DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

MEMORANDUM

Date	November 6, 2023
To	Linda Ly 李嘉歡, Associate Planner (City of San Mateo, Planning Department)
From	Natalie Noyes, Senior Project Manager Akoni Danielsen, Principal Project Manager
Subject	477 9th Avenue Mixed-Use – CEQA Categorical Exemption Qualification

I. Categorical Exemptions

The California Environmental Quality Act (CEQA) Guidelines contain classes of projects that have been determined not to have a significant effect on the environment and are, therefore, exempt from the provisions of CEQA. CEQA Guidelines Sections 15301 – 15333 constitute the list of categorically exempt projects and contain specific criteria that must be met in order for a project to be found exempt. Additionally, CEQA Guidelines Section 15300.2 includes a list of exceptions to exemptions, none of which may apply to a project in order for it to qualify for a categorical exemption (i.e., if an exception applies, a project is precluded from being found categorically exempt).

CEQA Guidelines Section 15332 In-Fill Development Projects sets forth criteria for projects characterized as in-fill development, meeting the following conditions:

a. The project is consistent with all applicable general plan and zoning designations, policies, and regulations;
b. The proposed development occurs with city limits on a project site of no more than five acres substantially surrounded by urban uses[1];
c. The project site has no habitat value for endangered, rare, or threatened species;
d. Approval of the project would not result in any significant effects related to traffic, noise, air or water quality; and
e. The site can be adequately served by all required utilities and public services.

[1] The Office of Planning and Research defines in-fill development as buildings within unused and underutilized lands within existing development patterns, typically but not exclusively in urban areas. Source: Office of Planning and Research. "Infill Development". Accessed June 8, 2023. https://opr.ca.gov/planning/land-use/infill-development/

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The City of San Mateo, serving as the Lead Agency, is completing environmental review for the 477 9th Avenue Mixed-Use project ("project") in compliance with CEQA, the CEQA Guidelines (California Code of Regulations Section 15000 et. seq.) and the regulations and policies of the City of San Mateo, California. This Exemption Memorandum describes the proposed project and provides evidence to a support a determination by the City of San Mateo that the project would be eligible for a Categorical Exemption under CEQA.

II. Project Site Location and Existing Setting

The approximately 69,976 square-foot (equivalent to approximately 1.6-acres) rectangular site is located at 477 9th Avenue in San Mateo, California at the northwest intersection of South Claremont Street and 9th Avenue. The site is currently developed with an approximately 21,600 square-foot single-story office building and associated surface parking lot. The site is bordered by South Claremont Street to the east, 9th Avenue to the south, the Union Pacific Railroad (UPRR) to the west, and an office building to the north. Immediate uses adjacent to the site and in the surrounding area include office, food and automotive service, and a garden nursery, with single- and multi-family residential and retail uses located further from the site in all directions. Refer to Figure 1, Figure 2, and Figure 3 for regional, vicinity, and aerial maps of the project site, respectively.

III. General Plan and Zoning

The project site has an Executive Office General Plan land use designation and is zoned E2-2, Executive Office. The Executive Office designation and zoning district are intended primarily for office uses but allow for residential, health and recreation, public utility, research laboratories (without production and manufacturing), restaurants (without drive-throughs), schools and daycare facilities, and storage and distribution uses. Densities of up to 50 units per acre, floor area ratios (FAR) up to 2.0, and building heights up to 55 feet are allowed on Executive Office E2-2 sites. The project is located within the Downtown Area Plan, South Claremont Sub Area.

IV. Project Description

The proposed project would demolish the existing 21,600 square-foot office building and surface parking lot, and construct a five-story, approximately 209,204 gross square-foot mixed-use office and residential building with a maximum height of 55 feet and an FAR of 2.98. The building would include 120 dwelling units and approximately 29,207 square-feet of office space. The project would reserve 15 percent of base density units for very low-income households and therefore would qualify for a density bonus of 50 percent under the California State Density Bonus Law (California Government Code Sections 65915 – 65918), which equates to a maximum of 12 units.[2] The project site plan is shown on Figure 4 and the building section and elevation is shown on Figure 5.

[2] The calculation is based on the project's base density.

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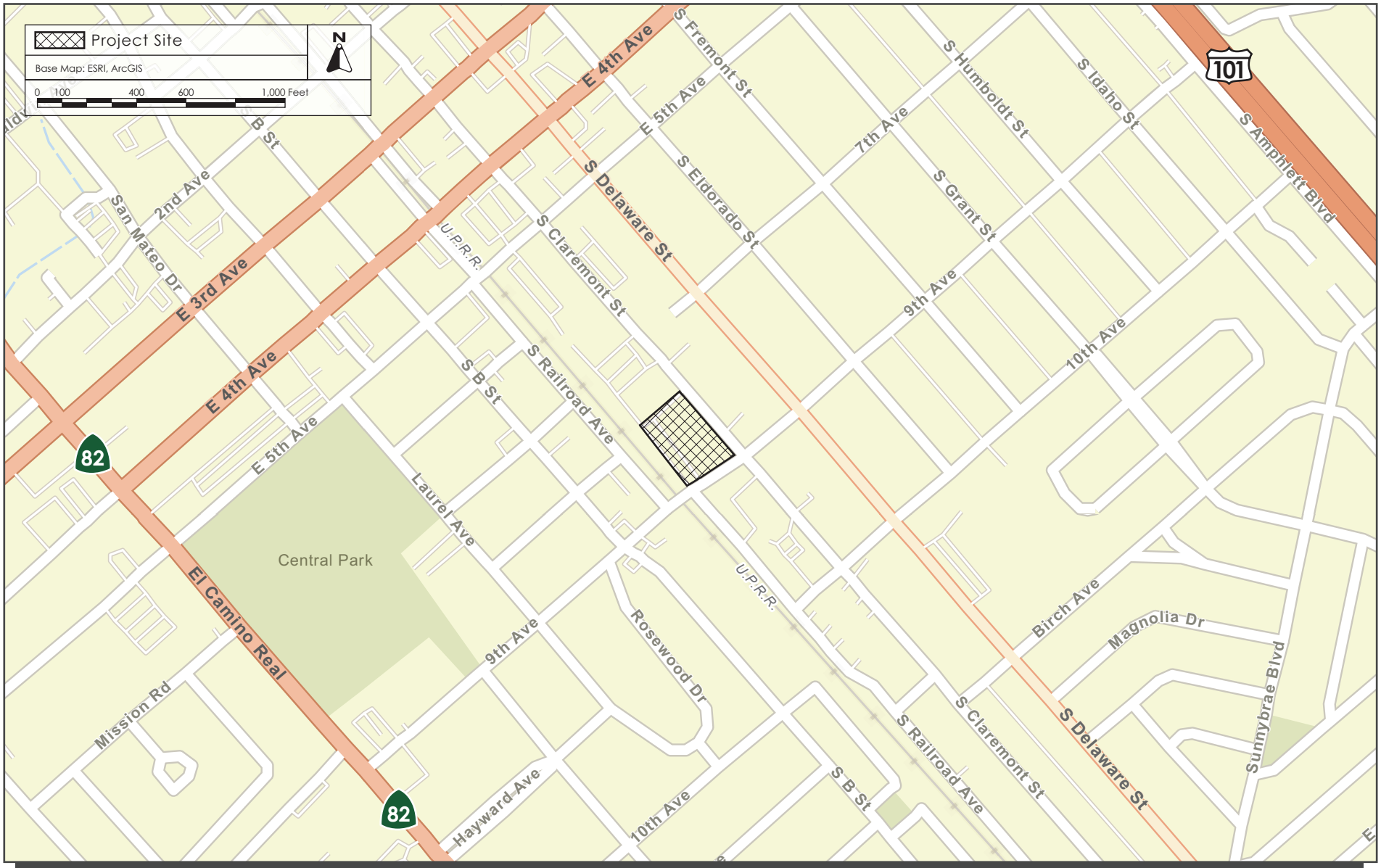
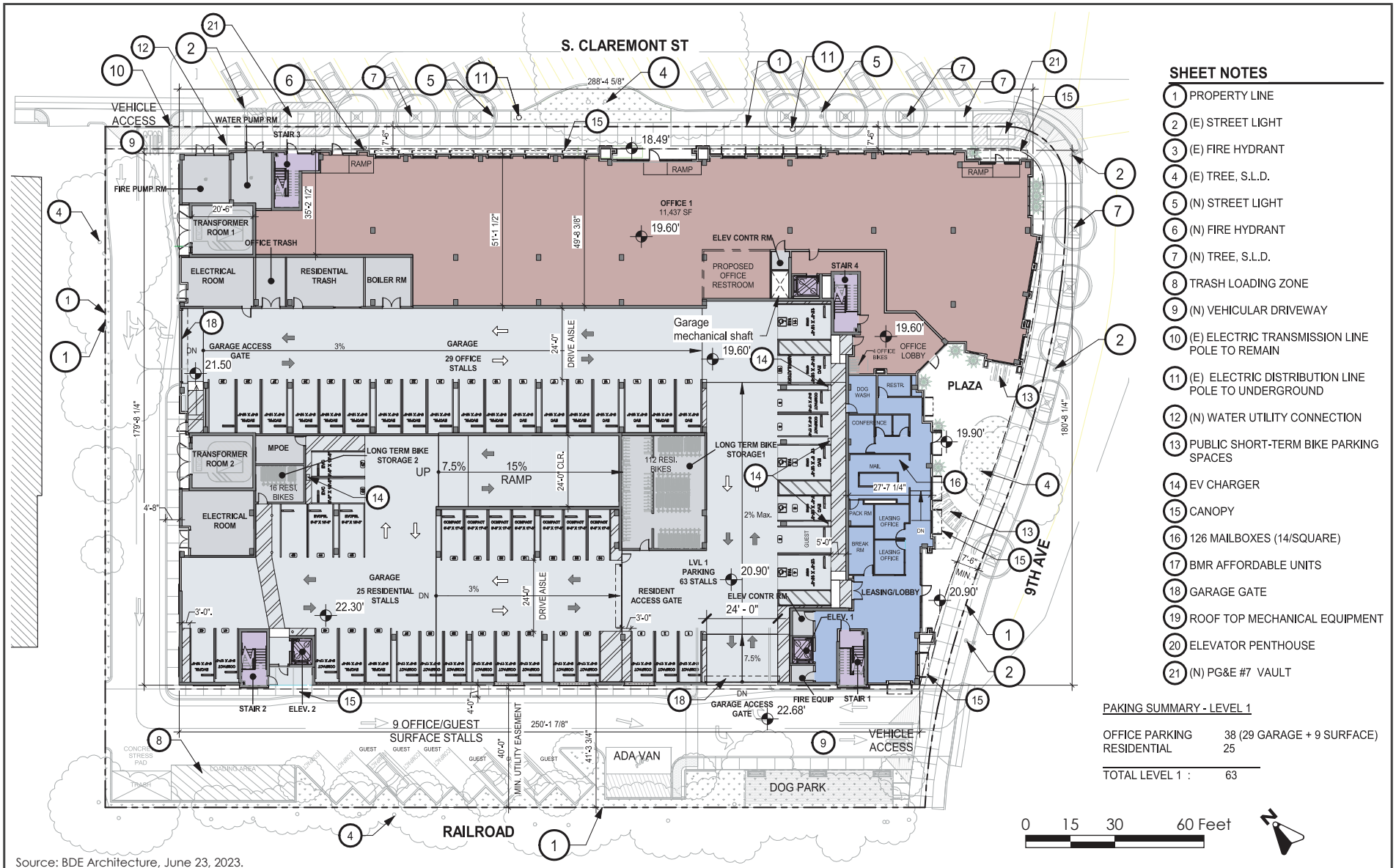
REGIONAL MAP | FIGURE 1



VICINITY MAP

FIGURE 2

AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 3



SHEET NOTES

1. PROPERTY LINE
2. (E) STREET LIGHT
3. (E) FIRE HYDRANT
4. (E) TREE, S.L.D.
5. (N) STREET LIGHT
6. (N) FIRE HYDRANT
7. (N) TREE, S.L.D.
8. TRASH LOADING ZONE
9. (N) VEHICULAR DRIVEWAY
10. (E) ELECTRIC TRANSMISSION LINE POLE TO REMAIN
11. (E) ELECTRIC DISTRIBUTION LINE POLE TO UNDERGROUND
12. (N) WATER UTILITY CONNECTION
13. PUBLIC SHORT-TERM BIKE PARKING SPACES
14. EV CHARGER
15. CANOPY
16. 126 MAILBOXES (14/SQUARE)
17. BMR AFFORDABLE UNITS
18. GARAGE GATE
19. ROOF TOP MECHANICAL EQUIPMENT
20. ELEVATOR PENTHOUSE
21. (N) PG&E #7 VAULT

PAKING SUMMARY - LEVEL 1

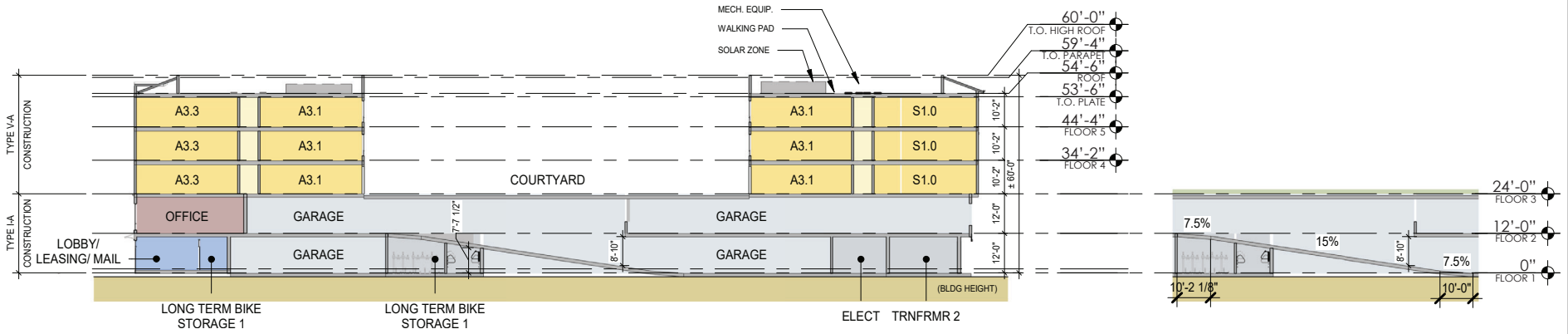
OFFICE PARKING	38 (29 GARAGE + 9 SURFACE)
RESIDENTIAL	25
TOTAL LEVEL 1 :	63

0 15 30 60 Feet

Source: BDE Architecture, June 23, 2023.

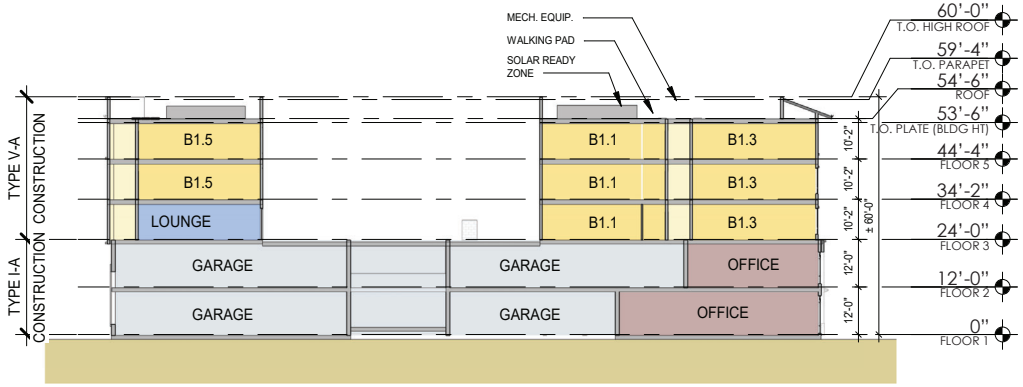
PROJECT SITE PLAN – GROUND FLOOR

FIGURE 4



BUILDING SECTION - LONGITUDINAL

SECTION AT PARKING RAMP



BUILDING SECTION - CROSS

Source: BDE Architecture, June 23, 2023.

BUILDING ELEVATION AND SECTION DIAGRAM | FIGURE 5

Building Summary

Floors one and two of the proposed building would incorporate a two-level enclosed parking garage (discussed in greater detail in the following section), along with office space and residential amenities. The ground floor would include a 3,262 square-foot leasing office and 13,588 square-feet of office space. The design of the ground level of the proposed building also includes two electrical rooms and two transformer rooms along the northern façade, an 85-horsepower (hp) fire pump generator in the northeast corner, and a boiler room located on the interior of the parking garage near the northeastern corner. Floor two would include a 1,765 square-foot fitness center and 13,313 square-feet of office space. In the center of the third floor would be an open air atrium that would provide a 8,944 square-foot outdoor courtyard located on the top of the second floor garage. Floors three through five would include 120 dwelling units, including 24 studio, 64 one-bedroom, and 32 two-bedroom units. 15 percent of the base density or 10 percent of the total proposed residential units (equivalent to 12 units) would be restricted to very-low income residents. The unit sizes would range from 543 to 1,150 square-feet, with the total rentable residential square-footage amounting to 94,434 square-feet. Residential amenities would also include a 2,639 square-foot indoor lounge on the third floor and a 760 square-foot club area on the fifth floor. The southern corner of the roof of the proposed building would provide a 650 square-foot outdoor roof deck area for residents.

Site Access and Parking

The project site would be accessible via two driveways, with one located on 9th Avenue and one located on South Claremont Street. Both driveways would provide access to the aforementioned parking garage (141 spaces) and a surface parking lot (9 spaces) along the western property line that would provide a total of 150 parking spaces. The two-level parking garage would provide 54 spaces on the first floor (29 office spaces, 25 residential spaces) and 87 residential spaces on the second floor, for a total of 150 spaces. Within the first-floor parking garage and office, the building would provide 132 long-term bicycle parking spaces in secured bike rooms. Bike racks providing 12 short-term bicycle parking spaces are proposed along the building entrances on 9th Avenue.

Transportation Demand Management

The City of San Mateo's Sustainable Streets Final Plan (SSP) requires that all new developments within the Downtown core submit a Transportation Demand Management (TDM) with a trip reduction target of 25 percent. However, the SSP has not been formally adopted and the guidelines are encouraged rather than required. In addition, the City/County Association of Governments of San Mateo County's (C/CAG) TDM Policy Implementation Guide requires projects estimated to generate at least 100 average daily trips (ADT) to demonstrate a 25 percent trip reduction through TDM measures. The project would be required to implement a TDM Plan to encourage automobile-alternative modes of transportation and reduce vehicle trips to and from the site by 25 percent. The TDM Plan includes specific measures to be implemented by the project, including TDM education

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programs, providing bike support and repair facilities, subsidizing active transportation and e-bikes, providing transit passes, and implementing carshare, carpool, and vanpool programs.

Stormwater Management and Landscaping

The proposed project would increase impervious surfaces on-site from 54,955 square-feet to 64,377 square-feet, and reduce pervious surfaces from 15,021 square-feet to 5,600 square-feet. Stormwater runoff at the site would be managed and treated through the use of self-treating pervious areas, bioretention planters, and silva cells[3]. Collected stormwater would percolate belowground or be routed to bioretention planter or silva cell before discharging to the City storm drain at the intersection of 9th Avenue and South Claremont Street.

There are a total of 49 trees onsite, including protected, heritage, and street trees. The project would remove 32 protected trees, including seven heritage trees. All trees removed would be replaced in accordance with Municipal Code Section 27.71. Landscaping in that it would consist of drought-tolerant trees, plants, and grasses suitable for San Mateo's climate zone (Sunset Zone #17), and irrigation would be required to comply with the City's Water Efficient Landscaping Ordinance.

Utilities

Utility services to the proposed project would be provided by the City of San Mateo (storm drain, sanitary sewer), California Water Bayshore District (water service), and Pacific Gas & Electric (PG&E) (electricity). The project would install new laterals and electrical connections that would tie into existing utility lines located in South Claremont Street and 9th Avenue.

Construction

Construction of the project is anticipated to last approximately 21 months, with demolition and construction estimated to begin in 2024. Construction phases of the proposed project would include site clearing and demolition, utility connections, building construction, frontage improvements, and landscaping. Consistent with Section 7.30.060 of the City's Municipal Code, construction would take place between 7 a.m.–7 p.m. on weekdays and 9 a.m.–5 p.m. on Saturdays. The project would limit construction on Saturdays to the extent feasible. Construction on Sundays or holidays is not anticipated. The project would not import any soil, and would export 4,700 cubic yards (cy) of soil associated with construction of the building footings, grading, and trenching activities, which would extend to a depth of six feet.[4]

The applicant shall submit a site logistics plan for each phase of construction. The plan, at a minimum, shall include estimated timeframes for implementation, duration, and construction

[3] Silva cells are a type of suspended pavement to support large tree growth and provide on-site stormwater management through absorption, evapotranspiration, and interception.
[4] Consistent with CalEEMod methodology, this corresponds to 294 truckloads of soil export based on 16 cy of soil per load.

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operations. The applicant shall also submit traffic control plans for any impact to the right-of-way for each phase of construction, including pedestrian and bicycle detour plans as applicable. The traffic control plan shall comply with the most recent version of the California Manual of Uniform Traffic Control Devices and the City's Traffic Control Plan Requirements.

V. Environmental Review

The purpose of this section is to document whether any of the exceptions listed in CEQA Guidelines Section 15300.2 apply to the project, and assess the project's eligibility for a Categorical Exemption from CEQA under Section 15332 (Class 32) In-Fill Development Projects.

Section 15300.2 – Exceptions

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

This exception only applies to Class 3, 4, 5, 6, and 11 exemptions. The proposed project is categorically exempt under Class 32; therefore, this exception is not applicable to the project under CEQA Guidelines Section 15300.2(a).

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

There are no agricultural, forestry, or mineral resources present on-site or in the surrounding area; therefore, the project would not have any cumulative impacts as pertains to these resources. Within the localized area of effect (immediately adjacent), there are no approved or future projects that are reasonably foreseeable. Therefore, as pertains to localized environmental factors, specifically, aesthetics, biological and cumulative resources, geology and soils, hydrology and water quality, and noise and vibration, the project would have no cumulative impacts.

Within 1,000 to 1,320 feet of the project site, the cumulative area of effect for air quality and hazards/hazardous materials, there is one mixed-use commercial and residential development ("Nazareth Vista") located approximately 480 feet west of the site at 616 South B Street. The construction and operation of the Nazareth Vista project was accounted for in the cumulative Air Quality analysis provided below, which concluded that the cumulative conditions from both projects would not result in a significant effect on air quality. With regard to hazardous materials, 616 South B Street is not listed on any lists compiled pursuant to Section 65962.5 of the Government Code, and the proposed uses on both project sites do not generate hazardous emissions or involve the handling of any acutely hazardous materials. Therefore, the project would

not have a cumulative impact with regard to air quality or hazardous materials in conjunction with the Nazareth Vista project. Other projects in the vicinity, such as the new public parking garage at 5th Ave/Claremont St. and the affordable housing project at 4th Ave/Claremont St., would not have overlapping construction schedules with the subject project.

The project would not have a cumulative impact on land use and planning or population and housing, since there is no existing housing on-site and the project is consistent with the site's General Plan land use designation. The project would be allowed to develop 69,252 square feet above the allowable square footage per the City's zoning requirements with the adherence of the State Density Bonus requirements.[5] The San Mateo 2030 General Plan EIR anticipated major development to occur in the Downtown area, including new residential, office, retail, and mixed-use development as the availability of goods and services, walkability, and public transportation services continue to improve and expand, and found that buildout of the General Plan would have a less than significant land use and planning impact. The additional FAR would not contribute to a cumulative impact since the project proposes a mix of land uses at the project site within the downtown area, the project would be consistent with the General Plan policies to increase housing by providing mixed-use buildings within the downtown area (General Plan policy LU-1.8).

The project would also not have a cumulative impact on traffic, since the analysis of the project's individual impacts on traffic provided below in Section 15332(d) factored in trips generated by existing, approved, and reasonably foreseeable future development through the year 2040 (refer to Appendix A).

The analysis of the project's impact on utilities and public services provided below, which determined that the project would not have a significant effect on these resources. Further, the San Mateo 2030 General Plan EIR found that buildout of the General Plan (including the project) would not result in cumulative impacts to public services or utilities.

Because a project's greenhouse gas (GHG) emissions do not have localized impacts, but instead contribute to the global climate change effect, a project's GHG impact is inherently cumulative. GHG impacts are analyzed using the Bay Area Air Quality Management District's (BAAQMD) CEQA Air Quality Guidelines, which are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The jurisdictions in the San Francisco Bay Area Air Basin (which encompasses San Mateo) utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

[5] The project qualifies for a density bonus of 50 percent under the California State Density Bonus Law and therefore proposes a FAR of 2.98. Under the allowed FAR (2.0), the project would be permitted to develop 139,952 square feet.

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The BAAQMD CEQA Air Quality Guidelines also include thresholds of significance for greenhouse gas emissions. For land use projects, BAAQMD developed plan- and project-level thresholds that evaluate the significance of operational GHG emissions based on its effect on the State's efforts to meet the identified long-term climate goals. Projects that comply with an adopted GHG Reduction Strategy are considered to have less than significant GHG impacts. The City's 2020 Climate Action Plan (CAP) is a qualified GHG Reduction Strategy. The CAP identifies a strategy, reduction measures, and implementation actions the City will use to achieve targets consistent with state recommendations of 4.3 metric tons of CO_2e ($MTCO_2e$) per person by 2030 and 1.2 $MTCO_2e$ per person by 2050. GHG emissions generated by operation of the proposed project were estimated using CalEEMod and compared to the City of San Mateo's 4.3 $MTCO_2e$ per person threshold (refer to Appendix B). The project's estimated GHG emissions (1.88 $MTCO_2e$) would not exceed the 2030 service population threshold of 4.3 $MTCO_2e$/year/service population. Therefore, operation of the project would not generate significant GHG emissions.

For the reasons outlined above, the cumulative impact exclusion does not apply to the project.

(c) *Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The proposed project does not include any elements that are atypical for a mixed-use office and residential development in a downtown area. The proposed uses are consistent with office and residential uses that are present throughout the surrounding area in all directions. Further, the project site itself does not contain any unusual characteristics. As documented below, the site is not on any lists compiled pursuant to Section 65962.5 of the Government Code or mapped within a Very High Wildfire Hazard Zone, there are no historic resources on-site or nearby historic districts, and there is no habitat for endangered, rare or threatened species. The project site is also mapped by the City within a "Low Sensitivity Zone" for archaeological resources, and any undiscovered subsurface archaeological (including tribal cultural) or paleontological resources present would be required to be protected with adherence to the conditions of approval identified in Subsection D. Project Description, above. Given that the site is fully developed with office uses and a surface parking lot within a heavily urbanized area, there are no agricultural, forestry, or mineral resources present on-site. Further, a Geotechnical Investigation (dated April 26, 2022) prepared by Rockridge Geotechnical (refer to Appendix C) for the project determined that there were no unique or unusual geological issues that would prevent development of the site as proposed. As discussed under Section 15332 – In-Fill Development Projects below, the project would not have any significant effects on traffic, noise/vibration, air or water quality, utilities, or public services. Therefore, there are no unusual circumstances present that could result in the project having a significant effect on the environment, and the significant impact due to unusual circumstances exclusion does not apply to the project.

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

The nearest officially designated state scenic highway is a segment of Interstate 280 (I-280) located approximately three miles southwest of the project site.[6] The project site is not visible from I-280, and therefore would not damage scenic resources within a state scenic highway, and the Scenic Highways exception does not apply to the proposed project.

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

The project site is not included on any lists compiled pursuant to Section 65962.5 of the Government Code. [7] Therefore, the hazardous waste sites exception does not apply to the project.

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

The existing office building was constructed in early 1980s and is less than 50 years. There are no historic resources on or adjacent to the project site that are listed on the National Register of Historic Places, California Register of Historic Places, or the City of San Mateo Historic Resources Map.[8][9][10] Therefore, the historical resources exception does not apply to the project.

Conditions of Approval:

(a) Archaeological Resources. In the event of the discovery of archaeological resources whether on-site or in the public right-of-way, the applicant shall halt all construction activities within 50 feet of the find, notify the Planning Manager and/or Project Planner, and retain a qualified archaeologist. The archaeologist shall evaluate the uniqueness of the find, and propose recommendations for continuing construction to protect the find in consultation with the appropriate Native American tribes, and submit a summary of findings to the Project Planner. The applicant shall incorporate these recommendations

[6] California Department of Transportation. "California State Scenic Highway System Map". Accessed June 27, 2023. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa.
[7] California Environmental Protection Agency. "Cortese List Data Resources". Accessed June 27, 2023. https://calepa.ca.gov/sitecleanup/corteselist/.
[8] National Park Service. "National Register of Historic Places". Accessed June 27, 2023. https://www.nps.gov/subjects/nationalregister/database-research.htm#table.
[9] California Office of Historic Preservation. "California Historical Resources". Accessed June 27, 2023. https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=41.
[10] City of San Mateo. City of San Mateo Historic Resources Figure C/OS-5. April 2022.

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into project construction. A final report detailing how these recommendations were met shall be provided prior to occupancy.

(b) Cultural Resources. In the event of the discovery of human remains whether on-site in the public right-of-way, the applicant shall halt all activity within 50 feet of the discovery and notify the Planning Manager and/or Project Planner. The applicant shall also immediately notify San Mateo County Coroner to have a determination made as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. Treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

(c) Cultural Resources Monitor. Should construction monitoring be required, the applicant shall submit a scope of work with a cultural resources monitor as prescribed by the Archaeological Monitoring Plan. The scope of work shall indicate that, in the event of a discovery, the monitor:
    - Has stop-work authority to halt all construction activities;
    - Will notify the Planning Manager and/or Project Planner;
    - Will evaluate the discovery to determine whether additional treatment is warranted; and,
    - Will determine adequacy of the evaluation of the discovery prior to authorization of construction activities to resume.

(d) Paleontological Resources. In the event of the discovery of paleontological resources (fossils) whether on-site or in the public right-of-way, the applicant shall halt all construction activities within 50 feet of the discovery, notify the Planning Manager and/or Project Planner, and retain a qualified paleontologist to determine the significance of the discovery. The paleontologist shall evaluate the uniqueness of the find, prepare a written report documenting the find and recommending further courses of action, and submit a summary of findings to the Project Planner. The applicant shall incorporate the recommendations of the paleontologist when continuing construction.

For the reasons described above, the project would not cause a substantial adverse change in the significance of a historical resource, and no exception to the exemption applies under 15300.2(f).

Section 15332 – In-Fill Development Projects

Section 15332, or Class 32, applies to projects characterized as in-fill development meeting specific conditions. These conditions, along with the project's consistency with them, are described below.

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

As discussed under Subsection C. General Plan and Zoning, the site's land use designation and zoning district permit office and residential uses; therefore, the proposed uses are consistent. The proposed development's height (53.5 feet) does not exceed the maximum building height of 55 feet imposed by the General Plan land use designation of Executive Office, and since 15 percent (or 12 units) of the project's base density residential units would be reserved for very-low income residents, the project's increased density of 75 units/acre and a concession request for an increased FAR of 2.98 would be permitted under the California State Density Bonus Law. The project would be allowed to develop 69,252 square feet above the allowable base square footage (139,952 square feet) per the City's zoning requirements with the adherence of the State Density Bonus requirements (refer to discussion in Section 15300.2(b)). The additional FAR would not contribute to a cumulative impact since the project proposes a mix of land uses at the project site within the downtown area, the project would be consistent with the General Plan policies to increase housing by providing mixed-use buildings within the downtown area. Further, the City has reviewed the proposed project and found it compliant with all applicable policies and regulations set forth in the San Mateo General Plan and San Mateo Municipal Code with California State Density Bonus Law concessions and waivers applied. Accordingly, the project meets the conditions set forth in CEQA Guidelines Section 15332(a).

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The proposed development would occur on a 1.6-acre site within the limits of the City of San Mateo that, as documented in Section B. Project Site Location and Existing Setting and shown on Figure 3, is surrounded by urban uses. Accordingly, the project meets the conditions set forth in CEQA Guidelines Section 15332(b).

(c) The project site has no value as habitat for endangered, rare, or threatened species.

As previously documented, the project site is fully developed with an office building and surface parking lot. Further, the project site and surrounding area is mapped on Figure 4.9-1 of the San Mateo 2030 General Plan Environmental Impact Report (EIR) as Urban habitat, which only provides

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habitat for common species adapted to human habitation.[11] Therefore, the project does not provide any habitat for endangered, rare, or threatened species.

While the project site does not provide any habitat for endangered, rare, or threatened species, the project would remove 32 trees, including seven heritage trees, that could be used by urban-adapted raptors or other protected birds as nesting and foraging habitat. Raptors and nesting birds are protected by the Migratory Bird Treaty Act (MBTA) and the California Department of Fish & Wildlife (CDFW). Noise and vibration generated by construction activities have the potential to disturb raptors and nesting birds, which could potentially lead to nest abandonment and/or loss of reproductive effort, both of which are prohibited by the MBTA and CDFW. As required by the MBTA and CDFW, the project would be required to adhere with the following measures to prevent construction activities from disturbing nesting birds and raptors.

Conditions of Approval:

(a) Nesting Birds and Migratory Raptors – All potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are planned to be removed by the project shall be removed prior to February 1 or after August 31, unless the applicant or his/her designee complies with the following procedures:

- Should construction activities be scheduled between February 1 or after August 31, pre-construction surveys shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 14 days prior to the initiation of construction. During this survey, the ornithologist shall inspect all trees and other potential nesting habitats within 250 feet of the limits of construction activities. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist shall determine the extent of a construction-free buffer zone (typically 250 feet for raptors and 50 feet for other species), to ensure that nests of species protected by the Migratory Bird Treaty Act and California Department of Fish & Wildlife shall not be disturbed during project implementation. These buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest with the permission of the ornithologist.
- The applicant shall submit a report prepared by a qualified ornithologist indicating the results of the survey and any designated buffer zones to the City's Planning Division subject to the satisfaction of the Director of Community Development, or his/her designee.

Adherence with these conditions would ensure that all potential nesting substrates on-site would be removed prior to the beginning of nesting season (February 1), and that any active nests within 250 feet of construction activities would be protected by a construction-free buffer zone. Implementation of these conditions would prevent nesting birds and raptors from being disturbed

[11] City of San Mateo. *2030 General Plan Environmental Impact Report*. Figure 4.9.-1, pages 4.9-4, -8, -9. January 2010.

such that no nest abandonment and/or loss of reproductive effort would occur. Accordingly, the project meets the conditions set forth in CEQA Guidelines Section 15332(c).

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic

The following analysis is based, in part, on a Transportation Impact Assessment (dated July 2023) prepared by Fehr & Peers. A copy of this report is attached to this memorandum as Appendix A.

With the passage of Senate Bill 743 (SB 743), vehicle miles traveled (VMT) replaced level of service (LOS) as the criteria for determining the significance of traffic impacts. As required by SB 743 and the Governor's Office of Planning and Research (OPR), the City of San Mateo incorporated VMT policies and thresholds of significance into its Transportation Impact Analysis (TIA) Guidelines (dated August 17, 2020).

The City's TIA Guidelines include screening criteria which, if met by a project, would result in the project having a less than significant VMT impact under CEQA. Under the High-Quality Transit Area (HQTA) screening criteria, projects that are within a half-mile of a high-quality transit and meet the following criteria are considered to have a less than significant VMT impact[12]:

- Have a floor area ratio greater than 0.75;
- Include less parking for residents, customers, and employees than required by the jurisdiction;
- Are consistent with Plan Bay Area 2050;
- Do not replace affordable housing units with a smaller number of moderate- or high-income residential units.

The project site is located approximately 0.35 miles from SamTrans Route ECR stop at El Camino Real and 9th Avenue and 0.45 miles from the Downtown San Mateo Caltrain station, both of which are considered high-quality transit stops under the City's TIA Guidelines. As documented in D. Project Description, the proposed development would have an FAR of 2.98. Under the City's Municipal Code, the project would normally be required to provide 180 residential parking spaces and 74 office parking spaces, but as allowed under Assembly Bill 2097 (AB 2097) for projects located within a half mile of high-quality transit (Downtown Caltrain Station), the project is proposing to provide 112 residential spaces and 38 office spaces. The project would be consistent with the goals of Plan Bay Area 2050, such as building affordable housing, creating healthy and safe streets by building a complete streets network, and reducing climate emissions, because it would provide employment growth (offices) and affordable housing near high-quality transit while promoting

[12] The City's TIA Guidelines define a high-quality transit station as a Caltrain station or bus stop that provides service on 15-minute headways during peak commute hours.

alternative modes of travel (walking/biking) through implementation of the TDM Plan. Lastly, given that the existing project site is only developed with offices, the proposed demolition of the existing development and construction of the project would result in a small increase in total office floor area (approximately 7,606 square-feet of net new office floor area) and new housing including affordable housing. Accordingly, the project satisfies the City's High-Quality Transit Area screening criteria and therefore would have a less than significant VMT impact.

As previously discussed, SB 743 and CEQA Guidelines Section 15064.3(a) prohibit the use of LOS as a metric to identify traffic impacts under CEQA. However, the San Mateo 2030 General Plan includes policies addressing potential project effects on intersection operations. The City maintains a level-of-service (LOS) standard of mid-level LOS D for all intersections. According to General Plan Policy C-2.7, a development project may be required to fund off-site circulation improvements which are needed as a result of project-generated traffic if:

(a) The level of service at the intersection drops below mid-level LOS D (average delay of more than 45 seconds) when the project is added, and
(b) An intersection that operates below its level of service standard under the base year conditions experiences an increase in delay of four or more seconds, and
(c) The needed improvement of the intersection(s) is not funded in the applicable five-year City Capital Improvement Program from the date of application approval.

While an impact on LOS is no longer considered an impact under CEQA, the CEQA Guidelines require lead agencies to assess the direct and indirect physical impacts of projects. As such, if a project's effects on intersection LOS and/or roadway operations would necessitate the construction or funding of physical improvements, the law requires an analysis of the potential adverse effects on the environment that could be caused by the construction of these physical improvements. The Transportation Impact Assessment prepared by Fehr & Peers analyzed the project's impact in conjunction with existing and reasonably foreseeable future development on nearby intersections and the roadway network through the year 2040, and determined that the project would not have any adverse effects on intersection LOS or roadway operations. Therefore, the project would not necessitate the construction or funding of any physical improvements. Further, while the Transportation Impact Assessment recommended minor modifications to the sidewalks adjacent to the project site and repainting portions of the adjacent streets to increase visibility and driver awareness, these activities are extremely low impact from an criteria air pollutant emission, noise, and vibration standpoint due to the equipment used and time necessary to complete these activities, and would not change any of the conclusions set forth in the Air Quality and Noise discussions below. All work conducted would be in accordance with the applicant's Traffic Control Plan, to be submitted at the time of the building permit application, and would not impede traffic operations.

Since the project would have a less than significant VMT impact, and all physical improvements to the transportation network as a result of the project would not result in adverse effects on the environment, the project would not have any significant effects relating to traffic.

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Noise and Vibration

The following analysis is based, in part, on a Noise and Vibration Assessment (dated July 10, 2023) prepared by Illingworth & Rodkin. A copy of this report is attached to this memorandum as Appendix D.

Project Construction

Construction Noise

Pursuant to Municipal Code Section 7.30.060, construction activities that would occur outside the permitted hours of construction (Weekdays between 7:00 a.m. and 7:00 p.m., Saturdays between 9:00 a.m. and 5:00 p.m., and Sundays and holidays between 12:00 p.m. and 4:00 p.m.) or would generate noise exceeding 90 dBA at adjacent property lines would have a significant construction-related noise impact.

Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time.

Construction activities would generate considerable amounts of noise, especially during earth-moving activities when heavy equipment is used. During each stage of construction, there would be a different mix of equipment operating, and noise levels would vary by stage and vary within stages, based on the amount of equipment in operation and the location at which the equipment is operating.

As described in Section IV. Project Description, construction of the project is anticipated to last approximately 21 months, with demolition and construction beginning in 2024. Construction activities would occur on weekdays between 7 a.m.–7 p.m. and Saturdays between 9 a.m.–5 p.m. Construction phases of the proposed project would include site clearing and demolition, utility connections, building construction, frontage improvements, and landscaping. Equipment used during construction activities would include saws, excavators, dozers, tractors/loaders/backhoes, graders, cranes, forklifts, welders, air compressors, cement/mortar mixers, pavers, and rollers. No pile driving is proposed.

The Federal Highway Administration's Roadway Construction Noise Model was used to calculate the hourly average noise levels for each stage of construction, assuming every piece of equipment would operate simultaneously, which would represent the worst-case scenario. Table 1 below shows the calculated construction noise levels at the surrounding land uses shown in Figure 3. Additional information on the methodology and assumptions used to estimate the project's construction noise levels is available in Appendix D.

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Table 1: Estimated Construction Noise Levels at Adjacent Property Lines

Construction Phase	Calculated Hourly Average Noise Levels, dBA L_{eq}[1]			
	North Office (145 feet)	East Comm. (170 feet)	South Comm. (230 feet)	West Comm. (240 feet)
Demolition	78	77	74	74
Site Preparation	75	74	71	71
Grading/Excavation	79	77	75	74
Trenching/Foundation	72	71	68	68
Building Exterior	73	71	69	68
Building Interior	65	63	60	60
Paving	76	75	72	72

Source: Illingworth & Rodkin, Inc. *477 9th Avenue Mixed-Use Project Noise and Vibration Assessment*. July 10, 2023.

Notes:

[1] Since surrounding land uses would be subject to the collective noise generated by all equipment operating on-site, distances and noise levels are calculated from the geometrical center of the project site.

Although construction noise levels are not anticipated to exceed 90 dBA at adjacent property lines, the use of construction equipment (specifically saws, cement mixers, cranes, dozers, excavators, graders, and pavers) could generate noise levels in excess of 90 dBA if used within 25 feet of adjacent property lines. General Plan policies N-2.1, N-2.2, and N-2.3 require new development to incorporate measures to minimize their noise impacts. As required by the City's General Plan and Municipal Code, the project would be required to adhere to the following measures to minimize noise below 90 dBA at adjacent property lines.

Conditions of Approval:

The applicant and contractor shall place and operate construction equipment to minimize the impact of construction noise on existing sensitive receptors. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible. Additionally, the applicant and contractor shall incorporate the following best management practices to reduce noise from construction activities on nearby sensitive land uses:

(a) The applicant or their designated contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities and include all equipment expected to be used in each construction phase of the project, along with the quantity of each type of equipment and noise levels. This construction plan shall be submitted to the Building and Planning Division subject to the review and satisfaction of the Community Development Director, or their designee prior to the issuance of any construction, grading or demolition permit.

(b) The applicant or their designated contractor shall designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler,

etc.) and shall require that measures be implemented to reduce the noise impact. The applicant or their designated contractor shall conspicuously post a construction project sign that includes a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

(c) The applicant or their designated contractor shall provide a plan for construction staging areas, which shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. The construction staging plan shall be submitted to the Planning Division and Public Works, subject to review and satisfaction of the Community Development and Public Works Directors, or their designees, prior to issuance of any construction, grading or demolition permit.

(d) Quieter saws, cement mixers, cranes, dozers, excavators, graders, and pavers shall be selected. No individual device or piece of equipment shall produce a noise level exceeding 90 dBA at a distance of 25 feet from the source, in accordance with San Mateo Municipal Code section 7.30.060(e).

(e) All internal combustion engine-driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

(f) Idling of internal combustion engines for longer than five minutes in duration shall be strictly prohibited.

(g) Stationary noise-generating equipment shall be located as far as possible from sensitive receptors and property lines. If they must be located within 30 feet of receptors and property lines, adequate muffling (with temporary barriers where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors to 90 dBA. All temporary barriers used shall be eight feet in height at minimum, continuous from grade to top, with no cracks or gaps, and have a minimum surface density of three pounds per square foot (e.g., one-inch thick wood fence boards).

(h) Construction contractors and subcontractors shall utilize “quiet” air compressors and other stationary noise sources where technology exists.

The Noise and Vibration Assessment prepared by Illingworth & Rodkin (refer to Appendix D) determined that adherence with the above conditions of approval would ensure noise levels generated during construction of the project would not exceed 90 dBA at adjacent property lines. Accordingly, the project would not result in any significant effects related to construction noise.

Construction Vibration

The California Department of Transportation recommends a vibration limit of 0.5 in/sec PPV for buildings structurally sound and designed to modern engineering standards, which typically consist of buildings constructed since the 1990s. Conservative vibration limits of 0.3 in/sec PPV has been used for buildings that are found to be structurally sound but where structural damage is a major concern. For historical buildings or buildings that are documented to be structurally weakened, a cautious limit of 0.08 in/sec PPV is often used to provide the highest level of protection.

Construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g. jackhammers, hoe rams) are used in the vicinity of nearby sensitive land uses. As previously discussed, construction activities would include site clearing and demolition, utility connections, building construction, frontage improvements, and landscaping. Equipment used during construction activities would include saws, excavators, dozers, tractors/loaders/backhoes, graders, cranes, forklifts, welders, air compressors, cement/mortar mixers, pavers, and rollers. Pile driving (which generates substantial vibration) is not proposed as a method of construction.

Based on a review of the NRHP[13], CRHP[14], and City of San Mateo Historic Building Survey, the nearest historic buildings are located 400 feet or greater from the project site, and therefore would experience vibration levels of 0.01 in/sec PPV or less and would not be impacted. Buildings adjacent to the project site are located approximately 25 feet to the north and are of normal, conventional construction and were constructed pre-1990, and therefore would be subject to the more protective 0.3 in/sec PPV threshold, rather than 0.5 in/sec PPV used for construction after 1990.

Based on typical vibration levels generated by construction equipment, the vibration levels from project construction were estimated from the boundary of the project site, which would represent the nearest location for use of vibration generating equipment, at the nearest building facades (refer to Appendix D for more information on the methodology used to calculate vibration levels). Table 2 below summarizes the vibration levels from construction activities at buildings within the project's area of effect.

Table 2: Estimated Vibration Levels at Nearby Buildings

Equipment		PPV (in/sec) at Nearest Building Facades			
		Office (25 feet north)	**Commercial (65 feet east)**	**Commercial (70 feet south)**	**Commercial (120 feet west)**
Clam shovel drop		0.202	0.071	0.065	0.036
Hydromill	In soil	0.008	0.003	0.003	0.001
	In rock	0.017	0.006	0.005	0.003
Vibratory roller		0.210	0.073	0.068	0.037
Hoe ram		0.089	0.031	0.029	0.016
Large bulldozer		0.089	0.031	0.029	0.016
Caisson drilling		0.089	0.031	0.029	0.016
Loaded trucks		0.076	0.027	0.024	0.014
Jackhammer		0.035	0.012	0.011	0.006

Source: Illingworth & Rodkin, Inc. *477 9th Avenue Mixed-Use Project Noise and Vibration Assessment*. July 10, 2023.

[13] National Register of Historic Places. "National Register Database and Research. Accessed June 22, 2022. https://www.nps.gov/subjects/nationalregister/database-research.htm

[14] California Register of Historic Places. "California Historical Resources". Accessed June 22, 2022. https://ohp.parks.ca.gov/listedresources/

As shown in Table 2, vibration levels at the nearest building façades would not experience vibration levels in excess of 0.3 in/sec PPV, which is the level at which cosmetic damage could occur. Accordingly, the project would not result in any significant effects related to construction vibration.

Project Operation

Project-Generated Traffic

Pursuant to General Plan Policy N2.2, noise produced by project-generated traffic would result in a significant effect if it caused a permanent noise increase of three dBA L_{dn} or greater. Based on the traffic volumes provided in the Transportation Impact Assessment prepared for the project (refer to Appendix A) for the scenarios involving 'existing no project', 'existing plus project', 'cumulative no project', and 'cumulative plus project' scenarios, the project would increase noise levels along nearby roadway segments by less than one dBA L_{dn}. Further, noise levels along these roadways under both cumulative no project and cumulative plus project scenarios would increase by one dBA L_{dn}, and therefore the project's contribution would not be cumulatively considerable given that roadway noise would not increase by three dBA L_{dn} or more. Additionally, the 2030 General Plan EIR concluded that adherence to the acoustical analysis and compliance conditions of approval identified in Section D. Project Description would reduce noise impacts from project-generated traffic to a less than significant level. Accordingly, noise from project-generated traffic would not result in any significant effects.

Mechanical Equipment

Policy N.3 of the San Mateo 2030 General Plan prohibits new uses that would generate noise levels of 65 dBA L_{dn} or above at the property line, excluding existing ambient noise levels. Section 7.30.040 of the San Mateo Municipal Code limits noise levels at commercial/office property lines to 65 dBA during daytime hours (7 a.m. to 10 p.m.) and 60 dBA during nighttime hours (10 p.m. to 7 a.m.).

Noise measurements conducted for the Noise and Vibration Assessment determined that daytime noise levels averaged 64 dBA L_{eq} and nighttime noise levels averaged 54 dBA L_{eq} along South Claremont Street, and 71 dBA L_{eq} during the daytime and 59 dBA L_{eq} during the nighttime along the railroad tracks. Based on existing ambient noise levels, the noise level threshold would be 71 dBA during the daytime and 60 dBA during the nighttime at the land uses north, south, and west of the project site that are located along the railroad tracks. The noise level threshold would be 65 dBA during the daytime and 60 dBA during the nighttime at the land uses east of the project site opposite South Claremont Street.

The design of the ground level of the proposed building includes two electrical rooms and two transformer rooms along the northern façade, a fire pump generator in the northeast corner, and a boiler room located on the interior of the parking garage near the northeastern corner. Table 3 below summarizes the hourly average noise levels and day-night average noise levels projected at the land uses to the north and east, which would have a direct line of sight to the northern façade of the proposed building, and therefore would be directly exposed to noise generated by the

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project's mechanical equipment. Buildings and properties located to the south and west would be well shielded from the project's mechanical equipment from the project's building envelope and internal walls and therefore would not be considered receptors.

Table 3: Operational Noise Levels from Mechanical Equipment

Receptor	Mechanical Equipment Hourly Average Noise Level (dBA L_{eq})[1]			Day-Night Average Noise Levels (dBA L_{dn})	Noise Level Increase (dBA L_{dn})
	Transformer	Fire Pump Generator[2]	Boiler		
Offices (30 feet north)	25	64	39	51	0
Commercial (95 feet east)	<20	55	35	44	0

Source: Illingworth & Rodkin, Inc. *477 9th Avenue Mixed-Use Project Noise and Vibration Assessment*. July 10, 2023.

Notes:

[1] Noise levels reflect a conservative assumption that the building envelope would provide a minimum 20 dBA of attenuation.

[2] Hourly average thresholds for the fire pump generator would only be applicable during monthly testing during daytime hours. These noise levels would not be subject to the nighttime threshold requirements.

As shown in Table 3, noise generated by the project's mechanical equipment would not exceed the City's daytime and nighttime noise thresholds or increase ambient noise levels at the land uses north and east of the site. Accordingly, the project would not result in any significant effects related to mechanical equipment noise.

Garbage Truck Pickup

Truck loading operations would consist of garbage truck pickups, which would occur in the northwestern corner of the site. Truck maneuvering noise would include a combination of engine, exhaust, and tire noise, as well as the intermittent sounds of back-up alarms and releases of compressed air associated with truck/trailer air brakes. For offices and multi-family residences, medium-sized delivery trucks would be expected at the proposed building. Medium-sized delivery trucks typically generate maximum noise levels of 60 to 65 dBA at 50 feet. The noise level of backup alarms can vary depending on the type and directivity of the sound, but maximum noise levels are typically in the range of 65 to 75 dBA at a distance of 50 feet. All deliveries are assumed to occur during daytime hours between 7:00 a.m. and 10:00 p.m.

It is assumed that up to two deliveries would occur weekly and only one delivery would occur in a given hour. While the proposed building would provide some shielding for the receptors to the north south, and west, no attenuation was assumed for this analysis. Table 4 below summarizes noise levels from truck loading and unloading activities that occur for more than five minutes in a

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given hour (dBA L_{08}) and day-night average noise levels (dBA L_{dn}) at the land uses to the north and east.

Table 4: Operational Noise Levels from Truck Loading and Unloading Activities

Receptor	Distance from Center of Loading Area (feet)	(dBA L_{08})	Day-Night Average (dBA L_{dn})	Noise Level Increase (dBA L_{dn})
North Offices	40	67	50	0
South Commercial	325	49	32	0
West Commercial	135	56	40	0

As shown in Table 4, truck loading and unloading activities would not exceed the City's L_{08} daytime thresholds[15] (81 dBA L_{08}) at the receptors with direct line-of-sight to the loading areas. For all existing receptors, the ambient noise level increase due to truck loading and unloading activities would not be measurable or detectable (0 dBA L_{dn} increase). Accordingly, the project would not result in any significant effects related to noise generated by truck loading and unloading activities.

Total Combined Project-Generated Noise

Once operational, noise generated by all project activities (i.e., traffic, mechanical equipment, and garbage truck pickups) would result in an increase of less than one dBA L_{dn} at surrounding land uses. Therefore, operation of the project would not result in any significant effects related to noise.

Air Quality

The following discussion is based, in part, on an Air Quality Assessment prepared for the project by Ramboll US Consulting, Inc. A copy of this report, dated July 14, 2023, is attached to this memorandum as Appendix E.

Air quality impacts may occur when a project conflicts with or obstructs the applicable air quality plan, or results in a cumulatively considerable net increase in any criteria air pollutant for which the region (i.e., the San Francisco Bay Area) is non-attainment under the applicable federal or state standard, the exposure of sensitive receptors to substantial pollutant concentrations (including toxic air contaminants (TACs), such as diesel particulate matter (DPM) that would result in community health risks, or in odors that would adversely affect a significant number of people.[16]

[15] Thresholds for activities occurring more than five minutes in a given hour for the north offices, south commercial uses, and west commercial uses would be 81 dBA L_{08} during daytime hours and 70 dBA L_{08} during nighttime hours.
[16] The applicable air quality plan is the Bay Area Air Quality Management District 2017 Clean Air Plan. The San Francisco Bay Area is non-attainment for ground-level ozone (O3), nitrogen oxides (NOx), particulate matter (PM), sulfur dioxide (SOx), and lead. The project does not include substantial new emissions of sulfur dioxide or lead; therefore, these criteria pollutants are not discussed further.

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2017 Bay Area Clean Air Plan

The proposed project would not conflict with the 2017 Bay Area Clean Air Plan (Plan) because the project would not exceed the BAAQMD thresholds of significance for construction and operational criteria air pollutant emissions, as described below. Because the project would not exceed the BAAQMD screening criteria, it would not result in significant impacts due to the generation of construction or operational-related criteria air pollutants. Thus, the project is not required to incorporate project-specific control measures listed in the 2017 Plan. Further, the project is considered urban infill and would be located near bike facilities and transit with regional connections. Implementation of the project would not prevent BAAQMD or partner agencies from continuing progress toward attaining State and federal air quality standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 Plan. Accordingly, the project would not result in significant effects due to a conflict with the 2017 Plan.

Criteria Air Pollutants

Construction Period Emissions

The California Emissions Estimator Model (CalEEMod) Version 2022.1 was used to estimate emissions from project construction. Construction emissions were modeled based on equipment list and schedule information provided by the applicant. CalEEMod defaults for the associated land use and size were used where project-specific information was unavailable. Details about the equipment list, construction schedule, modeling, data inputs, and assumptions are included in Appendix E. Table 5 summarizes the unmitigated annualized average daily construction emissions of ROG, NOX, PM_{10} exhaust, and $PM_{2.5}$ exhaust during construction of the project.

Table 5: Project Construction Period Emissions

Year	Annualized Daily Construction Emissions (pounds/day)			
	ROG	**NOx**	**PM_{10} Exhaust**	**$PM_{2.5}$ Exhaust**
2024	0.81	4.5	0.17	0.15
2025	8.5	3.1	0.084	0.078
BAAQMD Threshold	54	54	82	54
Exceed Threshold?	No	No	No	No

Source: Ramboll US Consulting, Inc. *CEQA Air Quality and Health Risk Assessment for 477 9th Avenue Mixed-Use Project*. July 14, 2023.

As shown in Table 5, the unmitigated average daily emissions of ROG, NOx, PM_{10}, or $PM_{2.5}$ generated by project construction would not exceed BAAQMD thresholds. Accordingly, the project's construction period emissions would have a less than significant impact.

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Operational Period Emissions

Operational period criteria pollutant emissions associated with the project would be generated primarily from vehicles driven by future office occupants and residents, and to a lesser extent by waste disposal and daily energy and water usage. The proposed project falls below the BAAQMD operational criteria air pollutants screening thresholds of 638 dwelling units and 765,000 square feet for the "Apartments" and "General office building" land use types, respectively. The project proposes a mix of uses, and the residential component of 120 units is approximately 19 percent of the screening level of 638 dwelling units, and the office component of 33,529 square feet is approximately four percent of the screening level of 765,000 square feet. Collectively, the size of the proposed mixed-use development equates to 11.5 percent of the screening level, equivalent to slightly less than one-sixth of the size of a mixed-use development that would exceed the BAAQMD screening criteria and warrant a detailed operational period criteria air pollutant emissions analysis. Therefore, the project would result in a less than significant air quality impact due to operational-related criteria air pollutant emissions.

Community Health Risks

Project impacts related to increased community risk can occur either by introducing a new source of TACs with the potential to adversely affect existing sensitive residents and workers in the project vicinity or by significantly exacerbating existing cumulative TAC impacts. The project would introduce new sources of TACs during construction (i.e., on-site construction and truck hauling emissions) and operation (i.e., mobile sources).

Project construction activity would generate dust and equipment exhaust that would affect nearby sensitive receptors. During project operation, the project would generate emissions associated with traffic consisting of mostly light-duty vehicles.

Project impacts to existing sensitive receptors were addressed for temporary construction activities and long-term operational conditions, as discussed below. There are also several sources of existing TACs and localized air pollutants in the vicinity of the project. The impact of the existing sources of TACs were also assessed in terms of the cumulative risk which includes the project's contribution.

Community risk impacts were addressed by predicting increased cancer risk, the increase in annual $PM_{2.5}$ concentrations and computing the Hazard Index (HI) for non-cancer health risks. The risk impacts from the project are the combination of risks from construction and operation sources. These sources include on-site construction activity, construction truck hauling, and increased traffic from the project. To evaluate the increased cancer risks from the project, a 30-year exposure period is typically used (per BAAQMD guidance), with the nearby residential sensitive receptors being exposed to both project construction and operation emissions during this timeframe.

The project's increased cancer risk is computed by summing the project construction cancer risk and operation cancer risk contributions. Unlike the increased maximum cancer risk, the annual

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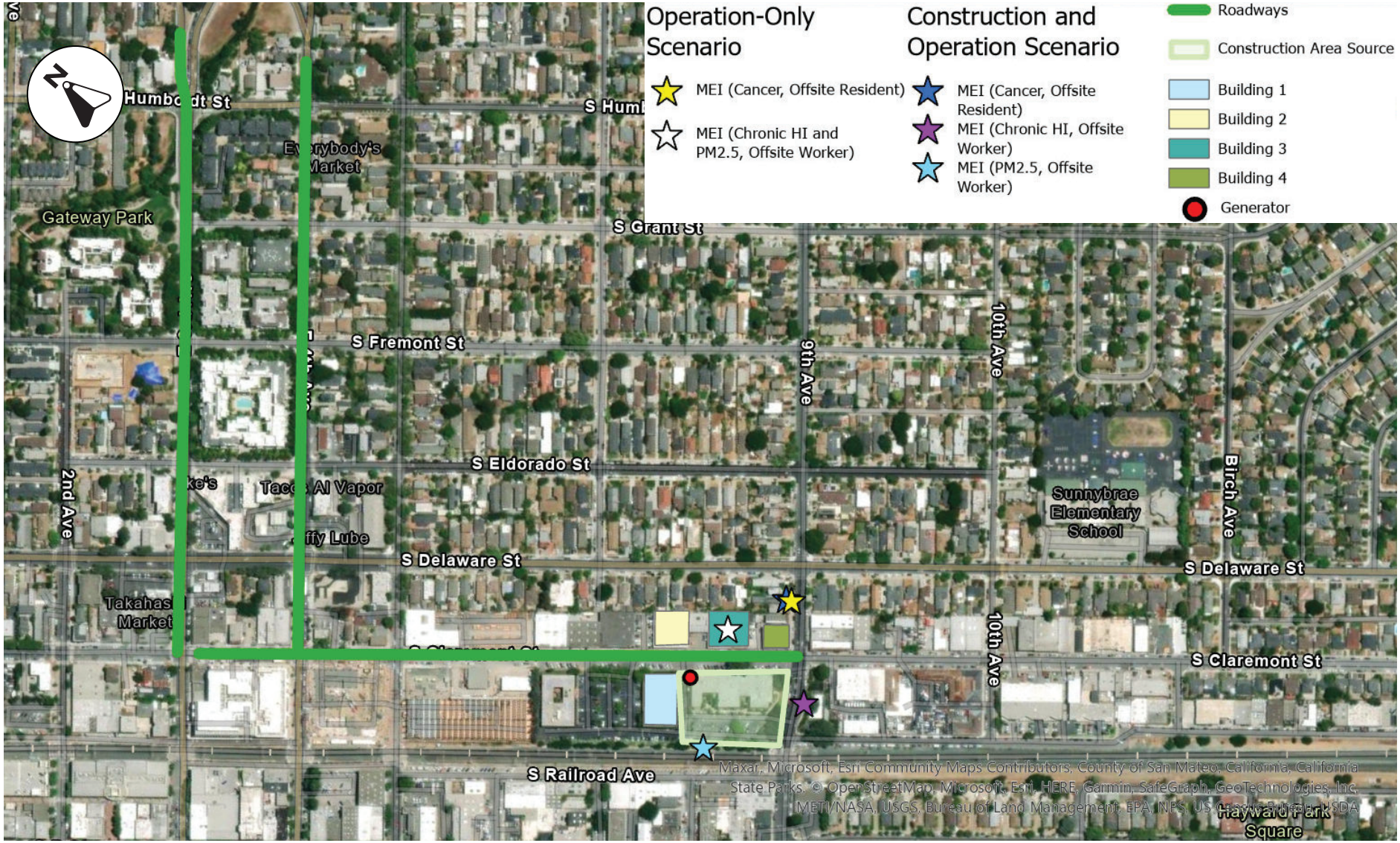
$PM_{2.5}$ concentration and HI values are not additive but based on the annual maximum values for the entirety of the project. The project's maximally exposed individual (MEI) are identified as the existing resident or worker that would be most impacted by the project's construction and operation. Other residents and workers in the surrounding area would be exposed to a lower health risk than identified for the MEI. Additional explanation of the methodology for computing community risk impacts is provided in Appendix E.

Construction Health Risks

The MEI with the greatest cancer risks during construction would be a single-family residence located on 9th Avenue between South Claremont Street and South Delaware Street. The MEI with the greatest exposure to $PM_{2.5}$ would be located along the project site's western property line, and the MEI with the greatest exposure to non-cancer health risks would be located opposite the project site on 9th Avenue between South Claremont Street and South Railroad Avenue. The locations of the MEIs are shown on Figure 6.

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. Although construction exhaust air pollutant emissions would not contribute substantially to existing or projected air quality violations, construction exhaust emissions may still pose health risks for sensitive receptors such as surrounding residents. Diesel exhaust particulate matter (DPM) poses both a potential health and nuisance impact to nearby receptors. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to $PM_{2.5}$. A quantitative health risk assessment of the project construction activities was conducted to evaluate the potential health effects to nearby sensitive receptors from construction emissions of DPM and $PM_{2.5}$, pursuant to the BAAQMD CEQA Air Quality Guidelines using CalEEMod and the U.S. EPA AERMOD dispersion model. Details about the community health risk modeling, data inputs, and assumptions are included in Appendix E. Table 6 below summarizes maximum cancer risks, $PM_{2.5}$ concentrations, and hazard index from project construction activities at the MEI.

Project Name
City
#
Document Type
Date



Source: Ramboll US Consulting, Inc., July 2023.

LOCATION OF MEI DURING PROJECT CONSTRUCTION AND OPERATION | FIGURE 6

Table 6: Construction Health Risks at Offsite MEI

Source	Cancer Risk per Million	Hazard Index	$PM_{2.5}$ Concentration
Construction	2.4	0.011	0.25
Emergency Generator	5.8	0	0
Totals	8.2	0.011	0.25
BAAQMD Threshold	10.0	1.0	0.30
Exceed Threshold?	No	No	No

Source: Ramboll US Consulting, Inc. *CEQA Air Quality and Health Risk Assessment for 477 9th Avenue Mixed-Use Project*. July 14, 2023.

As shown in Table 6, the project's construction-related community health risks would not exceed BAAQMD thresholds. Accordingly, the project's construction-related health risk impacts would be less than significant.

Operation Health Risks

Operation of the project would generate emissions from mobile sources (i.e., traffic) and stationary sources (i.e., the proposed on-site generator). While these emissions would not be as intensive at or near the project sites as construction activity, they would contribute to long-term effects to sensitive receptors. The MEI during project operation with the greatest exposure to cancer risks is the same as the MEI for cancer risks during project construction; the MEI for non-cancer health risks is located opposite the project site across 9th Avenue, and the MEI for $PM_{2.5}$ exposure is located at the western property line of the project site. The MEIs during project operation are shown on Figure 6.

Per BAAQMD, roadways with less than 10,000 total vehicles per day are considered a low-impact source of TACs. Based on the project's trip generation estimates, the project would result in a net increase of 489 daily trips and would not result in any roadways exceeding 10,000 total vehicles per day. Therefore, emissions associated with project-generated traffic would not expose sensitive receptors to substantial pollutant concentrations.

The project includes an 85-hp diesel fire pump generator; operation of a diesel generator is a source of TAC emissions. The generator would be operated for testing and maintenance purposes and would be required to meet EPA emissions standards. The emissions from the operation of the generator were calculated using the CalEEMod model.

Stationary source diesel engines larger than 50 hp are subject to CARB's Stationary Diesel Airborne Toxics Control Measure and require permits from the BAAQMD. As part of the BAAQMD permit requirements for toxics screening analysis, the emergency generator engine emissions would have to meet Best Available Control Technology for Toxics and pass the toxic risk screening level of less than ten cancer cases in a million. The risk assessment would be prepared by BAAQMD. Depending on results, BAAQMD would set limits for DPM emissions (e.g., more restricted engine operation

periods). Sources of air pollutant emissions complying with all applicable BAAQMD regulations generally would not be considered to have a significant air quality community risk impact.
To estimate potential cancer risks and $PM_{2.5}$ impacts from operation of the emergency generator, CalEEMod Version 2022.1 was used to calculate the maximum annual DPM concentration at the off-site MEIs. Refer to Appendix E for more detail about the model, data inputs, and assumptions used to estimate the health risk from the emergency generator. Table 7 shows the community risks associated with operation of the proposed generator at the off-site MEIs.

Table 7: Operational Health Risks at Offsite MEI

Source	Cancer Risk per Million	Hazard Index	$PM_{2.5}$ Concentration
Emergency Generator	9.4	0.0028	0.014
BAAQMD Threshold	10.0	1.0	0.30
Exceed Threshold?	No	No	No

Source: Ramboll US Consulting, Inc. *CEQA Air Quality and Health Risk Assessment for 477 9th Avenue Mixed-Use Project*. July 14, 2023.

As shown in Table 7, the project's operation-related community health risks would not exceed BAAQMD thresholds. Accordingly, project operation-related health risk impacts would be less than significant.

Cumulative Health Risks from All TAC Sources

Community health risk assessments typically look at all substantial sources of TACs that can affect sensitive receptors that are located within 1,000 feet of the project site. These sources include busy surface streets (i.e., roadways that exceed 10,000 vehicles per day), stationary sources, and projects with concurrent construction schedules. There is one project within 1,000 feet of the project site (located at 616 South B Street) that is projected to be constructed at the same time as the proposed project. Construction of this project was factored into the cumulative analysis provided in Table 8 below based on data provided by the City and 616 South B Street project applicant.

Modeling was completed to calculate the community health risk from the cumulative sources at the project MEI, which would be the same as described above for the project operation scenario. Refer to Appendix E for details about the cumulative health risk modeling, including model inputs and assumptions. Table 8 reports the cumulative community risk impacts from project construction and operation and other cumulative sources at the MEIs, which would be the same as described for the project operation-only scenario.

Table 8: Cumulative Health Risks at Offsite MEI

Source	Cancer Risk per Million	Hazard Index	$PM_{2.5}$ Concentration
Project Construction/Operation	9.4[1]	0.011	0.25
Foreseeable Future Stationary Sources	0.24	5.2E-04	0.0053
Existing/Future Stationary Sources	0.038	0.0017	0.000048
Roadways	18	0.045	0.25
Railways	58	0.027	0.19
Total	**86**	**0.085**	**0.70**
BAAQMD Threshold	100.0	10.0	0.80
Exceed Threshold?	**No**	**No**	**No**

Source: Ramboll US Consulting, Inc. *CEQA Air Quality and Health Risk Assessment for 477 9th Avenue Mixed-Use Project*. July 14, 2023.

Notes:

[1] The maximum cancer impact is from the project operation scenario.

[2] Foreseeable future stationary sources include the mixed-use development at 616 South B. Street (Nazareth Vista).

As shown in Table 8, the cumulative cancer risks, annual $PM_{2.5}$ concentrations, and hazard index for non-cancer health risks would not exceed BAAQMD's cumulative-source thresholds. Accordingly, the project's cumulative health risks would not have a significant effect.

Odors

According to the BAAQMD CEQA Guidelines, an odor source with five or more confirmed complaints per year averaged over three years is considered to have a significant impact.[17] BAAQMD has identified a variety of land uses that produce emissions that may lead to odors and generate complaints including, but are not limited to, wastewater treatment plants, landfills, composting operations, and food manufacturing facilities.

Residential and office uses do not typically generate objectionable odors, nor do they fall under any of the land uses identified by BAAQMD to cause objectionable odors. Localized odors, mainly resulting from diesel exhaust and construction equipment on-site, would be created during the construction phase of the project. These odors would be temporary and not likely to be noticed beyond the project site's boundaries. Odors associated with the application of paints and coatings may also be noticeable on occasion by adjacent receptors. Painting and coating of the project would occur during daytime hours only, would be localized, and would be generally confined to the project site. These odors would also be temporary. Operation and maintenance of the project would

[17] Bay Area Air Quality Management District. California Environmental Quality Act Air Quality Guidelines. May 2017. Page 2-1.

require the use of cleaning supplies, maintenance chemicals, and herbicides and pesticides for landscape maintenance. Any odors generated by the use of these materials would be both temporary and highly localized. Therefore, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Water Quality

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as non-point source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Urban stormwater runoff often contains contaminants such as oil and grease, plant and animal debris (e.g., leaves, dust, animal feces, etc.), pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitats to which they drain.

Construction

Construction activities, such as grading and excavation, have the potential to result in temporary impacts to surface water quality in adjacent waterways and groundwater. When disturbance to the soil occurs, sediments may be dislodged and discharged into the storm drainage system after surface runoff flows across the site.

Construction of the building footings, grading, and trenching activities would extend to a depth of six feet and therefore would not encounter groundwater on-site.[18] No dewatering would be required as a result of the project. Projects that would disturb one acre or more of soil are required by the State Water Resources Control Board (SWRCB) to file a Notice of Intent (NOI) and prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects are required by Chapter 7.39 of the San Mateo Municipal Code to adhere with the SWRCB regulations and obtain a Stormwater Pollution Prevention (STOPPP) Construction permit. Adherence with the aforementioned regulations would ensure that the discharge of pollutants is minimized to the extent feasible, and would protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges. Accordingly, construction of the project would not result in any significant effects on water quality.

Post-Construction

Provision C.3 of the San Francisco Bay Regional Water Quality Control Board (RWQCB) Municipal Regional Stormwater Permit (MRP) requires project that create or replace 5,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. The project would increase impervious surfaces on-site by 9,422 square-feet

[18] Based on a Geotechnical Investigation prepared by Rockridge Geotechnical, groundwater on-site is located at depths of 10 feet below ground surface (bgs) and greater.

and therefore would be required to comply with Provision C.3. As documented in Section D. Project Description, the project would comply with Provision C.3 by treating stormwater runoff through the use of self-treating pervious areas, bioretention planters, and silva cells. Collected stormwater would percolate belowground or be routed to bioretention planter or silva cell before discharging to the City storm drain at the intersection of 9th Avenue and South Claremont Street. Additionally, as required by Chapter 7.39 of the San Mateo Municipal Code and the Provision C.3 of the MRP, the project applicant would be required to implement the following measures.

Conditions of Approval:

(a) Owner/occupant shall operate and maintain private stormwater treatment devices in accordance with the operation and maintenance agreement. Inspection requirements would be determined as part of the agreement with the City.
(b) The applicant shall pay a Stormwater Management Permit fee on a yearly basis for cost associated with, but not limited to, City inspection of the private stormwater treatment facilities, emergency maintenance needed to protect public health or watercourses, and facility replacement or repair in the event that the treatment facility is no longer able to meet performance standards or has deteriorated. The fee shall be based upon the City's Comprehensive Fee Schedule, established by the City Council, in effect at the time.
(c) Label new and redeveloped storm drain inlets with the phrase "No Dumping – Drains to Bay" plaques to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain. Template ordering information is available from the Department of Public Works.
(d) All process equipment, oils fuels, solvents, coolants, fertilizers, pesticides, and similar chemical products, as well as petroleum-based wastes, tallow, and grease planned for storage outdoors shall be stored in covered containers at all times.

Adherence with Provision C.3 of the MRP, the City's Municipal Code, and the San Mateo Countywide Stormwater Management Plan would ensure that stormwater pollution is minimized, treated, and filtered prior to entering the storm drain system. Accordingly, operation of the project would not result in any significant effects to water quality.

(e) The site can be adequately serviced by all required utilities and public services.

Utilities

Utility services to the proposed project would be provided by the City of San Mateo (storm drain, sanitary sewer), the California Water Bayshore District (water service), and Pacific Gas & Electric (PG&E) (electricity). The project proposes to construct new laterals and electrical connections that would tie into existing utility lines located in South Claremont Street and 9th Avenue.

The City of San Mateo Public Works Department has confirmed, based on storm drain and sanitary sewer capacity studies, that the existing storm drain and sanitary sewer infrastructure can accommodate increases in flows generated by the proposed project. The proposed project falls

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below the 500-dwelling unit and 500,000 square foot thresholds for preparation of a water supply assessment by a local provider[19], and the Cal Water Bayshore District determined in its most recent Urban Water Management Plan (UWMP) that the City will meet projected water demand through 2045 during normal, single-, and multiple-dry years. Accordingly, sufficient water supplies would be available to the project. The project would coordinate with PG&E on connections between the existing power grid lines and the proposed building, and as discussed in Section 15300.2 – Exceptions above, the project's energy consumption would be minimal in comparison with county demand and would be accommodated by existing energy supplies. Accordingly, the project can be adequately serviced by all required utilities.

Conditions of Approval:

(a) Location and Screening of Above Ground Utilities and Equipment. All screening for any ground-level utilities, equipment, and other project related operational/utility devices shall be shown on the building permit plans in substantial conformance with the approved planning application. All above ground utilities and equipment shall be screened with landscaping, fencing, and/or other solid materials to the satisfaction of the Community Development Director, or their designee.

Public Services

The proposed project would intensify use of the site and may result in an increase in demand for fire and police protection services. However, the proposed project is consistent with the assumptions of the San Mateo 2030 General Plan EIR, which concluded that new development would have a less than significant impact on fire and police protection services with payment of building permit fees (as mandated by the City's General Plan and Municipal Code) that would help provide additional fire and police protection resources to the City as needed. Additionally, the project would be constructed in compliance with the most recent California Building Code and California Fire code to ensure the building is fire-safe, and with Implementation Program LU-4.29 and the City's Building Security Code which requires proposed developments to be reviewed by the San Mateo Police Department to ensure appropriate safety features that minimize criminal activity are incorporated into the project design. For these reasons, fire and police protection services are adequate to service the proposed project.

Based on the San Mateo-Foster City School District's student generation rates of 0.04 student per multi-family residential unit for elementary schools and middle schools, the project's 120 residential units would generate approximately five new students at Sunnybrae Elementary School and Borel Middle School. Using the San Mateo Union High School District's student generation rate of 0.10 high school students per multi-family residential unit, the project would generate approximately 12 new students at San Mateo High School. Enrollment at Sunnybrae Elementary is 372 students with a capacity of 832 students, enrollment at Borel Middle is 1,002 students with a

[19] Pursuant to Senate Bill 610 and CEQA Guidelines Section 15155.

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capacity of 1,134 students, and enrollment at San Mateo High is 1,671 students with a capacity of 1,941 students. Accordingly, Sunnybrae Elementary, Borel Middle, and San Mateo High can accommodate an additional 460, 132, and 270 students, respectively. Therefore, adequate capacity exists at the school facilities that serve the project site. The project would be required to pay statutory school impact fees to offset its impact to the school districts serving the site.

Future residents and employees are expected to marginally increase demand on other public facilities, such as libraries and community centers. The City's Recreation Facilities Strategic Plan outlines a plan for the future of San Mateo's recreation facilities. Additionally, the City is in process of updating its library services through the San Mateo Public Library Strategic Plan, which will build and expand existing library facilities and employ resources in new ways to ensure equitable access. Accordingly, libraries and community centers in San Mateo would be equipped to provide services to new residents of the proposed project. The project would also pay in-lieu fees under the Quimby Act to offset the demand generated by new residents and employees on parks and recreational facilities. For these reasons, the project would not result in a significant effect on public facilities such as libraries, community centers, parks, and recreation facilities.

VI. Conclusion

As documented under Section E. Environmental Review, none of the exceptions listed in CEQA Guidelines Section 15300.2 apply to the project, and the project is eligible for a Categorical Exemption under CEQA Guidelines Section 15332, since it a) meets the definition of an in-fill development project; b) would occur within San Mateo city limits on a project site no more than five acres that is surrounded by urban uses and c) has no value as habitat for endangered, rare, or threatened species; d) would not result in any significant effects relating to traffic, noise, air quality, or water quality; and e) can be adequately served by all required utilities and public services. Therefore, the project is exempt from the provisions of CEQA under Class 32 of the CEQA Guidelines.

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APPENDICES

Appendix A: Transportation Impact Assessment
Appendix B: Greenhouse Gas Assessment
Appendix C: Geotechnical Report
Appendix D: Noise and Vibration Assessment
Appendix E: Air Quality Assessment

All documents available online here: https://www.cityofsanmateo.org/4620/

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