent with Finding #3 because:

The project incorporates a variety of materials, including gray cast concrete, wood tone panels, painted siding, glass, and landscape elements that are of high quality and that integrate well to create a cohesive design. The project proposes on site Public Art, which will also enhance the design. The project will stand out from other nearby buildings, because it uses a variety of materials to break up the massing and add visual interest. Most other buildings in the area use a more limited palette.

Finding #4: The design is functional, allowing for ease and safety of pedestrian and bicycle traffic and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

The project is consistent with Finding #4 because:

The driveway to the at-grade garage and parking lifts is located on the narrow street frontage along El Camino Real which is appropriate to efficiently direct vehicle traffic on and off the site. The long-term bike parking facility is located at the rear of the property in a bike room which has a direct walking path out to El Camino Real. Pedestrian access to the lobby is clear and the lobby provides easy access to the residences above ground via elevator or staircase.

Finding #5: The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent practical, regional indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained.

The project is consistent with Finding #5 because:

Due to the small lot size, significant landscaping at the ground level is difficult to achieve. Therefore, a significant amount of landscaping has been provided at the rooftop terrace which will serve as the primary shared open space for the residents. Seven trees will be planted at the rooftop terrace to maximize vegetative canopy for residents and 72% of the landscaping proposed in the project will utilize California Native species.

Finding #6: The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

The project is consistent with Finding #6 because:

In accordance with the City's Green Building Regulations, the building will satisfy the requirements for CALGreen Mandatory + Tier 2. The project also proposes an all-electric design and will be consistent with Model Water Efficiency Landscape Ordinance (MWELO) requirements.

SECTION 5. Conditions of Approval.

PLANNING DIVISION

1. **CONFORMANCE WITH PLANS.** Construction and development shall conform to the approved plans entitled, "3265 El Camino Real, Palo Alto, CA," uploaded to the Palo Alto Online Permitting Services Citizen Portal on October 11, 2024, as modified by these conditions of approval. These conditions of approval shall apply to any successors and/or future owners of the property such that they may be modified through mutual agreement between the City and said successor/future owner.
2. **BUILDING PERMIT.** Apply for a building permit and meet any and all conditions as contained in this document. The ARB recommended the plans be modified to incorporate the following conditions be addressed prior to building permit issuance:
 - a. Modify the stairway/elevator tower elements on the building to provide opportunities for natural light, via window or skylight, where feasible.
 - b. Modify the rear façade of the building at the bike room to provide opportunities for natural light, via window or skylight, where feasible.
 - c. Incorporate Auditory and Visual warnings at the garage door when the door opens to signal to bicyclists and pedestrians that vehicles are entering or exiting the garage. The Auditory warnings may be turned off outside of normal business hours to limit noise impacts to residents on the site, however, the Visual warning system must be active at all times. These warning systems must be maintained and repaired immediately if damaged or malfunctioning.
 - d. The garage door must be kept open during peak travel hours (7:00am-9:00am in the morning and 4:00pm-6:00pm in the evening; Monday through Friday) to allow for efficient vehicle movement in and out of the property.
3. **BUILDING PERMIT PLAN SET.** A copy of this cover letter and conditions of approval shall be printed on the second page of the plans submitted for building permit.
4. **ARB SUB-COMMITTEE.** The following items shall be returned to the ARB sub-committee for review and approval prior to issuance of any Building permit:
 - a. Provide additional details on Hardie-board siding to be used on the stairway/elevator tower elements of the building which clarifies the vertical transition between boards. Consider using a

different material altogether or a different color on the projecting and recessing elements of this material to express greater depth and shadow play so that the material does not appear flat.

5. **PROJECT MODIFICATIONS.** All modifications to the approved project shall be submitted for review and approval prior to construction. If during the Building Permit review and construction phase, the project is modified by the applicant, it is the responsibility of the applicant to contact the Planning Division/project planner directly to obtain approval of the project modification. It is the applicant's responsibility to highlight any proposed changes to the project and to bring it to the project planner's attention.
6. **ENTITLEMENT EXPIRATION.** The project approval shall be valid for a period of two years from the date of issuance of the entitlement. If construction of buildings has not commenced within two years from the date of issuance of the entitlement, the Planning entitlement shall expire. Application for a one-year extension of this entitlement may be made prior to expiration.
7. **LANDSCAPE PLAN.** Plantings shall be installed in accordance with the approved plan set and shall be permanently maintained and replaced as necessary.
8. **NESTING BIRD SURVEY.** Per the City's standard conditions, vegetation or tree removal shall be prohibited during the general avian nesting season (February 1 – August 31), if feasible. If nesting season avoidance is not feasible, the applicant shall retain a qualified biologist, as approved by the City of Palo Alto, to conduct a preconstruction nesting bird survey to determine the presence/absence, location, and activity status of any active nests on or adjacent to the project site no more than 14 days prior to scheduled vegetation clearance and/or demolition activities. If nesting birds are found to be present, a suitable buffer (typically a minimum buffer of 50 feet for passerines and a minimum buffer of 250 feet for raptors) as determined appropriate by the biologist, shall be established around such active nests and no construction shall be allowed within the buffer areas until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest). A report documenting any data recovered during monitoring shall be prepared by a qualified biologist and submitted to the Director of Planning prior to final planning inspection.
9. **UNANTICIPATED DISCOVERY OF BURIED ARCHAEOLOGICAL, PALEONTOLOGICAL, AND TRIBAL CULTURAL RESOURCES.** No known archeological or paleontological resources are present on or within the immediate vicinity of the site. However, in the unlikely event that an archeological resource or paleontological resource is unearthed during ground disturbing activities, work in the immediate area must be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If the find is Native American in origin, then a Native American representative must also be contacted to participate in the evaluation of the find. The qualified archaeologist, and, if applicable, the Native American representative, shall examine the find and make recommendations regarding additional work necessary to evaluate the significance of the find and the appropriate treatment of the resource. Recommendations could include, but are not limited to, invasive or non-invasive testing, sampling, laboratory analysis, preservation in place, or data recovery. A report of findings documenting any data recovered during monitoring shall be prepared by a qualified archaeologist and submitted to the Director of Planning prior to final planning inspection.

10. **COE PLUME AREA.** For projects within the California-Olive-Emerson (COE) Plume area, which are known to be subject to risk of vapor intrusion, the applicant shall assess site conditions to determine both the nature and extent of contamination. If contamination at the site exceeds the most current environmental screening levels (ESLs) identified by the Regional Water Quality Control Board (RWQCB) for volatile organic compounds, the applicant shall prepare and submit a Site Management and Contingency Plan (SMCP) to either the Department of Toxic Substances Control (DTSC), RWQCB, or the County of Santa Clara Department of Environmental Health for approval. The SMCP shall include details regarding the pending development and propose remediation and/or mitigation to address any environmental risk identified in the site assessment. The applicant shall agree to and implement all recommendations of the reviewing regulatory agency approving the SMCP in order to reduce the exposure of future occupants to vapor intrusion. A copy of the approved SMCP shall be submitted to the Director of Planning prior to issuance of a building permit. If the reviewing agency requires that a vapor intrusion barrier system be installed, the VIMs shall be documented in the building permit plan set prior to issuance of the building permit.
11. **OPEN AIR LOUDSPEAKERS (AMPLIFIED MUSIC).** In accordance with PAMC Section 18.40.230(i), the use of sound amplifying equipment shall be prohibited at the rooftop terrace. Signs shall be affixed adjacent to access elevators and stairs within the rooftop terrace providing notice of this prohibition.
12. **NOISE REPORT AT BUILDING STAGE.** An analysis of the proposed project's compliance with the City's noise requirements for the proposed HVAC was prepared as part of the documentation to support the CEQA Guidelines 15183 consistency analysis. At the time of building permit issuance for new construction or for installation of any such mechanical equipment, if the proposed equipment exceeds the anticipated noise level that was analyzed or is proposed in a location that is closer to the property line, the applicant shall submit an acoustical analysis by an acoustical engineer demonstrating projected compliance with the Noise Ordinance. The analysis shall be based on acoustical readings, equipment specifications and any proposed sound reduction measures, such as equipment enclosures or insulation, which demonstrate a sufficient degree of sound attenuation to assure that the prescribed noise levels will not be exceeded.
13. **SIGN APPROVAL NEEDED.** No signs are approved at this time. All signs shall conform to the requirements of Title 16.20 of the Palo Alto Municipal Code (Sign Code) and shall be subject to approval by the Director of Planning.
14. **AFFORDABLE HOUSING PLAN AND AGREEMENT.** The applicant shall prepare an affordable housing plan. An affordable housing agreement, reviewed and approved by the City of Palo Alto, shall be recorded prior to the approval of any final or parcel map or building permit for the development project (PAMC 16.65.090).
 - a. The low-income and moderate-income units shall be deed restricted to a minimum of 55-years.
 - b. The cost for each unbundled parking stall shall not exceed 4% of rent plus utilities allowance for the low-income units and 5% of rent plus utilities allowance for the moderate-income units.
15. **BELOW MARKET RATE (BMR) HOUSING.** A Regulatory Agreement in a form acceptable to the City Attorney for the fifty-five (55) BMR units shall be executed and recorded prior to building permit issuance. All BMR units constructed under this condition shall be in conformance with the City's BMR Program rules

and regulations. Failure to comply with the timing of this condition and any adopted BMR Program rules and regulations shall not waive its later enforcement. Failure to comply with the timing of this condition and any adopted BMR Program rules and regulations shall not waive its later enforcement.

16. **REFUSE.** All trash areas shall be effectively maintained in an orderly state to prevent water from entering into the garbage container. Outdoor storage on Lambert Avenue is only allowed/permitted on collection days as shown on the approved plan set. The bins must be moved into the trash staging area on-site promptly after the waste hauler has collected it so that the bins are not left on the street during the day. Trash areas shall be maintained in a manner to discourage illegal dumping.
17. **TDM PROGRAM AND ANNUAL REPORTING REQUIREMENT.** The applicant shall abide by the Final Transportation Demand Management (TDM) plan, entitled “3265 El Camino Real Residential Development, Transportation Demand Management Prepared on Behalf of Half Dome Capital LLC”, dated October 29, 2024 to the satisfaction of the Director of Planning and Development Services. The TDM plan includes measures and programs to achieve a reduction in single-occupancy vehicle trips to the site by a minimum of 30%, in conformance with the City’s Comprehensive Plan. The TDM plan includes an annual monitoring plan to document mode split and trips to the project site. The TDM annual report shall be submitted to the Chief Transportation Official. Monitoring and reporting requirements may be revised in the future if the minimum reduction is not achieved through the measures and programs initially implemented. Projects that do not achieve the required reduction may be subject to daily penalties as set forth in the City’s fee schedule.
18. **MECHANICAL LIFT PARKING.** Up to 30 parking spaces are provided in a puzzle parking system, which allows independent access to each vehicle. The property owner has agreed to limit vehicles assigned to stalls 7 and 8 to mid-size vehicles in order to ensure minimal turning maneuvers for those stalls and to optimize circulation within the garage.
19. **DEVELOPMENT IMPACT FEES.** Per PAMC 16.58.030(c), a 100% affordable housing project is exempt from paying development impact fees.
20. **REQUIRED PUBLIC ART.** Per PAMC 16.61.020(b)(iii), a 100% affordable housing project is exempt from the Public Art requirements of the City.
21. **INDEMNITY.** To the extent permitted by law, the Applicant shall indemnify and hold harmless the City, its City Council, its officers, employees and agents (the “indemnified parties”) from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City for its actual attorneys’ fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.
22. **FINAL INSPECTION.** A Planning Division Final inspection will be required to determine substantial compliance with the approved plans prior to the scheduling of a Building Division final. Any revisions during the building process must be approved by Planning, including but not limited to; materials, landscaping and hard surface locations. Contact your Project Planner, Garrett Sauls at Garrett.Sauls@CityofPaloAlto.org to schedule this inspection.

BUILDING

23. A building permit is required for the scope of work shown.
24. At time of building permit, the following items shall be reviewed in detail.
- The Occupied roof complies with 503.1.4 of the California Building Code;
 - Show opening protection, fire wall separation, and overhang time at each side of the building.

PUBLIC WORKS ZERO WASTE

25. Per Palo Alto Municipal Code 5.20.108 the site is required to have color-coded refuse containers, related color-coded millwork, and colored signage. The three refuse containers shall include recycle (blue container), compost (green container), and garbage (black container). Applicant shall present on the plan the locations and quantity of both (any) internal and external refuse containers, it's millwork, along with the signage. This requirement applies to any external or internal refuse containers located in common areas such as entrances, conference rooms, open space, lobby, garage, mail room, gym, and etc. except for restrooms, copy area, and mother's room. Millwork to store the color-coded refuse containers must have a minimum of four inches in height worth of color-coding, wrapping around the full width of the millwork. Signage must be color coded with photos or illustrations of commonly discarded items. Restrooms must have a green compost container for paper towels and an optional black landfill container if applicable. Copy area must have either a recycle bin only or all three refuse receptacles (green compost, blue recycle, and black landfill container). Mother's room must minimally have a green compost container and black landfill container. Please refer to PAMC 5.20.108 and the Internal Container Guide. Examples of appropriate signage can be found in the Managing Zero Waste at Your Business Guide. Electronic copies of these signage can be found on the Zero Waste Palo Alto's website, <https://www.cityofpaloalto.org/Departments/Public-Works/Zero-Waste/What-Goes-Where/Toolkit#section-2> and hard copies can be requested from the waste hauler, Greenwaste of Palo Alto, (650) 493-4894.
26. For the restroom, a green compost bin for paper towels and a small black landfill for sanitary products will be required with proper signage posted on each of the bins.
27. For the refuse bins in the garage, for the center bin (recycling) will need four swivel wheels to be added onto the bin to allow it to maneuver in and out of this space. Since the bin will need to be moved from 3265 El Camino Real to Lambert Avenue, we recommend two people maneuver the bin as it will not be able to move straight.
28. For the lobby/mail area, a recycle and landfill bin (blue recycle, and black landfill) will be required with proper signage posted on each of the bins.

TRANSPORTATION

29. The owner shall install a high-speed gate that opens within 10 seconds or less to minimize impact on queuing during peak hours.
30. LIFT SYSTEM. The applicant shall submit an analysis and report, prepared by a qualified professional for review and approval by the Director of Planning and Development Services, that demonstrates the effectiveness of the proposed parking lift system with respect to operational details, identifies a regular and emergency maintenance schedule, and procedures and backup systems for tenants prior to building

permit issuance. The applicant agrees to maintain service contract with a certified individual/organization that will provide a prompt response (within the same or next day) to address system issues. An annual audit of the system must be provided to Planning/Transportation staff of the system to ensure the system operates effectively. If the audit reveals that the system is not functioning or is failing to meet required operational standards, the applicant will be required to take corrective measures. Failure to address identified issues may result in penalties, including but not limited to enforcement actions under local code enforcement procedures.

31. The Owner and any subsequent Owner(s) of the property, including their successors, assigns, or agents, shall comply with all Transportation Demand Management (TDM) measures set forth in this approval. Monitoring reports shall be submitted to the Director of Planning on an annual basis, demonstrating adherence to the approved TDM measures. Should the Owner fail to meet the established targets and goals of the TDM Plan, the director may require program modifications and may impose administrative penalties if identified deficiencies are not addressed within six months.
32. The developer shall be responsible for the maintenance of the short-term bike racks installed within the public right-of-way. This includes cleaning, inspections, and timely repairs to keep the racks in good working condition, free of rust, debris, or damage. The developer must also ensure that the racks remain accessible and do not obstruct pedestrian pathways.

URBAN FORESTRY

33. The owner and contractor shall implement all protection and inspection schedule measures, design recommendations and construction scheduling as stated in the TPR and/or Sheet T-1, and is subject to code compliance action pursuant to PAMC 8.10.080. The required protective fencing shall remain in place until final landscaping and inspection of the project. If called for, project arborist approval must be obtained and documented in the monthly activity report sent to the City. When required, the Contractor and Arborist Monthly Tree Activity Report shall be sent monthly to the City (pwps@cityofpaloalto.org) beginning with the initial verification approval, using the template in the Tree Technical Manual, Addendum 11.
34. Tree Damage, Injury Mitigation and Inspections apply to Contractor. Reporting, injury mitigation measures and arborist inspection schedule (1-5) apply pursuant to TTM, Section 2.20-2.30. Contractor shall be responsible for the repair or replacement of any publicly owned or protected trees that are damaged during the course of construction, pursuant to Title 8 of the Palo Alto Municipal Code, and city Tree Technical Manual, Section 2.25.
35. The following general tree preservation measures apply to all trees to be retained: No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.
36. Prior to any site work, contractor must call Derek Sproat at 650-496-6985 to schedule an inspection of any required protective fencing. The fencing shall contain required warning sign and remain in place until final inspection of the project.
37. Any approved grading, digging or trenching beneath a tree canopy shall be performed using 'air-spade' method as a preference, with manual hand shovel as a backup. For utility trenching, including sewer line,

roots exposed with diameter of 1.5 inches and greater shall remain intact and not be damaged. If directional boring method is used to tunnel beneath roots, then Table 2-1, Trenching and Tunneling Distance, shall be printed on the final plans to be implemented by Contractor.

- a. NO NET LOSS OF CANOPY: The proposed removal of protected coast live oak tree (40" DBH tree #333' canopy spread) will be approved at building permit issuance due to compliance with municipal code 8.10.050. The applicant and consulting Arborist report has demonstrated compliance in the discussion provided in the consulting arborist report. The replacement value is six new 24" box trees. Three new 24" box trees are proposed in the planting plan. Due to lack of space for the remaining three 24" box trees will be accepted via in-lieu fee in the amount of \$1,950 (\$650x3 unplanted trees). The fee must be paid prior to permit issuance. A 14-day public notice is required prior to removal of the 40" coast live oak tree and must be posted after building permit issuance.

PUBLIC WORKS ENGINEERING

38. PUBLIC WORKS APPLICATIONS, FORMS, AND DOCUMENTS: Applicant shall be advised that most forms, applications, and informational documents related to Public Works Engineering conditions can be found at the following link:
<https://www.cityofpaloalto.org/Departments/Public-Works/Engineering-Services/Forms-and-Permits>
39. STREETWORK PERMIT: The applicant shall obtain a Streetwork Permit from the Department of Public Works for all public improvements.
40. GRADING AND EXCAVATION PERMIT: A Grading Permit is required per PAMC Chapter 16.28. The permit application and all applicable documents (see Section H of application) shall be submitted to Public Works Engineering. Add the following note: "THIS GRADING PERMIT WILL ONLY AUTHORIZE GENERAL GRADING AND INSTALLATION OF THE STORM DRAIN SYSTEM. OTHER BUILDING AND UTILITY IMPROVEMENTS ARE SHOWN FOR REFERENCE INFORMATION ONLY AND ARE SUBJECT TO SEPARATE BUILDING PERMIT APPROVAL."
41. ROUGH GRADING: provide a Rough Grading Plan for the work proposed as part of the Grading and Excavation Permit application. The Rough Grading Plans shall including the following: pad elevation, elevator pit elevation, ground monitoring wells, limits of over excavation, stockpile area of material, overall earthwork volumes (cut and fill), temporary shoring for any existing facilities, ramps for access, crane locations (if any), tree protection measures, etc.
42. CIVIL ENGINEER CERTIFICATION: Upon completion of the rough grading work and at the final completion of the work, applicant shall provide an as-graded grading plan prepared by the civil engineer that includes original ground surface elevations, as-graded ground surface elevations, lot drainage patterns and locations and elevations of all surface and subsurface drainage facilities. The civil engineer shall certify that the work was done in accordance with the final approved grading plan.
43. SHORING & TIEBACKS: Provide a shoring plan showing the existing utilities (if needed), to clearly indicate how the new structures will be constructed while protecting the existing utilities (if any). If tiebacks are proposed they shall not extend onto adjacent private property, existing easements or into the City's right-of-way without having first obtained written permission from the private property owners and/or an encroachment permit from Public Works.

44. **GEOTECHNICAL ENGINEER STATEMENT:** The grading plans shall include the following statement signed and sealed by the Geotechnical Engineer of Record: "THIS PLAN HAS BEEN REVIEWED AND FOUND TO BE IN GENERAL CONFORMANCE WITH THE INTENT AND PURPOSE OF THE GEOTECHNICAL REPORT".
45. **ENCROACHMENT PERMIT:** Prior to any work in the public right-of-way, the applicant shall obtain an encroachment permit from the Public Works Department for any work that encroaches onto the City right-of-way.
46. **LOGISTICS PLAN:** A construction logistics plan shall be provided addressing all impacts to the public including, at a minimum: work hours, noticing of affected businesses, bus stop relocations, construction signage, dust control, noise control, storm water pollution prevention, job trailer, contractors' parking, truck routes, staging, concrete pours, crane lifts, scaffolding, materials storage, pedestrian safety, and traffic control. All truck routes shall conform to the City of Palo Alto's Trucks and Truck Route Ordinance, Chapter 10.48, and the route map. NOTE: Some items/tasks on the logistics plan may require an encroachment permit.
47. **STORMWATER POLLUTION PREVENTION:** All improvement plan sets shall include the "Pollution Prevention – It's Part of the Plan" sheet.
48. **C.3 THIRD-PARTY CERTIFICATION:** Applicant shall provide certification from a qualified third-party reviewer that the proposed permanent storm water pollution prevention measures comply with the requirements of Provision C.3 and Palo Alto Municipal Code Chapter 16.11. Submit the following:
- a. Stamped and signed C.3 data form (April 2023 version) from SCVURPPP. https://scvurppp.org/wp-content/uploads/2023/04/SCVURPPP-C.3-Data-Form-_updated__4-12-2023_clean_fillable.pdf
 - b. Final stamped and signed letter confirming which documents were reviewed and that the project complies with Provision C.3 and PAMC 16.11.
49. **C.3 STORMWATER AGREEMENT:** The applicant shall enter into a Stormwater Maintenance Agreement with the City to guarantee the ongoing maintenance of the permanent storm water pollution prevention measures. The City will inspect the treatment measures yearly and charge an inspection fee. The agreement shall be executed by the applicant team prior to building permit final.
50. **C.3 FINAL THIRD PARTY CERTIFICATION PRIOR TO OCCUPANCY:** Within 45 days of the installation of the required storm water treatment measures and prior to the issuance of an occupancy permit for the building, the third-party reviewer shall submit to the City a certification verifying that all the permanent storm water pollution prevention measures were installed in accordance with the approved plans.
51. **IMPERVIOUS SURFACE AREA:** The project will be creating or replacing 500 square feet or more of impervious surface. Accordingly, the applicant shall provide calculations of the existing and proposed impervious surface areas with the building permit application. The Impervious Area Worksheet for Land Developments form and instructions are available at the Development Center or on our website. To determine the impervious surface area that is being disturbed, provide the quantity on the site plan.

52. PRIOR TO PUBLIC WORKS FINAL/ACCEPTANCE (STORM DRAIN LOGO): The applicant is required to paint “No Dumping/Flows to Matadero Creek” in blue on a white background adjacent to all onsite storm drain inlets. The name of the creek to which the proposed development drains can be obtained from Public Works Engineering. Stencils of the logo are available from the Public Works Environmental Compliance Division, which may be contacted at (650) 329-2598. Include the instruction to paint the logos on the construction grading and drainage plan.
53. OUTSIDE AGENCY APPROVAL: A portion of the proposed work is within Caltran’s right-of-way. Evidence of Caltran’s approval shall be submitted prior to issuance of City permits.

WATERSHED PROTECTION

54. Provide a Completed Special Projects Worksheet which can be found here: <https://scvurppp.org/newdev/>. Also provide a Special Projects Narrative as required per the MPR. A template of the narrative can be found in the SCVURPPP C.3 Handbook Appendix J.
55. Exemption for PAMC 16.09.180(b)(11): Palo Alto Municipal Code (PAMC) section 16.09.180(b)(11) requires that “new multi-family residential units and residential development projects with twenty-five or more units shall provide a covered area for occupants to wash their vehicles.” The applicant has stated that the proposed project located at 3265 El Camino Real (24PLN-00012) is not able to meet this requirement due to complete build-out of the parcel. Because it is a 100% affordable housing project, Public Works Watershed Protection is providing an exemption to this requirement. This exemption requires a prohibition of onsite car washing at 3265 El Camino Real and adherence to the following conditions of approval: 1) Tenant lease agreements shall contain prohibition language, and new tenants shall be made aware of this prohibition upon lease signing; and 2) Visible signage with prohibition language shall be posted within the parking garage and other relevant outdoor areas. Once available, please provide Ryan Mayfield, Pretreatment Investigator, a copy of the lease template and photos of the signage placement at ryan.mayfield@cityofpalto.org.

WATER-GAS-WASTEWATER UTILITIES

PRIOR TO ISSUANCE OF DEMOLITION PERMIT

56. The applicant shall submit a request to disconnect utility services and remove meters. The utilities demo is to be processed within 10 working days after receipt of the request. The demolition permit will be issued by the building inspection division after all utility services and/or meters have been disconnected and removed.

FOR BUILDING PERMIT (WGW Utility Engineering)

57. The applicant shall submit a completed water-gas-wastewater service connection application - load sheet for the City of Palo Alto Utilities. The applicant must provide all the information requested for utility service demands (water in fixture units/g.p.m., gas in b.t.u.h, and sewer in fixture units/g.p.d.). The applicant shall provide the existing (prior) loads, the new loads, and the combined/total loads (the new loads plus any existing loads to remain).
58. The applicant shall submit improvement plans for utility construction. The plans must show the size and location of all underground utilities within the development and the public right of way including meters,

backflow preventers, fire service requirements, sewer mains, sewer cleanouts, sewer lift stations and any other required utilities. Plans for new wastewater laterals and mains need to include new wastewater pipe profiles showing existing potentially conflicting utilities especially storm drain pipes, electric and communication duct banks. Existing duct banks need to be daylighted by potholing to the bottom of the ductbank to verify cross section prior to plan approval and starting lateral installation. Plans for new storm drain mains and laterals need to include profiles showing existing potential conflicts with sewer, water and gas.

59. The applicant must show on the site plan the existence of any auxiliary water supply, (i.e. water well, gray water, recycled water, rain catchment, water storage tank, etc).
60. The applicant shall be responsible for installing and upgrading the existing utility mains and/or services, and laterals as necessary to handle anticipated peak loads. This responsibility includes all costs associated with the design and construction for the installation/upgrade of the utility mains and/or services/laterals.
61. An approved reduced pressure principle assembly (RPPA backflow preventer device) is required for all existing and new water connections from Palo Alto Utilities to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive. The RPPA shall be installed on the owner's property and directly behind the water meter within 5 feet of the property line. RPPA's for domestic service shall be lead-free. Show the location of the RPPA on the plans. An approved reduced pressure detector assembly (RPDA backflow preventer device, STD. WD-12A or STD. WD-12B) is required for all existing and new fire water connections from Palo Alto Utilities to comply with requirements of California administrative code, title 17, sections 7583 through 7605 inclusive. The RPDA shall be installed on the owner's property and directly behind the City owned meter, within 5' (feet) of the property line or City Right of Way.
62. All backflow preventer devices shall be approved by the WGW engineering division. Inspection by the city inspector is required for the supply pipe between the meter and the assembly.
63. The applicant shall pay the capacity fees and connection fees associated with new utility service/s or added demand on existing services. The approved relocation of services, meters, hydrants, or other facilities will be performed at the cost of the person/entity requesting the relocation.
64. If a new water service line installation for fire system usage is required, show the location of the new water service on the plans. The applicant shall provide to the engineering department a copy of the plans for fire system including all fire department's requirements. If the existing fire service to remain, then the applicant must sign an application for CPAU connection for & agree to operate the fire service in accordance with these rules & regulations. Applicant needs to verify whether the existing water supply can meet the current & anticipated fire flows at the site & all equipment for the sprinkler system is in accordance with the fire department requirements.
65. Each unit or building shall have its own water meter shown on the plans. Each parcel shall have its own water service and sewer lateral connection shown on the plans.

66. A sewer lateral per lot is required. Show the location of the sewer lateral on the plans. Existing sewer laterals (city's co to sewer main) if determined to be in poor condition shall be replaced at the owner's expense. A video inspection and full evaluation of the lateral will be performed by WGW utilities operations. The applicant will be informed of the sewer lateral assessment and need to install a new lateral. If a new sewer lateral is required, a profile of the sewer lateral is required showing any possible conflicts with storm, electric/communications duct banks or other utilities.
67. All existing water and wastewater services/laterals that will not be reused shall be abandoned at the main per the latest WGW utilities standards.
68. Utility vaults, transformers, utility cabinets, concrete bases, or other structures cannot be placed over existing water, gas, or wastewater mains/services. Maintain 1' horizontal clear separation from the vault/cabinet/concrete base to existing utilities as found in the field. If there is a conflict with existing utilities, cabinets/vaults/bases shall be relocated from the plan location as needed to meet field conditions. New trees may not be planted within 10 feet of existing water, gas, and wastewater mains/laterals/water services/or meters. New water or wastewater services/laterals/meters may not be installed within 10' of existing trees. Maintain 10' between new trees and new water and wastewater services/laterals/meters.
69. The applicant shall provide to the WGW Utility Engineering department a copy of the plans for the fire system including all fire department's requirements prior to the actual service installation.
70. All utility installations shall be in accordance with the City of Palo Alto utility standards for water, gas, & wastewater.

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

APPROVED:

Mayor

APPROVED:

Director of Planning and
Development Services

APPROVED AS TO FORM:

Deputy City Attorney

PLANS AND DRAWINGS REFERENCED:

1. Those plans prepared by Trachtenberg Architects titled "3265 El Camino Real", consisting of 44 pages, dated October 11, 2024 and received October 11, 2024.