

PENINSULA HIGH SCHOOL EXPANSION PROJECT CEQA EXEMPTION DISCUSSION

Project Description

Existing Facilities

Peninsula High School, located at 860 Hinkley Street in Burlingame is owned and operated by the San Mateo Union High School District ("District"). The District is proposing to acquire and expand Peninsula High School to the adjacent property at 870 Hinkley Road, Burlingame (see Figure 1). The proposed 44,400 square-foot acquisition and expansion site is occupied by a 15,982 square foot warehouse/manufacturing building facing Hinkley Rd., with a large surface parking/loading on the rear of the lot, which will be demolished. The lot measures 185 by 240 feet, with a 25-foot easement on its western side.

The proposed acquisition expansion site is located in a business park east of Highway 101 and west of the Bayshore Highway (See Figure 2). This area is comprised mainly of one- and two-story warehouse and light industrial uses, including two dry cleaners and a table-tennis facility. An office building lies just to the east of the existing school campus. Access to the project site is from the existing driveway on Hinkley Road. Regionally, the site is accessed from US Highway 101 and Bayshore Highway. There are some airport-related hotel and restaurant uses to the east and north of the site. San Francisco International Airport is about 0.75 miles north of the site. There are no residential or public school uses in the vicinity of the project site.

Proposed Project

The project is the acquisition, demolition, construction and operation of an addition to the existing Peninsula High School campus on the adjacent parcel on Hinkley Road, Burlingame (approximately 1 acre in a business park area). The addition includes an approximately 4,500 sq. ft. multi-use room, with a 1,200 sq. ft. stage area, and about 1330 sq. ft. of office, restrooms, and a conference room for school staff. Total new square footage would be about 7,000. The street frontage and area between the proposed new buildings and the existing school would be landscaped. The western edge of the property would be developed with approximately 25 surface parking spaces and an additional 15 parking spaces (total of 40 spaces) would be developed at the rear of the property (see Figure 3). A paved play area would be provided in both options. The entrance to the facility would be via a raised entry platform on the west side of the building, near the parking and entry driveway.

No expansion in enrollment is anticipated as part of this project, and no new classrooms are proposed.

The project would be constructed over a 6-month period, in the summer and fall of 2025.

The purpose of the expansion is to meet critical staff and student support needs at Peninsula High School for office, counseling, recreation, multi-use space and on-site staff parking.

CEQA Categorical Exemption Analysis

The project would be exempt from further CEQA analysis under both Class 3 and Class 32 exemptions, as described below.

Class 3 Exemption

The project qualifies for exemption under the Class 3 CEQA Categorical Exemption (Guidelines Section 15303), which applies to new construction or conversion of small structures. Class 3 applies to structures of under 10,000 sq. ft. in urbanized areas where the facility would not use substantial amounts of hazardous materials, all urban services are already available, and there are no nearby sensitive resources that could be affected by the project. The project would be about 7,000 sq. ft. in a fully developed light industrial neighborhood on a site currently used for a larger (nearly 16,000 sq. ft. office/warehouse/manufacturing building, that is currently served by all requisite utilities, including water, sewer, electricity, storm drainage, natural gas, and telecom infrastructure. No expansion in these utilities would be necessary to serve the proposed new school facilities. Therefore, this exemption would apply (assuming no exceptions to the exemptions apply, as discussed below).

Class 32 Exemption

The project qualifies for exemption under the Class 32 CEQA Categorical Exemption (Guidelines Section 153332), which applies to infill projects that are consistent with the general plan and zoning designations, within a city's city limits, are less than five acres, have no habitat for special-status species, and have no potentially significant traffic, noise, air quality, or water quality effects, and can be adequately served by public services. The project site is less than an acre, in an urbanized area in an incorporated city, is paved over and developed, and fully served by utilities. The project would not significantly increase traffic or air quality because it would not increase student capacity. Water quality would not be affected as the site is already mostly covered by impervious surfaces.

The property is under the jurisdiction of the City of Burlingame and has general plan designation Innovation Industrial and has a conforming zoning designation of Innovation Industrial (I-I). The purpose of the I-I zoning district is to accommodate and encourage places for diverse and compatible light industrial, research and development, and creative business enterprises. Adaptive reuse of existing buildings with creative and design commercial uses is encouraged, as well as façade and site improvements on industrial properties. Schools are permitted in this zoning district with a Conditional Use Permit (CUP); trade schools are permitted by right.¹

¹ City of Burlingame Code of Ordinances Ordinance, Table 25.12-1: Commercial and Industrial Zoning Districts Use Regulations.

Development restrictions applicable to the subject property's I-I zoning district include:

- Maximum building height: 35 feet or 65 with special permit – proposed height is 37 feet.
- Maximum FAR: 0.75, 0.75 to 2.75 for Office/R&D – FAR is below .20
- Minimum Lot Area: 10,000 – project lot is 44,400 sq. ft.
- Minimum Lot Width: 65 feet – Lot width is 185 feet
- Minimum Lot Frontage: 50 feet - Project frontage is 185 feet.
- Front and Side yard setbacks: 10 feet – project would have setbacks greater than 10 feet.
- Minimum Landscape: 15 percent – project landscaped areas would exceed 15%
- No parking in front setback – none proposed with project – see attached Figure 3.

City of Burlingame zoning requirements for parking for Educational Services Schools, Primary and Secondary (Private) Elementary and Middle Schools are as follows: 1 per classroom, plus 1 per 300 sq. ft. of office area High Schools: 5 per classroom, plus 1 space per 300 sq. ft. of office area Trade Schools 1 space per 200 sq. ft. In office buildings over 20,000 sq. ft., 1 space per 300 sq. ft. Tutoring and Educational Services 1 space per 200 sq. ft. The project would add about 1330 sq. ft. of office space, which would require 6.5 new parking spaces and would provide around 40 spaces. The approximately 5700 sq. ft. of multi-purpose room and stage area would not add students or staff, and therefore would not affect parking demand. Therefore, the project would comply with the City's parking requirements.

The project would comply with these standards assuming it received a special permit for two additional feet in height (required because of fill needed to move the building above the flood plain) and, if considered a school and not a trade school (which is permitted by right), with a CUP. If no Special Permit for height were obtained, the project height could be reduced to 35 feet.

Regardless of zoning compatibility, the School District is exempt from City General Plan and Zoning restrictions. However, as discussed above, it would conform with the zoning designations with the height Special Permit and the CUP for school use, if needed. Therefore, this exemption would apply.

Analysis of Exceptions to Class 3 and Class 34 Exemptions

The exemption is subject to the following exceptions:

- **Location (Class 3 only).** This exception would apply if the site were environmentally sensitive. The project site is in a light industrial area with no sensitive environmental resources.
- **Cumulative Impact.** This exception would apply if the project were to contribute to

significant impacts to a resource in combination with other proposed new development nearby. The previous projects in the area included the existing adjacent Peninsula High School campus, constructed in 2019. Other currently proposed project in the vicinity include²:

- The City of Burlingame has approved an application for construction of an approximately 450,000 sq. ft. office/research and development campus in one 7-story building, one 8-story building, and a parking garage at 1669/1699 Bayshore Highway and 810/821 Malcolm Road.
- Several large developments are proposed on Airport Blvd., however that area is well south of the project area.

The Bayshore Highway project would be about a half a mile north of the project site. Therefore, minimal overlapping construction traffic, noise, or air pollutant emissions would be expected to be generated from the relatively small (7,000 sq. ft.) proposed school expansion. Therefore, no potentially significant cumulative impacts would occur.

- **Scenic Highways.** This exception would apply if the project were to result in damage to scenic resources within a State-designated Scenic Highway corridor. The project would not be visible or alter any views from off-campus areas. In addition, there are no State Scenic Highways in the project area. The project site is not visible from a designated scenic highway, and is not visible from any roadway, therefore this exception would not apply.
- **Hazardous Waste Sites.** There are no listed hazardous materials/hazardous waste sites listed on or in the vicinity of the project site (https://www.envirostor.dtsc.ca.gov/public/map/?global_id=41490049 accessed December 11, 2023).
- **Historical Resources.** This exception would apply if the project were to potentially significantly adversely affect an historical resource. The proposed project would demolish a modern, nondescript office/warehouse building, which has no potential to be a historic structure.
- **Significant Effect.** The exception would apply if the project would have the potential for a significant effect to the environment due to unusual circumstances. Unusual circumstances may include historic structures, hazardous materials contamination, protected species or habitats, and other similar conditions. There are no historic structures or sensitive habitats/protected species on the site. A detailed analysis of hazardous materials and health risks was conducted for the project and is described in the following section. The analysis found that there are no unusual circumstances on the existing developed site and there is no potential for significant effect, therefore this exception would not apply.

¹https://cms6.revize.com/revize/burlingamecity/document_center/Planning/Major%20Projects/CommercialOverview-Dec2023.pdf, accessed December 11, 2023.

Special Regulations Pertaining to Schools and Hazardous Materials and Conditions

Background

The CEQA Guidelines include specific guidance with respect to assessing new school sites, as follows:

(a) CEQA Guidelines Section 15186 establishes a special requirement for certain school projects, as well as certain projects near schools, to ensure that potential health impacts resulting from exposure to hazardous materials, wastes, and substances will be carefully examined and disclosed in a negative declaration or EIR, and that the lead agency will consult with other agencies in this regard. **This section applies specifically to EIRs and Negative Declarations, and is being addressed herein to ascertain whether an unusual circumstance may exist that would preclude the use of the Class 3 exemption.**

(b) Before certifying an EIR or adopting a negative declaration for a project located within one-fourth mile of a school involves the construction or alteration of a facility that might reasonably be anticipated to emit hazardous air emissions, or that would handle an extremely hazardous substance or a mixture containing extremely hazardous substances in a quantity equal to or greater than the state threshold quantity specified in subdivision (j) of Section 25532 of the California Health and Safety Code, that may impose a health or safety hazard to persons who would attend or would be employed at the school, the lead agency must do both of the following:

(1) Consult with the affected school district or districts regarding the potential impact of the project on the school; and

(2) Notify the affected school district or districts of the project, in writing, not less than 30 days prior to approval or certification of the negative declaration or EIR.

(c) When the project involves the purchase of a school site or the construction of a secondary or elementary school by a school district, the negative declaration or EIR prepared for the project shall not be adopted or certified unless:

(1) The negative declaration, mitigated negative declaration, or EIR contains sufficient information to determine whether the property is:

(A) The site of a current or former hazardous waste or solid waste disposal facility and, if so, whether wastes have been removed.

(B) A hazardous substance release site identified by the Department of Toxic Substances Control in a current list adopted pursuant to Section 25356 of the Health and Safety Code for removal or remedial action pursuant to Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code.

(C) The site of one or more buried or above ground pipelines which carry hazardous substances, acutely hazardous materials, or hazardous wastes, as defined in Division 20 of the Health and Safety Code. This does not include a natural gas pipeline used only to supply the school or neighborhood.

(D) Within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor.

(2) The lead agency has notified in writing and consulted with the county or city administering agency (as designated pursuant to Section 25502 of the Health and Safety Code) and with any air pollution control district or air quality management district having jurisdiction, to identify facilities within one-fourth mile of the proposed school site which might reasonably be anticipated to emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste. The notice shall include a list of the school sites for which information is sought. Each agency or district receiving notice shall provide the requested information and provide a written response to the lead agency within 30 days of receiving the notification. If any such agency or district fails to respond within that time, the negative declaration or EIR shall be conclusively presumed to comply with this section as to the area of responsibility of that agency.

Analysis

The San Mateo Union High School District is both the applicant and lead agency, and administers the adjacent school. Therefore, consultation between the applicant, lead agency, and the District has occurred (per Items (b) 1 and 2, above).

With respect to hazards and health risks, both an Environmental Site Assessment (ESA) (for soil and groundwater contamination hazards) (Ninyo and Moore 2022) and an updated Health Risk Assessment (HRA) (associated with air pollutants) have been prepared for the project (Hornek 2023, attached). Both of these reports are attached to this discussion.

The ESA found no evidence of potential soil or groundwater contaminants that may affect the site.

The HRA included consulting the Bay Area Air Quality Management District's database of known stationary emitters of toxic air contaminants and calculating project occupants' exposures to airborne health risks with respect to applicable regulatory standards for human health. The HRA found no significant health risk to the existing or expanded school from toxic air contaminants (TACs).

Conclusions

As discussed above, the project is within the parameters of the Class 3 and 32 Exemptions, and none of the exceptions to that exemption would apply. The ESA and HRA prepared for the project showed no potential for significant impact. In addition, as described above, none

of the potential exceptions to the Class 3 exemption are triggered, so the CEQA General Rule Exemption also would apply to the proposed project.

Figure 1: Project Location Map

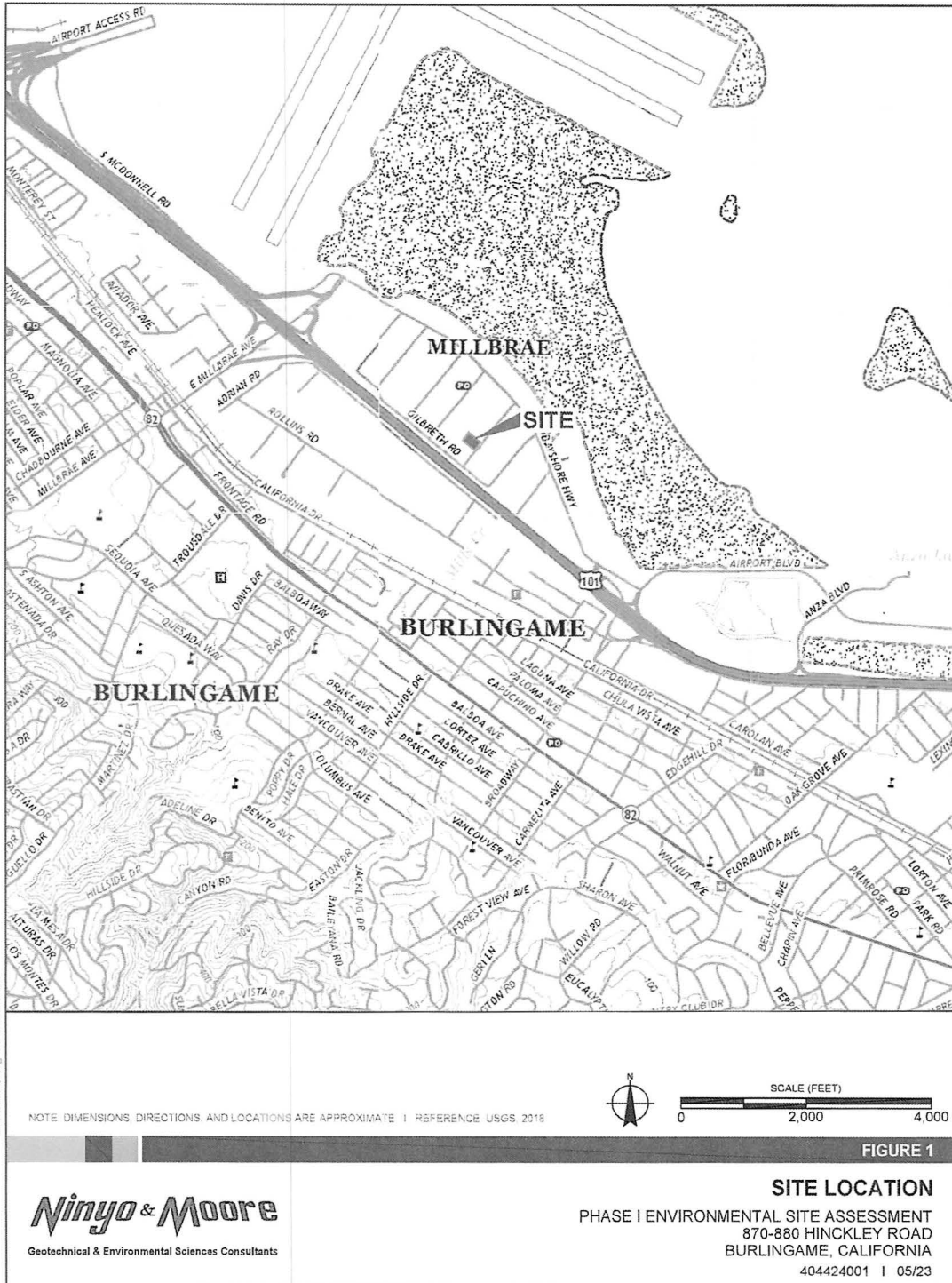


Figure 2: Project Site and Adjacent Land Uses

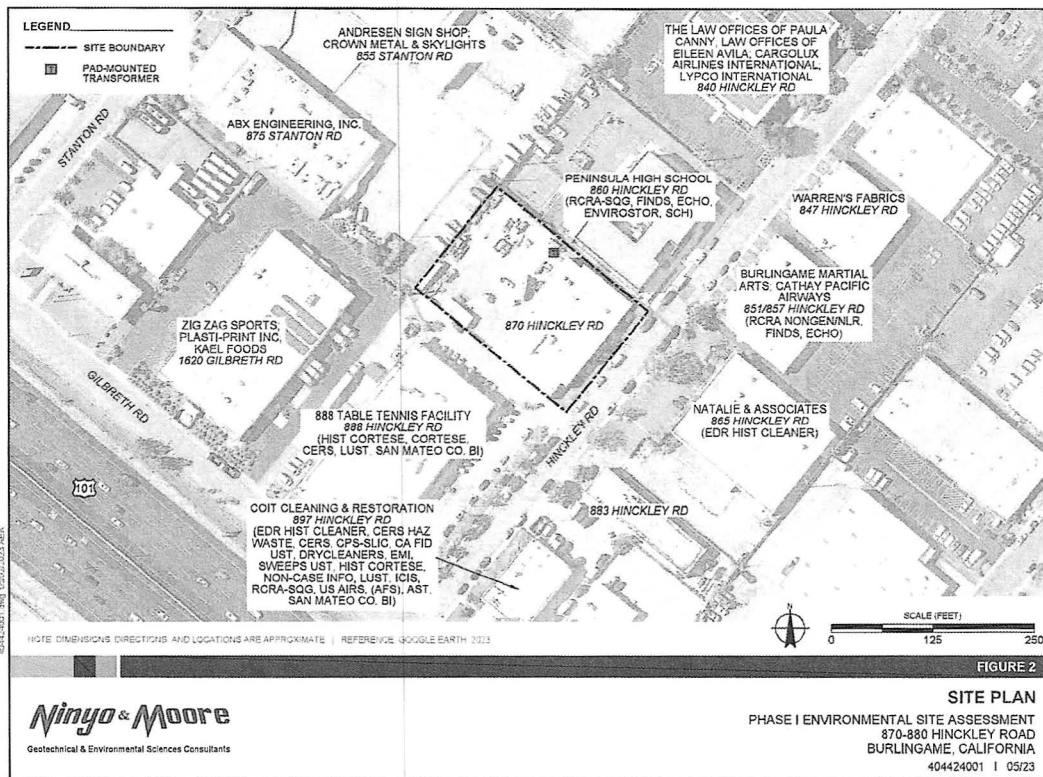
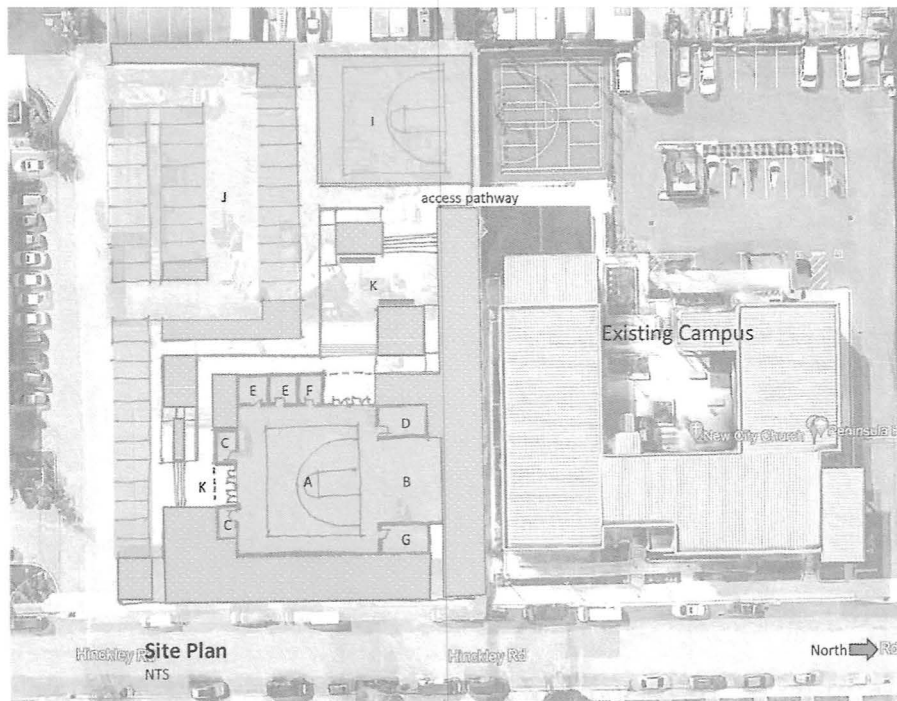


Figure 3: Proposed Site Plan



Peninsula High School

860 Hinckley Road
Burlingame, CA 94010

Site Design Concept – Version 2

- Building Program Legend
- A. Multi-Use Room = 4,500sf
 - B. Stage = 1,200sf
 - C. Two Offices = 300sf
 - D. Conference Room = 400sf
 - E. Student Restrooms = 400sf
 - F. Staff Restroom = 80sf
 - G. Support Spaces = 150sf
 - H. Not Used
 - I. Paved Play Area
 - J. Parking (40 spaces)
 - K. Raised Entry Platform

