A. Call To Order

Chair Henry Riggs called the meeting to order at 7:07 p.m.

B. Roll Call

Present: Andrew Barnes, Chris DeCardy, Michael Doran (Vice Chair), Camille Kennedy (left meeting at 11 p.m.), Henry Riggs (Chair)

Absent: Larry Kahle, Michele Tate

Staff: Payal Bhagat, Contract Principal Planner; Kyle Perata, Principal Planner; Tom Smith, Senior Planner; Leo Tapia, Planning Technician; Chris Turner, Assistant Planner

C. Reports and Announcements

Principal Planner Kyle Perata said the City Council at its January 12, 2021 meeting would consider the Menlo Park Community Center Campus project, which the Planning Commission recommended for approval in December 2020. He said the Council would also consider a response letter to the San Mateo County Grand Jury’s report on accessory dwelling units as well as authorizing the City to accept a grant deed for 555 Hamilton Avenue to execute a below market housing purchase there.

D. Public Comment

None

E. Consent Calendar

None

F. Public Hearing

F1. Use Permit/Thomas James Homes/30 Sharon Court:
Request for a use permit to demolish an existing one-story, single-family residence and accessory building, and construct a new two-story, single-family residence with an attached garage on a substandard lot with regard to minimum lot area and depth in the R-1-S (Single Family Suburban Residential) zoning district. (Staff Report #21-001-PC)

Staff Comment: Assistant Planner Chris Turner said one comment letter was received after the publication of the staff report. He said the writer indicated concerns about privacy impacts of the project and generally about development involving demolition of homes and building of new homes as well as the removal of healthy trees. (https://www.menlopark.org/DocumentCenter/View/27147 is
Applicant Presentation: Anna Felver, Thomas James Homes, introduced Cynthia Thiebaut, Thomas James Homes, and architect Jill Williams, KTGY Architects. She said the project site was substandard due to lot size and depth. She said the proposal would replace a ranch-style home built in the 1950s with a two-story farmhouse design with some modern elements including standing metal seamed roof awnings and window treatment. She said three privet trees in the rear were proposed for removal and nine olive trees were proposed for planting throughout the site. She noted the generous setbacks of the home and that no windows viewed neighboring windows. She said trees would be planted on the side of the stairwell window for privacy. She said the building height was 26-feet, nine-inches at the middle ridge and was under the maximum allowable 28-feet height. She said they sent out packets to neighbors and spoke with them in person. She said regarding the neighbor’s concern regarding asbestos and lead that an inspection would be done to determine whether there was asbestos or lead and if those were present to have those removed safely.

Chair Riggs opened the public hearing and closed it as there were no speakers.

Commission Comment: Commissioner Chris DeCardy moved to approve the project as recommended in the staff report. Commissioner Camille Kennedy seconded the motion.

Commissioner Andrew Barnes said he supported the upgrading of housing stock in the City noting its benefit to the tax base. He said measures were taken to reuse materials.

Chair Riggs said he had concerns with privacy on the right side noting windows did not have to be parallel to provide view. He said the concept of planting at the property line on the right was good but an olive tree did not grow particularly tall. He asked if the applicant would reconsider the species of tree at the right property line. Ms. Felver said they were open to that. Chair Riggs suggested that the applicant could work with staff on a selection of tree for privacy on the right side. He referred to the commenter’s concern about the privet trees being removed. He said that privets were a plant that did not grow well as it aged. He said the proposed plan was particularly nice and an important part of the building character for him were the window mullions. He noted the finished edge of the gables and was concerned that it looked like texture 1-11. Ms. Williams, the architect, described an idea to do a finish that was almost like a reverse board and bat such as a one by four trim with a smaller space in smooth Hardy trim. Chair Riggs asked of the makers of the motion and second would consider modifying the motion to allow the applicant to work with staff to revise the finish on the gables to include material options including the one Ms. Williams mentioned and for the olive trees to be replaced with a tree species that had more verticality. Commissioner DeCardy said in the broader principle he was not in favor of that kind of direction. He said the Planning Department made approvals that were fairly consistent and if this lot had been just slightly larger and deeper approval would have been given. He said he thought that the process was not equitable. He said in this instance it appeared that the requested changes were not onerous and if the applicants were willing to make the changes he would modify the motion. Ms. Felver indicated acceptance. Commissioner Kennedy said she agreed with Commission DeCardy and while she thought it was inappropriate to ask for those changes, since the applicants were willing to do them then she would keep her second.

ACTION: Motion and second (DeCardy/Kennedy) to approve the item with the following modifications; passes 5-0 with Commissioners Kahle and Tate absent.
1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, “New Construction or Conversion of Small Structures”) of the current California Environmental Quality Act (CEQA) Guidelines.

2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.

3. Approve the use permit subject to the following standard conditions:
   
a. The applicant shall be required to apply for a building permit within one year from the date of approval (January 11, 2022) for the use permit to remain in effect.
   
b. Development of the project shall be substantially in conformance with the plans prepared by KTGY Architecture, consisting of 19 plan sheets, dated received December 16, 2020 and approved by the Planning Commission on January 11, 2021, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
   
c. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies’ regulations that are directly applicable to the project.
   
d. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
   
e. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
   
f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
   
g. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
   
h. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Sierra Nevada Arborists, dated August 17, 2020, and the addendum to the arborist report prepared by CalTLC dated October 13, 2020.
4. Approve the use permit subject to the following project-specific conditions:

   a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a signed letter from the West Bay Sanitary District granting the applicant use of the public utility easement for the construction of the driveway gate, subject to review and approval by the Planning Division and the Building Division. The letter shall state the address, owner’s name at the time of request, context of the request to use the public utility easement, reference to the approved plans, West Bay Sanitary District’s signature, and approval of the plans by West Bay Sanitary District.

   b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised site plan and landscape plans showing the proposed olive trees outside of the drip line of the existing heritage trees on neighboring properties, subject to review and approval by the Planning Division and City Arborist. If no feasible alternative location that would meet these conditions can be found, the proposed olive trees shall be removed from the site and landscape plans.

   c. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised site plan and landscape plans showing the proposed trees along the right side property line of a species more suitable for screening, subject to review and approval by the Planning Division and City Arborist.

   d. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised elevation sheets indicating an alternate material for the gable ends, subject to review and approval by the Planning Division. Acceptable materials may be board and batten, or a similar material.

F2 and G1 are associated items with a single staff report

F2. Draft Environmental Impact Report (EIR) Public Hearing /SP Menlo LLC/111 Independence Drive: Public hearing to receive public comments on the Draft EIR for the proposed multi-family development project consisting of 105 dwelling units and an approximately 746 square foot commercial space, in one building with an above grade multi-story parking garage integrated into the proposed eight-story building, located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The Draft EIR identifies less than significant effects in the following topic areas: Population and Housing, Transportation, and Greenhouse Gas Emissions. The Draft EIR identifies less than significant effects with mitigation for the Air Quality and Noise (operational traffic and stationary noise) topic areas. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed hazardous waste sites are present at the location. The project location does not contain a hazardous waste site included in a list prepared under Section 65962.5 of the Government Code. The City previously prepared an initial study for the proposed project that determined the following topic areas would have no impacts, less-than-significant impacts, or less-than-significant impacts with mitigation measures (including applicable mitigation measures from the ConnectMenlo EIR): Aesthetics, Agriculture and Forestry Resources, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise (construction-period, groundborne vibration, and aircraft-related noise), Public Services, Recreation, Utilities and Service Systems, Tribal Cultural Resources, and Wildfire. Written comments on the Draft EIR may also be submitted to the
Community Development Department (701 Laurel Street, Menlo Park) no later than 5:00 p.m. on February 2, 2021. (Staff Report #21-002-PC)

Court reporter transcribed Item F2.

G. Study Session - 1

G1. Study Session for Use Permit, Architectural Control, Below Market Rate (BMR) Housing Agreement, and Environmental Review/SP Menlo LLC/111 Independence Drive:

Request for a use permit, architectural control, BMR housing agreement, environmental review and density bonus to redevelop the site with approximately 105 multi-family dwelling units and an approximately 746 square foot commercial space in one building with an above grade multi-story parking garage integrated into the proposed eight-story building, located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The project site currently contains an approximately 15,000 square foot single-story office building that would be demolished. The proposed building would contain approximately 96,055 square feet of total gross floor area. The project would have a floor area ratio (FAR) of 237.4 percent for residential uses and two percent (2%) for commercial uses. The proposal includes a request for a use permit to modify certain R-MU design standards and a request for an increase in height, density, and FAR under the bonus level development allowance in exchange for community amenities. The proposed project would include a BMR housing agreement that requires a minimum of 15 percent (or 14 units of the 92 unit, permitted by the Zoning Ordinance) be affordable. The applicant is proposing to incorporate 13 additional market-rate units (which are included in the total 105 units), per the density bonus provisions in the BMR Housing Program (Chapter 16.96.040), which allows density and FAR bonuses, and exceptions to the City’s Zoning Ordinance requirements when BMR units are incorporated into the project. (Staff Report #21-002-PC).

Staff Comment: Planner Bhagat referred to page 29 of the staff report and suggested considerations for the Planning Commission:

- Site layout, including the proposed open space
- Overall architectural design of the proposed building
- Size of the commercial space and its proposed use
- Applicant’s community amenity proposal
- Use permit for design standard modifications
- Parking and height waivers
- BMR proposal
- Intersection improvements (non-CEQA transportation conditions of approval)
- Overall development approach

Chair Riggs opened the public comment period and closed it as there were no speakers.

Commission Comment: Chair Riggs said the proposed project was a significant one located at the entry to Menlo Park between two of the City’s landmark buildings. He said it would be quite visible.

Commissioner DeCardy referred to the valuation related to the community amenity. He asked what it meant for an initial proposal of a community amenity to be termed negative. Planner Perata said the City had its appraiser evaluate the initial community amenity proposal and found it did not meet the criteria in the City’s appraisal instructions. He said those instructions were developed by the Community Development Department and the City Attorney’s Office to determine how to value...
bonus level development for a project. Replying further to Commissioner DeCardy about the valuation of the community amenity for bonus level development, Planner Perata said the appraisal identified the required value of the community amenity, which was 50% of the fair market value of the increase to the bonus level. He said the City evaluated the applicant’s appraisal and found it deficient and obtained another appraisal from another company. He said the value of the amenity was a different process. He said the applicant proposed the amenity and the City hired BAE to evaluate that proposal. He said $2.55 million was the fair market value determined by the City’s appraiser for the bonus level development and that was accepted by the Community Development Director.

Mr. Kadivar asked that a slide be shown entitled Community Amenity Value Comparison. He said that a base level project had a greater ROI (return of investment) than a bonus level project. He showed a slide that compared the community amenity value of this project and another large project. He said their proposed project was 20% the size of the other project but the community amenity value of their project was 29% of the larger project’s community amenity value. He said they thought rather than a $2.55 million valuation for community amenity that it should be $1.78 million if proportional with the other project. He said mention had been made earlier in the meeting about bias against smaller projects. He said this was an example of that bias at the multi-family level. He said their project was all electric with 35% extra EVCs, three income levels of BMR units, minimum automobile parking, maximum bicycle parking, and no office use. He said they were requesting equitable treatment in the calculation of the community amenity value.

Commissioner DeCardy asked why they would not do the base level project if it was costing them to do the bonus level development. Mr. Kadivar said that they had debated the question vigorously and as a family the question was whether they wanted a larger or smaller asset. He said they were divided on the decision. He said his choice would have been base level development.

Commissioner Barnes asked about the impact of all electric energy on the applicant’s cost structure. Mr. Kadivar said the pro forma evolved and costs changed but he did not have that information readily.

Commissioner DeCardy asked what the income level was for the two BMRs proposed for community amenity. Mr. Kadivar said low income.

Commissioner DeCardy said the building proposed was beautiful and he appreciated their responsiveness on the design. He said the open space in the front was nicely integrated. He referred to the open space at the rear of the building and asked about its connectivity to the neighboring site and the area with a bocce court and other things. He asked if that would feel open and how was the grade change addressed so people felt secure and comfortable walking on that side of the building. Mr. Lettieri said there was considerable space between the two buildings and the grade change was fairly minimal. He said toward the back the neighboring site’s elevation was about two-and-a-half to three feet higher. He said the bocce court had a gate and fence with a paved zone through it. He showed a visual of the other pathway on the side noting the open space was more urban.

Chair Riggs said the façade was somewhat faceted, window groups were arranged in a curve, and that any curve had a focal point. He asked if a study been done on what the focal point of reflected light was off any group of windows and if there was any time of day where reflected light would cross landscaping, parking, or approaching vehicles. He said multiplying the impact of a direct solar
reflection by 10 might be a hazard. Mr. Simpson said they had done work on that and had prepared a presentation. He showed a slide and noted that there were two ways to do a curve. He said doing a true curve like their building created many focal points called spherical aberration. He said that would distribute sunlight so it would not get as intense. He said they looked at one of the focal points of that arc and it landed basically on the center of Independence Drive and that would skate along the road for a very short duration of the day. He said there was no parking on the street and no adjacent landscape.

Chair Riggs asked about the emergency backup generator. Mr. John Ennis said the emergency lights and lights on the exit paths would be on battery backup either contained in each light or in a small room with enough batteries to run exiting, corridor and stair lights and things like that. He said occupants would not be able to cook or watch TV. He said as the building was not high rise they did not need emergency generators for elevators.

Chair Riggs said the building looked very neat and clean like the Bohannon building it related to. He asked if there was any rooftop equipment he was not seeing. Mr. Ennis said the project had rooftop equipment including an air conditioner condenser unit. He said they had high parapets that screened those.

Chair Riggs referred to the TDM program and asked if they had studied what public transit could serve at some particular level for the building. He said if they set a target of 50% of residents being able to do 90% of their travel without an automobile whether that was achievable. Mr. Ennis said they had not done such a study. He said they expected quite a few people would use public transportation and due to the car ratio there would be fewer people driving every day and other modes of transit due to the nearby offices as well as bicycle, scooter, Uber and Lyft use.

Chair Riggs said diversion to public transit did not include Uber and Lyft. He said those were automobiles and they had to drive to get to a person and then to the person’s destination so there was an additional element of automobile travel. He suggested using the project as a sampling to see what could be achieved with a TDM program and to what likely degree they were reducing VMT. He said if it was possible to collect that data without making it a City Council funded project he thought that would be very helpful to them. He said when the Commission saw the project again he would like to see a rendering or two from street eye level of the approach around the entrance of the building. He said it was important to know what the finished materials and massing of the front landscape design were. Mr. Lettieri said that could be done.

Commissioner Barnes said the project had held up well through multiple reviews. He said the form was interesting and suited for the irregularly shaped lot. He said clear changes to the approachability to the building had helped the design. He said with just a few tweaks the project would be ready to go from an architectural design review standpoint. He said he could not answer the question regarding the fairness of the assessment of the community amenity and any disparity between larger and smaller projects but from a design review standpoint he thought the proposal was well done. He said he appreciated Commissioner Riggs’ commentary on the proposal. He said he was feeling favorable about the project.

Commissioner DeCardy said in general he thought the proposal fit nicely on the design side. He said he liked Commissioner Riggs’ point about the street level, pedestrian level feel on the front side. He said on the back side with the open space he wanted that to look comfortable for people to walk through there as that was the point of pedestrian connectivity. He said he did not know about the
total valuation question but a café was on the community amenity list. He said the applicants had engaged with the community and if they had gotten input that a café worked well there then that seemed supportable. He said adding the BMR units also made a lot of sense as affordable housing was a huge problem for the City. He said the proposal to go across the tiers of income level for the BMRs also seemed good. He said related to the non-CEQA transportation conditions that he thought that needed to be looked at as long term transportation issues and congestion in the community were ongoing. He said the TDM plan proposed at this time was pretty passive and relied on what was existing in the construction, the density and the lack of parking. He said like Commissioner Riggs’ point they could proactively implement a TDM plan that included good marketing. He said the project was going in the right direction and he appreciated the applicant’s frustration with some of the back and forth about the valuation. He said he thought the project would be a really nice addition to the community.

Commissioner Barnes said he thought it was an odd place to put a café noting it fronted a cloverleaf out to Highway 101 and that did not seem to be a draw or that it would service central parts of the community. He questioned how the café would serve as a community amenity as he thought it was more of a tenant amenity.

Mr. Lettieri said people would see the exterior portion of the café as they drove or walked by. He said that 105 residential units would not support a café. He said the overall community would have a much more district walking feel to it as it developed with more residents coming to the area, who would be able to use the new amenity.

Commissioner Barnes asked to see a slide of the site and to look at the surrounding uses and what the pedestrian circulation was in and around the building. Chair Riggs said a map created in December showed color coded uses in the area. He said he had been assuming that the two new Bohannon buildings including the hotel would provide some population for this café because the project on the agenda later was not really a comfortable or easy walk to this café as it was not adjacent. He said that project though would be the most proximate housing. He said he thought when Paul referred to additional population he was referring to worker population and not residential. Mr. Lettieri said he was talking about both workforce and residential population. He said there was another residential project directly adjacent to their site and another one in the works further down Independence Drive.

Replying to Chair Riggs, Planner Perata said that there had been overall engagement with the community about community amenities but other than these study sessions and accompanying notices of hearings that a specific community outreach for the community amenity for this project had not been done.

Commissioner Barnes said they had seen a preponderance of projects coming forward with restaurants and cafes as the community amenity as that was a nice, clean community amenity to put in a project as it helped the project. He asked if in the end community amenities were selected by the City Council. Planner Perata said the community amenities were evaluated alongside the project by the Planning Commission and whatever entity was the final decision making body. He said the Planning Commission was the final decision making body for this project. As such, he said the appropriateness of a community amenity at this location would be part of the Planning Commission’s purview. He said staff was looking for feedback on the current proposal and as mentioned previously ways that the proposal could be brought into compliance with the $2.55 million determination by the City’s Community Development Director.
Replying to Commissioner Barnes, Planner Perata said the Planning Commission could provide feedback on ways the applicant could bring the community amenities to compliance with the valuation of $2.55 million. He said the community amenity list adopted by the City Council during ConnectMenlo was the list being used. Commissioner Barnes said that list was first come, first serve. He clarified with staff that the Commission would not be discussing changing the valuation of the community amenity but rather providing feedback on what else might be offered as a community amenity to meet the difference between what the applicant was offering now and the $2.55 million valuation.

Commissioner Barnes said he was not convinced the café was the right thing at the location. He said he wondered if the applicant had any ideas to bridge the gap of the required community amenity valuation.

Mr. Kadivar said the gap was significant and the project was very challenging. He said they could do one more BMR at low income but the risk was the project not going forward. Commissioner Barnes confirmed with Mr. Kadivar that if they could not meet the gap of the valuation they might choose to do a base level project or no project at all.

Chair Riggs noted it was 10 pm and typically the Commission should conclude at 11 p.m. He said he did not think the Commission could get through both the public hearing and the study session for the next item, and asked staff what it would prefer the Commission do. Planner Perata said that they had a constraint with the number of meetings limit for a housing project under SB 330 for Menlo Uptown so they did needed to get through the project this evening. He suggested staff could confer on how to tighten up the presentations but he thought they would need to go past 11 p.m.

Commissioner Kennedy said she would need to leave the meeting at 11 p.m.

Commissioner Doran said regarding the current project that the layout was really good. He said he particularly liked the open space on the right hand side and the way it played off the adjacent property. He said it was important that these buildings not create a street wall noting that the blocks were long in this area. He said having something dividing the buildings added to the overall neighborhood. He said he was a fan of the architectural design and found it appealing. He said he liked the color change and how it played off of Hotel Nia next to it, which was building a sense of community there. He said regarding the gap in the community amenities that it was important that it be reached if the applicant wanted to build to the bonus level. He said he would be fine if they added another BMR unit to close the valuation gap.

Chair Riggs said regarding the use permit for design standard modifications that the applicant had indicated the concave upper floors and recessed third and fourth bays were their equivalent of the required major offset in the façade. He said he supported that and was glad to see a project that did not follow that prescription literally noting projects that had done so with a less than satisfactory result. He said regarding the parking and height waivers that was consistent with what the City had asked for and in both cases it had requested that the parking be reduced and invited bonus level that would allow for greater height. He said this was a project that in the next few months would be headed for approval if the financial issue could be resolved. He closed the study session.

F3 and G2 are associated items with a single staff report
Planner Perata requested a five minute break to allow staff the opportunity to confer with City Attorney’s office so that the next item would be handled properly. Chair Riggs asked Commissioners to reconvene in five to seven minutes.

Replying to Chair Riggs, Planner Perata said that they had conferred with the City Attorney and they needed to hear the next project. He said they could possibly allow public comment on both the EIR and the study session item during the EIR item in case public members could not stay later.

F. Public Hearing - 2


Public hearing to receive public comments on the Draft EIR for the proposed Menlo Uptown project consisting of 483 multi-family dwelling units, comprised of 441 rental units and 42 for-sale townhome units, and approximately 2,940 square feet of office uses located on the ground floor of one of the proposed buildings. The project site is located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The Draft EIR identifies less than significant effects in the following topic areas: Population and Housing, Transportation, and Greenhouse Gas Emissions. The Draft EIR identifies less than significant effects with mitigation for the Air Quality and Noise (operational traffic and stationary noise) topic areas. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed hazardous waste sites are present at the location. The project location does not contain a hazardous waste site included in a list prepared under Section 65962.5 of the Government Code. The City previously prepared an initial study for the proposed project that determined the following topic areas would have no impacts, less-than-significant impacts, or less-than-significant impacts with mitigation measures (including applicable mitigation measures from the ConnectMenlo EIR): Aesthetics, Agriculture and Forestry Resources, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise (construction-period, groundborne vibration, and aircraft-related noise), Public Services, Recreation, Utilities and Service Systems, Tribal Cultural Resources, and Wildfire. Written comments on the Draft EIR may also be submitted to the Community Development Department (701 Laurel Street, Menlo Park) no later than 5:00 p.m. on February 2, 2021 (Staff Report #21-003-PC)

Court reporter transcribed Item F3.

G. Study Session - 2

G2. Study Session for Use Permit, Architectural Control, Major Subdivision, Heritage Tree Removal Permits, Below Market Rate (BMR) Housing Agreement, and Environmental Review/Andrew Morcos/141 Jefferson Drive and 180-186 Constitution Drive (Menlo Uptown):

Request for a use permit, architectural control, major subdivision, heritage tree removal permits, BMR housing agreement, and environmental review to redevelop three parcels with 483 multi-family dwelling units, comprised of 441 rental units split between two seven-story apartment buildings with above-grade two-story parking garages integrated into the proposed buildings and approximately 2,940 square feet of office uses located on the ground floor of one of the proposed buildings, and 42 for-sale townhome-style condominium units, located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The proposed project would have approximately 471,986 square feet of total gross floor area (GFA) and a floor area ratio (FAR) of approximately 224.4 percent. The proposal includes a request for an increase in height, density, and FAR under the bonus level development allowance in exchange for community amenities. The proposal also includes a use permit request for the
storage and use of hazardous materials (diesel fuel) for emergency backup generators to be incorporated into the proposed project. The project site currently contains three single-story office and industrial buildings that would be demolished. *(Staff Report #21-003-PC)*

Staff Comment: Planner Smith said staff had a few key topics for the Commission’s consideration:

- Site and building design
- BMR housing unit mix
- Potential intersection improvements through project conditions
- Size of the commercial space its proposed use
- Community amenities proposal

Commission Comment: Chair Riggs asked the applicant to speak about the striated fiber cement material. Mr. Manus said the terra cotta rust color and the darker gray color were both fiber cement panels. He said the charcoal colored one had a very fine horizontal texture to it that they had introduced and that was also true with the terra cotta color. He said at the corners they were using a metal panel in a portion for the accent at the surrounds and for the corner elements they were using a wood textured finish. He said on the upper levels they would use a lighter finish and in all cases the cement fiber panels were less flat in color and had a texture to them.

Chair Riggs said when the outside corners met with fiber cement panels and where they were used as a rain screen there frequently was about a 3/8-inch gap among the panels and also at the corner where it lapped. He said here it did not here look like they were gapping the panels. Mr. Manus said it was the corner they were trying to make monolithic to avoid the corner that you would see. Chair Riggs said it looked like a humungous piece of limestone. Mr. Manus said not quite but that was the idea.

Chair Riggs said he really liked the transparency of the pedestrian level and asked if that was a different material from the fiber cement panel. Mr. Manus said the ground level was all storefront and between those were some solid panels. He said the idea was to pick up on that porosity particularly at the street and wrapping around onto the paseo frontage. Replying to Chair Riggs, Ms. Krolewski said the green flat area was lawn and then colored concrete was used for much of the pathway with circular accents that were hexagonal pavers.

*(Commissioner Kennedy had left the meeting.)*

Commissioner DeCardy said the staff report indicated there was less public open space and asked where that was lost. Mr. Morcos said staff had suggested that it was not appropriate to call some areas around the entrances to the multi-family building open space so they removed those from the calculations.

Commissioner DeCardy referred to the applicant’s explanation of the reasoning for the diesel generator backup for the stacked parking garage. He asked as the project moved forward if the applicant would keep an open mind about batteries as a potential alternative. Mr. Morcos noted the room to store battery backup and the capacity of batteries to power the garage for longer than 90 minutes were considerations but he was as interested in the future of battery as anyone and was happy to continue studying that.
Commissioner DeCardy said the site and building design were looking good and the open space was looking promising. He said he was much more interested in the public open space. He said the BMR mix was important to him and he thought that getting the income level where the City had the greatest shortfall would be welcome. He said definitely they should look at non-CEQA transportation conditions. He said related to the community amenity that he was a fan conceptually on nonprofit space. He said it looked like they could easily meet the community amenity level expected.

Commissioner Barnes said regarding the site and building design that the project had come a long way and he did not have any refinements for it. He said it worked well contextually in the area and with the building types around it. He said he did not have anything to offer about the nonresidential space. He said he did not know anything about the proposed nonprofit and his only concern was their viability. He recommended provisions to allow for changes in the use of the nonresidential space for reasons such as nonperformance of the tenant. He said it was more important that the space remained rather than who was using the space. He said there should be mechanisms to make and keep the space productive. He said as to the question of what the Commission’s idea was about a different use of funds for the gap in the community amenity valuation that he thought it should go to the Ravenswood School District if there was anything in the list that related to education. He noted a reference at some point to a childcare center. Mr. Morcos said they were working on a childcare center in their other project Menlo Portal. Commissioner Barnes said he was very supportive of any childcare alternatives that they might be thinking of in that area.

Commissioner Barnes referred to potential intersection improvements through project conditions and asked about its benefit to the area. Planner Smith said if the intersection improvements were implemented that it would return all of those intersections back to the pre-project conditions and reduce potential congestion at those intersections associated with an increase in traffic. He said the difference between the high feasibility projects were reasonably easy to consider as they did not require additional right of way, acquisitions or road widening and were covered by the project’s payment of a Transportation Impact Fee. He said low feasibility intersection improvements took a little bit more thought as they could lead to induced demands because of roadway widening or moving traffic signals. He said many of those were under State control and it would take work with Caltrans and going through their processes to accomplish.

Commissioner Barnes said that he supported the high feasibility improvements for sure and also the low feasibility improvements as long as there was no inducement of demand and that other modalities of travel were not adversely impacted.

Chair Riggs said regarding potential intersection improvement that he was somewhat aligned with Commissioner Barnes in that he would not want to see compromises and a lot of extra paving. He said he thought a goal had to be kept in mind that these projects were impacting the continuing existing uses of this area which were industrial and development adjacent to biotech and such. He said some of those uses would continue. He said as they heard from a neighbor deliveries would be important, and in these areas that so clearly were mixed use that commercial transportation was something they needed to keep in mind. He said Menlo Park had a problem with finishing its traffic signal programming. He noted the impediment of red left signal lights to intersection flow.

Chair Riggs closed the study session.

H. Informational Items

H1. Future Planning Commission Meeting Schedule
• Regular Meeting: January 25, 2021

Planner Perata said they had released a Notice of Preparation for an EIR for the 123 Independence Drive project and an EIR scoping hearing would be scheduled for the January 25 meeting.

• Regular Meeting: February 8, 2021
• Regular Meeting: February 22, 2021

I. Adjournment

Chair Riggs adjourned the meeting at 11:34 p.m.

Staff Liaison: Kyle Perata, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on February 22, 2021
ATTENDEES

THE PLANNING COMMISSION:
Henry Riggs - Chairperson
Michael C. Doran - Vice Chairperson
Camille Kennedy
Chris DeCardy
Michele Tate (Not present)
Larry Kahle (Not present)
Andrew Barnes

THE CITY STAFF:
Kyle Perata - Principal Planner
Payal Bhagat - Contract Planner

SUPPORT CONSULTANTS:
Matthew Wiswell, LSA
Theresa Wallace, LSA

PROJECT PRESENTERS:
Sateez Kadivar
Nathan Simpson
Paul Lettieri

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on December 7, 2020, 7:12 PM at the Menlo Park City Council Chambers, 701 Laurel Street, Menlo Park, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a Planning Commission meeting under the provisions of the City of Menlo Park.

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CHAIRPERSON RIGGS: We now move on to the first of two projects that we have before us that are presented first with their Environmental Impact Report followed by Study Session.

In the past we have taken a presentation from the consultant for the EIR, followed that with some questions, and then a presentation from the architect typically on the project overall.

Then we backed up I believe and discussed the EIR and tried not to comment on the design until that was appropriate.

Staff has proposed a -- a little clarification to that process. So I believe Miss Bhagat, you will take the first project, 111 Independence and perhaps you could add to my comments about how we will address this first project tonight.

MS. BHAGAT: Sure. Chair Riggs and members of the Commission, good evening. Good evening to members of the public.

The project for you this evening is a redevelopment of an existing .92 acre site located at 111 Independence Drive, and I believe I have a presentation
1 prepared for this item that is not coming up for some  
2 reason.

3 Kyle, are you able to --

4 MR. PERATA: Yeah. Through the chair, while

5 we wait for Payal's presentation to come up, maybe I
6 could just quickly clarify or add on to your statement
7 from earlier.

8 I just want to make it clear in terms of the
9 presentations, we'll still do the City's presentation,
10 quick overview of the Draft EIR followed by the
11 applicant's presentation on the project because we think
12 that's helpful for the Commission to hear at this time
13 and the members of the public, and it might inform the
14 Draft EIR, public comments from the community and the
15 Commission.

16 And then we'll follow that up with the EIR
17 presentation from our consultant, LSA, and I'm probably
18 speaking to some of Payal's statement here, so we will
19 bifurcate Staff's presentation and a draft EIR overview
20 right here and then we'll pull up later recommended topic
21 areas at the opening of the Study Session item.

22 So we'll still do the applicant's presentation
23 now, but we'll hold the list of kind of considerations
24 that are more general in the project and not seem
25 correlated for the second component for the Draft --
sorry. The Study Session.

And I might also recommend that the chair read the words for the agenda item before we start. That's not absolutely required. I know that is up to the chair.

In the past the chair has typically read it, but if you want to do that now, you can do that now before Payal starts her presentation.

Sorry about that. But hopefully that's helpful.

Well, this is our first somewhat milder modification on the presentation. Now it will take me just a moment to pull up the text -- all right.

CHAIRPERSON RIGGS: Thank you, Mr. Tapia or Mr. Perata, whoever provided the data. Thank you.

So tonight we have a Draft Environmental Impact Report for SP Menlo LLC, applicant that is 111 Independence Drive. This is a public hearing to receive public comments on the Draft EIR for the proposed multi-family development project consisting of 105 dwelling units and an approximately 746 square foot commercial space in one building with an above-grade multi-story parking garage integrated into the proposed eight-story building.

This is located in the R-MU-B Residential Mixed Use, Bonus Zoning District.
The Draft EIR identifies less than significant effects in the following topic areas: Population and housing, transportation and greenhouse gas emissions.

The Draft EIR identifies less than significant effects with mitigation for the air quality and noise, which is operational traffic and stationary noise topic areas.

The California Environmental Quality Act -- we call CEQA -- requires this notice to disclose whether any listed hazardous waste sites are present at the location. The project location does not contain a hazardous waste site included in the list prepared under Section 65962.5 of the Government Code.

The City previously prepared an initial study for the proposed project that determined the following topic areas would have no impacts -- that's less than significant impacts or less than significant impacts with mitigation measures -- including applicable mitigation measures from the Connect Menlo EIR; in other words over overall zoning area EIR that was done in 2016.

So those described would be aesthetics, agricultural and forestry resources, biological resources, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise,
meaning construction period, ground borne vibration and
character related noise, public services, recreation,
utilities and service systems, tribal cultural resources
and wildfire.

Written comments on the Draft EIR -- excuse me.

EIR may also be submitted to the Community Development
Department at 701 Laurel Street, Menlo Park no later than
5:00 PM on February 2nd, 2021.

So back to Ms. Bhagat.

MS. BHAGAT: Thank you, Commissioners. And
thank you, Kyle.

So I was mentioning the project before you is a
redevelopment of an existing site at 111 Independence
Drive.

The project site is located east of Marsh Road
between 101 and the Marsh Road interchange.

The project is planned to develop a 15,000
square foot single-story office building, which is
supposed to be demolished as -- as part of the
redevelopment.

The -- the applicant requests Environmental
Review, Use Permit, Architectural Control and Below
Market Rate Housing Agreement to redevelop the project
site with 105 apartment units and 726 square feet of
commercial open space.
Since this project is a bonus level density with increased density project, this project will be required to provide community amenities as part of the proposal.

Now, the focus of tonight's meeting, as Kyle mentioned earlier, is of course to receive comments on the Focused Draft Environmental Impact Report that is attached to this project consistent with the California Environmental Quality Act or CEQA requirements, and second to hold a Study Session to review the design aspects of the project.

So in order to move through these two components, as Kyle was touching upon briefly, Staff would like to propose the following:

After my presentation, the applicant will -- will make a presentation on the project design, following which the -- the City's environmental consultant LSA will review the findings of the Draft Impact -- the Draft Environmental Impact Report and also review the CEQA process.

After that subject, the Commission will open up the public comments where we solicit comments from the community on the Draft EIR and do the item by asking questions and providing Commission comments.

For the Study Session component, Staff would
like to do a brief introduction of the several topic areas on Commission integration, following which the Commission is welcome to ask questions of Staff and the applicant, and then we would request that you open the public hearing one more time to solicit the community's comments on the design aspects and then close the item with the Commission's comments.

I will be available throughout this process to respond to any questions that you might have.

I would again like to remind the community that the Draft Envir -- the Draft EIR is available for public review currently and that the last date to provide comments is February 2nd. Comments can be provided via e-mail or by mail, sent to City Hall.

And this concludes my presentation and we will seek comments provide an overview of the project design.

Thank you.

CHAIRPERSON RIGGS: Thank you, Miss Bhagat.

Tell us again who will make the presentation for the applicant.

MS. BHAGAT: It will be Sateez Kadivar and his team.

CHAIRPERSON RIGGS: Thank you.

MR. KADIVAR: Good evening. Nathan, do you want to pull up the slide presentation? Can everybody
hear me? I think they ought to pull it up for me and
give me control.

Can you all hear me?

CHAIRPERSON RIGGS: Yes, we can hear you,
although we see Nathan on screen, not you.

MR. KADIVAR: Okay. All right. So I'm dialed
in. My Internet was not behaving too well and I've got
four kids competing with this. So I've gone the -- the
safer route here.

Good evening, Planning Commissioners.

Certainly good to be before you again now for the third
time.

It's a big milestone tonight with the Draft
EIR, so we are quite excited about this and hope you
share our enthusiasm.

This being the third time I thought I would
start with providing a little of the history of the
project and how we arrived at tonight.

It's been quite the journey with a lot of staff
effort over the last four or five years now.

We've actually had -- I was counting -- four
different people from the Planning Staff that have been
at one point the lead planner on this project beginning
with Deanna, then Kyle, then Kaitie and now Payal.

So there 's a deep theme here that if you work
on this project, you get promoted within the City of Menlo Park. So let's look for Payal's ascension here.

So in 2016, when Connect Menlo was being finalized, is when we began discussions with -- with Deanna, and that led to our architectural plans being submitted in March of 2017.

It was a very collaborative process with -- with the team, and that led to a -- a subsequent set of plans that we then had the development review team meeting with all the various key -- key City departments, and that was late 2017.

Based on that input, of course we prepared a set of plans that was much more detailed, and that was what was presented to you in June of 2018, our first Planning Commission Study Session.

Several of you here were present -- present for that, and then I think all of you were present for the subsequent one a year later in June of 2019.

So there were several areas of feedback from 2018 which were then addressed in 2019. I'd like to go through those first before we get into how we addressed the feedback from the last Study Session.

Knowing full well that the main focus of tonight is the EIR, I thought this would be a helpful, helpful background.
So one of the main issues back then was the parking ratio. At that time which were in 1.4, well within the allowable guidelines. However you had suggested that we lower it even further which we did down to 1 -- to the 1.1 range.

At that time open space, opening up the front plaza to improve the public accessibility was a -- a key point for one of the commissioners, which we subsequently did and everybody was satisfied with that, as well.

Going back to 2018, the initial community amenities was being discussed. It was quite preliminary in terms of that the process hadn't really been fully established by -- by the City in terms of the process, but subsequent to that meeting and some input, strong recommendations from Staff led to the cafe inclusion in the subsequent plan set.

So they -- and -- and I would like to remind everybody that the cafe is one of the items on the community amenities list. So that was kind of where that started.

And back then the BMR issue that was being raised for us was to equally distribute the BMR units both geographically within the building as well as across multiple income levels, which we then did do in the June 2019 session, distribute them both horizontally and
vertically, and at that time we proposed a 50/50
moderate/low income split, whereas initially we were --
we were all moderate.

And that brings us to tonight where I'd like to
start off with the highlights of a few changes made based
upon the 2019 Study -- Study Session.

First and foremost, a big ticket item here
obviously is our BMR proposal is now across three income
levels: Moderate, low and very low.

I'm not totally privy with all the other
projects, but I believe we -- we might be somewhat unique
in this offering, and this is in response to really
continuous consistent feedback from the community and
Commissioners over the last several years, really.

Next, and maybe equally important, we have
provided a formal community amenities proposal going
through a lengthy multi-step process with the City and
several consultants.

The result is two additional BMR units in
addition to the previously discussed cafe, and again
these -- both these items, the BMR units and the cafe is
from the community amenities list.

Now we know we have received last time mixed
feedback from you specifically on the cafe based upon the
last time. Some Commissioners loved the idea, and
certainly Staff did, as well, having highly recommended it, but some Commissioners were not as big of proponents.

What we really worked diligently on is if you consider the totality of the project. We're really addressing a significant amount of the hot buttons of every Commissioner, of Staff and community.

So while you might not, you know, individually all of you be a fan of the cafe, we certainly you are of the BMR and the approach we've taken there of the multiple income levels.

Next, switching gears, we look at environmental. We have providing twenty-two EVSE stalls from the outset, which is thirty-five percent more than required, to keep that in mind, and this is no small point. This is an all electric building.

We also made a small refinement with reduced parking a even a little bit further while keeping the bike parking maxed out. So again we have minimum auto parking and maximum bike parking.

Lastly, there was some feedback last time about the primary facade color. You might recall -- this is interesting. This is different because this is something that we had batted around on our side, as well, and we have decided to revise it to a gray. We feel it's a warmer and more residential.
As a reminder this tearing down an office building and not adding an office stock, which is allowed in the R-MU zoning. So the project is really a hundred percent geared towards reducing the jobs/housing imbalance.

I'm sure I don't -- we'll talk more about the community amenities proposal. I think it's more appropriate in the second portion of the program. Really the EIR is the main agenda item this evening or at least certainly at the outset.

So I will hand this over now to BDE. Nathan, I see you and you will provide a little bit of the -- the essential.

MR. SIMPSON: Yeah. Thanks, Sateez. My name is Nathan Simpson. I've been the project designer on this since it came to our office five years ago. Jon Ennis is on the phone, also. He's the president of BDE. I'm just excited to be here. After five years I'm pretty sure we're getting close to the finish line here.

Just to orient to the site. We have a trapezoidal site that has a curved section of it along Independence Drive. North is up on this page.

When you look at the site from Independence, this is the curve, Independence in the lower right. You
can see our site right here, the Menlo Park Gateway building and 101 off to the lower right. And then just from Marsh Road off -- off-ramp, you can also see the and the adjacent office buildings that are going up.

Our guiding documents, as previously mentioned, we are just part of the Menlo Park planning code, Ordinance 1026 and we are the R-MU district, which is why we have both the cafe and residential.

You can also just kind of see our site right here if you're curious.

A lot of this stuff you guys have heard already, but just to recap. We have 105 units that's maintained. We are maintaining a mix of units from studios, one beds, two beds.

Since we last saw you guys, we gained a few bedrooms, but -- two bedrooms, I believe. So we went from 114 to 116 bedrooms.

We're maintaining the fourteen onsite affordable units. The retail we'll go through in a moment. I'll show you guys what that is.

The required parking, when we first went in, like Sateez said, we went in very high. Working with the City and community, we've taken down to 109, which is still well within our range. It gives us a little bit
more than one to one per residential unit so we can have something like visitor parking.

Part of our project is a public open space that fronts on to Independence Drive, and within our building, we provide 160 resident bike parking which is spread out to within two rooms, and if you look at the ratio, this is actually 1.52 if I remember correctly, so we're actually a little above the max, and if you look at 1.5 straight on.

And then just to keep this a bike friendly area, we do have seventeen exterior bike parking stalls. Just looking at the plan, you can see the curve of Independence here in gray. You can also see the plaza which I'll let Paul Lettieri talk about in a little more detail.

Starting in the lower right-hand corner, you can see our garage access at this point. We have a single garage access point for all 105 stalls.

This line that you can kind of see my mouse running along right here is a gate. So we have five stalls that are within an open garage that anyone can drive in to, and then all of our residential parking is in back located within three levels of parking.

Along the frontage of Independence, we have amen -- amenities including a dog wash, a cafe, which is
right here spilling into this nice little court. So we've actually created some outdoor space for the cafe to make it a viable, especially in this COVID time. Outdoor space is key.

We do have fitness, lounge, amenity and a lobby all fronting on to the plaza. We've gone through an effort to make sure that all spaces around the building are utilized and integrated with our neighbors.

Anything from paving to making sure our EVSE reaches all the way into the site, which matches up with paving.

I'm going to skip over the next two floors, floors two and three, because they are very similar to this floor, two more levels of parking.

All of our amenities across the front are raised up above flood plane and are double height, and then there's one level of residential units just facing out over the amenities.

Going up to a typical floor, this is our fourth floor. Many things have stayed the same since you've all seen it last. We've gone through a lot of refinement, mainly getting unit plans ready.

But essentially this floor shows we have a club room over in the corner that gives you access to a heavily amenitized common courtyard, and then you can see
all the units just kind of wrapping around the building. And then the front here is a private courtyard. These are all private decks. That is the result of our curved facade.

Going up to a more typical floor, this is our top floor. You can see the overall footprint of the building, and then a nice little -- a little park -- roof deck. Sorry. A little roof deck over in the corner here with the club feeling to it, a nice little amenity for the residents.

As mentioned previously, we did go away from our blue pallet and we are proposing a warmer gray pallet. It's a -- two different grays on here, but our primary one is a very neutral dark warm gray.

I've used a similar pallet like this on here and I think that everyone's happy with. I've never had a complaint on that.

Going to the pallet really quick, we are proposing vinyl windows. This is our primary body color right here. It's a little bit darker. Keep in mind this is on screen, so the colors aren't going to be perfect.

Along the arc of the building, there is some accent colors that go inside the frames. This is just giving you an idea. We're not going to get colors perfect here.
The project does have concrete, a nice warm earthen material, and we have proposed the panel still, which is a real wood on a resin panel.

All the metal work on the project is using a consistent theme, which is a steel railing. It's a IMETCO panel. You get a quarter there for a little bit of scale.

And one of the comments that we got on our last round was providing bird safe glazing. So all of our glass panels, which is minimal, have been converted to opaque.

Mentioning earlier about the arc of the building. There's this curve that we're doing which I'll show in the next photo to help blend with the adjacent buildings and just places our building in context, and because of this arc, this is something that's come up and I believe everyone's been very receptive of this, which is we have building modulation requirements, and we weren't totally compliant with them, but what we proposed is exceeding them by providing additional setback, and we do that by using this curve and just doing this gray area.

So we're close on this. The compliant, we're only about ten percent off, and again with all this gray area as additional setback, we exceed it.
And the reason we would do this is -- it's really right here. It's basically the yin and yang. So we are planning with the Menlo Gateway building's curve to help complement the site, which is something we rarely get the opportunity to do.

And then some of the things I mentioned earlier which is why I'm going to let Paul speak about is we've worked on our neighborhood, neighbor connectivity which is a lot of siting, which we've also added additional interest along our garage facade, because this was of the comments that came up.

And now with that, Paul are you on?

MR. LETTIERI: I'm here. I'm here on cue.

Paul Lettieri with The Guzzardo Partnership, landscape architects for the project.

Yeah. I think we -- we've made a lot of refinements to the -- to the plan in the year and a half since the last time you saw it.

It looks -- it looks pretty similar to what it was before, but there are some significant differences, we think.

One of them is we now have a proper width of planting strip across the street and the street trees are now there, because the previous plan the street trees were in the plaza.
We had some issues with -- with utilities, and in the time we've had between, we've been able to ferret out exactly where those utilities are and be able to get the trees to miss them.

So now there's a five foot sidewalk and a fifteen foot planting strip is there. Before we had a very skinny strip and the trees are all set back, which I think really helps the folks that will use this open space from the street scene itself. I think it feels -- I think it feels a lot better that way.

We've -- we have the -- the transformers at the upper left there. I guess Nathan you can point these things out, right?

We have those screened -- a metal grill sort of screen fence we have our imagery. I think we showed you something similar the last time.

We've done some things like now since the lobby has a direct connection from the street, the stairs there at the bottom of the plan there directly connect to the lobe.

We have the handicap access through that -- through that ramp system where you come up in the bottom, the middle and you can go right or left to get to the front doors of the building.

We still have the wood seating elements and we
still have a -- a little podium space that can be an art
piece on it to be selected yet.

So it has some -- some character to it, and we
have fairly rich paving pattern and paving materials
throughout. It's all -- it's all pretty much pavers.

Any of the pedestrian surfaces, with the
exception of the public sidewalk, which was ordained to
be concrete, we have -- we have pavers in those other
spaces.

And I think our street tree quantities, they've
been moved around a bit. The reason there's none in that
center space is because that's where the utility conflict
is. It can't really be solved by having any trees in it.

So the utility doesn't follow the street line.

It kind of wanders around.

I think -- I think in our EVA zone up on top is
stamped asphalt, so it has a -- more than a utilitarian
feel to it. Awesome color and texture to it.

The basketball court that's there will be
smooth, and we still have the dog run is that dark green
zone at the upper right.

CHAIRPERSON RIGGS: Paul, could I just
interrupt for a second? Potentially there are people
listening who are not Commission members or architects.

An EVA zone is an emergency vehicle access zone
MR. LETTEIRI: Sorry about that. I'll watch the jargon in any future descriptions. Thank you.

Yes. And then there's -- I said the bocce court on the other side, the orange, orange area, and we've integrated the -- the EVA that's labeled there on the bottom right, which has now been defined as an emergency vehicle access that's on the adjacent parcel, we've integrated our paving so it's the same paving pattern across it.

So once it's all built it will feel like one continuous space there, which I think came up last time.

Go to the next slide, please.

Our -- or -- the next two slides. We've made some modifications to the podium area. The pool shape got a little more interesting. We've added bathrooms up there so that -- there you go.

And it requires some minor alterations to how the space works, but the amenities that were there in the previous plan are still there now, and, you know, we've got a little bit better relationship between the pool and the rest of the world to -- in terms of grade changes and proportion of space.

I think before the pool was a little bit too cramped. There really wasn't enough room to furnish it, and now I think we have enough room to do that.
If you can go on to the next -- the next slide.

The roof deck is small. It's really a view space and an indoor/outdoor space. Small amount of planting, paving -- pedestal paving and some decking material up there, so it's pretty simple, and we think it will be a great spot -- a great view from up there, so really wanted to maximize that.

Next one.

And the -- the imagery page, largely the same position, although not identical. I'll just point out a couple.

On the left side there, there's a metal panel that sort of has some horizontal openings in it. Thinking that that's our transformers screening element. It's on the ground plane. I think we're showing it as being six feet tall. So it's roughly the height of the transformers.

They're more significant because we have an all electric building. We also will have an all electric fireplace and all electric barbecues and all the rest of it. Everything else will be -- just the rest of it is just the sense of mostly what's happening on the podium in the middle in terms of materials and colors, and the eighth floor, our roof deck is nowhere near the size of any of those images, but the general character is what
we're looking to get to.

So we can charge on to our last slide, I believe. Yes.

So that concludes our presentation.

MS. BHAGAT: The Planning Commission -- sorry.

Please go ahead.

CHAIRPERSON RIGGS: Oh. Just confirming that that concludes the presentation, and Miss Bhagat, do we want to move to the EIR at this point?

MS. BHAGAT: Yes. So we would like to invite Matthew Wiswell, the consultant from LSA, to go over the Environmental Impact Report findings and review the findings of the EIR.

MR. WISWELL: Matthew Wiswell from LSA here joining you again. Before I get started, if I could just ask whoever's in charge to promote Amanda Levy next.

All right. So good evening. Matthew Wiswell from LSA here. We are the City's principal for environmental review of the proposed 111 Independence Drive. With me is Theresa Wallace who is LSA's principal in charge, Theresa Wallace, who is our transportation consultant for the project.

So the first slide. The purpose of the -- the topics I'll cover tonight in my presentation, including the purpose of tonight's hearing, an overview of the CEQA
process, the timeline that has occurred thus far and
going forward as well as points along the way that
involve opportunities for public comment.

I'll also briefly go over the purpose of CEQA,
the Connect Menlo EIR again and its relationship to this
project, and then give an overview of the Draft EIR
findings.

And after my presentation has concluded, as
we've heard, you'll have an opportunity to provide your
comments.

So as I mentioned, the purpose of tonight's
meeting is to hear your comments on the EIR. The public
comment period began on December 4th and written comments
must be received by the close of business on February
2nd.

The focus of your comments should be on the
adequacy of the analysis provided in the Draft EIR. The
merits of the project will be considered, but as a
separate action at a future meeting.

And I want to note while we're happy to answer
any questions tonight, we would ask that any comments of
a technical nature be provided again in writing so that
way we can take the time to provide thorough written
responses.

We want to make sure we're provided accurate
responses and they need to be placed in the technical analysis or talk to our specialists to make sure we do it correctly.

I also want to note that we have a court reporter here I believe to record the comments in a transcript.

All comments received tonight will be prepared. Each comment on the EIR will then be formally responded to in writing.

This slide shows the purpose of CEQA and -- and the overview of the CEQA process. CEQA requires that all lead agencies -- actually -- sorry about that. No, never mind. Sorry.

So this slide is on CEQA or the California Environmental Quality Act. It is a state law that requires environmental evaluations of the project.

Generally CEQA requires that lead agencies or all agencies that approve projects evaluate environmental impacts associated with those projects.

This evaluation must adequately inform decision-makers, other agencies and the general public about the potential environmental consequences of project's approval.

If environmental impacts are identified, then the lead agency needs to identify ways to mitigate or
avoid those impacts.

So the CEQA documents are disclosure documents. They are used to provide information in the CEQA document to make informed decisions about a project and to disclose potential environmental impacts associated with the construction and operation of a project.

And it's important to note that the environmental document does not dictate whether or not the project is approved.

So I just briefly wanted to touch on the Connect Menlo EIR and its relationship to the project.

So the environmental analysis for the project on the Connect Menlo Final EIR, which was certified in November 2016.

The Connect Menlo EIR provided a program level analysis of development potential envisioned for the entire city, including the increased development potentially specifically in the Bayfront area where the project site is located.

This EIR evaluated the impacts of approximately 2.3 million square feet of non-residential space, hotel rooms and up to 4,500 residential units.

So the proposed project does fit within the proposed development assumptions of the Connect Menlo EIR.
As we've discussed before, the City of East Palo Alto challenged the City's certification of the EIR and after litigation, the parties entered into a settlement agreement that allows for effects that were not analyzed as significant in -- in a prior EIR who are subject to the to subject provision, but requires certain projects, including those utilizing bonus level development on the total project to conduct a Focused EIR with regard to housing and transportation at a minimum. Environmental review of the project also complies with the terms of the settlement agreement.

Here's my timeline: So this slide shows the overall schedule for the environmental review process. On June 14th, 2019, the City issued a -- a Notice of Preparation or an NOP notifying interested parties and responsible agencies that an EIR would be prepared and an initial study was included for review.

The comment period provides public -- public comments on the scope and the content of the EIR ended on July 15th, 2019, and all of those comments that were received were considered during preparation of the Draft EIR.

So the City along with LSA then prepared the Draft EIR and the standard 45-day comment period was extended to sixty days.
After the close of the comment period on February 2nd, we will prepare the written responses to each of the comments received on the adequacy of the EIR analysis in what's called a Response to Comments Document.

The Response to Comments Document will also include any revisions to the Draft EIR if any are necessary.

Together, with the draft to the EIR and Response to Comments Document, that is the Final EIR. The Final EIR will be published and available a minimum of ten days for any additional hearings that are held.

Once the Final EIR is complete, the City will consider certification of the EIR and after that will consider approval of the project as a separate action.

Of course the public may attend these hearings and provide comments on the Final EIR after which time you can see is currently anticipated in the early summer of 2021.

So this slide gives a short overview of the CEQA process with the items shown in blue as those opportunities for public comment.

So as you can see, there was a thirty-day period after the NOP was published and now we're in a
sixty-day period for the comment period for the Draft EIR, and then finally there will be an opportunity for public comments during final certification period, as well.

So as I mentioned before, initial study was circulated with -- with the Notice of Preparation that an EIR would be prepared.

Based on the conclusions of the initial study, the topics shown on this slide in -- in the right three columns were not anticipated to result in significant effects and therefore they were deemed to be adequately addressed through the program level EIR prepared Connect Menlo.

And then those topics on the left there are the ones that are included in the -- in the EIR itself.

So based on in this analysis, the population and housing, transportation, air quality, greenhouse gas emissions and noise were further evaluated in the EIR.

This is a an overview of the Draft EIR's findings and goes over more in-depth in the next couple of slides.

The main takeaway is that there are -- there were no significant unavoidable impacts identified and that all of these impacts could be reduced to a less than significant level with the implementation of identified
mitigation measures.

So for the topic of population and housing, housing needs assessment or an HNA was prepared in compliance with the terms of the settlement agreement and to provide background and comments for this section.

Briefly, the project would fit within the growth -- growth projections identified in the Connect Menlo EIR and would not induce any unplanned population growth.

In addition, the project would increase the availability of housing and would not increase displacement pressures in the surrounding neighborhoods of East Palo Alto.

In conclusion, considering the new housing provided by the project, the reduced worker housing demand associated in removing the existing job generating uses on the site and the minor increase in a demand for workers, worker housing associated with commercial space at the site as well as any new services offsite.

No mitigation measures will be required for the project.

So for transportation, a transportation impact analysis or a TIA was prepared consistent with the City's TIA guidelines.

Under CEQA, as -- as I think we've discussed
here before, roadway congestion or level of service is no longer the metric of evaluation for transportation impacts.

Instead in compliance with SB-743 and the City's updated TIA guidelines, vehicle miles traveled or VMT is being used.

The threshold considered VMT per person or per capita, which is really a measurement of the amount of distance that a resident, employee or a visitor to the project site drives.

What makes these projects like -- like the one we have tonight, each land use is independently evaluated.

So the analysis for the residential component of the project determines that what implementation of a Transportation Demand Management Plan or TDM plan proposed by the project.

The project itself would be below the established threshold which needs to be fifteen percent below the regional average VMT.

So, for example, if -- if the regional average for one hundred, the project would be 85 or above.

So for -- for the commercial use, if the space was too small to require the analysis of VMT and was exempted from further analysis.
The EIR also determined that the project would generally comply with the associated transportation related plans and policies, would not any design hazards or result in inadequate emergency access.

Consistent with the City's TIA guidelines, a level of service analysis was also conducted for local planning purposes.

Two intersections were identified in the near-term as exceeding the City's average critical movement delay threshold and five were determined to exceed that threshold during preloading conditions.

Intersection improvements were recommended to be included as private plans of improvement of potential impact.

For the topic of air quality, the analysis determined that the implementation of the Bay Area Air Quality Management District, or BAAQMD, that basic construction measures would be required to reduce construction periods.

Air quality impacts are less than impact less, which is consistent with the findings of the Connect Menlo EIR. The project would not exceed regional air quality emissions thresholds during operation.

The EIR did also include a construction and regional health assessment, or HRA, mitigation measures
outlined in the Connect Menlo EIR required for each individual projects.

The HRA determines whether or not receptors remaining or sustained residential uses or schools or other sensitive uses could be exposed to toxic air contaminants.

The analysis determined that offsite sensitive receptors would not be exposed to substantial increases in those toxic areas of the project and no mitigation measures would be required there.

No mitigation measures would be required to rid exposures of future residents to indoor particulate matter associated with existing conditions related to a high level roadway, and that -- that really includes the installation of HVAC and air filtration systems taking that away.

For the topic of greenhouse gas emissions, all -- all of the impacts would be less than significant with implementation of those creative construction measures for BAAQMD that I just mentioned would further reduce the TSG emissions during construction.

The project would be well below BAAQMD thresholds for operational emissions, and the project would generally comply with principal plans, policies and regulations that were adopted for the purpose of using.
greenhouse emissions, including the State's scoping plan, Plan Bay Area and the City's Climate Action Plan.

Finally for noise, the analysis determined that transportation related increases in noise would not exceed the City's standard.

Because the project would locate residential land uses in an area that is considered acceptable noise acceptable, mitigation measures would be required to reduce interior noise.

It includes the installation of mechanical installation like HVAC and air conditioning, but windows remain closed and use of noise reducing window materials and are consistent with the finding of the Connect Menlo EIR.

So the EIR also evaluated a range of alternatives to the proposed project with the objective of avoiding or reducing potential impacts of the project.

These alternatives were developed in consultation with City Staff and considered the comments received during the NOP scoping period.

Under CEQA alternatives to a project generally must meet the basic objectives of the project. So while there were a number of alternatives that were considered, the EIR included a full analysis of three alternatives total, the CEQA requires no project alternative as well
as two development alternatives.

So as you'll see in this table, the base level alternative would see development on the site under the maximum base residential density allowed in the zoning district without community amenities and without bonus level.

So that would result in seventy-seven fewer residential units than the proposed project, but an increase in commercial space by approximately 5,200 square feet.

While this would reduce some of the impacts compared to the proposed project, it would only be a slight reduction due to the reduced development intensity and less construction, but none of the impacts would be entirely avoided and similar mitigation measures would be required.

The second alternative would be the maximum buildout alternative which looks at the development under the site -- under the maximum residential density allowed at the bonus level in the zoning district.

This would include the same number of residential units at the proposed project, but also an increase in commercial space of 92 square feet.

Under this alternative negative impacts will be reduced or avoided and similar mitigation measures would
be required.

Ultimately it was determined that in terms of environmental impacts, particularly the base level alternative, would be the environmental -- environmentally superior alternative, but it wouldn't meet some of the basic purposes of the projects to the same -- same extent this alternative would also not meet some of the objectives of Connect Menlo in the proposed project.

So that concludes my overview of the CEQA process and the results of the EIR analysis. Comments will be collected by the City and should be submitted to Payal as shown on this slide.

Even if you make verbal comments at tonight's -- tonight's meeting, we would also encourage you to submit your comments in writing so we can fairly respond and make sure that we do respond to all of them.

And with that, we can take your comments.

CHAIRPERSON RIGGS: All right. Thank you for the presentation, Matthew, and Commissioners, do we have questions or comments on the EIR?

Mr. DeCardy.

COMMISSIONER DECARDY: This is a process question. Are we also having public comments on the EIR?

CHAIRPERSON RIGGS: Oh, absolutely.
COMMISSIONER DECARDY: Thank you. Then I'll wait.

CHAIRPERSON RIGGS: All right. Any other questions?

I have a couple of clarification questions, although I may or may not expect the answer.

When it's determined that the traffic impact would be not significant, is this due to the comparison of the existing R&D use and its traffic levels or is this based on a -- a by due to the 2016 Connect Menlo EIR?

MR. WISWELL: That is a great question and one that I will see if Theresa Wallace from LSA is on and can answer.

MS. WALLACE: Yeah. Hi, everyone. This is Theresa Wallace with LSA. The transportation study, the CEQA impacts we reviewed the vehicle miles per capita for each of the proposed land uses.

So the findings were less than significant because the proposed project would not exceed the VMT threshold.

CHAIRPERSON RIGGS: In comparison to what?

MS. WALLACE: In comparison to ex -- existing condition. So -- well, I guess it's not really in comparison to anything.

So each of the proposed projects land uses, so
the residential land use for VMT per capita for that
proposed land use was evaluated.

So the -- so the -- the per capita vehicle
miles traveled for a land use within the project's
transportation analysis zone, that VMT was pulled from
the City's model and was found to be less than the
threshold.

So the --

CHAIRPERSON RIGGS: So --

MS. WALLACE: And the threshold is the
regional average.

CHAIRPERSON RIGGS: All right. So it's
compared not to existing traffic, but to a City model
which presumably was prepared as part of the 2016 Connect
Menlo project? Does that sound right?

MS. WALLACE: The -- the model has been
updated, I believe. I think Kyle may be prepared to
answer this a little bit better.

MR. PERATA: I can try. And I'll punt it to
our transportation team if I need to, but I think what
the -- the model itself is the Men -- the Menlo Park --
the City's current model, and you're right.

We did work on it as part of Connect Menlo when
we did our initial kind of VMT report out to Connect
Menlo. At that time it was -- those were informational,
you know, levels of service threshold.

We have updated model, as Amanda said, with

more land use.

The important thing that I think you're trying
to clarify, VMT, vehicles miles traveled is different
than roadway congestion.

It is studying the total vehicle miles traveled
from the project and it's normalized per capita and it
doesn't compare to existing conditions in terms of is it
a change from the VMT at the office or R&D was
generating.

It's more of the City's model identifies VMT
based on its transportation analysis zones for the number
of zones within the city.

I'm not going to get too detailed here, but
basically you find the VMT for that zone and then you
compare the project to that VMT.

And what -- the threshold is actually fifteen
percent below the regional average. So for this project,
it's 13.7. I have it right over here. 13.7 mile --
vehicle miles traveled is the residential land use
threshold that they have to be below in order to be less
than significant.

And then the analysis found that the project's
VMT generation with the TDM plan applied would be less
than that in terms of the total VMT that each individual
per capita would travel.

Does that help?

CHAIRPERSON RIGGS: It helps me hit you back
with a question, which is to confirm. Since this isn't a
real comparison, somehow we are persuading the state that
this is a valid way to evaluate this project.

So it has to compare to something and it
appears -- or I'm -- I'm -- I'm inferring here that a
baseline was established with Connect Menlo in 2016 that
this shall be the standard VMT for this zone.

Now, in order to do that in 2016, was that
standard -- since it was obviously more VMT or LOS,
either one, impact than existing conditions, was that
justified to the state at that time with mitigations in
the Connect Menlo EIR, and thus that is our baseline and
that's why you can present this project here tonight and
say that it is within standards?

MR. PERATA: So Kristian has joined to
basically bail me out here. So I'll turn it over to her.
I did miss the crux of the question here, so I appreciate
the clarifying question.

MS. CHOI: Good evening, Chair Riggs.

Kristian Choi, our transportation manager with the City.

If you might remember last year we came to the
Planning Commission to update our Transportation Impact Analysis guidelines and at that time we established the threshold that we were going to use to evaluate development projects. So kind of developing what our average threshold was.

And so we looked at both an office threshold, residential threshold and then kind of other types of uses like retail.

And so the Office of Planning and Research, the State Office of Planning and Research, they gave us guidelines on how we could set up those thresholds.

And so for residential, we could look at the average VMT per capita for citywide or kind of the region.

And so we presented those results and the -- the Planning Commission as well as the City Council then eventually adopted using the regional average. And then the requirement is fifteen percent below that regional average.

So we defined those regional averages back last year and we used the travel demand models of the City to establish what the average was.

So we didn't do this specifically for Connect Menlo. We did it for -- to -- we used the model that was developed as part of Connect Menlo. We updated it in
order to determine what these averages should be, and
then the City, both the Planning Commission and the City
Council, then adopted those thresholds.

CHAIRPERSON RIGGS: All right. So this model
is not based on history. This base -- this model is
based on the intended use of the zone?

MS. CHOI: Correct, yes. It does have our
existing land uses in there, though.

CHAIRPERSON RIGGS: All right. So what we
know from the information in the EIR is not whether or
not the traffic will increase as a result of this
project; only whether or not it is within the
expectations of the process that we went through refined
last year for this kind of development in this zone.

So it's reasonable to presume that traffic may
increase, but in terms of VMT, we were not determining
that at all with the EIR.

Is that correct?

MS. CHOI: Yeah. So now with the VMT as our
threshold, it's focused on reducing the vehicles miles --
vehicle miles traveled depending on the type of land use.
In this case for residential VMT per capita.

CHAIRPERSON RIGGS: Okay. And -- and that's
an understandable goal. It's just that he wouldn't want
people to misinterpret that we have followed a guideline
that would indicate whether or not we're going to
increase traffic. We haven't done that.

We've more established whether it will be a
reasonable amount of traffic for this type of use, and
the City has already asked that it be fifteen percent
below an average guideline point and that we did meet
that?

MS. CHOI: Yes. That's correct.

CHAIRPERSON RIGGS: Okay. That's fair.

And then just as an aside, the LOS study, which
is not part of the EIR, but as long as it was done by LSA
or through LSA, that did find some increases, but
mitigations were assigned to that?

MS. CHOI: Yeah. So there are some
improvements that are -- are identified to ad -- address
some of the delays that would be caused by the increase
in traffic, but there are some potential feasibility
impacts that we'll still need to be evaluated.

CHAIRPERSON RIGGS: And then some of these
mitigations are doable, but some are in question due to
the amount of land for -- available for right --
right-of-way. Is that correct?

MS. CHOI: Yes. That's correct. Or there can
be other tradeoffs, as well.

CHAIRPERSON RIGGS: Okay. All right. Thank
you. Thank you all for gathering to clarify that point.

Any other questions before we go to public comment?

MR. PERATA: Yes.

CHAIRPERSON RIGGS: Yes.

MR. PERATA: Through the chair, I -- I just want to clarify one thing. It's somewhat semantic, but in terms of the level of service recommended improvements, those aren't mitigation measures, and there's a distinction there because in the Draft EIR and the Final EIR, if it was to be approved, there would be a mitigation monitoring reporting program that would be tied to that.

And so these would be -- what we're talking about here are any improvements for intersections for level of service and roadway congestion.

Those would need to added for conditions of approval, and their -- their improvement measures to bring it back to existing conditions.

The -- the distinction is more of a legal CEQA distinction that I wanted to make for everyone's benefit real quick.

CHAIRPERSON RIGGS: Understood. I will use the term "mitigation" if I can help it. Thank you.

Any other questions before we move to public
All right. So Kyle and Payal, if -- if I am correct, we are in a position to take public comment at this point?

MS. BHAGAT: Yes, sir.

CHAIRPERSON RIGGS: All right. Thank you.

So to the public, if you would like to comment on this EIR we will review the building design later, but at -- at this moment if you would like to comment on this document during this hearing, this is the time.

There is a hand icon on the right side of your screen where the Go-To Meeting control panel is. If you click on that hand, it will signify that you would like to make a comment.

I will note that one can always make a written comment addressed to the City regarding 111 Independence Drive EIR. It would be received up to and including February 2 if I -- if I understand it.

But the opportunity to speak publicly tonight is at this moment.

All right. Mr. Tapia, do you see anything?

MR. TAPIA: Good evening, Chair Riggs, members of the public. Yeah. At this moment, I'm not seeing any virtual hands or any virtual correspondence being submitted, but we can give it a second or two.
CHAIRPERSON RIGGS: There isn't a large residential population in this area quite yet, but there is going to be.

All right. Seeing no -- no comments from the public, I'm going to close the public hearing and bring it back to the Commissioners for comments, and Mr. Barnes.

COMMISSIONER BARNES: Thank you. Thank you, Chair Riggs and thank you, Staff for -- and the applicant team for presenting us with this information.

I want to really acknowledge the utilization of VMT in this project and the benefits that it has.

I mean, if we -- if we go back to level of serv -- level of service, the LOS and, you know, often advocated by folks looking along the induced demand pipeline, which is if you just wave and create more lanes of traffic, you can solve your congestion problems, and -- but when, what in fact has been proven is the more capacity you add, the more people who come, particularly a way of finding another technological method, you just fill up that capacity in a heartbeat. People just go towards that.

What VMT does is it disabuses folks of the notion that you can add capacity and what it says for particular development, as the letters stand for, what
are the vehicle miles traveled that are going to be associated with that development given the product type, given the location and it addresses the different modalities for getting to a particular development, and it -- it works on many different levels.

It works on reducing the amount of cars on the road, works on mitigate, because you're not adding capacity, the impacts to the climate of -- of traffic.

And it make -- it also looks and says: Look, we -- when we build something, we don't know in Menlo Park from the traffic's coming from Redwood City, if the traffic's coming from Mountain View.

All anyone needs to do is be on 101 coming on the south in a non-pandemic time as the Dumbarton Bridge backs up and you're backed up all the way down 101 when you're trying to come along Willow.

Interestingly enough if you look at traffic numbers on Willow pre-pandemic in 2019 and then the numbers for 2016, it's the same amount of traffic that was Willow Road.

The challenge was because the Dumbarton Bridge was all jammed up, it just felt like there were more cars, but in fact it was the same amount of cars, just moving slowly.

So this VMT is a -- is the -- is the -- the way
to accurately assess for specific projects what that specific project is going to do in relation to impacts on the surrounding areas.

So I'm glad that it's forward. It's taken a while to get here. It was not in place at the time of Connect Menlo, but it's here now and we've got an updated version, and it's -- I think it's a wonderful benchmark for a go-forward basis of how circulation works, how traffic works and how it is we mitigate some of the kind of challenges associated with transportation.

So I'll add that. Thank you.

CHAIRPERSON RIGGS: Thank you, Mr. Barnes.

Any other comments about our EIR? Mr. DeCardy?

COMMISSIONER DECARDY: Yeah. I appreciate the conversation about the vehicle and traffic impacts.

This is a clarifying question. This is all talking about the mitigation of the Transportation Demand Management Plan put in place by the applicant.

The Staff -- where are we with that plan? is it -- does it exist, is it specific or is it saying that a plan is going to be developed, and in order to be successful, we'll reach this level?

MS. BHAGAT: I will start and then Matthew can join in.

So the applicant did provide specific
Transportation Demand Management Plan that both evaluated as part of the transportation analysis for the project.

So that became part of the project. I don't want to say mitigation, but it is -- it is part of the project transportation, and as part of the conditions of approval of the project, Staff will monitor the implementation of the TDM program that the applicant has committed to.

So we will have to on an annual basis deal with the implementation of the TDM to make sure that they are fulfilling everything that they said they will maintain.

MR. PERATA: Thank you. I would -- that was perfect, and the only thing that I would add is that those specific measures are included on page 4.2-36 of the EIR as well as the amount of production that we expect from either of those measures.

CHAIRPERSON RIGGS: Thank you.

COMMISSIONER DECARDY: Thank you. I appreciate the I didn't see it. Thank you.

CHAIRPERSON RIGGS: Any other comments or questions, suggestions?

All right. Seeing none, I want to express my appreciation. I know a great deal of work goes into an EIR and a great deal of time, and I particularly appreciate the backup to my challenging question.
I think with that, Miss Bhagat, we might want to move on to the Study Session. Is that correct?

MS. BHAGAT: Yes, sir.

CHAIRPERSON RIGGS: By the way, if I'm pronouncing your name incorrectly. Is it Bhagat?

MS. BHAGAT: It is Bhagat, yes.

CHAIRPERSON RIGGS: All right. Thank you.

It's Gujarati turned into English. It can be spelled quite correctly, but you're close enough. Thank you. I appreciate it.

MR. PERATA: If I could say something quickly before we close the presentation, Leo was about to pull up the agenda. I think, Chair Riggs, if you could formally close the previous item F2 and then open formally the Study Session item, that would be preferred.

CHAIRPERSON RIGGS: Thank you. I'm limited on my hardware tonight.

All right. We'll close the EIR review. We'll move on to item G1, which is the Study Session.

(This portion of the hearing closed at 8:55 PM).
STATE OF CALIFORNIA  

COUNTY OF SAN FRANCISCO  

I, the undersigned, hereby certify that the discussion in the foregoing meeting was taken at the time and place therein stated; that the foregoing is a full, true and complete record of said matter.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing meeting and caption named, or in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have hereunto set my hand this _______day of ____________, 2021.

__________________________
MARK I. BRICKMAN CSR 5527
CITY OF MENLO PARK
PLANNING COMMISSION

In re )
141 JEFFERSON DRIVE )
180-186 CONSTITUTION DRIVE) 
MENLO UPTOWN )
__________________________ )

ENVIRONMENTAL IMPACT REPORT
SCOPING SESSION
REPORTER'S TRANSCRIPT OF PROCEEDINGS
MONDAY, JANUARY 11, 2021
TAKEN REMOTELY THROUGH GO-TO-MEETING

Reported by:  MARK I. BRICKMAN, CSR, RPR
License No. 5527
THE PLANNING COMMISSION:

Henry Riggs - Chairperson
Michael C. Doran - Vice Chairperson
Camille Kennedy (Absent)
Chris Decardy
Michele Tate (Absent)
Andrew Barnes
Larry Kahle (Absent)

THE CITY STAFF:

Thomas Smith - Senior Planner

SUPPORT CONSULTANT:

Matthew Wiswell, LSA Associates
Theresa Wallace, LSA Associates

PROJECT PRESENTERS:

Andrew Morcos
Clark Manus
Karen Krolewski

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on January 11, 2021, 10:13 PM at the Menlo Park City Council Chambers, 701 Laurel Street, Menlo Park, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a Planning Commission meeting under the provisions of the City of Menlo Park.

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CHAIRPERSON RIGGS: Let's start the EIR. So let me expand this a little bit. We are reconvening our Commission hearing. This is for item F3.

This is a Draft Environment Impact Public Hearing, Applicant Andrew Morcos for 141 Jefferson Drive and 180-186 Constitution Drive.

This public hearing is to receive public comments on the Draft EIR for the proposed Menlo Uptown project consisting of 483 multi-family dwelling units, comprised of 441 rental units and 42 for-sale townhouse units and approximately 2,940 square feet of office uses located on the ground floor of one of the proposed buildings.

The project site is located in the R-MU-B -- that is the Residential Mixed Use-Bonus -- Zoning District.

The Draft EIR identifies less than significant effects in the following topic areas: Population and housing, transportation, greenhouse gas emissions.

The Draft EIR identifies less than significant effects with mitigation for the air quality and noise (that's operational traffic and stationary noise) topic
areas.

The California Environmental Quality Act, CEQA, requires this notice to disclose whether any listed hazardous waste sites are present at the location.

The project location does not contain any hazardous waste site included in a list than significant prepared under Section 65962-5 of the Government Code.

The City previously prepared an initial study for the proposed project to determine that the following topic areas would have no impact, less than significant impacts or less than significant impacts with mitigation measures (including applicable mitigation measures from the Connect Menlo EIR), and those areas would be aesthetics, agriculture and cultural resources, biological resources, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, noise (being construction-period, groundborne vibration and aircraft-related noise) as well as public services, recreation, utilities and service systems, tribal cultural resources and wildfire.

Written comments on the Draft EIR may also be submitted to the Community Development Department at 701 Laurel Street, Menlo Park no later than 5:00 PM on February 2 of this year.
I give this to Mr. Smith. I believe this is your project.

MR. SMITH: Good evening, Planning Commission members. If we can move into the first presentation for Menlo Uptown.

Okay. So I have here a map of the project site. You can see the project site outlined in red here. The orange parcels shown on this map are Zone R-MU-B residential and just a little bit of context.

The project that you were just discussing is located on this parcel a distance away from it. It is a 4.83 acre site, and as mentioned R-MU-B. There's the paseo, which is the blue dotted line which runs through the center of the project site.

And the redevelopment of this office site, which is currently, would result in the construction of 483 residential units and 2,940 of office space for non-profit uses.

73 of the units would be for BMR, below market rate households, and amenities to construct at the bonus level of development.

As with the previous project, there are two public hearings this evening. One is a Draft Environmental Impact Report Public Hearing which is the opportunity to comment on the Focused Draft EIR for the
project, and the second portion will be a Study Session, very similar to what was just done to provide feedback on the overall project, BMR housing proposal and the amenities proposal.

There were two previous Study Sessions for the project held in February of 2019 and December of 2019, so this will be the Commission's third look at the project.

I want to reiterate that there are no actions being taken this evening. There is a public comment period currently open which ends February 2nd, and after that the EIR consultant will review and respond to all of the comments and the Final EIR for the project, and at that time the Planning Commission will consider the Final EIR and land use entitlements and make a recommendation to City Council to review the project, which would include a major subdivision.

And so I won't go through this whole format, but it's essentially the same format that we went through before. So we'll start with the Draft EIR for the hearing.

I will return turn it over to the applicant followed by the EIR consultant at the end and then we can go from there to public comment, then Commissioner questions and comments.

For the applicant, Greystar, I believe Andrew
Morcos will be starting out of the presentation.

MR. MORCOS: Yes, good evening, Planning Commissioners. Thank you for having us tonight on this late schedule. We appreciate you accommodating us as much as possible. Hoping our presentation will come up here soon.

My name is Andrew Morcos. As Tom said, I am the senior development director for Greystar in Menlo Park and we are here presenting Menlo Uptown, 441 rental multi-family units and 42 townhomes between Constitution and Jefferson just east of Chrysler in the Bayfront area.

On -- on the next slide, you'll see the location of our project, and as I said, it's located between Jefferson and Constitution just east of Chrysler.

On the following slide I'm going to not have you or I read through this, but basically I wanted to highlight the comments that were made at the last Planning Commission meeting and since then through our community outreach.

They centered around these six items, but can be summarized in affordable housing, community amenity, public art, materials and refinement of renderings and Dumbarton rail development, and I'll focus most of my time on the community amenities because I think this is -- that's what I'm really excited about.
That's what has come from all the community outreach that we've done, and it's also come from the report by UC-Berkeley and Y-PLAN titled Investment and Disinvestment.

So in summary, the total value of the community amenity is determined to be 8.9 million. We're recommending that that 8.9 million is accounted for through 2,940 square feet of ground floor community space that will be donated to a non-profit supporting community land trusts in Belle Haven and Menlo Park.

The remainder 4.4 million of additional funds would go directly and immediately to support the preservation of housing and affordable housing to prevention of displacement in Belle Haven where it's been a significant issue as detailed in the report by UC-Berkeley.

So what this does is it offers high quality permanent affordable housing integrated into the Belle Haven community, which I think along with the affordable housing that's in our project is a significant complement, and this is borne straight from that -- that report and the community's input.

One of the great things about the community land trust is that the board who controlled kind of decision-making and flexibility is made up of, you know,
usually three different groups of people.

One is the community land trust residents, so the people living in the affordable housing. The second group is residents from the greater community, and the third is technical experts.

So experts in community land trust, governance and tenant support, people that can help make sure that the community land trust is run efficiently and compassionately.

This slide is just a little bit more detail on community land trusts. It's really about facilitating the preservation of affordable units in the communities where they need them the most and promoting affordable housing production by developed land and keeping that land in perpetuity for affordable housing.

Go on to the next slide. I'll skip over this. This is just an increase in space that was allocated. And then quickly I'll go through the EIR.

The main thing from the EIR is that this does not identify any significant environmental impacts, and our comment period closes on February 2nd.

We look forward to any comments at this meeting, and if anyone out there can -- who's watching this wants to speak to us directly, please reach out. We're happy to have one-on-one meetings, as well.
With that, I'll hand it over to Clark Manus, our architect on this to discuss multi-family and townhome progression.

MR. MANUS: So Commissioners, good evening. I'll keep my comments very concise here.

So the first image that's in front of you was one that you saw in December of 2019 and reflects the comments that you provided on the creation of the park at the Constitution frontage.

Next.

So as a result of that, and recently with the comment that you've shared with us, we've continued to refine the project and the three renderings that you'll see here are projections of the multi-family, the combined site and the townhouses.

The next one.

The aerial rendering demonstrates the importance of the organizing principle of the paseo and the relationship of the public open space to the buildings, and the western side of the paseo, as you know, accommodates the seven-story U-shaped parking, buildings with elevated courtyards on the eastern side on the left is really the relationship of the paseo to the townhouses, and David Burton, if you need, can talk about the townhome layout.
Karen, our landscape architect, will also address some of the issues that have been raised by Staff on the open space in terms of its amenity.

Next. Next. So next -- one more.

So the following three plans depict as you've seen before the ground floor parking and plans for the multi-family homes, active uses front both Constitution and the Jefferson street frontages, and as you remember, automated parking is free use and bicycle parking along the paseo help to screen it.

Perhaps mostly really by intent the community benefits space that Andrew touched on touch both the street and the paseo, and we believe it really further reinforces the potential.

The open spaces, the multi-family buildings, the massing does provide the setbacks in the key locations that we've identified.


And then lastly there was some discussion as a result of the comments that you shared with us on the materiality of the building.

These renderings and the ones that you've seen before depict the multi-family and the townhouses in terms of the range of materials that we're proposing.

Warm colors on the exterior facades to help to
unify the sight expression, and on the interior
courtyards and the upper level setbacks, you can see
their light colors to provide enhanced sunlight
eexpression.

So with that, I'd like to turn it over to Karen
to highlight some of the issues associated with the open
space.

MS. KROLEWSKI: Thank you, Clark.

So as a reminder, the Uptown project is a
cohesive site connecting the multi-family and townhome
sites, specifically with the paseo design.

We have worked to incorporate your comments.
Revisions include an expanded multi-use lawn area
basically for artwork, public artwork, seating elements,
strong connections -- as well as strong connections to
the townhome site.

We believe they have incorporated all the
comments that have been previously received and we thank
you for having the design and development team present
tonight and for your thoughtful feedback throughout
review of this project.

Thank you.

MR. SMITH: And so with that, I believe we can
move into the presentation by the EIR consultant.

CHAIRPERSON RIGGS: Yes, please.
MR. WISWELL: Good evening, everyone. Matthew Wiswell from LSA. You have the same project team for this EIR for Menlo Uptown. So again Theresa Wallace is with me, as well. I'm Matthew Wiswell. This presentation will be pretty similar for the one at 111 Independence. You'll also have the opportunity to provide your comments again.

At this time I'll move through my presentation. Following my presentation any member of the public that wants to comment may do so. This agenda is similar to EIR presentation for 111 Independence to supplement the distinction.

So similar to 111 Independence, the public comments began December 4th and written comments must be received by the close of business on February 2nd.

Again, we would encourage that comment tonight also be submitted in writing. Each comment on the EIR will be publicly responded to.

On November 25th, 2019, the City issued the NOP and the initial study that was included for review. The comment period for the NOP for the scope and the content of the EIR ended on December 16th, 2019, and as I just noted, the comment period ends on February 2nd, after which we'll prepare our responses to comments received on the adequacy of the EIR.
Now, in the response to comments document, it will also include any revisions if necessary after which the City will consider certification of the EIR and -- and consider approval of the project as a separate action. The 111 EIR is slated for early summer.

I will review the CEQA process with the items in blue as the opportunities for public comment. We're now in that sixty-day comment period for the Draft EIR and then there will be an opportunity for public comment during the final certification again.

More background on the purpose of CEQA. Two things I want to call out in particular. CEQA documents are disclosure documents. The lead agency is using the information provided in the document to make informed decisions about the project to disclose potential environmental impacts in connection with construction operation, and the environmental document does not dictate whether or not the project should be approved or not.

I think we've touched on the Connect Menlo EIR, but the -- the public does share in the analysis for the Connect Menlo Final EIR, and those development assumptions of the Connect Menlo EIR.

So this -- this slide shows the findings of the initial study that was stipulated with the Notice of
Preparation.

Based on the conclusions of the initial study, the topics shown in the right three boxes of this table were not further evaluated because it's been found that the project would result in no significant effects related to these issues by the Connect Menlo EIR.

The EIR including the evaluation of population and housing, transportation and air quality, greenhouse gas emissions and noise as an overview.

As you can see, no significant unavoidable impacts, and all impacts can be reviewed with the implementation of mitigation measures.

So population and housing again. The housing needs assessment was prepared with the settlement agreement with East Palo Alto which provided most of the context and background population of the EIR.

The EIR for this project. The project would fit within the growth projections identified in the EIR and population growth and will not increase the pressures on Belle Haven or East Palo Alto, as well, and no mitigation measures will be required.

On the topic of transportation. Similarly the TIA was prepared consistent with the City's TIA guidelines. Again, not level of service and it needs to be fifteen percent below that established regional...
So the EIR determined that the project would comply and would be below the TDM threshold with the project implementation and will be exempted because it was too small.

The EIR also determined that the project would generally comply with all those plans as well as transportation and wouldn't result in any new impacts or a design hazards for emergency access, and this EIR also includes that non-CEQA analysis for a level of service.

Nine intersections were determined to exceed the critical movement delay under the near-term and twelve exceeded under the cumulative conditions.

There were some improvement measures that would be included as -- as conditions of approval to improve.

For air quality, similar to 111 Independence, implementation of the BAAQMD basic construction measures will be implemented via Connect Menlo, and the project would also not exceed any air quality emissions through operations.

A no-project alternative was prepared for this project, as well, and mitigation measures will be required to ensure that construction-specific emissions would be controlled to reduce exposure to outside receptors, and it was determined that on-and-off site
detectors would not be exposed to potential increases in toxics.

Greenhouse gas emissions. All impacts are less than significant with the implementation of those basic construction measures. Through further review impacts, the project would be well below the threshold for operational emissions and would be generally consistent with all those plans that are aimed at the GHG emissions. Finally for noise, increases in noise would not exceed City standards. There are some -- because there are potential land uses, conditionally acceptable noise environment, mitigation measures will be required to reduce those interior noise impacts, including the implementation of air conditioning, which is consistent with the Connect Menlo EIR.

This slide shows the project alternatives that were considered. It's the same alternatives that were considered under 111 Independence.

The base level alternative is 339 fewer residential units in the project, and it would increase the office space by 18,000 square feet and the inclusion of approximately 10,000 square feet of childcare space.

So while some of the impacts will be slightly reduced to reduced construction, no impact will be entirely avoided and similar mitigation will be required.
In addition, the increase office use will result in an increase in VMTs, such that this alternative would result in a significant unavoidable VMT impact associated with that.

And then the maximum buildout alternative looked at development of the site. The maximum residential density, the same number of residential units, but approximately 39,000 square feet of office use increase as well as that childcare use of 10,000 square feet.

Similarly, none of the impacts would be reduced or avoided and the same mitigation measures would be required and there would also be that same significant unavoidable VMT impact associated with this alternative.

So it was determined that the -- in terms of the environmental impacts, the proposed project itself would not have environmental impacts beyond the acceptable levels.

And that will wrap it up for CEQA and our overview of the CEQA process and the EIR analysis. Comments should be directed towards Tom for this one, and again submitted before February 2 at 5:00 PM.

CHAIRPERSON RIGGS: Thank you.

So Tom, is this an appropriate time to ask for -- well, first I've got Commissioner questions I'd
like to ask for, but can I follow that up with Public
Comment?

MR. SMITH: Yes. First I would recommend
actually taking Public Comment and then moving into the
Commissioner questions.

Before you do that, I would be remiss if I
didn't mention that shortly before the meeting we did get
one additional item of correspondence, and that comment
was from the owner of 167 Constitution Drive, which is
located directly across from the project site, and he had
expressed a concern about access to Constitution Drive
during construction that could potentially prevent large
trucks from making deliveries to his business.

Plumbing supplies get frequent deliveries from
fairly large trucks and semis, and so he was concerned
about issues on Constitution during the construction
process.

CHAIRPERSON RIGGS: All right. And is this
something that the Building Department can take care of
in terms of traffic management requirements?

MS. SMITH: I actually looked back at the
applicant's preliminary construction plan and the project
entrances for construction would actually be located in
the vicinity of where the paseo would be towards the
center of the project site away from this driveway and
then also at the far edge of the proposed townhomes.

And so those two main accesses would be a -- a fairly good distance away from the concerns for this property.

CHAIRPERSON RIGGS: All right. Thank you.

MR. SMITH: Mm-hmm.

CHAIRPERSON RIGGS: All right. With that I will take your advice and we'll ask for public comment.

For those who are up late and are interested in this project and following us on this Go-To Webinar you will see the hand icon on the side of the control panel that's on the right side of your screen, the webinar -- the Go-To Webinar info panel.

If you click on that hand icon, it will indicate to Staff that you would like to speak and we will put you through.

We're inviting the public to see for up to three minutes on the subject of Menlo Uptown project at this time.

Alternatively if you would like to use the chat method to type a question or brief comment, that is at the lower portion of the Go-To Webinar control panel.

I would ask that you type at least an initial word or two at this time so we know you are there and interested in making a comment, and we will give it
another, oh, half a minute to see if anyone responds to
our invitation to speak at this time.

MR. TAPIA: Good evening, Chair. It looks
like we have a virtual hand raised. So I will go ahead
and open their microphone at this time.

Glenn Lynch, you should be able to activate
your microphone now.

CHAIRPERSON RIGGS: Welcome, Mr. Lynch.

MR. LYNCH: Thank you, Commissioners. I am
Glenn Lynch, a business owner across the street that
submitted the question. Thanks for reading that about
truck access.

My big concern there was that the big project
on Constitution that just finished up took up half of
Constitution for most of the year while that project was
going on.

Fortunately it didn't affect me at all, but the
entire length of Constitution was -- was closed halfway
down.

If that happens in front of my site, those
trucks will not be able to get into my driveway, and
that's my concern there. So I just wanted to make sure
it was on the record.

My -- my other question is about the -- the
building of residential so close to industrial
You know, we do start early in the morning. We have forklifts and trucks running, and I kind of want to also be on record to say that that occupancy does generate noise.

I do occasionally have a customer emergency late at night where I have to open my warehouse and fire up a forklift and load a commercial water heater on to somebody's truck.

It's not a lot of noise, but there is noise generated there. To what extent will people moving in and buying these units sort of be cognizant of that so that we don't end up with the classic moving next to an airport and then complain about the noise? I just want to know if any of that has been considered.

Thank you.

CHAIRPERSON RIGGS: All right. Thank you.

And Mr. Tapia, do we have any other hands raised for comments?

MR. TAPIA: At This time, Chair, I'm not seeing any other comments or correspondence being submitted.

CHAIRPERSON RIGGS: All right. At this time I'd like to close the public comment period, bring it back to Commissioners for questions or comments.
At this point the floor is entirely open as we address first the EIR and its adequacy and any elements therein.

All right. Seeing no comments on the EIR, I'd close the EIR Public Hearing noting that Commissioners had no comments on that and then open the Study Session.

(This portion of the meeting concluded at 10:37 PM).
STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

I, the undersigned, hereby certify that the discussion in the foregoing meeting was taken at the time and place therein stated; that the foregoing is a full, true and complete record of said matter.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing meeting and caption named, or in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have hereunto set my hand this _______day of ____________, 2021.

___________________________________________
MARK I. BRICKMAN CSR 5527
PROJECT LOCATION

111 INDEPENDENCE DRIVE PROJECT
111 Independence Drive
Draft Environmental Impact Report Public Hearing
Staff Presentation to Planning Commission, January 11, 2021

MEETING PURPOSE

- Two public hearings
  - Draft Environmental Impact Report (EIR) public hearing
  - Study session
    - Provide feedback on the overall project including project design changes, Below Market Rate (BMR) units proposal, and Community Amenities proposal
    - Previous study session was held in June 24, 2019
- No actions will be taken
  - Public comment period ends February 2, 2021
  - Staff and consultant will review and respond to all substantive comments in Final EIR
  - Planning Commission will consider certification of Final EIR and land use entitlements

RECOMMENDED MEETING FORMAT

- Draft EIR Public Hearing
  - Presentation by applicant
  - Presentation by EIR consultant
  - Public comments
  - Commissioner questions
  - Commissioner comments
  - Close EIR public hearing
- Study Session
  - Staff introduction
  - Commissioner questions
  - Public comments
  - Commissioner comments
OVERVIEW

• Purpose of Tonight’s Meeting
• CEQA Process, Timeline, and Opportunities for Comment
• ConnectMenlo EIR Overview
• Draft EIR Findings
• Next Steps

PURPOSE OF TONIGHT’S MEETING

Receive comments on the Draft EIR:
• Public Comment Period began December 4, 2020
• Oral and written comments accepted this evening
• Written comments accepted by February 2, 2021
Comments should address the content and adequacy of the Draft EIR and not the project merits

PURPOSE OF CEQA

California Environmental Quality Act (CEQA)
• Identify a project’s significant environmental impacts
  (Impacts are direct physical changes in the environment and reasonably foreseeable indirect physical changes)
• Identify ways to mitigate or avoid project impacts
• Identify a range of reasonable alternatives that meet basic project objectives and avoid project impacts
• Inform the public and decision-makers of the environmental effects of a project
CONNECTMENLO EIR

- Project site is within the ConnectMenlo study area
- Programmatic EIR certified in November 2016
- Project tiers from ConnectMenlo EIR
- East Palo Alto Settlement Agreement

CEQA PROCESS AND TIMELINE

<table>
<thead>
<tr>
<th>Milestone</th>
<th>Date</th>
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<tbody>
<tr>
<td>Publication of Notice of Preparation (NOP) and Initial Study (IS)</td>
<td>June 14, 2019</td>
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<tr>
<td>Draft EIR Scoping Session</td>
<td>June 24, 2019</td>
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<tr>
<td>End of 30-Day NOP comment</td>
<td>July 15, 2019</td>
</tr>
<tr>
<td>Publication of Draft EIR and Notice of Availability</td>
<td>December 4, 2020</td>
</tr>
<tr>
<td>Draft EIR Comment Session</td>
<td>January 11, 2021</td>
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<tr>
<td>Close of Draft EIR Comment Period</td>
<td>February 2, 2021</td>
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<tr>
<td>Publication of Response to Comments on Draft EIR</td>
<td>Spring 2021</td>
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<tr>
<td>Final EIR Certification Hearing/Consideration of Project</td>
<td>Early Summer 2021</td>
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OPPORTUNITIES FOR COMMENT

INITIAL STUDY FINDINGS

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<th>Less than Significant with Mitigation</th>
<th>Less than Significant Impact</th>
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<tbody>
<tr>
<td>- Air Quality</td>
<td>- Cultural Resources</td>
<td>- Aesthetics</td>
<td>- Agriculture and Forestry Resources</td>
</tr>
<tr>
<td>- GHG Emissions</td>
<td>- Geology and Soils</td>
<td>- Biological Resources</td>
<td></td>
</tr>
<tr>
<td>- Noise (Operation Period Traffic)</td>
<td>- Noise (Construction-Period Noise; Airports)</td>
<td>- Energy</td>
<td></td>
</tr>
<tr>
<td>- Population and Housing</td>
<td>- Tribal Cultural Resources</td>
<td>- Hazards and Hazardous Materials</td>
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<tr>
<td>- Transportation</td>
<td>- Hydrology and Water Quality</td>
<td>- Land Use and Planning</td>
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<td></td>
<td>- Recreation</td>
<td>- Public Services</td>
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<td></td>
<td>- Utilities</td>
<td>- Recreation</td>
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<td></td>
<td>- Wildfire</td>
<td>- Utilities</td>
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<td></td>
<td>- Aesthetics</td>
<td>- Wildfire</td>
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<td>- Biological Resources</td>
<td>- Agriculture and Forestry Resources</td>
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<tr>
<td></td>
<td>- Energy</td>
<td>- Mineral Resources</td>
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</table>
OVERVIEW OF DRAFT EIR FINDINGS

<table>
<thead>
<tr>
<th>Significant Unavoidable</th>
<th>Less than Significant with Mitigation</th>
<th>Less than Significant Impact</th>
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<tbody>
<tr>
<td>• None</td>
<td>• Air Quality</td>
<td>• GHG Emissions</td>
</tr>
<tr>
<td></td>
<td>• Noise (Operational Traffic &amp; Stationary)</td>
<td>• Population and Housing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Transportation</td>
</tr>
</tbody>
</table>

DRAFT EIR FINDINGS: POPULATION AND HOUSING

- Housing Needs Assessment prepared consistent with Settlement Agreement
- Project would fit within the growth projections identified in the ConnectMenlo EIR and would not directly or indirectly induce unplanned population growth
- Increase in availability of market rate and affordable housing would moderate displacement pressures within surrounding neighborhoods and communities

DRAFT EIR FINDINGS: TRANSPORTATION

- Transportation Impact Analysis prepared consistent with City’s TIA Guidelines
- Project would be consistent with applicable transportation-related plans, ordinances and policies
- Project would not exceed VMT threshold of significance with implementation of the proposed TDM Plan
- Project would not increase design hazards or result in inadequate emergency access
- Non-CEQA LOS Analysis identified project share of improvements to area intersections for compliance with the City’s TIA Guidelines

DRAFT EIR FINDINGS: AIR QUALITY

- Health Risk Assessment (HRA) prepared consistent with ConnectMenlo EIR Mitigation Measures
- BAAQMD’s Basic Construction Measures would be implemented, consistent with ConnectMenlo EIR Mitigation Measures
- Project would not exceed regional air quality emissions thresholds during operation
- Project would locate future residents near existing sources of toxic air contaminants, requiring mitigation measures to reduce the levels of indoor particulate matter to levels below the BAAQMD health risk thresholds
DRAFT EIR FINDINGS: GREENHOUSE GAS EMISSIONS

• BAAQMD’s Basic Construction Measures would be implemented, consistent with ConnectMenlo EIR Mitigation Measures
• Project would not exceed total annual service population thresholds during operation
• Project would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions, including the Climate Action Plan

DRAFT EIR FINDINGS: NOISE

• Project would generate new stationary and mobile sources of noise in the vicinity, but this increase would not exceed established standards
• Building design measures would be implemented to reduce interior noise impacts in compliance with City noise standards and consistent with ConnectMenlo EIR Mitigation Measures

PROJECT ALTERNATIVES

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Characteristics</th>
<th>Impacts Reduced</th>
<th>Mitigation Measures Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Project</td>
<td>• No modifications to the project site</td>
<td>• All project impacts would be avoided</td>
<td>• None</td>
</tr>
<tr>
<td>Base Level</td>
<td>• 28 residential units</td>
<td>• Population and Housing (population growth)</td>
<td>• All mitigation measures would still be required</td>
</tr>
<tr>
<td></td>
<td>• 6,000 square feet ground floor commercial</td>
<td>• Air Quality (construction-period emissions)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Four-story, 50-foot-tall building</td>
<td>• Noise (vibration)</td>
<td></td>
</tr>
<tr>
<td>Maximum Buildout</td>
<td>• 105 residential units</td>
<td>• None</td>
<td>• All mitigation measures would still be required</td>
</tr>
<tr>
<td></td>
<td>• 10,000 square feet ground floor commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Eight-story, 95-foot-tall building</td>
<td></td>
<td></td>
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</tbody>
</table>

PUBLIC COMMENT

Written comments on the Draft EIR can be submitted until Tuesday, February 2 before 5:00 p.m. to:

Payal Bhagat, City of Menlo Park, Community Development Department, Planning Division
701 Laurel Street, Menlo Park CA 94025
PBhagat@menlopark.org
650-330-6702
PROJECT ENTITLEMENTS HISTORY

- November 2016: Initial Discussions with Planning Staff
- March 2017: Conceptual Plans to Planning Staff
- December 2017: Development Review Meeting with Various City Departments
- June 2018: Planning Commission Study Session # 1
- June 2019: Planning Commission Study Session # 2

PROJECT HIGHLIGHTS

Changes From 2nd Planning Commission Study Session (June 2019)

- BMR Proposal Distributed Across Moderate (5), Low & Very Low.
- Community Amenities Proposal: 2 Additional BMR Units, plus Café previously discussed.
- Increased # of EVSE Stalls to 22 (35% more than required), with all other stalls pre-wired.
- Reduced parking stalls to 109 (whereas 158 is allowed), while maintaining maximum bicycle parking.
- Changed primary façade color from blue to gray.
PROPOSED PROJECT

- 105 DWELLING UNITS
- MIX OF UNIT TYPES
  - 14% (15) STUDIO
  - 70% (79) 1 BED
  - 10% (11) 2 BED
- 116 BEDROOMS
- 14 ON-SITE AFFORDABLE UNITS
- 746 SF RETAIL
- REQUIRED PARKING
  - MIN: 105 STALLS (1.0)
  - MAX: 158 STALLS (1.5)
- PROVIDED PARKING
  - 109 STALLS (1.04)
- 3,126 SF PUBLIC OPEN SPACE PLAZA
- 160 INTERIOR RESIDENT BIKE PARKING
- 17 EXTERIOR SHORT-TERM BIKE PARKING
FOURTH FLOOR

- BUILDING STEPBACK
- PRIVATE & COMMON COURTYARD
- RESIDENTIAL

EIGHTH FLOOR

- ROOF DECK
- ROOFLINE ARTICULATION
- CLUB ROOM
- RESIDENTIAL

MATERIAL BOARD
### Community Amenity Value Comparison

<table>
<thead>
<tr>
<th></th>
<th>111 Independence (A)</th>
<th>Other Project (B)</th>
<th>Comparison (A/B)</th>
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</thead>
<tbody>
<tr>
<td>GFA</td>
<td>96,055</td>
<td>471,986</td>
<td>20%</td>
</tr>
<tr>
<td>Community Amenity Value</td>
<td>$2,550,000</td>
<td>$8,900,000</td>
<td>29%</td>
</tr>
</tbody>
</table>

111 Independence C.A. Value if Proportional with Other Project: $1,780,000

- 20% of $8,900,000

### All Proportional Costs Should Be Included

- Land Costs
- Common Area Costs (Fitness Room, Pool, Club Rooms, Dog Wash, etc.)
- All Infrastructure Costs (Foundation, Sitework, Landscaping, Roof, etc.)