

**APPROVAL NO. 2024-**

**RECORD OF THE COUNCIL OF THE CITY OF PALO ALTO LAND USE APPROVAL FOR 800-808 San Antonio Road  
Planned Home Zoning Project (23PLN-00010)**

On **May 6, 2024**, the Council held a duly noticed public hearing and, after considering all of the evidence presented, approved the Planned Community/Planned Home Zoning application to allow Request for a Rezoning to Planned Community/Planned Home Zoning to Allow the merging of lots 800 and 808 San Antonio Road, to form an 0.88 acre site. The Project will be a 75 unit residential building with 15 BMR units. The building is designed as a 5 story building with four levels of wood framing over a concrete podium superstructure, with two levels of subterranean parking. The Project also includes a common-use interior courtyard and roof deck, as well as balconies and patios, and amenity spaces. In approving the application, the Council make the following findings, determination and declarations:

**SECTION 1. Background.**

A. The Request for a Rezoning to Planned Community/Planned Home Zoning to Allow the merging of lots 800 and 808 San Antonio Road, to form an 0.88 acre site. The Project will be a 75 unit residential building with 15 BMR units. The building is designed as a 5 story building with four levels of wood framing over a concrete podium superstructure, with two levels of subterranean parking. The Project also includes a common-use interior courtyard and roof deck, as well as balconies and patios, and amenity spaces ("The Project").

B. The Project application was initially received on January 19, 2023 and was reviewed by City staff and revised by the applicant.

C. Following staff review, the Planning and Transportation Commission reviewed the project on June 14, 2023.

D. The plans were revised, reviewed by Staff, and reviewed by the Architectural Review Board on August 17, 2023.

E. Following further revision and staff review, the ARB reviewed the project design and EIR Addendum, on March 7, 2024 and recommended approval.

F. On April 10, 2024 the PTC reviewed the project design and the EIR, and **[DRAFT recommended approval]**.

G. On **DATE**, the City Council held a duly noticed public hearing, at which evidence was presented and all person were afforded an opportunity to be heard in accordance with the Palo Alto Municipal Code and the Council's Policies and Procedures. After hearing public testimony, the Council voted to approve the project subject to the conditions set forth in **Section 6** of this Record of Land Use Action.

**SECTION 2. Environmental Review.**

**On DATE, City Council made the decision to adopt the EIR Addendum.**

In conformance with the California Environmental Quality Act (CEQA), an Environmental Impact Report was certified by the City Council on November 16, 2020. The 800 San Antonio Project Environmental Impact Report (EIR) (State Clearinghouse No. 2019090070) concluded that the proposed project(s) would not have a significant

effect on the environment with mitigation as proposed. The EIR is available for review on the City's web site: <https://www.cityofpaloalto.org/Departments/Planning-Development-Services/Current-Planning/Projects/800-San-Antonio-Road>. All mitigation measures as stated in the approved Mitigation Monitoring and Reporting Program (MMRP) have been incorporated into the conditions of approval.

### **SECTION 3. Planned Community and Architectural Review Findings**

**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:*

In conformance with the following Comp Plan Goals and Policies, the project will include high quality design compatible with surrounding development.

<b><i>Comp Plan Goals and Policies</i></b>	<b><i>How project adheres or does not adhere to Comp Plan</i></b>
The Comprehensive Plan land use designation for the site is Service Commercial.	The project proposes high-density housing in an area designated for high-density housing.
<b><i>Land Use Element</i></b>	
<b>Policy L-1.3</b> 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.	This project proposes to redevelop three existing commercial buildings into a single multiple-family residential condominium building within the Housing Incentive Program (HIP) area.
<b>Policy L-2.5</b> 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 16 BMR units.
<b>Policy L-2.11</b> 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 central courtyard and rooftop garden.
<b>Policy L-6.1</b> Promote high-quality design and site planning that is compatible with surrounding development and public spaces.	The proposed residential building is being considered within the context of other projects being developed in the HIP area, and will meet the high-quality standards of the Architectural Review Board.
<b>Policy L-6.7</b> 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.	While the proposed project is somewhat out-of-scale with the existing neighbor to the left, it is similar in density and scale to the HIP project approved for the right side adjacent neighbor, and other projects proposed for the HIP area.
<b>Policy T-1.19</b> Provide facilities that encourage and support bicycling and walking.	The building includes sufficient short and long term bicycle parking.

As a PHZ project, the zoning development standards are custom built for the building, and therefore this project will be in compliance with zoning through the approval process. No other design guidelines or documents apply to this location.

**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:*

There is internal order between the pedestrian entries, car entry, retail space and amenity space. There are separate, defined entrances for the residents and retail tenant. There is no historic character to preserve.

The proposed five story building is consistent with the applicable context-based design criteria, and scale, mass, and character is consistent with prior and proposed projects anticipated for the HIP area.

**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 glass, gray and beige equitone panels, blue and brown metal panels, and landscape elements. This palette is appropriate for a residential building, and relates to the adjacent 788 San Antonio project while being distinct.

**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 design is functional. The bicycle parking is located at the ground level; the car parking is provided below grade, with driveway access at the northern end of the project site. The tenants will have private balcony space, and communal open space in the courtyard and rooftop garden. The building includes separate trash rooms for the commercial and residential components, and a loading space is located off of San Antonio Road, as well as in the below-grade garage. The primary entrances for the residential and the commercial spaces are well-defined with appropriate area available for signage.

**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:*

The project is consistent with the finding in that the project provides landscaped area in the front, rear, central courtyard, and rooftop garden. Three existing trees, including two protected Coast Live Oak, will be preserved. All plants proposed are low to moderate water use, and most are native or regionally adapted.

**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 includes a "cool" high albedo membrane roof, electric vehicle charging outlets, and drought tolerant and native landscaping.

**SECTION 4. Architectural Review Approval Granted.** Architectural Review Approval is hereby granted for the Project by the City Council pursuant to PAMC Section 18.77.070 of the Palo Alto Municipal Code, effective DATE and subject to the conditions of approval in Section 6 of this Record.

**SECTION 5. Plan Approval.** The plans submitted for Building Permit shall be in substantial conformance with those plans prepared by the applicant titled San Antonio Road Housing, 800/808 San Antonio Road, Palo Alto, CA 94303, consisting of 69 pages, uploaded to Accela Citizen Access on March 24, 2024, except as modified to incorporate the conditions of approval in Section 6. A copy of these plans is on file in the Department of Planning and Community Development. The conditions of approval in Section 6 shall be printed on the cover sheet of the plan set submitted with the Building Permit application.

**SECTION 6. Conditions of Approval.**

## **PLANNING DIVISION**

1. **CONFORMANCE WITH PLANS:** Construction and development shall conform to the approved plans entitled, "San Antonio Road Housing, 800/808 San Antonio Road, Palo Alto, CA 94303," uploaded to the Palo Alto Online Permitting Services Citizen Portal on January 27, 2024 and February 14, 2024, as modified by these conditions of approval.
2. **BUILDING PERMIT:** Apply for a building permit and meet any and all conditions as contained in this document.
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. Project plans submitted for Building permits shall incorporate the following changes:
  - a. Dimension the height of the elevator overrun, not to exceed 15 ft from the height of the roof
  - b. Ensure consistency of all area calculations between the calculation sheets and the floor plans
  - c. **PLACEHOLDER**

4. **ARB SUBCOMMITTEE:** Prior to the issuance of building permits, the applicant shall return to the ARB subcommittee for approval of the following items, to the satisfaction of the Director of Planning and Development Services:
  - a. No projections be allowed above ground into the special setback
  - b. That private and common space be revised to meet the open space requirements
  - c. The hallway adjacent elevator 2 be revised to have fewer bends in the hallway and to have more functional space adjacent the trash storage and elevator
  - d. Recommend considering alternate locations of the trash collection area, means of bringing trash to the street staging area, and location of the trash staging area
  - e. Schematic foundation design including consideration of planters, bioswales and secant walls
  - f. More comprehensive landscape plan in the courtyard including provisions for planters, furnishing and pathways through the courtyard
  - g. Provide clerestory windows in the bicycle storage area
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 within such one/two years period, the proposed use of the site or the construction of buildings has not commenced, the Planning entitlement shall expire. Application for a one year extension of this entitlement may be made prior to expiration.
7. **MITIGATION MONITORING AND REPORTING PROGRAM.** The Mitigation Monitoring and Reporting Program (MMRP) associated with the project and attached here as **Exhibit A** is incorporated by reference and all mitigation measures shall be implemented as described in said document. 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 Development Services.
8. **LANDSCAPE PLAN.** Plantings shall be installed in accordance with the approved plan set and shall be permanently maintained and replaced as necessary.
  - a. The vertical garden green wall shall be maintained, and requires Architectural Review to modify or remove
9. **BASEMENT EXCAVATION:** Any retaining wall required for basement excavation shall not prevent the planting and future growth of required landscaping. This shall be review by the Project Planner prior to issuance of a Building permit.

10. **NOISE THRESHOLDS ON RESIDENTIAL PROPERTY.** In accordance with PAMC Section 9.10.030, No person shall produce, suffer or allow to be produced by any machine, animal or device, or any combination of same, on residential property, a noise level more than six dB above the local ambient at any point outside of the property plane. All noise producing equipment shall be located outside of required setbacks.
11. **OPEN AIR LOUDSPEAKERS (AMPLIFIED MUSIC).** In accordance with PAMC Section 9.12, no amplified music shall be used for producing sound in or upon any open area, to which the public has access, between the hours of 11:00pm and one hour after sunrise.
12. **NOISE REPORT AT BUILDING STAGE.** At the time of building permit issuance for new construction or for installation of any such interior or exterior mechanical equipment, 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. **NOISE REPORT PRIOR TO INSPECTION.** Where the acoustical analysis projected noise levels at or within 5 dB less than the Noise Ordinance limits, the applicant shall demonstrate the installed equipment complies with the anticipated noise levels and the Noise Ordinance prior to final Planning inspection approval.
14. **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.
15. **AFFORDABLE HOUSING REQUIREMENT (OWNERSHIP PROJECT):** This project is subject to the affordable housing requirements set forth in Section 16.65.030 of the Palo Alto Municipal Code, and has chosen to exceed it as a part of the Planned Home Zoning (PHZ). Per the PHZ, at least 20% of the units shall be affordable to very low, low, or moderate income. Therefore, the proposed project is required to contain no less than fifteen (15) below market rate units.
16. **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).
17. **BELOW MARKET RATE (BMR) HOUSING.** All BMR units constructed under this condition shall be in conformance with the City's BMR Program rules and regulations. A BMR Agreement in a form acceptable to the City Attorney for the 16 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.

18. **TRASH ROOM.** The trash room shall be used solely for the temporary storage of refuse and recycling that is disposed on a regular basis and shall be closed and locked during non-business hours.
19. **REFUSE.** All trash areas shall be effectively screened from view and covered and maintained in an orderly state to prevent water from entering into the garbage container. No outdoor storage is allowed/permitted unless designated on the approved plan set. Trash areas shall be maintained in a manner to discourage illegal dumping.
20. **MECHANICAL LIFT PARKING.** Up to 86 required parking spaces may be provided in a puzzle parking system, which allows independent access to each vehicle. The property owner shall have a maintenance agreement with the lift system manufacturer and the system shall be operational at all times. All new renters/employees shall be given instructions on how to operate the lift system. If the lift system is out of operation for any reason, anyone who is not able to retrieve their vehicle within a 10-minute period shall be reimbursed by the property owner or their designee for travel expenses up to \$50 per occurrence.
21. **UTILITY LOCATIONS:** In no case shall utilities be placed in a location that requires equipment and/or bollards to encroach into a required parking space. In no case shall a pipeline be placed within 10 feet of a proposed tree and/or tree designated to remain.
22. **SUBDIVISION MAP.** The Lot Merger and Final Map for Condominium Purposes shall be recorded prior to building permit issuance.
23. **REQUIRED COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs).** PAMC Section 16.38 provides that all condominium and other “community housing projects” shall submit Covenants, Conditions and Restrictions (CC&R’s) to the City Attorney for approval prior to issuance of any Certificate of Occupancy. The City Attorney has developed 13 standard covenants that shall be included in all CC&R’s submitted to the City for approval.
24. **ESTIMATED IMPACT FEE:** Development Impact Fees, currently estimated in the amount of \$4,956,743.76 plus the applicable public art fee, per PAMC 16.61.040, shall be paid prior to the issuance of the related building permit.
25. **REQUIRED PUBLIC ART.** In conformance with PAMC 16.61, and to the satisfaction of the Public Art Commission, the property owner and/or applicant shall pay the in-lieu fee equivalent to 1% of the estimated construction valuation (currently estimated at \$350,000), prior to obtaining a Building permit. All required artwork shall be installed as approved by the Public Art Commission and verified by Public Art staff prior to release of the final Use and Occupancy permit.

26. **IMPACT FEE 90-DAY PROTEST PERIOD.** 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.
27. **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.
28. **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, Emily Kallas at [emily.kallas@cityofpaloalto.org](mailto:emily.kallas@cityofpaloalto.org) to schedule this inspection.

## **BUILDING**

29. A building permit is required for the scope of work shown.
30. At building permit submit the following:
- a. Structural calculations
  - b. Green building compliance
  - c. T24 Energy calculations
  - d. Complete MEP plans
  - e. Accessible building elements (i.e, elevator, bathrooms, etc.) and onsite (i.e., accessible route from public sidewalk, bus stop, entrances, etc.)
31. Submit complete life/fire safety code analysis not limit to type of construction, # of stories, occupancy separation, occupied roof, protection of opening in walls and floors, shaft, elevation lobbies, and exiting.



32. Plumbing calculation shall comply with 2022 CPC. OL shall be based on table T1004.5, CBC. Amend calculation shown on sheet A0.05 prior to submittal.
33. Refer to this link for additional submittal requirements:  
<https://www.cityofpaloalto.org/files/assets/public/v/3/development-services/building-division/checklists/simplified/c1-new-comm-shell-checklist-07062023.pdf>

#### **PUBLIC WORKS ZERO WASTE**

34. Project will be required to submit a salvage survey prior to receiving the building permit. Please anticipate meeting PAMC 5.24 Deconstruction and Construction Materials Management requirements.
35. Ensure the refuse staging area can house three - 4 cubic yard bins plus three - 96 gallon carts. Please show bins and carts to scale in the staging area.
36. Refuse truck pull-out spot shall contain signage notifying tenants and other users that parking is not allowed during trash pickup days.
37. The following comments below are part of the Palo Alto Municipality Code. If your scope of work includes internal and external bins then cut-sheets for the color-coded internal and external containers, related color-coded millwork, and it's colored signage must be included in the building plans prior to receiving approval from Zero Waste. Please see below for more details.

As 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.

#### **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:

39. LOT LINE REMOVAL/MERGER, CERTIFICATE OF COMPLIANCE: A certificate of compliance shall be reviewed, approved, and recorded with the County Recorder's Office prior to issuance of any grading or building permit(s). The application shall be submitted to Public Works Engineering.
40. LOT LINE REMOVAL/MERGER, THIRD-PARTY REVIEW: The City contracts with a third-party surveyor that will review and provide approval of the map's technical correctness as the City Surveyor, as permitted by the Subdivision Map Act. The Public Works Department will forward a Scope & Fee Letter from the third-party surveyor and the applicant will be responsible for payment of the fee's indicated therein, which is based on the complexity of the map.
41. STREETWORK PERMIT: The applicant shall obtain a Streetwork Permit from the Department of Public Works for all public improvements.
42. 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."
43. 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.
44. 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.
45. 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".
46. CONSTRUCTION DEWATERING: This project requires a dewatering permit during construction due to the groundwater level relative to the depth of excavation.
47. GROUNDWATER CONTAMINATED PLUME: The project shoring system shall utilize a secant cut-off wall (or similar) to ensure compliance with City "groundwater exclusionary techniques" for dewatering, as defined by PAMC 16.28.030(u).

48. 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.
49. 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.
50. 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.
51. Submit the following:
- a. Stamped and signed C.3 data form (September 2019 version) from SCVURPPP. [https://scvurppp.org/wp-content/uploads/2019/10/SCVURPPP\\_C3\\_Data\\_Form\\_September2019\\_fillable\\_final\\_9-24-19.pdf](https://scvurppp.org/wp-content/uploads/2019/10/SCVURPPP_C3_Data_Form_September2019_fillable_final_9-24-19.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.
52. 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.
53. 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.
54. PAVEMENT RESTORATION: The applicant shall restore the pavement along the entire project frontage, curb-to-curb, by performing a 3.5" grind and overlay. The exact restoration limits will be determined once the resulting road condition is known following completion of heavy construction activities and utility lateral installations, at minimum the extent will be the project frontage.
55. EXISTING EASEMENTS: Provide documentation showing approval from the entities affected by the onsite easements to verify that the work within said easements is permitted.
56. 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.

57. PRIOR TO PUBLIC WORKS FINAL/ACCEPTANCE (RECORD DRAWINGS): At the conclusion of the project applicant shall provide digital as-built/record drawings of all improvements constructed in the public right-of-way or easements in which the City owns an interest.

#### **TRANSPORTATION**

58. All short-term bike parking must be Inverted-U or similar type of 24" wide and 36" high bike racks. Provide minimum 36-inch spacing between two bike racks.

#### **URBAN FORESTRY**

59. UF has reviewed the Arborist report which corresponds to the tree inventory provided on sheet T4. The proposed removal of two *Ailanthus altissima* (this species is exempt from protection) and two protected *Quercus ilex* trees (tree #5 and #6) which are growing into the fence will be approved for removal at the building permit phase.

60. The replacement value of tree #5 and #6 is 6 new 24" box trees or 4 new 36" box trees of drought tolerant species and at least half the new species to be native.

61. Tree #8, #9, #11 and #12 also appear to be proposed for removal through they are not labeled as such on the tree inventory. In the building permit clarify if trees 8, 9, 11 and 12 are being removed and if so include the replacement numbers in a tree disposition table along with tree #5 and #6 and provide a planting plan with the number of new replacement plantings. If all new replacements will not fit on site, an in-lieu fee of \$650 per unplanted tree may be proposed.

#### **WATERSHED PROTECTION**

The following conditions are required for approval and shall be addressed prior to any future related permit application such as a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit, Encroachment Permit, etc. as further described below.

62. Stormwater treatment measures

- a. All Bay Area Municipal Regional Stormwater Permit requirements shall be followed.
- b. Refer to the Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Handbook (download here: [http://scvurppp-w2k.com/c3\\_handbook.shtml](http://scvurppp-w2k.com/c3_handbook.shtml)) for details.
- c. For all C.3 features, vendor specifications regarding installation and maintenance should be followed and provided to city staff. Copies must be submitted to Pam Boyle Rodriguez at [pamela.boylerothriguez@cityofpaloalto.org](mailto:pamela.boylerothriguez@cityofpaloalto.org). Add this bullet as a note to the building plans.
- d. Staff from Stormwater Program (Watershed Protection Division) may be present during installation of stormwater treatment measures. Contact Pam Boyle Rodriguez, Stormwater

Program Manager, at (650) 329-2421 before installation. Add this bullet as a note to building plans on Stormwater Treatment (C.3) Plan.

63. Bay-friendly Guidelines (rescapeca.org) - Add these bullets as a note to the building plans.

- a. Do not use chemicals fertilizers, pesticides, herbicides or commercial soil amendment. Use Organic Materials Review Institute (OMRI) materials and compost. Refer to the Bay-Friendly Landscape Guidelines: <http://www.stopwaste.org/resource/brochures/bay-friendly-landscape-guidelines-sustainable-practices-landscape-professional> for guidance.
- b. Avoid compacting soil in areas that will be unpaved.

64. Stormwater quality protection

- a. Temporary and permanent waste, compost and recycling containers shall be covered to prohibit fly-away trash and having rainwater enter the containers.
- b. Drain downspouts to landscaping (outward from building as needed).
- c. Drain HVAC fluids from roofs and other areas to landscaping.
- d. Offsite downgrade storm drain inlets shall also be identified on this plan set and protected. If City staff removes protection from an inlet in the ROW during a rain event, the contractor shall replace the inlet protection by the end of the following business day.

65. All proposed Stormwater treatment measures should have a detail on this detail sheet. Provide a standard detail for the pervious pavers

#### **ELECTRICAL UTILITIES**

66. Joint trench plans to be finalized during building permit application

#### **WATER-GAS-WASTEWATER UTILITIES**

##### **PRIOR TO ISSUANCE OF DEMOLITION PERMIT**

67. The applicant shall submit a request to disconnect utility services and remove meters. The utility 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 AND OTHER CITY'S PERMITS (WGW Utility Engineering)**

68. The applicant shall obtain the latest fire hydrant flow tests and review them with the City of Palo Alto Fire Department for all fire department requirements before the Building Department review process.

69. The applicant shall submit a Utility Plan showing how the new development will be served by CPA public utilities. Please amend the Utility Plan to include the size and location of the proposed water and sewer underground utilities including the domestic water service, fire service, domestic and irrigation meters,

backflow preventers (labeled the type of backflow devices, RPPA, and RPDA), sewer lateral, and City's sewer cleanout.

70. Domestic water meter layout: The applicant needs to provide an estimated domestic water load in G.P.M. to design the water service and meter size. A 3" or 4" water meter will require a 4'x8' water meter set with a 2" by-pass per DWG. NO. WD-04. The vault shall be located on private property inside a public utility easement. The applicant's engineer shall obtain, prepare, and record with the county of Santa Clara, and provide the utility engineering section with copies of the public utilities easement on the front of the property adjacent to the City right of way at the water point of service.
71. Per City of Palo Alto Utilities Rules & Regulation 15 Metering, the City will provide a master meter at an approved location near the public water main and right of way to serve the whole development or building. The multiunit residential structure must comply with California Water Metering for Multi-unit Structures Water Code as amended by law Senate Bill 7 (Water Code, Division 1, Chapter 8, Article 5, Section 537-537.5) that requires individual water meters or submeters for each unit for structures constructed after January 1, 2018.
72. A capacity study water and wastewater report prepared by the developer's licensed Engineer shall be submitted to the City of Palo Alto Utilities Engineering Department. The applicant's engineer shall submit flow calculations and system capacity study showing that the on-site and off-site water and sanitary sewer mains and services will provide the domestic, irrigation, fire flows, and wastewater capacity needed to service the development and adjacent properties during anticipated peak flow demands. Field testing may be required to determine current flows and water pressures on the existing water main. Calculations must be signed and stamped by a registered civil engineer.
73. The applicant is required to perform, at his/her expense, a flow monitoring study of the existing sewer main to determine the remaining capacity. The report must include existing peak flows or depth of flow based on a minimum monitoring period of seven continuous days or as determined by the senior wastewater engineer. The study shall meet the WGWE engineering section's requirements and approval. No downstream overloading of the existing sewer main will be permitted.
74. 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., fire in g.p.m., and sewer in fixture units/g.p.d.). The applicant shall provide the new loads and the combined/total loads.
75. 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,

and 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.

76. 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.).
77. The applicant shall be responsible for installing and upgrading the existing utility mains and/or services, 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.
78. 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 for domestic service shall be lead-free. Show the location of the RPPA on the plans.
79. 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's fire service, within 5' (feet) of the property line or City Right of Way. 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.
80. 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.
81. 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.
82. 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 the engineering department with a copy of the plans for the fire system including all fire department's requirements.

83. Each parcel shall have its own water service and sewer lateral connection shown on the plans.
84. A new sewer lateral is required, and a profile of the sewer lateral is required showing any possible conflicts with electric/communications duct banks or other utilities. The proposed two (2) 6" sewer laterals are to be reviewed during the building permit process.
85. All existing water, and gas, and wastewater services/laterals that will not be reused shall be abandoned at the main per the latest WGW utility standards.
86. 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 planned location as needed to meet field conditions. 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.
87. 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.
88. All utility installations shall be in accordance with the City of Palo Alto utility standards for water & wastewater.
89. Note to Engineer: The proposed irrigation service and meter are to be tapped off from the proposed 4" HDPE domestic water service per CPAU's latest standards.

SECTION 7.      Term of Approval.

The approval shall be valid for two years from the original date of approval.

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

APPROVED:

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City Clerk

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Mayor



APPROVED:

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Director of Planning and  
Development Services

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy City Attorney

PLANS AND DRAWINGS REFERENCED:

1. Those plans prepared by the applicant titled San Antonio Road Housing, 800/808 San Antonio Road, Palo alto, CA 94303, consisting of 69 pages, uploaded to Accela Citizen Access on March 24, 2024, except as modified to incorporate the conditions of approval in Section 6.
2. The Mitigation Monitoring and Reporting Program