



REGULAR MEETING AGENDA

Date: 07/11/2022
Time: 7:00 p.m.
Meeting Location: Zoom.us/join – ID# 871 4022 8110

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

Teleconference meeting: In accordance with Government Code section 54953(e), and in light of the declared state of emergency, all members of the Planning Commission, city staff, applicants, and members of the public will be participating by teleconference.

How to participate in the meeting

- Submit a written comment online up to 1-hour before the meeting start time:
PlanningDept@menlopark.org *
- Access the meeting real-time online at:
zoom.us/join – Meeting ID# 871 4022 8110
- Access the meeting real-time via telephone (listen only mode) at:
(669) 900-6833
Regular Meeting ID # 871 4022 8110
Press *9 to raise hand to speak

*Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the Planning Commission at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.

- Watch the meeting
 - Online:
menlopark.org/streaming

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, the format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the City's website www.menlopark.org. The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information (menlopark.org/agenda).

Regular Meeting

A. Call To Order

B. Roll Call

C. Reports and Announcements

D. Public Comment

Under “Public Comment,” the public may address the Commission on any subject not listed on the agenda, and items listed under Consent Calendar. Each speaker may address the Commission once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The Commission cannot act on items not listed on the agenda and, therefore, the Commission cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

E. Consent Calendar

E1. Approval of minutes from the March 14, 2022, Planning Commission meeting. ([Attachment](#))

E2. Architectural Control/D. Michael Kastrop/2900 Sand Hill Road: Request for architectural control to construct new pedestrian and vehicle entry gates and modify fencing at the existing Sharon Heights Golf and Country Club parking lot entrance along Sand Hill Road in the OSC (Open Space and Conservation) zoning district. The project also includes modifications to the layout of the parking lot. ([Staff Report #22-034-PC](#))

F. Public Hearing

F1. Use Permit/Larry Kahle/176 E Creek Drive: Request for a use permit to construct first and second story additions and interior alterations to an existing nonconforming one-story, single-family residence on a substandard lot with regard to lot width in the R-1-S (Single Family Suburban Residential) zoning district. The proposed work would exceed 50 percent of the replacement value of the existing nonconforming structure in a 12-month period. The proposal would also exceed 50 percent of the existing floor area and is considered equivalent to a new structure. ([Staff Report #22-035-PC](#))

F2. Use Permit/Alejandro Salinas/900 Willow Road: Request for a use permit to allow the sale of beer, wine and distilled spirits for off-premises consumption at an existing convenience store, in the C-4 (General Commercial) zoning district. ([Staff Report #22-036-PC](#))

F3 and G1 are associated items with a single staff report

F3. Draft Environmental Impact Report (Draft EIR) Public Hearing/Peter Tsai for The Sobrato Organization/162-164 Jefferson Drive (Commonwealth Building 3 Project): Public hearing to receive comments on the Draft EIR to redevelop the project site with a new approximately 249,500 square-foot four-story office building, an approximately 404,000 square-foot four-story parking structure (with five-levels), and publicly accessible open space on a 13-acre parcel. The project site contains two existing office buildings, encompassing approximately 259,920

square feet of gross floor area, which are proposed to remain. The project site is located in the O-B (Office-Bonus) zoning district. The proposed project would demolish existing surface parking and landscaping to accommodate the new office building and parking structure. The total gross floor area of office use on the site would be approximately 509,420 square feet with a floor area ratio of 88%. The proposed project includes a request to modify the City's bird friendly design standards. The proposal includes a request for an increase in height and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The applicant has proposed to pay the in-lieu fee to satisfy its community amenity obligation. To comply with the City's below market rate (BMR) requirements for commercial projects, the applicant has proposed to pay the BMR commercial linkage in-lieu fee. The proposed project also includes a request for the use of hazardous materials (diesel fuel) for an emergency backup generator. An Initial Study (IS) and Notice of Preparation (NOP) were released on May 24, 2019, and included a public review period from May 24, 2019 through June 28, 2019, to evaluate the potential environmental impacts of the proposed project and determine what level of additional environmental review would be appropriate. In accordance with Section 15168 of the CEQA Guidelines, the project-level IS was prepared to disclose the relevant impacts and mitigation measures addressed in the certified program-level ConnectMenlo EIR and discuss whether the project is within the parameters of the ConnectMenlo EIR or if additional analysis would be necessary. Based on the findings of the IS and consistent with the settlement agreement between the City of Menlo Park and the City of East Palo Alto, a Draft EIR was prepared to address potential physical environmental effects of the proposed project in the following areas: population and housing, transportation, air quality, greenhouse gas emissions, noise, cultural resources and tribal cultural resources, biological resources, and utilities and service systems. The Draft EIR does not identify any significant and unavoidable environmental impacts from the proposed project. The City is requesting comments on the content of this focused Draft EIR. The project location does not contain a toxic site pursuant to Section 6596.2 of the Government Code. ([Staff Report #22-037-PC](#))

G. Study Session

- G1. Study Session/Peter Tsai for The Sobrato Organization/162-164 Jefferson Drive (Commonwealth Building 3 Project):
Request for a study session for a proposal to redevelop the project site with a new approximately 249,500 square-foot four-story office building, an approximately 404,000 square-foot four-story parking structure (with five-levels), and publicly accessible open space on a 13-acre parcel. The project site contains two existing office buildings, encompassing approximately 259,920 square feet of gross floor area, which are proposed to remain. The project site is located in the O-B (Office-Bonus) zoning district. The proposed project would demolish existing surface parking and landscaping to accommodate the new office building and parking structure. The total gross floor area of office use on the site would be approximately 509,420 square feet with a floor area ratio of 88%. The proposed project includes a request to modify the City's bird friendly design standards. The proposal includes a request for an increase in height and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The applicant has proposed to pay the in-lieu fee to satisfy its community amenity obligation. To comply with the City's below market rate (BMR) requirements for commercial projects, the applicant has proposed to pay the BMR commercial linkage in-lieu fee. The proposed project also includes a request for the use of hazardous materials (diesel fuel) for an emergency backup generator. ([Staff Report #22-037-PC](#))

H. Informational Items

H1. Future Planning Commission Meeting Schedule – The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.

- Regular Meeting: July 25, 2022
- Regular Meeting: August 11, 2022

I. Adjournment

At every regular meeting of the Planning Commission, in addition to the public comment period where the public shall have the right to address the Planning Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during the Planning Commission's consideration of the item.

At every special meeting of the Planning Commission, members of the public have the right to directly address the Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the Planning Commission by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at jaherren@menlopark.org. Persons with disabilities, who require auxiliary aids or services in attending or participating in Planning Commission meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 07/6/2022)



REGULAR MEETING AGENDA DRAFT MINUTES

Date: 03/14/2022
Time: 7:00 p.m.
Meeting Location: Zoom.us/join – ID# 871 4022 8110

A. Call To Order

Chair Michael Doran called the meeting to order at 7:01 p.m.

At Chair Doran’s request, Assistant Planner Chris Turner explained how applicants and the public would be able to participate in the virtual meeting.

B. Roll Call

Present: Andrew Barnes, Chris DeCardy (Vice Chair), Michael Doran (Chair), Camille Gonzalez Kennedy, Cynthia Harris, Henry Riggs, Michele Tate

Staff: Fahteen Khan, Assistant Planner; Kyle Perata, Acting Planning Manager; Corinna Sandmeier, Acting Principal Planner; Chris Turner, Assistant Planner

C. Reports and Announcements

None

D. Public Comment

None

E. Consent Calendar

E1. Approval of minutes from January 10, 2022, Planning Commission meeting (continued from February 28, 2022). (Attachment)

January 10, 2022 Planning Commission meeting minutes were continued from the February 28, 2022 Planning Commission meeting for correction.

ACTION: M/S (Henry Riggs / Camille Gonzalez Kennedy) to approve as submitted, passed 6-0-1 with Commissioner Michele Tate abstaining.

F. Public Hearing

F1. Use Permit and Variance/Scott Landry/628 Cambridge Avenue: Request for a use permit to remodel and construct first-floor additions to an existing nonconforming, one-story residence on a substandard lot with regard to minimum lot width and area in the R-2 (Low Density Apartment) zoning district. The proposed work would exceed 50 percent of the existing



replacement value in a 12-month period and requires use permit approval. Additionally, the proposal includes a request for a variance to construct additions within the required right-side setback. (Staff Report #22-015-PC)

Staff Comment: Assistant Planner Fahteen Khan said a support letter from a neighbor for the project had been shared with the Commission and public, noting it had been received after publication of the staff report.

Applicant Presentation: Aaron Wirth, Studio 101 Designs, said in addition to the need for use permits, the application had a variance request on the northside for a 50% setback reduction.

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

Commission Comment: Chair Doran said variance requests needed to meet a high standard but he thought this a fairly unique case. He said it was an R-2 zone lot with a single-family residence in a fairly high density neighborhood. He said he hoped they could find a way to approve the request.

Commissioner Kennedy said the home was one of two bungalows that originally had been alike. She said the creativity with which the property owners had invested on a previous remodel was remarkable. She said in this neighborhood where so little of the original character remained those houses were unique and spoke to a different time. She said it also spoke to people's desire to live in a modest amount of space that fit their family's needs. She said this was a situation that supported a variance request.

Commissioner Cynthia Harris said the valuation for the work was based on \$200 per square foot, and asked how that was determined and how often it was reviewed as that was a factor leading to the need for Planning Commission review. Planner Khan said the valuation was from the Building Department and was used for all nonconforming residential projects in Menlo Park. She said she could get the information as to when last that value was set.

Acting Principal Planner Corinna Sandmeier said she did not think the number had been updated recently. She said however the value for new work had not been updated either so it did not necessarily mean more use permits would be needed. Commissioner Harris asked if someone could get back to her or refer her to someone to ask.

Commissioner Riggs moved to approve the project as recommended and make the findings for the variance. Commissioner Kennedy seconded the motion.

ACTION: M/S (Riggs/Kennedy) to approve as recommended in the staff report; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act 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. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the approval of the variance:
 - a. The subject site is not a typical, substandard lot with a width of 50 feet, but instead has a width of 32.5 feet, with the access easement taking up approximately two feet of width. The combination of the narrow lot width and the existing access easement creates a unique hardship not created by an act of the owner.
 - b. The requested variance is necessary for the continued enjoyment of the home to retain the existing floor plan and create functional space that would create additional useable space for the property owners.
 - c. The proposed encroachment of the right-side addition would not be detrimental to the public health, safety, and welfare, or impair an adequate supply of light and air to the adjacent properties. The encroachment would be one-story and modest in size, and the remodeled and expanded residence would comply with the maximum building coverage, floor area limit, daylight plane, and building height.
 - d. The lot's narrow width and the access easement shared between the neighbors creates a unique situation. Because the variance would allow a reduced setback from the access easement instead of the right-side property line, the revised setback would be based on the unique conditions of the parcel, which would not be applicable, generally, to other properties within the same zoning classification.
 - e. The property is not within any Specific Plan area. Hence, a finding regarding an unusual factor does not apply.
4. Approve the use permit and variance 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 (by March 14, 2023) for the use permit to remain in effect.
 - b. Development of the project shall be substantially in conformance with the plans prepared by Studio 101 Designs, consisting of 12 plan sheets, dated received February 17, 2022, and approved by the Planning Commission on March 14, 2022, except as modified by the conditions contained herein, subject to review and approval by 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.
5. Approve the use permit and variance subject to the following **project-specific** condition:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised topographic and boundary survey showing existing setbacks, from the property line to the existing buildings, subject to review and approval of the Planning Division.

G. Presentation Item

- G1. Receive a presentation from Planning staff on recently approved and currently proposed Bayfront projects.

Staff Presentation: Acting Planning Manager Kyle Perata presented on all development projects in the Bayfront area. He provided an overview map of the Bayfront Area Zoning that included Office, Residential Mixed Use and Life Science districts. He said for purposes of the presentation Willow Road would be considered as running north to south so projects would be identified as either east of Willow Road or west of it. He said the map also showed paseos throughout the zone.

Projects West of Willow Road

Mr. Perata reported on the 111 Independence Drive, Menlo Portal, and 123 Independence Drive projects, noting those were residential mixed-use projects, and on a proposed hotel along Haven Avenue. He said all of the projects the City was currently reviewing in the Bayfront Area were at the bonus level, proposed at a higher level of density, intensity or height in exchange for community amenities, except for the Hotel Moxy, which was at base level.

111 Independence Drive

Mr. Perata said this project was approved by the Planning Commission April 2021. He showed a rendering, noting it was 105 dwelling units of studio, one-bedroom and two-bedroom sizes with a mix

of 14 below market rate (BMR) units at various levels of affordability, and four additional BMR units and a ground floor café as community amenities that were approved by the Planning Commission.

Menlo Portal

Mr. Perata said next to the 111 Independence Drive project was the Menlo Portal project. He provided a view showing this project in relationship to 111 Independence Drive. He said the Menlo Portal project was a mix of 335 dwelling units, 34,499 square feet of office, and an additional 1,600 square feet of commercial space. He said the project provided 15% BMR or 48 BMR units at various levels of affordability. He said the project was approved by the Planning Commission in the summer of 2021. He said that approval was appealed to the City Council; the Council upheld the Commission's approval. He said the community amenity was a proposed childcare center with an option to pay an in-lieu fee. He said the applicant paid the in-lieu fee prior to starting construction and the project was under construction. He provided a view of the area and the project for context. He said this project was adjacent to the 111 Independence Drive project and the respective applicants for those projects were working together on some shared access. He said although not an official paseo there was some shared access to provide a pedestrian / bicycle connection between Independence and Constitution drives.

Hotel Moxy

Mr. Perata said this was a non-bonus level project located at Haven where Haven bent off Marsh Road and Bayfront before going north along Highway 101. He said it was a 163-room hotel with a coffee shop on the ground floor open to the public, bar and restaurant areas on the 4th floor also open to the public, and an outdoor rooftop garden also publicly accessible directly from Haven Avenue without going through the hotel lobby. He said this project was under review currently.

Menlo Uptown

Mr. Perata said this project was a mix of apartments and for sale townhomes with a paseo in the middle. He said it included 493 dwelling units including studio, 1-, 2-, 3- and 4- bedroom unit sizes, 73 BMR units at various levels of affordability, an onsite Ravenswood Family Health Network urgent care center as the community amenity, and provision of a paseo from the adopted Zoning map connecting Independence and Constitution Drives. He said the project was under construction.

Menlo Flats

Mr. Perata said this project shared a common property line with Menlo Uptown. He said it included 158 dwelling units including studio and 4-bedroom unit sizes, 13,400 square feet of office use and 1,600 square feet of commercial use, and 21 BMR units at various levels of affordability. He said the Final EIR was proposed to be released March 16, 2022 and would then come to the Planning Commission for review on March 28, 2022. He said the project proposed community amenity was an in-lieu fee payment of \$4,840,000. He said the project would provide a portion of a paseo from the adopted Zoning map.

Commonwealth Building 3

Mr. Perata said this was an office project just under 250,000 square feet and was the third building on the Commonwealth Corporate Center located at 162 Jefferson Drive. He said the total campus with this project and the two other buildings would be 509,420 square feet of office space. He said it included some publicly accessible open space and a paseo along the southern edge of the project. He said the project was in review and staff was starting the process to develop the draft EIR.

123 Independence Drive

Mr. Perata said this residential project had 316 studio, 1- and 2-bedroom apartment units, and 116 for sale townhomes. He said 48 apartment units and 18 for sale townhomes were provided as BMR units at mixed income levels. He said it included a paseo connecting Constitution Drive and Independence Drive and a publicly accessible park along the paseo. He said the project was currently under review.

Projects East of Willow Road

Mr. Perata said he would focus first on the life science projects along O'Brien Drive. He said 1005 O'Brien Drive (also referred to as 1320 Willow Road) was one of the newest submittals along with the 1030 O'Brien Drive project on the south side of O'Brien Drive. He said earlier he had indicated that all of the projects were bonus level in the Bayfront except for the hotel. He said that was incorrect. He said the recently submitted 1030 O'Brien Drive project was base level and there was no bonus level zoning available on the life science properties.

1005 O'Brien Drive / 1320 Willow Road

Mr. Perata said this project currently under review was a proposed 228,262 square feet of Research and Development (R&D) in two buildings, a six-story parking structure, and construction proposed in two phases with a potential 10-year buildout.

CSBIO Phase 3

Mr. Perata said this project currently under review was a proposed approximately 100,000 square feet R&D / office building with approximately 10,000 square feet of ground floor restaurant space. He said a portion of the 20 Kelly Court building was to remain and the low rise portion of 20 Kelly Court was to be demolished. He said the project was in the environmental review phase.

1125 O'Brien Drive

Mr. Perata said this project was adjacent to the aforementioned CSBio project. He said the proposed project was an approximately 132,000 square feet life sciences building with ground floor commercial space. He said development included the 1 Casey Court parcel proposed to be used for surface level parking. He said the project was currently in the environmental review phase.

Willow Village

Mr. Perata said the Planning Commission heard a presentation on Willow Village in January 2022. He said the proposal was approximately 1,730 dwelling units, 1.6 million square feet of office and accessory use with a maximum of 1.25 million square feet of office and 350,000 square feet for accessory uses. He said 200,000 square feet of retail / non-office commercial use as proposed currently included grocery store, pharmacy, entertainment and restaurant uses. He said also proposed was a 193-room hotel on site.

Mr. Perata said the project proposed bicycle and pedestrian access including an elevated park across Willow Road, a Willow Road tunnel, and a paseo adopted from the Zoning map between 1350 Adams Court and the Willow Village project sites and proposed completely on the Willow Village site. He said publicly accessible open space through the project proposal included a 3.5-acre park, dog park, a town square, and the previously mentioned elevated park. He said offsite improvements included Hamilton Avenue parcels and a proposed realignment of Hamilton Avenue to create a new intersection on Willow Road with better design angles for line of sight and access

that would allow for the potential expansion of retail uses on the Hamilton Avenue parcel north and reconstruction of the Chevron service station on the south parcel.

1350 Adams Court

Mr. Perata said this project was adjacent to Willow Village and was a 260,000 square feet proposed life science building. He said it was located on the undeveloped northern portion of the 1350 or 1305 O'Brien Drive parcel. He said an existing life science building would remain on the site. He said the project was in the environmental review phase and release of a draft EIR was anticipated in the near future.

Mr. Perata said that concluded the presentation.

Questions of Staff: Chair Doran said two hotels were proposed in the Bayfront – the Hotel Moxy along Haven Avenue and the other within the Willow Village project. He said he understood the zoning did not allow two hotels in that district and only one could be built.

Mr. Perata said both hotels could be built. He said the General Plan update studied up to 400 hotel rooms in the Bayfront area. He said the proposed hotel on the Willow Village project and the Hotel Moxy were below the total room cap at 396 units but he would need to look that up. He said currently the number of rooms proposed was within the development potential studied in the EIR and identified in the General Plan update. He said both hotels would require discretionary review for architectural control and use permit because they were not located on parcels with hotel use permitted by right.

Chair Doran asked whether the 400 room limit needed to include the 240 hotel rooms for the Citizen M Hotel. Mr. Perata said it counted the 40 rooms that were added as part of the conditional development permit amendment. He said the other 200 rooms were permitted for the original conditional development permit for the campus expansion project or the Meta West Campus buildings at 21 and 22. He said those and the hotel were prior to the General Plan update.

Chair Doran said if those 40 rooms were included in the 400 room cap that those with the number of rooms proposed in this area would exceed the cap. Mr. Perata said he reviewed his math and that it was 396 rooms total including those 40 rooms.

Commissioner Riggs said that he did not hear the 1030 O'Brien Drive project reviewed. Mr. Perata said that proposal had just been received. He said he would look it up and provide information in a bit.

Commissioner Tate said in the earlier stages of getting feedback from the community and doing outreach for Willow Village there was a lot of talk about doing a flyover and roads all over the place for buses and such. She said while she was glad that was not happening, she thought they should look at putting a road in the life sciences and Willow Village area that would go directly to Bayfront expressway. She said she was not sure who to petition about that, but was definitely something that needed review at this stage. She said Tarlton Properties were opening up some streets from East Palo Alto into their area in the life sciences district for smooth access. She said it would release much pressures off of Willow Road and neighbors and University Avenue if there was a road that just went straight through and asked how they could make sure that was considered.

Mr. Perata noted this was a presentation item and he wanted to answer the question but needed to be cautious not to have dialogue on something not on the agenda. He said the Willow Village project and other ones would be coming back to the Planning Commission for study sessions for their public hearings for environmental review where such questions and comments could be raised and discussed. He said with all the projects that had not been approved yet by the Planning Commission or City Council there would be opportunities to review the entitlements, environmental review and the general designs through a public hearing and/or a study session.

Commissioner DeCardy said looking at individual projects he thought on one level they had a plan that was supposed to be in place for development over decades and that development was being condensed. He said that was creating pressure on the community. He said it was also a great opportunity to make sure that development worked in concert on behalf of community. He said part of the plan on the other side had paseos and developers had to pay attention to those and noted the example of two developers working together informally on accessibility. He said with the projects on the east side of Willow Road he asked how staff and the Planning Commission were supposed to look at those intersections when only looking at one project at a time. He referred to Commissioner Tate's question, which was great, and that idea might or might not be relevant to the Willow Village discussion but might be tangential to every project, and material potentially across all the projects. He said it was hard to understand connectivity when just considering individual projects on the east side of Willow Road.

Mr. Perata said staff looked at projects in the context of neighboring proposed projects, at the plan and design requirements, and how to work under the Plan with the applicant to either improve or enhance some connectivity. He said in terms of the second part of the Commissioner's question, he wanted to be careful to answer clarifying questions and not have a dialogue. He said he thought the message was to provide information in the staff report to help the Commission understand the connectivity and context of that within the larger area. He said he could take that feedback to staff.

1030 O'Brien Drive

Mr. Perata said the proposed project of multiple buildings was approximately 86,000 square feet of R&D space. He said that was at the maximum 55% Floor Area Ratio (FAR) for Life Sciences R&D zoning. He said there was a small commercial component of approximately 2,000 square feet and that was allowed above the 55% FAR maximum.

Commissioner Harris said she also had questions about how to look at this area in its entirety. She said she appreciated the presentation and visual display of where paseos were. She said it was hard when it was shown on different pages to see them as a whole. She asked if there was a way that they could see all of it to see where it connected and where the missing pieces were. She suggested if that could be shown on a map that to Commissioner DeCardy's point that might be brought back to the Commission when considering the individual projects. She said doing that would bring them to Commissioner Tate's point as how to best allow for people to travel in and through the area.

Mr. Perata said they could certainly look into a map that showed the interrelationship among projects. He said this presentation was an opportunity to learn more about each project and the development being proposed, and the scope was not to go into that level of detail. He said they could look at a map or some type of imagery showing the connectivity interrelationship for the City's website and to share with the Commission.

Commissioner Harris said the General Plan update was anticipated development over a 20-year period but it was happening much faster. She referred to the Program EIR for that plan and noted questions about how the determinations in that document might have been different had it assumed a shorter timeframe such as six to 10 years. She asked what might have changed and what mitigations they might be looking at for a shorter time frame. She asked if they could go back and think about other mitigations given how quickly development was happening in the area especially as it was completely surrounding the Belle Haven neighborhood.

Mr. Perata said he would try to answer for informational purposes without veering off the agenda item. He said for each of the projects at the bonus level staff was preparing an environmental impact report and that would look at each project's potential impacts and the cumulative impacts. He said it would identify, even if the time line changed, the cumulative development potential of the current project, projects in the Bayfront area, within ConnectMenlo and take the overall growth and cumulative growth into account. He said each project not at a base level would be required to do an EIR and they would be looking at project specific mitigations which might or might not be the same as those under ConnectMenlo.

Commissioner Harris said that did not take into the account the overall speed at which the Plan was happening. Mr. Perata said it did look at that in terms of certain topic areas as to whether or not the buildout horizon year potentially changed or some other component of it changing that might affect the analysis.

Commissioner Kennedy said six or seven years ago that Meta had prepared a massing model of all of its projects and she thought it included a rendition of Willow Village. She suggested 3-D modeling to help people understand what there was, how it all operated together, and more importantly what connections were missing. She said she was wondering and not to be answered here how as a community and a commission they could look at everything in real space. She said if something like that could be built or done that would be useful specifically around what Commissioner Tate had requested – a new connection to the Bayfront Expressway to alleviate some of the traffic going through the neighborhoods. She said a massing model worked very differently from a map.

Mr. Perata said they would look into how they could better relay the totality of the proposed projects in the Bayfront area. He said maybe they could do something with the images from the applicants' models. He said they had limited resources but they could certainly see what they could do.

Replying to Commissioner DeCardy, Mr. Perata said a project EIR would analyze projects' impacts on the environment and would look at a cumulative analysis, which was the complete buildout of the City in a future year. He said if development had occurred at a different pace that they had referenced whether that affected that analysis or not in the project EIR. He said the project level analysis was not cumulative in the same way. He said they looked at the project and anything that had changed in between the project and the cumulative from ConnectMenlo that would affect the cumulative analysis. He said new projects in the area that had not been incorporated into the Program EIR would affect that analysis. He said they also have looked at whether or not the pace would have affected any of the outcomes of the impacts.

Commissioner DeCardy asked when the Program EIR would be revisited based on changes to impacts. Mr. Perata said he would try to respond based on questions about the projects and not about methodology and CEQA as that was not on the agenda. He said they look at the project analysis in each EIR and refer back to ConnectMenlo. He said things could have changed and

project analysis would be on the ground analysis. He said it would look at some conditions to update where appropriate. He said they had updated models for background conditions like existing traffic conditions in the area that they could use in the project level analysis so there were updates that happened between the program level and the project level. He said areas still applicable from ConnectMenlo were carried forward and they tiered off those analyses and then updated as needed for the project level analysis with any project level metrics or conditions as appropriate.

Commissioner DeCardy asked how they looked at the Hetch-Hetchy right of way as there had been references in projects they had seen that was where the public use space would be. He asked how they were to make sense of the potential use of the Hetch-Hetchy right of way.

Mr. Perata said staff were exploring all opportunities to utilize that right of way obviously with the approval of the San Francisco Public Utilities Commission (SFPUC) for additional bicycle and pedestrian connections. He said they talked to applicants about it but whether or not that could occur was dependent upon SFPUC approval.

Commissioner DeCardy said it would be helpful in the discussion to have staff able to say whether something the Planning Commission was being told by an applicant was actually completely doable, conjecture or what the steps would be within the context.

Commissioner Barnes asked if they could get Mr. Perata's presentation as it was not a part of the agenda packet. Mr. Perata said it would be made available with the minutes and provided to the Commission and the public.

Chair Doran opened for public comment.

Public Comment:

- Pamela Jones, Menlo Park, District 1, said she was appreciative that this information and discussion was finally occurring as it was critical to how they would move forward. She said all the information requested this evening particularly with traffic was asked for even before the General Plan update was adopted. She said all the development and zoning was decided so that the developers would be able to do exactly what they were doing now so none of that part was a mystery. She said she very much wanted to see in one place a 3-D picture of the entire District 1 and what it would look like with everything that was occurring or would occur. She said she was certain such modeling programs could be purchased. She suggested reaching out to schools offering planning degree programs to do this as she understood staff's resources were limited. She said there were pieces of this discussion this evening that she had put in writing in a number of EIRs so there would be documentation of these concerns. She suggested people drive through the Bayfront area and look at the Greystar projects now being done and then imagine what it was going to be like when the rest of the projects were completed, considering that every residential unit would have at least one person living in it who would want to go somewhere and would only be able to do so by car or bicycle as there was no public transportation. She said they needed to look at the whole picture.

Chair Doran closed public comment.

Commission Comment: Commissioner Barnes said he wanted to amplify Commissioner DeCardy's comments to have staff weigh in with their expertise whenever feasible on the reality of what

applicants were proposing as accomplishable. He said he thought Mr. Perata had indicated the use of updated models for project level analysis and he was glad to hear that. He said he heard a number of times the suggestion of an acceleration of development through ConnectMenlo. He said in his experience when ConnectMenlo was put together there was not an anticipation of a staging of development. He said there was a horizon established to look at a buildout timeframe. He said within that timeframe there certainly was not a staging per se or a cadence for development. He said that ConnectMenlo was set up to be “first-come, first-served.” He said although it was not an unintended process, they needed to pay attention to it as the cluster of developments came forward.

H. Informational Items

H1. Future Planning Commission Meeting Schedule

- Regular Meeting: March 28, 2022

Planner Sandmeier said the March 28 agenda would have a two-unit development on Bay Road, Final EIR and entitlements for Menlo Flats project, and a study session on the Parkline project, which was a proposal to redevelop the SRI campus.

- Regular Meeting: April 11, 2022

J. Adjournment

Chair Doran adjourned the meeting at 8:21 p.m.

Staff Liaison: Corinna Sandmeier, Acting Principal Planner

Recording Secretary: Brenda Bennett



STAFF REPORT

Planning Commission

Meeting Date: 7/11/2022

Staff Report Number: 22-034-PC

Consent Calendar: Architectural Control/Sharon Heights Golf and Country Club/2900 Sand Hill Road

Recommendation

Staff recommends that the Planning Commission approve a request for architectural control to construct new pedestrian and vehicle entry gates and modify fencing at the existing Sharon Heights Golf and Country Club parking lot entrance along Sand Hill Road in the OSC (Open Space and Conservation) zoning district. The project also includes modifications to the layout of the parking lot. A draft resolution, including the recommended conditions of approval, is included as Attachment A.

Policy Issues

Each architectural control request is considered individually. The Planning Commission should consider whether the required architectural control findings can be made for the proposal.

Background

Site location

The Sharon Heights Golf and Country Club (SHGCC) is located at 2900 Sand Hill Road, near the junction of Interstate 280 and Sand Hill Road in the OSC (Open Space and Conservation) zoning district. The golf course and associated facilities are located on multiple contiguous properties comprising approximately 111 acres on property that is owned or leased by SHGCC.

The SHGCC encircles the multi-building office development located at 3000 Sand Hill Road, which is zoned C-1-C(X) (Administrative, Professional and Research District, Restrictive – Conditional), the townhome developments located along Sand Hill Circle, which are zoned R-2(X) (Low Density Apartment District – Conditional), and the townhome and condominium developments located at the western terminus of Sharon Park Drive, which are zoned R-3-A(X) (Garden Apartment Residential District– Conditional). Single-family residences, located within the Town of Atherton, are located to the north of the project site.

The Sharon Heights neighborhood and Sharon Park are located to the east of the SHGCC, containing a mixture of lower density residential zoning, including properties that are zoned R-1-S (Single Family Suburban Residential) and R-E-S (Residential Estate Suburban). To the southeast, several commercial offices are located along the northern side of Sand Hill Road that are zoned C-1-C (Administrative, Professional and Research, Restrictive), and the Rosewood Sand Hill hotel complex is located along the southern side of the street, zoned C-4(X) (General Commercial – Conditional). The SLAC National

Accelerator Laboratory is also located across Sand Hill Road, in Unincorporated San Mateo County. A location map is included as Attachment B.

Analysis

Background

Since 1962, the Sharon Heights Golf and Country Club (“SHGCC”) has been operating a private recreational facility on an approximately 111-acre site consisting of multiple contiguous parcels. Recreational facilities at the subject site include an 18-hole golf course, tennis courts, a swimming pool, clubhouse, restaurant, and associated facilities. Use of these facilities is generally restricted to club members. In 2000, SHGCC received use permit approval to construct its current clubhouse.

In March 2012, SHGCC received a use permit to allow for the annual Fourth of July Celebration event to occur at the site, including a fireworks display, children’s carnival, and amplified music. In August 2012, SHGCC received use permit and architectural control approval to construct a new maintenance yard and to store and use hazardous materials. In September 2013, SHGCC received a use permit revision to allow a membership increase from 550 to 680 members. In March 2015, SHGCC received a use permit revision and architectural control approval to allow an expansion of the clubhouse facilities, including an addition to the existing clubhouse building, demolition of an existing pool building, construction of a new pool building with indoor and outdoor dining areas, and construction of a new movement building for fitness classes and wellness activities.

The subject site currently has two parking lots, including the eastern (main) parking lot at the clubhouse and a secondary parking lot at the tennis courts, both of which are accessed through the Sand Hill Road frontage road. The main parking lot contains 218 parking spaces, including 13 tandem spaces, and the secondary parking lot contains 35 parking spaces. The tandem spaces were created as part of the expansion of the clubhouse facilities, which included the removal of 10 regular parking spaces and the creation of 13 tandem spaces, for a net increase of three parking spaces.

Project description

The applicant is requesting to complete a series of fencing and landscape improvements to enhance security and vehicular access to the main parking lot adjacent to the clubhouse and main entrance. No changes in gross floor area (GFA) or building details for the project site are proposed. The project plans and the applicant’s project description letter are included as Attachments C and D, respectively.

Per the project plans and project description letter, the proposed modifications involve the following:

- Landscape changes at the entrance driveway to accommodate a three-gate entrance and exit system facing Sand Hill Road;
- Landscape changes along the eastern side of the main parking lot, with some parking space relocation;
- Changes to landscape planters to accommodate emergency vehicle access and create new parking spaces; and
- Installation of three tandem spaces to accommodate the loss of three regular spaces, with the replacement tandem spaces to be located to the west of the 13 existing tandem spaces along the southern edge of the main parking lot.

Per the project description letter, the applicant states that a system of three gates would be installed to offer two entrance pathways (one for guests and one for members) and one exit pathway to the main parking lot. The gates, by default, would be closed and only accessible by a badge, or a pin entry on a keypad. The applicant also states that security staff would use a video intercom system to assist patrons with access, as no staff are proposed at the gates. For pedestrian access to the golf course, a separate chain-link gate is proposed in the northeast corner of the main parking lot, utilizing a coded entry lock for employee access.

To accommodate adequate emergency vehicle access for the main parking lot, landscape improvements within the main parking lot are also proposed. Along the eastern portion of the lot, new landscaping and curbs are being proposed to accommodate the necessary drive aisle widths upon entering, requiring the removal of six parking spaces. A landscape island near the northeast corner of the lot would be moved slightly to the east to accommodate two new standard parking spaces, and an additional new space is proposed near the northeast corner of parking lot. The applicant is also proposing to construct three new tandem spaces that would be located adjacent to 13 existing tandem spaces. The applicant has clarified in their project description letter that the parking lot is generally half-full, and on the select special occasions when the parking lot is closer to capacity, the tandem spaces are used only through a valet service. The tandem spaces and the valet service, are not used on a regular basis.

Combined, these 16 tandem spaces, which include the 13 existing and three new spaces, would be required to be constructed of permeable pavers and would feature unique posts, chains, and signage to distinguish the spaces from standard parking spaces. (These features were included for the original 13 tandem spaces in the plan set that was approved by the Planning Commission on March, 9, 2015.) The Engineering and Transportation Divisions have reviewed this proposal and expressed no concerns.

Staff is not aware of any complaints from the neighbors or the community about insufficient parking supply on the site, or any overflow of parking into neighboring streets. Although tandem spaces are not typically permitted, staff believes they would function adequately on the subject site, given the unique attributes of a country club with regard to the provision of valet parking.

Design and materials

The proposed project would involve installation of a wrought-iron gate and fencing system at the front entrance to the main parking lot at SHGCC. The proposed design elements would include black wrought iron for the gates supported by CMU columns with stone veneer finishes and copper caps to mark the varying three pathways (two for entrance and one for exit). New concrete islands with curbs would be constructed between the entry and exit lanes for the column placement. To the west of the gates, a wrought-iron portion of fencing would also be constructed to connect the gate system to the existing chain-link perimeter fencing. The new employee access gate within the main parking lot would contain chain-link fencing.

Staff believes these changes would be consistent with the aesthetic of the existing SHGCC facilities, with materials and colors used to establish a harmony with the appearance of the existing clubhouse building and overall site. Staff believes that the proposed changes are appropriate for this existing development and would be compatible with the SHGCC buildings, namely the clubhouse. Staff believes these changes

would be consistent with the existing building aesthetic and would represent a comprehensive, cohesive aesthetic update within the area of proposed work.

Trees and landscaping

The applicant has submitted an arborist report (Attachment E) detailing the species, size, and conditions of the heritage and non-heritage trees on site. The report discusses the impacts of the proposed improvements, including temporary construction impacts, and provides recommendations for tree maintenance and the protection of some trees, based on their health. As part of the project review process, the arborist report was reviewed by the City Arborist.

Based on the arborist report, there are 27 existing trees located on the property that are within the vicinity of the proposed area of work, comprising seven heritage-sized trees and 20 non-heritage-sized trees. The applicant submitted a Heritage Tree Removal permit application for the removal of three blue gum (*Eucalyptus globulus*) trees (trees #19, 20, and 21). The applicant states that this removal is requested because the redesign of the landscaping and paving, and the construction of the gate and accompanying fencing, would require the removal of these trees, along with several non-heritage trees. Specific placement of the gates has also been determined in coordination with the Menlo Park Fire Protection District, to ensure that adequate emergency vehicle access could be provided. The City Arborist reviewed the application and conditionally approved the removal permit for the three heritage trees based on Criteria 5 (development) of the Heritage Tree Ordinance. There were no appeals to the decision. The applicant is required to replace the full value of the trees and would achieve this by replanting trees on site at an equal value to the appraised value of the trees to be removed. A total of seven replacement trees are proposed, which include three cajuput trees and four Chinese pistache trees.

The arborist report also describes 20 non-heritage trees located within the subject property near the area of work, and 18 of those non-heritage trees are proposed to be removed. These include 13 zelkova trees (trees #3 through 15) and five coast redwood trees (trees #16, 17, 18, 22, and 23).

To protect the trees in the vicinity of the proposed project, the arborist report has identified such measures as tree protection fencing, limiting grading operations to no closer than six times the given tree trunk diameter and requiring hand digging any closer, and root pruning for severed roots greater than one inch in diameter.

All recommended tree protection measures identified in the arborist report would be implemented and ensured as part of condition 11.

Correspondence

Staff has not received any items of correspondence on the proposed project.

Conclusion

Staff believes that the scale, materials, and proposed design would be compatible with the existing SHGCC site and its existing buildings. The proposed project would result in a harmonious fencing improvement that is compatible with other design elements found at the existing clubhouse, and no GFA

changes are proposed. The relocation of three spaces to a tandem configuration is nominal in nature. Staff is not aware of any complaints from the neighbors or the community about insufficient parking supply on the site, or any overflow of parking into neighboring streets. Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

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.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

Appeal Period

The Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

Attachments

- A. Draft Resolution
 - Exhibits to Attachment A
 - a. Project Plans (See Attachment D to this (July 11, 2022) Planning Commission Staff Report)
 - b. Conditions of Approval
- B. Location Map
- C. Project Plans
- D. Project Description Letter
- E. Arborist Report

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings, and exhibits are available for public viewing at the Community Development Department.

Exhibits to Be Provided at Meeting

None

Report prepared by:
Matt Pruter, Associate Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner

July 11, 2022

PLANNING COMMISSION RESOLUTION NO. 2022-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING AN ARCHITECTURAL CONTROL REQUEST TO CONSTRUCT NEW PEDESTRIAN AND VEHICLE ENTRY GATES AND MODIFY FENCING AT THE EXISTING SHARON HEIGHTS GOLF AND COUNTRY CLUB PARKING LOT ENTRANCE IN THE OSC (OPEN SPACE AND CONSERVATION) ZONING DISTRICT

WHEREAS, the City of Menlo Park (“City”) received an architectural control application requesting to construct a new pedestrian and vehicle entry gate, with supporting fencing and landscape modifications, in the OSC (Open Space and Conservation) zoning district (collectively, the “Project”) from D. Michael Kastrop, The Kastrop Group, Inc. (“Applicant”), on behalf of the property owners Sharon Heights Golf and Country Club, Inc., Leland Stanford Junior University, and City and County of San Francisco Water Department (“Owners”), located at 2900 Sand Hill Road (APNs 074-250-280, 074-250-270, 093-471-010, 074-220-330, 074-500-050, 074-232-130, 074-500-300, 074-160-070, 074-250-340, 074-160-050, 073-250-150, 074-250-250, 074-250-290, 093-471-020, 093-480-010, and 074-500-310) (“Property”). The Project architectural control request is depicted in and subject to the development plans which are attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the Property is located in the OSC (Open Space and Conservation) zoning district. The OSC zoning district supports private recreation facilities; and

WHEREAS, the proposed Project complies with all objective standards of the OSC zoning district; and

WHEREAS, the proposed Project was reviewed by the Engineering and Transportation Divisions and found to be in compliance with City standards; and

WHEREAS, the Project requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act (“CEQA,” Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require analysis and a determination regarding the Project’s environmental impacts; and

WHEREAS, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the Project; and

WHEREAS, the Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15303 et seq. (New Construction or Conversion of Small Structures); and

WHEREAS, all required public notices and public hearings were duly given and held according to law; and

WHEREAS, at a duly and properly noticed public hearing held on July 11, 2022, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the Project Revisions.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Menlo Park hereby approves the architectural control request subject to conditions, attached hereto and incorporated herein by this reference as Exhibit B, for the project.

Section 1. Recitals. The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided, and the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

Section 2. Architectural Control Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings, which are made pursuant to Menlo Park Municipal Code Section 16.68.020:

1. That the general appearance of the structure is in keeping with the character of the neighborhood; in that, the Project is designed in an architectural style consistent with the aesthetic of the existing onsite facilities. The materials and forms of the proposed gate, fencing, and parking lot modifications will comply with the OSC zoning district objective standards, be compatible with the architectural style of the previously approved project, and will provide visual interest.
2. That the development will not be detrimental to the harmonious and orderly growth of the city; in that, the project is a fencing and landscaping project. The proposed Project is consistent with all applicable requirements of the City of Menlo Park Municipal Code. The proposed Project is designed in a manner that is consistent with existing and anticipated future development in the area. The proposed gates and separated entry and exit pathways will satisfy all emergency vehicle access requirements. Therefore, the proposed Project will not be detrimental to the harmonious and orderly growth of the city.
3. That the development will not impair the desirability of investment or occupation in the neighborhood; in that, the Project consists of fencing and landscaping modifications consistent with the Municipal Code. The proposed Project is designed in a manner consistent with all applicable codes and ordinances. The proposed materials and colors used for the proposed gate and fencing will be compatible with

the appearance of the existing clubhouse building and overall site. Therefore, the Project would not impair the desirability of investment or occupation in the neighborhood.

4. That the development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking; in that, the proposed Project does not modify the gross floor area of the site, and with the modifications completed, three parking spaces would be reconfigured as tandem spaces, which is a nominal change in parking conditions. The Transportation Division reviewed the proposal and expressed no concerns. Therefore, the Project will provide sufficient on-site parking.
5. That the development is consistent with any applicable specific plan; in that, the Project is not located within a specific plan area. However, the project is consistent with all applicable codes, ordinances, and requirements outlined in the City of Menlo Park Municipal Code.

Section 3. Architectural Control Permit. The Planning Commission approves Architectural Control Permit No. PLN2021-00033, which architectural control is depicted in and subject to the development plans and documents which are attached hereto and incorporated herein by this reference as Exhibit A. The Architectural Control Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit B.

Section 4. ENVIRONMENTAL REVIEW. The Planning Commission makes the following findings, based on its independent judgment after considering the Project, and having reviewed and taken into consideration all written and oral information submitted in this matter:

- A. The Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15303 et seq. (New Construction or Conversion of Small Structures).

Section 5. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project Revisions, shall continue in full force and effect unless amended or modified by the City.

I, Corinna Sandmeier, Acting Principal Planner and Planning Commission Liaison of the City of Menlo Park, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on July 11, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ____ day of July, 2022

Corinna Sandmeier
Acting Principal Planner and Planning Commission Liaison
City of Menlo Park

Exhibits

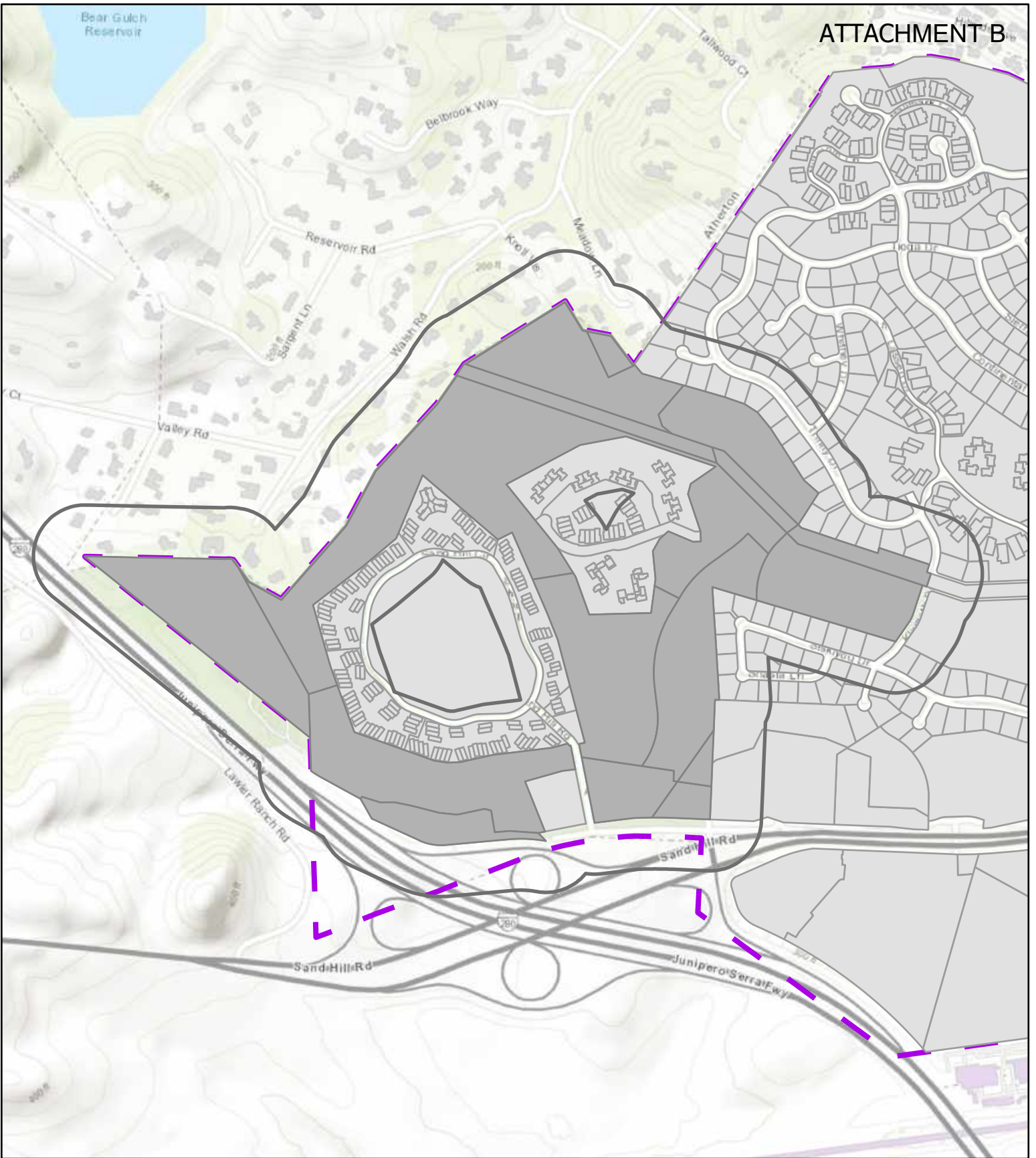
- A. Project Plans
- B. Conditions of Approval

2900 Sand Hill Road – Exhibit B: Conditions of Approval

<p>LOCATION: 2900 Sand Hill Road</p>	<p>PROJECT NUMBER: PLN2021-00033</p>	<p>APPLICANT: D. Michael Kastrop</p>	<p>OWNER: Sharon Heights Golf and Country Club</p>
<p>PROJECT CONDITIONS:</p> <ol style="list-style-type: none"> 1. Development of the Project shall be substantially in conformance with the plans prepared by The Kastrop Group, Inc., attached to the July 11, 2022 Planning Commission staff report as Attachment C, and consisting of 13 plan sheets, dated received June 14, 2022 (hereinafter the “Plans”). The Plans may only be modified by the conditions contained herein, subject to review and approval of the Community Development Director or their designee. 2. All outstanding and applicable fees associated with the processing of this Project shall be paid prior to the issuance of any building permit for the Project. 3. Substantially consistent and minor modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be approved in writing by the Community Development Director or designee, based on the determination that the proposed modification is consistent with other building and design elements of the approved architectural control permit and will not have an adverse impact on the character and aesthetics of the site. The Director may refer any request for revisions to the plans to the Planning Commission. If the Director refers the plans to the Planning Commission, the Director shall provide written documentation of the Director’s determination that the modification is substantially consistent and a member of the Planning Commission may request to discuss these modifications on the next agenda within 72 hours of notification of the modifications by the Community Development Director. A public meeting could be called regarding such changes if deemed necessary by the Planning Commission. Further environmental review and analysis may be required if such changes necessitate further review and analysis pursuant to the California Environmental Quality Act. 4. Major modifications to the development plan which involve material changes, or expansion or intensification of development, may be allowed subject to obtaining an architectural control permit from the Planning Commission. 5. Applicant shall keep the property in a clean and sanitary condition at all times, and maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the City of Menlo Park Municipal Code. 6. The Project shall adhere to all ordinances, plans, regulations, and specifications of the City of Menlo Park and all applicable local, State, and Federal laws and regulations. 7. 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. 8. 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. 9. Prior to issuance of any building permit for the Project, Applicant shall clearly indicate compliance with all conditions of approval on the plans and/or provide written explanations to the Director of Community Development regarding any inability to satisfy all conditions of approval. 10. The applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit, or land use approval 			

2900 Sand Hill Road – Exhibit B: Conditions of Approval

LOCATION: 2900 Sand Hill Road	PROJECT NUMBER: PLN2021-00033	APPLICANT: D. Michael Kastrop	OWNER: Sharon Heights Golf and Country Club
PROJECT CONDITIONS: which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings. 11. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Bartlett Tree Experts, dated received May 20, 2022. 12. Prior to building permit final inspection, the applicant shall install permeable pavers for all 16 tandem parking spaces, and demonstrate physical delineation, posts, chains, and signage, subject to review and approval of the Planning and Transportation Divisions.			



CITY OF MENLO PARK

LOCATION MAP

2900 SANDHILL ROAD

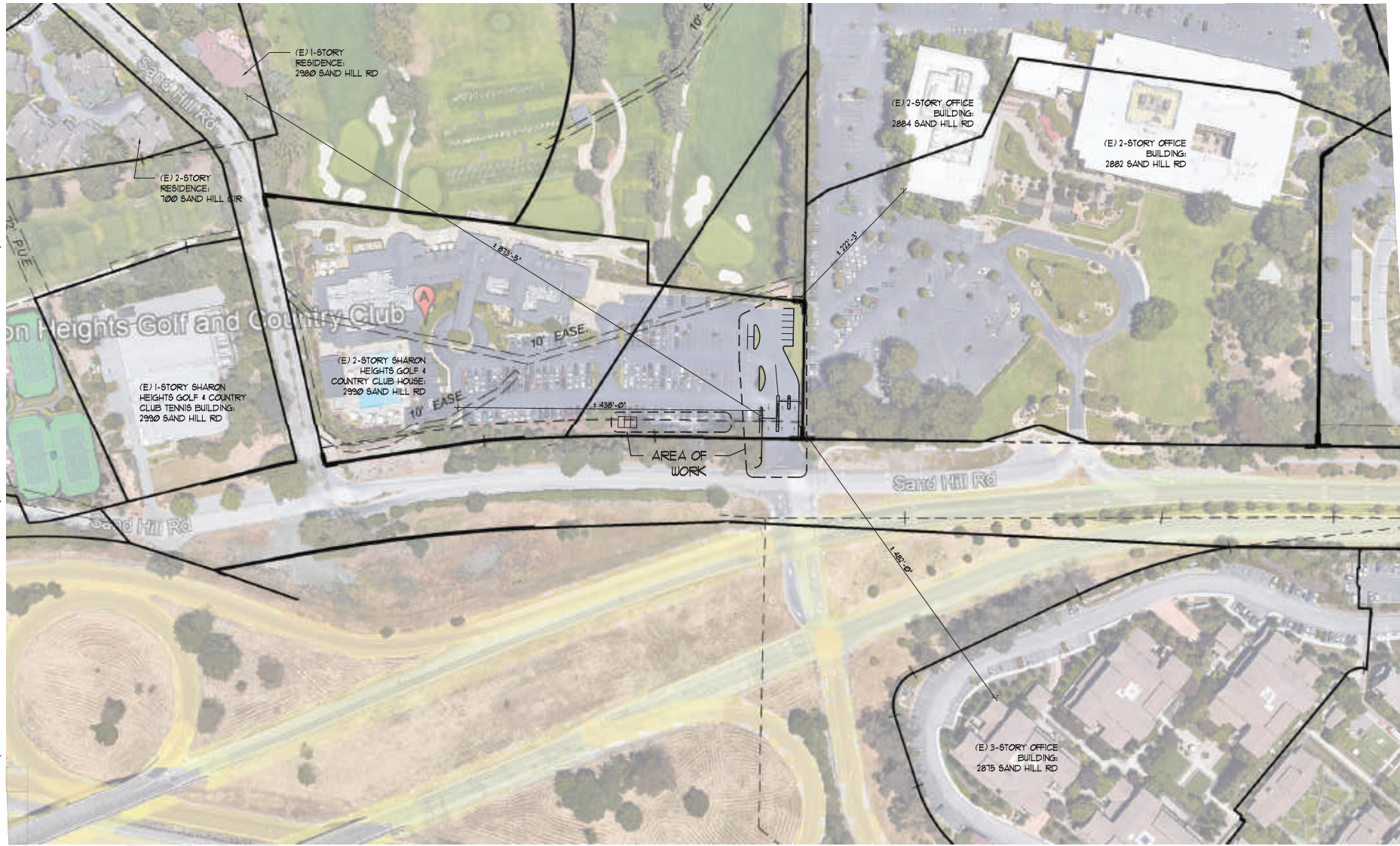
Scale: 1:9,000

Drawn By: MAP

Checked By: CDS

Date: 7/11/2022





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MAIN GATE
 SHARON HEIGHTS GOLF & COUNTRY CLUB
 2900 SAND HILL ROAD
 MENLO PARK, CA 94025

ORIGINAL SIGNATURE BLOCK
**PRELIMINARY DESIGN
 NOT FOR CONSTRUCTION**

SHEET TITLE:
 PROPOSED AREA PLAN
 PROPOSED STREETSCAPE

DATE	ISSUE TITLE
1/23/21	ARCH CONTROL REVIEW
1/16/21	RESUBMIT FOR AC
1/7/22	RESUBMIT FOR AC
4/20/22	RESUBMIT FOR AC
5/16/22	RESUBMIT FOR AC
6/9/22	RESUBMIT FOR AC

PROPOSED AREA PLAN

1/6"=1'-0" B



PROPOSED STREETSCAPE

JOB NO: 21752
 DRAWIN: MB
 CHECKED: DMK
 SCALE: AS NOTED
A0.1
 OF
 BLDG PERMIT APP NO. A

THE KASTROP GROUP, INC. 2020. FOR PRESENTATION ONLY. CANNOT BE USED, MODIFIED, DISTRIBUTED OR REPRODUCED WITHOUT THE KASTROP GROUP'S WRITTEN PERMISSION.



ORIGINAL SIGNATURE HERE

**PRELIMINARY DESIGN
 NOT FOR CONSTRUCTION**

THESE DRAWINGS CONSTITUTE THE
 WORK OF THE ARCHITECTS
 AND SHALL NOT BE USED WITHOUT THEIR
 WRITTEN CONSENT.

SHEET TITLE:
 (E) PARKING AERIAL PLAN

DATE	ISSUE TITLE
1/29/21	ARCH CONTROL REVIEW
1/8/21	RESUBMIT FOR AC
1/7/21	RESUBMIT FOR AC
4/20/21	RESUBMIT FOR AC
3/16/21	RESUBMIT FOR AC
6/9/21	RESUBMIT FOR AC

JOB NO: 21752
 DRAIN: MB
 CHECKED: DMK
 SCALE: AS NOTED

A0.2
 OF

BLDG PERMIT APP NO. _____



EXISTING PARKING AERIAL PLAN



ORIGINAL SIGNATURE BLOCK

**PRELIMINARY DESIGN
 NOT FOR CONSTRUCTION**

ALL DRAWINGS CONSTITUTE THE
 WORK OF THE ARCHITECTS
 AND NOT BE USED WITHOUT THEIR
 WRITTEN CONSENT.

SHEET TITLE:
 (E) TENNIS PARKING LOT

DATE	ISSUE TITLE
1/29/21	ARCH CONTROL REVIEW
11/8/21	RESUBMIT FOR AC
1/17/22	RESUBMIT FOR AC
4/20/22	RESUBMIT FOR AC
5/16/22	RESUBMIT FOR AC
6/9/22	RESUBMIT FOR AC

KEY NOTES:

- APPROX 25 MAINTENANCE STAFF PARKS ALONG DIRT ROADS & PATHS NEAR THE MAINTENANCE BUILDING, NO CHANGE PROPOSED
- (E) TENNIS BUILDING PARKING LOT, NO CHANGE PROPOSED
- (E) CLUB HOUSE PARKING LOT, SEE PRECEDING SHEETS FOR PROPOSED WORK

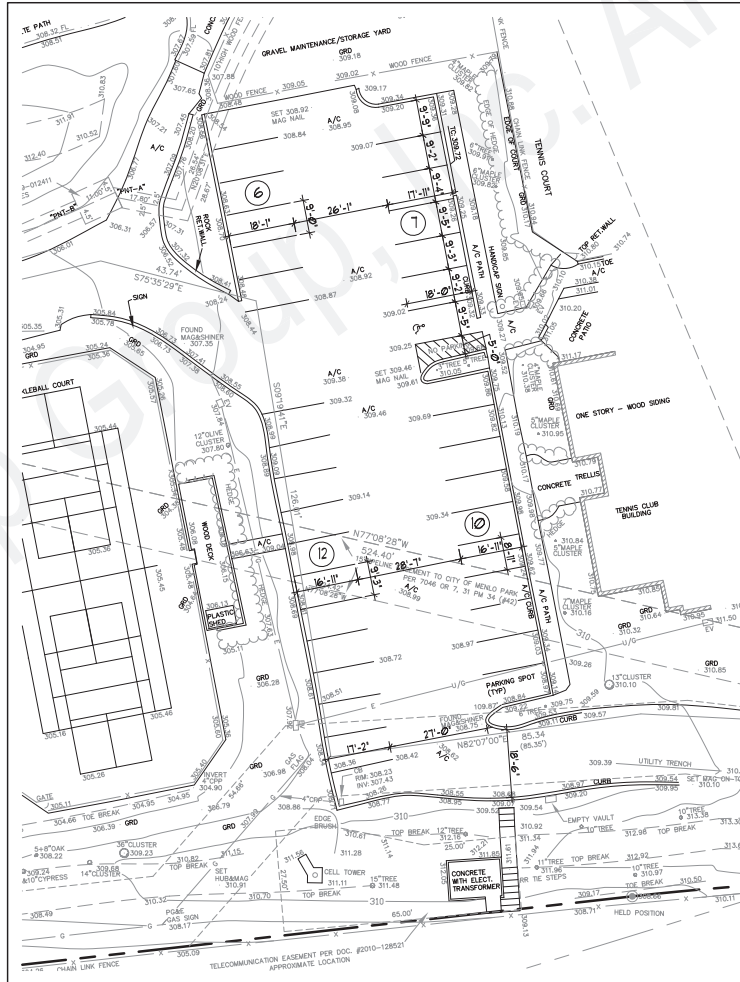
LEGEND:

- KEY NOTE TAGS - SEE KEY NOTES & LEGEND THIS SHEET
- PARKING SPACE COUNT, BY CLUSTER

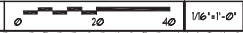
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 CHECKED: DMK
 SCALE: AS NOTED

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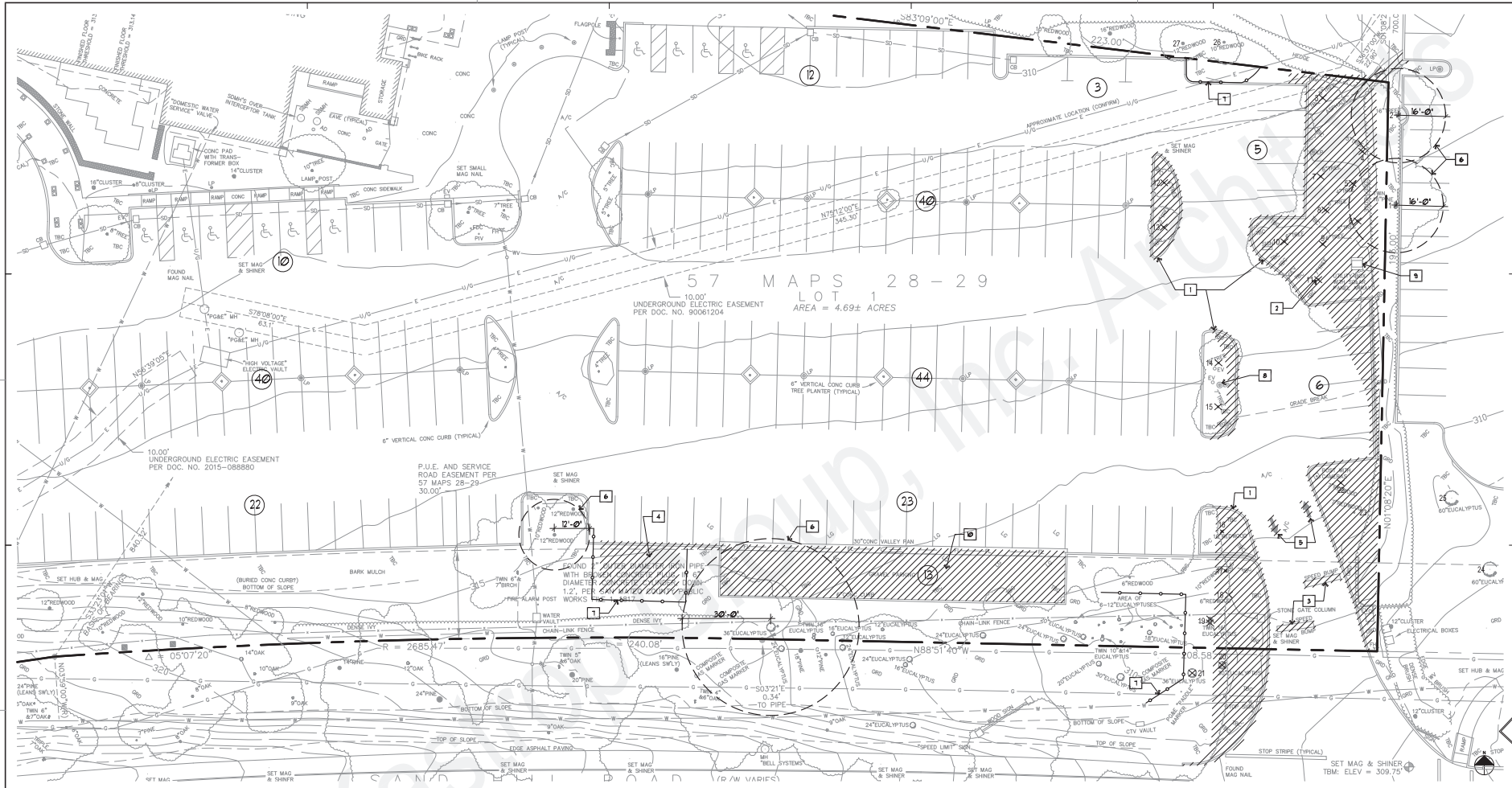
BLDG PERMIT APP NO.



EXISTING TENNIS PARKING LOT - NO CHANGE



KEY NOTES & LEGEND



EXISTING/ DEMOLITION SITE PLAN



- KEY NOTES:**
- (E) PLANTER ISLANDS REMOVE & PREP AREA PER PROPOSED SITE PLAN, SEE CIVIL DUGS
 - REMOVE (E) TREES MARKED w/ AN 'X'. SEPARATE PERMIT REQ'D FOR HERITAGE TREE REMOVAL
 - REMOVE (E) SPEED BUMP
 - REMOVE CURB & PREP AREA FOR (N) PERMEABLE PAVEMENT TANDEN SPACES PER PROPOSED SITE PLAN, SEE CIVIL DUGS
 - REMOVE (E) DIRECTIONAL ARROWS
 - TREE PROTECTION ZONE, SEE ARBORIST REQ'S, TYP
 - TREE PROTECTION FENCING, SEE ARBORIST REPORT
 - (E) LIGHT TO REMAIN
 - (E) UTILITY BOX TO REMAIN
 - REPLACE GRAVEL w/ PERMEABLE PAVERS • ALL (E) TANDEN SPACES

- GENERAL NOTES:**
- SEE SHEET C-1 FOR FULL PARKING LOT DETAILS
 - SEE CIVIL DUGS FOR ADDITIONAL INFO
 - EXISTING PARKING COUNT: 195 STANDARD SPACES
13 TANDEN SPACES, GRAVEL
10 ADA COMPLIANT SPACES
218 TOTAL SPACES
- LEGEND:**
- KEY NOTE TAGS - SEE KEY NOTES & LEGEND THIS SHEET
 - AREA TO BE DEMOLISHED, RETAIN (E) LANDSCAPING TO THE EXTENT POSSIBLE PER PROPOSED SITE PLAN
 - PARKING SPACE COUNT, BY CLUSTER
 - TREE PROTECTION BARRICADE, SEE ARBORIST REPORT

KEY NOTES & LEGEND

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MAIN GATE
SHARON HEIGHTS GOLF & COUNTRY CLUB
2900 SAND HILL ROAD
MENLO PARK, CA 94025

ORIGINAL SIGNATURE BLOCK

PRELIMINARY DESIGN NOT FOR CONSTRUCTION

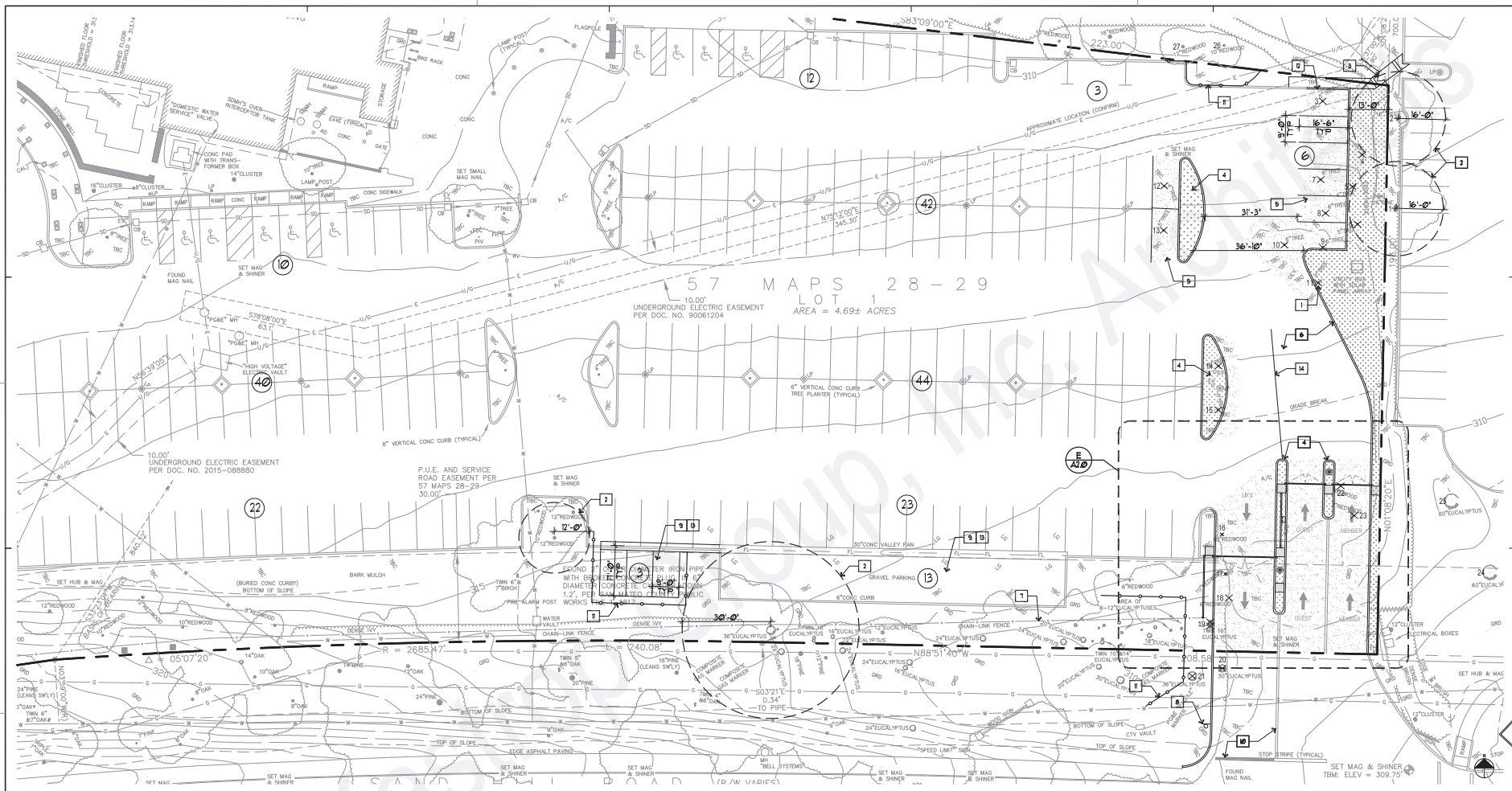
THESE DRAWINGS CONSTITUTE THE WORK OF THE ARCHITECTS AND MAY NOT BE USED WITHOUT THEIR WRITTEN CONSENT.

SHEET TITLE:
(E) DEMOLITION SITE PLAN

DATE	ISSUE TITLE
1/29/21	ARCH CONTROL REVIEW
11/8/21	REVISIT FOR AC
1/7/22	REVISIT FOR AC
4/20/22	REVISIT FOR AC
5/16/22	REVISIT FOR AC
6/9/22	REVISIT FOR AC

JOB NO: 21752
DRAWN: MB
CHECKED: DMK
SCALE: AS NOTED

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OF
BLDG PERMIT APP NO.



PROPOSED SITE PLAN

#	NAME	DIAMETER	HEIGHT	HERITAGE?	REMOVAL?	#	NAME	DIAMETER	HEIGHT	HERITAGE?	REMOVAL?
1	ITALIAN STONE PINE	21"	35'	YES	NO	22	COAST REDWOOD	8.8"	15'	NO	YES
2	CAROB	15"	15'	YES	NO	23	COAST REDWOOD	8.2"	15'	NO	YES
3	ZELKOVA	5"	12'	NO	YES	24	BLUE GUM	9.3"	15'	YES	NO
4	ZELKOVA	5.2"	15'	NO	YES	25	BLUE GUM	9.2"	18'	YES	NO
5	ZELKOVA	4.4"	15'	NO	YES	26	COAST REDWOOD	11.9"	22'	NO	NO
6	ZELKOVA	4.8"	15'	NO	YES	27	COAST REDWOOD	13.2"	25'	NO	NO
7	ZELKOVA	6.4"	15'	NO	YES						
8	ZELKOVA	6.2"	15'	NO	YES						
9	ZELKOVA	5.5"	15'	NO	YES						
10	ZELKOVA	6.4"	15'	NO	YES						
11	ZELKOVA	1.3"	15'	NO	YES						
12	ZELKOVA	3.6"	12'	NO	YES						
13	ZELKOVA	4.6"	12'	NO	YES						
14	ZELKOVA	6.2"	13'	NO	YES						
15	ZELKOVA	6.9"	15'	NO	YES						
16	COAST REDWOOD	12.6"	25'	NO	YES						
17	COAST REDWOOD	9.8"	12'	NO	YES						
18	COAST REDWOOD	6.3"	13'	NO	YES						
19	BLUE GUM	31.2"	45'	YES	YES						
20	BLUE GUM	32.3"	50'	YES	YES						
21	BLUE GUM	34.5"	55'	YES	YES						

TREE INFORMATION

KEY NOTES & LEGEND

- KEY NOTES:**
- REMOVE (E) TREES MARKED W/ AN 'X'. SEPARATE PERMIT REQ'D FOR HERITAGE TREE REMOVAL
 - TREE PROTECTION ZONE, SEE ARBORIST REQ'S, TYP
 - (N) 3FT WIDE, 6FT TALL, EMPLOYEE/PEDESTRIAN CHAIN LINK ENTRANCE GATE W/ ACCESS CONTROL, CONFORM TO (E) CHAIN LINK FENCE, SEE CIVIL
 - PROVIDE (N) LANDSCAPING SIM TO (E) AT (N) PLANTERS & ISLANDS
 - PATCH (E) ASPHALT & STRIPE (N) 9'x18' PARKING SPACES AS INDICATED
 - PROVIDE (N) ASPHALT & CURBS, TYP, SEE CIVIL
 - (E) CHAIN LINK FENCE. PROVIDE (N) SEGMENT FOR CLEAN CONNECTION TO (N) UROUGHT IRON FENCE
 - (E) STOP SIGN RELOCATED
 - PROVIDE PERMEABLE PAVERS * ALL (E) & (N) TANDEM SPACES
 - SEE CIVIL FOR STRIPING & ADDITIONAL INFO, TYP
 - TREE PROTECTION FENCING, SEE ARBORIST REPORT
 - (N) CONC WALKWAY, SEE CIVIL DUGS

GENERAL NOTES:

- SEE SHEET C-1 FOR FULL PARKING LOT DETAILS
 - SEE CIVIL & LANDSCAPE DUGS FOR ADDITIONAL INFO
 - PROPOSED PARKING COUNT: 192 STANDARD SPACES
16 TANDEM SPACES, PERM1 PAVERS
10 ADA COMPLIANT SPACES
218 TOTAL SPACES
- LEGEND:**
- KEY NOTE TAGS - SEE KEY NOTES & LEGEND THIS SHEET
 - AREA OF (N) LANDSCAPING TO MATCH (E)
 - PARKING SPACE COUNT, BY CLUSTER
 - TREE PROTECTION BARRICADE, SEE ARBORIST REPORT

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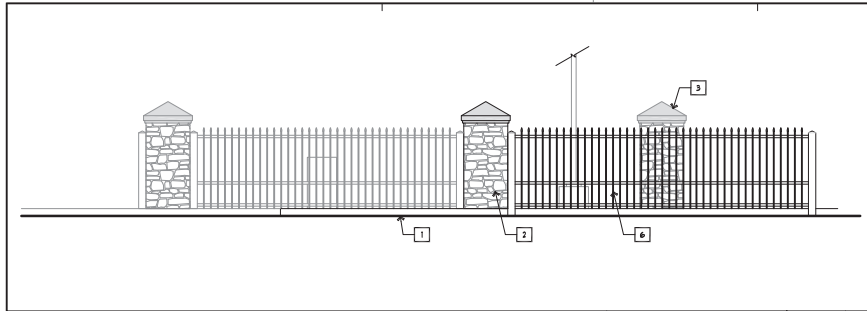
SHARON HEIGHTS GOLF & COUNTRY CLUB
 MAIN GATE
 2900 SAND HILL ROAD
 MENLO PARK, CA 94025

ORIGINAL SIGNATURE BLOCK
PRELIMINARY DESIGN FOR CONSTRUCTION
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 SHEET TITLE:
PROPOSED SITE PLAN

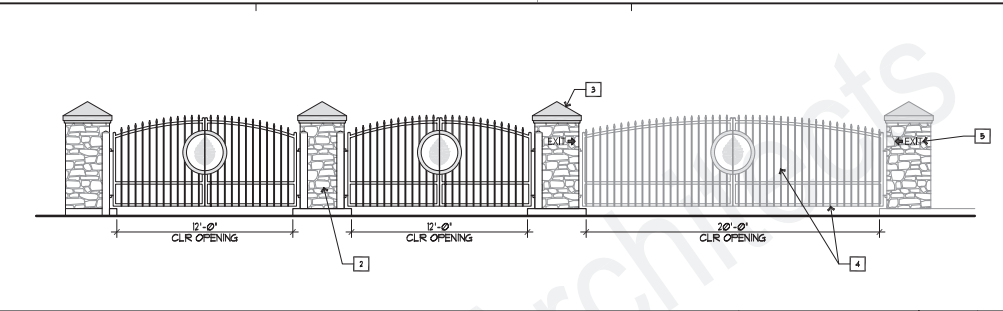
DATE	ISSUE TITLE
1/29/21	ARCH CONTROL REVIEW
11/5/21	RESUBMIT FOR AC
11/7/21	RESUBMIT FOR AC
4/20/22	RESUBMIT FOR AC
5/16/22	RESUBMIT FOR AC
6/9/22	RESUBMIT FOR AC

JOB NO: 21752
 DRAWIN: TMB
 CHECKED: DMC
 SCALE: AS NOTED

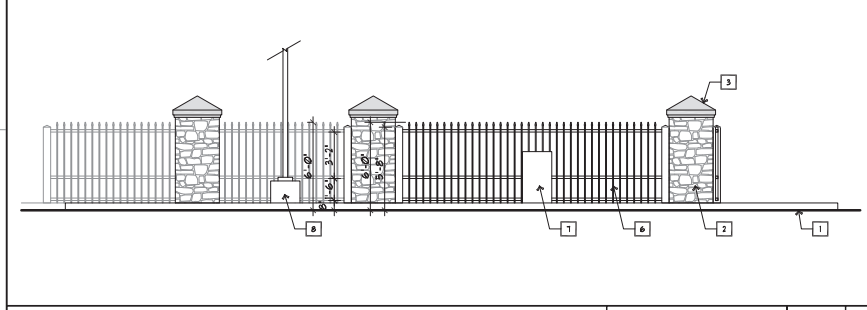
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 OF
 BLDG PERMIT APP NO.



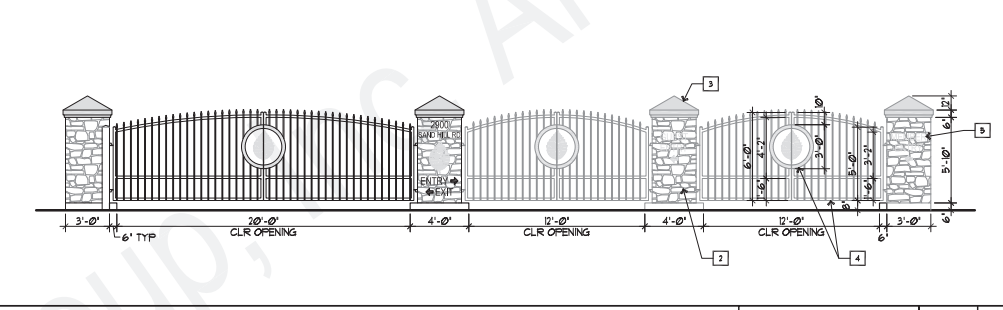
WEST ELEVATION 1/4"=1'-0" Q



NORTH ELEVATION 1/4"=1'-0" D



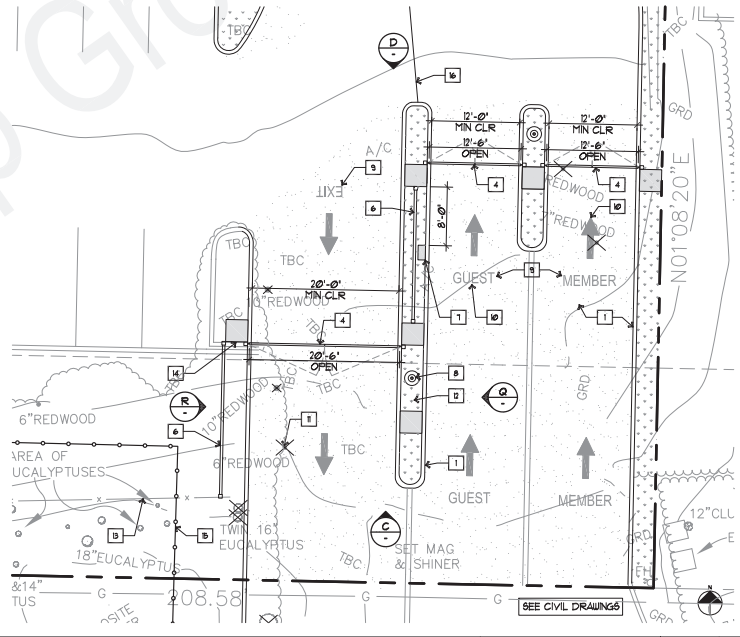
WEST ELEVATION 1/4"=1'-0" Q



SAND HILL RD ELEVATION (SOUTH) 1/4"=1'-0" C



RENDERINGS



N ENLARGED PLAN 1/8"=1'-0" E

- KEY NOTES:
1. PROVIDE (N) ASPHALT 4 CURBS, TYP, SEE CIVIL
 2. STONE VENEER TO MATCH CLUBHOUSE (SEE J/AB/D), WRAP ALL SIDES OF COLUINS, TYP
 3. COPPER CAP, TYP OF 6
 4. CUSTOM WROUGHT IRON DUAL DRIVEWAY GATES, COORD SIGNAGE w/ OWNER
 5. DIRECTIONAL SIGNAGE TO MATCH (E), SEE S/A2/D, COORD w/ OWNER
 6. (N) WROUGHT IRON FENCE TO MATCH COLOR & STYLE OF (N) DUAL DRIVEWAY GATES, SEE H/AB/D
 7. (N) GATE ENTRY ACTIVATION w/ KEY FOB/PAD MTD TO STL PIPE, PAINT BENJAMIN MOORE HC-181 'BLACK FOREST GREEN' TO MATCH CLUBHOUSE, TYP. INCLUDE KNOX BOX
 8. (N) 3000K LED SITE LIGHT, TYP OF 2, MATCH (E)
 9. LANE LABEL STRIPING CALTRANS STANDARD, SEE CIVIL
 10. (N) PAINTED DIRECTIONAL ARROWS & TEXT, MATCH (E)
 11. REMOVE (E) TREES MARKED w/ AN 'X'
 12. PROVIDE (N) LANDSCAPING SIM TO (E) AT (N) PLANTERS & ISLANDS
 13. (E) CHAIN LINK FENCE, PROVIDE (N) SEGMENT FOR CLEAN CONNECTION TO (N) WROUGHT IRON FENCE
 14. PROVIDE RECESSED KNOX BOX PER MENLO FIRE STANDARDS
 15. TREE PROTECTION FENCING, SEE ARBORIST REPORT
 16. 4" YELLOW LANE SEPARATION LINE, 45 LINEAR FEET

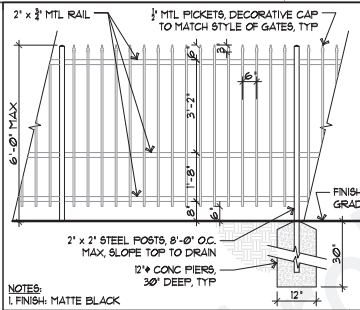
- GENERAL NOTES:
1. PROVIDE SHOP DWGS FOR ALL CUSTOM ELEMENTS TO ARCH
 2. SEE LANDSCAPE DWGS & COORD w/ LA FOR LANDSCAPE LIGHTING

KEY NOTES A

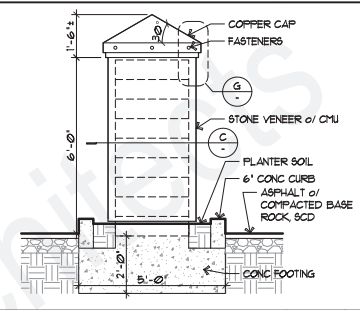
SHEET TITLE:
 ENLARGED PLAN
 EXTERIOR ELEVATIONS

DATE	ISSUE TITLE
1/23/21	ARCH CONTROL REVIEW
1/25/21	RESUBMIT FOR AC
1/17/22	RESUBMIT FOR AC
4/20/22	RESUBMIT FOR AC
5/16/22	RESUBMIT FOR AC
6/9/22	RESUBMIT FOR AC

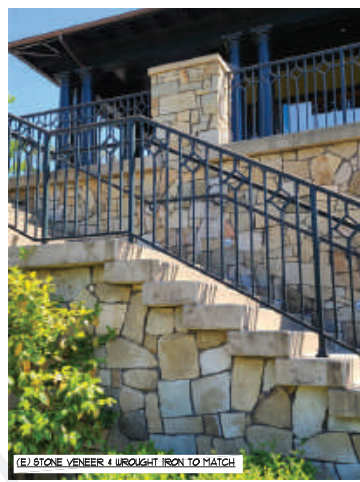
JOB NO: 21752
 DRAWIN: MIB
 CHECKED: D/MK
 SCALE: AS NOTED
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 OF
 BLDG PERMIT APP NO.



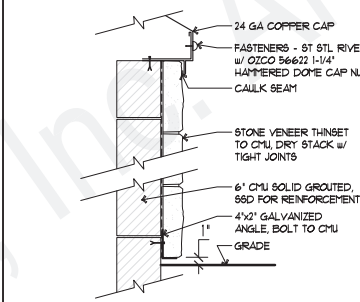
METAL FENCE DTL 1/2"x1'-0" H



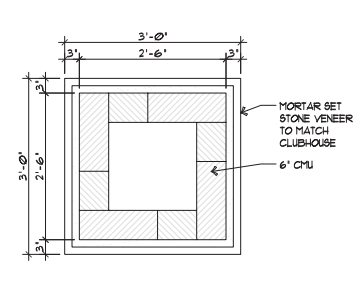
TYP COLUMN ELEVATION DTL 1/2"x1'-0" D



REF PHOTOS TO MATCH J



TYP COLUMN CROSS SECTION DTL 1 1/2"x1'-0" G



TYP COLUMN CROSS SECTION DTL 1"x1'-0" C

CARD ACCESS SYSTEM

- CARD ACCESS SYSTEM AND CARD ACCESS CONTROLLER TO OPEN THE ENTRY GATE PROVIDED BY OTHERS - NC.
- THE VEHICULAR EXIT SHALL BE ACTIVATED BY A LOOP.
- ON THE EXIT LOOP ACTIVATION FOR EXIT, IF THE NEXT CAR COMES UP AND THE GATES ARE STILL NOT CLOSED, THE GATE MOTOR SHALL RECYCLE AND REOPEN THE HALF-CLOSED GATE.
- THE GATE MOTORS SHALL HAVE A BACKUP BATTERY SYSTEM. WHEN THE BATTERY VOLTAGE REACHES A CERTAIN THRESHOLD (GOING DEAD), THE RELAY SHALL ACTIVATE TO OPEN THE GATES AND HOLD THEM OPEN UNTIL THE POWER RESTORES.

KNOX BOX

- PROVIDE AND INSTALL KNOX BOX FOR KEY OR CARD TO OPEN THE GATES, PER MENLO PARK MUNICIPAL AND FIRE CODE.

PEDESTRIAN ACCESS GATES

- PROVIDE AND INSTALL ONE (1) PEDESTRIAN GATE WITH VON DUREN ELECTROFIED PANG BAR HARDWARE (W/ POWER BATTERIES TO INTERFACE TO THE CARD ACCESS SYSTEM).

POWER REQUIREMENTS

- PROVIDE DEDICATED CIRCUITS FOR:
 - GATE MOTORS ENTRY 24 VDC
 - GATE MOTOR EXIT 240 VOLT EQUIPMENT
 - PHONE SYSTEM AND LED LIGHTS

GATE OPERATORS

- PROVIDE AND INSTALL THE FOLLOWING:
 - 24VDC GATE MOTORS
 - BATTERY BACK-UP
 - GATE OPERATOR THAT OUTPUTS NONC SIGNAL WHEN THE BATTERIES ARE LOW AND AUTOMATICALLY OPEN THE GATES.
 - IN BATTERY LOW CONDITION, GATE RELAY TO LATCH IN OPEN POSITION AND NOT CLOSE UNTIL THE SYSTEM IS RE-SET.
 - ENTRY LOOPS
 - EXIT LOOPS
 - LOOP SIGNAL FOR CAR STOPPED IN THE GATE PATH
 - LOOP SIGNAL FOR PEOPLE STOPPED IN THE GATE PATH
 - GATE DOES NOT OPEN WHEN BUILD FIRE ALARM IS ACTIVATED. FIRE DEPARTMENT WILL ACCESS THE KNOX BOX AT THE GATE FOR ENTRY.
 - REMOTE ACCESS TO OPEN THE GATE FROM THE OFFICE WHEN SOME ONE CALLS THE CLUB. UL REMOTE ACCESS TO OPEN THE GATE AND HOLD IT OPEN FOR SPECIAL EVENTS.

ENCLOSURES

- PROVIDE AND INSTALL WEATHER PROOF NEMA RATED BOX BEHIND THE RIGHT STONE POST.
- PROVIDE AND INSTALL WEATHER PROOF NEMA RATED BOX FOR THE CARD ACCESS CONTROL EQUIPMENT. RISE OF THE ENCLOSURE TIED BY VENEER.
- PROVIDE CONNECTION TO THE CLUB SECURITY SYSTEM WITH REMOTE SWITCH TO ALLOW STAFF TO OPEN THE GATE. WIRE INTERCOP TO AUXILIARY PORT ON AC-4 BY OTHERS.

PHONE SYSTEM

- PROVIDE AND INSTALL DOOR KING ELITE 983-080 HANDB FREE ENTRY OR EQUIVALENT.
- PROVIDE AND INSTALL A LARGE SIGN NEXT TO THE PHONE ENTRY SYSTEM THAT CLEARLY IDENTIFIES THE CALL NUMBERS AND RELATED SERVICES FOR THE PHONE SYSTEM. COORDINATE WITH THE OWNER FOR SIGN.

GATE VIDEO CAMERAS

- CAMERA AND VIDEO SYSTEMS TO BE INSTALLED BY OTHERS - NC.

THE KASTROP GROUP, INC.
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2900 SAND HILL ROAD
MENLO PARK, CA 94025



ORIGINAL SIGNATURE IN BLUE INK
PRELIMINARY DESIGN FOR CONSTRUCTION

THESE DRAWINGS CONSTITUTE THE ARCHITECT'S WORK. THE ARCHITECTS WILL NOT BE USED WITHOUT THEIR WRITTEN CONSENT.
SHEET TITLE:
SPECIFICATIONS
NOTES & DETAILS

DATE	ISSUE TITLE
1/23/21	ARCH CONTROL REVIEW
1/25/21	RESUBMIT FOR AC
1/17/22	RESUBMIT FOR AC
4/20/22	RESUBMIT FOR AC
5/16/22	RESUBMIT FOR AC
6/9/22	RESUBMIT FOR AC

JOB NO: 21752
DRAWN: MB
CHECKED: DMK
SCALE: AS NOTED

A8.0
OF
BLDG PERMIT APP NO.

May 20, 2022

Sharon Heights Golf & Country Club
Attn: Mr. Aaron Reeves
2900 Sand Hill Road
Menlo Park, CA 94025



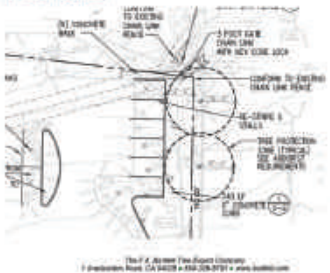
Tree Protection Agreement at 2900 Sand Hill Road

Dear Mr. Lee:

You contacted me regarding a design change to better protect trees on and near the 18th hole. The trees shown are 18" to 24" in diameter and are 10-15 feet from the hole. The trunk diameter and in-situ root condition analysis approximately 10 feet from the hole. The arborist reports in this document indicate from 45 percent to less than 10 percent of the root environment. The revised plan conforms to the city ordinance.

Please contact me if you have any questions about my observations or recommendations, please contact me.

John H. McClenahan
Board Certified Master Arborist, WE-14768
www.bartletttree.com



2900 Sand Hill Road - Construction Overlay

May 20, 2022 - Page 1

Limits of the Assignment

The tree assessment was performed from the ground for visual conditions. This tree inventory was not a tree site assessment. No soils or trees were assessed for risk in accordance with industry standards, nor were there any tree risk ratings or risk mitigation recommendations provided either in this report.

Core data have been provided to assist in all information they relate to access. No data has been verified as possible, however, the consultant can neither assume any liability for the accuracy of information provided by others.

Methods, diagrams, graphs, and photographs in this report, being identified as visual data, are not necessarily to be taken literally but be construed as engineering or architectural reports or reports.

Information contained in this report covers only those items that were examined and reflects the condition of these items at the time of inspection. There is no warranty or guarantee, expressed or implied, that positions or performance of the plants or property in question may not occur in the future.

This is not a guarantee for the preservation of the trees contained in this report. However, the preservation plan is made with the best interest intended for the trees being preserved.

Table with 10 columns: Tree ID, Species, DBH, Height, Condition, etc. Contains detailed tree inventory data.

NOTE:
SEE PHOTOS IN ARBORIST REPORT

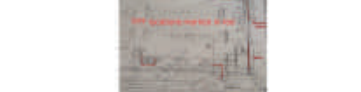
Sharon Heights Golf & Country Club
2900 Sand Hill Road, Menlo Park, CA

TREE PRESERVATION AGREEMENT

The Tree Preservation and Protection Plan is provided in recommendations for tree preservation, as requested for injury to trees as a result of construction activities including grading, excavation, root pruning, and other work as a result of changes that occur in the existing environment.

To minimize these injuries, we recommend grading operations proceed as shown that all trees be preserved. The 18" to 24" diameter trees are 10-15 feet from the hole. The arborist reports in this document indicate from 45 percent to less than 10 percent of the root environment. The revised plan conforms to the city ordinance.

Methodology: No root crown exploration, climbing or plant tissue analysis was performed as part of this survey. For purposes of identification, trees have been numbered on the preliminary site plan shown in Figure 1.



Hard Pruning (if necessary): During and after completion of any landscaping/grading operation within a Tree Protection Zone, clean pruning cuts of exposed, damaged or severed roots greater than one inch diameter should be accomplished under the supervision of a qualified arborist to prevent root decomposition (decay) of the soil by the exposed roots.

Inspection: A program of fertilization by means of deep root soil injection is recommended with applications in spring and summer for those trees to be impacted by construction. Fertilizer should include organic blends and components such as mycorrhizae and bio stimulants.

Mulch: Mulching with wood chips (maximum depth 3") within tree environments (outer foliar perimeter) will lessen moisture evaporation from soil, protect and encourage adventitious roots and minimize possible soil compaction.

Inspection: Periodic inspections by the Site Arborist are recommended during construction activities, particularly as trees are impacted by trenching/grading operations.

Inspections at approximate four (4) week intervals would be sufficient to assess and monitor the effectiveness of the Tree Preservation Plan and to provide recommendations for any additional care or treatment.

All written material appearing herein constitutes original and unpublished work of the Arborist and may not be duplicated, used or disclosed without written consent of the Arborist.

We thank you for this opportunity to be of assistance in your tree preservation concerns. Should you have any questions, or if we may be of further assistance in these concerns, kindly contact our office at any time.

McCLENAHAN CONSULTING, LLC
John H. McClenahan
ISA Board Certified Master Arborist, WE-14768
member, American Society of Consulting Arborists

JHM:cm



January 10, 2022 Revised

Sharon Heights Golf & Country Club
Attention: Mr. Aaron Reeves
2900 Sand Hill Road
Menlo Park, CA 94025

Assignment: As requested, I performed a visual inspection of 27 trees to determine species, size and condition and define tree protection zones (TPZ) and provide tree preservation guidelines and appraise tree values.

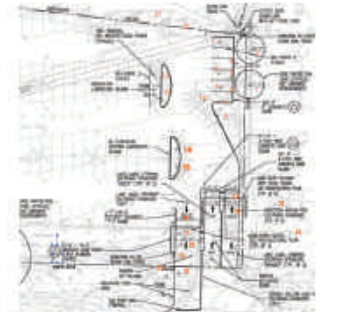
Summary: Proposed plans (Sheets C-1, C-2 and C-3 dated January 7, 2022) include construction of a new entrance gate, relocation of parking spots and removing a parking island. Two neighboring blue gum trees are more than 25-feet from the property line and may sustain minor impacts to less than 15 percent of the root environment. Two redwoods at the north end of project should not be impacted. Three heritage size eucalyptus trees are recommended for removal, due to poor structure, presence of canker disease and conflict with development. 18 non heritage size trees are proposed for removal as part of parking and entry improvements. Any grading or excavation within a defined Tree Protection Zone must be accomplished by hand or air excavation. Arborist monitoring is required to supervise, approve and mitigate any cutting of roots. A preconstruction meeting with neighbor is recommended to review potential impacts to trees one and two. Any tree on-site protected by the City's Municipal Code will require replacement according to its appraised value if it is damaged beyond repair as a result of construction.

Methodology: No root crown exploration, climbing or plant tissue analysis was performed as part of this survey. For purposes of identification, trees have been numbered on the preliminary site plan shown in Figure 1.

In determining the monetary value, the trunk formula technique of appraisal has been adopted. The trunk formula technique determines the basic value and then adjusts that value depending on the trees condition, functional and external limitations. Percentages for condition, functional and external limitations and basic reproduction cost are then multiplied to create the Depreciated Reproduction Cost. The value per square inch or foot of trunk height is in accordance with the Western Chapter ISA Species Classification and Group Assignment "A Regional Supplement to the CTA Guide for Plant Appraisal, 9th Edition" 2004 and current available nursery stock.

Please be advised that the Council of Tree and Landscape Appraisers representing The American Association of Nurserymen, American Society of Consulting Arborists, Landscape Contractors of America, International Society of Arboriculture and Tree Care Industry Association who have approved and adopted this method of plant valuation authorized this method of plant appraisal. The Guide for Plant Appraisal 10th Edition was used to determine value. Some factors from the 9th Edition are included.

Sharon Heights Golf & Country Club
2900 Sand Hill Road, Menlo Park, CA



DATE ISSUE TITLE
1/29/21 ARCH CONTROL REVIEW
11/5/21 RESUBMIT FOR AC
1/7/22 RESUBMIT FOR AC
4/20/22 RESUBMIT FOR AC
5/16/22 RESUBMIT FOR AC
6/9/22 RESUBMIT FOR AC

JOB NO: 21752
CHECKED: DMK
SCALE: AS NOTED
A8.1 OF

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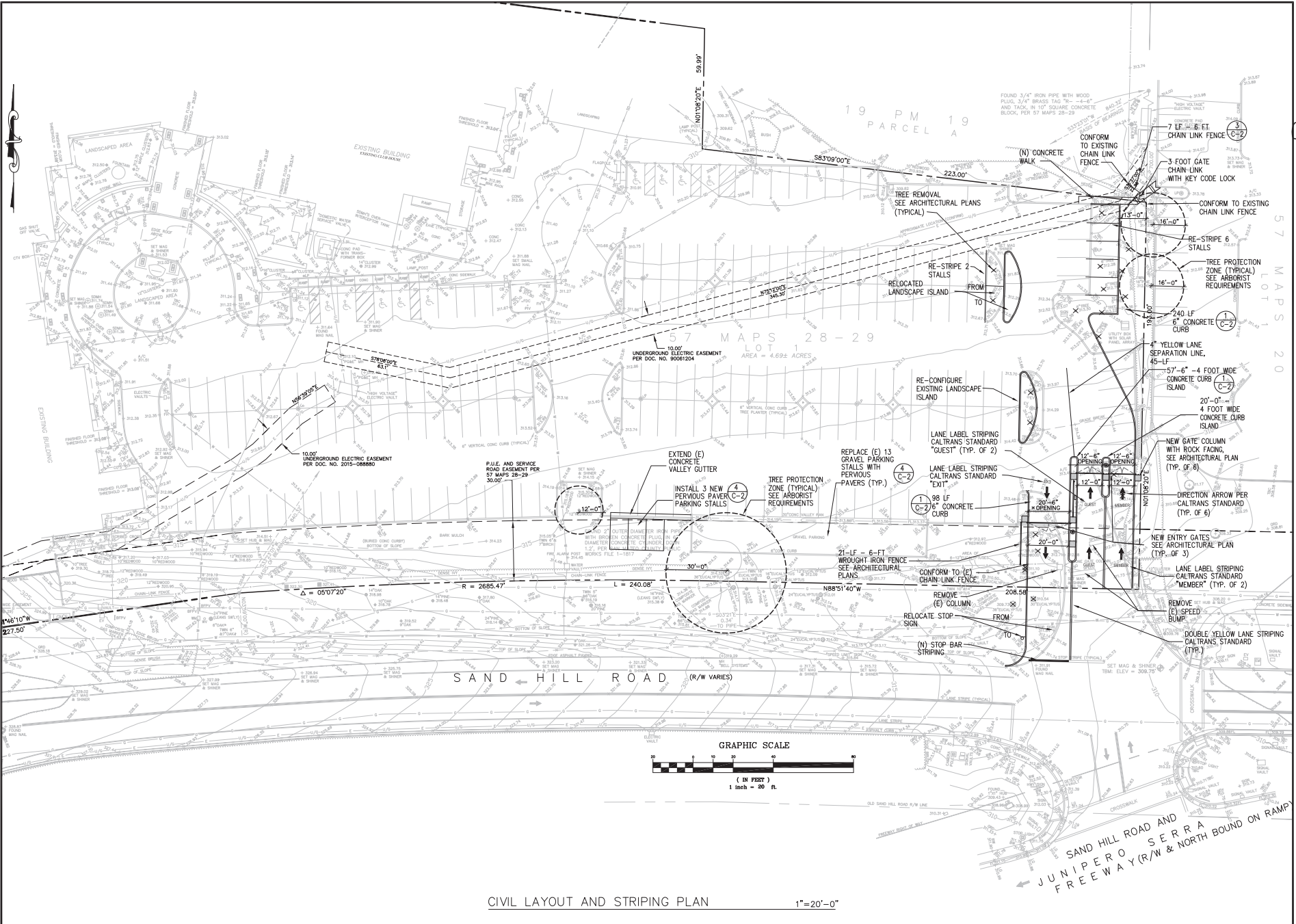
ORIGINAL SIGNATURE
PRELIMINARY DESIGN
FOR CONSTRUCTION

SHEET TITLE:
ARBORIST REPORT
ARBORIST LETTER - REV 6

Table with 2 columns: DATE, ISSUE TITLE. Contains revision history.

JOB NO: 21752
CHECKED: DMK
SCALE: AS NOTED

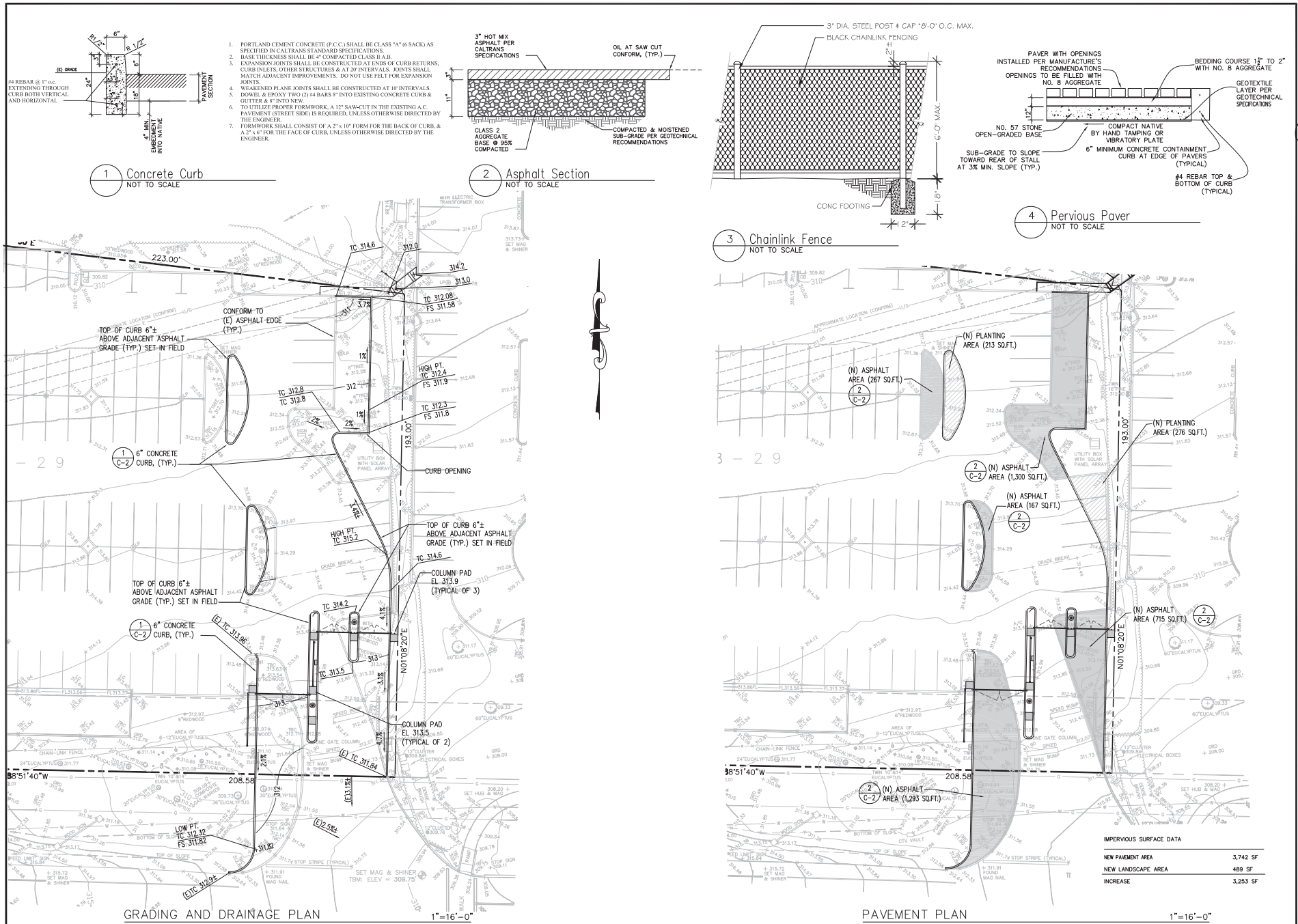
A8.1 OF
BLDG PERMIT APP NO.



CIVIL LAYOUT AND STRIPING PLAN

1"=20'-0"

 <p>Engineering and Project Management 1301 25th Place, SE Sammamish, WA 98075 425-333-0033 cbeckett@beckett.net</p>	
	
<p>NEW ENTRY GATE AT THE SHARON HEIGHTS COUNTRY CLUB 2900 SAND HILL ROAD SAN MATEO COUNTY California</p>	
<p>Mentlo Park</p>	
CONTENTS:	CIVIL LAYOUT AND STRIPING PLAN
DATE:	05/12/22
SCALE:	AS NOTED
REVISIONS:	
DRAWN:	J.G.
CHECKED:	C.B.
JOB No.:	2019693
SHEET No.:	C-1
OF 3 SHEETS	

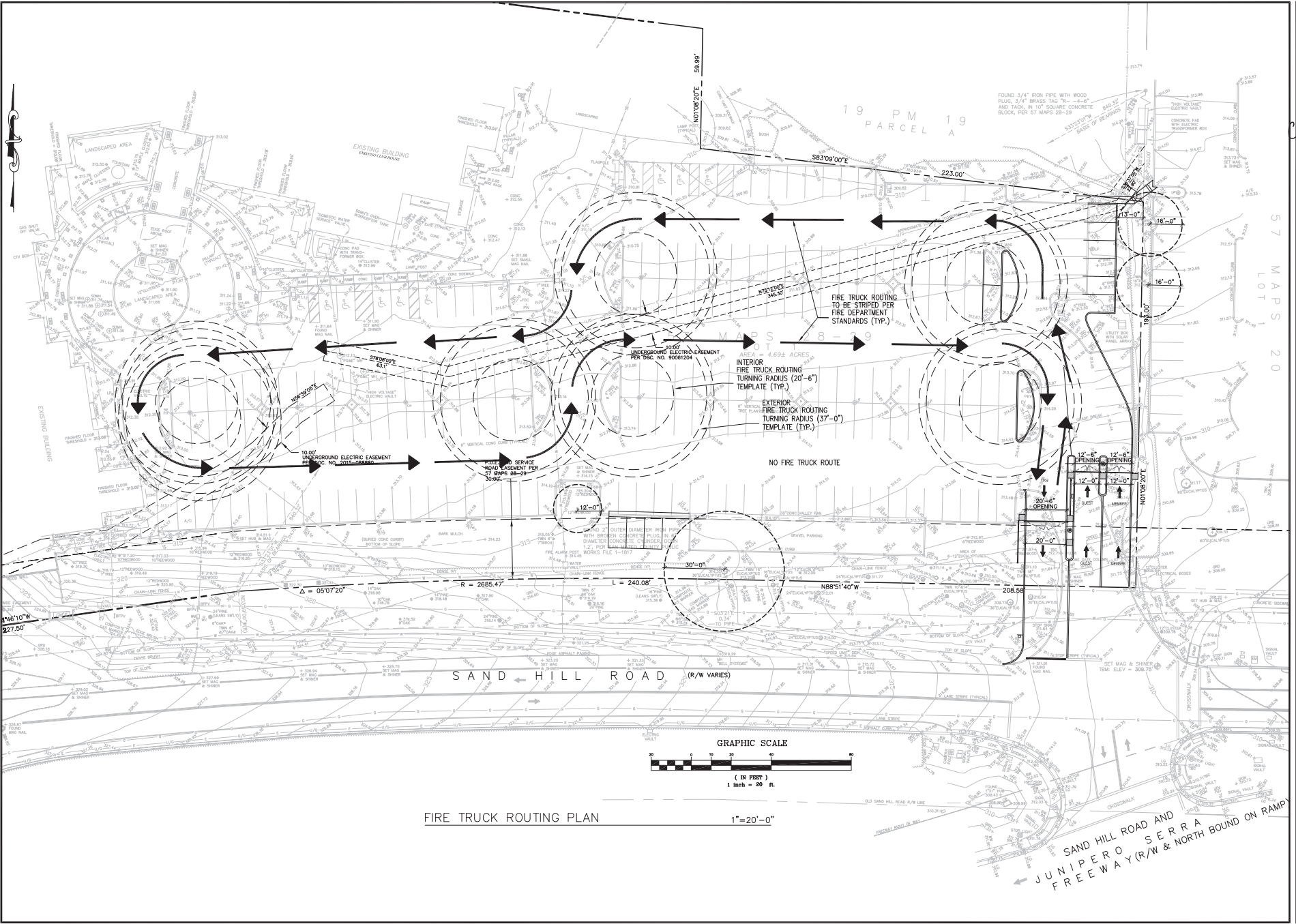


CONTENTS:
GRADING & DRAINAGE PLAN
PAVEMENT PLAN
DETAILS

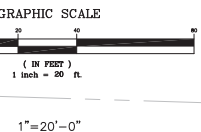
DATE 05/12/22
SCALE AS NOTED
REVISIONS:

DRAWN J.G.
CHECKED C.B.
JOB No. 2019693
SHEET No.

C-2
OF 3 SHEETS



FIRE TRUCK ROUTING PLAN



CLIFF BRETHER
 AND ASSOCIATES, LLC
 Engineering and Project Management
 1301 25th Place, SE
 SALEM, OR 97305
 503-333-0053
 cliff@cliffbretner.com

57 MAPS 20
 LOT 1

NEW ENTRY GATE AT THE SHARON HEIGHTS COUNTRY CLUB
 2900 SAND HILL ROAD
 SAN MATEO COUNTY
 California



Menlo Park

CONTENTS:
 FIRE TRUCK ROUTING PLAN

DATE 05/12/22
 SCALE AS NOTED
 REVISIONS:

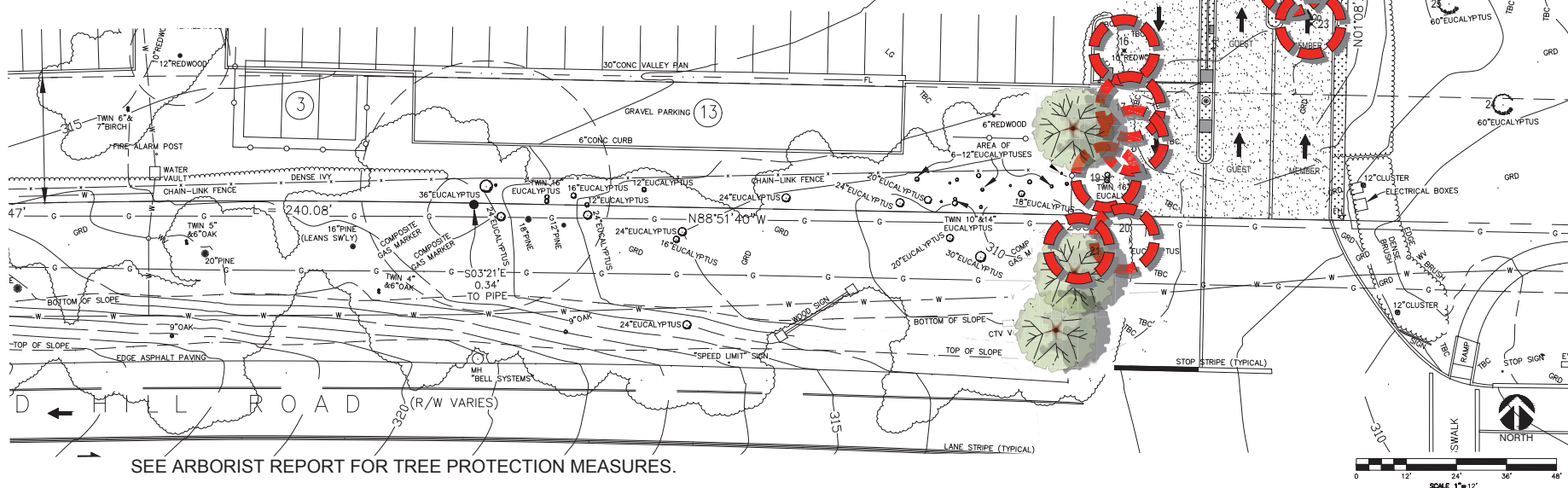
DRAWN J.G.
 CHECKED C.B.
 JOB No. 2019693
 SHEET No.

C-3
 OF 3 SHEETS

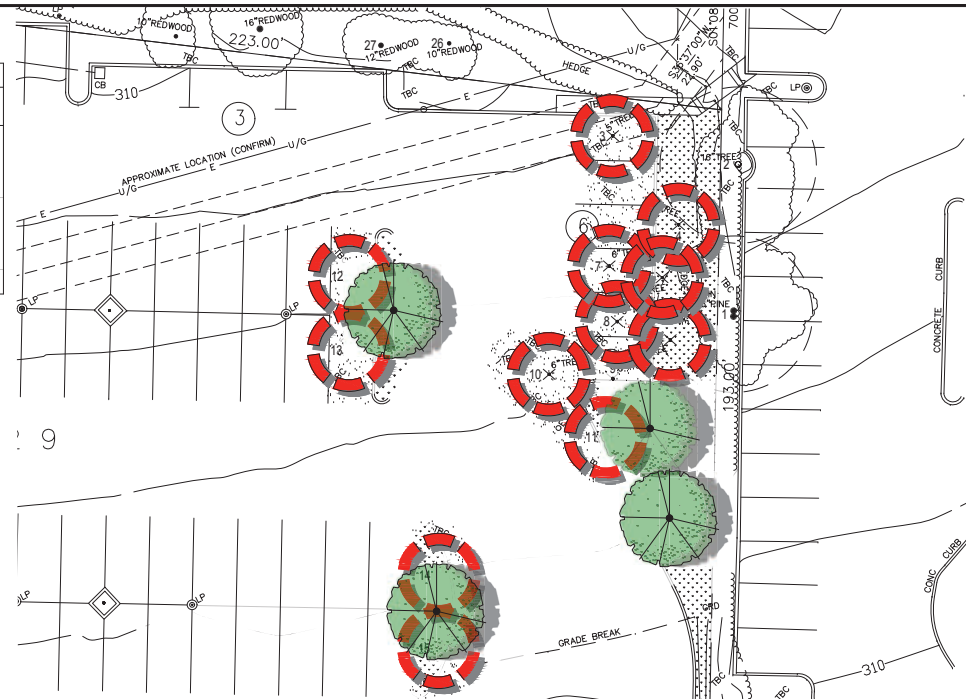
PLANT SCHEDULE						
TREES	CODE	BOTANICAL / COMMON NAME	CONT	QTY	MITIGATION VALUE	TOTAL
	MT	Melaleuca quinquenervia /Cajeput Tree Multi-trunk	48" box	3	\$5,000	\$15,000
	PC	Pistacia chinensis / Chinese Pistache	36" box	4	\$1,200	\$4,800
					TOTAL:	\$19,800

FOR IMPACT - TREE SIZES MAY BE INCREASED IN CONSTRUCTION DOCUMENTATION PHASE

VALUE OF TREES BEING REMOVED AS DETERMINED BY
McCLENAHAN CONSULTING ARBORISTS
\$18,800.00 BASED ON THE TRUNK FORMULA TECHNIQUE



SEE ARBORIST REPORT FOR TREE PROTECTION MEASURES.



78370 HWY 111, SUITE 200
LA QUINTA, CA 92553
760-340-4529

SHEET TITLE:
SCHEMATIC TREE PLAN
PROJECT:
SHARON HEIGHTS GOLF & COUNTRY CLUB
MENLO PARK, CA

SPECIFICATIONS

- SHEET BOOK
- PROJ. MGR. KA
- DRAWN: RM
- CHECKED: DF
- PROJ. NO: P2207
- DATE: 06-14-22
- SCALE: 1" = 30'-0"
- REVISIONS:

SHEET NO:

ST-1



THE KASTROP GROUP, INC.
A R C H I T E C T S

Sharon Heights Golf & Country Club Main Gate

2900 Sand Hill Rd
Menlo Park, CA 94025

Architectural Control Permit: Project Description Letter

The Sharon Heights Golf and Country Club proposes to develop a more formal entrance for past and current member security concerns, multiple break ins and theft. This application proposes parking lot entrance improvements with three double wrought iron security gates, new wrought iron fencing, new chain link fencing, three new parking spaces, parking space re-alignment, new directional signage, and landscape improvements at the Sharon Heights Golf & Country Club. The Club House parking lot is currently bordered by a low chain link fence at the front (South) and a chain link fence with a box wood hedge at the side (East). The proposed wrought iron fencing will join the existing chain link fencing at the front. The fencing is consistent with the new proposed gates and provides additional security for the Club House parking lot that is currently unsecured. Additionally, a chain link pedestrian gate with coded entry lock for employee access to the parking lot and chain link fencing is proposed at the northeast corner of the lot for maintenance and operational purposes. This chain link fencing and gate joins the existing adjacent chain link fencing.

The proposed wrought iron gates, bracketed by decorative stone pilasters, are designed to match the style and palette of the existing Club's finishes. They will remain closed at all times and will have an access control system for entry and exit with security cameras and lighting. This access control system will be activated by a badge or PIN, providing 24/7 access to all authorized members, staff, personnel, vendors, and emergency access vehicles. No staffing will be at the gate, and a ButterflyMX Video Intercom System will also allow access via phone. This phone line will be monitored remotely by a concierge to assist with any opening or closing of the gates. No other approaches for the gates are proposed at this time.

The width of the Exit gate will allow fire truck access and a knox box will be incorporated into the entry system. The gates have been located to allow for multiple vehicles to line up without impeding the adjacent street.

During the initial submittal, the design team worked with the Fire Department and reviewed Fire Truck Access, Fire Truck Routing and Fire Truck Turning. This review determined one landscape island needed to be reduced in size to allow for the required Fire Truck Turning. Additional modifications are proposed to the adjacent islands and landscape curbed areas to reduce the loss of parking spaces while maintaining sufficient clearances for Fire Truck as well as a cohesive circulation path.

With the proposed revisions to the landscape curbs and drive aisles to allow sufficient clearances for Fire Truck access while providing as many parking spaces as possible, the total landscape area has been reduced. An arborist report is included in the project submittal which recommends the removal of 21 trees.

The existing Club House parking lot contains 195 standard spaces, 10 ADA compliant spaces, and 13 gravel tandem spaces. The proposed revisions result in the loss of 3 standard spaces, which are proposed to be replaced with 3 additional tandem spaces. All existing and proposed tandem spaces will be changed from gravel to permeable pavers per Staff's recommendations. The tandem spaces are to be used only during large events during which valet service will control the parking in the tandem areas. Before the start of the COVID-19 pandemic, large-scale events requiring valet services occurred less than 30 days each year, typically on weekends, and were 4 hours or shorter on each of those days. Future use of the valet service is anticipated to remain the same.

The Club House parking lot is only ever full during the several large-scale events described in the previous paragraph. Otherwise, there are roughly 75-100 cars in the parking lot on busy days. There is a separate parking lot for the Tennis Building that is located approximately 700 feet away from this entrance and contains 35 additional parking spaces, including 1 ADA compliant space. Approximately 25 maintenance employees park along dirt roads and paths near the existing maintenance building west of the Tennis Building. No change is proposed to either of these parking areas.

The need for security improvements has unfortunately become incredibly urgent. Over the last year, multiple cars in the parking lot have been broken into and valuables have been stolen, resulting in hundreds of thousands of dollars in damages. Additionally, the Club has been dealing with many non-authorized vehicles entering the property and driving recklessly around the parking lot, which is very unsafe for the many families that use the facilities.

The only neighbor within 500 feet is the commercial property at 2884 Sand Hill Road, to the east of the project. This property owner is a member of the Sharon Heights Golf & Country Club, has been notified of it through various Club communications, and is supportive of the project.



McClenahan Consulting, LLC

Arboriculturists Since 1911

1 Arastradero Road, Portola Valley, CA 94028-8012

Telephone (650) 326-8781

Fax (650) 854-1267

www.spmcclenahan.com

January 10, 2022 Revised

Sharon Heights Golf & Country Club

Attention: Mr. Aaron Reeves

2900 Sand Hill Road

Menlo Park, CA 94025

Assignment

As requested, I performed a visual inspection of 27 trees to determine species, size and condition and define tree protection zones (TPZ) and provide tree preservation guidelines and appraise tree values.

Summary

Proposed plans (Sheets C-1, C-2 and C-3 dated January 7, 2022) include construction of a new entrance gate, relocation of parking spots and removing a parking island. Two neighboring blue gums are more than 25-feet from the property line and may sustain minor impacts to less than 15 percent of the root environment. Two redwoods at the north end of project should not be impacted. Three heritage size eucalypts left of the entry are recommended for removal, due to poor structure, presence of canker disease and conflict with development. 18 non heritage size trees are proposed for removal as part of parking and entry improvements. Any grading or excavation within a defined Tree Protection Zone must be accomplished by hand or air excavation. Arborist monitoring is required to supervise, approve and mitigate any cutting of roots. A preconstruction meeting with neighbor is recommended to review potential impacts to trees one and two. Any tree on-site protected by the City's Municipal Code will require replacement according to its appraised value if it is damaged beyond repair as a result of construction.

Methodology

No root crown exploration, climbing or plant tissue analysis was performed as part of this survey. For purposes of identification, trees have been numbered on the preliminary site plan shown in Figure 1.

In determining the monetary value, **the trunk formula technique** of appraisal has been adopted. **The trunk formula technique** determines the basic value and then adjusts that value depending on the trees condition, functional and external limitations. Percentages for condition, functional and external limitations and basic reproduction cost are then multiplied to create the Depreciated Reproduction Cost. The value per square inch or feet of trunk height is in accordance with the Western Chapter ISA Species Classification and Group Assignment "A Regional Supplement to the CTLA Guide for Plant Appraisal, 9th Edition" 2004 and current available nursery stock.

Please be advised that the Council of Tree and Landscape Appraisers representing The American Association of Nurserymen, American Society of Consulting Arborists, Landscape Contractors of America, International Society of Arboriculture and Tree Care Industry Association who have approved and adopted this method of plant valuation authored this method of plant appraisal. The Guide for Plant Appraisal 10th Edition was used to determine value. Some factors from the 9th Edition are included.

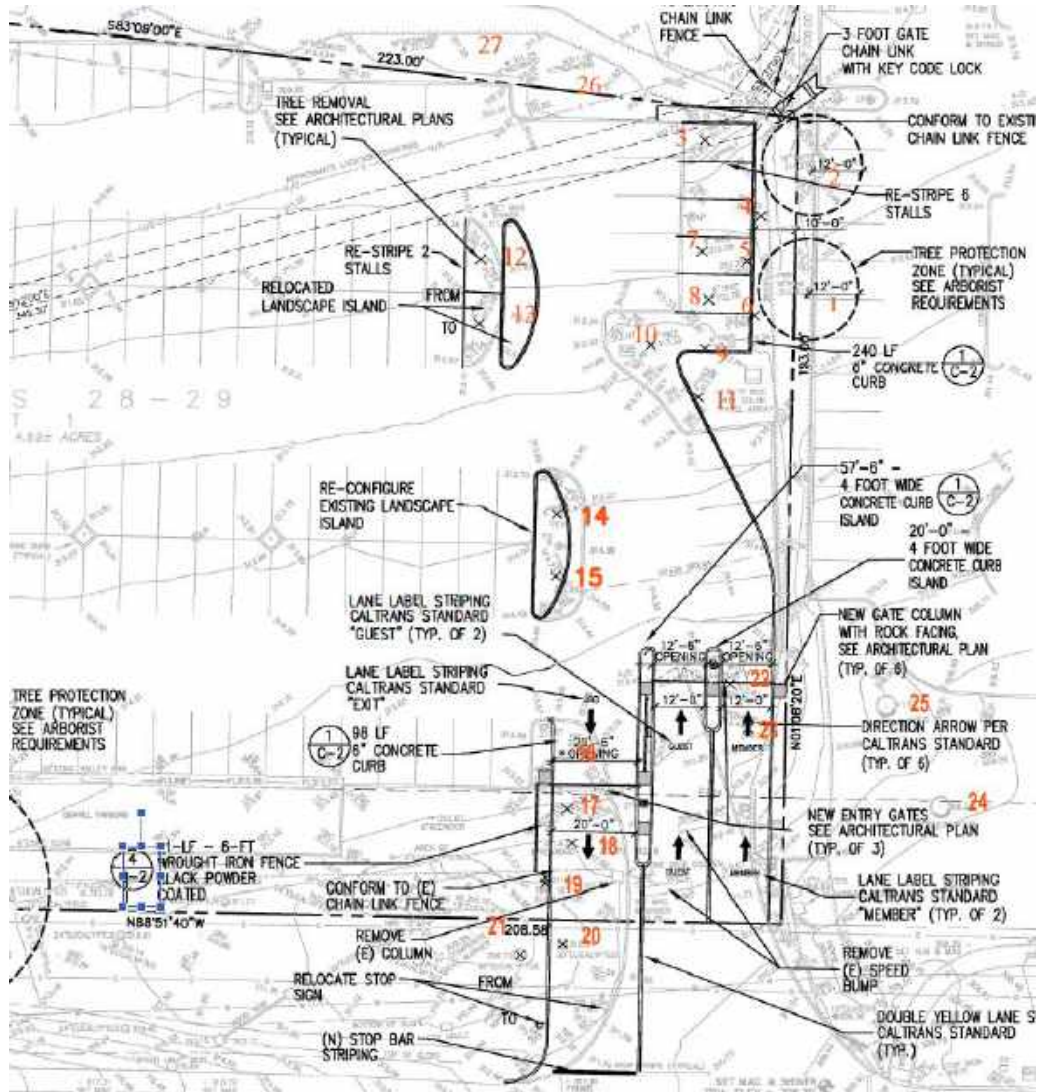


Figure 1: area of work

Discussion

Two blue gums (*Eucalyptus globulus*) are recommended for removal due to conflicts with development and somewhat likely risk for limb failures over the road from weak wood attachments. Targets for limb failures are the road and parking lot. Tree 21 is recommended for removal due to poor health. None of the other removals are protected trees size in Menlo Park. The required replacement ratio for the three eucalypts is three 36-inch box trees or \$3,600. New impacts to tree one will occur to less than 20 percent of root environment and less than 10 percent of tree two's root environment. New parking is 12-feet from tree one and 9-feet from tree two. This is per plan changes January 7, 2022. Hand or air digging is required for any curb cut within a TPZ. I recommend a meeting with site arborist and neighbor to review potential impacts and permission to implement mitigation work. The carob, tree two, should be removed as the top is dead but it is a neighbor's tree. Arborist monitoring is required for any excavation within defined Tree Protection Zones. Minor impacts are anticipated to trees 24 and 25. Plan changes reduced the impacts to trees one and two to less than 20 percent of the root areas of both trees.

TREE PRESERVATION GUIDELINES

Tree Preservation and Protection Plan

In providing recommendations for tree preservation, we recognize that injury to trees as a result of construction include mechanical injuries to trunks, roots and branches, and injury as a result of changes that occur in the growing environment.

To minimize these injuries, we recommend grading operations encroach no closer than six times the trunk diameter, (i.e. 30" diameter tree x 6=180" distance). At this distance, buttress/anchoring roots would be preserved and minimal injury to the functional root area would be anticipated. Should encroachment within the area become necessary, hand digging is **mandatory**.

Barricades

Prior to initiation of construction activity, temporary barricades should be installed around all trees in the construction area. Six-foot high, chain link fences are to be mounted on steel posts, driven 2 feet into the ground, at no more than 10-foot spacing. These barricades will be placed around individual trees and/or groups of trees as the existing environment dictates. **Where existing chain link fence or hedges are not present at property lines, the above specification will apply.** The temporary barricades will serve to protect trunks, roots and branches from mechanical injuries, will inhibit stockpiling of construction materials or debris within the sensitive 'drip line' areas and will prevent soil compaction from increased vehicular/ pedestrian traffic.



Root Pruning (if necessary)

During and upon completion of any trenching/grading operation within a Tree Protection Zone, clean pruning cuts of exposed, damaged or severed roots greater than one inch diameter should be accomplished under the supervision of a qualified Arborist to minimize root deterioration beyond the soil line **within twenty-four (24) hours**.

Irrigation

A supplemental irrigation program is recommended for the trees and should be accomplished at regular three to four-week intervals during the period of May 1st through October 31st. Irrigation is to be applied at or about the 'drip line' in an amount sufficient to supply approximately ten (10) gallons of water for each inch in trunk diameter.

Irrigation can be provided by means of a soil needle, 'soaker' or permeable hose. When using 'soaker' or permeable hoses, water is to be run at low pressure, avoiding runoff/puddling, allowing the needed moisture to penetrate the soil to feeder root depths.

Sharon Heights Golf & Country Club
2900 Sand Hill Road, Menlo Park, CA

Fertilization

A program of fertilization by means of deep root soil injection is recommended with applications in spring and summer for those trees to be impacted by construction. Fertilizer should include organic blends and components such as mycorrhizae and bio stimulants.

Such fertilization will serve to stimulate feeder root development, offset shock/stress as related to construction and/or environmental factors, encourage vigor, alleviate soil compaction and compensate for any encroachment of natural feeding root areas.

Inception of this fertilizing program is recommended prior to the initiation of construction activity.

Mulch

Mulching with wood chips (maximum depth 3") within tree environments (outer foliar perimeter) will lessen moisture evaporation from soil, protect and encourage adventitious roots and minimize possible soil compaction.

Inspection

Periodic inspections by the **Site Arborist** are recommended during construction activities, particularly as trees are impacted by trenching/grading operations.

Inspections at approximate four (4) week intervals would be sufficient to assess and monitor the effectiveness of the Tree Preservation Plan and to provide recommendations for any additional care or treatment.

All written material appearing herein constitutes original and unpublished work of the Arborist and may not be duplicated, used or disclosed without written consent of the Arborist.

We thank you for this opportunity to be of assistance in your tree preservation concerns.

Should you have any questions, or if we may be of further assistance in these concerns, kindly contact our office at any time.

McCLENAHAN CONSULTING, LLC



By: **John H. McClenahan**
ISA Board Certified Master Arborist, WE-1476B
member, American Society of Consulting Arborists

JHMc: cm

#	Name	DBH	Height	H. T.	Appraise Value	Location	Pres. Suit	Removal reason	TPZ	Impacts
1	Italian stone pine	21.8	35'	Yes	\$4,100	Northeast property line	Yes	N/A	19'	45%
2	Carob	15	15'	Yes	\$1,000	Northeast property line	No	Health	13'	40%
3	Zelkova	5	12'	No	\$400	Northeast corner	No	Development	N/A	N/A
4	Zelkova	5.2	15'	No	\$300	Northeast corner	No	Development	N/A	N/A
5	Zelkova	4	15'	No	\$200	Northeast corner	No	Development	N/A	N/A
6	Zelkova	4.8	15'	No	\$300	Northeast corner	No	Development	N/A	N/A
7	Zelkova	6.4	15'	No	\$700	Northeast corner	No	Development	N/A	N/A
8	Zelkova	6.2	15'	No	\$600	Northeast corner	No	Development	N/A	N/A
9	Zelkova	5.5	15'	No	\$500	Northeast corner	No	Development	N/A	N/A
10	Zelkova	6.4	15'	No	\$700	Northeast corner	No	Development	N/A	N/A
11	Zelkova	7.3	15'	No	\$1,000	Northeast corner	No	Development	N/A	N/A
12	Zelkova	3.6	12'	No	\$0	Planter island north parking	No	Development	N/A	N/A
13	Zelkova	4.6	13'	No	\$400	Planter island north parking	No	Development	N/A	N/A
14	Zelkova	6.2	13'	No	\$800	Planter island near entry	No	Development	N/A	N/A
15	Zelkova	6.9	15'	No	\$1,000	Planter island near entry	No	Development	N/A	N/A
16	Coast redwood	12.6	25'	No	\$800	Planter at entry	No	Development	N/A	N/A
17	Coast redwood	9.8	20'	No	\$400	Planter at entry	No	Development	N/A	N/A
18	Coast redwood	6.3	13'	No	\$100	Planter at entry	No	Development	N/A	N/A
19	Blue gum	31.2	45'	Yes	\$3,300	Left of entry	No	Development	N/A	N/A
20	Blue gum	32.3	50'	Yes	\$3,100	Left of entry	No	Development	N/A	N/A
21	Blue gum	34.5	55'	Yes	\$2,500	Left of entry	No	Health	N/A	N/A
22	Coast redwood	8.8	15'	No	\$400	Right of entry	No	Development	N/A	N/A
23	Coast redwood	8.2	15'	No	\$300	Right of entry	No	Development	N/A	N/A
24	Blue gum	53	75'	Yes	\$12,800	Neighbors	Yes	N/A	44'	<15%
25	Blue gum	52	80'	Yes	\$7,400	Neighbors	Yes	N/A	44'	<15%
26	Coast redwood	11.9	22'	No	\$800	North end of parking	Yes	N/A	10'	<5%
27	Coast redwood	13.2	25'	No	\$900	North end of parking	Yes	N/A	9'	<5%



















Sharon Heights Golf & Country Club
2900 Sand Hill Road, Menlo Park, CA



McClenahan Consulting, LLC

Arboriculturists Since 1911

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ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like a medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, landlord-tenant matters, etc. Arborists cannot take such issues into account unless complete and accurate information is given to the arborist. The person hiring the arborist accepts full responsibility for authorizing the recommended treatment or remedial measures.

Trees can be managed, but they cannot be controlled. To live near a tree is to accept some degree of risk. The only way to eliminate all risks is to eliminate all trees.



Arborist: _____
Date: John H. McClenahan
January 10, 2022

May 20, 2022

Sharon Heights Golf & Country Club
Attn: Mr. Thorsten Loth
2900 Sand Hill Road
Menlo Park, CA 94025



Tree Protection Amendment at 2900 Sand Hill Road

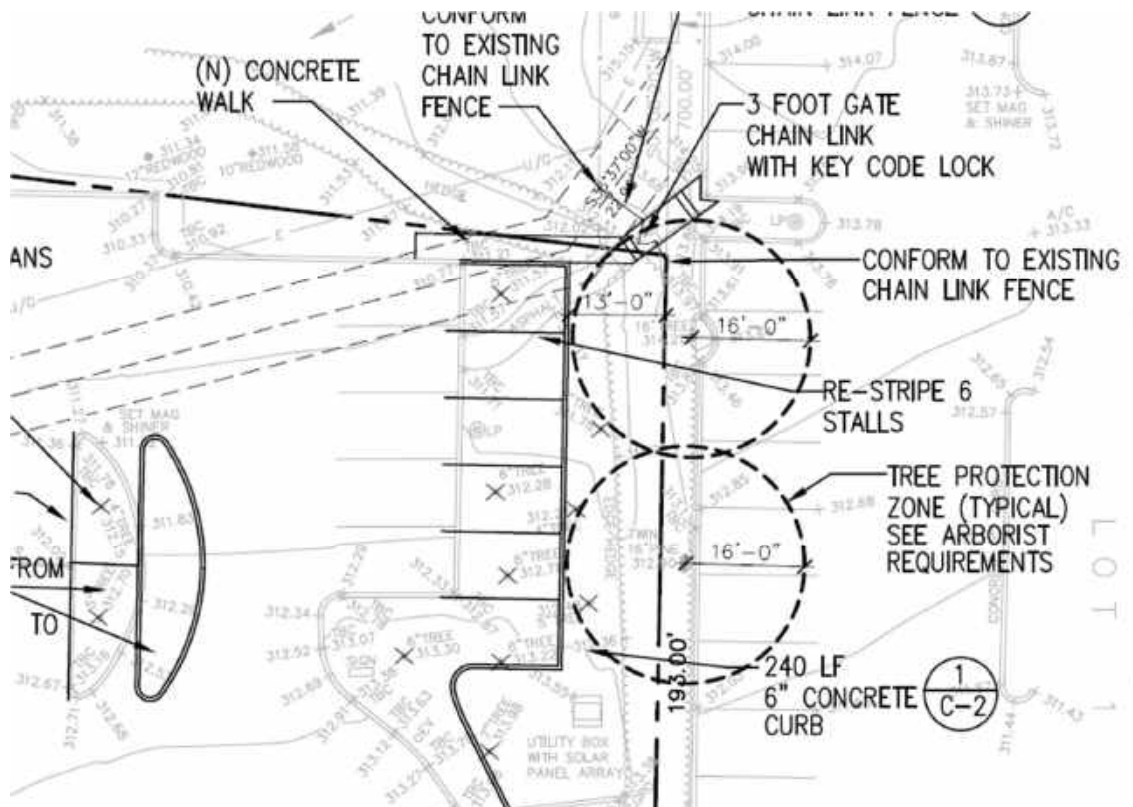
Dear Mr. Loth,

You contacted me regarding a design change to better protect trees one and two. The Italian stone pine is 21.8" in diameter and now 16-feet from new curb. The Carob is 15" in diameter and in very poor condition and also approximately 16-feet from new curb. The anticipated impacts to tree environments reduced from 45 percent to less than 15 percent of the root environment. The revised plan conforms to the city ordinance.

Follow previously submitted tree protection and mitigation guidelines from McClenahan Consulting LLC.

If you have any questions about my observations or recommendations, please contact me.

John H McClenahan
Board Certified Master Arborist WE-1476B
jmcclenahan@bartlett.com



Limits of the Assignment

The tree assessment was performed from the ground for visual conditions. This tree inventory was not a tree risk assessment. As such, no trees were assessed for risk in accordance with industry standards, nor are there any tree risk ratings or risk mitigation recommendations provided within this report.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant can neither guarantee nor be responsible for the accuracy of information provided by others.

Illustrations, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.

Information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plans or property in question may not arise in the future.

There is no guarantee for the preservation of the trees contained in this report, however, the preservation plan is made with the best interest intended for the trees being preserved.



STAFF REPORT

Planning Commission

Meeting Date:

7/11/2022

Staff Report Number:

22-035-PC

Public Hearing:

Use Permit/Larry Kahle/176 East Creek Drive

Recommendation

Staff recommends that the Planning Commission approve a use permit to construct first and second story additions and interior alterations to an existing nonconforming one-story, single-family residence on a substandard lot with regard to the minimum lot width in the R-1-S (Single Family Suburban Residential) zoning district. The proposed work would exceed 50 percent of the replacement value of the existing nonconforming structure in a 12-month period. The proposal would also exceed 50 percent of the existing floor area and is considered equivalent to a new structure. The draft resolution, including the recommended actions and conditions of approval, is included as Attachment A.

Policy Issues

Each use permit request is considered individually. The Planning Commission should consider whether the required use permit findings can be made for the proposal.

Background

Site location

Using East Creek Drive in a north-south orientation, the subject property is located on the eastern side of East Creek Drive, between Willow Road to the north and Alma Street/Alma Street Park to the south. The San Francisquito Creek and City of Palo Alto border the property to the east. A location map is included as Attachment B.

Residences along East Creek Drive include primarily one-story residences, developed in a variety of architectural styles including ranch and contemporary. Two-story residences nearby include 168 East Creek Drive (single-family) and 120 East Creek Drive (multi-family). The neighborhood features predominantly single-family residences consistent with the R-1-S zoning district. At the intersection of Alma Street and East Creek Drive to the south is an apartment building at 120 East Creek Drive, located in the R-3 (Apartment) zoning district.

Analysis

Project description

The property is currently occupied by a one-story residence with an attached two-car garage. A portion of the garage and the entire façade of the existing residence is nonconforming with respect to the front (west) setback.

The applicant is proposing to demolish portions of the existing residence and construct interior alterations and additions at the first floor and a new second story. The existing two-car garage, driveway, and entry walkway are proposed to remain. The site layout, including rear yard pool, is proposed to generally remain in similar configuration.

The proposed residence would include four bedrooms (inclusive of office/guest room) and 4½ bathrooms. The value of the proposed work would equal 153 percent of the replacement value of the non-conforming residence, exceeding the 50 percent use permit threshold in a 12-month period. The proposal would also exceed 50 percent of the existing floor area and is considered equivalent to a new structure.

Of particular note with regard to Zoning Ordinance requirements:

- The proposed floor area for the residence is 4,930.7 square feet. The maximum allowable floor area limit (FAL) is 5,381.3 square feet.
- The second-story addition would be limited in size relative to the development, with a floor area of 1,882.5 square feet, representing approximately 38 percent of the maximum FAL, where 50 percent is the maximum allowed.
- The proposed building coverage is 3,388.1 square feet, approximately 19.6 percent of the lot area, where 35 percent is the maximum allowed.
- The proposed residence would be 26.4 feet in height, where 28 feet is the maximum allowed.
- The project retains two covered parking spaces in an attached garage, where a minimum of one covered space (plus one uncovered space) is required.

The proposed residence maintains the existing nonconforming encroachment at the front (west) setback facing the street. The proposed residence encroaches approximately 1.3 feet at the left (north) side of the residence and 6.3 feet at the right (south) side of the residence, where a 20-foot setback is required. The required side (north/south) setbacks of 10 feet are met. The required rear (east) setback of 20 feet is met; the proposed residence is about 115.6 feet away from the rear property line. Apart from the existing nonconforming condition of the residence with regard to the front (west) setback and the substandard minimum lot width (79.9 feet provided where 80.0 feet is required), the proposed project conforms to the development standards of the R-1-S zoning district. A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

Design and materials

The applicant states in their project description letter that the proposed residence is designed in a coastal style. The exterior of the proposed residence would predominantly feature painted cement-fiber horizontal siding with decorative trim. Brick veneer with a whitewash finish would be applied at the entry to the residence. Several bay windows are highlighted with a standing seam metal roof, metal windows, and accent siding. The remaining wood windows would have simulated divided lites with interior spacer bars. With regard to the second-story windows facing the adjacent neighbors, sill heights range from 3.8 feet to 5.2 feet towards the left (north) and 3.3 feet to 3.8 feet to the right (south). The roofing would be composition shingle. The applicant states that the gabled dormers on the second floor along with the gabled entry are purposeful design features to relieve the front façade massing and also emphasize the entry. The second floor is set back approximately 11.6 feet from the left (north) property line and

approximately 13.3 feet from the right (south) property line. The second floor balcony off the primary bedroom is set back approximately 20.2 feet from the right (south) property line.

Staff believes that the scale, materials, and style of the proposed residence would result in a consistent aesthetic approach and are generally consistent with the broader neighborhood, given the similar architectural styles and sizes of structures in the area.

Trees and landscaping

The applicant has submitted an arborist report (Attachment F), detailing the species, size, and conditions of on-site and nearby heritage/non-heritage trees. The arborist report highlights a total of eight trees on and around the subject property. There are four heritage trees (Trees #1-4) located on the neighboring property to the left (north) at 180 East Creek Drive. Trees #1-3 are located in the neighbor's front yard and provide screening between the properties. Trees #1-3 are in good condition on the neighboring property. Tree #3 would require pruning of several lower limbs for the construction of a new second story at the subject residence. Tree #4 is located in the neighbor's rear yard and also provides screening between properties. There are four heritage trees (Trees #5-8) located in the rear yard of the subject property; these trees provide additional screening between the subject property and the neighboring properties. No heritage/non-heritage trees are proposed for removal as part of the project.

The arborist report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance and protection. The pruning of Tree #3 is required to be supervised by a certified arborist (approximately 5-10 percent of the canopy would be removed) and tree projection fencing is required for all the heritage trees except for Tree #5 which is located near the rear property line of the subject property and would not be impacted by the construction at the front of the property. As part of the project review process, the arborist report was reviewed by the City Arborist. Implementation of all recommendations to mitigate impacts to existing heritage trees identified in the arborist report would be ensured as part of condition 1.h.

Correspondence

Within the project description letter (Attachment E), the applicant relays the following efforts for community outreach:

The homeowner delivered printed copies of the front and side exterior elevations, as well as the roof plan, to the homeowner's two next-door neighbors. For the neighbor to the north, the second story windows in the gym and gym bathroom (north side) were raised above eye level to maintain the privacy of their back yard. The homeowner also hand-delivered copies of the exterior elevation and roof plan to the across-the-street neighbor, as well as to the homes on either side. No feedback was expressed in those or previous conversations regarding the remodel plans.

As of the publication of this report, staff has not received correspondence regarding the project.

Conclusion

Staff believes that the design, scale, and materials of the proposed residence are generally compatible with the surrounding neighborhood, and would result in a consistent aesthetic approach. The coastal style would be generally attractive and well-proportioned, and the positioning/design of the second floor would help increase privacy while reducing the perception of mass. Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

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.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

Appeal Period

The Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

Attachments

- A. Draft Planning Commission Resolution of Approval Adopting Findings for project Use Permit, including project Conditions of Approval
Exhibits to Attachment A
 - A. Project Plans (See Attachment D to this (July 11, 2022) Planning Commission Staff Report)
 - B. Conditions of Approval
- B. Location Map
- C. Data Table
- D. Project Plans
- E. Project Description Letter
- F. Arborist Report

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City

Staff is not always possible. The original full-scale maps, drawings, and exhibits are available for public viewing at the Community Development Department.

Exhibits to Be Provided at Meeting

None

Report prepared by:

Calvin Chan, AICP, Senior Planner

Report reviewed by:

Corinna Sandmeier, Acting Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2022-XX**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT TO CONSTRUCT FIRST AND SECOND STORY ADDITIONS AND INTERIOR ALTERATIONS TO AN EXISTING NONCONFORMING ONE-STORY, SINGLE-FAMILY RESIDENCE ON A SUBSTANDARD LOT WITH REGARD TO THE MINIMUM LOT WIDTH IN THE R-1-S (SINGLE FAMILY SUBURBAN RESIDENTIAL) ZONING DISTRICT**

WHEREAS, the City of Menlo Park (“City”) received an application requesting to construct first and second story additions and interior alterations to an existing nonconforming one-story, single-family residence on a substandard lot with regard to the minimum lot width in the R-1-S (Single Family Suburban Residential) zoning district—the proposed work would exceed 50 percent of the replacement value of the existing nonconforming structure in a 12-month period; the proposal would also exceed 50 percent of the existing floor area and is considered equivalent to a new structure—(collectively, the “Project”) from Metropolis Architecture (“Applicant”), on behalf of the property owner Christy Peetz (“Owner”), located at 176 East Creek Drive (APN 062-441-170) (“Property”). The Project use permit is depicted in and subject to the development plans and documents which are attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the Property is located in the Single Family Suburban Residential (R-1-S) district. The R-1-S district supports single-family residential uses; and

WHEREAS, the proposed Project complies with all objective standards of the R-1-S district; and

WHEREAS, the proposed Project was reviewed by the Engineering Division and found to be in compliance with City standards; and

WHEREAS, the Applicant submitted an arborist report prepared by Davey Resource Group which was reviewed by the City Arborist and found to be in compliance with the Heritage Tree Ordinance and proposes mitigation measures to adequately protect heritage trees in the vicinity of the project; and

WHEREAS, the Project, requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act (“CEQA,” Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require analysis and a determination regarding the Project’s environmental impacts; and

WHEREAS, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the Project; and

WHEREAS, the Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15303 et seq. (New Construction or Conversion of Small Structures); and

WHEREAS, all required public notices and public hearings were duly given and held according to law; and

WHEREAS, at a duly and properly noticed public hearing held on July 11, 2022, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the Project.

NOW, THEREFORE, THE MENLO PARK PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

Section 1. Recitals. The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided, and the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

Section 2. Conditional Use Permit Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the use permit for the construction of first and second story additions and interior alterations to an existing nonconforming one-story, single-family residence on a substandard lot is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

1. That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
 - a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the proposed use permit is consistent with the R-1-S zoning district and the General Plan because the construction of first and second story additions and interior alterations to an existing nonconforming one-story, single-family residence are allowed to be constructed on substandard lots subject to granting of a use permit and provided that the proposed residence conforms to applicable zoning standards, including, but not limited to, minimum

- setbacks (note: only the new portions of the residence would comply with setbacks), maximum floor area limit, and maximum building coverage.
- b. The proposed residence would include the required number of off-street parking spaces because one covered and one uncovered parking space would be required at a minimum, and two covered parking spaces are provided.
- c. The proposed Project is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code and the Commission concludes that the Project would not be detrimental to the health, safety, and welfare of the surrounding community as the new residence would be located in a single-family neighborhood and designed such that privacy concerns would be addressed through second story setbacks and balcony setbacks greater than the minimum required setbacks in the R-1-S district.

Section 3. Conditional Use Permit. The Planning Commission approves Use Permit No. PLN2022-00002, which Use Permit is depicted in and subject to the development plans and documents which are attached hereto and incorporated herein by this reference as Exhibit A. The Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit B.

Section 4. ENVIRONMENTAL REVIEW. The Planning Commission makes the following findings, based on its independent judgment after considering the Project, and having reviewed and taken into consideration all written and oral information submitted in this matter:

- A. The Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15303 et seq. (New Construction or Conversion of Small Structures).

Section 5. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I, Corinna Sandmeier, Acting Principal Planner and Planning Commission Liaison of the City of Menlo Park, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on July 11, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 11th day of July, 2022.

Corinna Sandmeier
Acting Principal Planner and Planning Commission Liaison
City of Menlo Park

Exhibits

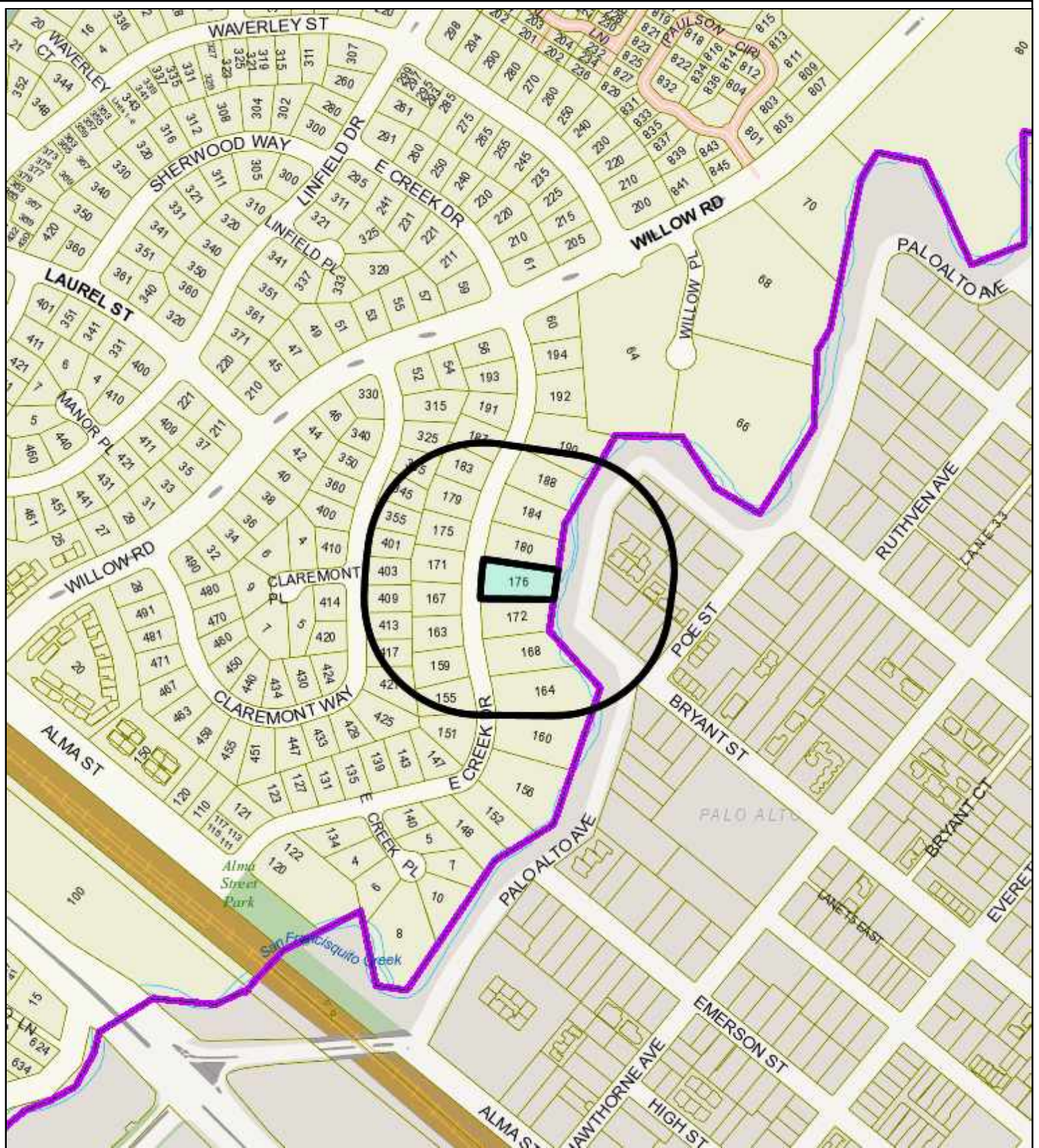
- A. Project Plans
- B. Conditions of Approval

176 East Creek Drive – Exhibit B: Conditions of Approval

LOCATION: 176 East Creek Drive	PROJECT NUMBER: PLN2022-00002	APPLICANT: Metropolis Architecture	OWNER: Christy Peetz
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CONDITIONS OF APPROVAL:

1. The applicant shall be required to apply for a building permit within one year from the date of approval (by July 11, 2023) for the use permit to remain in effect.
2. Development of the project shall be substantially in conformance with the plans prepared by Metropolis Architecture consisting of 13 plan sheets, dated received June 29, 2022 and approved by the Planning Commission on July 11, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
3. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
4. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
5. 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.
6. 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.
7. 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.
8. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Davey Resource Group, dated May 23, 2022.
9. Prior to building permit issuance, the applicant shall pay all fees incurred through staff time spent reviewing the application.
10. The applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit, or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.



City of Menlo Park
 Location Map
 176 East Creek Drive (PLN2022-00002)



Scale: 1:4,000

Drawn By: CC

Checked By: CDS

Date: 6/27/2022

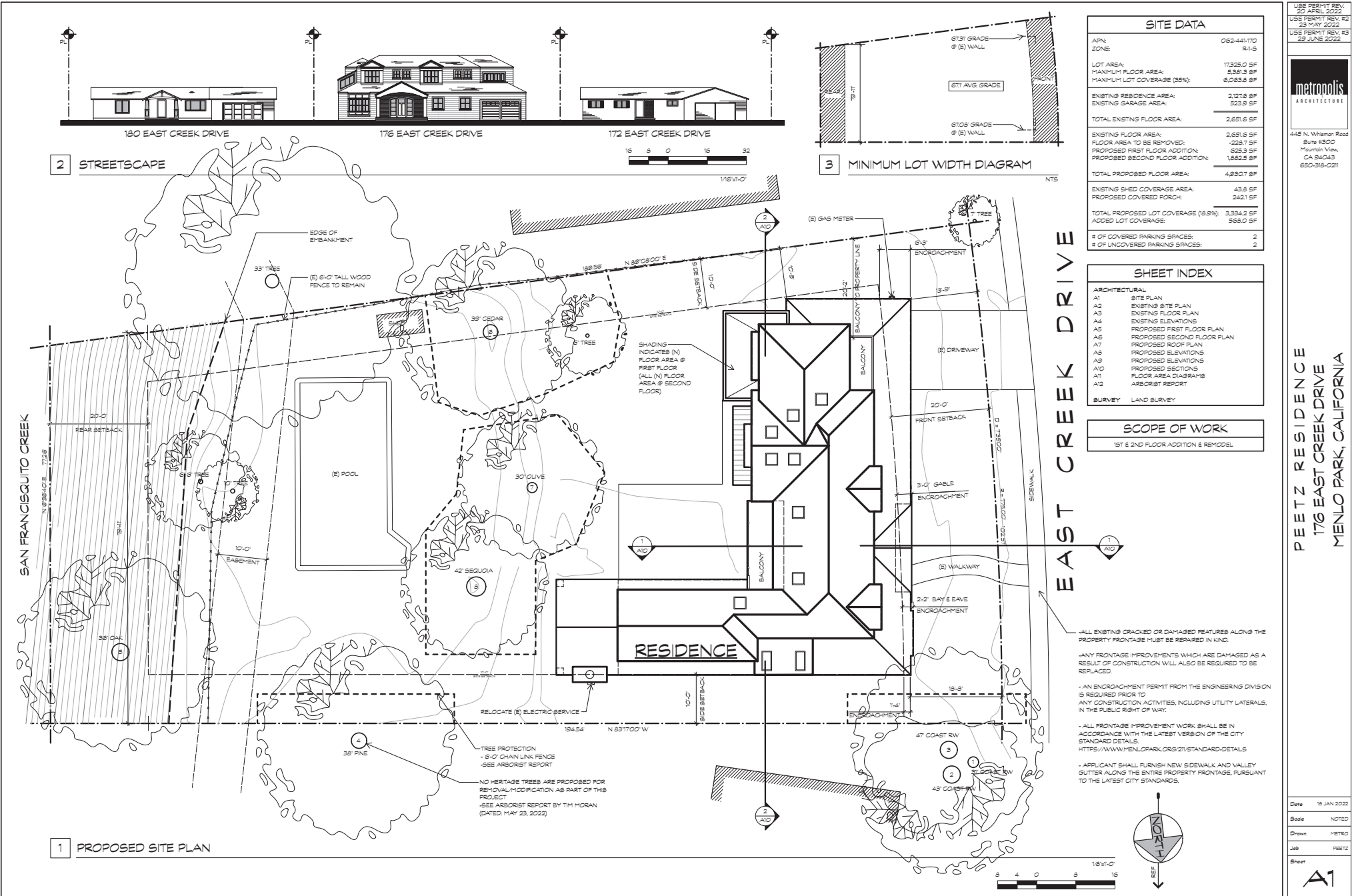
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	PROPOSED PROJECT	EXISTING PROJECT	ZONING ORDINANCE
Lot area	17,325.0 sf	17,325.0 sf	10,000 sf min.
Lot width	79.9 ft.	79.9 ft.	80 ft. min.
Lot depth	194.5 ft.	194.5 ft.	100 ft. min.
Setbacks			
Front (west)	13.8 ft.	13.8 ft.	20 ft. min.
Rear (east)	115.6 ft.	103.6 ft.	20 ft. min.
Side (north/left)	10 ft.	10 ft.	10 ft. min. for house
Side (south/right)	10.4 ft.	10.4 ft.	10 ft. min. for house
Building coverage	3,388.1 sf 19.6 %	2,722.3 sf 15.7 %	6,063.8 sf max. 35 % max.
FAL (Floor Area Limit)	4,930.7 sf	2,651.6 sf	5,381.3 sf max.
Square footage by floor	2,524.3 sf-1st 1,882.5 sf-2nd 523.9 sf-garage 54.0 sf-entry porch 242.1 sf-rear patio 43.8 sf-shed	2,127.6 sf-1st 523.9 sf-garage	
Square footage of buildings	5,270.6 sf	2,651.6 sf	
Building height	26.4 ft.	15.8 ft.	28 ft. max.
Parking	2 covered spaces	2 covered spaces	1 covered space/1 uncovered space
Note: Areas shown highlighted indicate a nonconforming or substandard situation			

Trees	Heritage trees 8*	Non-Heritage trees 5**	New trees 0
	Heritage trees 0 proposed for removal	Non-Heritage trees 0 proposed for removal	Total Number of trees 13

*Of these trees, four are located on the neighboring property (180 East Creek Drive) and four are located on the subject property.

**Of these trees, two are located adjacent to the site and three are located on the subject property.



2 STREETScape

3 MINIMUM LOT WIDTH DIAGRAM

1 PROPOSED SITE PLAN

SITE DATA	
APN:	062-441-170
ZONE:	R1-B
LOT AREA:	17,325.0 SF
MAXIMUM FLOOR AREA:	5,381.3 SF
MAXIMUM LOT COVERAGE (35%):	6,063.8 SF
EXISTING RESIDENCE AREA:	2,127.6 SF
EXISTING GARAGE AREA:	823.9 SF
TOTAL EXISTING FLOOR AREA:	2,951.5 SF
EXISTING FLOOR AREA:	2,651.6 SF
FLOOR AREA TO BE REMOVED:	228.7 SF
PROPOSED FIRST FLOOR ADDITION:	625.3 SF
PROPOSED SECOND FLOOR ADDITION:	1,882.5 SF
TOTAL PROPOSED FLOOR AREA:	4,930.7 SF
EXISTING SHED COVERAGE AREA:	43.6 SF
PROPOSED COVERED PORCH:	242.1 SF
TOTAL PROPOSED LOT COVERAGE (18.8%):	3,334.2 SF
ADDED LOT COVERAGE:	588.0 SF
# OF COVERED PARKING SPACES:	2
# OF UNCOVERED PARKING SPACES:	2

SHEET INDEX	
ARCHITECTURAL	
A1	SITE PLAN
A2	EXISTING SITE PLAN
A3	EXISTING FLOOR PLAN
A4	EXISTING ELEVATIONS
A5	PROPOSED FIRST FLOOR PLAN
A6	PROPOSED SECOND FLOOR PLAN
A7	PROPOSED ROOF PLAN
A8	PROPOSED ELEVATIONS
A9	PROPOSED ELEVATIONS
A10	PROPOSED SECTIONS
A11	FLOOR AREA DIAGRAMS
A12	ARBORIST REPORT
SURVEY LAND SURVEY	

SCOPE OF WORK	
1ST & 2ND FLOOR ADDITION & REMODEL	

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20 APRIL 2022

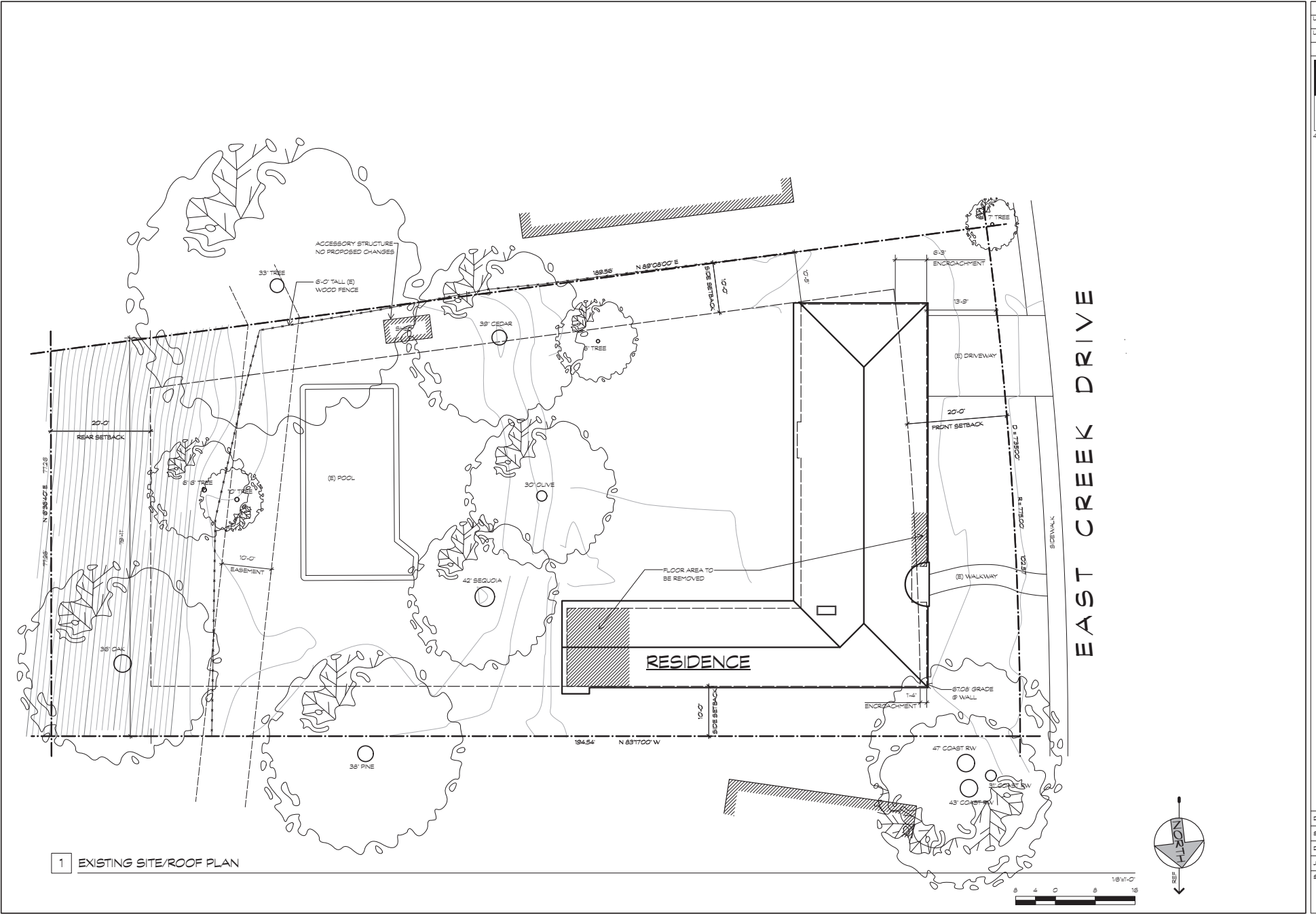
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23 MAY 2022

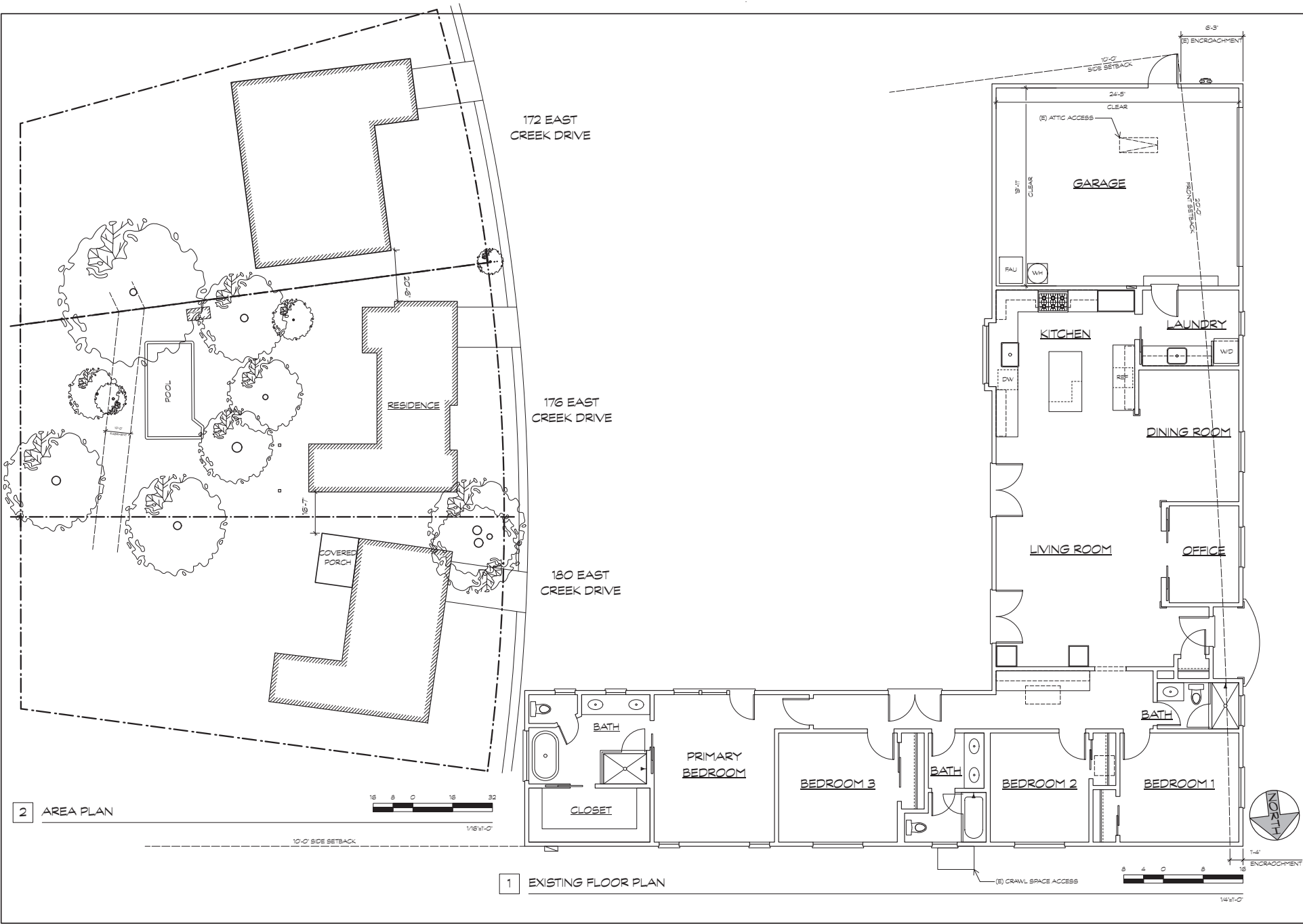
USE PERMIT REV. #3
29 JUNE 2022

445 N. Whittier Road
Suite 4500
Mountain View,
CA 94043
650-518-0271

PEETZ RESIDENCE
176 EAST CREEK DRIVE
MENLO PARK, CALIFORNIA

Date: 18 JAN 2022
Scale: NOTED
Drawn: METRO
Job: PEETZ
Sheet: A1





USE PERMIT REV. #1
27 APRIL 2022
USE PERMIT REV. #2
23 MAY 2022
USE PERMIT REV. #3
29 JUNE 2022

metropolis
ARCHITECTURE

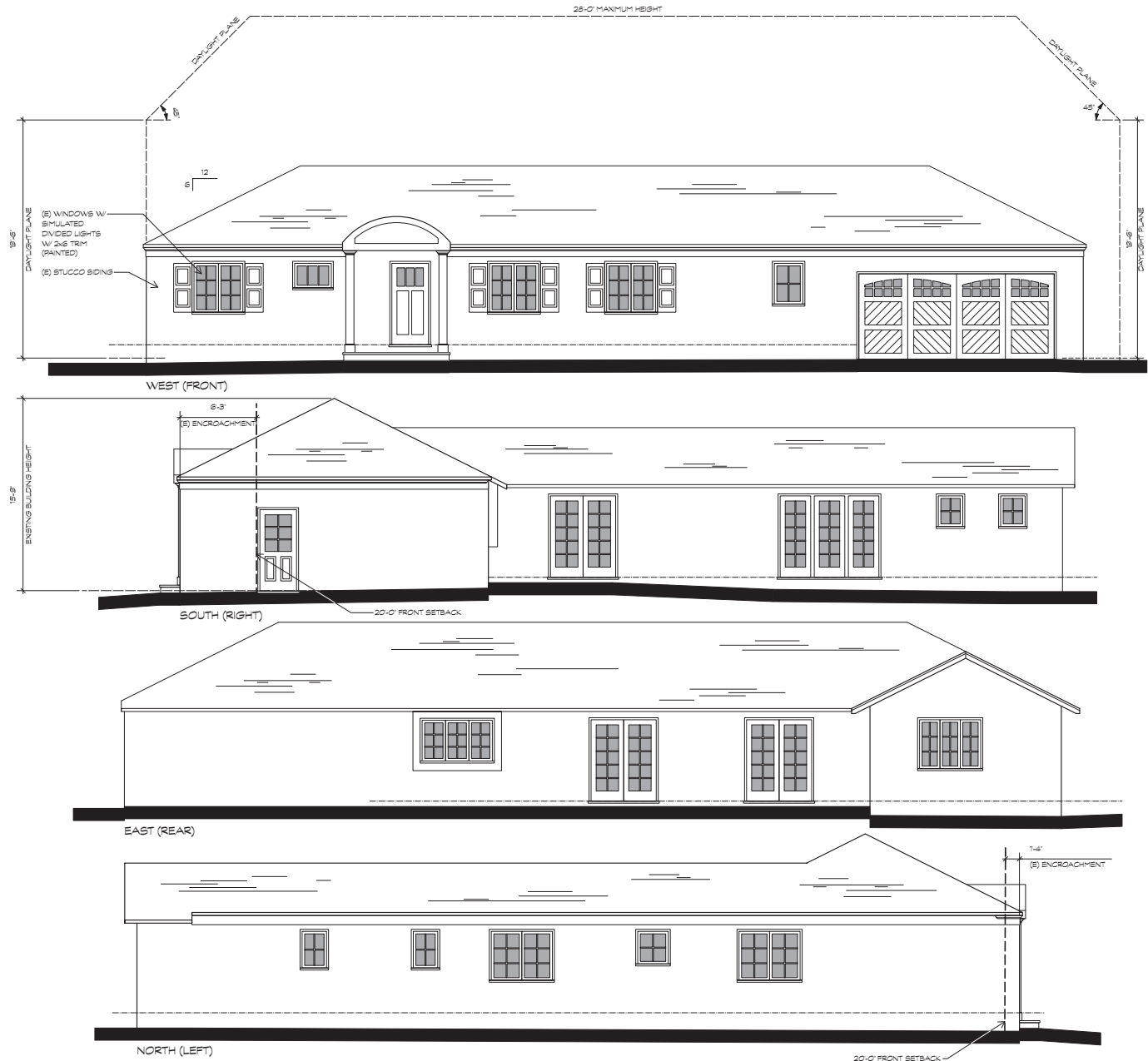
445 N. Whimor Road
Suite 4300
Mountain View,
CA 94043
650-918-0271

PEETZ RESIDENCE
176 EAST CREEK DRIVE
MENLO PARK, CALIFORNIA

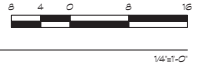


Date: 18 JAN 2022
Scale: NOTED
Drawn: METRO
Job: PEETZ
Sheet:

A3



1 EXISTING ELEVATIONS



USE PERMIT REV. #1
27 APRIL 2022
USE PERMIT REV. #2
23 MAY 2022
USE PERMIT REV. #3
29 JUNE 2022

metropolis
ARCHITECTURE

445 N. Whimor Road
Suite 4300
Mountain View,
CA 94043
650-918-0271

PEETZ RESIDENCE
176 EAST CREEK DRIVE
MENLO PARK, CALIFORNIA

Date 18 JAN 2022
Scale NOTED
Drawn METRO
Job PEETZ
Sheet

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USE PERMIT REV. #2
23 MAY 2022
USE PERMIT REV. #3
29 JUNE 2022

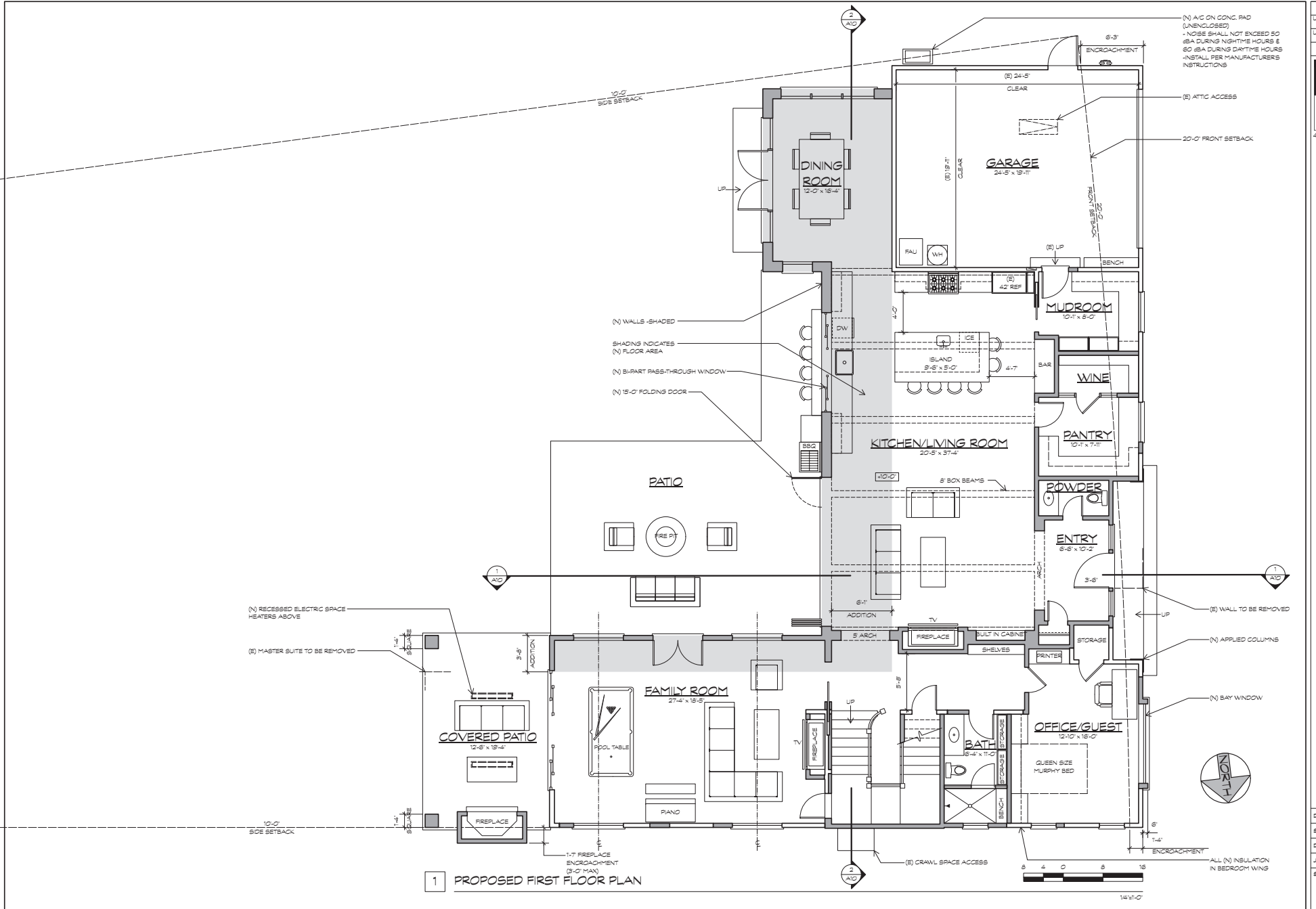


445 N. Whimor Road
Suite 4500
Mountain View,
CA 94043
650-518-0211

PEETZ RESIDENCE
176 EAST CREEK DRIVE
MENLO PARK, CALIFORNIA

Date 18 JAN 2022
Scale NOTED
Drawn METRO
Job PEETZ
Sheet

A5



1 PROPOSED FIRST FLOOR PLAN

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20 APRIL 2022
USE PERMIT REV. #2
23 MAY 2022
USE PERMIT REV. #3
29 JUNE 2022

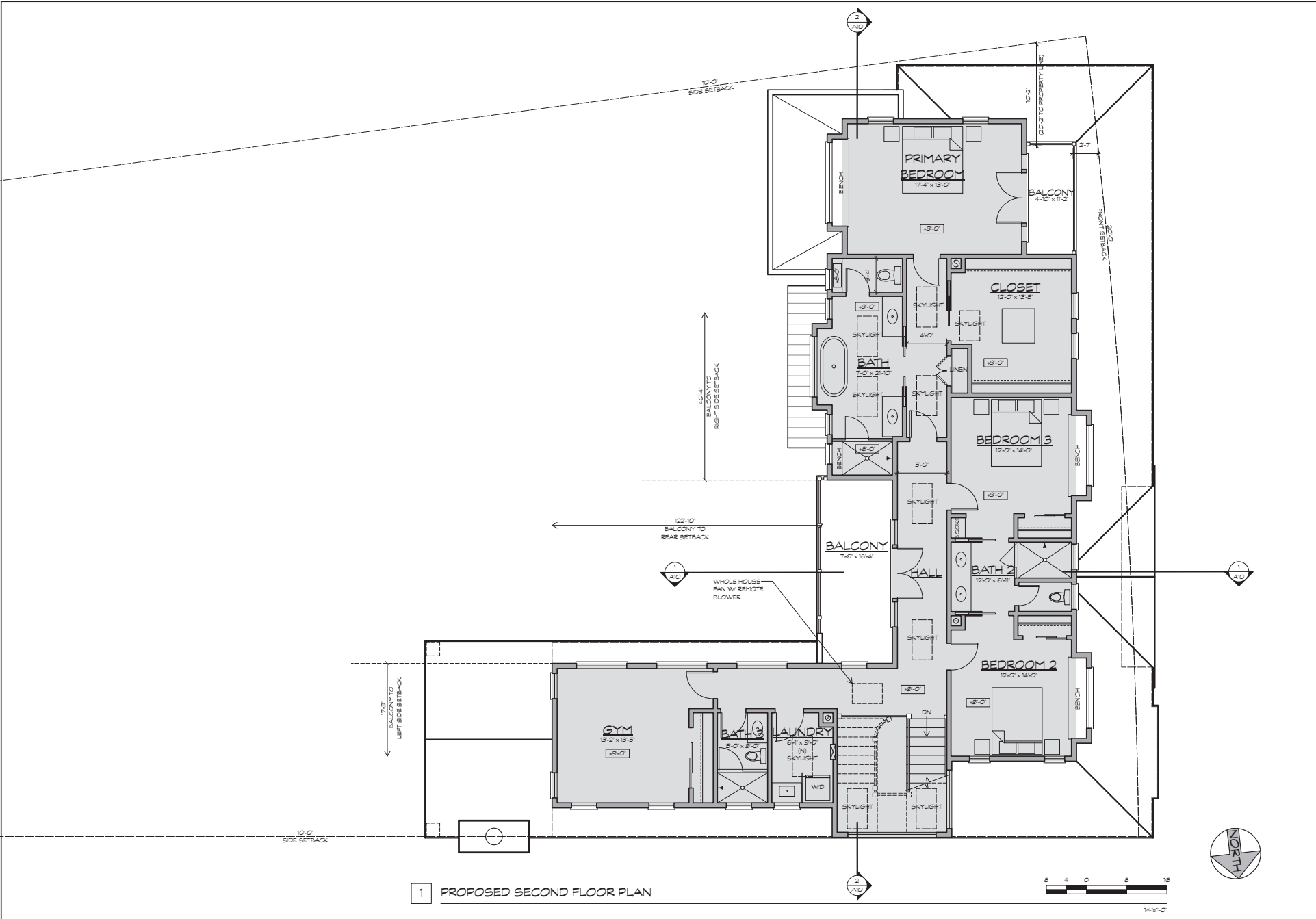


445 N. Whimor Road
Suite 4300
Mountain View,
CA 94043
650-918-0271

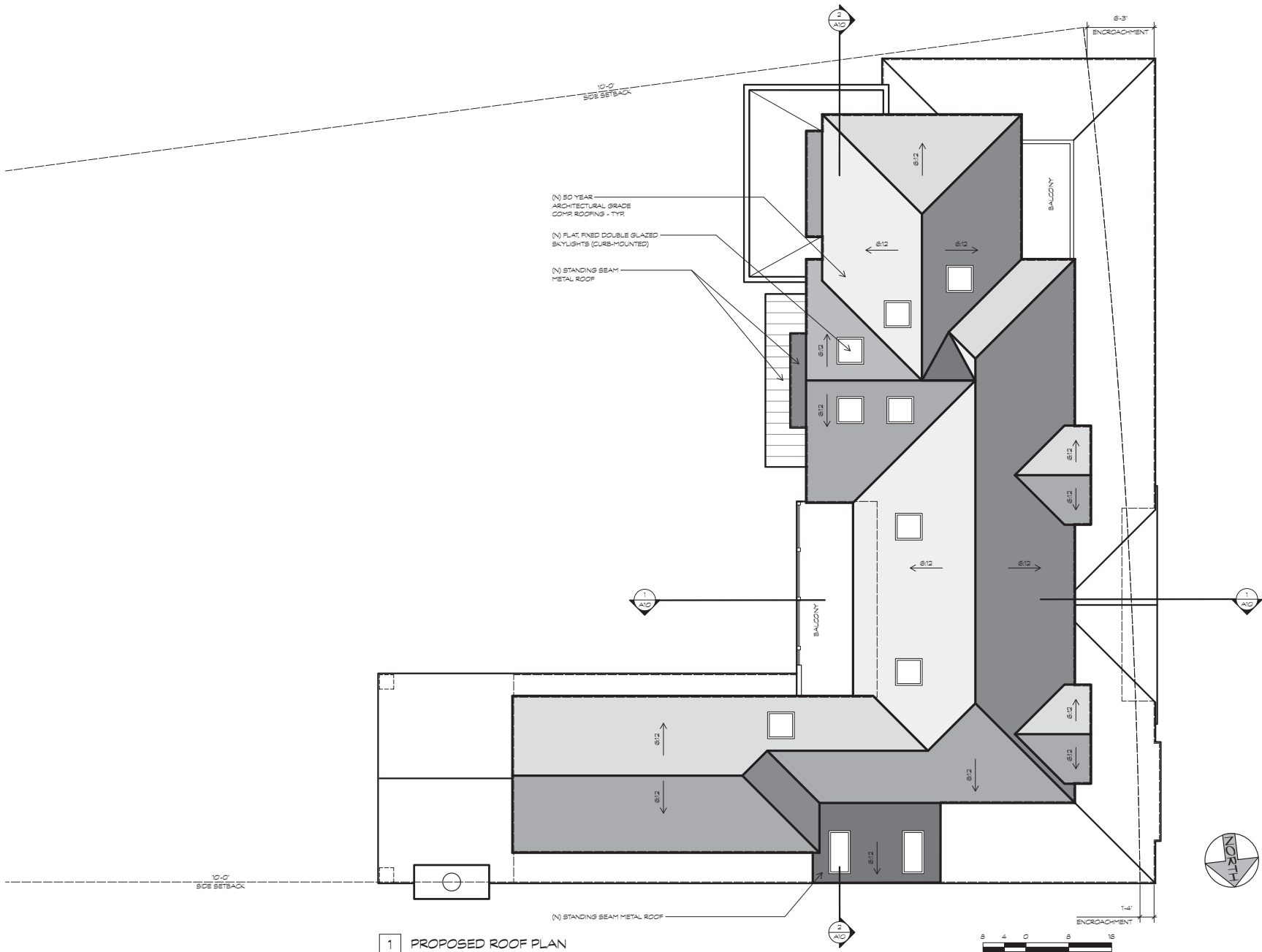
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176 EAST CREEK DRIVE
MENLO PARK, CALIFORNIA

Date: 18 JAN 2022
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Sheet:

A6



1 PROPOSED SECOND FLOOR PLAN



1 PROPOSED ROOF PLAN



USE PERMIT REV. #1
27 APRIL 2022
USE PERMIT REV. #2
23 MAY 2022
USE PERMIT REV. #3
29 JUNE 2022



445 N. Whimor Road
Suite 4300
Mountain View,
CA 94043
650-918-0271

PEETZ RESIDENCE
176 EAST CREEK DRIVE
MENLO PARK, CALIFORNIA

Date 18 JAN 2022
Scale NOTED
Drawn METRO
Job PEETZ
Sheet

A7

USE PERMIT REV. #1
10 APRIL 2022
USE PERMIT REV. #2
23 MAY 2022
USE PERMIT REV. #3
29 JUNE 2022



445 N. Whimor Road
Suite 4500
Mountain View,
CA 94043
650-918-0271

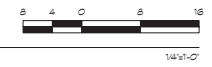
PEETZ RESIDENCE
176 EAST CREEK DRIVE
MENLO PARK, CALIFORNIA



- (N) CANTILEVERED BAY
- (N) 5/8\"/>



1 PROPOSED ELEVATIONS



Date 18 JAN 2022
Scale NOTED
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Job PEETZ
Sheet

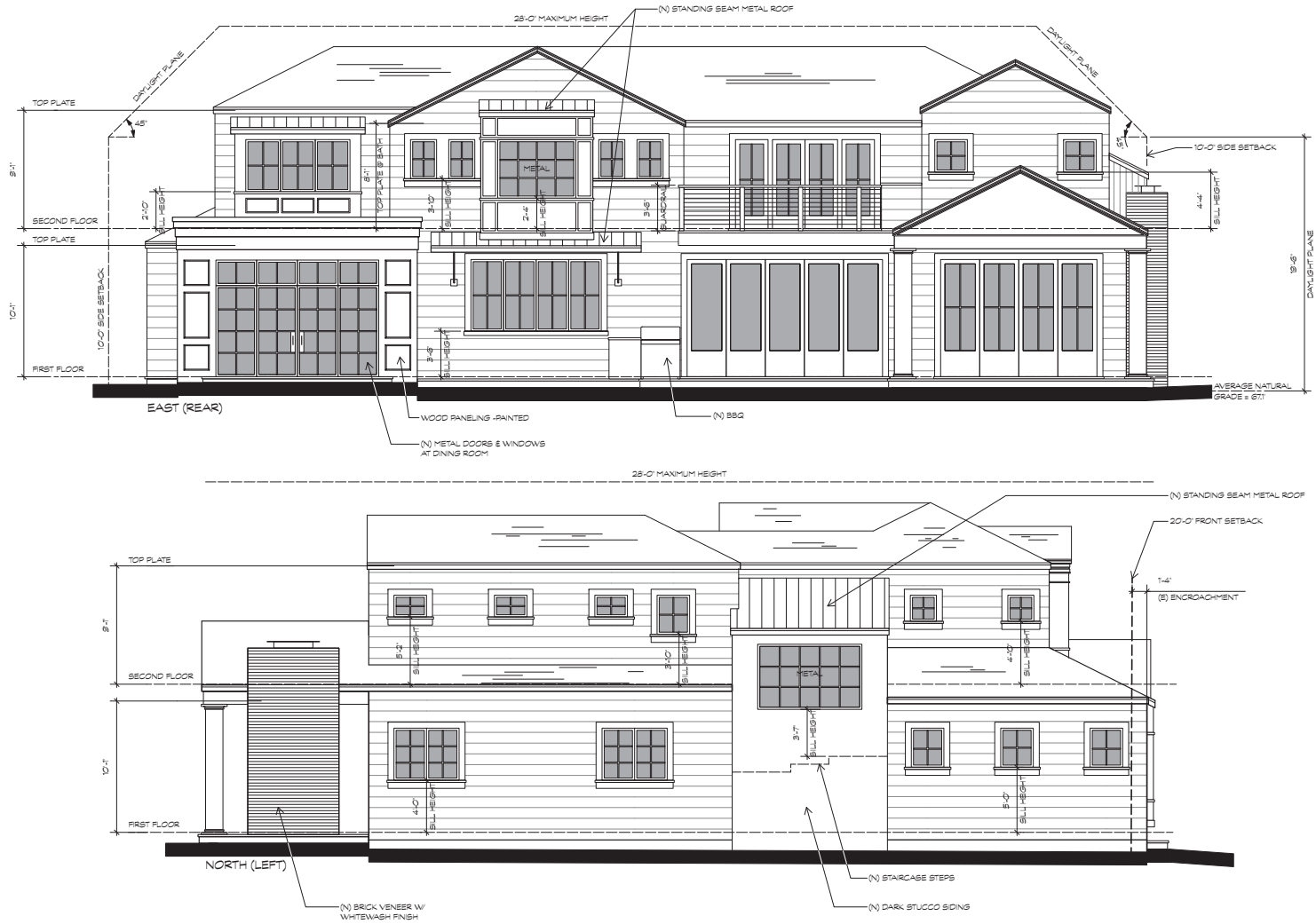
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20 APRIL 2022
USE PERMIT REV. #2
23 MAY 2022
USE PERMIT REV. #3
29 JUNE 2022

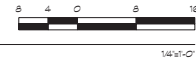


445 N. Whimor Road
Suite 4500
Mountain View,
CA 94043
650-918-0271

PEETZ RESIDENCE
176 EAST CREEK DRIVE
MENLO PARK, CALIFORNIA



1 PROPOSED ELEVATIONS



Date 18 JAN 2022
Scale NOTED
Drawn METRO
Job PEETZ
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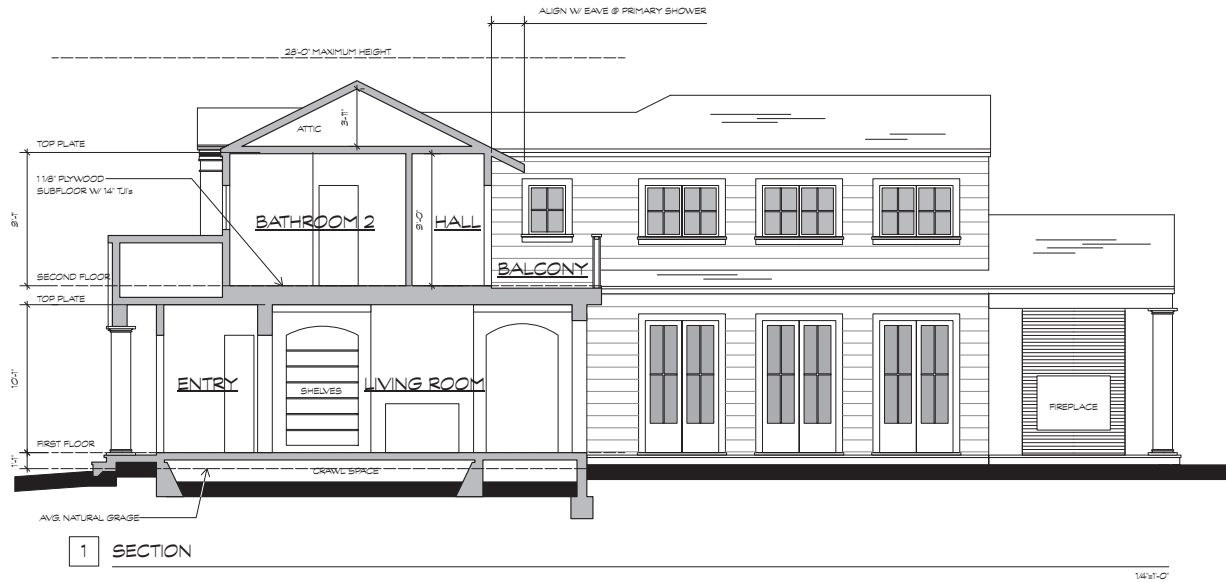


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USE PERMIT REV. #2
23 MAY 2022
USE PERMIT REV. #3
29 JUNE 2022

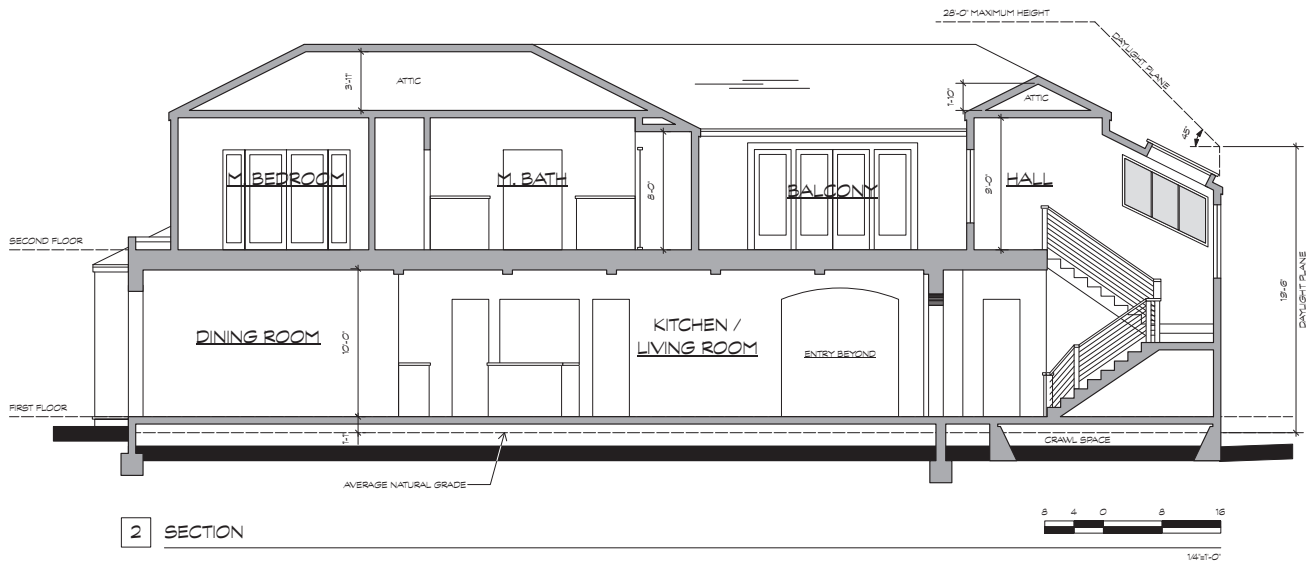


445 N. Whimor Road
Suite 4300
Mountain View,
CA 94043
650-918-0271

PEETZ RESIDENCE
176 EAST CREEK DRIVE
MENLO PARK, CALIFORNIA



1 SECTION



2 SECTION

Date 18 JAN 2022
Scale NOTED
Drawn METRO
Job PEETZ
Sheet

A10



(E) SIDING REPLACEMENT
 16'-8" x 9'-3" 709.1 SF

- WEST (RHS)
 (E) WINDOW REPLACEMENT
 5'-0" x 5'-0" 40.0 SF
 (E) DOOR REPLACEMENT
 3'-6" x 6'-0" 23.5 SF
 (E) WINDOW REPLACEMENT (2)
 4'-0" x 4'-6" 36.0 SF
 (E) GARAGE DOOR REPLACEMENT
 16'-0" x 8'-0" 129.0 SF
 (E) DOOR SIDE LITE REPLACEMENT (2)
 2'-6" x 6'-0" 40 SF

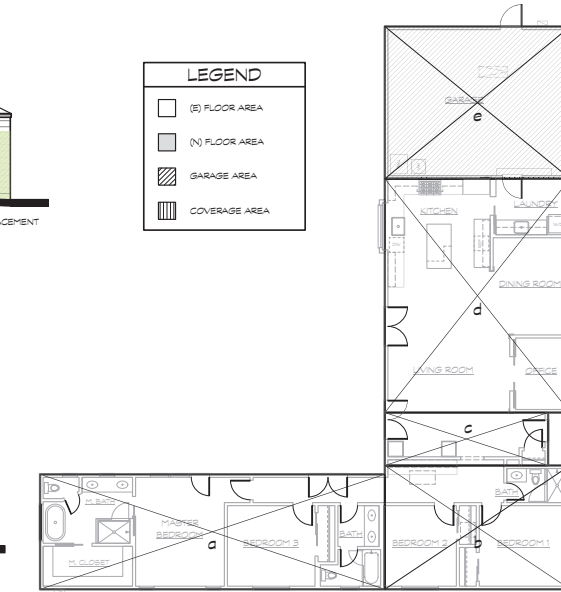


(E) SIDING REPLACEMENT
 25'-3" x 9'-3" 234.3 SF

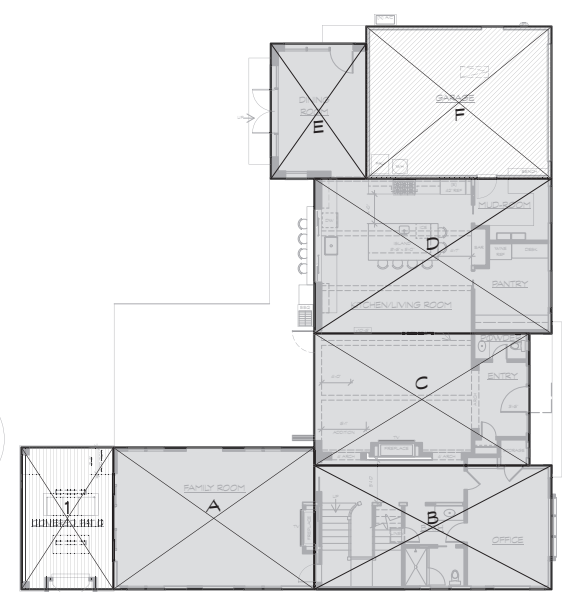
- SOUTH (RHS) (E) DOOR REPLACEMENT
 3'-0" x 6'-10" 20.5 SF



- NORTH (LHS)
 (E) WINDOW REPLACEMENT (2)
 5'-0" x 4'-0" 40.0 SF
 (E) WINDOW REPLACEMENT (3)
 2'-6" x 3'-0" 22.5 SF



EXISTING FLOOR DIAGRAM



FIRST FLOOR DIAGRAM

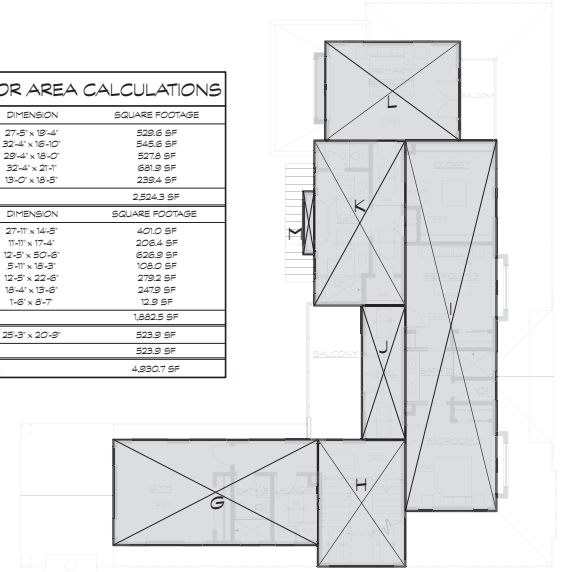
1 PROPOSED NEW WORK VALUE CALCULATIONS

EXISTING DEVELOPMENT			
DEVELOPMENT TYPE	SQUARE FOOTAGE	CONSTRUCTION COST	EXISTING VALUE
EXISTING FLOOR AREA	2,138.4 SF	\$200 / SF	\$427,680.00
EXISTING GARAGE AREA	523.9 SF	\$70 / SF	\$36,673.00
TOTAL VALUE	2,662.3		\$464,353.00
78% OF EXISTING VALUE			\$348,264.78
PROPOSED DEVELOPMENT			
DEVELOPMENT TYPE	SQUARE FOOTAGE	CONSTRUCTION COST	DEVELOPMENT VALUE
FIRST FLOOR ADDITION:	623.9 SF	\$ 200 / SF	\$124,680.00
SECOND FLOOR ADDITION:	1,852.5 SF	\$ 200 / SF	\$370,500.00
REMODEL OF KITCHEN:	423.2 SF	\$ 130 / SF	\$55,016.00
REMODEL OF BATHROOMS:	114.3 SF	\$ 130 / SF	\$14,859.00
REMODEL OF LIVING AREAS:	784.5 SF	\$ 100 / SF	\$78,450.00
NEW ROOF OVER EXISTING AREA:	0.0 SF	\$50 / SF	\$0
NEW WINDOW AREA:	355.0 SF	\$ 35 / SF	\$12,425.00
NEW SIDING AREA:	1,504.6 SF	\$ 35 / SF	\$52,661.0
TOTAL:			\$711,571.00

EXISTING FLOOR AREA CALCULATIONS			
	DIMENSION	SQUARE FOOTAGE	
a	47'-0" x 15'-8"	736.3 SF	
b	25'-3" x 16'-10"	426.1 SF	
c	22'-3" x 7'-2"	160.4 SF	
d	25'-3" x 31'-10"	804.8 SF	
EXISTING FLOOR AREA:	25'-3" x 20'-8"	2,127.6 SF	
EXISTING GARAGE FLOOR AREA:		523.9 SF	
TOTAL EXISTING FLOOR AREA:		2651.6 SF	

PROPOSED COVERAGE CALCULATIONS			
	DIMENSION	SQUARE FOOTAGE	
1	12'-6" x 19'-4"	242.1 SF	
PROPOSED PORCH COVERAGE AREA:		242.1 SF	
PROPOSED FIRST FLOOR AREA:		2,524.4 SF	
EXISTING GARAGE FLOOR AREA:		523.9 SF	
EXISTING SHED COVERAGE AREA:		43.8 SF	
TOTAL PROPOSED COVERAGE AREA:		3,334.2 SF	

PROPOSED FLOOR AREA CALCULATIONS			
	DIMENSION	SQUARE FOOTAGE	
A	27'-5" x 19'-4"	529.6 SF	
B	32'-4" x 16'-10"	545.6 SF	
C	29'-4" x 19'-0"	557.8 SF	
D	32'-4" x 21'-1"	681.9 SF	
E	13'-0" x 18'-5"	239.4 SF	
FIRST FLOOR AREA:		2,524.3 SF	
	DIMENSION	SQUARE FOOTAGE	
G	27'-11" x 14'-5"	401.0 SF	
H	11'-11" x 17'-4"	208.4 SF	
I	12'-6" x 20'-6"	258.3 SF	
J	9'-11" x 19'-3"	193.0 SF	
K	12'-6" x 22'-6"	279.2 SF	
L	18'-4" x 13'-6"	247.9 SF	
M	11'-6" x 9'-7"	11.9 SF	
SECOND FLOOR AREA:		1,852.3 SF	
GARAGE FLOOR AREA:	25'-3" x 20'-8"	523.9 SF	
TOTAL PROPOSED FLOOR AREA:		4,930.7 SF	



SECOND FLOOR DIAGRAM

1 PROPOSED FLOOR AREA DIAGRAM



DAVEY Resources Group
176 East Creek Drive
Menlo Park, CA 94025
Tel: 650.321.1000
Fax: 650.321.1001
www.daveyresources.com

Project: 176 East Creek Drive
Location: 176 East Creek Drive
City: Menlo Park, CA
Date: 05/23/2022
Prepared by: [Name]

ARBORIST REPORT AND TREE PROTECTION PLAN

176 East Creek Drive
Menlo Park, CA 94025
September 2021 - Updated May 23, 2022



Arborist Report & Tree Protection Plan for
176 East Creek Drive
Menlo Park, California 94025
Prepared for:
City of Menlo Park

September 2021 - Updated May 23, 2022

Prepared by:
Davey Resources Group
A Division of The Davey Tree Expert Company
1000 North Main Street
Menlo Park, CA 94025

Contact:
The Arborist
S. Brian Peltz - CSQA
176 East Creek Drive
Menlo Park, CA 94025

Notes to Reader:
Arborist Report prepared by Davey Resources Group based on data provided by the client. The information is not intended to be used for any other purpose. The information is not intended to be used for any other purpose. The information is not intended to be used for any other purpose.

Contents

Summary	3
Introduction	3
Background	3
Assignment	3
Limit of Assignment	3
Purpose and Use of Report	3
Observations	4
Methods	4
Site Observations	4
Tree Observations	4
Root Zone Calculations	5
Conclusion and Recommendations	5
Appendix A - Location Map	7
Appendix B - Tree Photos	8
Appendix C - Tables	10
Table 1 - Tree Inventory and Root Zones	10
Table 2 - Condition Assessment September 2021	10
Table 3 - Tree Appraisal Values	10
Appendix D - Tree Appraisal Calculation Methodology	10

Summary

In August 2021, Davey Resources Group (DRG) was contacted by the City of Menlo Park to conduct a tree inventory and develop a tree protection plan for the trees in the area of impact on the property at 176 East Creek Drive in Menlo Park, CA. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive.

Methods

- All trees were measured including DBH (1.3m diameter), crown spread (horizontal), and 10% live canopy cover (LCC).
- All trees were measured including DBH (1.3m diameter), crown spread (horizontal), and 10% live canopy cover (LCC).
- All trees were measured including DBH (1.3m diameter), crown spread (horizontal), and 10% live canopy cover (LCC).
- All trees were measured including DBH (1.3m diameter), crown spread (horizontal), and 10% live canopy cover (LCC).
- All trees were measured including DBH (1.3m diameter), crown spread (horizontal), and 10% live canopy cover (LCC).

Observations

The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive.

Introduction

The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive.

Background

The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive.

Assignment

The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive.

and the homeowner confirmed a lack of supplemental irrigation. The use of limited supplemental irrigation was determined to be insufficient for the trees in the area of impact on the property at 176 East Creek Drive in Menlo Park, CA. The project site is located at the intersection of 176 East Creek Drive and 176 East Creek Drive.

Appendix A - Location Map



Appendix B - Tree Photos



Appendix C - Tables

Table 1. Tree Inventory and Root Zones

ID	DBH	Species	Condition	Health	Height	Spread	Age	Notes
1	10.0	Redwood	Good	Excellent	15	10	10	10
2	12.0	Redwood	Good	Excellent	20	15	15	15
3	15.0	Redwood	Good	Excellent	25	20	20	20
4	18.0	Redwood	Good	Excellent	30	25	25	25
5	20.0	Redwood	Good	Excellent	35	30	30	30
6	22.0	Redwood	Good	Excellent	40	35	35	35
7	25.0	Redwood	Good	Excellent	45	40	40	40
8	28.0	Redwood	Good	Excellent	50	45	45	45
9	30.0	Redwood	Good	Excellent	55	50	50	50
10	32.0	Redwood	Good	Excellent	60	55	55	55

Table 2. Condition Assessment September 2021

ID	DBH	Species	Condition	Health	Height	Spread	Age	Notes
1	10.0	Redwood	Good	Excellent	15	10	10	10
2	12.0	Redwood	Good	Excellent	20	15	15	15
3	15.0	Redwood	Good	Excellent	25	20	20	20
4	18.0	Redwood	Good	Excellent	30	25	25	25
5	20.0	Redwood	Good	Excellent	35	30	30	30
6	22.0	Redwood	Good	Excellent	40	35	35	35
7	25.0	Redwood	Good	Excellent	45	40	40	40
8	28.0	Redwood	Good	Excellent	50	45	45	45
9	30.0	Redwood	Good	Excellent	55	50	50	50
10	32.0	Redwood	Good	Excellent	60	55	55	55

Table 3. Tree Appraisal Values*

ID	DBH	Species	Condition	Health	Height	Spread	Age	Notes
1	10.0	Redwood	Good	Excellent	15	10	10	10
2	12.0	Redwood	Good	Excellent	20	15	15	15
3	15.0	Redwood	Good	Excellent	25	20	20	20
4	18.0	Redwood	Good	Excellent	30	25	25	25
5	20.0	Redwood	Good	Excellent	35	30	30	30
6	22.0	Redwood	Good	Excellent	40	35	35	35
7	25.0	Redwood	Good	Excellent	45	40	40	40
8	28.0	Redwood	Good	Excellent	50	45	45	45
9	30.0	Redwood	Good	Excellent	55	50	50	50
10	32.0	Redwood	Good	Excellent	60	55	55	55

Appendix D - Tree Appraisal Calculation Methodology

The appraiser of the assessed trees for this report was calibrated using the trunk diameter method described in the edition of the Guide for Plant Appraisal by the Class of Tree and User Appraiser. The basic formula is as follows:

Tree Value = (CDBH x Condition Rating (C)) x Functional Condition (FC) x Adjustment Factor (AF)

The basic formula is the sum of the adjusted tree cost and the cost of the difference between the adjusted tree cost and the replacement tree cost (Replacement Tree Cost - Adjusted Tree Cost). The basic formula is the sum of the adjusted tree cost and the cost of the difference between the adjusted tree cost and the replacement tree cost (Replacement Tree Cost - Adjusted Tree Cost).

Region	State of Region	Replacement Tree Cost (\$/DBH)
Northwest	California	100.00
Southwest	California	100.00
West Coast	California	100.00
Other	California	100.00



445 N. Whisman Road
Suite 4500
Mountain View, CA 94043
650-918-0271

PEETZ RESIDENCE
176 EAST CREEK DRIVE
MENLO PARK, CALIFORNIA

BENCHMARK NOTE:

ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO NGS BENCHMARK 17, A BRASS DISC ON TOP OF THE SOUTHWEST ABUTMENT OF THE RAILROAD BRIDGE CROSSING SAN FRANCISQUITO CREEK HAVING AN ELEVATION OF 74.78 (NAVD88 DATUM).

FLOOD ZONE NOTE:

A PORTION OF THE PROPERTY LIES WITHIN FLOOD ZONE "A" AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP NO. 060810302B. FLOOD ZONE "A" IS CONTAINED WITHIN THE SAN FRANCISQUITO CREEK CHANNEL. THE REMAINDER OF THE PROPERTY LIES WITHIN FLOOD ZONE "X".

NOTE:

ALL THE DIMENSIONS SHOWN ARE MEASURED FROM FACE OF EXISTING WOOD SIDING OR STUCCO FINISH.

LOT AREA:

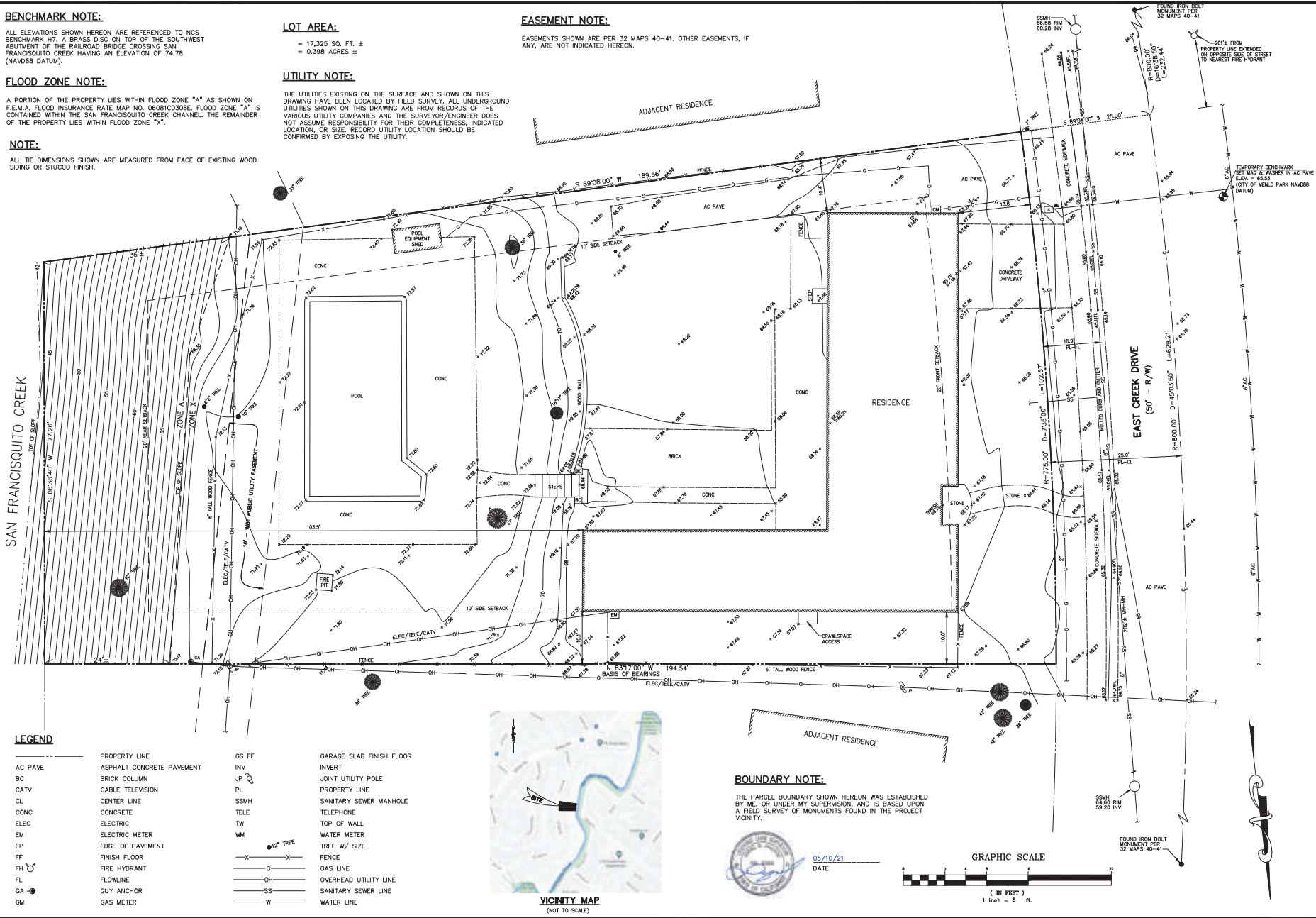
= 17,325 SQ. FT. ±
= 0.398 ACRES ±

UTILITY NOTE:

THE UTILITIES EXISTING ON THE SURFACE AND SHOWN ON THIS DRAWING HAVE BEEN LOCATED BY FIELD SURVEY. ALL UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE FROM RECORDS OF THE VARIOUS UTILITY COMPANIES AND THE SURVEYOR/ENGINEER DOES NOT ASSUME RESPONSIBILITY FOR THEIR COMPLETENESS, INDICATED LOCATION, OR SIZE. RECORD UTILITY LOCATION SHOULD BE CONFIRMED BY EXPOSING THE UTILITY.

EASEMENT NOTE:

EASEMENTS SHOWN ARE PER 32 MAPS 40-41. OTHER EASEMENTS, IF ANY, ARE NOT INDICATED HEREON.



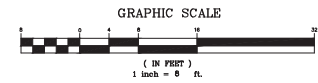
LEGEND

- | | | | |
|---------|---------------------------|-------|--------------------------|
| AC PAVE | PROPERTY LINE | GS FF | GARAGE SLAB FINISH FLOOR |
| BC | ASPHALT CONCRETE PAVEMENT | INV | INVERT |
| CATV | BRICK COLUMN | JUP | JOINT UTILITY POLE |
| CL | CABLE TELEVISION | PL | PROPERTY LINE |
| CONC | CENTER LINE | SSMH | SANITARY SEWER MANHOLE |
| ELEC | CONCRETE | TELE | TELEPHONE |
| EM | ELECTRIC | TW | TOP OF WALL |
| EP | ELECTRIC METER | WM | WATER METER |
| FF | EDGE OF PAVEMENT | X | TREE W/ SIZE |
| FL | FINISH FLOOR | X | FENCE |
| FL | FIRE HYDRANT | — | GAS LINE |
| FL | FLOWLINE | — | OVERHEAD UTILITY LINE |
| GA | GUY ANCHOR | — | SANITARY SEWER LINE |
| GM | GAS METER | — | WATER LINE |



BOUNDARY NOTE:

THE PARCEL BOUNDARY SHOWN HEREON WAS ESTABLISHED BY ME, OR UNDER MY SUPERVISION, AND IS BASED UPON A FIELD SURVEY OF MONUMENTS FOUND IN THE PROJECT VICINITY.



REV.	DESCRIPTION	BY	DATE

MACLEOD AND ASSOCIATES
CIVIL ENGINEERING • LAND SURVEYING
965 CENTER STREET • SAN CARLOS, CA 94070 • (650) 593-6550

PREPARED FOR:
CHRISTY PEETZ

BOUNDARY AND TOPOGRAPHIC SURVEY PLAN
176 EAST CREEK DRIVE
A.P.N. 062-441-170
LOT 66 32 MAPS 40-41
SAN MATEO COUNTY CALIFORNIA

DRAWN BY: MDL
CHECKED BY: DOM
SCALE: 1"=8'
DATE: 05-10-21
DRAWING NO.: 1326-TOPO
SHEET 1 OF 1



April 20, 2022

City of Menlo Park
Planning Department
701 Laurel Street
Menlo Park, CA 94025

RE: Peetz Residence
176 East Creek Drive
Menlo Park, CA 94025

PROJECT DESCRIPTION

This project adds 625 square feet to the first floor and a 1,883 square foot second floor addition to an existing single-family residence. The existing primary suite will be removed and replaced with a covered porch, and the first floor will be remodeled to serve as gathering spaces for the residents and guests. The new second floor addition will serve as private spaces for the residents. The proposed structure will be constructed using conventional wood framing.

ARCHITECTURAL STYLE

The proposed two-story residence will be Coastal Style. The exterior material is primarily painted cement-fiber horizontal siding with decorative trim. Several bays are highlighted with a standing seam metal roof, metal windows and accent siding. The wood windows will have simulated divided lites with interior spacer bars. The gabled dormers on the second floor along with the gabled entry break up the front façade massing and emphasize the entry.

COMMUNITY OUTREACH

The homeowner delivered printed copies of the front and side exterior elevations, as well as the roof plan, to the homeowner's two next-door neighbors. For the neighbor to the north, the second story windows in the gym and gym bathroom (north side) were raised above eye level to maintain the privacy of their back yard. The homeowner also hand-delivered copies of the exterior elevation and roof plan to the across-the-street neighbor, as well as to the homes on either side. No feedback was expressed in those or previous conversations regarding the remodel plans.

Sincerely,

Lawrence Kahle
Metropolis Architecture
445 N. Whisman Rd Suite #300
Mountain View, CA 94043
(650) 318-0211



Corporate Headquarters
1500 North Mantua Street
P.O. Box 5193
Kent, OH 4240-5193
330-673-5685
Toll Free 1-800-828-8312
Fax: 330-673-0860

Northern California Office
PO Box 5321
Larkspur, CA 94977
916-204-7902
Timothy.Moran@Davey.com

ARBORIST REPORT AND TREE PROTECTION PLAN

176 East Creek Drive
Menlo Park, CA 94025

September 2021 - Updated May 23, 2022





Arborist Report & Tree Protection Plan for
176 East Creek Drive
Menlo Park, California 94025

Prepared for:

Christy Peetz

September 2021 - Updated May 23, 2022

Prepared by:

Davey Resource Group
A Division of The Davey Tree Expert Company
1500 North Mantua Street
Kent, OH 44240

Contact:

Tim Moran
ISA Arborist #WE-12426A
ISA Tree Risk Assessment Qualified
www.daveyresourcegroup.com

Notice of Disclaimer

Inventory data provided by Davey Resource Group is based on visual recording at the time of inspection. Visual records do not include testing or analysis and do not include aerial or subterranean inspection. Davey Resource group is not responsible for discovery or identification of hidden or otherwise non-observable risks. Records may not remain accurate after inspection due to variable deterioration of inventoried material and site disturbance. Davey Resource Group provides no warranty with respect to the fitness of the urban forest for any use or purpose whatsoever or for future outcomes of the inventoried trees.

Contents

Summary	3
Introduction	3
Background	3
Assignment	3
Limits of Assignment	4
Purpose and Use of Report	4
Observations	4
Methods	4
Site Observations	4
Tree Observations	4
Root Zone Calculations	5
Conclusion and Recommendations	5
Appendix A – Location Map	7
Appendix B – Tree Photos	8
Appendix C – Tables	14
Table 1. Tree Inventory and Root Zones	14
Table 2. Condition Assessment September 2021	14
Table 3. Tree Appraisal Values	15
Appendix D – Tree Appraisal Calculation Methodology	16

Summary

In August 2021, Davey Resource Group (DRG) was contracted by Christy Peetz to conduct a tree inventory and develop a tree protection plan for the trees in the area of impact on the property at 176 East Creek in Menlo Park, CA. The request was made to assess the current condition of the trees and establish a protection plan based on the findings.

On September 2, 2021, an International Society of Arboriculture (ISA) Certified Arborist (Tim Moran, #WE-12426A) from Davey Resource Group conducted the evaluation of eight (8) trees that may be impacted by development. The trees were assessed by their location, size, current condition, and overall health. The current site plan was used to estimate the construction footprint in relation to the critical root zones (CRZ) of the trees in order to help guide construction, and to reduce potential impacts on the trees. The site plan was changed in December, and the construction of a new pool house was removed from the plans. Current plans include the addition of a new story on the existing footprint and additional square footage on the existing house; this report has been updated and the most recent design plans have been reviewed in May of 2022. Tree information is summarized as follows:

- Eight (8) trees were inventoried including three (3) coast redwoods (*Sequoia sempervirens*), one (1) Monterey pine (*Pinus radiata*), one (1) coast live oak (*Quercus agrifolia*), one (1) deodar cedar (*Cedrus deodara*), one (1) olive (*Olea europaea*, and one (1) giant sequoia (*Sequoiadendron giganteum*).
- The inventory encompasses the trees that may be impacted by the proposed construction (any trees with construction occurring within 10 times the trunk diameter).
- All trees inventoried are considered Heritage trees according to the City of Menlo Park and tree protection measures are required.
- Four (4) trees were in good condition and four (4) trees were in fair condition.
- Tree heights ranged from 25 to 130 feet.
- Tree diameters at four and half feet above grade/breast height (DBH) ranged from 30.0 to 47.1 inches.
- All trees may be retained, and tree protection measures are provided.
- The total appraisal value (rounded) of the inventoried trees was \$35,610.00.

This report focuses on tree protection recommendations for tree preservation and provides the CRZs and SRZs of these trees for planning purposes. DRG has provided general site preservation recommendations based on the provided construction plans. Arborist monitoring of construction is required whenever work is performed within the critical root zones and work in structural root zones should be excavated by hand or with pneumatic air spade excavation tools. The trees identified for preservation should be monitored by a Certified Arborist at the end of construction and ongoing as needed.

Introduction

Background

Current plans for new construction at 176 East Creek in Menlo Park include the addition of a 2nd story on the existing single family home (initial plans in September 2021 included building a new pool house located to the north of the existing pool; current plans have omitted the pool house). The proposed project has the potential to impact trees on the property and on adjacent properties. All trees over 6 inches in diameter on the property and adjacent properties with construction or excavation occurring within 10 times the DBH of the tree were assessed and evaluated for impacts, and to determine if any trees meet criteria for Heritage status as defined by the City of Menlo Park.

Assignment

The arborist visually assessed each tree on the site, and the required tree data were collected using a portable tablet device. Following data collection, specific tree preservation plan elements were calculated that identified each tree's critical and structural root zones (CRZ and SRZ) to better ensure survivability during the planned development. This

report establishes the condition of the trees and canopy within the project area. The trees were visually assessed, and photo documented so that change in condition can be evaluated if needed.

Limits of the Assignment

Many factors can limit specific and accurate data when performing evaluations of trees, their conditions, and potential for failure or response to site disturbances. No soil or tissue testing was performed. All observations were made from the ground on September 2, 2021, and no soil excavation to expose roots was performed. The most recent development plans were available to assist in determining potential construction impacts, and the homeowner was present at the site visit to provide additional information regarding design plans. The determinations and recommendations presented here are based on current data and conditions that existed at the time of the evaluation and cannot be a predictor of the ultimate outcome for the evaluated trees in the future. No physical inspection of the upper canopy, sounding, resistance drilling, or other technologies were used in the evaluation of the trees.

Purpose and Use of Report

The purpose of this report is to provide a summary inventory of all trees within the project area of impact, including an assessment of the current condition and health, as well as providing a tree protection plan for all evaluated trees/canopies that may be impacted by construction plans. The findings in this report can be used to make informed decisions on design planning and be used to guide long-term care of the trees. This report and detailed tree protection plan can also be submitted to the City of Menlo Park for permitting purposes.

Observations

Methods

Only a visual inspection was used to develop the findings, conclusions, and recommendations found in this report. Data collection included measuring the diameter of significant trees at approximately 54 inches above grade (DBH), height estimation, a visual assessment of tree condition, structure, and health, and a photographic record. A rating percentage (0-100%) was assigned for each tree's health, structure, and form, and the lowest percentage was used as the overall tree condition. A preservation priority was assigned to each tree on a scale of 1 to 4: a rating of 1 representing the highest priority for protection due to excellent overall condition, unique specimen, or high value tree; a rating of 2 for a good to fair condition tree worthy of protection but not uniquely value; a rating of 3 for a fair condition tree that can be easily replaced; and a rating of 4 for trees in poor to critical condition that should be removed under most circumstances.

Site Observations

The project site is located in the Linfield Oaks neighborhood at 176 East Creek Drive in Menlo Park, CA. The parcel is a privately owned lot with an existing single family house. The lot has several large mature trees in the backyard, and the neighboring property to the north has several large trees overhanging the property. An irrigation system was not observed on the property, and for several trees supplemental water did not appear to be adequate.

Tree Observations

Eight (8) trees were assessed within the project area, comprising six (6) distinct species: coast redwood (*Sequoia sempervirens*), Monterey pine (*Pinus radiata*), coast live oak (*Quercus agrifolia*), deodar cedar (*Cedrus deodara*), olive (*Olea europaea*), and giant sequoia (*Sequoiadendron giganteum*). The trees are mature, and tree condition ratings were good for four (4) trees and fair for four (4) trees. Tree diameters ranged from 30.0 inches to 47.1 inches with an average of 38.5 inches. Tree heights ranged from 25 feet to 130 feet, with an average height of 80 feet.

A map of tree locations can be found in Appendix A. Tree photographs can be found in Appendix B and a complete Tree Inventory, Condition Assessment, and Tree Appraisal Values can be found in Appendix C.

Root Zone Calculations

The trunk diameters of the assessed trees are often used to determine the Critical Root Zone (CRZ). The CRZ is considered the ideal preservation area of a tree. It can be calculated by adding 1 foot of radius for every inch of trunk diameter measured at 4.5 feet from grade/breast height (DBH). For example; a tree with a DBH of 10 inches has a calculated CRZ radius of 10 feet from the trunk. The CRZ represents the typical rooting area required for tree health and survival. As this project is located in the City of Menlo Park, CRZ was substituted with the city standard of 10 times DBH to determine the Tree Protection Zone (TPZ) as seen in Table 1. Some impact (25% or less) within this zone is typically acceptable for average to good condition trees with basic mitigation/stress reduction measures. Construction activities should not occur within the TPZ of any tree to be retained. This includes but is not limited to the storage of materials, parking of vehicles, contaminating soil by washing out equipment, (concrete, paint, etc.), or changing soil grade.

The structural root zone was calculated using a commonly accepted method established by Dr. Kim Coder in *Construction Damage Assessments: Trees and Sites*.¹ In this method, the root plate size (i.e. pedestal roots, zone of rapid taper area, and roots under compression) and limit of disruption based upon tree DBH is considered as a minimum distance that any disruption should occur during construction. Significant risk of catastrophic tree failure exists if structural roots within this given radius are destroyed or severely damaged. The SRZ is the area where minimal or no disturbance should occur without arborist supervision. The TPZ and SRZ for the surveyed trees are listed in Appendix B, Table 2.

Conclusion and Recommendations

Based on visual evaluations and the impacts of proposed development, all trees that have the potential to be impacted may be retained.

- All inventoried trees are considered Heritage trees. The total replacement cost for the Heritage trees was \$35,610.00 (appraisal values can be found in Appendix C). Any damage to heritage trees that is beyond repair will be subjected to replacement based on appraisal values.
- Trees #1-3 were in good health with good structure and were located in the front yard at the adjacent property to the north (180 East Creek Dr). The proposed construction of a new story will require the pruning of several lower limbs on Tree #3 (following ANSI A300 Standards for Tree, Shrub, and Woody Plant Management-Standard Practices for Pruning). The pruning shall be supervised by a certified arborist; around 5-10% of the canopy will be removed. Tree protection fencing should be installed along the dripline in the front yard from the sidewalk to the existing fence on the property line.
- Tree #4 was in good health with fair structure and will not be impacted by the construction. The tree is located in the backyard on the neighboring property to the north (180 East Creek Dr). Tree protection fencing should be installed along the drip line to the existing fence on the property line.
- Tree #5 was in good health with fair structure and will not be impacted by the construction. The tree was located in an undeveloped natural area east of the back fence and overhead power lines. The existing fence will provide sufficient protection.
- Tree #6 was in good health with good structure. The tree is growing in a backyard along the southern property line and will not be impacted by the construction. The dripline is well outside of the limits of disturbance and the root zone will not be impacted. Tree protection fencing should be installed along the drip line to the existing fence on the southern property line.
- Tree #7 was in good health with fair structure. The tree is growing in the center of the backyard and will not be impacted by the construction. Tree protection fencing should be installed along the drip line.
- Tree #8 was in fair health but has had substantial crown dieback, an indicator of stress and declining health. The possible cause of the dieback may be from a canker disease (*Botryosphaeria* sp.); all deadwood and potentially infected tissue should be removed and properly disposed. Irrigation was not present at the site,

¹ Dr. Kim D. Coder, University of Georgia June 1996

and the homeowner confirmed a lack of supplemental irrigation. The use of limited supplemental irrigation was recommended, as well as regular monitoring, and a 6-inch layer of mulch or wood chips shall be applied under the drip line to within 1 foot of the trunk. The tree will not be impacted by the construction. Tree protection fencing should be installed along the drip line.

- TPZ fencing should be 6 feet in height, constructed of chain link fencing. The fencing may be moved within the dripline if directed by the on-site or City Arborist but cannot be moved to within 2 feet of the trunk. Fence posts must be 2-inch in diameter and galvanized, and installed 2 feet below grade. Posts may be movable rather than below grade and may not be spaced more than 10 feet apart. Signs must be posted stating: "TREE PROTECTION FENCE - DO NOT MOVE OR REMOVE WITHOUT APPROVAL FROM CITY ARBORIST." The fence may not be moved without authorization from the on-site or City Arborist. Tree protection fencing locations can be found on Sheet A1 of the plan set.
- TPZ fencing must be in place before any equipment is on-site, and it must be inspected by a Certified Arborist who shall provide a verification letter summarizing the conditions. The fencing must remain in place for the entirety of the project and only removed, temporarily or otherwise, by a Certified Arborist while activities are directly supervised, and replaced immediately after.
- Monitoring of the tree protection specifications by an ISA Certified Arborist or ASCA Registered Consulting Arborist is required at monthly intervals. A final inspection is required upon completion of the work but prior to removal of tree protection fencing.
- No material shall be stored, nor concrete basins washed, or any chemical materials or paint stored within the CRZ of trees, and no construction chemicals or paint should be released into landscaped areas, as these can be toxic to trees and contaminate soil.
- After construction is complete, the property owner should monitor the trees for at least one year and contact a Certified Arborist to inspect if any lean, limb die-back, leaf drop, or foliage discoloration develops.

Appendix A – Location Map



Appendix B – Tree Photos



Photo 1. Trees #1-3 are in good condition on the neighboring property and will be minimally impacted by the construction, but Tree #3 (right) will require pruning of several lower limbs for construction of a new story.



Photo 2. Tree #4 has a sharp bend in the trunk and has been utility pruned but is in fair condition; tree protection fencing should be installed along the drip line to the existing fence on the property line .



Photo 2. Tree #5 (center) has been utility pruned and only a very small amount of foliage overhangs the property; no additional fencing is necessary.



Photo 3. Tree #6 is in good health and has good structure and will not be impacted from construction; ree protection fencing should be installed along the drip line to the existing fence on the property line.



Photo 4. Tree #7 is in good health but has fair structure; tree protection fencing should be installed along the drip line.



Photo 5. Tree #8 is stressed with dieback and deadwood up to 4 inches in diameter; tree protection fencing should be installed along the drip line..

Appendix C – Tables

Table 1. Tree Inventory and Root Zones

Tree #	DBH	Stems	Botanical Name	Common name	Preservation Priority	Height (ft)	Approx Canopy Radius (ft)	SRZ (Radius in ft)	TPZ (Radius in ft)
1	31.4	1	<i>Sequoia sempervirens</i>	Coast redwood	2	80	10	10	26
2	43.5	1	<i>Sequoia sempervirens</i>	Coast redwood	2	130	12	11	36
3	47.1	1	<i>Sequoia sempervirens</i>	Coast redwood	2	130	14	11	39
4	38.2	1	<i>Pinus radiata</i>	Monterey pine	3	80	20	11	32
5	36.0	1	<i>Quercus agrifolia</i>	Coast live oak	3	35	22	10	30
6	39.4	1	<i>Cedrus deodara</i>	Deodar cedar	2	75	16	11	33
7	30.0	1	<i>Olea europaea</i>	olive	3	25	15	10	25
8	42.0	1	<i>Sequoiadendron giganteum</i>	Giant sequoia	3	85	11	11	35

Table 2. Condition Assessment September 2021

Tree #	Common name	Condition	Health (%)	Structure (%)	Form (%)	Heritage tree (Y/N)	Removal Required (Y/N)	Notes
1	Coast redwood	Good	75	85	90	Y	N	In the neighbor's front yard at 180 E. Creek Dr.
2	Coast redwood	Good	80	85	90	Y	N	In the neighbor's front yard at 180 E. Creek Dr.
3	Coast redwood	Good	70	85	90	Y	N	In neighbors front yard at 180 E. Creek Dr., pruning of several low limbs needed
4	Monterey pine	Fair	70	60	70	Y	N	In neighbors back yard at 180 E. Creek Dr., sharp bend in trunk, utility pruned
5	Coast live oak	Fair	70	60	75	Y	N	In unmaintained area west of backyard, utility pruned, included bark
6	Deodar cedar	Good	85	70	90	Y	N	Codoms

Tree #	Common name	Condition	Health (%)	Structure (%)	Form (%)	Heritage tree (Y/N)	Removal Required (Y/N)	Notes
7	Olive	Fair	80	60	80	Y	N	Topped, cracks
8	Giant sequoia	Fair	45	80	90	Y	N	Stressed, dieback, possible canker disease, deadwood up to 4 inches in diameter, dead top

Table 3. Tree Appraisal Values*

Tree #	Common name	Condition	External Limitations (%)	Functional Limitations (%)	Heritage tree (Y/N)	Removal (Y/N)	Total Functional Replacement Cost (\$)	Rounded Functional Replacement Cost (\$)
1	Coast redwood	Good	80	65	Y	N	4,620.00	4,620.00
2	Coast redwood	Good	80	60	Y	N	4,572.00	4,570.00
3	Coast redwood	Good	80	65	Y	N	4,412.00	4,410.00
4	Monterey pine	Fair	60	60	Y	N	3,228.00	3,230.00
5	Coast live oak	Fair	60	65	Y	N	5,712.00	5,700.00
6	Deodar cedar	Good	85	75	Y	N	7,078.13	7,100.00
7	Olive	Fair	90	90	Y	N	3,687.00	3,690.00
8	Giant sequoia	Fair	65	60	Y	N	2,289.75	2,290.00

*Appraisal values include \$1,500/tree in additional costs for replacement tree installation, aftercare, and cleanup. All values calculated using the Trunk Formula Method as described in the 10th edition of the *Guide for Plant Appraisal* by the Council of Tree and Landscape Appraisers.

Appendix D – Tree Appraisal Calculation Methodology

The valuation of the assessed trees for the site was calculated using the trunk formula method described in the 10th edition of the *Guide for Plant Appraisal* by the Council of Tree and Landscape Appraisers. The basic formula is as follows:

$$\text{Unit Tree Cost} \times \text{Condition Rating (\%)} \times \text{Functional Limitations (\%)} \times \text{External Limitations (\%)}$$

The basic tree cost is the sum of the installed tree cost and the cost of the difference between the adjusted trunk area and the replacement tree size (appraised tree size increase multiplied by unit tree cost). Size was measured as trunk cross-sectional area (square inches), calculated by $0.785 \times (\text{DBH})^2$; where a circular cross-section was assumed.

Species size and cost data were obtained from the ISA Western Chapter Species Classification for Landscape Tree Appraisal (2004). The Western rating was used. No nursery group data were used as the Basic Tree Cost was calculated using the above formula(s). The condition rating was based on field observations already described. The functional limitation and external limitation ratings were based on field and aerial imagery observations. The basic functional replacement tree cost was then calculated by multiplying the functional replacement tree cross section area by the unit tree cost. The depreciated functional replacement tree (calculated using the basic functional replacement cost, the overall condition rating (%), the functional limitations rating (%), and the external limitations rating (%)) is then added to the total additional costs. The additional cost includes installation cost, replacement tree aftercare cost, and cleanup costs.

Regional Data - Western	
State or Region	Northern California
Replacement Tree Size (in.diam @ 12" Above Grade)	2
Installation Cost \$	\$800.00
Replacement Tree Aftercare Cost \$	\$500.00
Other Costs (Hardscape, Cleanup, etc.) \$	\$200.00
Unit Tree Cost (\$/sq in)	\$172.73



STAFF REPORT

Planning Commission

Meeting Date: 7/11/2022

Staff Report Number: 22-036-PC

Public Hearing: Use Permit/Alejandro Salinas/900 Willow Road

Recommendation

Staff recommends that the Planning Commission approve a use permit to allow the sale of beer, wine and distilled spirits at an existing convenience store for off-premises consumption at 900 Willow Road in the C-4 (General Commercial) zoning district. A draft resolution, including the recommended conditions of approval, is included as Attachment A.

Policy Issues

Each use permit request is considered individually. The Planning Commission should consider whether the required use permit findings can be made for the proposal.

Background

Site location

The subject property is located at 900 Willow Road, in the northeast corner of the intersection of Willow Road and Chester Street, and is accessible from both Willow Road and Chester Street. To be consistent with the orientation of the building, this report refers to Willow Road as the front of the property. The adjacent parcel to the north at 928 Willow Road is zoned R-3 (Apartment). The adjacent parcels to the east and south across Chester Street are in the R-1-U (Single-Family Residential) zoning district. Parcels to the west across Willow Road are zoned PF (Public Facilities) and are the site of the Menlo Park Veterans Affairs Medical Center. A location map is included as Attachment B.

Analysis

Project description

The applicant is requesting a use permit to allow the sale of beer, wine and distilled spirits for off-premises consumption (Alcoholic Beverage Control (ABC) Type 21 license) in an existing convenience store between the hours of 8:00 a.m. and 9:00 p.m. Currently, there is a dentist and laundromat use in addition to the convenience store in the same building. The project plans and the applicant's project description letter are included as attachments C and D, respectively.

The applicant states the existing convenience store sells a number of products including fresh fruits and vegetables, as well as other grocery items. The proposed alcohol sales would be limited in size relative to the overall business, occupying approximately 25 percent of the existing wall cooler space, in addition to

one refrigerator where alcohol will be displayed and an alcohol sales service counter.

The applicant indicates that the convenience store cash register presently has software programmed to restrict sales of alcohol without scanning the date of birth from a purchaser's ID. Cashiers would also be trained on the use of the register software and specific regulations regarding the sale of alcohol to prevent any illegal sales to minors.

Surrounding area

As a mixed-use corridor in the Willows neighborhood, the section of Willow Road between Middlefield Road and US 101 currently contains a variety of uses, including alcohol sales. Three businesses in the area, all grocery stores, currently have off-sale ABC licenses:

- Hacienda Super Mercado – 1933 Menalto Avenue (Type 20 – beer and wine)
- The Willows Market – 60 Middlefield Road (Type 21 – beer, wine, and spirits)
- El Rancho Market – 812 Willow Road (Type 20 – beer and wine)

All three businesses listed above, are in the same census tract as the subject parcel. If a census tract is considered over concentrated with regard to existing off-sale licenses, ABC requires the local jurisdiction to make a determination of public convenience or necessity. For the subject property, ABC has indicated a determination of public convenience or necessity is not required as the census tract is not considered over concentrated.

Staff believes the proposed operations would provide a convenience for customers by allowing them to make such purchases without having to make additional trips to other grocery stores to purchase beer, wine and distilled spirits. However, the Planning Commission may wish to add project-specific conditions limiting the sale of alcohol to only beer and wine and/or further limiting the area where alcohol may be stored/displayed to address concerns expressed by community members, as discussed later in this report.

Staff shared the proposal with the Menlo Park Police Department, who indicated they did not have any concerns with the proposed sale of beer, wine and spirits on the subject property.

Correspondence

Staff received three emails in opposition to the project, included as Attachment E. The main objections to the request are the potential nuisance that the sale of alcohol might have in the neighborhood, trash generated by businesses along Willow Road, and a potential increase in traffic. A concern was also expressed about cooking in the parking lot of the convenience store, which is not permitted. The City previously received a complaint about a food truck in the parking lot, which is not permitted and has since been removed. Any trash left outside of designated trash bins is not permitted and may be addressed by Code Enforcement. Cashier training would further limit any potential nuisances and illegal activities, and the Menlo Park Police Department indicated they did not have any concerns with the proposed sale of alcohol on the subject property. As previously noted, the Planning Commission may wish to add conditions limiting the sale of alcohol to only beer and wine and/or further limiting the area where alcohol may be stored/displayed to address concerns expressed by community members.

Conclusion

The proposed alcohol sales would be limited in size relative to the overall business operations. The operations would include employee training. The proposed off-sale of beer, wine and distilled spirits in conjunction with the existing convenience store operations would provide a service to patrons by allowing customers of the convenience store to purchase beer, wine and distilled spirits along with other products in a single visit. Additionally, the hours of operation would be limited to 8 a.m. to 9p.m. Staff recommends that the Planning Commission approve the request to allow the sale of beer, wine and distilled at an existing convenience store for off-premises consumption (ABC Type 21 License).

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 500-foot radius of the subject property.

Appeal Period

The Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

Attachments

- A. Draft Planning Commission Resolution Adopting Findings for project Use Permit, including project Conditions of Approval
 - Exhibits to Attachment A
 - A. Project Plans (See Attachment C to this (July 11, 2022) Planning Commission Staff Report)
 - B. Condition of Approval
- B. Location Map
- C. Project Plans
- D. Project Description Letter
- E. Correspondence

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City

Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

Exhibits to Be Provided at Meeting

None

Report prepared by:
Fahteen Khan, Assistant Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING A USE PERMIT TO ALLOW THE SALE OF BEER, WINE AND DISTILLED SPIRITS FOR OFF-PREMISES CONSUMPTION AT AN EXISTING CONVENIENCE STORE IN THE C-4 (GENERAL COMMERCIAL) DISTRICT

WHEREAS, the City of Menlo Park (“City”) received an application requesting to allow the sale of beer, wine and distilled spirits for off-premises consumption at an existing convenience store, in the C-4 (General Commercial) district (collectively, the “Project”) from Alejandro Salinas (“Applicant”), on behalf of the property owner Chang LLC (“Owner”), located at 900 Willow Road (APN 062-211-170) (“Property”). The Project use permit is depicted in and subject to the development plans and documents which are attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the Property is located in the General Commercial (C-4) district. The C-4 district supports retail uses; and

WHEREAS, the proposed Project complies with all objective standards of the C-4 district; and

WHEREAS, the proposed Project was reviewed by the Menlo Park Police Department, who did not express concerns about the sale of alcohol at this location; and

WHEREAS, the Project, requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act (“CEQA,” Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require analysis and a determination regarding the Project’s environmental impacts; and

WHEREAS, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the Project; and

WHEREAS, the Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15301 et seq. (Existing Facilities); and

WHEREAS, all required public notices and public hearings were duly given and held according to law; and

WHEREAS, at a duly and properly noticed public hearing held on July 11, 2022, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the Project Revisions.

NOW, THEREFORE, THE MENLO PARK PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

Section 1. Recitals. The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided, and the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

Section 2. Conditional Use Permit Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the use permit for the sale of beer, wine and distilled spirits at a commercially zoned property is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

1. That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
 - a. Consideration and due regard to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon was given; in that, the proposed use permit is consistent with the C-4 zoning district and the General Plan because commercially zoned properties are allowed to sell beer, wine and distilled spirits if granted a use permit.
 - b. The proposed sale of alcohol will be limited in size relative to the overall business and limited in the hours of operation between 8:00 a.m. and 9:00 p.m., allowing residents in the immediate vicinity a convenient location (a market) to purchase alcohol.
 - c. The Project has been designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code and the Commission concludes that the Project would not be detrimental to the health, safety, and welfare of the surrounding community as the sale of alcohol would require permitting from the State ABC to ensure compliance with all applicable ABC requirements. The off-sale license would provide residents one location to purchase groceries and spirits for off-site consumption. Further, the alcohol sales associated with a market will be compatible with the other commercial services present and provide nearby residents a one stop shopping experience. Additionally, the hours of operation will be limited to 8 a.m. to 9:00 p.m. and cashiers will receive training on the sale of alcohol. Therefore, the

Project would not be detrimental to the health, safety, morals, comfort and general welfare of persons residing or working in the neighborhood.

Section 3. Conditional Use Permit. The Planning Commission approves Use Permit No. PLN2022-00010, which use permit is depicted in and subject to the development plans and documents which are attached hereto and incorporated herein by this reference as Exhibit A. The Use Permit is conditioned in conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit B.

Section 4. ENVIRONMENTAL REVIEW. The Planning Commission makes the following findings, based on its independent judgment after considering the Project, and having reviewed and taken into consideration all written and oral information submitted in this matter:

- A. The Project is categorically except from environmental review pursuant to Cal. Code of Regulations, Title 14, §15301 et seq. (Existing Facilities).

Section 5. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I, Corinna Sandmeier, Acting Principal Planner and Planning Commission Liaison, of the City of Menlo Park, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on July 11, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 11th day of July, 2022

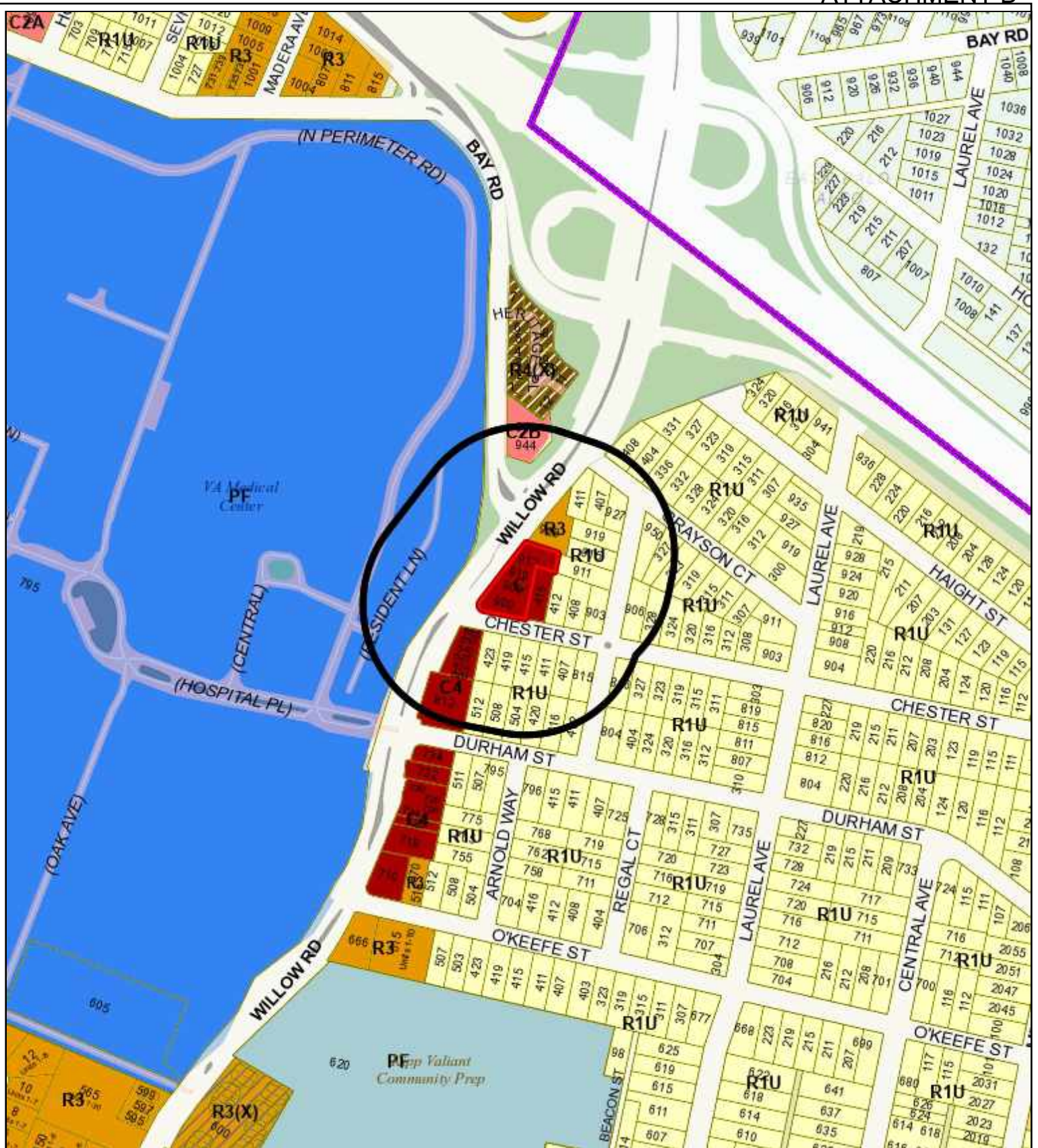
Corinna Sandmeier
Acting Principal Planner and Planning Commission Liaison
City of Menlo Park

Exhibits

- A. Project Plans
- B. Conditions of Approval

900 Willow Road – Exhibit B: Conditions of Approval

LOCATION: 900 Willow Road	PROJECT NUMBER: PLN2022-00010	APPLICANT: Alejandro Salinas	OWNER: Alejandro Salinas
CONDITIONS OF APPROVAL: <ol style="list-style-type: none">1. The applicant shall be required to initiate the use within one year from the date of approval (by July 11, 2023) for the use permit to remain in effect.2. Development of the project shall be substantially in conformance with the plans prepared by Alejandro Barragan consisting of 8 plan sheets, dated received July 5, 2022 and approved by the Planning Commission on July 11, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.3. Applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.4. Applicant shall pay all fees incurred through staff time spent reviewing the application.5. Applicant shall keep the property in a clean and sanitary condition at all times, and maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the City of Menlo Park Municipal Code.6. The Project shall adhere to all ordinances, plans, regulations, and specifications of the City of Menlo Park and all applicable local, State, and Federal laws and regulations.7. The applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit, or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.			



City of Menlo Park
 Location Map
 900 Willow Road



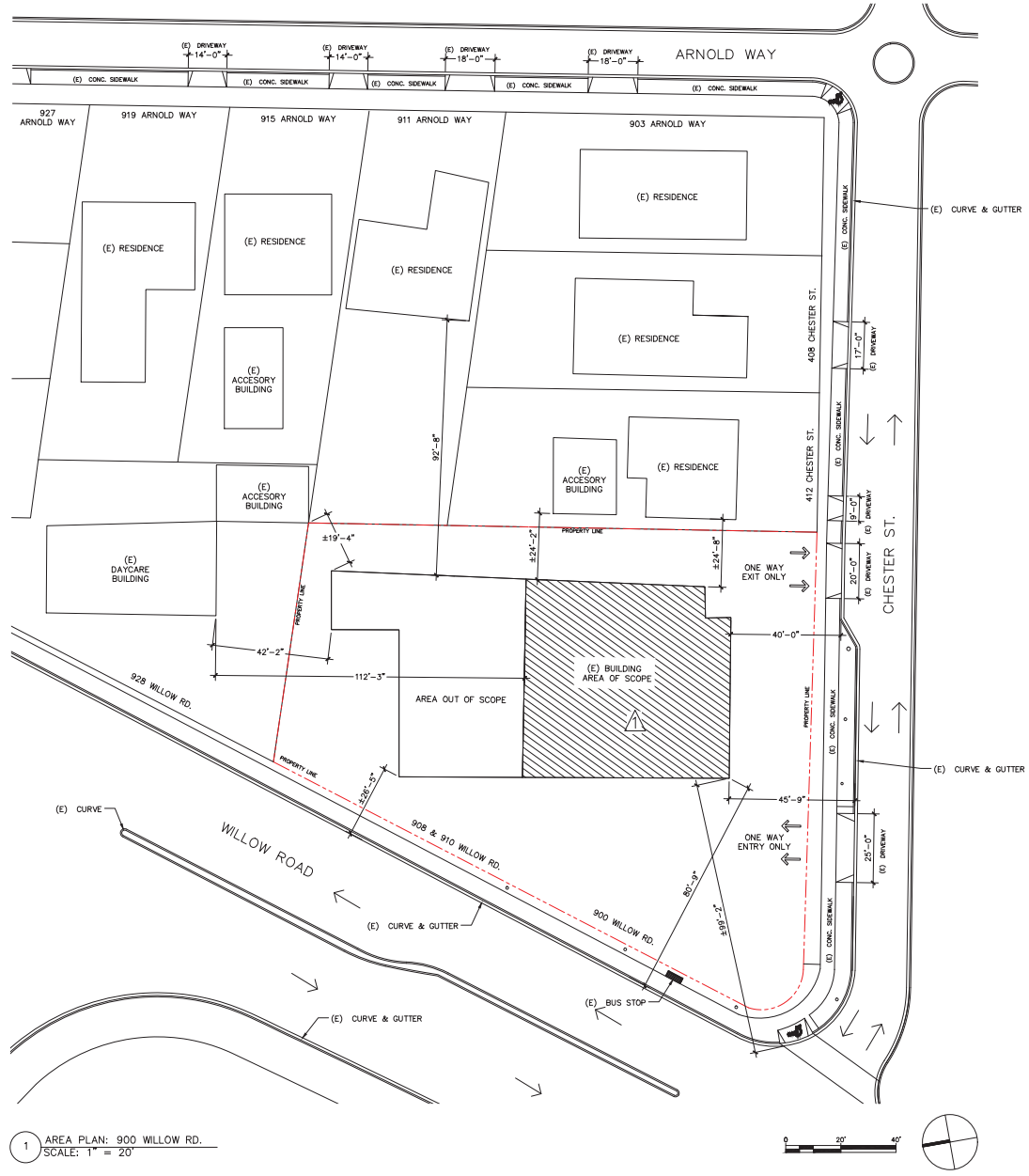
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Drawn By: FNK

Checked By: CDS

Date: 7/11/2022

Sheet: 1



1 AREA PLAN: 900 WILLOW RD.
SCALE: 1" = 20'

Marvin's Farmer's Market
900 Willow Rd.
Menlo Park
CA 94025
650 222 6185 phone
000 000 0000 fax

MARVIN'S FARMER'S MARKET
900 WILLOW RD.
MENLO PARK, CA 94025

Revisions:
A 04/15/22

Description
AREA PLAN

Date: 11/5/21

Project No: XXXXXXXX

Drawn by: A.B.

Checked by:

Sheet 1 OF 8

A-1

M.V. PROJECTS

NOTES

- DRAWING FOR REFERENCE ONLY.

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Menlo Park
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000 000 0000 fax

MARVIN'S FARMER'S MARKET
900 WILLOW RD.
MENLO PARK, CA 94025

Revisions:
△ 04/15/22

Description
STREETSCAPE
ELEVATIONS

Date: 11/5/21

Project No: XXXXXXX

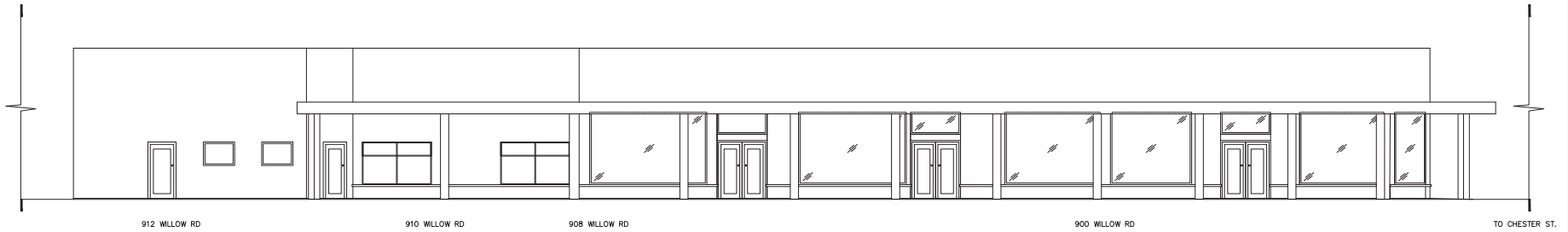
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Checked by:

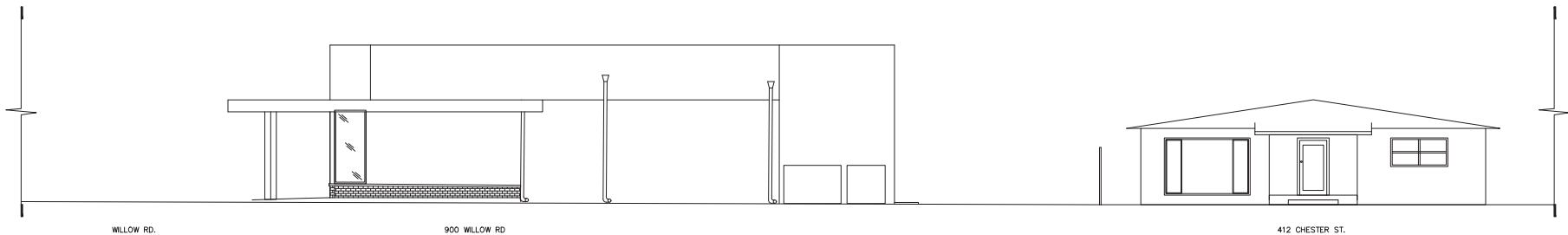
Sheet 2 OF 8

A-1

M.V. PROJECTS



1 FRONT STREETSCAPE WEST
SCALE: 3/16" = 1'



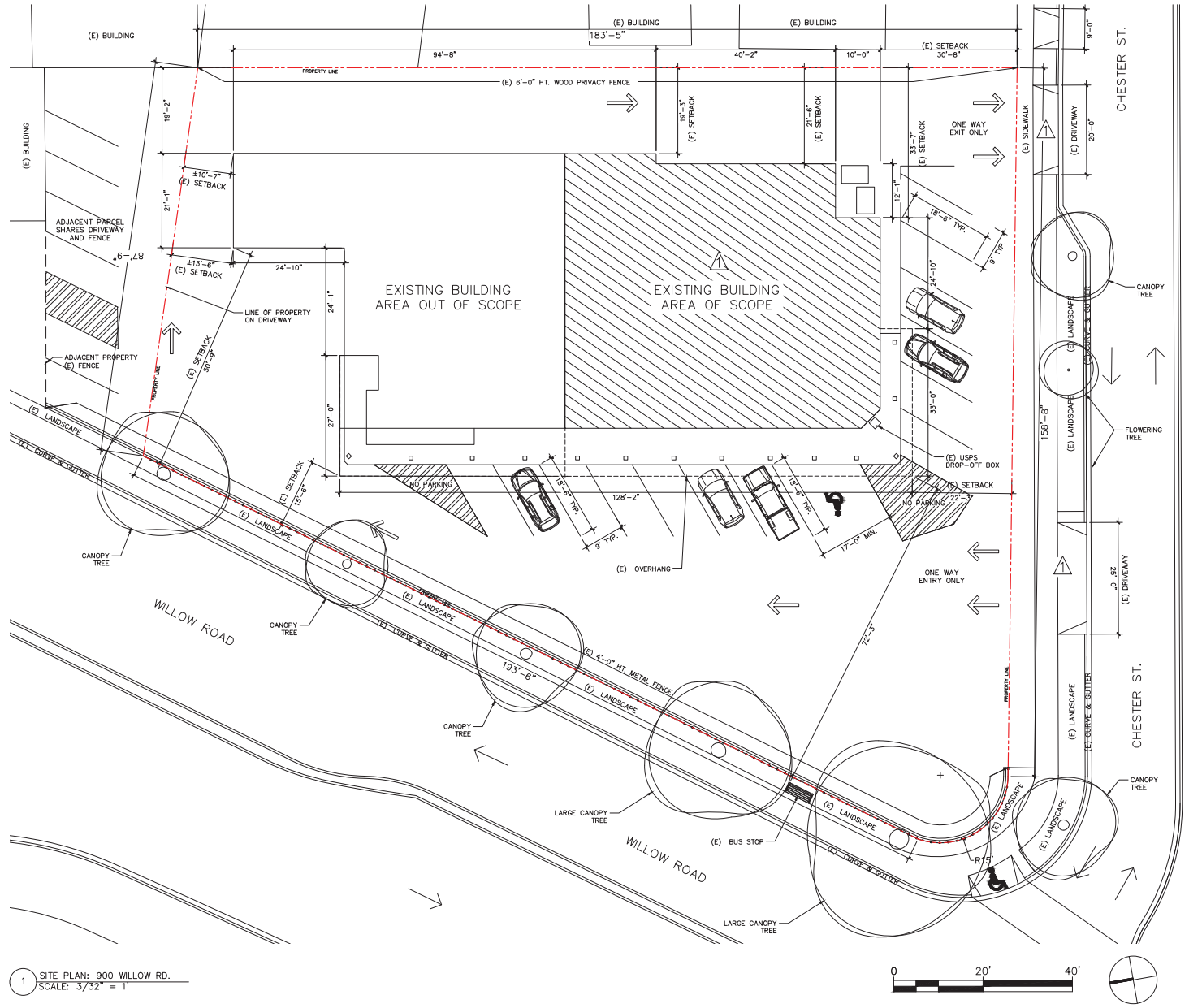
2 RIGHT STREETSCAPE SOUTH
SCALE: 3/16" = 1'





2 VICINITY MAP
SCALE: N.T.S.

SITE ANALYSIS	
JURISDICTION: CITY OF MENLO PARK	
ZONING: C-4 COMMERCIAL RETAIL	
APN: 062-211-170	
AREAS:	
LOT AREA	25582 SQ. FT.
(E) FLOOR AREA	9216 SQ. FT.
AREA OF SCOPE	5097 SQ. FT.
LAND COVERED BY STRUCTURES	36%
LANDSCAPE & PAVED SURFACES	64%
PARKING SPACES	13 UNCOV.
HANDICAP SPACES	1 UNCOV.



1 SITE PLAN: 900 WILLOW RD.
SCALE: 3/32" = 1'



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Revisions:
04/15/22

Description
SITE PLAN

Date: 11/5/21

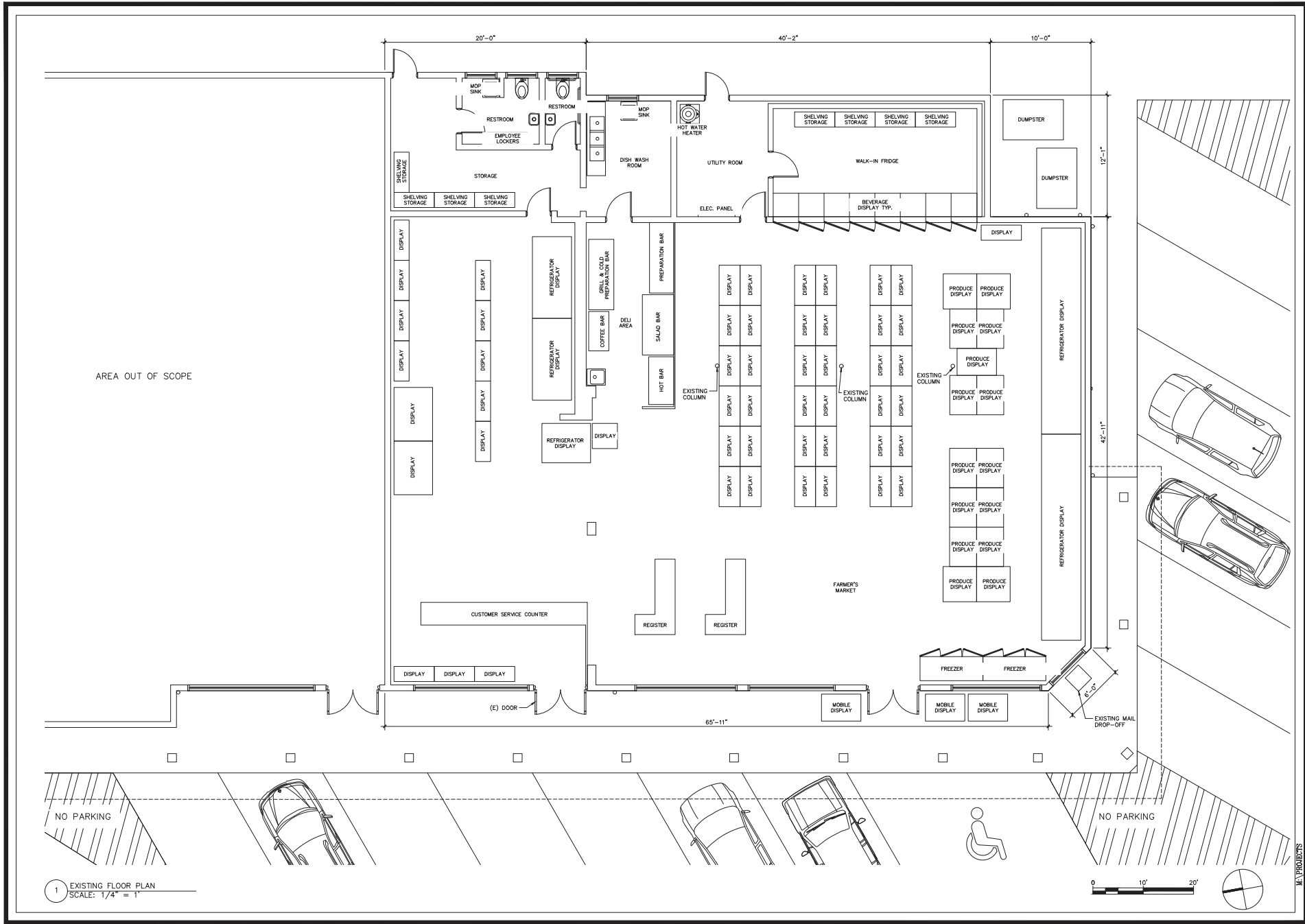
Project No: XXXXXXX

Drawn by: A.B.

Checked by:

Sheet 3 OF 8

A-2



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 CA 94025
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MARVIN'S FARMER'S MARKET
 900 WILLOW RD.
 MENLO PARK, CA 94025

Revisions:
 04/15/22

Description
 EXISTING FLOOR PLAN

Date: 11/5/21

Project No: XXXXXXXX

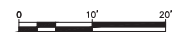
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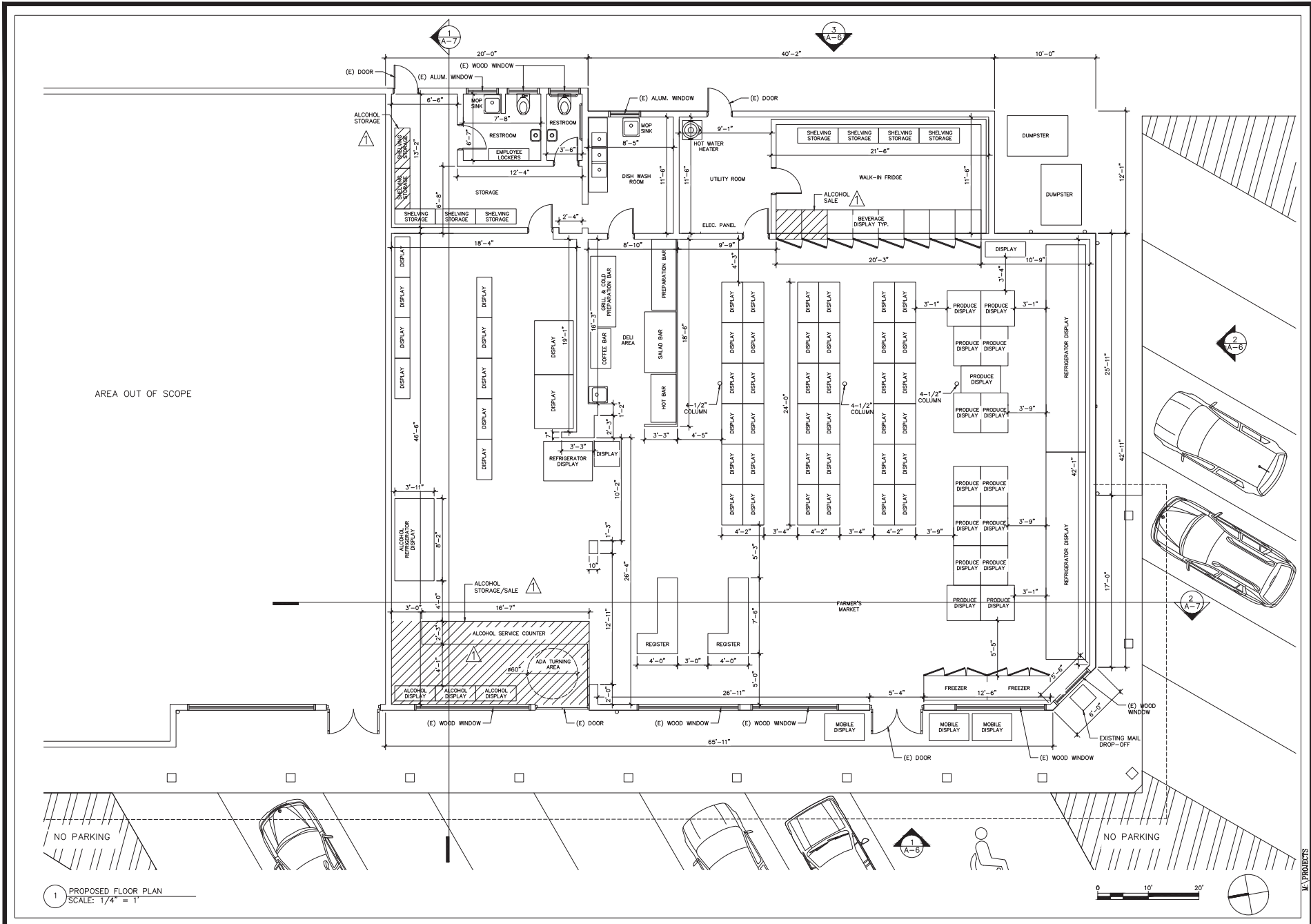
Checked by:

Sheet 4 OF 8

A-3

1 EXISTING FLOOR PLAN
 SCALE: 1/4" = 1'





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 900 Willow Rd.
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 CA 94025
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 000 000 0000 fax

MARVIN'S FARMER'S MARKET
 900 WILLOW RD.
 MENLO PARK, CA 94025

Revisions:
 04/15/22

Description
 PROPOSED FLOOR PLAN

Date: 11-5-21

Project No: XXXXXXX

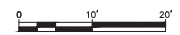
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Sheet 5 OF 8

A-4

1 PROPOSED FLOOR PLAN
 SCALE: 1/4" = 1'



SQUARE FOOTAGE CALCULATIONS

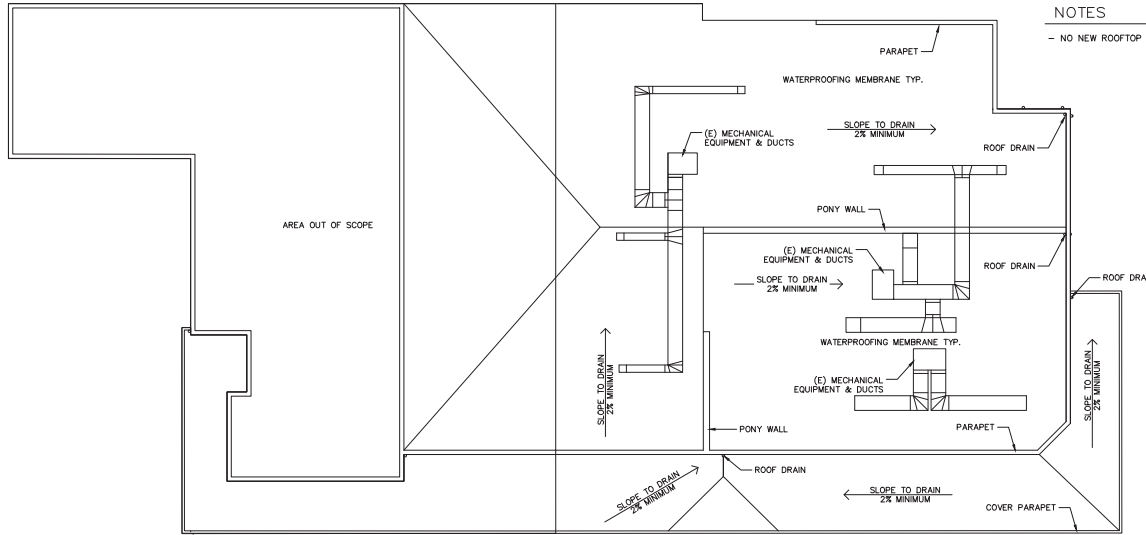
AREAS	AREA IN SQ. FT.
FLOOR AREA	4070.34
COVERED AREA	993.37
TOTAL AREA	5063.71

PARKING AREA CALCULATION

AREA	AREA IN SQ. FT.
PARKING AREA A	981.23
PARKING AREA B	1008
TOTAL PARKING AREA	1989.23

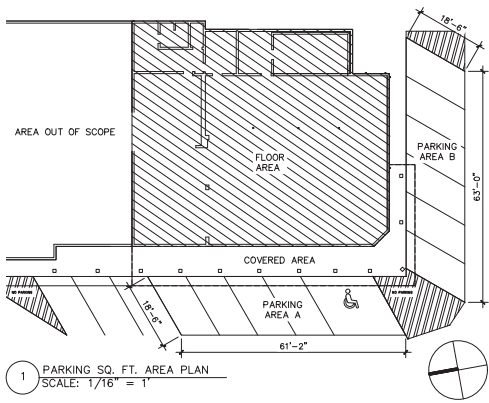
FLOOR AREA RATIO CALCULATIONS

AREA	AREA IN SQ. FT.
LOT AREA	25,627.91
MAX. FAR C-4 ZONE	10,251.16 (40%)
GROSS FLOOR AREA	4,070.34 (15.88%)

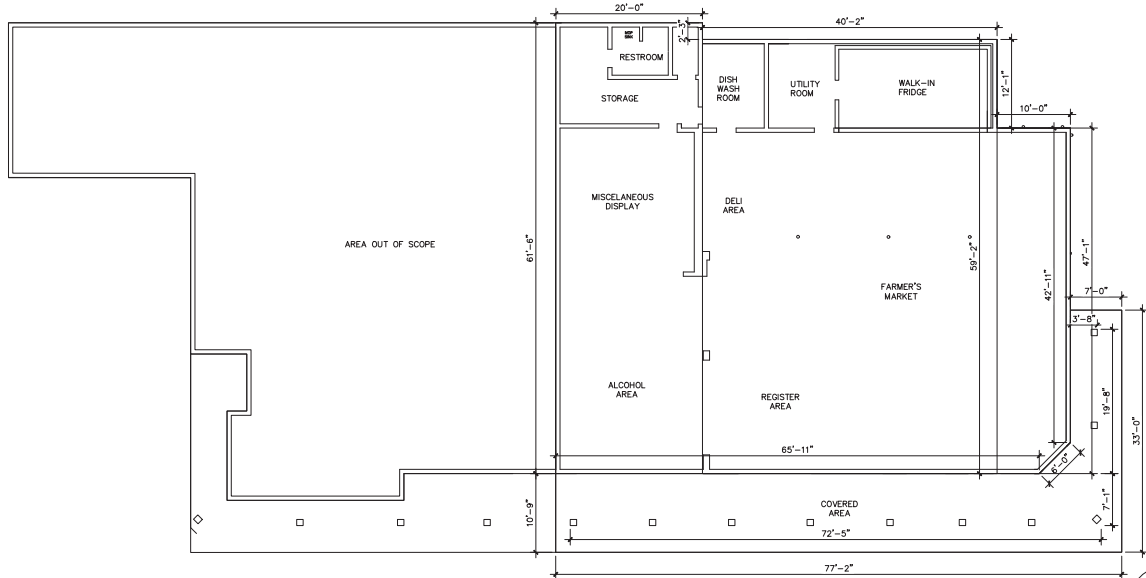


NOTES
- NO NEW ROOFTOP EQ. REQUIRED.

1 ROOF PLAN
SCALE: 1/8" = 1'



1 PARKING SQ. FT. AREA PLAN
SCALE: 1/16" = 1'



1 SQ. FT. AREA PLAN
SCALE: 1/8" = 1'



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Menlo Park
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000 000 0000 fax

MARVIN'S FARMER'S MARKET
900 WILLOW RD.
MENLO PARK, CA 94025

Revisions:
04/15/22

Description
ROOF PLAN &
SQ. FT. AREA PLAN

Date: 11/5/21

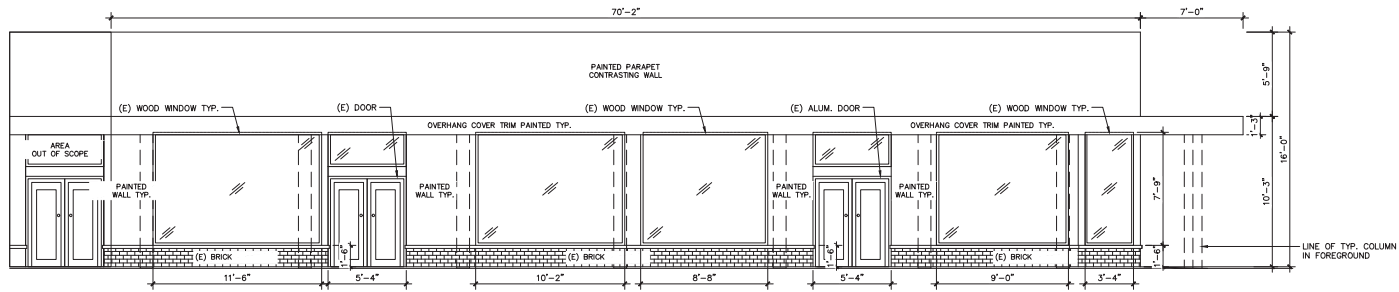
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Drawn by: A.B.

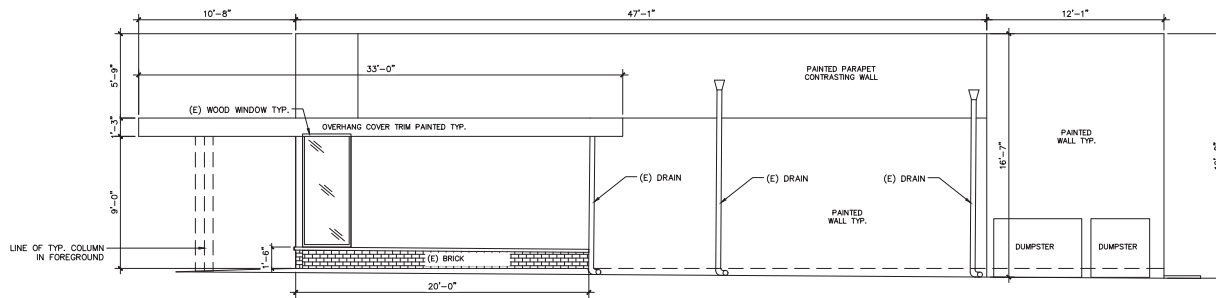
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Sheet 6 OF 8

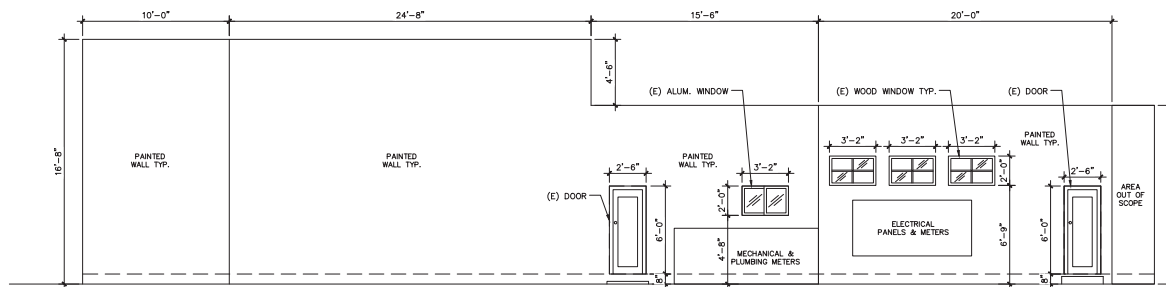
A-5



1 EXISTING WEST FRONT ELEVATION TO REMAIN
SCALE: 1/4" = 1'



2 EXISTING SOUTH RIGHT ELEVATION TO REMAIN
SCALE: 1/4" = 1'



3 EXISTING EAST BACK ELEVATION TO REMAIN
SCALE: 1/4" = 1'



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900 Willow Rd.
Menlo Park
CA 94025
850 222 6185 phone
000 000 0000 fax

MARVIN'S FARMER'S MARKET
900 WILLOW RD.
MENLO PARK, CA 94025

Revisions:
A 04/15/22

Description
EXTERIOR
ELEVATIONS

Date: 11/5/21

Project No: XXXXXXX

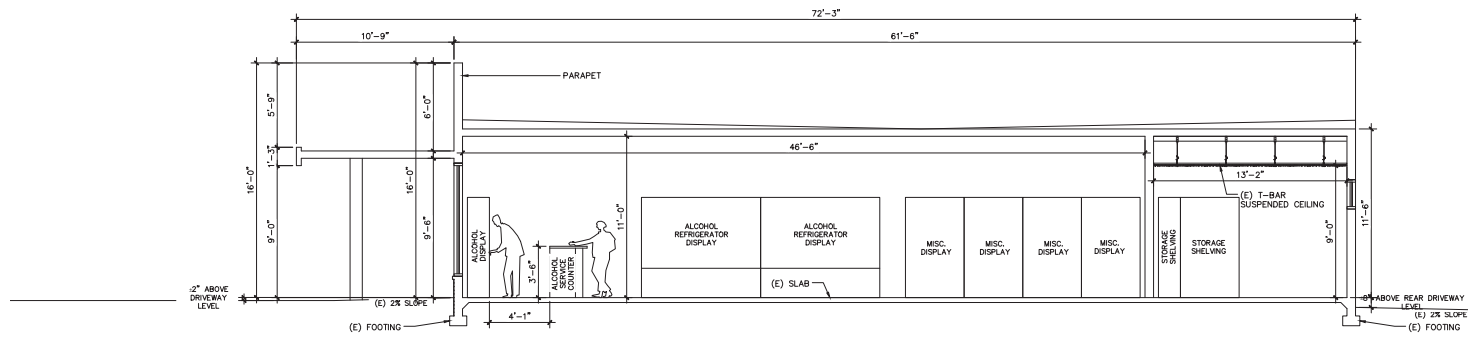
Drawn by: A.B.

Checked by:

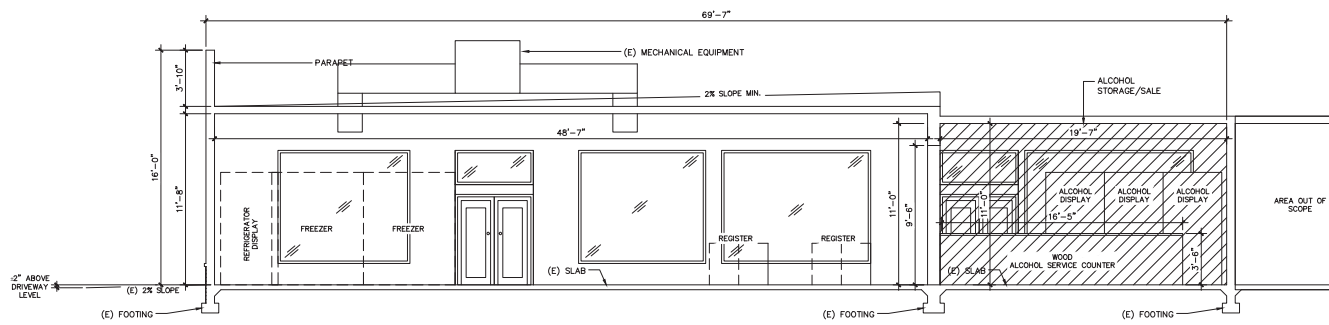
Sheet 7 OF 8

A-6

M.V. PROJECTS



1 EXISTING WEST FRONT SECTION TO REMAIN
SCALE: 1/4" = 1'



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SCALE: 1/4" = 1'



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Revisions:
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Description
SECTIONS

Date: 11/5/21

Project No: XXXXXXX

Drawn by: A.B.

Checked by:

Sheet 8 OF 8

A-7

M.V. PROJECTS

Project Description



Purpose of the Proposal:

-The purpose of Marvins Farmers Market is to create a new concept in the area of Menlo Park, that will satisfy and meet the needs of the community. Marvins Farmers Market, visualize the need for a place that offers a difference in Produce and with products that are currently labeled as necessary to create and supply a better way of eating & living.

At the same time to be able to have an area with sale of products with alcohol, but always taking care of the city and personal actual demands with small quantities of products, but with a value that the community would enjoy, but always safeguarding the care of our neighborhood.

Currently Store Sells:

The creation of the market is in response to the growing demand in the community for a local natural food store. The Store currently provides, fresh and organically grown fruits & vegetables as well as Specialty Foods to meet different life styles with foods without artificial colors, flavors, or additives & nutritional necessities.

Scope of Work:

-The Product we will offer to our clients, will be of great quality with the majority of it organic, our purpose is always to offer the best and to cover all necessities of our customers, we will always control the quality, and always supervised to that it is not available to the reach of everyone.

Times of Operation:

From 8:00 am to 9:00 pm

Alcohol Hours of Operation:

From 8:00 am to 9:00 pm

ABC License Agent Contact:

-Jim Saxton

925-689-6766

sfliquorlicenses@gmail.com

ABC License type:

#21 Off-Sale General

Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

Architectural Style, Materials, Colors & Construction Methods:

-The structure and location of the wine and spirits area will be located at the back of the premises, maintained and used for accommodation and sale to the public on black metal shelves. Products that require refrigeration will be located in a 4' x 5' fridge in the back area of the room and it will be sold upon request to customers to avoid the inappropriate flow of its consumption, with the measures required by law.

After this, there will be no changes on the existing lay out and/or construction including the roof, also no additional equipment will be installed, such as coolers or freezers. No other changes will be made including parking, currently Marvins Farmers Market has 12 assigned parking stalls with 11 more open to public.

NOTE: *Alcohol will take up 25 percent of the existing wall cooler space, in addition to one more refrigerator where alcohol will be displayed and an alcohol sales service counter.*

Architect – Draft man:

-Alejandro Barragan

858-832-3585

alejandro.jbg@outlook.com

Basis of Site Layout:

-We will have locked shelves behind customer service counter to keep the alcohol only available upon request of customers, in black metal shelving and in a 4' x 5' fridge.

Employee Training:

- Training will be provided for any of our Associates or Manager on premises, an accredited RBS (Responsible Beverage Service) and a pass ABC exam will be required within 60 days from the first date of employment, to ensure associates and managers are educated on the dangers of serving alcohol to minors and over-serving alcohol to patrons, in order to reduce alcohol related harm to local communities

ID Verification Software:

The Software to verified the Age for our customer is already INSTALLED and the name is AGE VERIFICATION by App-Heaven LLC



Existing and proposed uses:

-We are a Farmers Market that would like to pair our wine and spirits to the rest of our store products like cheese and meats to thrive in a better concept of products for our community.

Outreach to Neighboring properties:

-Establish and maintaining positive rapport with our community, neighbor Business, Local Vendors and other Industrial Groups. And at the same time keeping our community safe and with a good place to offer the best quality place to shop.

ABC did the Community Outreach regarding the Application for alcohol to be sold at the location, attached are the documents and dates of the Community Outreach.

1. ABC207E Statement of date promised Posted and date of ABC Mailing to Residences within 500 feet including the two-page letter mailed in several languages.
1. ABC207F Declaration date of letters sent plus the list of Residences with 500 feet.
1. ABC 293 Posting of Poster on Premise readily visible by the front entrance, at eye level.
1. ABC 172 ABC Operating Conditions accepted/signed/dated by the Applicant.

ATTACHMENT E

From: Shea Tate-Di Donna
Sent: Thursday, April 14, 2022 10:26 AM
To: Khan, Fahteen N
Subject: Use permit/Alejandro Salinas/900 Willow Road objection

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Good morning. I am a resident of Menlo Park neighboring 900 Willow Road, and I am writing regarding the proposal for Use Permit to allow the sale of beer and wine for off-premises consumption at 900 Willow Road. As a tax-paying resident and member of the community, I strongly object to the sale of alcohol in our neighborhood. Given the close proximity to the highway, this already has the potential for transient behaviors and disruption, which would be further compounded by the sale of alcohol.

I respectfully urge the Community Development Planning Division to refuse the application.

Regards,
Shea Tate-Di Donna

From: Maricela G Valencia <mvalencia@montclairgroup.com>
Sent: Wednesday, April 20, 2022 1:02 PM
To: Khan, Fahteen N
Cc: Combs, Drew
Subject: ABC License - 900 Willow Rd

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

I'm writing to express my disappointment with the City. I have lived here (Chester Street) for almost 40 years with no intention of leaving. We take pride in our property. You allowed a so called grocer to open a store directly across the street from our home. Now under the disguise of a grocery store. They are going to have a liquor store. Would you want a liquor store across the street from your home? They pollute our air with their grill in the parking lot that blows the fumes towards our house. We can't sit/enjoy our back yard w/o smelling gas and chicken ALL DAY LONG! They also park a food truck all afternoon. We come out front that's what we see.

Obviously the Willows is not an important neighborhood for the City of Menlo Park.

To make matters worse another business around the corner facing Willow Road wants a liquor license too. Who knows in another five years we'll probably have a outright bar next door. So disappointing. I wish someone would come and see all the trash behind these businesses on Willow.

Maricela G. Valencia
Office Manager
Montclair Group Limited
C: 650-814-1210
E: mvalencia@montclairgroup.com

From: Paul Montgomery <paulm_64@yahoo.com>
Sent: Tuesday, June 28, 2022 4:02 PM
To: Khan, Fahteen N
Subject: A letter to the Menlo Park Planning Commission related to the Liquor License permit hearing on July 11 2022

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Menlo Park Planning Commission.

I write to express my concern with the application for "Selling beer, wine and distilled spirits for off-premises consumption" at the location 900 Willow Rd, Menlo Park.

Concern 1

This location is adjacent to the VA hospital entrance.

Many people with mental health and other dependencies are rehabilitated at the V.A.

I feel that the sale of liquor directly outside the front gates of the V.A. facility is not helpful.

Concern 2

As a resident (with children) living in the neighborhood very close to 900 Willow Rd, I feel that sale of liquor at this location may lead to consumption of alcohol in the vicinity. My preference is to avoid this possibility.

In view of these concerns, I respectfully request that the Planning Committee deny this application.

Sincerely,
Paul Montgomery



STAFF REPORT

Planning Commission

Meeting Date:

7/11/2022

Staff Report Number:

22-037-PC

Public Hearing and Study Session:

Draft Environmental Impact Report (EIR) public hearing and study session for the proposed Commonwealth Building 3 Project with an approximately 249,500 square-foot four-story office building, a five-level parking structure, and an approximately 34,000 square-foot publicly accessible park at 162-164 Jefferson Drive

Recommendation

Staff recommends that the Planning Commission conduct:

- A public hearing to receive public testimony and comments on the focused Draft EIR; and
- A study session to receive public comments and ask clarifying questions on the proposed project, including but not limited to the applicant's project refinements since the previous Planning Commission study session on June 3, 2019, and the community amenities proposal.

The July 11th meeting will not include any project actions. Pursuant to Menlo Park Municipal Code, Chapters 16.56 (Conditional Development Permit) and 13.24 (Heritage Trees), and Sections 16.43.060 (office-bonus level development) and 16.43.070 (community amenities), the Planning Commission is required to review, and provide a recommendation to City Council on the various entitlements required for this project. The City Council will be the final decision-making body on the certification of the Final EIR and the Conditional Development Permit (CDP) amendment along with other entitlements required for the project.

Staff recommends the following meeting procedure for the two items, allowing the public and the Planning Commission to focus comments and discussion on the specific project components.

Draft EIR public hearing

- Introduction by Staff
- Presentation by the Applicant
- Presentation by City's EIR Consultant
- Public Comments on Draft EIR
- Commissioner Questions and Comments on Draft EIR
- Close of Public Hearing

Project proposal study session

- Introduction by Staff

- Commissioner Questions on Project
- Public Comments on Project
- Additional Clarifying Questions from Commissioners

Standard practice for recent projects that include a Draft EIR public hearing and study session has been to include the applicant team's presentation during the Draft EIR public hearing instead of the study session to allow the Planning Commission and community members to receive an overview of the project prior to providing comments on the Draft EIR.

Policy Issues

A public hearing on the Draft EIR provides an opportunity for the Planning Commission and the public to comment on the sufficiency of the Draft EIR document in analyzing the possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated through implementation of reasonably feasible measures. A study session provides an opportunity for the Planning Commission and the public to ask clarifying questions on the proposed project's details and design. The Draft EIR public hearing and the study session should be considered as separate items, with comments and clarifying questions used to inform future consideration of the proposed project. The Commission will consider whether to recommend approval of the project at a future meeting, after the City has received public comments on the Draft EIR and prepared responses to those comments. Commissioners are advised to refrain from expressing a position regarding recommending approval or denial of the project until the environmental review process is completed and the project is formally presented to the Planning Commission at a future, noticed public meeting.

The proposed project is anticipated to require the following actions:

1. **Environmental Review** to analyze potential environmental impacts and certify the EIR as legally compliant with CEQA;
2. **Conditional Development Permit amendment** to approve bonus-level development of a third office building on site, in exchange for community amenities, pursuant to Office Zoning district development standards, reconfigure existing parking on site, including the development of structured parking, the addition of a publicly accessible open space, a waiver of two bird-friendly design guidelines, and the use and storage of hazardous materials for an emergency diesel generator; and
3. **Below Market Rate (BMR) Housing Agreement** to pay in-lieu fees in accordance with the City's BMR Ordinance.

In addition, the following documents are being prepared, and are now available or will be published in the future, to analyze the proposed project and inform reviews by community members, the Planning Commission, and the City Council:

- Housing Needs Assessment (HNA), including an analysis of the multiplier effect for indirect and induced employment from the proposed project, in compliance with the terms of the 2017 settlement agreement between the City of Menlo Park and the City of East Palo Alto;
- Fiscal Impact Analysis (FIA) to inform decision makers and the public of the potential fiscal impacts of the proposed project; and
- Appraisal to identify the required value of the community amenity in exchange for bonus level development.

These reports are not subject to specific City action, but provide background information for the conditional development permit and other land use entitlements.

After the close of the Draft EIR public comment period on August 15, 2022 the City and its environmental consultant will review and respond to all substantive comments received in what is referred to as a “Response to Comments” document, which along with the Draft EIR and any revisions, additions, or clarifications to the Draft EIR, will constitute the Final EIR. The City Council, as the final decision maker, will review the Draft and Final EIR together and determine if the environmental review was prepared in compliance with the California Environmental Quality Act (CEQA). Certifying the EIR as legally adequate and adopting findings to comply with CEQA must be completed prior to taking final action on the proposed project. After certifying the Final EIR, the City Council would then consider and take action on the requested land use entitlements and recommendations from the Planning Commission. Certifying the EIR does not require approval of the project.

Background

Site location

The project site is located at 162-164 Jefferson Drive and encompasses approximately 13.3 acres. The project site is directly north of US Highway 101 and bounded by Jefferson Drive, office buildings, and the recently approved Menlo Flats project to the north (across Jefferson Drive from the project site), and light industrial buildings to the west. Farther north of the project site are other properties zoned O-B (Office-Bonus) and R-MU-B (Residential Mixed Use, Bonus) with a mix of office, research and development (R&D), and light industrial uses; California Highway 84 (Bayfront Expressway); and the San Francisco Bay. Kelly Park, the Onetta Harris Community Center, and other properties zoned P-F (Public Facilities) and U (Unclassified) are located east of the project site in the Belle Haven neighborhood. Properties south of the project site, opposite Highway 101, are zoned R-1-U (Single Family Urban Residential) and developed with single-family residences in the Suburban Park neighborhood. The Sequoia Union High School District’s TIDE Academy is located at 150 Jefferson Drive, approximately 185 feet west of the project site.

The project site is accessible from Commonwealth Drive and Jefferson Drive through a private access road that connects the two public streets. Two office buildings were constructed on the project site in 2015 and are proposed to remain on site. The buildings are surrounded by surface parking, landscaping, and pedestrian pathways. The existing buildings are currently occupied by Meta. A location map is provided in Attachment A.

Previous approvals

In August 2014, the City Council approved a request from The Sobrato Organization to construct two four-story office buildings on the site. Each office building is approximately 130,000 square feet in size and has a height of 67 feet. The entitlements for the project included a rezoning from M-2 (General Industrial) to M-2(X) (General Industrial, Conditional Development); and a CDP to exceed the permitted 35-foot building height, display signage in excess of 150 square feet, and set the parcel configuration with regards to front, side, and rear property lines; a tentative parcel map to re-subdivide two parcels into three parcels, one for each office building and one containing the common parking with 868 spaces across various surface parking lots on the site; 22 heritage tree removal permits; and a BMR housing agreement.

Project overview

The applicant proposes to demolish the existing surface parking lots and landscaped areas along the Jefferson Drive frontage, as well as parking landscape areas north and east of the two existing office

buildings on the project site. The project proposes to develop a new four-story office building with approximately 249,500 square-feet of gross floor area (GFA) north of the existing office buildings, and a new four-story, five-level parking structure in the triangular area east of the existing office buildings. The project plans, including materials and color board, are included in Attachment B. The applicant is proposing to develop the building utilizing the bonus level provisions identified in the Zoning Ordinance. The O-B zoning district regulations allow a development to seek an increase in floor area ratio (FAR) and/or height subject to obtaining a use permit or CDP and by providing one or more community amenities. Since the site development was permitted through a CDP, a CDP amendment would be required to allow the proposed project.

Table 1 provides a comparison between the existing development, proposed new development, and the total proposed combined development on the project site as it relates to the O-B zoning regulations.

Table 1: Project data				
	Existing Development	Proposed New Development	Total Development on Site	Zoning Ordinance Bonus Level (Maximums)
Floor area ratio	44.9%	43.1%	88%	100% + 25% commercial
Gross floor area	259,920 s.f.	249,500 s.f.	509,420 s.f.	579,348 office + 114,837 s.f. commercial
Height (maximum)*	67 feet	69 feet	69 feet	120 feet
Height (average)*	67 feet	69 feet	59.9 feet	77.5 feet
Parking	866 spaces	665 spaces	1,531 spaces	1,159 to 1,738 + 287 to 379**
Total open space	N/A	41%	41%	30% of the site
Public open space	N/A	22%	22%	50% of the required 30% total open space

* Maximum height and average height do not include roof-mounted equipment, utilities, or parapets used to screen mechanical equipment; maximum height and average height include a 10 foot increase for properties in the flood zone.

** The existing development was constructed under the M-2 zoning regulations. The current project is being developed under the O-B zoning regulations.

Site layout

The proposed new office building would be constructed north of the existing two office buildings on the site in an east-west orientation. Entrances to the building would be provided on the south and north elevations of the building, with interior lobbies spanning the depth of the building and connecting the entrances. The cluster of three buildings form areas of private open space that would provide landscaping and outdoor seating areas for the office occupants. The new parking structure would be constructed east of the three office buildings with vehicular entrances to the north and south ends of the structure, off an access drive circling the building on the site, along the western elevation of the garage structure. The project is anticipated to be developed in three phases, with the garage constructed prior to the office building, and a valet system to be used while parking is constrained. A privately-owned but publicly accessible park would be provided along the Jefferson Drive frontage of the project site. The open space would be constructed in the final stage of the development and is commonly referred to as Jefferson Park.

The summary below is intended to provide an overview of the proposed project for the Planning Commission, based on Table 1 above. More detailed information on the overall project, including open space, architectural design, transportation demand management (TDM), below market rate (BMR) housing, and sustainability are contained within the study session portion of this staff report. A table summarizing the project previous meetings and milestones is included in Attachment C.

Density, floor area ratio (FAR), and gross floor area (GFA)

The proposed new building would be developed with up to 249,500 square feet of GFA. The total existing and proposed office development on the site would be approximately 509,420 square feet, and would have an FAR of approximately 88 percent, where 100 percent is the maximum allowed for bonus level development (plus 25 percent of commercial uses). All the buildings on site are proposed to be used for offices.

Height

The proposed building would have a maximum height of 69 feet, where 110 feet is the maximum height permitted for any building on a bonus level development site in the O-B zoning district. The average height of all three buildings on the site would be 59.9 feet, below the 67.5 feet maximum height (average) permitted for a bonus level development in the O-B zoning district.

Site parking

The project site currently includes 866 surface parking spaces. Development of the proposed third office building, structured parking, and Jefferson Park would remove the majority of the existing parking spaces on site. However, these parking spaces are proposed to be replaced and additional parking spaces would be provided to accommodate the increased demand generated by the increase in building area. The project proposes to provide 131 at grade parking spaces and 1,340 spaces in the proposed structured parking garage totaling 1,531 parking spaces. The proposed parking complies with the maximum allowed parking pursuant to the O-B zoning district standards.

During construction of the parking garage, the applicant proposes to provide 224 at-grade parking spaces, while 642 spaces will be provided via a valet service, making 866 the total number of parking spaces available to serve the existing two buildings on site. The site currently has 866 parking spaces; therefore, sufficient parking will be available for use by the existing uses onsite during construction. Sheet A1.02 of the project plans (Attachment B) includes a plan that outlines how the valet parking would work. Additionally, the proposed project would provide 23 additional parking spaces adjacent to the proposed Jefferson Park. These additional 23 spaces are not included under the parking ratio proposed for the entire project site since they are not intended to be used by existing and future office workers.

For the bicycles, there would be 26 short-term and 24 long-term bike-parking spaces available during construction of the new building on site. The project proposes to add an additional 22 short-term and 60 long-term bicycle parking spaces on site. The 82 bicycle parking spaces would meet the bicycle parking requirements of the Zoning Ordinance.

Site access and circulation

As previously mentioned, the site is accessible from Commonwealth Drive and Jefferson Drive through a private access road that connects the two public streets and runs along the western edge of the project site. A driveway off of the private access road would ring the three buildings on the site and provide vehicular access to the proposed parking structure at the eastern end of the site. A loading/service area would be located on the eastern side of the proposed building. By virtue of its placement between the proposed office building and proposed parking structure, this area would not be particularly visible.

A 20-foot-wide paseo with furnishing zones every 100 feet would begin adjacent to the project driveway at Jefferson Drive, continuing south to the southwest border of the project site at Commonwealth Drive, and then would extend east along the southern parcel edge adjacent to Highway 101. The paseos would count toward the publicly accessible open space requirement for the development. Additionally, 10-foot wide pedestrian circulation paths would run along the eastern and northern edges of the site, providing access and promoting connectivity between the publicly accessible open spaces on the site.

CEQA review

A Draft EIR evaluates potential environmental impacts that could result from implementation of the proposed project. Under CEQA, a significant environmental effect is a potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Potential environmental impacts under CEQA are only related to the physical environment, and do not evaluate potential social or economic effects of the proposed project. Each potential impact is determined based on criteria of significance, which thresholds are set by the CEQA Guidelines and applicable City policies to determine whether an impact is potentially significant.

As stated in the CEQA Guidelines, an EIR is an informational document that is intended to provide the City, responsible and trustee agencies, other public agencies, and community members with detailed information about the potential environmental effects that could result from implementing the proposed project, examine and implement mitigation measures to reduce or avoid potentially significant physical environmental impacts if the proposed project is approved, and consider feasible alternatives to the proposed project, including a required No Project Alternative. Members of the Planning Commission were previously provided a copy of the Draft EIR for the proposed project, which was released on July 1, 2022. A hyperlink is also included in Attachment D.

The July 11, 2022 Planning Commission meeting falls within the Draft EIR comment period, which ends on Monday, August 15, 2022 and serves as a public hearing to receive comments from interested persons and the Planning Commission on the Draft EIR. Oral comments received during the public hearing and written comments received during the Draft EIR comment period will be considered while preparing the Final EIR for the proposed project. Responses to substantive comments on the Draft EIR will be included in the Final EIR.

Prior to development of the Draft EIR, and in accordance with CEQA Guidelines Section 15168(c), an initial study (IS) was prepared to evaluate the potential environmental impacts of the proposed project and determine what level of environmental review would be appropriate for the project EIR. The IS and a Notice of Preparation (NOP) were released on May 24, 2019. The NOP is included via hyperlink in Attachment E and the IS via hyperlink in Attachment F. Following the release of the IS, the Planning Commission conducted a scoping session on June 3, 2019, to provide an opportunity early in the environmental review process for the Planning Commission and interested persons to provide comments on the scope and content of the EIR and the IS.

Based on the findings of the initial study, the following potential environmental effects of the proposed project would have no impacts, less-than-significant impacts, or less-than-significant impacts with mitigation measures (including applicable mitigation measures from the ConnectMenlo EIR), and are not studied in detail in the focused Draft EIR:

- Aesthetics
- Agriculture and forestry resources
- Biological resources (riparian habitat or other sensitive natural communities, wetlands, conflicts with local policies, or conflicts with habitat conservation plans and natural community conservation plans)
- Cultural resources (historical resources)
- Energy
- Geology and soils
- Hazards and hazardous materials
- Hydrology and Water Quality
- Land use and planning
- Mineral resources
- Noise (ground-borne noise and vibration levels, airports)
- Public services
- Recreation
- Utilities and service systems (solid waste)
- Wildfire

A complete description of potential impacts and recommended mitigation measures for these topic areas is provided in the IS, which is Appendix 1-1 of the Draft EIR, and again in Table ES-1 of the Draft EIR (Attachment G) (beginning on page ES-9 of Attachment D). Based on the conclusions of the IS, the City prepared a focused EIR for the proposed project, meaning that the project-level EIR focuses on only those CEQA topic areas that require additional study. Population and housing and transportation are required study topics in the Draft EIR as a result of a 2017 settlement agreement between the City of Menlo Park and the City of East Palo Alto (Settlement Agreement). In addition, because the analysis of impacts to air quality, greenhouse gas (GHG) emissions, and noise could be effected by the results of the project-specific transportation analysis, those topic areas were also not scoped out to allow for consideration of the transportation analysis in evaluating potential impacts in those topic areas. Additionally, the project-level EIR also examines potential impacts on cultural resources and tribal cultural resources and biological resources.

Analysis

Draft EIR

Consistent with the findings of the IS and Settlement Agreement, which requires preparation of an EIR, including a housing needs assessment (HNA) and transportation impact analysis (TIA) for proposed bonus level development, a focused Draft EIR has been prepared to address potential physical environmental effects of the proposed project in the following areas:

- Population and Housing
- Transportation
- Air Quality
- Greenhouse Gas Emissions
- Noise
- Cultural Resources and Tribal Cultural Resources
- Biological Resources
- Utilities and Service Systems

Impact analysis

For each of the analyzed topic areas, the Draft EIR describes the existing conditions (including regulatory and environmental settings) and analyzes the potential environmental impacts (noting the thresholds of significance and applicable methods of analysis). Impacts are considered both for the project individually, as

well as cumulatively, for the project in combination with other reasonably foreseeable probable future projects and cumulative growth. The Draft EIR identifies and classifies the potential environmental impacts as:

- Less than Significant (LTS)
- Potentially Significant (PS)
- Less than Significant with Mitigation (LTS/M)
- Significant and Unavoidable (SU)

Where a potentially significant impact is identified, mitigation measures are considered to reduce, eliminate, or avoid the adverse effects (less than significant with mitigation). If a mitigation measure cannot eliminate/avoid an impact, or reduce the impact below the threshold of significance, it is considered a significant and unavoidable impact. One of the following determinations is then applied to the impact:

- Less than Significant with Mitigation (LTS/M)
- Significant and Unavoidable (SU)

The Draft EIR prepared for the project identifies less than significant effects and effects that can be mitigated to be less-than-significant level in all topic areas. There are no effects of the proposed project that are identified as significant and unavoidable. The proposed project would result in potential significant impacts related to transportation, air quality, greenhouse gas emissions, noise, cultural resources and tribal cultural resources, and biological resources, but these impacts would be reduced to less-than-significant level with implementation of identified mitigation measures. Impacts related to population and housing, utilities and service systems, and energy would be less than significant. Attachment G includes Table ES-1 from the executive summary of the Draft EIR, which summarizes the impact significance and mitigation measures for all studied topic areas. A more detailed analysis of the proposed project's impacts and associated mitigation measures by topic area is provided in the Draft EIR. Interested parties are encouraged to review the specific topics of interest in the Draft EIR (hyperlinked in Attachment D).

Project alternatives

Although the Draft EIR concluded that implementation of the proposed project would not create any significant and unavoidable impacts, CEQA Guidelines require study of a reasonable range of alternatives to the proposed project. A "reasonable range" includes alternatives that could feasibly attain most of the project's basic objectives, while avoiding or substantially lessening any of the significant adverse environmental effects of the project. An EIR does not need to consider every conceivable alternative to a project, but it must consider a reasonable range of potentially feasible alternatives for the purpose of fostering informed decision-making and public participation. Section 15126.6(e) of the State CEQA Guidelines requires the evaluation of a No Project Alternative. Other alternatives may be considered during preparation of the EIR and must comply with the State CEQA Guidelines. Alternatives considered but rejected included:

1. Alternative Locations: An alternative location was explored but rejected because it would require general plan and zoning ordinance amendments to accommodate a similar project and/or land acquisition, and/or would not be integrated with the remainder of the applicant's campus focused on office uses.
2. Alternative Development Scenario: Other uses than those allowed under "office" in the City's General Plan and O zoning district were dismissed as they would be inconsistent with the applicable zoning and general plan land use designations and policies for the property. Development other than

office uses would prevent the project from meeting nearly all of the basic project objectives.

3. **Maximum Bonus Alternative:** Under the maximum bonus alternative, the project would be developed at the maximum bonus level of development allowed in the O-B district. The increase in building FAR, height, and potential employees would lead to increased impacts, and was therefore rejected.
4. **Reduced Parking Alternative:** The intent of this alternative was to achieve maximum vehicle miles traveled (VMT) reduction per the California Air Pollution Control Officers Association (CAPCOA). Under this scenario, the project site would be redeveloped at the same level as the proposed project, but the total number of parking spaces would be reduced by 215 spaces, resulting in a net increase of 450 parking spaces on site. The VMT reduction is estimated using a CAPCOA equation which compares the proposed parking ratio against the ITE parking demand rate. The CAPCOA equation is: $\% \text{ VMT Reduction} = [(\text{Actual Parking Provision} - \text{ITE Parking Generation Rate}) / \text{ITE Parking Generation Rate}] \times 0.5$. The ITE parking demand rate is 2.39 spaces per 1,000 square feet of office space. The proposed supply of 665 net new vehicle parking spaces, exceeds the ITE estimated demand for this use. To achieve the maximum 12 percent VMT reduction associated with limiting vehicle parking on-site, the number of office parking spaces would need to be reduced by 215 spaces, to provide a total of 450 net new vehicle parking spaces, or 1.8 spaces per 1,000 square feet of proposed office use.

The transportation analysis determined that the TDM plan for the proposed project would need to reduce vehicle trips from typical office development by 24.6 percent to reduce the significant VMT impact to LTS/M. Since the maximum feasible VMT reduction through a reduced parking scenario would reduce the VMT by only 12 percent, the project would continue to need TDM mitigation measures to reduce the VMT by an additional 12.6 percent in order to reduce the impact to a less-than-significant level. Although fewer TDM mitigation measures would be required under the Reduced Parking Alternative, the overall impact would remain the same. The Reduced Parking Alternative would not reduce the transportation impacts associated with the Proposed Project because the mitigation measure requires a 24.6 percent reduction in trips. This alternative was not further considered because the reduction in parking would not result in a further reduction in VMT; however, the reduction in parking spaces could supplement other active TDM measures. If the CAPCOA equation would have resulted in a greater trip reduction than the required percentage then this alternative could have further reduced a significant impact to LTS/M.

For a more detailed summary of the alternatives considered, but rejected for analysis in the Draft EIR, please review the Draft EIR Chapter 5: Alternatives.

The Draft EIR includes discussion and analysis of the following alternatives:

1. **No Project Alternative:** Under this alternative, no additional construction would occur at the project site. The project site would remain unaltered, and the existing buildings and the associated parking areas would be maintained under current conditions. The applicant would not construct the new building, parking garage, and publicly accessible open space, nor install any new infrastructure.
2. **Reduced Project Alternative:** Under this alternative, the proposed project would be developed with approximately 20 percent less office space for a total building size of approximately 199,600 square-foot and a parking structure of approximately 326,000 square-foot with a total of 1,194 parking stalls and 191 surface parking stalls. The site plan would likely be similar to the proposed project, but with

reduced building square footage, height, and possibly reduced building footprint. Parking requirements would be reduced, and landscaping, open space, and circulation features would be similar to the proposed project, but to a lesser extent. The Reduced Project Alternative would achieve LEED Gold certification or equivalent for building design and construction and would implement a TDM program at a smaller scale. Table 2 below summarizes the intensity of the Reduced Project Alternative compared to the proposed project.

Table 2: Reduced project alternative intensity		
	Reduced project alternative	Proposed project
New office square footage onsite	199,600 s.f.	249,500 s.f.
Total square footage	459,520 s.f.	509,420 s.f.
Total floor area ratio	79.3%	88%
Maximum building height	69 feet	69 feet
Total parking spaces	1,385 spaces	1,531 spaces

- Research and Development (R&D) Use Alternative:** This alternative would result in the same size new building as the proposed project (approximately 249,500 square feet), but would replace the use with R&D instead of office. Because of the change to R&D use, this alternative assumes a reduced size and footprint for the parking garage of approximately 379,000 square feet with 1,290 parking stalls. The R&D Use Alternative would result in 424 net new parking spaces. This alternative assumes that the site plan, landscaping, open space, and access and circulation would remain the same as the proposed project. The R&D Use Alternative would result in a reduction in the number of onsite employees to approximately 598 new employees. The R&D Use Alternative would also achieve a LEED Gold certification or equivalent for building design and construction and would implement a TDM program with similar measures but at a smaller scale. Table 3 below summarizes the intensity of the R&D Use Alternative compared to the proposed project.

Table 3: Research and development use alternative intensity		
	Research and development (R&D) use alternative	Proposed Project
New office square footage onsite	249,500 s.f.	249,500 s.f.
Total square footage	509,420 s.f.	509,420 s.f.
Total floor area ratio	88%	88%
Maximum building height	69 feet	69 feet
Total parking spaces	1,290 spaces	1,531 spaces

Table 5-6 from the Draft EIR (page 5-31) contains a comparison of the impacts of the proposed project to

the project alternatives. The table 5-6 is included in Attachment H. CEQA requires the EIR to identify what is considered the environmentally superior alternative, which in this is the No Project Alternative. However, CEQA Guidelines Section 15126.6(e)(2) states that when the No Project Alternative is identified as the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other alternatives.

As summarized in Table 5-6, neither the R&D Use Alternative nor the Reduced Project Alternative would change any of the impact conclusions of the proposed project. However, the severity of certain impacts would be reduced by both Alternatives. The Reduced Project Alternative would have less severe construction related impacts due to reducing the size of the building. During operation, both the R&D Use Alternative and the Reduced Project Alternative would have less transportation, air quality, and greenhouse gas emissions impacts than the proposed project due to the reduction in the number of employees on site. Because the R&D Use Alternative would have a greater reduction in the number of employees, overtime the R&D Use Alternative would have less operational impacts than the Reduced Project Alternative. The operational period of the R&D Use Alternative of approximately 50 years is much longer than the relatively short construction period of 39 months. Accordingly, the added environmental benefits of the R&D Use Alternative verses the Reduced Project Alternative over the operational period, more than compensates for the slight environmental benefit the Reduced Project Alternative provides for the comparatively shorter construction period, making the R&D Use Alternative the environmentally superior alternative.

Next steps

As previously mentioned, the comment period on the Draft EIR is currently open through August 15, 2022. Once the Draft EIR comment period is completed, the City and its environmental consultant will review and respond to all substantive comments received in what is referred to as a “Response to Comments” document or Final EIR. The Final EIR will be circulated a minimum 10-days prior to the Planning Commission’s review and recommendation on whether the City Council should certify the Final EIR, to allow for public review of the responses to comments prior to the public hearing by the Planning Commission. The EIR must be certified before final action can be taken on the proposed project. Certification of the Final EIR does not require that the City Council approve the requested land use entitlements.

Study session

Please refer to the earlier “Project overview” section of this staff report for a general summary of the proposed project. This portion of the report highlights a variety of topics areas for consideration during the study session. As the Planning Commission reviews the report, staff recommends that the Commission consider the following topics and use these as a guide to ask clarifying questions:

- Site layout, including proposed open space and paseo
- Architectural design and requested waivers
- Potential intersection improvements through project-specific conditions
- Below Market Rate (BMR) housing proposal
- Community amenities proposal

The Planning Commission may also wish to discuss additional topics of interest not mentioned above.

Open space

The proposed project would be required to provide open space equivalent to 30 percent of the project site area and would be required to provide 50 percent of the required open space (or 15 percent of the site area) as publicly accessible open space.

Private open space

Private open space for the use of the building tenants and guests would consist of the central courtyard or patio area which would be created by the location of the existing and proposed buildings. This patio area would be outfitted with tables and chairs, sunshades, planters, and landscaping. Although this space is not gated, the plaza and landscape areas in front of the buildings would be considered private open space as part of the overall project. The project also provides second and fourth floor outdoor decks for building occupants.

Publicly accessible open space

As defined in the Zoning Ordinance, paseos are pedestrian and bicycle paths that provide a number of points of public access through one or more parcels to public streets and/or other paseos. Along the western and southern property lines, the project would provide publicly assessable paseos. The paseo along the western property line would connect Jefferson Drive to Commonwealth Drive. The paseo would be adjacent to the Jefferson Park in the northern portion of the project site. The proposed project also includes a paseo along the southern property line that would link Commonwealth Drive with the Dumbarton Corridor (a currently inactive rail line). These paseos were identified on the adopted Zoning Map associated with ConnectMenlo. While the southern paseo would end at the Dumbarton Corridor, the paseo would provide a link to any future pedestrian/bicycle improvements on the Dumbarton Corridor.

In addition to the publicly accessible paseos providing pedestrian and bicycle connections to and from the site, the project also provides publicly accessible open spaces which include space behind and in the alcoves made by the property line and the proposed parking garage along the northern and southeastern property lines. These open spaces include wooden board walk along natural landscaping, seating areas, accent paving amidst shade trees and landscaping. These paths would link with the western and southern paseos. Additionally, the project proposes to provide a publicly accessible, but privately maintained park along Jefferson Drive (i.e. Jefferson Park). The applicant is working with the administration for TIDE academy to come to an agreement allowing the school to access Jefferson Park during the hours the school is in session during the school year, while allowing the park to be available for community use during the remainder of the time. The park was previously reviewed by the Planning Commission and had received positive feedback.

Trees and landscaping

The proposed project would require the removal of 327 of the existing 513 trees on site, to be removed from the areas of the existing parking and landscape areas, none of which are heritage-sized trees since the site was redeveloped in 2015. Thus, 186 existing trees would remain on the site, and 217 trees are proposed to be planted as part of the project, resulting in a total of 403 trees on site. Accordingly, after implementation of the proposed project, there would be 110 fewer trees on site.

Design standards

The design of the proposed office building would have a modern architectural style, similar to the design of the two existing office buildings on site. The core architectural form of the proposed building would be four-story rectangular structure with a tinted glass façade. From the core rectangular form, smaller rectangular forms would project outward, spanning the second and third floor at all four corners of the building and creating recesses at the first and fourth floors at each corner. At the center of the front and rear elevations of the building, an additional rectangular projection, two stories in height, would extend outward from the core rectangular building form. All of the projecting rectangular elements would have facades of gray tinted glass, differentiating them from the low tint glass of the core façade. Narrow columns wrapped with aluminum would extend slightly beyond the projecting rectangular forms and would be spaced equidistantly around all four sides of the building. Along the front and rear elevations, horizontally-oriented beams

covered with darker quartz-zinc-finished metal panels would wrap across the front of the rectangular projections at the center of the elevations from the first to third floors. Balconies would be incorporated at the fourth floor of each elevation, and also at the third floor on the front and rear elevations. The balconies would have glass railings with a frit pattern to reduce the potential for bird strikes.

The parking structure located east of the office buildings would have four floors. The shape of the proposed garage would have an orthogonal footprint with recesses that step inward from the setback lines on either side. Along the rearmost wall of the garage, a mesh screen with a large graphic is currently shown as trees would obscure views of parked vehicles and structural elements of the garage from Kelly Park. The design of the proposed parking structure would reference the office buildings on the site through the use of an aluminum composite canopy running along the top of the a central portion of the west elevation (the elevation facing the proposed and existing office buildings). The parking structure would be constructed almost entirely of concrete painted in off-white and gray hues. On the portions of each elevation not concealed by painted concrete walls, the interior floors of the parking structure would be open to the exterior with cable guardrails along the outer edges of each level.

With regard to the overall project design/style and the application of O zoning district standards, staff believes that the applicant would be in compliance. The Planning Commission may wish to provide additional feedback on the proposed building, parking structure, and site layout before the project advances further. However, the design of the proposed office building and parking structure are substantially the same as presented at the previous study session.

Hazardous materials use and storage

The proposed project includes an emergency backup diesel generator with a tank size of up to 300 gallons. The City's reach codes require the proposed building to be all electric; however, projects may use diesel fuel or natural gas for emergency backup generators. The applicant is proposing an emergency diesel generator, located within an enclosure along the northern property line that would visually screen the generator. The initial study analyzed the use and storage of hazardous materials for the diesel generator. As the City continues to evaluate the entitlements, the CDP will include parameters, such as tank size and any applicable conditions of approval, for the future generator. The City is working with the applicant team to submit the necessary materials for review and comment by the applicable reviewing agencies and departments (e.g. San Mateo County Environmental Services Health Division, Menlo Park Fire Protection District, West Bay Sanitary District, and Menlo Park Building Division). The review and approval process for the outside agencies will be completed prior to Planning Commission review and recommendation to the City Council on the entitlements.

Green and sustainable building regulations

In the O zoning district, new development is required to meet green and sustainable building standards. The summary below includes the City's requirement for the proposed project:

- Meet 100 percent of its energy demand through any combination of on-site energy generation, purchase 100 percent renewable electricity, and/or purchase of certified renewable energy credits,
- Be designed to meet LEED (Leadership in Energy and Environmental Design) Gold BD+C (Building Design + Construction);
- Comply with the electric vehicle (EV) charger requirements adopted by the City Council in November 2018;
- Meet water use efficiency requirements including the use of recycled water for all City-approved non-potable applications;
- Locate the proposed buildings 24 inches above the Federal Emergency Management Agency (FEMA)

- base flood elevation (BFE) to account for sea level rise; and
- Plan for waste management during the demolition, construction, and occupancy phases of the project (including the preparation of the required documentation of zero waste plans).

In addition, the proposed project would be required to use electricity as the only source of energy for all appliances used for space heating, water heating, cooking, and other activities, consistent with the City's reach code.

The applicant has provided a Commonwealth Building 3 Project – Avian Collision Risk Assessment performed by H.T. Harvey & Associates (Attachment I), which analyzes the building design with respect to bird-friendly design standards for new buildings in the O zoning district. As indicated in the assessment, the project includes a waiver request from two standards, but the analysis determined these waivers would not have a negative impact to birds:

- **No more than 10 percent of façade surfaces shall have non-bird-friendly glazing.** The proposed office building would include extensive glazing over more than 10 percent of the façade, consistent with the design of the other two existing buildings on the site. Because this glazing would not be treated for birds to better distinguish the glass, the building would not meet the standard. However, the overall architectural design of the building, as well as the bird-safe glazing treatment on balcony railings, would avoid significant impacts on native birds. Although occasional collisions between birds and the glass façade of the proposed building may occur, the frequency of such collisions is expected to be low for several reasons. The number of birds expected to frequent the project vicinity is anticipated to be low because of the relatively low habitat quality of the ornamental landscaping. There are no areas of dense native vegetation or large water features that would attract large congregations of birds. Finally, the façade would be "broken up" by solid, opaque horizontal and vertical elements, thereby making them more visible to flying birds and less likely to be mistaken for the sky or vegetation.
- **Glass skyways or walkways, freestanding (see-through) glass walls, and handrails, and transparent building corners shall not be allowed.** The proposed building would not meet this standard because it would include glass corners on all sides of the building and all floors; it would also include freestanding glass handrails on the perimeter of the balconies. However, the glass used for the handrails would be treated with a frit pattern that would make the railings more visible to birds. Even in the absence of such treatment, however, the frequency of bird collisions is expected to be low for the reasons cited in the previous bullet. In addition, most collisions would involve regionally abundant, urban-adapted bird species and therefore would not result in the loss of a substantial portion of any species' Bay Area population (i.e., would not cause any population to drop below self-sustaining levels). Therefore, elimination of glass corners or glass handrails would not be expected to significantly reduce the number of future bird collisions.

As permitted in Section 16.43.140(6)(H) of the Zoning Ordinance, a project may receive a waiver from one or more of the bird-friendly design standards, subject to the submittal of a site-specific evaluation from a qualified biologist and review and approval by the Planning Commission and/or City Council. The City Council is the final decision making body on the CDP and would review the bird friendly design waiver request as part of that entitlement action. The waiver request and assessment was peer-reviewed by the ICF biologist, who concurred with the rationale for granting waiver requests for the two standards as listed above. The initial study for the proposed project analyzed these two waiver requests and these findings were included in the Biological Resources topic area. The project would comply with the other standards identified in the Zoning Ordinance. The Planning Commission may wish to comment on the evaluation and

request any additional information needed to recommend on the requested waiver to the City Council as part of the project entitlements. The requested waiver is attached herein as Attachment J.

Level of service or roadway congestion analysis (non-CEQA transportation analysis)

LOS is no longer a CEQA threshold of significance; however, the City's TIA Guidelines require that the TIA also analyzes LOS for planning purposes. The LOS analysis determines whether the project traffic would cause an intersection LOS to be potentially noncompliant with local policy if it degrades the LOS operational level or increases delay under near term and cumulative conditions. The LOS and delay thresholds vary depending on the street classifications as well as whether the intersection is on a state route. Attachment K includes an excerpt from the Transportation chapter of the Draft EIR that further explains the LOS thresholds and the identified deficiencies and recommended improvement measures to comply with the TIA Guidelines. Where deficiencies are identified, the TIA Guidelines require consideration of improvement measures.

Near-term (2025) plus project conditions

Staff is currently evaluating the recommended improvement measures and will provide a more detailed analysis of which measures staff believes are feasible and which are infeasible for the Planning Commission's consideration and recommendation regarding the necessary entitlements and certification of the Final EIR to City Council. Potentially feasible improvement measures were identified for the following intersections (including intersections subject to approval by Caltrans):

- Chrysler Drive and Constitution Drive (lane reconfigurations)
- Chrysler Drive and Jefferson Drive (lane reconfigurations and traffic signal)
- Chrysler Drive and Independence Drive (traffic signal)
- Chilco Street and Constitution Drive (lane reconfiguration)
- Willow Road and Bayfront Expressway (lane reconfigurations, need Caltrans approval)
- Willow Road and Hamilton Avenue (lane reconfigurations, need Caltrans approval)
- Willow Road and Ivy Drive (lane reconfigurations, need Caltrans approval)
- Willow Road and O'Brien Drive (lane reconfigurations, need Caltrans approval)
- Willow Road and Newbridge Street (lane reconfigurations and signal timing adjustments, need Caltrans approval)
- Willow Road and Bay Road (lane reconfiguration, need Caltrans approval)
- Willow Road and Durham Street (road widening for additional lane and other improvements)
- Willow Road and Coleman Avenue (lane reconfiguration)
- Willow Road and Gilbert Avenue (lane reconfiguration and roadway widening)
- Willow Road and Middlefield Road (lane reconfigurations and signal modifications)
- University Avenue and Bayfront Expressway (additional travel lane)

Cumulative (2040) plus project conditions

The proposed project would cause four additional intersections to be potentially non-compliant with respect to local policies during either the a.m. or p.m. peak hours under cumulative plus project conditions compared to near-term plus project conditions. Potentially feasible improvement measures for the additional four intersections were identified as follows (including intersections subject to approval by Caltrans):

- Marsh Road and Bayfront Expressway/haven Avenue (lane reconfiguration)
- Marsh Road and US-101 SB Off-Ramp (lane reconfiguration/widening and payment of fair share, need Caltrans approval)
- Chrysler Drive and Bayfront Expressway (lane reconfiguration and payment of fair share, need Caltrans approval)

- Chilco Street and Bayfront Expressway (lane reconfiguration and payment of fair share, need Caltrans approval)

Attachment L includes a table outlining the potential improvements for intersections exceeding the LOS thresholds for Near Term and Cumulative Plus Project conditions along with staff's preliminary feasibility determination.

Below market rate (BMR) ordinance

The City's BMR Housing Program requires commercial development projects to provide BMR housing on site (if allowed by the zoning district) or off site. If it is not feasible to provide BMR units, the developer must pay an in-lieu fee prior to issuance of a building permit for the proposed project. Because the O zoning district does not allow residential uses, the applicant has requested to pay the applicable in-lieu fee for the proposed project. Attachment M includes the applicant's BMR proposal letter. The current rate for office uses is \$21.12 per square foot of gross floor area; in-lieu fee rates are adjusted annually on July 1. Based on current rates, the project would be responsible to contribute approximately \$5,296,440 to the City's BMR housing fund.

The Housing Commission will review the applicant's proposed BMR term sheet at an upcoming meeting and provide a recommendation to the Planning Commission prior to certification of the Final EIR and review of the project entitlements.

Community amenities

Bonus level development is allowed in exchange for the provision of community amenities. Community amenities are intended to address identified community needs that result from the effect of the increased development intensity on the surrounding community. As part of the ConnectMenlo process, a list of community amenities was generated based on robust public input and adopted by resolution of the City Council. The Zoning Ordinance identifies several mechanisms for providing amenities, including selecting an amenity from the Council-approved list as part of the proposed project, providing an amenity not on the approved list through a development agreement, or through the payment of an in-lieu fee. The value of the amenity to be provided must equal a minimum of 50 percent of the fair market value of the additional GFA of the bonus level development.

The method for determining the required value of the community amenities begins with an appraisal. The applicant provides, at their expense, an appraisal performed by a licensed appraisal firm consistent with the City's appraisal instructions. The Zoning Ordinance requires the form and content of the appraisal to be approved by the Community Development Director. To provide the Community Development Director with sufficient information to determine if the form and content is adequate, the City commissions a peer review or peer appraisal at the applicant's cost. Once the Community Development Director approves the appraisal based on the peer review or peer appraisal identifying the required community amenity value, the applicant will then provide the City with a proposal identifying the proposed community amenity and providing an explanation of the amenity value. The applicant's initial appraisal for the proposed project concluded that the community amenities value would be \$9,400,000. The appraisal provided by the applicant is currently undergoing the peer review process by the City and its consulting appraiser. The applicant submitted an initial community amenities proposal on August 2, 2021 (Attachment N) which proposes to provide an in-lieu payment equal to 110% of value determined by the applicant's appraiser (inclusive of a 10% administration fee). The estimated in lieu fee is \$10,340,000. Once the City completes its review of the appraisal and accepts an appraised value for the proposed project, the community amenities in-lieu fee will be calculated based on the City's valuation; there may be adjustments to the estimated fee based on the outcome of the appraisal process.

Correspondence

As of the writing of this report, staff has not received any items of correspondence on the Draft EIR or the proposed project.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the proposed project. The project sponsor is also required to fully cover the cost of work by consultants performing environmental review and additional analyses to evaluate potential impacts of the project.

Environmental Review

A Draft EIR has been prepared for the proposed project. Following the close of the comment period, staff and its consultant will compile the response to comments document, and will consider and respond to substantive comments received on the Draft EIR. Repeat comments may be addressed in Master Responses, and portions of the EIR may be revised in ~~strike through~~ (deleted text) and underline (new text) format. Once the responses and revisions are complete, the Final EIR will be released, consisting of the Response to Comments document plus the Draft EIR. The Final EIR will be considered for certification in compliance with CEQA by the City Council prior to the final project actions.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a ¼-mile radius of the subject property.

Attachments

- A. Location Map
- B. Hyperlink: Project Plans including materials and colors board –
<https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/162-164-jefferson-drive/20220505-may-2022-commonwealth-building-3-plans.pdf>
- C. Previous project milestones and meetings
- D. Hyperlink: Draft EIR -
https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/162-164-jefferson-drive/20220701_commonwealth-building-3-draft-environmental-impact-report.pdf
- E. Hyperlink: Notice of Preparation –
https://beta.menlopark.org/files/sharedassets/public/community-development/documents/commonwealth-building-3_signed-nop_20220701.pdf.pdf
- F. Hyperlink: Initial Study –
https://beta.menlopark.org/files/sharedassets/public/community-development/documents/commonwealth-building-3_is-final_is_appendices.pdf
- G. Summary of Draft EIR impacts – Table ES-1 from Draft EIR

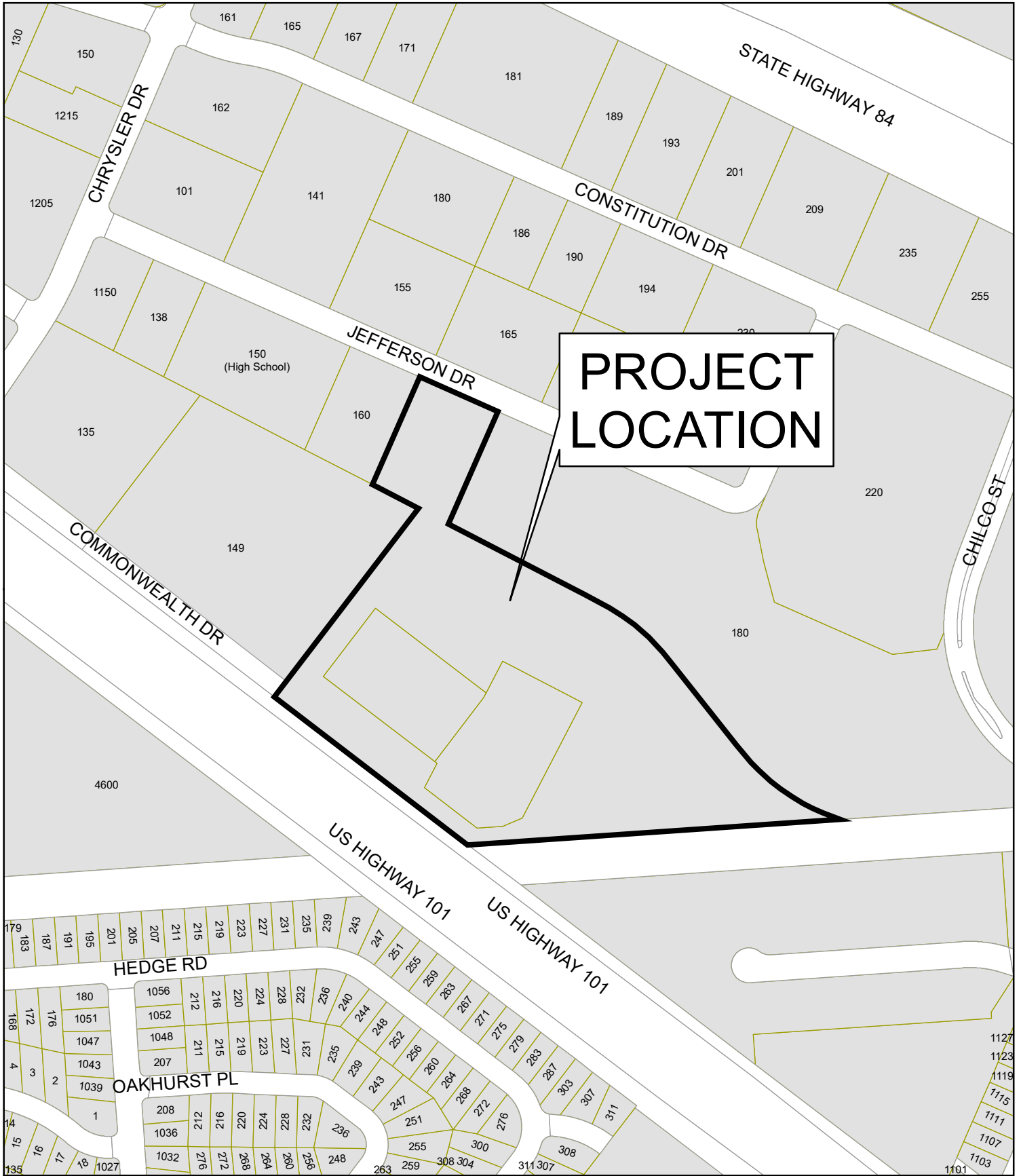
- H. Comparison of alternatives from Draft EIR (excerpt)
- I. Commonwealth Building 3 Project – Avian Collision Risk Assessment performed by H.T. Harvey & Associates
- J. Applicant request for waiver from bird-friendly design guidelines
- K. Non-CEQA LOS section from Draft EIR (Excerpt)
- L. Potential improvements for intersections exceeding the LOS thresholds for Near-Term and Cumulative Plus Project conditions table
- M. Preliminary Below Market Rate housing proposal
- N. Preliminary community amenities proposal

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

Report prepared by:
Payal Bhagat, Contract Principal Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner
Kyle Perata, Acting Planning Manger
Mike Biddle, Assistant City Attorney



**PROJECT
LOCATION**



CITY OF MENLO PARK

LOCATION MAP

164 JEFFERSON DRIVE

DRAWN: TAS CHECKED: KTP DATE: 06/03/19 SCALE: 1" = 300' SHEET: 1



Attachment C: Project Meetings and Milestones	
Milestone	Date
Project submittal	October 2017
Notice of Preparation for EIR released	May 24, 2019
Planning Commission EIR scoping session and study session	June 3, 2019
Draft EIR released for public review and comment	July 1, 2022
Planning Commission Draft EIR public hearing and study session	July 13, 2022

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
I. Aesthetics			
The Proposed Project would not have a substantial adverse effect on a scenic vista.	NI	None required	NI
The Proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	NI	None required	NI
The Proposed Project would not substantially degrade the existing visual character or quality of the site and its surroundings.	LTS	None required	LTS
The Proposed Project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.	LTS	None required	LTS
II. Agricultural and Forestry Resources			
The Proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use.	NI	None required	NI
The Proposed Project would not conflict with existing zoning for agricultural use or conflict with a Williamson Act contract.	NI	None required	NI

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
The Proposed Project would not conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220 (g)), timberland (as defined by Public Resources Code 4256), or timberland zoned Timberland Production (as defined by Public Resources Code Section 51104(g)).	NI	None required	NI
The Proposed Project would not result in the loss of forestland or conversion of forestland to non-forest use.	NI	None required	NI
The Proposed Project would not involve changes in the existing environment that, because of their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use.	NI	None required	NI
IV. Biological Resources			
The Proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	NI	None required	NI
The Proposed Project would not have a substantial adverse effect on federally protected wetlands, including, but not limited to, marshes, vernal pools, coastal wetlands, through direct removal, filling, hydrological interruption, or other means.	LTS	None required	LTS

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
The Proposed Project would not conflict with any local policies or ordinance protecting biological resources, such as a tree preservation policy or ordinance.	LTS	None required	LTS
The Proposed Project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.	NI	None required	NI
V. Cultural Resources			
The Proposed Project would not cause a substantial adverse change in the significance of a historical resources, pursuant to Section 15064.5.	NI	None required	NI
VI. Energy			
The Proposed Project would result in a potentially significant environmental impact due to the wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction and operation.	LTS	None required	LTS
The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	LTS	None required	LTS

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
VII. Geology and Soils			
The Proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:		Not a CEQA Impact	
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.			
2) Strong seismic ground shaking.		Not a CEQA Impact	
3) Seismically related ground failure, including liquefaction.	LTS	None required	LTS
4) Landslides.	NI	None required	NI
The Proposed Project would not result in substantial soil erosion or the loss of topsoil.	LTS	None required	LTS
The Proposed Project would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse.	LTS	None required	LTS
The Proposed Project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.	LTS	None required	LTS

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
The Proposed Project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater.	NI	None required	NI
The Proposed Project would not directly or indirectly destroy a paleontological resource or site or unique geologic feature.	LTS	None required	LTS
IX. Hazards and Hazardous Materials			
The Proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	LTS	None required	LTS
The Proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	LTS	None required	LTS
The Proposed Project would not emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.	LTS	None required	LTS
The Proposed Project would not be located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.	NI	None required	NI

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
The Proposed Project would not be located within an airport land use plan, or where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area.	NI	None required	NI
The Proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	LTS	None required	LTS
The Proposed Project would not expose people or structure, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fire.	NI	None required	NI
X. Hydrology and Water Quality			
The Proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality.	LTS	None required	LTS
The Proposed Project would not substantially decrease groundwater supplies or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	LTS	None required	LTS
The Proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion or siltation onsite or offsite.	LTS	None required	LTS

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
The Proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite.	LTS	None required	LTS
The Proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	LTS	None required	LTS
The Proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would impede or redirect floodflows.	LTS	None required	LTS
The Proposed Project would not be in a flood hazard, tsunami, or seiche zone, risk release of pollutants due to project inundation.	LTS	None required	LTS
The Proposed Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	LTS	None required	LTS

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
XI. Land Use and Planning			
The Proposed Project would not physically divide an established community.	LTS	None required	LTS
The Proposed Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	LTS	None required	LTS
XII. Mineral Resources			
The Proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.	NI	None required	NI
The Proposed Project would not result in the loss of availability of a locally important mineral resource recovery site, as delineated in a local general plan, specific plan, or other land use plan.	NI	None required	NI
XIII. Noise			
The Proposed Project would not generate excessive ground-borne vibration or ground-borne noise levels.	LTS	None required	LTS
The Proposed Project would not be located in the vicinity of a private airstrip or an airport land use plan area, or where such a plan has not been adopted, within 2 miles of a public airport or public use airport, expose people residing or working the project area to excessive noise levels.	NI	None required	NI

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
XV. Public Services			
The Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:	LTS	None required	LTS
(a) Fire Protection	LTS	None required	LTS
(b) Police Protection	LTS	None required	LTS
(c) Schools	LTS	None required	LTS
(d) Parks	LTS	None required	LTS
(e) Libraries	LTS	None required	LTS
XVI. Recreation			
The Proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated.	LTS	None required	LTS
The Proposed Project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.	LTS	None required	LTS

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
XIX. Utilities and Service Systems			
The Proposed Project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.	LTS	None required	LTS
The Proposed Project would comply with federal, state, and local statutes and regulations related to solid waste.	LTS	None required	LTS

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
3.1 Transportation			
TRA-1. The Proposed Project would not conflict with an applicable plan, ordinance, or policy, including the congestion management program, concerning all components of the circulation system.	LTS	None required	LTS
TRA-2. The Proposed Project could exceed an applicable VMT threshold of significance.	PS	<i>Project Mitigation Measure TRA-1.1:</i> The Project Sponsor shall implement TDM measures set forth in the TDM Plan included in Appendix 3.1-2 of this EIR to reduce VMT generated by the Proposed Project to achieve a minimum 24.6 percent reduction in VMT. The TDM plan would need to achieve a 24.6 percent reduction in VMT per employee, which exceeds the 20 percent reduction in VMT required by the Zoning Ordinance. ² The Proposed Project’s TDM plan is designed to achieve an estimated reduction of approximately 36.4 percent VMT per employee. Annual monitoring and reporting as required pursuant to Menlo Park Municipal Code Section 16.44.090 (2)(B) will be required to ensure a minimum of a 24.6 percent reduction in VMT is achieved for the life of the Project.	LTS/M
TRA-3. The Proposed Project would not substantially increase hazards due to a design feature or incompatible uses.	LTS	None required	LTS
TRA-4. The Proposed Project would not result in inadequate emergency access.	LTS	None required	LTS

² Implementation of the TDM plan would replace a minimum of 20 percent of the project-generated vehicle trips by increasing walking, cycling, transit use, and telecommuting. However, due to limitations in research and data, the effect of this mode shift on VMT cannot be calculated. Therefore, the analysis assumes the reduction in VMT would be equivalent to the reduction in vehicle trips. In other words, the average vehicle trip length would not change.

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

3.2 Air Quality			
<p>AQ-1. The Proposed Project would not conflict with or obstruct implementation of the applicable air quality plan.</p>	<p>PS</p>	<p><i>Project Mitigation Measure AQ-1.1. Use Clean Diesel-powered Equipment During Construction to Control Construction-Related Emissions:</i> The Project Sponsor shall require its contractors to ensure that all off-road diesel-powered equipment greater than 50horsepower used during construction is equipped with EPA-approved Tier 4 Final engines to reduce NO_x and DPM. The construction contractor will submit evidence of the use of EPA-approved Tier 4 Final engines, or cleaner, to the City prior to the commencement of Project construction activities.</p>	<p>LTS/M</p>
<p>AQ-2. The Proposed Project would not result in a cumulative net increase in any criteria pollutant for which the Project region is classified as a nonattainment area under an applicable federal or state ambient air quality standard.</p>	<p>PS</p>	<p><i>ConnectMenlo Mitigation Measure AQ-2b1. Comply with the Bay Area Air Quality Management District’s Basic Control Measures for Reducing Construction Emissions:</i> Prior to building permit issuance, the City shall require applicants for all development projects in the city to comply with the current Bay Area Air Quality Management District’s (BAAQMD) basic control measures for reducing construction emissions of PM10 (Table 8-1, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the BAAQMD CEQA Guidelines).³</p> <p><i>ConnectMenlo Mitigation Measure AQ-2b2:</i> Prior to issuance of building permits, development project applicants that are subject to CEQA and exceed the screening sizes in BAAQMD’s CEQA Guidelines shall prepare and submit to the City of Menlo Park a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology for assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in the BAAQMD CEQA Guidelines, the City of Menlo Park shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below the thresholds (e.g., Table 8-2, Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions above the Threshold of the BAAQMD CEQA Guidelines, or applicable construction mitigation</p>	<p>LTS/M</p>

³ Table 8-1 includes measures that require construction equipment or vehicle idling times to be minimized (Measure 6) and for construction equipment to be maintained and properly tuned (Measure 7). Measure 6 and 7 would help reduce on-site GHG emissions from construction equipment and vehicles.

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

		measures subsequently approved by BAAQMD). These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City’s Building Division and/or Planning Division.	
AQ-3. The Proposed Project would not expose sensitive receptors to substantial pollutant concentrations.	PS	Implement <i>Project Mitigation Measure AQ-1.1</i> , above.	LTS/M
AQ-4. The Proposed Project would not result in other emissions (such as those leading to odors) that would adversely affect a substantial number of people.	LTS	None required	LTS
3.3 Greenhouse Gas Emissions			
GHG-1. Construction of the Proposed Project would generate GHG emissions but would not have a significant impact on the environment.	LTS	None required	LTS
GHG-2. The level of GHG emissions associated with operation of the Proposed Project would not have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.	PS	Implement <i>Project Mitigation Measure TRA-1.1</i> , above.	LTS/M
3.4 Noise			
NOI-1. The Proposed Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies.	PS	<i>Modified ConnectMenlo Mitigation Measures NOISE-1c: Construction Noise Reduction.</i> Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction-related activity through CEQA review, conditions of approval, and/or enforcement of the City’s Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans, indicating that during ongoing grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:	LTS/M

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

- All internal-combustion engines on construction equipment and trucks shall be fitted with properly maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than those originally equipped by the manufacturer.
- Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.
- Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors.
- Unnecessary engine idling shall be limited to the extent feasible.
- The use of public address systems shall be limited.
- Construction traffic shall be limited to the haul routes established by the City.

Project Mitigation Measure NOI-1.1: Implement Noise Control Plan to Reduce Construction Noise during Non-Exempt Construction Hours.

The Project Sponsor shall develop a noise control plan for construction at the Project site. The plan shall require compliance with Section 8.06 of the Menlo Park Municipal Code and include measures to ensure compliance with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall include measures to ensure that construction noise will not result in a 10 dB increase over the ambient noise level at nearby sensitive receptors (i.e., Tide Academy). The plan shall provide that no construction activities shall occur during nighttime hours of 10:00 p.m. to 7:00 a.m., daily; furthermore, no construction activities shall occur on Saturdays, other than between the hours of 8:00 a.m. to 5:00 p.m., or at any time on Sundays or any holiday as defined at Section 8.06.020 (7) of the Noise Ordinance.

The plan shall specify the noise-reducing construction practices that will be employed to reduce noise from construction activities in Menlo Park, and shall demonstrate that compliance with these standards will be achievable. The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to issuance of building permits. Measures to reduce noise may include, but are not limited to, the following:

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

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- The noise control plan shall demonstrate that noise levels during construction on the Project site will meet the standards of this mitigation measure at sensitive receptors while those receptors are in use.
 - The noise control plan shall demonstrate that any construction activities taking place outside of normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday shall comply with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall demonstrate that individual equipment proposed for use would not exceed the 85 dBA L_{eq} at 50 feet limit for powered equipment noise, and that combined construction noise would not result in a 10 dBA increase over the ambient noise level at nearby sensitive receptors. Activities that would produce noise above applicable daytime or nighttime limits shall be scheduled only during normal construction hours.
 - The contractor shall ensure that construction equipment will be equipped with mufflers. In addition, construction equipment must use the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields, shrouds) on equipment and trucks used for Project construction.
 - All construction activities shall be conducted only at an adequate distance, or otherwise shielded with sound barriers, as determined in the noise control plan, from noise-sensitive receptors when working outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday to ensure compliance with the Menlo Park Municipal Code and this mitigation measure.
 - Stationary noise sources, such as temporary generators, shall be located at an adequate distance, or otherwise shielded with sound barriers, as determined in the noise control plan, from sensitive receptors to ensure compliance with the Menlo Park Municipal Code and this mitigation measure. Stationary noise sources shall be muffled and placed within temporary enclosures or shielded by barriers or other measures.
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Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

- Temporary noise barriers (height to be determined) shall be installed around construction on the Project site to reduce construction noise from equipment used outside the normal construction hours of 8:00 a.m. to 6:00 p.m. on weekdays. The installation of barriers would help reduce overall construction noise to less than 50 dBA L_{eq} for work occurring between 6:00 a.m. and 7:00 a.m. and 60 dBA L_{eq} for work occurring between 7:00 a.m. and 8:00 a.m., as measured at the applicable property lines of the adjacent uses, and such that a 10 dB increase over ambient would not occur at nearby sensitive land uses. However, confirmation of the noise reduction would be required (per the last bullet of this measure, below). If the Project Sponsor can demonstrate, through an acoustical analysis, that construction noise would not exceed the allowable limits during non-exempt hours, as measured at the applicable property lines of the adjacent uses without barriers, then temporary noise barriers shall not be required.
- Trucks shall be prohibited from idling along streets serving the construction site.
- Radios or other forms of amplified music shall be prohibited on the construction site.
- The effectiveness of noise attenuation measures shall be monitored by taking noise measurements during construction activities to ensure compliance with the 50 and 60 dBA L_{eq} standards, which apply outside the normal daytime construction hours in Menlo Park of 8:00 a.m. and 6:00 p.m. Monday through Friday.
- The effectiveness of noise attenuation measures shall be monitored by taking noise measurements at nearby noise-sensitive land uses during construction to ensure compliance with the threshold (i.e., 10 dB over ambient).

ConnectMenlo Mitigation Measures NOISE-1b: Stationary Noise Sources. Stationary noise sources, as well as landscaping and maintenance activities citywide, shall comply with Chapter 8.06, Noise, of the Menlo Park Municipal Code.

Project Mitigation Measure NOI-2.1: Mechanical Equipment Noise Reduction Plan. To reduce potential noise impacts resulting from Project rooftop heating, cooling, and ventilation equipment, emergency generators and other mechanical equipment, the Project Sponsor shall conduct a noise analysis to estimate the noise

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

from Project-specific mechanical equipment, based on the selected equipment models and design features, and create a Noise Reduction Plan to ensure that the noise levels from roof-mounted equipment, once installed, are below the applicable criterion of 50 dBA L_{eq} at 50 feet in the city, and that noise levels from the emergency generator (during testing) are below the city's allowable noise level of 60 dBA L_{eq} threshold during daytime hours and 50 dBA L_{eq} threshold during nighttime hours, and the 85 dBA limit at 50 feet for powered equipment used on a temporary, occasional, or infrequent basis.

The analysis shall demonstrate that potential noise levels resulting from Project mechanical equipment can be reduced to less-than-significant levels, and the Noise Reduction Plan shall be created to implement the required noise reduction measures. Feasible methods to reduce noise below the significance threshold include, but are not limited to, selecting quieter equipment, utilizing silencers and acoustical equipment at vent openings, siting equipment farther from the roofline, and/or enclosing all equipment in a mechanical equipment room designed to reduce noise. This analysis shall be conducted by, and the results and final Noise Reduction Plan shall be provided to, the City prior to the issuance of building permits.

The analysis and plan shall be prepared by persons qualified in acoustical analysis and/or engineering and demonstrate with reasonable certainty that the rooftop mechanical equipment selected for the Project, including the attenuation features incorporated into the Project design, will not result in noise levels in excess of 50 dBA L_{eq} at a distance of 50 feet. In addition, the analysis and plan shall demonstrate that noise from the testing of the emergency generator will not result in noise levels in excess of 60 dBA L_{eq} during daytime hours and 50 dBA L_{eq} during nighttime hours, or 85 dBA at a distance of 50 feet.

The Project Sponsor shall incorporate all methods necessary to reduce the noise identified above, as well as any other feasible recommendations from the acoustical analysis and Noise Reduction Plan, into building designs and operations to ensure that noise sources meet the applicable requirements of the respective noise ordinances at receiving properties.

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

3.5 Population and Housing			
POP-1. The Proposed Project would not induce substantial population growth indirectly through job growth, nor would projected growth result in adverse direct impacts on the physical environment.	LTS	None required	LTS
POP-2. The Proposed Project would not displace substantial numbers of people or housing, necessitating the construction of replacement housing elsewhere.	LTS	None required	LTS
3.6 Utilities and Service Systems			
UT-1. The Proposed Project would not require or result in the relocation of existing or construction of new or expanded water or wastewater treatment facilities.	LTS	None required	LTS
UT-2. Sufficient water supplies would be available to serve the Proposed Project and reasonably foreseeable future development during normal, dry, and multiple dry years.	LTS	None required	LTS
UT-3. The Proposed Project would not result in a determination by the wastewater treatment providers that they have inadequate capacity to serve the Proposed Project’s projected demand in addition to the provider’s existing commitments.	LTS	None required	LTS
3.7 Cultural Resources and Tribal Cultural Resources			
CR-1. The Proposed Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.	PS	<i>ConnectMenlo Mitigation Measures CULT-2a: Stop Work if Archaeological Material or Features are Encountered During Ground-Disturbing Activities.</i> If a potentially significant subsurface cultural resource is encountered during ground-disturbing activities on any parcel in the city, all construction activities within a 100-foot radius of the find shall cease until a qualified archeologist determines whether the resource requires further study. All developers in the study area shall include a standard inadvertent discovery clause in every construction contract to	LTS/M

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

inform contractors of this requirement. Any previously undiscovered resources found during construction activities shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of the CEQA criteria by a qualified archeologist. If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan to capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analyses; prepare a comprehensive report complete with methods, results, and recommendations; and provide for the permanent curation of the recovered resources. The report shall be submitted to the City of Menlo Park, Northwest Information Center (NWIC), and State Historic Preservation Office (SHPO), if required.

Project Mitigation Measure CR-1.1: Worker Environmental Training. Because of the potential for the discovery of unknown buried cultural and paleontological resources, prior to commencement of the first phase, the general contractor and those engaged in ground-disturbing activities shall be given environmental training regarding cultural and paleontological resource protection, resource identification and protection, and the laws and penalties governing such protection. This training may be administered by the Project archaeologist and/or paleontologist as stand-alone training or included as part of the overall environmental awareness training required as a result of the Proposed Project. The training shall include, at minimum, the following:

- The types of cultural resources that are likely to be encountered,
- The procedures to be taken in the event of an inadvertent cultural resource discovery,
- The penalties for disturbing or destroying cultural resources,
- The types of fossils that could occur at the Project site,
- The types of lithologies in which the fossils could be preserved, and
- The procedures that should be taken in the event of a fossil discovery.

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Project Mitigation Measure CR-1.2: Perform Construction Monitoring, Evaluate Uncovered Archaeological Features, and Mitigate Potential Disturbance for Identified Significant Resources at the Project Site. Prior to demolition, excavation, grading, or other construction-related activities on the Project site, the Project Sponsor shall hire a qualified professional archaeologist (i.e., one who meets the Secretary of the Interior’s professional qualifications for archaeology or one under the supervision of such a professional) to monitor, to the extent determined necessary by the archaeologist, Project-related earth-disturbing activities (e.g., grading, excavation, trenching). In the event that prehistoric or historic-period subsurface archaeological features or deposits, including locally darkened soil (midden), that could conceal cultural deposits, animal bone, obsidian, and/or mortars are discovered during demolition/construction-related earthmoving activities, ConnectMenlo CULT-2a shall be followed. In addition, if the resource is a historic-era archaeological site or historic-era architectural feature and the archaeologist is not a historical archaeologist, the archaeologist shall notify a historical archaeologist or architectural historian who meets the Secretary of the Interior’s professional qualifications for archaeology and/or architectural history and that person shall follow the requirements of ConnectMenlo CULT-2a. Impacts on significant resources would be mitigated to a less-than-significant level through preservation in place, capping, data recovery, or other methods determined adequate by the City that are consistent with the Secretary of the Interior's Standards for archaeological documentation.

If Native American archaeological, ethnographic, or spiritual resources are discovered, all identification and treatment of the resources shall be conducted by a qualified archaeologist. A tribal monitor chosen by the Native American tribes that requested consultation pursuant to AB 52 will be invited to participate. If a tribal monitor is present, all identification and treatment conducted by the archaeologist will be done in consultation with the tribal monitor. In the event the archaeologist and tribal monitor disagree regarding treatment after good-faith consultation, the City shall make the final decision, considering the provisions of Public Resources Code Section 21084.3(b).

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

<p>CR-2. The Proposed Project would not disturb human remains, including those interred outside of formal cemeteries.</p>	<p>PS</p>	<p>Implement <i>ConnectMenlo Mitigation Measure CULT-2a and Project Mitigation Measures CR-1.1 and CR-1.2</i>, above. <i>ConnectMenlo Mitigation Measures CULT-4, Comply with State Regulations Regarding the Discovery of Human Remains at the Project site.</i> Procedures regarding conduct following the discovery of human remains citywide have been mandated by Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and California Code of Regulations Section 15064.5(e) (CEQA). According to the provisions in CEQA, if human remains are encountered at a site, all work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. Furthermore, the San Mateo County Coroner shall be notified immediately. The coroner shall then determine whether the remains are Native American. If the coroner determines the remains are Native American, the coroner shall notify the NAHC within 24 hours, which, in turn, will notify the person the NAHC identifies as the Most Likely Descendant (MLD) of any human remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD will have 48 hours to make recommendations regarding disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD’s recommendations, the owner or the descendent may request mediation by the NAHC.</p>	<p>LTS/M</p>
<p>CR-3. The Proposed Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resource Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and:</p> <ul style="list-style-type: none"> a) Listed or eligible for listing in the California Register or local register of historical resources, as defined in Public Resources Code Section 5020.1(k), or 	<p>PS</p>	<p>Implement <i>ConnectMenlo Mitigation Measure CULT-2a and CULT-4 and Project Mitigation Measure CR-1.1 and CR-1.2</i>, above.</p>	<p>LTS/M</p>

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

- b) A resource determined by the lead agency, in its discretion and support by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5034.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

3.8 Biological Resources

BIO-1. The Proposed Project would not have a substantial adverse effect, either directly or through habitat modifications, on a species identified as candidate, sensitive, or special-status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

PS

Project Mitigation Measure BR-1: Nesting Bird Avoidance. To the extent feasible, construction activities (or at least the commencement of such activities) shall be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code shall be avoided. The nesting season for most birds in San Mateo County extends from February 1 through August 31.

Project Mitigation Measure BR-2: Preconstruction/Pre-disturbance Surveys. If it is not possible to schedule construction activities between September 1 and January 31, preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of construction activities. During this survey, the ornithologist shall inspect all trees and other potential nesting substrates (e.g., trees, shrubs, ruderal grasslands, buildings) in and immediately adjacent to the impact areas for nests.

Project Mitigation Measure BR-3: Active Nest Buffers. If an active nest is found close to work areas that are to be disturbed by construction activities, the qualified ornithologist shall determine the extent of the construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species) to ensure that no nests of species that are protected by the MBTA and California Fish and Game Code are disturbed during project implementation.

LTS/M

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

		<p><i>Project Mitigation Measure BR-4: Inhibition of Nesting.</i> If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, other vegetation) that are scheduled to be removed by the project shall be removed prior to the start of the nesting season (i.e., before February 1). This will preclude the initiation of nests in such vegetation and prevent potential delay of the Project because of the presence of active nests in these substrates.</p>	
<p>BIO-2. The removal of ornamental trees would not affect the nesting habitat of native resident and migratory birds and tree-nesting raptors.</p>	<p>PS</p>	<p>Implement <i>Project Mitigation Measure BR-1 through BR-4</i>, above.</p>	<p>LTS/M</p>

Table 5-6. Comparison of Impacts among Project Alternatives

Environmental Issue	Proposed Project	No Project Alternative	Reduced Project Alternative	R&D Use Alternative
Transportation				
Conflict with applicable plan, ordinance, or policy	LTS	NI	LTS	LTS
Exceed the applicable VMT threshold of significance	LTS/M	NI	LTS/M	LTS/M
Hazards due to design feature or incompatible uses	LTS	NI	LTS	LTS
Emergency access	LTS	NI	LTS	LTS
Cumulative Impacts	LTS/M	NI	LTS/M	LTS/M
Air Quality				
Conflict with Air Quality Plan	LTS/M	NI	LTS/M	LTS/M
Construction Criteria Air Pollutant Emissions	LTS/M	NI	LTS/M	LTS/M
Operational Criteria Air Pollutant Emissions	LTS	NI	LTS	LTS
Exposure of Existing Sensitive Receptors to Substantial Pollutant Concentrations during Construction	LTS/M	NI	LTS/M	LTS/M
Other Air Emissions	LTS	NI	LTS	LTS
Cumulative Impacts	LTS/M	NI	LTS/M	LTS/M
Greenhouse Gas Emissions				
GHG Emissions during Project Construction	LTS/M	NI	LTS/M	LTS/M
GHG Emissions during Project Operation and Conflicts with Applicable GHG Emission Plans, Policies, and Regulations	LTS/M	NI	LTS/M	LTS/M
Noise				
Generate Substantial or Permanent Increase in Ambient Noise Levels	LTS/M	NI	LTS/M	LTS/M
Cumulative Impacts	LTS/M	NI	LTS/M	LTS/M

Environmental Issue	Proposed Project	No Project Alternative	Reduced Project Alternative	R&D Use Alternative
Population and Housing				
Indirect Population Growth	LTS	NI	LTS	LTS
Cumulative Impacts	LTS	NI	LTS	LTS
Utilities and Service Systems				
Impacts on Water and Wastewater Treatment Facilities	LTS	NI	LTS	LTS
Water Supply	LTS	NI	LTS	LTS
Wastewater Generation	LTS	NI	LTS	LTS
Cumulative Impacts	LTS	NI	LTS	LTS
Cultural Resources and Tribal Cultural Resources				
Archaeological Resources	LTS/M	NI	LTS/M	LTS/M
Human Remains	LTS/M	NI	LTS/M	LTS/M
Tribal Cultural Resources	LTS/M	NI	LTS/M	LTS/M
Cumulative Impacts	LTS/M	NI	LTS/M	LTS/M
Biological Resources				
Special Status Species	LTS/M	NI	LTS/M	LTS/M
Wildlife Movement and Native Wildlife Nursery Sites	LTS/M	NI	LTS/M	LTS/M
Cumulative Impacts	LTS/M	NI	LTS/M	LTS/M
NI = No Impact; LTS = Less-than-Significant; PS = Potentially Significant; SU = Significant Unavoidable				



February 26, 2018

Richard Truempler
The Sobrato Organization
10600 N. De Anza Boulevard, Suite 200
Cupertino, CA 95014

Subject: Commonwealth Building 3 Project – Avian Collision Risk Assessment (HTH #3562-03)

Dear Mr. Truempler:

Per your request, H. T. Harvey & Associates has performed an assessment of avian collision risk for the proposed Commonwealth Building 3 Project located at 164 Jefferson Drive in Menlo Park, California. It is our understanding that the project entails the construction of a new six-story office building and a five-level parking structure (Figures 1 and 2). We further understand that the project is subject to the City of Menlo Park's Bird-Friendly Design Guidelines (Ordinance No. 1024). This report summarizes our analysis of the potential risk of avian collisions with the proposed building and the proposed project's compliance with the City's guidelines.

This report describes H. T. Harvey & Associates' assessment of bird occurrence in the project vicinity under both existing conditions and anticipated conditions after construction of the project, as well as our opinion regarding the potential risk of avian collisions with the façades of the proposed new building and parking structure. As described below, we have concluded that the frequency of bird collisions will be low, and collisions are not expected to result in a significant impact under the California Environmental Quality Act (CEQA), in our opinion. Furthermore, we understand that glass used for the features most likely to result in bird collisions (railings) will be treated (e.g., with a frit pattern) to meet bird-safe guidelines.

This assessment was prepared jointly by Ginger Bolen and myself. Briefly, our qualifications are as follows (résumés attached). I have a Ph.D. in biological sciences from Stanford University, where my doctoral dissertation focused on the effects of urbanization on riparian bird communities in the South San Francisco Bay area. I have been an active birder for more than 35 years and have conducted or assisted with research on birds since 1990. I have served for eight years as an elected member of the California Bird Records Committee and for 12 years as a Regional Editor for the Northern California region of the journal *North American Birds*. I am a member of the Scientific Advisory Board for the San Francisco Bay Bird Observatory, the Technical Advisory Committee for the South Bay Salt Ponds Restoration Project, and the Board of Directors of the Western Field Ornithologists. Dr. Bolen has a Ph.D. in biological sciences from the University of California Berkeley, where her doctoral dissertation focused on the mating strategy and nesting associations of the yellow-billed magpie (*Pica nuttallii*). She has conducted or assisted with research on birds since 1992.



Figure 1. Existing project site.

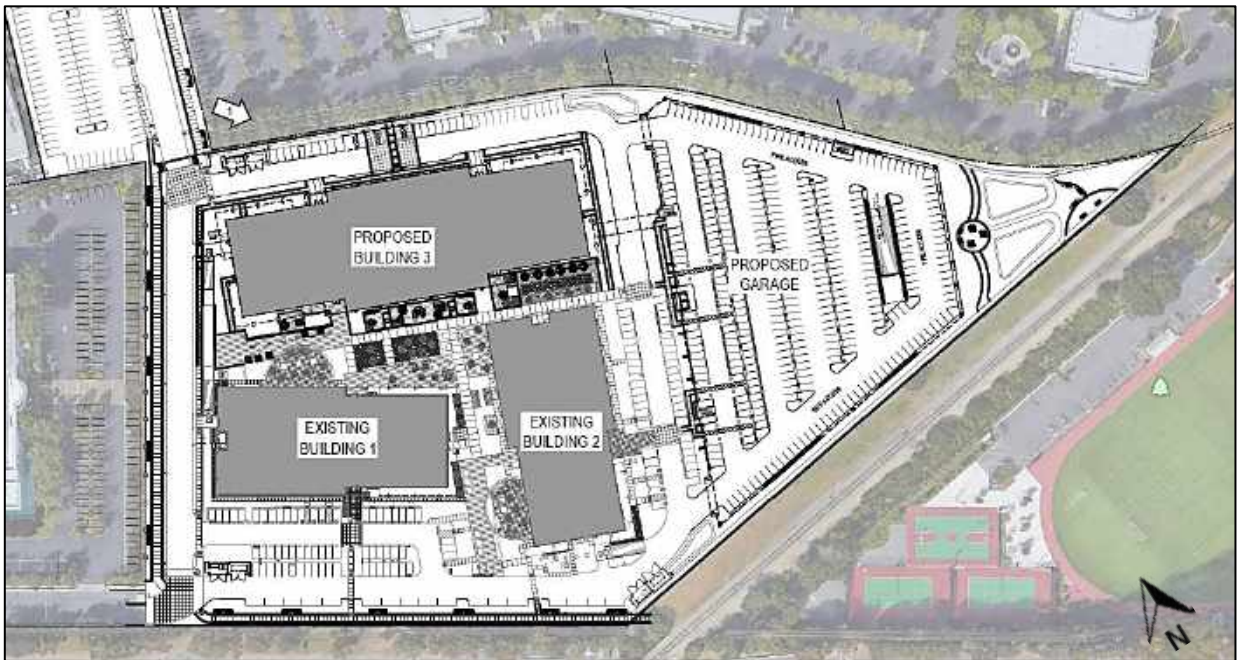


Figure 2. Project conceptual design.

Although the subject of bird-friendly design is relatively new to the West Coast, we have performed avian collision risk assessments and identified measures to reduce collision risk for a number of projects in the Bay Area, including projects in the cities of San Francisco, Oakland, Menlo Park, East Palo Alto, Mountain View, Santa Clara, Sunnyvale, and San Jose.

Methods

From decades of experience birding in the San Francisco Bay area, and 30+ years of combined ecological consulting work in the region, Dr. Bolen and I are familiar with bird distribution, bird-habitat relationships, and avian migration in the San Francisco Bay area. This experience allows us to assess, from a review of the habitat types and bird species currently present on the project site, those species that are expected to use areas such as the project site and the temporal patterns of their distribution. We assessed bird use of the project site and vicinity directly during a site visit conducted on February 8, 2018. Because our site visit represented only a snapshot of avian occurrence in the project vicinity, we also searched the eBird database (<http://ebird.org/content/ebird/>), which has been established by the Cornell University Laboratory of Ornithology to archive records of birds seen worldwide, for records in the project vicinity. This database search was conducted on February 8, 2018 to obtain up-to-date occurrence information. Prior to conducting the site visit, we reviewed the architectural layouts and renderings for the proposed buildings prepared by Arc Tec Inc. and The Guzzardo Partnership Inc. and provided by The Sobrato Organization. Based on this information, Dr. Bolen and I assessed the potential risk of avian collisions with the façades of the new buildings.

Design Features

Building 3

The proposed Commonwealth Building 3, which is similar in design to the existing Buildings 1 and 2, is a six-story structure topped with a metal roof screen. The façades of floors 1 through 6 will be composed of one of two types of curtain walls, one made with low tint glass in aluminum frames with butt glazed mullions and one made of gray tint glass in aluminum frames with butt glazed mullions. Balconies will be located on the fourth level of the north and south façades. In addition, balconies will wrap around the east and west façades on the sixth floor. All balconies will be enclosed with a glass railing; the glass used for these railings will be treated (e.g., with a frit pattern) to make the glass more conspicuous to birds, thereby meeting bird-safe design guidelines. A series of aluminum composite columns and horizontal panels will wrap the building, occurring in front of both the glass façades and balconies. In addition, an aluminum composite metal canopy and louvers will extend out horizontally from the level of the sixth-floor roof, providing shade for the balconies but also extending beyond the building façades. Figure 3 shows what the northern façade of Building 3 will look like, depicting all of the different types of materials/surfaces that will comprise the façades.

At floors two and three, a two-level bridge will connect Building 3 to the parking garage (Figure 4). The bridge will be open on both the upper and lower levels. Its handrails will be composed of low tint glass in aluminum frames with butt glazed mullions; the glass used for these railings will be treated (e.g., with a frit pattern) to make the glass more conspicuous to birds, thereby meeting bird-safe design guidelines.



Figure 3. Building 3 conceptual design (northern façade).



Figure 4. Parking structure conceptual design.

Parking Structure

The parking garage is a five-story structure (Figure 4) with no glazing. Guardrails around each level of the parking garage, as shown on Figure 4, will be composed of cables, not glass. Portions of the structure's façades will be covered by a perforated aluminum screen.

Results – Assessment of Bird Use

Land uses and habitat conditions on the project site and in the project vicinity consist primarily of developed

areas such as buildings, parking lots, and roads. The site is bordered to the southwest by Highway 101, with office and residential development located further to the southwest; to the southeast by an inactive portion of the Dumbarton Rail Corridor; and to the west by Commonwealth Drive, with office land uses occurring further to the west. The area to the north of the project site is also occupied by office land uses. Pond RS5 of the San Francisco Bay Don Edwards National Wildlife Refuge is located further to the north (approximately 0.3 mile to the north of the project site), but is separated from the site by State Route 84 and extensive development. Vegetation in the areas surrounding the project site is limited in extent, and consists primarily of non-native landscape trees and shrubs.

Currently, the project site is occupied by surface parking lots and landscaping (Figure 1). Landscaping includes primarily non-native species, including relatively small trees such as plum (*Prunus* sp.), Brisbane box (*Lophostemon confertus*), holly oak (*Quercus ilex*), and strawberry (*Arbutus unedo*). Although a number of bird species will use such vegetation, they typically do so in low numbers. The existing landscaping on the project site provides low-quality habitat for most native birds found in the region owing to the predominance of non-native species; the absence of well-layered vegetation (e.g., with ground cover, shrub, and canopy tree layers in the same areas) throughout most of the site; the limited extent of the vegetated habitat areas and preponderance of asphalt; and the amount of human disturbance by vehicular traffic and occupants of buildings on and adjacent to the site. Non-native vegetation supports fewer of the resources required by native birds than native vegetation, and the structural simplicity of the vegetation on the project site further limits resources available to birds.^{1,2} In general, the site does not represent high-quality habitat that would support particularly large concentrations of native birds. Further, due to the absence of high-quality native habitat, more sensitive or rarer bird species are not expected to occur in the project vicinity. Rather, the bird species that are present consist predominantly of regionally abundant species that are adapted to urban conditions, such as the native mourning dove (*Zenaida macroura*), bushtit (*Psaltriparus minimus*), Anna's hummingbird (*Calypte anna*), dark-eyed junco (*Junco hyemalis*), American crow (*Corvus brachyrhynchos*), California scrub-jay (*Aphelocoma californica*), and house finch (*Haemorrhous mexicanus*), as well as the non-native rock pigeon (*Columba livia*), house sparrow (*Passer domesticus*), and European starling (*Sturnus vulgaris*). These species may occur on the site year-round and breed on or near the site.

The project site is not located in a landscape position that would result in high numbers of birds, especially migratory birds, moving past the project site. Although a number of birds move along the edges of San Francisco Bay, the site is more than 0.3 mile from the edge of baylands habitats, and being inland from the baylands edge, waterbirds using habitats around the Bay would not commute in the direction of the project site. As a result, waterbirds associated with San Francisco Bay are not at risk of colliding with the proposed building or parking structure. Moderate numbers of migratory songbirds are often concentrated at the edge of the bay during spring and fall migration, but they tend to use more heavily vegetated areas such as riparian corridors or large, well-vegetated parks such as Coyote Point in San Mateo, Shoreline Park in Mountain View, or Sunnyvale

¹ Anderson, B. W., A. E. Higgins, and R. D. Ohmart. 1977. Avian use of saltcedar communities in the lower Colorado River valley. Pages 128-136 in R. R. Johnson and D. A. Jones (eds.), Importance, preservation, and management of riparian habitats. USDA For. Serv. Gen. Tech. Rep. RM-43.

² Mills, G. S., J. B. Dunning, Jr., and J. M. Bates. 1989. Effects of urbanization on breeding bird community structure in southwestern desert habitats. *Condor* 91:416-429.

Baylands Park in Sunnyvale. No heavily vegetated areas or natural habitat such as riparian vegetation is present in the vicinity of the project site, and it is not located between two high-quality habitat areas such that birds would be flying past the site at an altitude as low as the proposed buildings. As a result, there is no expectation that migratory songbirds would be particularly attracted to, or would make heavy use of, the habitats in the project vicinity.

Assessment of Collision Risk

It has been well documented that glass windows and building façades can result in injury or mortality of birds due to birds' collisions with these surfaces.³ Because birds do not perceive glass as an obstruction the way humans do, they may collide with glass when the sky or vegetation is reflected in it (e.g., they see the glass as sky or vegetated areas); when transparent windows allow birds to perceive an unobstructed flight route through the glass (such as at corners); and when the combination of transparent glass and interior vegetation (such as in planted atria) results in attempts by birds to fly through glass to reach that vegetation. The greatest risk of avian collisions with buildings occurs in the area within 60 feet of the ground, because this is the area in which most bird activity occurs.⁴ Further, the majority of collisions with both residential and urban buildings happen during the day, as birds fly around looking for food.^{5,6}

After project construction is completed, there will be a low risk of bird collisions with the façades of the proposed parking structure due to the absence of glass. Building 3 is expected to experience higher collision frequency due to the more extensive use of glass throughout the façades. However, the following factors will limit the frequency with which birds may collide with the façades of Building 3:

- Based on the architectural renderings (see Figure 3 and Appendix B), the windows will be recessed from the solid/opaque vertical and horizontal elements of the façades; as a result, birds will be better able to perceive the buildings as solid structures to be avoided than if the glass were the outermost features of the building. The shadows and reflections of the solid supports in the glass will further reinforce the perception that these buildings are solid structures to be avoided.
- Mullions between glass panes will help to break up the appearance of the glass.
- The reflectivity of the glass composing the façades will be low, reducing reflections of vegetation on the surface of the glass.
- The glass rail enclosing the balconies on the fourth and sixth floors of the building, and on the bridge connecting Building 3 to the garage, will be treated (e.g., with a frit pattern) to make the glass more conspicuous to birds, thereby meeting bird-safe design guidelines. Further, the balcony behind the rail will be narrow, and no plants or other features that might otherwise attract birds to fly toward the

³ Klem, D. Jr. February, 2009. Avian Mortality at Windows: The Second Largest Human Source of Bird Mortality on Earth. Proceedings of the Fourth International Partners in Flight Conference: Tundra to Tropics. 244-251.

⁴ San Francisco Planning Department. 2011. Standards for Bird-Safe Buildings. Adopted July 14, 2011.

⁵ U.S. Fish and Wildlife Service. 2016. Reducing Bird Collisions with Building and Building Glass Best Practices. January 2016. Updated July 2016.

⁶ American Bird Conservancy. 2015. Bird-Friendly Building Design.

balconies will be present. As a result, there is little expectation that birds will try to approach the building in such a way that they might collide with the glass rail.

- No landscaping will be installed on the roof, and the rooftop windscreen will be composed of a metal panel rather than glass, increasing its visibility to birds that may be flying over the building.
- An aluminum composite metal canopy and louvers will extend out horizontally from the sixth-floor roof, reducing the reflection of the sky in the glazing of the upper floors.
- As described above, bird use of the project site is expected to be relatively low, which will limit the number of birds present in the vicinity of Building 3.

Although the frequency of collisions with the façades of Buildings 3 is expected to be somewhat higher than the frequency of collisions with the proposed parking structure, the overall frequency of bird collisions with the façades of Buildings 3 is expected to be low, and collisions are not expected to result in the loss of a substantial proportion of any native species' South Bay (or even Menlo Park) populations because bird use of the project vicinity is expected to be relatively low, which will limit the number of birds present in the vicinity.

There is some potential for bird strikes to occur with any part of the buildings at night, when birds may be less able to perceive the presence of the buildings (especially in bad weather). However, large-scale collision events involving nocturnal migrants such as those that have been documented at high-rise buildings in the East and Midwest have not been documented in the West. The project does not propose any very bright spotlights or other lighting that will be pointed upward or outward and that may serve to attract or confuse birds. Furthermore, it is worth noting that the composition of the buildings' surfaces (e.g., presence or absence of glass, or whether the glass includes bird-safe treatments) will have no influence on whether nocturnal migrants collide with the buildings if they are unable to perceive the buildings due to darkness in the first place. Finally, nocturnally migrating birds typically fly 500 feet or more above ground level, and thus well above the proposed buildings.

Therefore, in our opinion, the overall architectural design of the project, as well as bird-safe glazing treatment on balcony and bridge railings, in lieu of more extensive bird-safe glazing treatment should be sufficient to avoid any significant impacts under CEQA from bird collisions with the buildings' façades.

Results – Assessment of the Project's Compliance with the City of Menlo Park's Bird-Friendly Design Guidelines

The City of Menlo Park's Bird-Friendly Design Guidelines (Ordinance No. 1024) require the project design to comply with six bird-friendly design standards for new construction, although the City may waive the bird-friendly design requirements based on a site-specific evaluation from a qualified biologist and review and approval by the Planning Commission. Below, we discuss the project's current compliance with these six standards.

1. *No more than 10% of façade surface area shall have non-bird-friendly glazing.*

Building 3 – The Commonwealth Building 3 project includes extensive glazing (i.e., well over 10%) on the façades of Building 3, including within 60 feet of the ground (i.e., the area with the greatest risk of avian collisions). Because this glazing is not proposed to be treated (i.e., “bird-friendly”), the current project design does not comply with this standard. However, our assessment constitutes an analysis by a qualified biologist indicating whether construction of the project would pose a collision hazard to birds in the absence of the use of treated glazing on the building façades. As described above, it is our opinion that the overall architectural design of the building, as well as bird-safe glazing treatment on balcony and bridge railings, in lieu of more extensive bird-safe glazing treatment should be sufficient to avoid any significant impacts under CEQA from bird collisions with the buildings’ façades.

We expect that occasional collisions between birds and the glass façades of the proposed building will occur after the building is constructed. However, we expect the frequency of bird collisions to be low. We base this conclusion on (1) the relatively low numbers of birds expected to occur in the project vicinity, (2) the absence of any features such as dense, native vegetation or water features that might otherwise attract birds to the vicinity, (3) the bird-safe glazing treatment that will be applied to the glass railings, and (4) the appearance of the façades, which are well broken-up by solid, opaque horizontal and vertical elements, thus making the façades more conspicuous and less likely to be mistaken for the sky or vegetation.

The overall frequency of bird collisions will be low, and because the majority of collisions will involve regionally abundant, urban-adapted bird species, these collisions will not result in the loss of a substantial proportion of any species’ Bay-area populations or any Bay-area bird community. Therefore, given the relatively low number of collisions expected to occur, in combination with the other bird-collision mitigating design features noted above, we do not expect the addition of more bird-safe glazing treatment to the project design to result in a substantial reduction in the number of collisions on this project.

Parking Structure – Glazing is absent from the parking structure. Thus, the proposed parking structure is in compliance with this design standard.

2. *Occupancy sensors or other switch control devices shall be installed on non-emergency lights and shall be programmed to shut off during non-work hours and between 10:00 p.m. and sunrise.*

It is our understanding that occupancy sensors for light control will be installed on all non-emergency lights within the new office buildings and parking garages on the project site. These lights will be programmed to shut off during non-work hours and between 10:00 p.m. and sunrise. Thus, the indoor lighting for the project is in compliance with this design standard.

3. *Placement of buildings shall avoid the potential funneling of flight paths towards a building façade.*

The proposed new building and parking structure do not funnel open space that is attractive to birds toward the faces of buildings. The proposed landscaped vegetation on the site will be planted along sidewalks and in areas of open space throughout the site. No features of the proposed building design or landscaping will

funnel birds towards a building façade. Thus, it is our opinion that the project design complies with this standard.

4. *Glass skywalks or walkways, freestanding (see-through) glass walls and handrails, and transparent building corners shall not be allowed.*

Building 3 includes glass corners on all sides of the building and at all floor levels. In addition, freestanding glass handrails are located on the perimeter of the fourth and sixth floor balconies and a glass bridge connects Building 3 to the parking structure. Thus, the project design does not comply with this standard.

However, the glass used for these railings will be treated (e.g., with a frit pattern) to make the glass more conspicuous to birds. Even in the absence of such glazing treatment, though, we expect the frequency of bird collisions to be low due to the relatively low numbers of birds expected to occur in the project vicinity and the absence of any features such as dense, native vegetation or water features that might otherwise attract birds to the vicinity. Because the majority of collisions will involve regionally abundant, urban-adapted bird species, these collisions will not result in the loss of a substantial proportion of any species' Bay-area populations or any Bay-area bird community. Therefore, given the relatively low number of collisions expected to occur, we do not expect the elimination of glass corners, glass handrails, or the glass bridge to result in a substantial reduction in the number of collisions on this project.

5. *Transparent glass shall not be allowed at the rooflines of buildings, including in conjunction with roof decks, patios, and green roofs.*

Based on the architectural renderings in the project plan set, an aluminum parapet cap wraps around the building at the level of the sixth-floor roof. Thus, no windows extend all the way to the top of the building. In addition, a metal canopy and louvers extend out horizontally from the level of the sixth-floor roof (see Figure 3). Shadows and reflections from the overhang will prevent glazing near the roofline from appearing as unbroken panes of glass and will break up the reflection of the sky within the glass. Therefore, in our opinion, the project design complies with this guideline.

6. *Use of rodenticides shall not be allowed.*

The project will comply with the City's prohibition on the use of rodenticides.

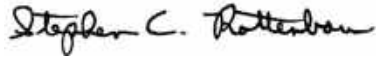
Summary

In summary, it is our opinion that the frequency of bird collisions with the proposed project will be low, and collisions are not expected to result in a significant impact under CEQA.

R. Truempler
February 26, 2018
Page 10 of 7

Please feel free to contact me at (408) 722-0931 or srottenborn@harveyecology.com if you have any questions regarding this assessment or if you would like to discuss the options presented above for moving forward with the City. Thank you very much for contacting H. T. Harvey & Associates about this project.

Sincerely,

A handwritten signature in black ink that reads "Stephen C. Rottenborn". The signature is written in a cursive style with a clear, legible font.

Stephen C. Rottenborn, Ph.D.
Principal - Wildlife Ecologist

Attachments: Résumés



Stephen C. Rottenborn, Ph.D.

Vice President, Wildlife Ecology

srottenborn@harveyecology.com
408.458.3205

PROFESSIONAL PROFILE

AREAS OF EXPERTISE

- Avian ecology
- Wetlands and riparian systems ecology
- Endangered Species Act consultations/compliance
- Environmental impact assessment

EDUCATION

- Ph.D. Biological Sciences, Stanford University, 1997
- B.S. Biology, College of William and Mary, 1992

OTHER PROFESSIONAL EXPERIENCE

- Ecology Section Chief/Environmental Scientist, Wetland Studies and Solutions, Inc., 2000-2004
- Sr. Wildlife Ecologist, H. T. Harvey & Associates, 1997-2000
- Scientific Associate/Scientific Advisory Board, San Francisco Bay Bird Observatory, 1999-2004, 2009-present
- Member, Board of Directors, Virginia Society of Ornithology, 2000-2004
- Member, Board of Directors, Western Field Ornithologists, 2014-present
- Chair, California Bird Records Committee, 2016-present

KEY PROJECTS

- Candlestick Point/Hunters Point Shipyard
- Concord Community Reuse Project EIR
- Santa Clara Valley Water District Stream Maintenance Program
- Envision San Jose 2040 General Plan Update
- South Bay Salt Ponds Restoration Project

KEY PUBLICATIONS

- Rottenborn, S. C. 2000. Nest-site selection and reproductive success of red-shouldered hawks in central California. *Journal of Raptor Research* 34:18-25.
- Rottenborn, S. C. 1999. Predicting the impacts of urbanization on riparian bird communities. *Biological Conservation* 88:289-299.
- Rottenborn, S. C. and E. S. Brinkley. 2007. Virginia's Birdlife. *Virginia Society of Ornithology, Virginia Avifauna* No. 7

Steve is a principal in our wildlife group; his primary role is addressing wildlife-related CEQA/NEPA and special-status species issues. While much of his work focuses on wildlife issues, Steve's broad training enables him to expertly manage multi-disciplinary projects involving a broad array of biological issues.

In his past research, Steve conducted studies detailing the effects of urbanization, land use, and habitat degradation on riparian bird communities in the South San Francisco Bay. In addition, he identified habitat features important to individual bird species, predicted how urbanization would impact these communities, and conducted a study of nest-site selection and reproductive success of urban-nesting red-shouldered hawks. He has also conducted studies of shorebird use of agricultural fields, an assessment of habitat associations and population dynamics of colonially nesting birds, and a study of resource partitioning among members of an oak woodland foraging guild.

Combining his research and training as a wildlife biologist and avian ecologist, Steve has built an impressive professional career that is highlighted by a particular interest in wetland and riparian communities, as well as the effects of human activities on bird populations and communities. He has contributed to more than 600 projects involving wildlife impact assessment, NEPA/CEQA documentation, biological constraints analysis, endangered species issues (including California and Federal Endangered Species Act consultations), permitting, and restoration. Steve has conducted surveys for a variety of wildlife taxa, including threatened and endangered species, and contributes to the design of habitat restoration and monitoring plans. In his role as project manager and principal-in-charge for numerous projects, he has supervised data collection and analysis, report preparation, and agency and client coordination.

Steve has managed a number of large and complex projects involving wildlife issues, including CEQA assessment and/or Endangered Species Act consultation for the Santa Clara Valley Water District's Stream Maintenance Program, Concord Community Reuse Project, Braddock & Logan's Fallon Village project, Newark Areas 3 & 4 Specific Plan, Las Positas College Master Plan, and Hecker Pass Specific Plan. He served as the senior wildlife ecologist for our work on the South Bay Salt Pond Restoration Project. He managed the preparation of a resource management plan for the Santa Clara Valley Transit Authority's Coyote Ridge conservation area, and is currently assisting Lennar and the City of San Francisco with biological planning and permitting for the Candlestick Point – Hunters Point redevelopment project.

Steve also has considerable experience managing biological resources issues for large on-call projects. He has served as project manager or principal-in-charge for more than 35 task orders for Caltrans on-call projects, more than 30 task orders for the Santa Clara Valley Water District, and numerous task orders for PG&E's Hydrotest project.

Although much of Steve's work has been performed in the San Francisco Bay area, he has been heavily involved in projects throughout California. He provided considerable input on biological resources reports and permit applications for the California Valley Solar Ranch project in San Luis Obispo County and has managed a number of projects in the Central Valley, from the southern San Joaquin Valley north to the Sacramento Valley.



Ginger M. Bolen, Ph.D.

Associate Wildlife Ecologist

gbolen@harveyecology.com
408.458.3246

AREAS OF EXPERTISE

- Ecology of birds
- Endangered Species Act consultation/compliance
- Environmental impact assessment (NEPA/CEQA)
- Construction compliance and monitoring

PERMITS AND LICENSES HELD

- USFWS Recovery Permit – California red-legged frog and California tiger salamander
- California Department of Fish and Game Scientific Collecting Permit and MOU for California tiger salamanders

EDUCATION

- Ph.D. Behavioral Ecology, University of California, Berkeley, 1999
- B.S. Wildlife Science, Purdue University, 1991

PRIOR PROFESSIONAL EXPERIENCE

- Senior Wildlife Biologist, North State Resources Inc., 2004-2010
- Wildlife Ecologist, H. T. Harvey & Associates, 2001-2004
- Research Associate, Smithsonian Institution, 1999-2001

KEY PROJECTS

- Sunnyvale Baylands Park and Landfill Biological Constraints and Opportunities Analysis
- Moffett Park Burrowing Owl Survey
- SCVWD Stream Maintenance Program Update
- United Technologies Corporation's Site Closure Project
- Stanford University Medical Center Facilities Project – Nesting Bird Surveys and Monitoring

KEY PUBLICATIONS

- Crosbie, S., D. Bell, and G. Bolen. 2006. Vegetative and thermal aspects of roost-site selection in urban Yellow-billed Magpies. *Wilson Journal of Ornithology* 118(4):532-536.
- Bolen, G., S. Rothstein, and C. Trost. 2000. Egg recognition in Yellow-billed and Black-billed Magpies in the absence of interspecific parasitism. *Condor* 102:140-147.

PROFESSIONAL PROFILE

Ginger is an Associate and a senior wildlife ecologist specializing in regulatory compliance issues related to CEQA, NEPA, and the federal and state Endangered Species Acts. She is a board-certified wildlife biologist with over 16 years of professional consulting experience. Her most recent research has focused on ecological flexibility in waterfowl and the cause of the population decline of the American black duck. She has also conducted extensive research in California's Central Valley on one of the state's only endemic bird species, the yellow-billed magpie, including studies on its mating strategy, nesting association with Bullock's orioles, and egg recognition abilities.

As an ecological consultant, Ginger has contributed to a diverse array of projects throughout northern and central California, including NEPA/CEQA documentation, habitat conservation plans, open space management plans, biological constraints analyses, special-status species surveys (e.g., valley elderberry longhorn beetle, California tiger salamander, California red-legged frog, western pond turtle, burrowing owl, bald eagle, Swainson's hawk, and San Joaquin kit fox), and construction-site monitoring. She has extensive experience with the regulatory requirements of NEPA and CEQA as they relate to the preparation of environmental documents and has a strong understanding of the state and federal Endangered Species Acts, which allows her to prepare effective environmental documents that fully satisfy the regulatory requirements of the agencies that issue discretionary permits. In her role as project manager, she has supervised data collection and analysis, report preparation, and agency and client coordination.

Ginger has supervised environmental compliance for projects with a variety of ecological issues. Her responsibilities include project management, coordination of field studies, resource agency liaison, document preparation, compliance assessment, and implementation supervision. She has managed a number of large and complex projects involving wildlife issues, including CEQA assessment, NEPA Assessment, and/or Endangered Species Act consultation, including the Oakland Army Base Redevelopment Project, Concord Community Reuse Project, Jade's Ranch Habitat Conservation Plan, and the San Joaquin River Parkway Master Plan Update. In that capacity, she has spearheaded the implementation of pre-construction surveys monitoring for nesting birds, bats, San Francisco dusky-footed woodrats, special-status fish, and special-status reptiles and amphibians; preparation of the biological resources section of CEQA compliance documents; preparation of Biological Assessments for initiation of Federal Endangered Species Act consultation with the USFWS and NMFS; and preparation of Incidental Take Permit applications for consultation with the CDFW under the California Endangered Species Act. She has also managed a number of construction monitoring projects, including nesting bird surveys and deterrence, for the Stanford University Medical Center Facilities Renewal and Replacement Project, Foothill College Renovation Project, PG&E Gas Line 132 replacement project, United Technologies Corporation's Site Closure Project, San Thomas Box Culvert Renovation Project, and the South County Water Recycling Pipeline Project.



April 22, 2022

Ms. Payal Bhagat
 Contract Principal Planner
City of Menlo Park Community Development
 701 Laurel Street
 Menlo Park, CA 94025
 Phone: (408) 834-0531
 Email: pbhagat@menlopark.org
 CC: ptsai@sobrato.com
 CC: cburke@sobrato.com

RE: **Commonwealth Building 3 Project**
 164 Jefferson Drive, Menlo Park CA

ARC TEC # 164152

Dear Ms. Bhagat:

It has been determined that the Project as proposed would not meet Design Standard 1 and Design Standard 4 of the City's six bird-friendly design standards or the requirements of ConnectMenlo Mitigation Measure BIO-1, which requires compliance with bird-friendly designs. The site-specific evaluation contemplated by Section 16.43.140(6)(H) of the City of Menlo Park Municipal Code concludes that aspects of the building's design, as well as the frequency of bird collisions, which is expected to be low, would make proposed design related deviations acceptable and avoid significant impacts related to bird strikes. The code allows the Planning Commission to grant a waiver regarding the two bird-friendly design standards that would not be met by the Project but would be included as part of the Project Conditional Development Permit. Please accept this letter as a formal request for such waiver. The proposed design is an acceptable deviation from Design Standard 1 and 4 according to the Commonwealth: Building 3 Project Initial Study dated May 2019 (Exhibit A) and the Avian Collision Risk Assessment dated February 26, 2018 (Exhibit B), as prepared by H.T. Harvey & Associates requiring no further study

Please feel free to contact me should you have any questions.

Regards,

ARC TEC, Inc.

A handwritten signature in black ink, appearing to read 'Evan Sockalosky'.

Evan T. Sockalosky, Design Manager
 Principal

Attachments

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Initial Study

Commonwealth: Building 3 Project



Prepared by:
ICF

Prepared for:
City of Menlo Park

May 2019

COMMONWEALTH: BUILDING 3 PROJECT INITIAL STUDY

PREPARED FOR:

City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

PREPARED BY:

ICF
201 Mission Street, Suite 1500
San Francisco, CA 94105

MAY 2019



ICF. 2019. *Commonwealth: Building 3 Project*. Initial Study. May. (ICF 00081.18.)
San Francisco, CA. Prepared for City of Menlo Park, Menlo Park, CA.

Contents

	Page
1. Introduction	1-1
Project Overview	1-1
Purpose of This Initial Study	1-1
Project Information	1-2
2. Project Description	2-1
Project Location and Setting.....	2-1
Project Location.....	2-1
Project Site Setting.....	2-2
Zoning.....	2-2
Project Characteristics	2-3
Land Use and Zoning	2-3
Proposed Development.....	2-4
Site Access, Circulation, and Parking.....	2-4
TDM Program	2-5
Landscaping	2-6
Building and Sustainability Features	2-8
Utilities.....	2-9
Project Construction	2-9
Construction Schedule and Phasing	2-9
Equipment and Staging	2-10
Spoils, Debris, and Materials	2-10
Project Approvals.....	2-10
City Approvals.....	2-10
Approvals by Responsible Agencies	2-11
3. Environmental Checklist	3-1
Environmental Factors Potentially Affected	3-1
Determination.....	3-1
Organization of This Chapter	3-2
Evaluation of Environmental Impacts.....	3-2
I. Aesthetics	3-3
II. Agricultural and Forestry Resources.....	3-13
III. Air Quality.....	3-17
IV. Biological Resources	3-21

V. Cultural Resources3-33

VI. Energy3-37

VII. Geology and Soils.....3-43

VIII. Greenhouse Gas Emissions3-57

IX. Hazards and Hazardous Materials3-59

X. Hydrology and Water Quality3-71

XI. Land Use and Planning.....3-85

XII. Mineral Resources3-93

XIII. Noise3-95

XIV. Population and Housing.....3-101

XV. Public Services3-103

XVI. Recreation.....3-113

XVII. Transportation3-117

XVIII. Tribal Cultural Resources3-121

XIX. Utilities and Service Systems3-123

XX. Mandatory Findings of Significance3-133

4. List of Preparers 4-1

City of Menlo Park4-1

ICF4-1

Tables

	Page
2-1 Zoning Requirements.....	2-3
2-2 Building 3 Proposed Building Area.....	2-4
2-3 Proposed Parking.....	2-6
3.6-1 Regional Faults in the Project Area and Seismicity	3-45
3.9-1 Properties with Potential Contamination Concerns within 0.5 Mile of the Project Site	3-62
3.10-1 Overview of Water Quality Impairments for Lower San Francisco Bay.....	3-73
3.11-1 Allowed and Proposed Development at the Project Site.....	3-92
3.13-1 Vibration Source Levels for Construction Equipment.....	3-96
3.13-2 Vibration Damage Potential Threshold Criteria Guidelines	3-96
3.13-3 Vibration Annoyance Potential Criteria Guidelines	3-97

Figures

	Follows Page
2-1	Project Location 2-2
2-2	Proposed Site Plan 2-4
2-3	Proposed Open Space Areas 2-6
2-4	Proposed Building 3 Elevations 2-8
2-5	Proposed Parking Structure Elevations 2-8
3.1-1	Existing Conditions at the Project Site 3-4
3.1-2	Views of Project Site With Proposed Buildings 3-10
3.10-1	FEMA Flood Zones within the Project Area 3-74

Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACMs	asbestos-containing materials
APN	assessor's parcel number
ASTs	above-ground storage tanks
BAAQMD	Bay Area Air Quality Management District
Basin Plan	San Francisco Bay Basin (Region 2) Water Quality Control Plan
Bay	San Francisco Bay
Bayfront Park	Bedwell Bayfront Park
BD+C	Building Design and Construction
BMPs	best management practices
BRA	Biological Resources Assessment
CAL FIRE	California Department of Forestry and Fire Protection
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CBIA	California Building Industry Association
CCE	Community Choice Energy
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDP	Conditional Development Permit
CEQA	California Environmental Quality Act
CEQA Guidelines	California Code of Regulations, Chapter 3
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CGS	California Geological Survey
City	City of Menlo Park
CNDDDB	California Natural Diversity Database
ConnectMenlo	City of Menlo Park General Plan and M-2 Area Zoning Update
CREC	controlled recognized environmental conditions
CRHR	California Register of Historical Resources
CSD	City School District
CUPA	Certified Unified Program Agency
DPR	Department of Parks and Recreation
EIR	environmental impact report
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act

EV	electric vehicle
FAR	floor area ratio
FEMA	Federal Emergency Management Agency
FTE	full-time equivalent
gsf	gross square feet
HCP	habitat conservation plan
HREC	historical recognized environmental condition
HVAC	heating, ventilation, and air-conditioning
I-280	Interstate 280
LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
LUST	leaking underground storage tank
MBTA	Migratory Bird Treaty Act
MMRP	mitigation monitoring and reporting program
MPCSD	Menlo Park City School District
MPPFD	Menlo Park Fire Protection District
MPPD	Menlo Park Police Department
MRZs	Mineral Resource Zones
NAHC	Native American Heritage Commission
Non-VHFHSZ	Non-Very High Fire Hazard Severity Zone
NPDES	National Pollutant Discharge Elimination System
O-B	Office Bonus
PCE	Peninsula Clean Energy
Peninsula	San Francisco Peninsula
PG&E	Pacific Gas & Electric
ppd	pounds per day
PPV	peak particle velocity
PRC	Public Resources Code
Project	Commonwealth: Building 3 Project
Project Sponsor	The Sobrato Organization
R&D	research and development
Refuge	Don Edwards San Francisco Bay National Wildlife Refuge
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
sf	square feet
Shoreway	Shoreway Environmental Center
SMCEHD	San Mateo County Environmental Health Department
SR	State Route
SSC	Species of Special Concern

SUHSD	Sequoia Union High School District
SWMP	Stormwater Management Plan
SWPPP	stormwater pollution prevention plan
TDM	Transportation Demand Management
TIA	Transportation Impact Assessment
TMDLs	total maximum daily loads
UST	underground storage tank
VegCAMP	Vegetation Classification and Mapping Program
VMT	vehicle miles traveled
VOC	volatile organic compound
WSA	Water Supply Assessment

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1. Introduction

Project Overview

The Sobrato Organization (Project Sponsor) is proposing to construct an approximately 249,500-gross-square-foot (gsf) office building and an approximately 324,000 gsf parking structure as part of the Commonwealth Building 3 Project (Project). The Project site is the existing Commonwealth Corporate Center property, which includes the Commonwealth Site at 162 and 164 Jefferson Drive and the Jefferson Site (also 164 Jefferson Drive). Two buildings (Buildings 1 and 2), currently occupied by Facebook (referred to by Facebook as Buildings 27 and 28), were constructed at the Project site as part of the Commonwealth Corporate Center Project. The Project would add a four-story office building (Building 3) and a four-story parking structure with 1,061 parking spaces to the Project site. The Project site would continue to be accessible from two driveways: the main access point at Commonwealth Drive in the southwest corner of the Project site and the secondary access point at Jefferson Drive in the northern portion of the Project site. In the eastern portion of the Commonwealth Site, a connection to a bicycle and pedestrian path, and/or public transit, along the Dumbarton Rail Corridor may be provided in the future. The Project site is within the ConnectMenlo study area and, therefore, within the scope of the programmatic ConnectMenlo EIR. As discussed in more detail below, in accordance with the requirements outlined in Section 15168 of the CEQA Guidelines, this Initial Study has been prepared to disclose the relevant impacts and mitigation measures covered in the ConnectMenlo EIR and discuss whether the Project is within the parameters of the ConnectMenlo EIR.

Purpose of This Initial Study

This Initial Study has been prepared by the Project's lead agency, the City of Menlo Park (City), in conformance with the provisions of the California Environmental Quality Act (CEQA) and 14 California Code of Regulations, Chapter 3 (CEQA Guidelines). The lead agency is the public agency with principal responsibility, generally, for carrying out or approving a project. Environmental checklists, as included in this Initial Study, are to be completed for all projects that are subject to environmental review under CEQA. The information, analysis, and conclusions contained in the environmental checklist form the basis for deciding whether an environmental impact report (EIR), a negative declaration, or a mitigated negative declaration should be prepared. Where only certain topic areas warrant analysis in an EIR, the document is referred to as a Focused EIR.

The Project site is within the ConnectMenlo study area. ConnectMenlo, which updated the City General Plan Land Use and Circulation Elements and rezoned land in the M-2 Area, now referred to as the Bayfront Area, was approved on November 29, 2016. It serves as the City's comprehensive and long-range guide to land use and infrastructure development. ConnectMenlo's Land Use Element identified an allowable increase in net new development potential of up to 2.3 million gsf for non-residential uses, up to 4,500 residential units, and up to 400 hotel rooms.

Because the City General Plan is a long-range planning document, the ConnectMenlo EIR was prepared as a Program EIR, pursuant to CEQA Guidelines Section 15168. Once a Program EIR has been certified, subsequent activities within the program must be evaluated to determine whether additional CEQA review is needed. However, if the Program EIR addresses a program's effects in adequate detail, subsequent

activities could be found to be within the Program EIR's scope, and additional environmental review may not be required, unless one of the thresholds for subsequent environmental review is met (CEQA Guidelines Section 15168[c]). When a Program EIR is relied on for subsequent activities, the lead agency must incorporate feasible mitigation measures into subsequent activities as well as the alternatives developed in the Program EIR (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects that are not within the scope of a Program EIR, the lead agency must prepare a new Initial Study, leading to a negative declaration, a mitigated negative declaration, or an EIR (CEQA Guidelines Section 15168[c][1]). Because the Project's location and development parameters are consistent with ConnectMenlo, the ConnectMenlo Program EIR serves as the environmental analysis for the Project (e.g., is incorporated by reference pursuant to Sections 15150, 15130, and 15183), except for areas identified in this Initial Study.

Section 15168(d) of the CEQA Guidelines provides for simplifying the preparation of environmental documents by incorporating by reference analyses and discussions. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152[d]). By tiering from the ConnectMenlo EIR, the environmental analysis for this Project relies on the EIR for the following:

- A discussion of general background and setting information for environmental topic areas,
- Overall growth-related issues,
- Issues that were evaluated in detail in the ConnectMenlo EIR for which there is no significant new information or change in circumstances that would require further analysis,
- Assessment of cumulative impacts, and
- Mitigation measures adopted and incorporated into the ConnectMenlo EIR.

This Initial Study has been prepared to evaluate the potential environmental impacts of the Project and determine what level of additional environmental review is appropriate. In accordance with the requirements outlined in Section 15168 of the CEQA Guidelines, this Initial Study has been prepared to disclose the relevant impacts and mitigation measures covered in the ConnectMenlo EIR and discuss whether the Project is within the parameters of the ConnectMenlo EIR. Based on the findings in this Initial Study, a Focused EIR will be prepared for impacts that need further discussion and/or mitigation beyond that provided in the ConnectMenlo EIR. This is discussed in more detail in Chapter 3, *Environmental Checklist*.

Project Information

1. Project Title:

Commonwealth: Building 3 Project

2. Lead Agency Name and Address:

City of Menlo Park
Community Development Department
701 Laurel Street
Menlo Park, CA 94025

3. **Contact Person and Phone Number:**

Tom Smith, Senior Planner – (650) 330-6730

4. **Project Location:**

162 and 164 Jefferson Drive, Menlo Park, CA 94025

5. **Project Sponsor's Name and Address:**

The Sobrato Organization
10600 North De Anza Boulevard
Cupertino, CA 95014

6. **General Plan Designation:**

Office-Bonus (O-B)

7. **Description of Project:**

Please refer to Chapter 2, *Project Description*.

8. **Surrounding Land Uses and Setting:**

The Project site, which is composed of the Commonwealth Site and the Jefferson Site in Menlo Park, is bounded by Jefferson Drive and office buildings to the north, the currently inactive Dumbarton Rail Corridor to the southeast, US 101 to the south, and an Exponent building to the west. Office, life science, and research and development uses are located immediately adjacent to the Project site in all directions. Neighborhoods in Menlo Park are south (across the Dumbarton Rail Corridor and US 101) of the Project site. To the southeast, across the Dumbarton Rail Corridor, are recreational and public facility uses associated with Kelly Park and the Onetta Harris Community Center.

9. **Other Public Agencies Whose Approval May Be Required (e.g., permits, financing approval, participation agreement), Potential Responsible Agencies, and Trustee Agencies:**

- Bay Area Air Quality Management District
- California Department of Transportation
- Regional Water Quality Control Board, San Francisco Bay Region/San Mateo Countywide Water Pollution Prevention Program
- San Mateo County Transportation Authority
- Menlo Park Fire Protection District
- San Mateo County Environmental Health Division
- West Bay Sanitary District
- Native American Heritage Commission

10. Have California Native American tribes that are traditionally and culturally affiliated with the Project area requested consultation, pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?

The Native American Heritage Commission (NAHC) was contacted on March 18, 2019, to identify any areas of concern within the Project area. The NAHC responded on March 21, 2019, stating that a search of its Sacred Land File failed to indicate the presence of Native American cultural resources in the immediate Project area. The NAHC provided a list of six Native American contacts who might have information that would be pertinent to the Project or concerns regarding the proposed actions. A letter explaining the Project, along with a map of the Project area, was sent on March 27 and 29, 2019, to all six contacts listed by the NAHC. The letter also solicited responses from each of the contacts, should they have any questions, comments, or concerns regarding the Project.

Letters were sent to the following contacts:

- Tony Cerda, chairperson – Coastanoan Rumsen Carmel Tribe
- Andrew Galvan – The Ohlone Indian Tribe
- Ann Marie Sayers, chairperson – Indian Canyon Mutsun Band of Coastanoan
- Irenne Zwierlein, chairperson – Amah Mutsun Tribal Band of Mission San Juan Bautista
- Valentin Lopez, chairperson- Amah Mutsun Tribal Band
- Charlie Nijmeh, chairperson- Muwekma Ohlone Indian Tribe of the San Francisco Bay Area

Follow-up phone calls were made on April 24, 2019, to all six individuals listed above. Although Mr. Cerda, Ms. Nijmeh, Mr. Galvan, and Mr. Lopez were not reached, a detailed phone message was left, along with a request for a return call. To date, no responses have been received. When contacted, Ms. Zwierlein stated that the Project area is known to be very sensitive for Native American resources, including burials. She requested that an archaeological monitor be onsite during all ground-disturbing activities; if Native American resources are encountered, she requested that a Native American monitor be onsite as well. Ms. Sayers had similar sentiments, stating that the area is known to be sensitive and requesting that both an archaeological and Native American monitor be onsite during all ground-disturbing activities. Should any burials be encountered, Ms. Sayers requested that they be repatriated as close as possible to where they were discovered.

2. Project Description

The Sobrato Organization (Project Sponsor) is proposing to construct an approximately 249,500-gross-square-foot (gsf) office building and an approximately 324,000 gsf parking structure as part of the Commonwealth: Building 3 Project (Project). The Project site is the existing Commonwealth Corporate Center property, which includes the Commonwealth Site at 162 and 164 Jefferson Drive and the Jefferson Site (also at 164 Jefferson Drive).¹ Two buildings (Buildings 1 and 2), currently occupied by Facebook (referred to by Facebook as Buildings 27 and 28), were constructed at the Project site as part of the Commonwealth Corporate Center Project. The Project would add a four-story office building (Building 3) and a four-story parking structure with 1,061 parking spaces to the Project site. The Project site would continue to be accessible from two driveways: the main access point at Commonwealth Drive in the southwest corner of the Project site and the secondary access point at Jefferson Drive in the northern portion of the Project site. In the eastern portion of the Commonwealth Site, a connection to a bicycle and pedestrian path in the Dumbarton Rail Corridor may be provided in the future.

Project Location and Setting

Project Location

As shown in Figure 2-1, the Project site, which is north of US 101 in Menlo Park, is bounded by Jefferson Drive and office buildings to the north, the currently inactive Dumbarton Rail Corridor to the southeast, US 101 to the south, and an Exponent building to the west.² Southeast of the Dumbarton Rail Corridor is Kelly Park. Farther north, beyond the Project site, is State Route (SR) 84, tidal mudflats and marshes along San Francisco Bay, the Don Edwards San Francisco Bay National Wildlife Refuge, and Ravenswood Slough. Neighborhoods in East Palo Alto are approximately 1 mile southeast of the Project site; the Belle Haven neighborhood of Menlo Park is south of the Project site, across the Dumbarton Rail Corridor. The Belle Haven neighborhood contains a mix of uses, including churches, Menlo Park Fire Station No. 77, single-family residences, multi-family residential units, and institutional buildings. The Belle Haven neighborhood's institutional and park uses include Beechwood School, Belle Haven Elementary School, the Belle Haven Pool, Belle Haven Youth Center, Onetta Harris Community Center, Menlo Park Senior Center, the Belle Haven Branch Library, the Boys and Girls Club, Hamilton Park, and Kelly Park. The Sequoia Union High School District is constructing a new high school at 150 Jefferson Drive, which is approximately 200 feet west of the Project site (the Jefferson Site). TIDE Academy will open in August 2019 to the first founding ninth grade class.³

¹ Consistent with the previous environmental impact report (EIR) prepared for Buildings 1 and 2, the Project site referenced in this document includes both the Commonwealth Site and the Jefferson Site, including the existing Buildings 1 and 2 as well as the proposed Building 3 and proposed parking structure. The description of the Commonwealth Site and the Jefferson Site has been updated in this document to reflect the Tentative Parcel Map for the three-lot subdivision approved as part of the previous EIR.

² For the purposes of this analysis, true northeast is Project north, and US 101 runs in an east-west direction.

³ Sequoia Unified High School District. "TIDE Academy." Available: www.tideacademy.org/index.html. Accessed April 4, 2019.

Regional highways that provide access to the Project site include US 101, directly to the south, and SR 84 to the north. The Menlo Park Caltrain station is approximately 2 miles south of the Project site, providing weekday service from San Francisco to Gilroy and weekend service from San Francisco to San José.

Project Site Setting

The Commonwealth Corporate Center, which is the Project site, includes the Commonwealth Site and the Jefferson Site, which total approximately 13.3 acres (578,500 square feet [sf]). The existing floor area ratio (FAR) at the Project site is 45 percent. New and mature trees are scattered throughout the Project site, which has approximately 866 parking spaces in surface lots. Approximately 2,080 employees currently work at the Commonwealth Corporate Center.⁴

Commonwealth Site

The 12.1-acre Commonwealth Site is south of the Jefferson Site. The Commonwealth Site includes assessor's parcel numbers (APNs) 055-243-300, 055-243-310, and a portion of 055-243-999. The four-story Buildings 1 and 2, both located on the Commonwealth Site, were constructed in 2015; both are currently leased by Facebook. Building 1 is referred to as Facebook Building 27, and Building 2 is referred to as Facebook Building 28. Each building is approximately 67 feet tall, with an area of approximately 129,960 gsf and a footprint of approximately 34,540 gsf. Together, the two buildings have a total floor area of approximately 259,920 gsf. Buildings 1 and 2 are surrounded by surface parking, landscaping, pedestrian paths, and water features. A courtyard with café tables and chairs is located between the two buildings; a bocce court and wood deck are north of Building 2. The Commonwealth Site also includes approximately 779 surface parking spaces. The Commonwealth Site is accessible from Commonwealth Drive and Jefferson Drive through a private access road that connects the two streets. The Commonwealth Site is relatively flat and lies at an elevation of 6.7 to 11.9 feet above mean sea level.

Jefferson Site

The 1.2-acre Jefferson Site, which includes a portion of APN 055-243-999, is north of the Commonwealth Site. The Jefferson Site is currently occupied by a surface parking lot with approximately 87 parking spaces and landscaping. The Jefferson Site is relatively flat and lies at an elevation of 6.6 to 7.4 feet above mean sea level. The site is accessible from two driveways along the private access road that connects Commonwealth Drive and Jefferson Drive.

Zoning

The Project site was zoned M-2(X), General Industrial, which permitted office and industrial uses such as warehousing, manufacturing, printing, and assembling as well as a maximum building height in excess of 35 feet. In 2016, the site's zoning was changed to Office-Bonus (O-B) as part of the City of Menlo Park (City) General Plan and M-2 Area Zoning Update (ConnectMenlo). The updated zoning created three new zoning districts (Office, Residential-Mixed Use, and Life Science) and established standards for new projects, including restrictions regarding use, height, density (up to 45 percent FAR for office uses), sustainability, circulation, and open space. Under the new zoning standards, bonus density is permitted (up to a FAR of 100 percent for office uses with increased height) in exchange for providing community amenities selected from a list of potential options identified through community outreach and adopted by resolution of the Menlo Park City Council.

⁴ Based on a load factor of one employee per 125 sf.



Figure 2-1
Project Location
 Commonwealth Building 3

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Project Characteristics

Land Use and Zoning

The Project site was rezoned O-B in 2016 through the ConnectMenlo process. At the base level, the maximum height and average height for the onsite buildings are both 35 feet, while the maximum FAR is 45 percent. At the bonus level, the City Zoning Ordinance allows a FAR of up to 100 percent (plus 25 percent for commercial use) and a 110-foot maximum height in exchange for community amenities. The Project would have a combined FAR of 88 percent, and the maximum height of the proposed building would be approximately 69 feet. Across the entire Project site (including the existing buildings), the average building height would be 59.9 feet. Therefore, the Project would require the Project Sponsor to provide community amenities in exchange for bonus-level development. These benefits would be selected from a list of potential options identified through community outreach and adopted by resolution of the Menlo Park City Council.

The Project Sponsor would construct a new building of approximately 249,500 gsf. When combined with the existing buildings at the Project site, the Project would result in three office buildings at the site with a combined floor area of approximately 509,420 gsf and a FAR of 88 percent. Table 2-1, below, compares the proposed development with O-B zoning, both the base level and bonus level. Because the Project site includes two existing office buildings (Buildings 1 and 2), the existing and proposed office buildings are included in the calculations. Although the new building would need to comply with the design standards of the O-B zoning district, the existing buildings would not because they would remain as is and would be part of the baseline conditions.

Table 2-1. Zoning Requirements

	O Zoning Requirements (Base Level)	O-B Zoning Requirements (Bonus Level)	Proposed Development^a
Site Area	25,000 sf (min) 100 feet x 100 feet (max)	25,000 sf (min) 100 feet x 100 feet (max)	578,500 sf
Floor Area Ratio	45% (+10% commercial)	100% (+25% commercial)	88%
Maximum Height	35 feet	110 feet	69 feet ^b
Height ^c	35 feet	67.5 feet	59.9 feet
Open Space	173,540 sf min (30% of total site area)	173,500 sf min (30% of total site area)	235,866 sf (40.7%)
Public Open Space	86,770 sf min (50% of open space area)	86,750 sf min (50% of open space area)	128,533 (54.5%)

Source: The Sobrato Organization and Arc Tec, Inc., 2018; Menlo Park Municipal Code Section 16.43.050.

Notes:

- a. The proposed development encompasses the entire Project site, which includes the proposed building and the existing buildings. The building area total does not include the parking structure.
- b. Maximum building height refers to the proposed building (not the existing onsite buildings).
- c. Height is defined as the average height of all buildings on one site where a maximum height cannot be exceeded. Maximum height does not include roof-mounted equipment and utilities.

Proposed Development

The Project Sponsor would develop the Commonwealth Site with an approximately 249,500 gsf office building (Building 3) that would accommodate approximately 1,996 employees.⁵ Building 3 would be north of existing Buildings 1 and 2, in the northern portion of the Commonwealth Site, and oriented in an east-west direction. The main entry to Building 3 would be along the northern frontage, the side closest to Jefferson Drive. However, a building entry would also be provided on all other building frontages. The proposed Building 3 would have four levels with a maximum height of 69 feet, as measured to the top of the parapet. Pedestrian access to the proposed parking structure from Building 3 would be provided via a pedestrian walkway. Building 3 would be surrounded by surface parking, the proposed parking structure, landscaping, and pedestrian paths. Patios with café tables and chairs would be situated in and around Building 3, providing a social space for the Project. Building 3 and the parking structure would replace most of the existing surface parking lot. Figure 2-2 depicts the proposed site plan, and Table 2-2 summarizes the proposed building area by level.

Table 2-2. Building 3 Proposed Building Area

	Building Area (gsf)
Level 1	64,076
Level 2	63,147
Level 3	63,147
Level 4	59,130
Total	249,500

Source: The Sobrato Organization and Arc Tec, Inc., 2018.

The Project Sponsor would also construct an approximately 324,000 gsf parking structure east of Buildings 2 and 3 in the Commonwealth Site, with access provided via an internal street east of the two buildings. The proposed parking structure would have four levels and a maximum height of 48 feet. The parking structure would be east of Building 3 in the eastern portion of the Commonwealth Site; the parking structure would replace the majority of an existing surface parking lot.

In addition to the proposed Building 3 and parking structure at the Commonwealth Site, the Jefferson Site would be converted from an existing surface parking lot to a community park that would be privately owned but publicly accessible (referred to in this document as Jefferson Park). Jefferson Park would be accessible via paseo connections to Jefferson Drive and the Commonwealth site. A further description of the proposed uses at the Jefferson Site is provided below.

Site Access, Circulation, and Parking

Vehicular Access and Circulation. The Commonwealth Site would be accessible from two driveways, with the main access point at Commonwealth Drive in the southwest corner of the Project site and the secondary access point at Jefferson Drive adjacent to the Jefferson Site. The internal street network that surrounds the Commonwealth Site would provide access to the surface parking and the proposed parking structure. Entrances to the parking structure would be provided along the internal street east of Buildings 2 and 3. A loading dock would be provided on the east side of Building 3.

⁵ Based on a load factor of one employee per 125 sf.



Figure 2-2
Proposed Site Plan
 Commonwealth Building 3

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Emergency Access. Emergency access to the Project site would be provided from both access points on Commonwealth Drive and Jefferson Drive. Emergency vehicles would enter the site at Commonwealth Drive and continue along the northern portion of the site, adjacent to the proposed building, then travel around the building to exit at Jefferson Drive. Fire access to the proposed parking structure would be at both the northern and southern ends. Fire hydrants and fire department connections would be located along the emergency access route in the vicinity of the proposed buildings.

Bicycle and Pedestrian Circulation. Pedestrian walkways would be included between the proposed building and parking structure and the existing buildings. Several walkways with enhanced paving at crosswalks would traverse the Project site in east-west and north-south directions, leading from the proposed building to the parking structure. In addition, new bicycle and pedestrian connections would be established to connect the Project site to neighboring parcels. A secondary public path connection would be constructed north of Building 3, and paseo connections would be constructed north and west of the building. New paths would also be established around the parking structure, one of which would connect to a future City bicycle/pedestrian path.

In addition to the existing onsite bicycle parking (26 Class II bicycle racks and 24 Class I spaces in Building 1), the Project would include 16 onsite bicycle rack spaces (Class II spaces), which would be placed at convenient and well-lit locations near the main entrance to Building 3; 40 protected storage enclosure spaces (Class I spaces) would also be provided, for a total of 106 bicycle parking spaces. A bicycle storage room would be provided in Building 3 for both visitor and long-term bicycle parking.

Parking. The current Project site includes 866 surface parking spaces. Development of the Project would remove the majority of the existing parking spaces in order to construct Building 3, the parking structure, and Jefferson Park. However, these parking spaces would be replaced, and additional spaces would be provided to accommodate the increase in building area. Onsite parking would include the 215 surface parking spaces located along the perimeter of the Commonwealth Site and 1,061 spaces in the proposed parking structure. In total, 1,276 parking spaces would be provided at the Project site, including 24 Americans with Disabilities Act-compliant spaces among the surface parking and parking structure spaces. At the Jefferson Site, 23 parking spaces would be reserved for use by the new high school (TIDE Academy) during school hours only; the spaces would be available for the general public after school hours. These spaces are not included under the parking ratio of 2.5 spaces per 1,000 gsf proposed for the entire Project site. Table 2-3 summarizes the proposed parking at the Project site. The proposed parking would serve all of the buildings at the Project site.

TDM Program

The existing Buildings 1 and 2 are currently served by a Transportation Demand Management (TDM) program. TDM programs provide information regarding services, incentives, facilities, and actions to reduce the number of single-occupant vehicle trips. The proposed TDM program for the Project would be independent of the existing TDM program for Buildings 1 and 2 because new zoning regulations require a 20 percent trip reduction. The proposed TDM program would encourage the use of public transportation and other forms of alternative transportation. The Project site is currently served by the M3-Marsh Road Shuttle, which is a free shuttle service with timed connections to many of the a.m. and p.m. peak-hour trains at the Menlo Park Caltrain station in both the northbound and southbound directions. The existing shuttle service includes a stop at 149 Commonwealth Drive, less than 100 feet from the Project site. In order to encourage employees to use Caltrain and the Marsh Road Shuttle, subsidized transit passes, such as a Caltrain Go Pass, would be provided to new employees at the Project site. The Caltrain Go Pass is an

Table 2-3. Proposed Parking

	Parking Spaces
Surface Parking	
Standard	175
Restricted Parking ^a	24
ADA – Accessible	13
ADA – Van Accessible	3
<i>Total Surface Parking</i>	<i>215</i>
Proposed Parking Structure	
Level 1	219
<i>Standard</i>	<i>211</i>
<i>ADA – Accessible</i>	<i>7</i>
<i>ADA – Van Accessible</i>	<i>1</i>
Level 2	276
Level 3	276
Level 4	290
<i>Total in Proposed Parking Structure</i>	<i>1,061</i>
Total Parking	1,276

Source: The Sobrato Organization and Arc Tec, Inc., 2018.

Notes:

- a. Reserved for the high school during school hours only. After school, the spaces would be accessible by the public.

employer-sponsored annual pass that offers unlimited rides on Caltrain through all zones, 7 days per week. Carpooling and vanpool programs would also be encouraged through free ride-matching services, carpool incentive programs, vanpool formation incentives, vanpool seat subsidies, and vanpool participant rebates. Emergency ride-home programs would be offered to employees. In addition, the proposed TDM program would include bicycle storage, showers and changing rooms, and other onsite amenities to encourage the use of other modes of transportation.

Landscaping

The proposed landscaping plan and open space areas are depicted in Figure 2-3. Landscaping would be provided around the perimeter of Building 3 and the parking structure as well as along the western and southern edges of the Project site. After implementation of the Project, approximately 128,533 sf of public open space and 107,333 sf of private open space would be provided at the Project site, totaling approximately 235,866 sf of open space (including existing open space). A 0.2-mile-long and 20-foot-wide paseo, available to bicyclists and pedestrians, would be constructed along the eastern boundary of the Jefferson Site. The paseo would continue south to the southwest border of the Project site at Commonwealth Drive, then extend east along the edge of the southern parcel adjacent to US 101. From there, a pedestrian path would continue north, looping around the Project site. The path would be along the private access road that connects Commonwealth Drive and Jefferson Drive.

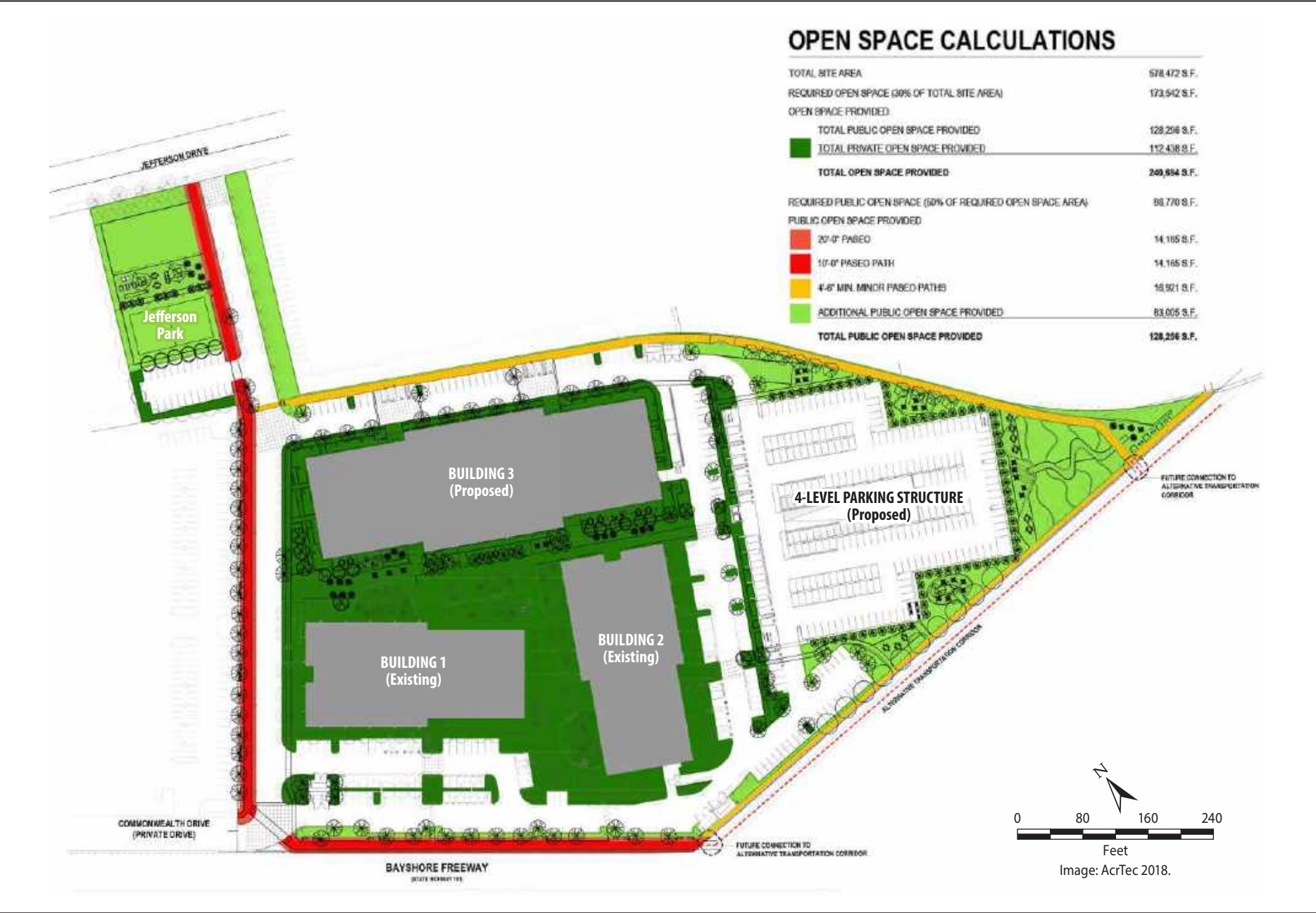


Figure 2-3
Proposed Open Space Areas
 Commonwealth Building 3

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The public open space in the eastern portion of the Commonwealth Site would provide access to a connection to a bicycle and pedestrian path, and/or public transit, along the Dumbarton Rail Corridor that may be provided in the future. This area, located behind the proposed parking structure, would include additional plazas, seating areas with tables and chairs, seat walls, a large trellis, and a wooden boardwalk through an area with native plantings. The existing stormwater treatment area with native grasses and flowers would remain. The private open spaces proposed as part of the Project would be between and around Buildings 1, 2, and 3, within patios and courtyards featuring tables, chairs, a seat wall, trees, and access to the existing bocce court. In addition, outdoor balconies on the third and fourth floors of Building 3 would be provided as private open space. The public open space adjacent to the street and paseo frontages as well as the boundaries of the Commonwealth Site would be landscaped with trees and California native vegetation. This vegetation would help screen the proposed building and parking structure from the adjacent streets.

As discussed above, the Project would include construction of Jefferson Park, which would be publicly accessible via paseo connections to Jefferson Drive and the Commonwealth Site. Final design of the park would be determined by the City and community feedback during the entitlement process. However, in compliance with the City Zoning Ordinance, Chapter 16.44.120(4)(A), publicly accessible open space should include paseos, plazas, forecourts, entryways, outdoor dining areas, site furnishing, art, and/or landscaping.

A privately owned and publicly accessible park would be provided along Jefferson Drive. This “parklet” would be roughly 32,000 square feet (0.73 acre) in size, including a small parking lot. Directly adjacent to Jefferson Drive is an existing 2,800 sf stormwater treatment area; this area is planted with trees and grasses that would remain. The final design of this park would be determined through a process involving City and community feedback. Potential features could include a multi-use sports court, a flexible lawn area for games and other activities, and an area with accent pavers that would provide space for games and a mix of lounge and dining seating. Additional features could include a playground or other amenities. Parking spaces within the park would be separated and accented by shade trees, grasses, shrubs, and ground cover. A 10-foot-wide paseo would run along the eastern edge of the park, providing a connection to the rest of the site and beyond. The intent is for the park to be used by the adjacent TIDE Academy for physical education classes and parking, with spaces for approximately 20 to 24 staff members, as discussed above. During non-school hours, the park and parking would be available to the public.

There are currently 507 trees at the Project site. Of those, one tree qualifies as a heritage tree under the City of Menlo Park’s Heritage Tree Ordinance.⁶ As part of the Project, 304 trees would be removed; however, none of the trees that would be removed would be heritage trees. The remaining 202 trees would not be removed under the Project. In total, after Project construction, 417 trees would be located at the Project site, including the existing trees that would remain and the replacement trees.

The Project site is covered with approximately 431,697 sf of impervious surfaces (74.6 percent). Implementation of the Project would reduce the amount of impervious surfaces. Paved areas would cover approximately 393,155 sf (68 percent) of the site. Landscaped areas would provide 185,297 sf (32 percent) of pervious surfaces. Hardscape at the Project site would include concrete paving, decomposed granite paving, and concrete pavers. Stormwater treatment areas would be located around the northern, eastern, and southern borders of the Project site to limit stormwater runoff. These biotreatment areas would be open, level vegetated areas that would allow runoff to be

⁶ City of Menlo Park. 2010. *Menlo Park Municipal Code*. Section 16.46.030(7). December 14, 2010.

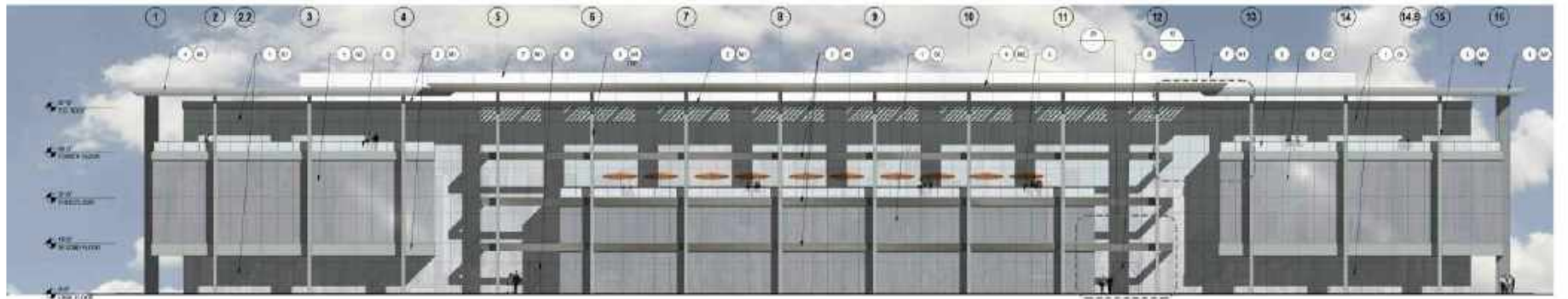
distributed evenly across the area. They would be designed to treat runoff by filtering raw runoff through the soil media in the treatment area. These biotreatment areas would trap particulate pollutants (suspended solids and trace metals) and promote infiltration.

Building and Sustainability Features

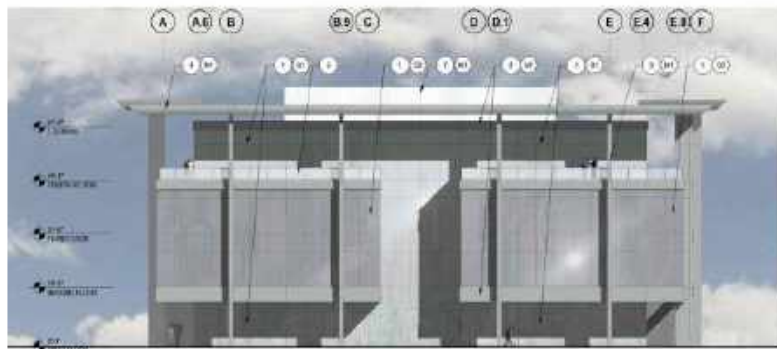
The design of Building 3 would be similar to the design of Buildings 1 and 2. The core architectural form of the proposed building would be a four-story rectangular structure with a low-tint glass façade. From the core rectangular form, smaller rectangular forms would project outward, spanning the second and third floors at all four corners of the building and creating recesses at the first and fourth floors of each corner. At the center of the front and rear elevations of the building, an additional rectangular projection, two stories in height, would extend outward from the core rectangular form. All of the projecting rectangular elements would have façades with gray tinted glass, differentiating them from the low-tint glass of the core façade. Narrow columns, wrapped with aluminum panels, would extend slightly beyond the projecting rectangular forms and be spaced equidistantly around all four sides of the building. The columns would support a thin louvered metal canopy, running around the entire building above the fourth-floor façade. Along the front and rear elevations, horizontally oriented beams covered with darker QUARTZ-ZINC® metal panels would wrap across the front of the rectangular projections at the center of the elevations from the first to third floors. Balconies would be incorporated at the fourth floor on each elevation and also at the third floor on the front and rear elevations. Building elevations for Building 3 are shown in Figure 2-4.

The proposed four-story orthogonal parking structure would step in as it extends to the east, creating relief along the property. Along the rearmost wall of the proposed parking structure, a mesh screen with a large graphic would obscure views of parked vehicles and structural elements within Kelly Park and other surrounding areas. Through the use of an aluminum composite canopy along the top of the central portion of the west elevation (the elevation facing the proposed and existing office buildings), the design of the proposed parking structure would reflect the design of the proposed office building. The parking structure would be constructed almost entirely of concrete that would be painted in off-white and gray hues. On the portions of each elevation not concealed by painted concrete walls, the interior floors of the parking structure would be open to the exterior, with cable guard rails along the outer edges of each level. Building elevations for the parking structure are shown in Figure 2-5.

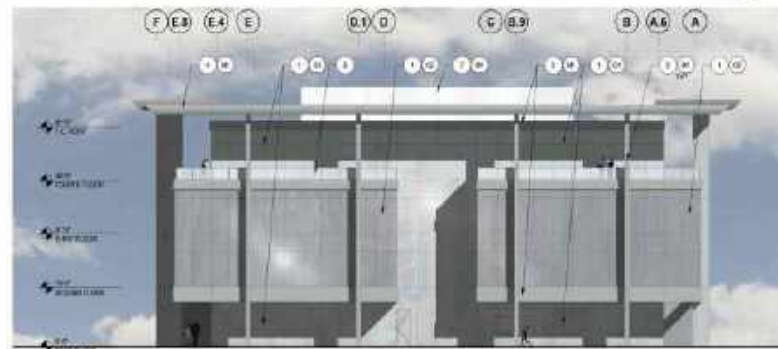
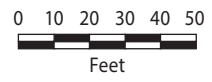
In the O-B zoning district, projects are required to meet green and sustainable building regulations. The proposed building would be required to meet 100 percent of its energy demand through a combination of onsite energy generation, the purchase of 100 percent renewable electricity, and/or the purchase of certified renewable energy credits. In addition, as currently proposed, Building 3 would be designed to meet Leadership in Energy and Environmental Design (LEED) Gold Building Design and Construction (BD+C) standards. The Project would meet the City's requirements regarding charging spaces for electric vehicles (EVs). The Project would also incorporate a bird-friendly design through its placement of the building and use of low-tint exterior glazing. Other green building requirements would be met through efficient water use and waste management planning. Details regarding how the proposed building would meet the green and sustainable building requirements would be provided as Project plans and materials are further developed.



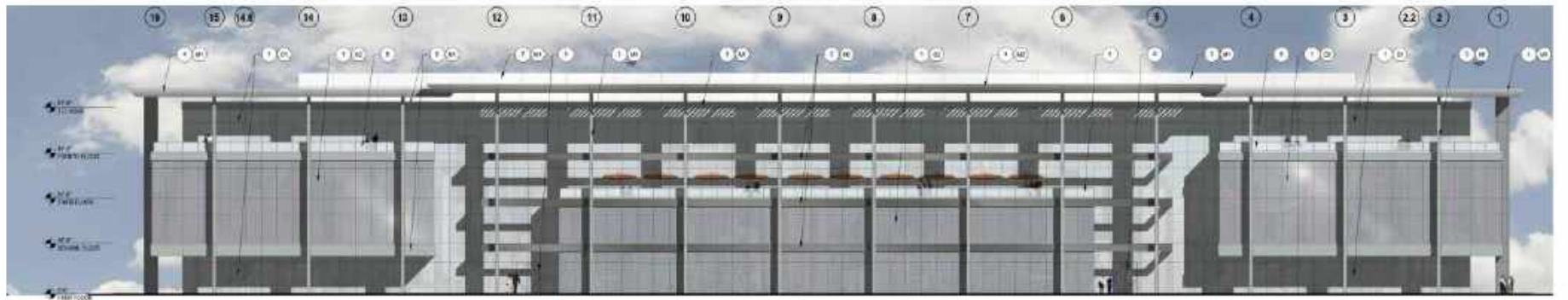
SOUTH ELEVATION ①



WEST ELEVATION ⑩



EAST ELEVATION ②



NORTH ELEVATION ③

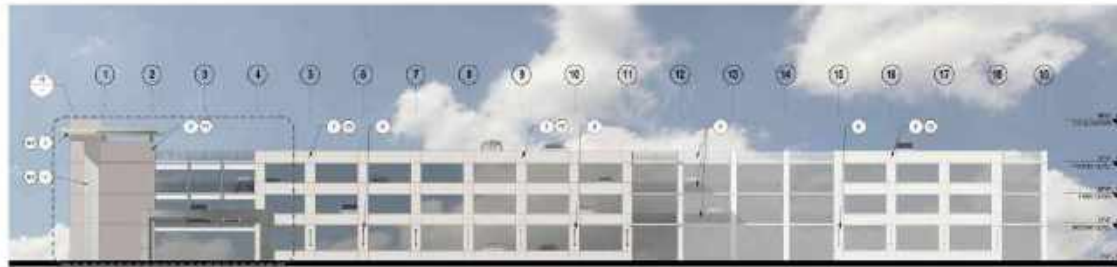
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Figure 2-4
Proposed Building 3 Elevations
 Commonwealth Building 3

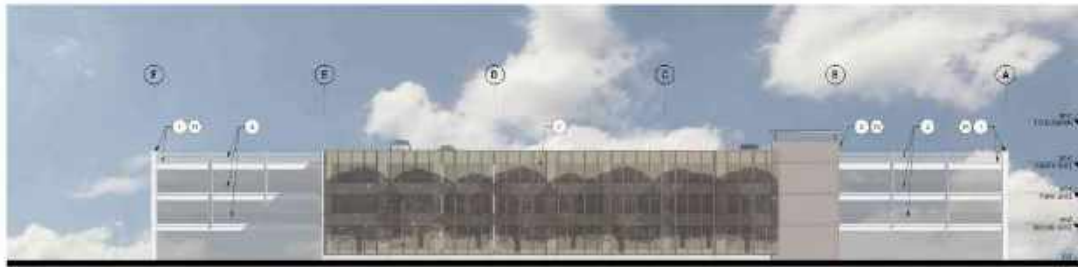
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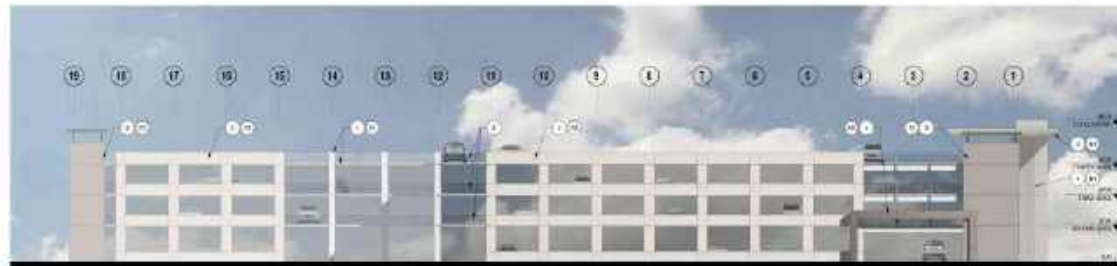
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



Image: AcrTec 2018.

Figure 2-5
Proposed Parking Structure Elevations
 Commonwealth Building 3

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Utilities

Onsite utilities would include energy (electricity and gas), domestic water, wastewater, and storm drain facilities. All onsite utilities would be designed in accordance with applicable codes and current engineering practices. Utilities that are currently provided at the Project site would be extended to accommodate the proposed building and parking structure.

Energy. The Project would meet 100 percent of its energy demand (electricity and gas), consistent with the requirements of Menlo Park Municipal Code Section 16.44.130, through the purchase of 100 percent renewable electricity from Peninsula Clean Energy. In addition, Pacific Gas and Electric Company would provide gas and electrical power for proposed facilities as needed. Existing electrical and gas lines in the vicinity of the Project site would continue to serve the site but may be upgraded, if necessary, for the Project. A proposed diesel emergency generator would be located at grade in the northern portion of the Project site (north of Building 3) in a solid enclosure. Line of sight to the generator would be blocked on all sides.

Domestic Water. Onsite water lines would connect to the Menlo Park Municipal Water District. The Project would comply with the City's water use regulations by using ultra low-flow fixtures within the building. Flow rates for the selected fixtures would be equal to or less than the 2016 CALGreen flow rates for commercial fixtures.

Wastewater. The sanitary sewer system in this area of Menlo Park is owned and operated by the West Bay Sanitation District. The proposed buildings would connect to the wastewater system from an 8-inch sanitary sewer main at Jefferson Drive. Wastewater from the Project site would ultimately be discharged to the South Bayside Systems Authority pump station in Redwood City.

Storm Drainage. Stormwater collected at the Project site would continue to be conveyed in a piped system to the existing 36-inch storm drain in Jefferson Drive. The drainage system would consist of a combination of existing and new onsite storm drains. This system would collect runoff from roofs and hardscape areas and convey it to an existing pump that discharges stormwater to biotreatment ponds for treatment in accordance with Provision C.3 Municipal Regional Permit requirements. For larger storm events, excess flows would be conveyed directly to Jefferson Drive through a pipe system.

Project Construction

The proposed construction methods are considered conceptual and subject to review and approval by the City. For the purposes of this environmental document, the analysis considers the construction plan described below.

Construction Schedule and Phasing

The Project would consist of two construction phases, which may occur at the same time or overlap. Phase 1 would involve construction of the parking structure, which would be 324,000 gsf. Phase 2 would involve construction of the office building, which would be 249,500 gsf. It is anticipated that Phase 1 would have a duration of 18 to 20 months, and Phase 2 would have a duration of 17 to 19 months. The parking structure is expected to be operational by mid- to late 2021; the expected occupancy date for the office building is early 2023. In total, the construction period is expected to last approximately 37 months.

Standard construction work hours would be 8:00 a.m. to 6:00 p.m. Monday through Friday. However, work could start early, at 7:00 a.m., or finish late, at 6:00 p.m. In addition, construction on Saturdays (8:00 a.m. to 5:00 p.m.) could occur. Construction activities taking place between 7:00 a.m. and 8:00 a.m. would be regulated by the daytime limits of the City Noise Ordinance of the Menlo Park Municipal Code, which limits noise to 60 A-weighted decibels at the nearest residential property line. Construction activities taking place between 8:00 a.m. and 6:00 p.m. would be regulated by the construction activities section of the City Noise Ordinance (Title 8.06.040[a]).

Equipment and Staging

Typical equipment would be used during Project construction, including concrete/industrial saws, excavators, dozers, tractors, loaders, backhoes, graders, cranes, forklifts, welders, boom lifts, aerial lifts, scissor lifts, pavers, rollers, and tractors. Potential construction laydown and staging areas would be at the Jefferson Site prior to construction of the proposed Jefferson Park and surface parking area.

Spoils, Debris, and Materials

The Project would require soil excavation and tree removal. Project excavation depths would vary from 3 to 7 feet. As such, the maximum excavation depth would be 7 feet below mean sea level. The proposed excavation would consist of approximately 6,350 cubic yards of excavated material. About 2,500 cubic yards of the excavated material would be exported offsite, and about 3,850 cubic yards would be used as backfill material or grading material in landscaped areas within the Project site. As such, construction of the Project would require disposal of exported materials at a permitted landfill. All soil and debris, including contaminated soil, would be off-hauled to the Dumbarton Quarry or a similar appropriate facility. The haul trucks would access the site from US 101/SR 84. The number of truck trips required to dispose of demolished materials and excavated soil would be approximately five per day.

Project Approvals

City Approvals

The following City discretionary approvals would be required prior to development at the Project site:

- **Conditional Development Permit (CDP) Amendment.** The Project Sponsor would need an amended and restated CDP to incorporate Building 3, bonus level development and the O zoning district regulations into the approved CDP for Buildings 1 and 2 under the previous M-2(X) zoning for the site. The CDP amendment would also permit the proposed diesel generator and a waiver regarding two of the bird-friendly design guidelines, as further described in the Biological Resources section of this Initial Study. In addition, as discussed in more detail below, the CDP amendment would require the Project mitigation measures, as outlined in the Biological Resources Assessment (BRA) prepared for the Project (Appendix A), to reduce potential impacts on white-tailed kite and tree-nesting raptors.
- **Architectural Control,** per Menlo Park Municipal Code Chapter 16.68. The applicant would be required to obtain architectural control review and approval of the specific building design from City Council.

- **Below-Market-Rate Housing Agreement.** A Below-Market-Rate Housing Agreement would be required for payment of in-lieu fees associated with the City's Below-Market-Rate Housing Program.
- **Environmental Review.** This would include release of the Initial Study and certification of the environmental impact report (EIR), with approval of a mitigation monitoring and reporting program (MMRP) for the Project and statement of overriding considerations to the extent the EIR discloses any potentially significant impacts that cannot be mitigated to less-than-significant levels. In addition, the Project would be required to comply with the MMRP for ConnectMenlo as part of the Project.

As part of the Project review process conducted by the City, a fiscal impact analysis will be prepared, and an appraisal will identify the value of the community amenity.

Approvals by Responsible Agencies

Reviews and approvals by other agencies that may be needed for the Project to proceed are also identified. Some of these agencies will need to approve certain parts of the Project prior to full implementation, but their approval is not required for EIR certification.

- **Bay Area Air Quality Management District** – Permits for onsite generators, boilers, and other utility equipment.
- **California Department of Transportation** – Review of traffic circulation effects and consultation on potential traffic improvements that may affect state highway facilities, ramps, and intersections.
- **California Regional Water Quality Control Board/San Mateo Countywide Water Pollution Prevention Program** – Approval of National Pollutant Discharge Elimination System permit for stormwater discharge.
- **San Mateo County Transportation Authority** – Review of potential effects on public transit.
- **Menlo Park Fire Protection District** – Approval of proposed fire prevention systems, onsite generators, and emergency vehicle access.
- **San Mateo County Environmental Health Division** – Review of food service functions and onsite generators.
- **West Bay Sanitary District** – Approval of wastewater hookups.
- **Native American Heritage Commission**

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3. Environmental Checklist

Environmental Factors Potentially Affected

The environmental factors checked below could be affected by the Commonwealth: Building 3 Project (Project), involving at least one impact that is a "potentially significant impact," as indicated by the checklists on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forestry | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Population/Housing* | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources | <input checked="" type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings | <input type="checkbox"/> Energy | <input type="checkbox"/> Wildfire** |

* Impacts related to population/housing are not expected to result in potentially significant impacts but are checked here to indicate that further analysis in the environmental impact report (EIR) is required.

** An analysis of wildfire is required only if the Project site is in or near state responsibility areas or lands that have been classified as Very High Fire Hazard Severity Zones. Because the Project site is urbanized and not in one of these areas, an analysis of this topic is not included in this document.

Determination

On the basis of this initial evaluation:

- I find that the Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that, although the Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project Sponsor. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document, pursuant to applicable legal standards, and 2) has been addressed by mitigation measures, based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that, although the Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, pursuant to applicable standards, and (b) have been avoided or mitigated, pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Project, nothing further is required.

Signature _____
Date

Printed Name _____
For

Organization of This Chapter

Each California Environmental Quality Act (CEQA) topic or environmental issue in this chapter is given its own section, with each containing the subsections listed below.

- **Setting** – The Setting describes existing baseline conditions, including environmental context and background. For the topics to be analyzed in the Focused EIR, a Setting section is not provided in this document.
- **General Plan Goals and Policies** – The City of Menlo Park General Plan contains general goals, policies, and programs that require local planning and development decisions to consider impacts on each environmental issue. The applicable goals and policies are listed in each section, with the exception of the topics to be analyzed in the Focused EIR.
- **Environmental Checklist and Discussion** – The impact discussion identifies standards of significance and evaluates how the Project would affect baseline conditions. Each checklist item includes a summary of the analysis in the City of Menlo Park General Plan and M-2 Area Zoning Update (ConnectMenlo) EIR, discusses the specific impacts induced by the Project, and concludes with a comparison of the Project to the findings in the ConnectMenlo EIR. However, if a checklist item is determined to result in no impact, then a Project-specific discussion is not needed and, therefore, not included.

Evaluation of Environmental Impacts

This section identifies the environmental impacts of the Project by answering questions from Appendix G of the CEQA Guidelines, the Environmental Checklist form. The analysis in this document considers all phases of Project planning, construction, implementation, and operation. Pursuant to Section 15063(d) of the CEQA Guidelines, this document identifies the environmental setting and discusses the environmental effects of the Project. For each impact identified, a level of significance is determined using the following classifications:

- **Potentially Significant Impact** is appropriate if there is substantial evidence that an effect is significant or the established threshold has been exceeded. If there are one or more “potentially significant impact” entries when the determination is made, then an EIR may be required. These topics will require further analysis in the Focused EIR.
- **Less-than-Significant Impact** applies when the Project would affect, or be affected by, the environment, but based on sources cited in the report, the impact would not have an adverse effect and would not exceed the established thresholds.
- **No Impact** denotes situations in which there is no adverse effect on the environment. Referenced sources show that the impact does not apply to the Project.
- **Not a CEQA Impact** applies to impacts related to the environment that affect the Project. Pursuant to the recent California Supreme Court decision in California Building Industry Association (CBIA) vs. Bay Area Air Quality Management District (BAAQMD), CEQA does not require an analysis of how existing environmental conditions would affect a Project’s residents or users, unless the Project would exacerbate those conditions. Therefore, when discussing impacts of the environment on the Project, the analysis will first determine if there is potential for the Project to exacerbate the issue. If evidence indicates it would not, then the analysis will conclude by stating such. If it would exacerbate the issue, then evidence is provided to determine if the exacerbation would or would not be significant.

I. Aesthetics	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the Project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Regional Visual Context

Menlo Park is a 19-square-mile municipality situated approximately 30 miles south of San Francisco and 20 miles north of San José on the San Francisco Peninsula (Peninsula). Menlo Park is one of more than a dozen cities on the flatter portions of the western margin of San Francisco Bay (Bay), east of the San Andreas Fault Zone. It is surrounded by the municipalities of Redwood City to the northwest, Atherton to the west, Palo Alto and Stanford University to the southeast, and East Palo Alto to the east. The Bay is north of Menlo Park.

Urban development within the region is largely concentrated between the Bay and the Interstate 280 (I-280) corridor. In general, the Peninsula is developed with low-density uses within distinct neighborhoods that include commercial, retail, and residential buildings. Larger-scale development, such as office parks and industrial buildings, tends to be located between the Bay and US 101. Some high-rise office, apartment, and hospital buildings are located between US 101 and I-280; however, these buildings are concentrated mainly along the US 101 and El Camino Real corridors.

The Bay and its natural features are key visual components in the eastern and northern portions of Menlo Park. The Santa Cruz Mountains, which run the length of the Peninsula and form a barrier between the Pacific Ocean and the Bay, are visible from the majority of Menlo Park as well as adjacent cities, especially north and east of US 101. The visible portion of the mountain range is Skyline Ridge, which rises more than 2,400 feet. The ridge is approximately 15 miles south of the site for the Project.

Project Vicinity Visual Context

The Project site is in an area known as the Bayfront Area.⁷ The Bayfront Area has been historically defined by light industrial/office use; however, under recent planning updates, multi-family housing is currently permitted in some parts of the Bayfront Area. The road network in the Bayfront Area includes

⁷ According to the City General Plan and ConnectMenlo EIR.

US 101, divided arterial roads (e.g., Willow Road, Bayfront Expressway, Marsh Road), and local streets, which vary in width (many are without sidewalks). The local streets are laid out in an ad-hoc pattern to serve groups of parcels and do not appear as a single coherent network. Building placement and landscaping vary, but buildings are usually surrounded by parking or other paved areas on all sides; siting and landscaping do not fit a consistent pattern. Almost all buildings have flat roofs, many are rectangular in form, and most have metal or cementitious exterior wall materials. In general, buildings in the Bayfront Area range from one to three stories in height. The contrast between the differing land uses and the natural setting of the Bay to the north provides limited unity and inconsistent visual patterns.

The Bayfront Area is relatively flat, with limited long-range views, due, in part, to the prevalence of buildings that block views of the surroundings. In addition, mature trees and vegetation provide visual separation and screening between existing buildings and along streets. Visual resources to the north, such as the Bay, the hilly open space at Bedwell Bayfront Park (Bayfront Park), the salt marshes, Don Edwards San Francisco Bay National Wildlife Refuge (Refuge), and Dumbarton Bridge, are generally not visible from the majority of vantage points in the vicinity of the Project; these resources are visible only from areas immediately adjacent to Bayfront Expressway. No scenic resources, such as rock outcroppings, cliffs, or knolls, are present in the Project vicinity, although mature trees are present throughout the area.

The ConnectMenlo EIR described the Bayfront Area as seven distinct subareas for the purpose of describing general characteristics and development patterns that currently exist throughout the area. The Project site is within the “Marsh Road to Chilco Street” subarea, which consists of a number of businesses in a suburban office park setting bounded by US 101, Bayfront Expressway, Marsh Road, and Chilco Street. This area is characterized by large, primarily rectangular blocks with one- or two-story tilt-up buildings, which are typified by utilitarian architecture, minimal windows, and large ground-floor plates on expansive parcels. The buildings are generally located in the center of the parcel and surrounded by surface parking. Parcels with street frontage include scattered landscaping and abut other parcels with rows of parking or landscaping strips; these parcels usually lack sidewalks. The maximum height of Menlo Gateway will not exceed 120 feet; newer development is typically two or three stories, with mirrored or transparent glass on the upper floors.

Project Site Visual Context

The Commonwealth Corporate Center (i.e., the Project site) includes the Commonwealth Site and the Jefferson Site, which total approximately 13.3 acres (578,500 square feet [sf]). Both young and mature trees are scattered throughout the relatively flat Project site, which also has approximately 866 parking spaces in surface lots. Existing conditions at the Project site are shown in Figure 3.1-1.

Commonwealth Site. The 12.1-acre Commonwealth Site is south of the Jefferson Site. The four-story Buildings 1 and 2, both located on the Commonwealth Site, were constructed in 2015; both are currently leased by Facebook. Each building is approximately 67 feet tall, with an area of approximately 129,960 gross square feet (gsf) and a footprint of approximately 34,540 gsf. Together, the two buildings have a total floor area of approximately 259,920 gsf. A courtyard with café tables and chairs is located between the two buildings; a bocce court and wood deck are north of Building 2. The Commonwealth Site also includes approximately 779 surface parking spaces. The Commonwealth Site is accessible from Commonwealth Drive and Jefferson Drive through a private access road that connects the two streets.



A. View of Building 2 Facing West from Existing Surface Parking Lot.



B. View of Buildings 1 and 2 Facing East.



C. View of Building 1 looking South From Jefferson Site.



D. View of Kelly Park and Dumbarton ROW Facing East.

Graphics ... 000811815 (3-27-2019)

Figure 3.1-1
Existing Conditions at the Project Site
Commonwealth Building 3

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Landscaping is currently found throughout the Project site, providing shade for the surface parking lots, supporting stormwater treatment, and encouraging active use of outdoor areas. The Project site includes bamboo clusters, a variety of trees, water features, pedestrian paving, lighting, tree grates, curved and raised seat walls, lounging steps, and café tables and chairs. Stormwater treatment areas are located throughout the Project site to limit stormwater runoff. The two existing buildings include modern architectural detailing on the exteriors, reflecting a design similar to that of neighboring multi-story office buildings. Figures 3.1-1a and 3.1-1b show the existing buildings and surface parking areas at the Commonwealth Site.

Jefferson Site. The 1.2-acre Jefferson Site is north of the Commonwealth Site. The Jefferson Site is currently occupied by a surface parking lot with approximately 87 parking spaces and accessory landscaping. The Jefferson Site is accessible from two driveways along the private access road that connects Commonwealth Drive and Jefferson Drive. Figure 3.1-1c shows the Jefferson Site, facing south toward Building 1.

Scenic Corridors/Vistas and Onsite Visibility

Scenic Corridors/Vistas. Scenic corridors are considered an enclosed landscape area and viewed as a single entity that includes the total field of vision visible from a specific point, or series of points, along a linear transportation route. Public view corridors are areas in which short-range, medium-range, and long-range views are available from publicly accessible viewpoints, such as streets. The Bayfront Area is on the flatter portions of the western margin of the Bay, which limit scenic vistas within Menlo Park and this specific area. Because of the flat nature of the study area, the majority of Menlo Park, particularly in the Bayfront Area, is afforded views of the Santa Cruz Mountains. Scenic resources also include the Bay itself and its natural features (e.g., the salt ponds and Bayfront Park, as viewed from the eastern and northern portions of Menlo Park). Per the ConnectMenlo EIR, Menlo Park has no designated scenic corridors or scenic vistas; however, the section of I-280 within the ConnectMenlo study area is a designated scenic highway per the California Scenic Highways Program.⁸ In addition, the ConnectMenlo EIR considers views to the Santa Cruz Mountains, the Bay, and San Francisquito Creek and the foothills within Menlo Park to be scenic vistas.

Public View Corridors. Although portions of the Project site are visible from public streets, the Project site is not visible in its entirety from a single ground-level vantage point because of its large size, flat topography, and surrounding low-rise buildings. However, there are public vantage points with views toward the Project site, including US 101, Kelly Park, the Belle Haven neighborhood, and the Suburban Park-Lorelei Manor-Flood Park Triangle neighborhood.

The Project site is visible from both northbound and southbound US 101, which is a four-lane freeway in each direction. From the northbound direction, the Commonwealth Site becomes briefly visible after the Dumbarton Rail Corridor. However, the site is above the grade of the freeway and separated by a vegetated slope, dense trees and shrubs, and fencing. The lower levels of the onsite buildings are visible only through breaks in the vegetation and are not prominent features. From the southbound direction, after the Marsh Road overcrossing, the Commonwealth Site appears northeast of the freeway, within the context of the existing urban development pattern. Although substantial portions of the two buildings are blocked from view by mature trees, the buildings are still visible to passing vehicles. The Jefferson Site is not visible from either direction on US 101. In addition, no background views are available from this segment of US 101.

⁸ California Department of Transportation. 2018. *California Scenic Highway Mapping System, San Mateo County*. Available: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/. Accessed: July 4, 2018.

Kelly Park is located at 100 Terminal Avenue in the Belle Haven neighborhood. Although the Dumbarton Rail Corridor provides a physical barrier between the Project site and Kelly Park, existing buildings are visible from the park (looking west), behind the trees planted along the perimeter of the park. Because limited development abuts the Dumbarton Rail Corridor, there are views of the Commonwealth Site from select locations in the Kelly Park area, particularly the soccer field. However, the orientation of the streets in the Belle Haven neighborhood does not allow for direct views of built features at the Commonwealth Site from residential locations.

US 101 separates the Project site from residential areas to the south. However, the Project site is directly across US 101 from the Suburban Park-Lorelei Manor-Flood Park Triangle neighborhood. Currently, ground-level views are blocked by dense foreground and middle-ground vegetation and residential development. However, the upper levels of Building 1 at the Project site are visible from Hedge Road. Because of the surrounding residential units and flat topography, no background views are visible.

Onsite Visibility. Because of the relatively flat topography of the Project site and vicinity, as well as the prevalence of buildings and vegetation, views from locations at grade are largely restricted. Views at the Project site consist mainly of the existing onsite surface parking lots, Buildings 1 and 2, perimeter landscaping, and immediately adjacent buildings and power lines. Facing east, views outside of the Project site include the tracks along the Dumbarton Rail Corridor, vegetation surrounding Kelly Park, and lighting for the park's tennis courts and athletic fields (Figure 3.1-1d). Views facing south encompass US 101 and the Dumbarton Rail Corridor overcrossing. Views of the salt ponds, marshes, Refuge, and Bay are obstructed from pedestrian-level viewpoints. Background views from certain locations on the Project site (looking south) include mainly obstructed, highly channelized views of the Santa Cruz Mountains.

Currently, a dense vegetative barrier, which is predominantly outside the property line, is present along the perimeter of the Project site (to the north, south, and west), providing a visual buffer between the site and the adjacent streets, US 101, and the nearby office and industrial developments. Mature vegetation is found east of the Dumbarton Rail Corridor, buffering Kelly Park and the Belle Haven neighborhood and obstructing most views of the Project site from adjacent areas.

Light and Glare

Light pollution refers to all forms of unwanted light in the night sky, including glare, light trespass or spill on adjacent sensitive receptors, sky glow, and over-lighting. Views of the night sky are an important part of the natural environment. Excessive light and glare can be visually disruptive to humans and nocturnal animal species. Although there is considerable development in Menlo Park, commercial development is concentrated in the downtown area and intersections along major arterials; industrial uses are concentrated in the Bayfront Area, including the vicinity of the Project site. Light pollution in most of Menlo Park is minimal and restricted primarily to areas with lighting along major streets and freeways and areas where nighttime illumination within commercial and industrial buildings is visible.

Because of the urbanized nature of the Project site and the surrounding area, a significant amount of ambient nighttime lighting currently exists, affecting views of the nighttime sky. Exterior nighttime lighting includes lights on vehicles, lights within onsite circulation areas and parking lots, security lighting, and interior illumination for onsite buildings. Some interior lighting is visible to motorists along US 101 and in the surrounding neighborhoods, but interior lighting on the lower floors is screened by perimeter vegetation.

General Plan Goals and Policies

The City of Menlo Park (City) General Plan (specifically the Land Use Element and the Open Space/Conservation Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on aesthetics. The following City General Plan goals and policies would serve to reduce impacts on the visual quality and character in the Bayfront Area: Goal LU-1, Policy LU-1.1, Goal LU-4, Policy LU-4.3, Policy LU-4.5, Goal LU-6, Policy LU-6.2, Policy LU-6.8, Goal OSC-1, Policy OSC-1.11, Policy OSC-1.13, and Policy OSC-1.15.

Environmental Checklist and Discussion

a. Have a substantial adverse effect on a scenic vista? (No Impact)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-1 (pages 4.1-8 to 4.1-14) and determined to be less than significant because no publicly accessible views of scenic resources would be blocked or obstructed by increasing height limits in the Bayfront Area. Similar views would continue to be visible between buildings and over lower-intensity areas. No mitigation measures were required.

Conclusion

The physical conditions, as they relate to scenic vistas, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Because of the relatively flat topography of the Project site and vicinity, as well as the prevalence of existing buildings and vegetation, views from locations at grade are largely restricted. Although the Project would result in additional height, bulk, and massing from the proposed building, which would interrupt existing highly channelized views of the Santa Cruz Mountains from the Project site, this area is not considered a scenic vista. The Project site is not viewed from scenic vistas, resulting in **no impact**. No further study is required.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (No Impact)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-2 (pages 4.1-14 to 4.1-15). The EIR determined that impacts would be less than significant because none of the potential new development would be within the I-280 viewshed. No mitigation measures were required.

Conclusion

The physical conditions, as they relate to scenic resources adjacent to a scenic highway, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the

ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project site is not adjacent to, or visible from, a state scenic highway. Therefore, **no impact** would occur, and no further study is required.

c. Conflict with applicable zoning and other regulations governing scenic quality? (Less than Significant)

Analysis in the ConnectMenlo EIR

As discussed above, the following City General Plan goals and policies would serve to reduce impacts on visual quality and character in the Bayfront Area: Goal LU-1, Policy LU-1.1, Goal LU-4, Policy LU-4.3, Policy LU-4.5, Goal LU-6, Policy LU-6.2, Policy LU-6.8, Goal OSC-1, Policy OSC-1.11, Policy OSC-1.13, and Policy OSC-1.15. These policies encourage orderly development and land use patterns, promote high-quality architectural design, and protect and enhance the scenic qualities of Menlo Park.

Consistency with applicable zoning and other regulations was analyzed in the ConnectMenlo EIR as Impact LU-2 (pages 4.9-14 to 4.9-23) and determined to be less than significant with mitigation incorporated (as discussed in more detail in Section XI, Land Use and Planning). In addition, this checklist item related to aesthetics was analyzed in the ConnectMenlo EIR as Impact AES-3 (pages 4.1-15 to 4.1-16). The EIR concluded that the impacts would be less than significant. Although more intense development with taller and larger buildings could occur in the Bayfront Area, future development would not result in a substantial change to the existing visual character of the Bayfront Area or its surroundings. No mitigation measures were required.

Project-Specific Discussion

For purposes of this analysis, a conflict with applicable zoning and other regulations governing scenic quality would occur if the Project were to introduce a new visible element that would be inconsistent with the overall scenic quality, scale, and character of surrounding development. The development would also need to be consistent with City General Plan policies, the City Zoning Ordinance, and the Menlo Park Municipal Code. The analysis considers the degree of contrast between proposed features and the existing features that represent the area's aesthetic image, in addition to the degree to which the Project would contribute to the area's aesthetic value.

Construction

As described above, the Project site is not considered visually sensitive because of its urbanized surroundings with industrial, office, and warehouse buildings. Project construction would include demolition, excavation, and construction activities on the Project site. These construction activities, which would occur over an approximately 37-month period, would temporarily degrade the existing visual character of the Project site and the surrounding area. Construction materials and equipment would be staged entirely onsite, at the Jefferson Site, prior to construction of the proposed Jefferson Park and surface parking area. Construction fencing and existing landscaping would provide visual screening. Although construction would be visible from public view corridors along Jefferson Drive, this is not a heavily traveled road. Regardless, visual degradation associated with construction would be short term and temporary and would not conflict with applicable zoning and other regulations governing scenic quality.

Operation

The design of Building 3 would be similar to the design of Buildings 1 and 2. The core architectural form of the proposed building would be a four-story rectangular structure with a low-tint glass façade. From the core rectangular form, smaller rectangular forms would project outward, spanning the second and third floors at all four corners of the building and creating recesses at the first and fourth floors of each corner. At the center of the front and rear elevations of the building, an additional rectangular projection, two stories in height, would extend outward from the core rectangular form. All of the projecting rectangular elements would have façades with gray tinted glass, differentiating them from the low-tint glass of the core façade. Balconies would be incorporated at the fourth floor on each elevation and also at the third floor on the front and rear elevations.

The proposed four-story orthogonal parking structure would step in as it extends to the east, creating relief along the property. Along the rearmost wall of the proposed parking structure, a mesh screen with a large graphic would obscure views of parked vehicles and structural elements within Kelly Park and other surrounding areas. Through the use of an aluminum composite canopy along the top of the central portion of the west elevation (the elevation facing the proposed and existing office buildings), the design of the proposed parking structure would reflect the design of the proposed office building. The parking structure would be constructed almost entirely of concrete that would be painted in tan and gray hues. On the portions of each elevation not concealed by painted concrete walls, the interior floors of the parking structure would be open to the exterior, with cable guard rails along the outer edges of each level.

Landscaping would be provided around the perimeter of Building 3 and the parking structure as well as along the western and southern edges of the Project site. After implementation of the Project, approximately 128,533 sf of public open space and 107,333 sf of private open space would be provided at the Project site, totaling approximately 235,866 sf of open space, including existing open space. A 0.2-mile-long, 20-foot-wide paseo for bicyclists and pedestrians would be constructed along the eastern boundary of the Jefferson Site. The paseo would continue south to the southwest border of the Project site at Commonwealth Drive, then extend east along the edge of the southern parcel adjacent to US 101. From there, a pedestrian path would continue north, looping around the Project site. The path would be along the private access road that connects Commonwealth Drive and Jefferson Drive.

As discussed above, the area surrounding the Project site is an urbanized area with office parks, warehouses, and expansive surface parking lots. It is not a visually significant area. Because of flat topography and distance, the Project site is not visible from most public areas in the vicinity. As shown in Figure 3.1-2a, the existing Building 2 is visible from US 101. With implementation of the Project, Building 3 and the parking structure would also be visible. However, the height of Building 3 would be similar to that of Buildings 1 and 2. It would be mostly blocked from view by Buildings 1 and 2 because it would be in the northern portion of the Commonwealth Site, away from US 101. In addition, the parking structure, which would be shorter than the onsite office buildings, would be visible only through the existing dense perimeter vegetation. US 101 is not a designated scenic route, and motorists only have fleeting views of the Project site because of the permitted speed. In addition, motorists typically direct their attention to the freeway ahead, rather than views from the freeway.

As shown in Figure 3.1-2b, views from Kelly Park (facing west) consist of the park's playing field and onsite lighting in the foreground and the existing Building 2 in the middle-ground view. Perimeter vegetation and fencing obstruct the majority of ground-level views, including the surface parking lot.

With implementation of the Project, the proposed Building 3 would appear to be the same height as existing Building 2. Furthermore, the proposed building would increase the massing and bulk at the Project site. The proposed parking structure would be in front of the office buildings, blocking views of the lower levels. Although the Project would change current visual conditions as seen from Kelly Park, the structures would be consistent with existing development at the Project site and partially screened by existing and proposed landscaping.

Building 3 would be visible from select locations within the Suburban Park-Lorelei Manor-Flood Park Triangle neighborhood but mostly blocked by the existing Building 2. As described above, US 101 separates the Project site from this neighborhood; because of the flat topography, the existing buildings on the Project site are not visible from most public viewpoints. However, it is anticipated that Building 3 would be partially visible beyond Building 2, over the few residential rooftops seen from Hedge Road and the backyards of the residential properties along the road. Because of the proposed height, it is unlikely that the proposed parking structure would be visible from Hedge Road. Although Building 3 would be partially visible to a limited number of residents, it would not substantially alter the existing visual character of the area or obstruct any valued view corridors.

As described, the Project would result in new building height, bulk, and massing at the Project site. However, the Project site is already developed with two existing buildings of similar height, bulk, and design as the proposed structures. Therefore, the Project would be compatible with the existing visual character and quality of its surroundings. The Project would construct two new structures that would represent a continuation of the existing pattern of office development and reflect a similar design and landscape. Implementation of the Project would not substantially change the visual character of the Project site or significantly alter the quality of the surrounding areas because of the perimeter vegetation, trees, and flat topography.

Conclusion

The physical conditions, as they relate to visual character, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would be subject to the City's architectural control process, in accordance with Section 16.68.020 of the City Zoning Ordinance, and required to comply with applicable design standards, as outlined in the City Zoning Ordinance. In addition, City General Plan goals and policies, as listed above, would serve to minimize potential adverse impacts on aesthetic resources. Impacts would be ***less than significant***. No further study is required.

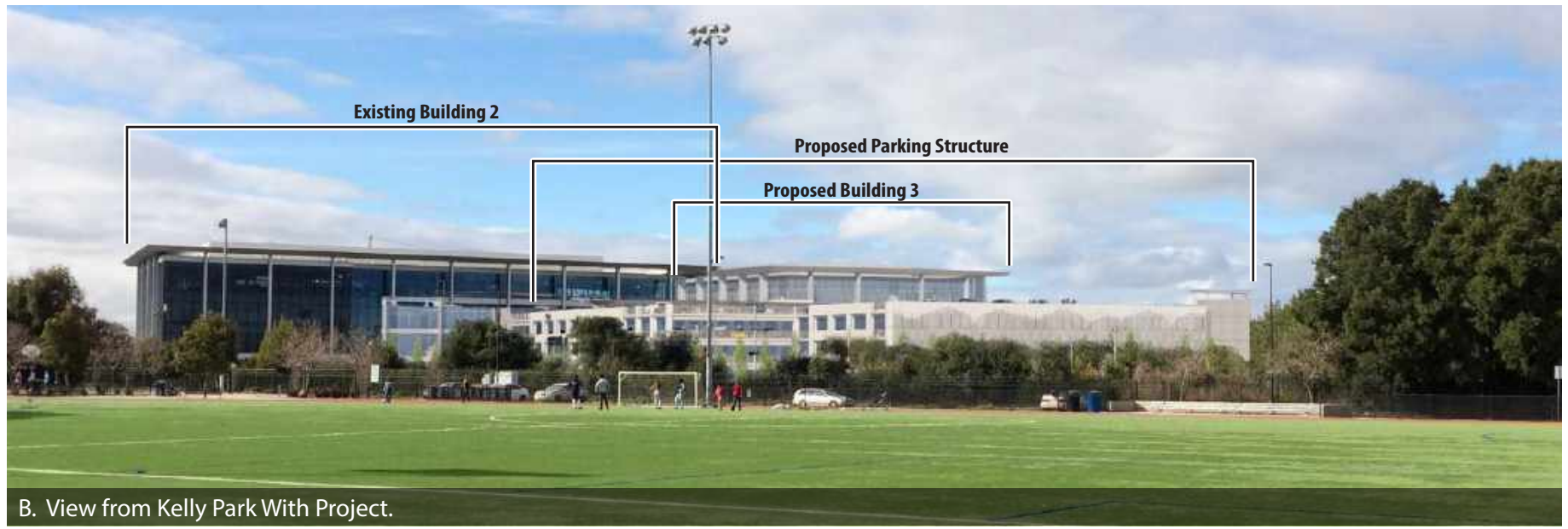
- d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-4 (pages 4.1-16 to 4.1-17). Impacts would be less than significant because new development would be required to comply with general best management practices and City General Plan policies. No mitigation measures were required.



A. View of Project Site from Southbound US 101 With Project.



B. View from Kelly Park With Project.

Graphics ... 000811815 (3-27-2019)

Figure 3.1-2
Views of Project Site With Proposed Buildings
Commonwealth Building 3

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Project-Specific Discussion

Building, parking lot, and security lighting is currently present throughout the Project site. Proposed development at the Project site would result in increased nighttime lighting from vehicles, interior circulation areas, the parking structure, the new office building, Jefferson Park, and security features. Lighting would continue to be provided throughout the Project site by roadway/driveway lights, area lights, bollards, and in-ground lights. The proposed lighting at the Project site would be visible from US 101, Jefferson Drive, and other area streets, resulting in a potential nuisance or distraction for motorists. However, some of the lights would be screened by onsite vegetation. In addition, because of the urbanized nature of the surrounding area, a significant amount of ambient nighttime lighting currently exists, thereby affecting views of the nighttime sky. The lighting performance standards set by the U.S. Green Building Council under the LEED program pertain to lighting specifications, shielding techniques, automatic lighting controls, and light pollution. Although building surfaces could be reflective, glare would be minimized through Project design.

Conclusion

The physical conditions, as they relate to light and glare, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Compared with existing conditions at the site, the Project would result in increased light and glare, which would adversely affect daytime and nighttime views. However, the Project would be subject to the City's architectural control process, in accordance with Section 16.68.020 of the City Zoning Ordinance, and required to comply with applicable design standards, as outlined in the City Zoning Ordinance. This review would ensure that the proposed design, construction materials, and lighting would be consistent with area practices and proposed lighting would be directed downward so as not to spill over on adjacent properties, resulting in *less-than-significant* impacts. No further study is required.

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II. Agricultural and Forestry Resources	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
<p>In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.</p>					
<p>Would the Project:</p>					
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Result in the loss of forestland or conversion of forestland to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Involve other changes in the existing environment that, because of their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The Project site does not contain Farmland, nor is it adjacent to any Farmland. The site is considered Urban and Built-Up Land (i.e., land that is occupied by structures with a building density of at least one unit to 1.5 acres).⁹ In addition, the Project site is not currently protected under the Williamson Act or zoned for agricultural uses.¹⁰ The Project site is zoned Office Bonus (O-B), which does not allow for agricultural uses.

⁹ California Department of Conservation. 2018. *2016 Farmland Mapping and Monitoring Program*. Available <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/smt16.pdf>. Accessed: June 18, 2018.

¹⁰ California Department of Conservation. 2012. *San Mateo County Williamson Act, FY 2006/2007*. Last revised: 2012. Available: ftp://ftp.consrv.ca.gov/pub/dlrp/wa/SanMateo_06_07_WA.pdf. Accessed: April 25, 2018.

There are currently 507 trees on the Project site. However, these are not considered to be forestry resources, per the definitions of Public Resources Code (PRC) Section 12220(g); timberland, as defined by PRC Section 4526; or timberland zoned Timberland Production, per Government Code Section 51104(g). According to the Open Space/Conservation Element of the City General Plan, Menlo Park includes several natural community types, including oak woodlands. However, per the Existing Vegetation map in the City General Plan, the Project site is in an Urban area.¹¹ No changes are proposed to the number of trees on the southern portion of the Project site.

Environmental Checklist and Discussion

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (No Impact)**

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (page 6-1); it was determined that it would result in no impact. No mitigation measures were recommended.

Conclusion

According to the 2010 Farmland Mapping and Monitoring Program from the California Department of Conservation, the Project site is in an area that is designated as Urban and Built-Up Land,¹² which is not considered Farmland. The physical conditions, as they relate to Farmland, have not changed in the ConnectMenlo EIR study area since preparation of the EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. **No impact** would occur, and no further study is needed.

- b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?**

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (page 6-1); it was determined that it would also result in no impact. No mitigation measures were recommended.

Conclusion

The Project site is not zoned for agricultural use or under a Williamson Act contract. The Project involves the construction of facilities for office uses within an area that is already developed with two office buildings, landscaping, and surface parking lots. Construction of the Project would not result in the conversion of Farmland to a nonagricultural use. The physical conditions, as they relate to agricultural resources, have not changed in the ConnectMenlo EIR study area since preparation of the EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects

¹¹ City of Menlo Park. 2013. *City of Menlo Park General Plan*. Open Space/Conservation, Noise, and Safety Elements. May 21.

¹² California Department of Conservation. 2018. *2016 Farmland Mapping and Monitoring Program*. Available <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/smt16.pdf>. Accessed: June 18, 2018.

than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. As such, the Project would have **no impact** on agricultural resources. No further study is needed.

c-e Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)); result in the loss of forestland or conversion of forestland to non-forest use; or involve other changes in the existing environment that, because of their location or nature, could result in the conversion of Farmland to nonagricultural use or conversion of forestland to nonforest use? (No Impact)

Analysis in the ConnectMenlo EIR

These checklist items were analyzed in the ConnectMenlo EIR (page 6-1); it was determined that ConnectMenlo would also result in no impact on forestlands. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to the conversion of Farmland or forestland, have not changed in the ConnectMenlo EIR study area since preparation of the EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project site is not used to grow trees for commercial lumber or other forest products; therefore, the Project site is not considered timberland. Per PRC Section 12220(g), forestland is defined as land that can support a 10 percent native tree cover of any species. As such, the Project site is not considered forestland and is currently undeveloped. The Project site is also not used for timberland production and would not convert farmland or forestland. As such, the Project would not conflict with existing zoning for forestland or timberland. **No impact** would occur, and no further study is needed.

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III. Air Quality	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase in any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

As discussed in more detail, below, this topic will be analyzed further in the Focused EIR for the Project. Therefore, the setting is not discussed in this document but will be provided instead in the Focused EIR.

General Plan Goals and Policies

General Plan goals and policies related to air quality will be outlined and discussed in the Focused EIR.

Environmental Checklist and Discussion

a. Conflict with or obstruct implementation of the applicable air quality plan? (Less than Significant)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AQ-1 (pages 4.2-21 through 4.2-35) and determined to result in less-than-significant impacts. ConnectMenlo was expected to reduce vehicle miles traveled (VMT) per service population citywide, even though, overall, the plan would result in an exceedance of Association of Bay Area Governments (ABAG) projections. It was further determined that the policies identified in ConnectMenlo would not hinder implementation of the Clean Air Plan, which is the relevant Air Quality Management Plan for the Project. Impacts were found to be less than significant, and no mitigation measures were recommended.

Project-Specific Discussion

The small number of employees and residents in Menlo Park generated by the Project would be within the growth projections anticipated through implementation of ConnectMenlo. The Project would be required to adhere to relevant ConnectMenlo policies, develop a TDM program to reduce VMT, comply with the City's Green Building requirements and achieve the prescribed level of LEED certification, comply with zoning that requires electric vehicle chargers, comply with clean energy requirements, and adhere to a zero-waste management plan.

The Project would also be required to comply with goals, policies, and programs to minimize adverse impacts on air quality, including those in the Open Space/Conservation, Noise and Safety, and Circulation Elements. Overall, compliance with the goals, policies, and programs discussed above would ensure that the Project would not hinder implementation of the Clean Air Plan.

Conclusion

The physical conditions, as they relate to consistency with the Clean Air Plan, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. In addition, the Project would not hinder implementation of the Clean Air Plan for the reasons discussed above. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would result in a **less-than-significant** impact, and no further study is needed.

- b. Result in a cumulatively considerable net increase in any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard? (Topic to Be Analyzed in the Focused EIR)**

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AQ-2 (pages 4.2-35 through 4.2-42) and determined to result in significant and unavoidable impacts for both construction and operational emissions, even with implementation of mitigation measures. Despite the conclusion of significant and unavoidable, as discussed below, ConnectMenlo Mitigation Measures AQ-2a, AQ-2b1, and AQ-2b2 require additional analysis.

Conclusion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, the ConnectMenlo EIR requires that additional technical analysis be performed. This analysis could identify impacts that were not previously disclosed. Specifically, the Focused EIR will demonstrate compliance with the following ConnectMenlo Mitigation Measures: AQ-2a (preparation of a technical assessment evaluating potential operational impacts), AQ-2b1 (compliance with the air district's basic control measures for reducing construction-related emissions), and AQ-2b2 (preparation of a technical assessment evaluating construction-related impacts). Therefore, this topic requires **further environmental review** in the Focused EIR.

c. Expose sensitive receptors to substantial pollutant concentrations? (Topic to Be Analyzed in Focused EIR)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AQ-3 (pages 4.2-43 through 4.2-50) and determined to result in less-than-significant impacts with implementation of mitigation measures. ConnectMenlo Mitigation Measure AQ-3a requires additional analysis.

Conclusion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, the ConnectMenlo EIR requires that additional technical analysis be performed. This analysis could identify impacts that were not previously disclosed. Specifically, the Focused EIR will demonstrate compliance with Mitigation Measure AQ-3a, which requires preparation of a health risk assessment for a project within 1,000 feet of a sensitive land use. Therefore, this topic requires **further environmental review** in the Focused EIR.

d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (No Impact)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AQ-4 (pages 4.2-51 through 4.2-52) and determined to result in less-than-significant impacts. No mitigation measures were recommended. As discussed in the ConnectMenlo EIR, the Land Use Element would require planning and development decisions to consider the creation of objectionable odors.

Conclusion

The physical conditions, as they relate to creating objectionable odors, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. In addition, the Project would not result in land uses that would create objectionable odors because the Project site would be infill development in an existing office park setting. The Project would result in **no impact**, and no further study is needed.

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IV. Biological Resources	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands, including, but not limited to, marshes, vernal pools, coastal wetlands, through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Methods

ICF reviewed the following sources to identify existing biological resources near the Project site:

- Biological resources section of the ConnectMenlo EIR
- *Commonwealth Corporate Center Building 3 Biological Resources Assessment* prepared by H. T. Harvey & Associates¹³

ICF biologist Matt Ricketts collected preliminary information on biological resources at the Project site on April 24, 2018. Observations were made by walking across the Project site and around the site while recording field notes on plants, animals, and habitat features (e.g., ornamental trees with old stick nests). Additional information on biological resources can be found in the biological resources assessment prepared by H. T. Harvey & Associates,¹⁴ attached to this Initial Study as Appendix A. The report was informed by reconnaissance-level surveys of the Project site by H. T. Harvey & Associates plant ecologist Matthew Mosher on January 29, 2019, and wildlife ecologist Ginger Bolen on February 8, 2019.

Topography and Soils

The Project site is relatively flat, with an elevation of approximately 7 to 14 feet above mean sea level. The Natural Resources Conservation Service has mapped soils on the site as Urban Land-Orthents (reclaimed complex, 0 to 2 percent slopes). This soil type is generally associated with former tidal flats as well as salt marshes, which occurred at this location prior to urban development.

Land Cover

The entire Project site has been modified for human use and does not support any natural plant communities. It is dominated by urban land cover (i.e., buildings, paved parking lots, ornamental landscaping). Landscaping includes primarily nonnative tree species such as plum (*Prunus* sp.), Brisbane box (*Laphostemon confertus*), holly oak (*Quercus ilex*), and strawberry (*Arbutus unedo*). In addition, two landscaped bioretention basins occur on the eastern edge of the site. The basins are vegetated with spreading rush (*Juncus patens*). Each basin is drained by a stormwater gate, which is located at the lowest part of the basin.

Wildlife Habitat

The Project site provides habitat (i.e., “the resources and conditions present in an area that produce occupancy...by a given organism”)¹⁵ for common wildlife species that have successfully adapted to high disturbance levels, ornamental vegetation, and abundant food sources (e.g., food waste in trash cans, seeds and flowers produced by ornamental plants), which are characteristic of urban landscapes. Wildlife species observed by ICF and/or H. T. Harvey biologists during reconnaissance surveys included mourning dove (*Zenaida macroura*), Anna’s hummingbird (*Calypte anna*), California scrub-jay

¹³ H. T. Harvey & Associates. 2019. *Commonwealth Corporate Center Building 3 Biological Resources Assessment*. Prepared for The Sobrato Organization, Cupertino, CA. February 5.

¹⁴ Ibid.

¹⁵ Hall, L. S., P. R. Krausman, and M. L. Morrison. 1997. The Habitat Concept and a Plea for Standard Terminology. In *Wildlife Society Bulletin* 25:173–182.

(*Aphelocoma californica*), American crow (*Corvus brachyrhynchos*), dark-eyed junco (*Junco hyemalis*), house finch (*Haemorhous mexicanus*), and lesser goldfinch (*Spinus psaltria*). No active bird nests were observed during surveys, but the ornamental trees provide potential nesting habitat for crows, finches, hummingbirds, and other urban nesting birds, such as Cooper's hawk (*Accipiter cooperi*), red-shouldered hawk (*Buteo lineatus*), northern mockingbird (*Mimus polyglottos*), and American robin (*Turdus migratorius*). Small burrowing mammals such as California ground squirrel (*Spermophilus beecheyi*) were observed in low numbers. Other generalist mammal species that are expected to occur on the Project site include raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginiana*), roof rat (*Rattus rattus*), Norway rat (*Rattus norvegicus*), feral and domestic cats (*Felis catus*), and striped skunk (*Mephitis mephitis*). Common urban-adapted amphibians or reptiles that may occur include Sierran treefrog (*Pseudacris sierra*) and western fence lizard (*Sceloporus occidentalis*). H. T. Harvey ecologists closely examined trees for large cavities that could provide roosting habitat for bats or evidence of previous nesting by raptors (e.g., old stick nests) but observed neither.

Wetlands and Non-Wetland Waters of the United States

The Project site is built on Bay fill and therefore located on the historic saltwater or brackish marshes that were filled in the 1960s to create more land for development. Although such Bay fill lands can sometimes revert to wetland conditions, the existing Project site is paved, landscaped, or otherwise graded; therefore, no wetlands or non-wetland waters of the United States are present. No evidence of wetlands or non-wetland waters of the United States was observed during the April 24, 2018, or January 2019 reconnaissance surveys.

Special-Status Species

For the purposes of this Initial Study, *special-status species* are those with one or more of the following characteristics:

- Species that are listed, proposed for listing, or candidates for possible future listing as threatened or endangered under the federal Endangered Species Act (ESA) of 1973, as amended.
- Species that are listed or proposed for listing as threatened or endangered under the California Endangered Species Act (CESA) of 1984, as amended.
- Species that are designated by the California Department of Fish and Wildlife (CDFW) as Species of Special Concern (SSC).
- Species that are designated as Fully Protected under Sections 3511 (birds), 4700 (mammals), and 5050 (reptiles and amphibians) of the California Fish and Game Code.
- Species that meet the definitions of rare or endangered under CEQA (Section 15380).

No special-status plant species are expected to occur on the Project site. The site lacks natural plant communities where these species could occur because it is entirely developed. There are no serpentine soils or other microhabitats to which such species have adapted. Special-status plants known to occur or potentially occurring in the Project vicinity and evaluated for this analysis are listed in Appendix B of the H. T. Harvey & Associates biological resources assessment.¹⁶

¹⁶ H. T. Harvey & Associates. 2019. *Commonwealth Corporate Center Building 3 Biological Resources Assessment*. Prepared for The Sobrato Organization, Cupertino, CA. February 5.

With the exception of pallid bat (*Antrozous pallidus*), a California SSC that may, on rare occasions, forage over the parking lot, and tree-nesting raptors (identified as special-status species by the ConnectMenlo EIR), no special-status animal species are expected to occur on the Project site. Most species covered in the H. T. Harvey & Associates report are not expected to occur because the Project site lacks habitat, is outside their known range, and/or is isolated from the nearest known population by urban development. Although some of these species, such as western snowy plover (*Charadrius alexandrinus nivosus*), California Ridgway's rail (*Rallus obsoletus obsoletus*), salt marsh harvest mouse (*Reithrodontomys raviventris*), and salt marsh wandering shrew (*Sorex vagrans halicoetes*), are known to occur in tidal marsh or salt pond habitat of the Don Edwards San Francisco Bay National Wildlife Refuge, approximately 2 miles to the north and east, these habitats are isolated from the Project site by urban development. Tree-nesting raptors that may nest in the ornamental trees near the site include red-shouldered hawk and Cooper's hawk.

Sensitive Natural Communities

Sensitive or natural communities (vegetation types) have limited distribution statewide or within a county or region. The CDFW's Vegetation Classification and Mapping Program (VegCAMP) works to classify and map the vegetation of California and determine the rarity of vegetation types. The current version of the CDFW VegCAMP List of Vegetation Alliances and Associations (or Natural Communities List)¹⁷ indicates which vegetation types are currently considered to be sensitive.

The California Natural Diversity Database (CNDDDB) identifies three sensitive natural communities within the nine U.S. Geological Survey quadrangles containing or surrounding the Project site: serpentine bunchgrass grassland, northern coastal salt marsh, and valley oak woodland. None of these communities are present on or adjacent to the Project site. As mentioned above, the entire site has been developed, and all traces of natural communities were removed when the area was filled for urban development in the early 20th century.

Wildlife Corridors

For the purposes of this Initial Study, a wildlife corridor is defined as "any space, usually linear in shape, that improves the ability of organisms to move among patches of wildlife habitat that join two or more larger areas of wildlife habitat."¹⁸ Corridors can be viewed over broad spatial scales, from those connecting continents (e.g., Isthmus of Panama) to structures crossing canals or roads. Most wildlife corridors analyzed within the context of land use planning, including those in this Initial Study, are moderate in scale and used to facilitate regional wildlife movement among habitat patches and through human-dominated landscapes.

The Project site is not within or adjacent to any wildlife corridors. As described in the ConnectMenlo EIR, most urbanized portions of Menlo Park preclude dispersal and movement by terrestrial wildlife, with the exception of unchannelized creeks (e.g., San Francisquito Creek), unobstructed ridgelines, and the shoreline of San Francisco Bay. None of these features occur on or adjacent to the Project site.

¹⁷ California Department of Fish and Wildlife. 2018. *California Natural Community List*. October 15. Available: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153398&inline>. Accessed: March 21, 2019.

¹⁸ Hilty, J. A., W. Z. Lidicker Jr., and A. M. Merenlender. 2006. *Corridor Ecology: The Science and Practice of Linking Landscapes for Biodiversity Conservation*. Washington, DC: Island Press.

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that would require local planning and development decisions to consider impacts on biological resources. The following City General Plan goals, policies, and programs would serve to minimize potential adverse impacts on biological resources: Goal LU-4, Policy LU-4.5, Goal LU-6, Policy LU-6.8, Policy LU-6.11, Program LU-6.D, Goal OSC-1, Policy OSC-1.1, Policy OSC-1.3, Policy OSC-1.4, Policy OSC-1.5, Policy OSC-1.11, Policy OSC-1.12, Policy OSC-1.13, and Policy OSC-1.15.

Environmental Checklist and Discussion

- a. *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-1 (pages 4.3-19 to 4.3-23); it was determined that it would result in a potentially significant impact on sensitive habitats from future projects. The ConnectMenlo EIR found that City General Plan goals, policies, and programs, as well as bird-safe design regulations for the Bayfront Area, would minimize impacts. In addition, implementation of ConnectMenlo Mitigation Measure BIO-1 would reduce the impact to less than significant by requiring project applicants to prepare and submit a project-specific BRA if a project occurs on or adjacent to a parcel containing natural habitat. Mitigation Measure BIO-1 would require any mitigation measures identified in the project-specific BRA to be incorporated as components of the proposed project and subsequent building permit, subject to review and approval by the Community Development Department and appropriate regulatory and resource agencies. For the Project, H. T. Harvey & Associates prepared a BRA in accordance with Mitigation Measure BIO-1, as discussed in more detail below.

Project-Specific Discussion

With the exception of pallid bat and tree-nesting raptors, no special-status species are expected to occur onsite because of the Project site's urban setting and consequent lack of the natural communities to which these species are adapted. Most special-status species in the vicinity are associated with the extensive tidal marshes or salt pond complexes adjacent to San Francisco Bay. Although such habitat occurs within 2 miles of the Project site, the distributions of these species are limited by specific environmental requirements (e.g., moisture, salinity, topography, soil types, vegetation structure) that do not occur in the urban environment. The ornamental trees provide nesting habitat for tree-nesting raptors such as Cooper's hawk and red-shouldered hawk. These common species have not been identified as candidate, sensitive, or special-status species by the U.S. Fish and Wildlife Service or CDFW but are tree-nesting raptors and therefore considered special-status species by a local plan (i.e., ConnectMenlo EIR).

If the Project is implemented during the nesting season (February 1 to September 14), tree and shrub removal could result in direct mortality of adult or young birds, the destruction of active nests, and/or a disturbance for nesting adults, causing nest abandonment and/or loss of reproductive effort. Native bird species are protected by both state (California Fish and Game Code

Sections 3503 and 3513) and federal (Migratory Bird Treaty Act [MBTA] of 1918) laws. To ensure that any disturbance of nesting birds that results in the abandonment of active nests or litters or the loss of active nests through vegetation or structure removal would be a ***less-than-significant*** impact, the BRA identifies the mitigation measures below, which would be incorporated as components of the Conditional Development Permit for the Project.

MITIGATION MEASURES. The Project would implement the following Project mitigation measures, as outlined in the BRA prepared for the Project (Appendix A), to reduce potential impacts on white-tailed kite and tree-nesting raptors.

- BR-1: Nesting Bird Avoidance.* To the extent feasible, construction activities (or at least the commencement of such activities) shall be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code shall be avoided. The nesting season for most birds in San Mateo County extends from February 1 through August 31.
- BR-2: Preconstruction/Pre-disturbance Surveys.* If it is not possible to schedule construction activities between September 1 and January 31, preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of construction activities. During this survey, the ornithologist shall inspect all trees and other potential nesting substrates (e.g., trees, shrubs, ruderal grasslands, buildings) in and immediately adjacent to the impact areas for nests.
- BR-3: Active Nest Buffers.* If an active nest is found close to work areas that are to be disturbed by construction activities, the qualified ornithologist shall determine the extent of the construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species) to ensure that no nests of species that are protected by the MBTA and California Fish and Game Code are disturbed during project implementation.
- BR-4: Inhibition of Nesting.* If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, other vegetation) that are scheduled to be removed by the project shall be removed prior to the start of the nesting season (i.e., before February 1). This will preclude the initiation of nests in such vegetation and prevent potential delay of the Project because of the presence of active nests in these substrates.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Because the Project site contains mature (albeit nonnative) trees that could support active nests of common birds that are protected under the MBTA, a BRA was prepared in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR (included in Appendix A of this document and summarized here). Mitigation measures are included in the BRA to reduce impacts on nesting birds. Therefore, the Conditional Development Permit for the Project would

implement Project Mitigation Measures BR-1 through BR-4 to avoid such impacts. Mitigation measures that would be incorporated as components of the Project are included in the BRA (BR-1 through BR-4) to reduce impacts on nesting birds. Impacts on special-status species as a result of the Project would be *less than significant*, and no further study is needed.

- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (No Impact)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-2 (pages 4.3-24 to 4.3-25), which found that, without preparation of project-specific assessments for future projects on or near sensitive habitats, impacts on sensitive natural communities would be potentially significant. The ConnectMenlo EIR found that implementation of Mitigation Measure BIO-1 (completion of a BRA) would reduce the impact to less than significant by requiring project-specific assessment of biological resources.

Conclusion

A BRA was prepared for the Project in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR (Appendix A). There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project site does not contain any riparian habitat or sensitive natural communities. Therefore, the Project would have *no impact* on these resources, and no further study is needed.

- c. Have a substantial adverse effect on state or federally protected wetlands, including, but not limited to, marshes, vernal pools, coastal wetlands, through direct removal, filling, hydrological interruption, or other means? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-3 (pages 4.3-25 and 4.3-26). The ConnectMenlo EIR found that direct and indirect impacts on wetland habitat could occur if adequate controls are not implemented. Without the preparation of project-specific assessments for future projects on or near wetlands, impacts could be potentially significant. The ConnectMenlo EIR found that implementation of Mitigation Measure BIO-1 (completion of a BRA) would reduce the impact to less than significant by requiring project-specific assessment of biological resources.

Project-Specific Discussion

No wetlands occur on or immediately adjacent to the Project Site. Therefore, the Project would result in no direct impacts on jurisdictional wetlands. Although no direct impacts would occur, development of the project site has the potential to cause indirect impacts on nearby wetlands or water quality within those wetlands, based on the site's runoff patterns. Indirect impacts on wetlands and jurisdictional other waters include an increase in the potential for sedimentation due to construction grading and ground disturbance, an increase in the potential for erosion due to increased runoff volumes generated by impervious surfaces, and an increase in the potential for

water quality degradation due to increased levels of non-point pollutants. Water quality degradation may occur even if wetlands are not in the immediate vicinity. However, as discussed in Section X, *Hydrology and Water Quality*, compliance with state requirements under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit and the Regional Water Quality Control Board– (RWQCB-) required stormwater pollution prevention plan (SWPPP) to control the discharge of stormwater pollutants during construction, as well as post-construction measures and design features required by the Municipal Regional Permit, would reduce the project's potential impact on water quality.

Conclusion

A BRA was prepared for the Project in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR (Appendix A). There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project site does not contain any wetlands or non-wetland waters of the United States that are subject to U.S. Army Corps of Engineers jurisdiction under Section 404 of the Clean Water Act, and no such features are present adjacent to the site. However, indirect impacts on nearby wetlands or non-wetland waters could occur from site runoff. Compliance with the above-mentioned state stormwater controls would reduce potential impacts to a *less-than-significant* level. Therefore, no further study is needed.

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-4 (page 4.3-26). The ConnectMenlo EIR found that a project-specific assessment would be necessary to determine whether any important wildlife movement corridors are present on undeveloped lands where development is proposed. Without preparation of project-specific assessments for future projects on or near sensitive habitats, impacts in the ConnectMenlo EIR study area would be considered potentially significant. The ConnectMenlo EIR found that implementation of Mitigation Measure BIO-1 would reduce the impact to less than significant by requiring project-specific assessment of biological resources.

Project-Specific Discussion

The Project site is not within or adjacent to any wildlife corridors. Therefore, the Project would have *no impact* on this resource. However, trees on the site provide nesting habitat for native resident and migratory birds that are protected under the MBTA and California Fish and Game Code. If the Project is implemented during the nesting season (February 1 to September 14), tree and shrub removal could result in direct mortality of adult or young birds, the destruction of active nests, and/or disturbance of nesting adults, causing nest abandonment and/or loss of reproductive effort. To ensure that any disturbance of nesting birds that results in the abandonment of active nests or litters or the loss of active nests through vegetation or structure removal would be a *less-than-significant* impact on native wildlife nursery sites (i.e., bird nests), the BRA identifies the mitigation measures below, which would be incorporated as components of the Project.

MITIGATION MEASURES. Per ConnectMenlo Mitigation Measure BIO-1, a BRA (Appendix A) has been prepared for the Project. Based on the recommendations in the BRA, the Project would incorporate BR-1 through BR-4, as included above, as components of the Project.

Conclusion

The physical conditions, as they relate to local policies or ordinances for protecting biological resources, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. As explained above, a BRA was prepared in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR. The BRA (Appendix A) recommends mitigation measures to reduce impacts on native wildlife nursery sites. As required by Mitigation Measure BIO-1, Mitigation Measures BR-1 to BR-4, as included above, consistent with the BRA, are incorporated as components of the Project. Impacts would be *less than significant*, and no further study is needed.

- e. ***Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-5 (page 4.3-27); it was determined that it would result in a less-than-significant impact. The ConnectMenlo EIR found that, with adherence to City General Plan goals, policies, and programs, as well as the City Municipal Code, the impact would be less than significant.

Project-Specific Discussion

The Project is subject to the City's Heritage Tree Ordinance, codified in Chapter 13.24 of the City Municipal Code.¹⁹ As required by the ordinance, tree surveys shall be conducted by an International Society of Arboriculture-certified arborist, and a tree report and map shall be prepared to show the locations of all pertinent trees prior to initiation of construction activities. Any work performed within an area 10 times the diameter of the tree (i.e., the tree protection zone) shall require submittal of a tree protection plan prepared by a certified arborist for review and approval by the Community Development Director or his/her designee prior to issuance of any permit for grading or construction. Removal of heritage trees requires an appropriate permit from the Director of Public Works or his/her designee and payment of a fee. Only one of the 507 trees on the site meets the City's definition of a heritage tree; it is not proposed for removal.

The Project would also be subject to Chapter 16.43.140 (6) of the City Municipal Code, which concerns bird-friendly design guidelines for new buildings. The Project would construct a new building with a height of approximately 69 feet and a low-tint glass façade, along with a multi-level parking structure. Glass windows and building façades can result in bird injury or mortality because birds do not perceive glass as an obstruction. They may collide with glass that reflects the sky or vegetation or glass that is transparent, which allows birds to perceive an unobstructed flight route to vegetation inside the building. Most bird/window collisions occur within the first 60 feet of the ground.²⁰

¹⁹ City of Menlo Park Municipal Code, Section 13.024.10.

²⁰ City of San Francisco. 2011. *Standards for Bird-safe Buildings*. San Francisco Planning Commission. July 14. Available: http://default.sfplanning.org/publications_reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf. Accessed: June 20, 2018.

Vegetation in the vicinity of the Project site is limited to nonnative ornamental trees and shrubs. It lacks the structural diversity that typically attracts large numbers of native birds. Species with the greatest potential to collide with new buildings are primarily the common, urban-adapted passerines that currently use the site. The Project is within the primary “bird collision zone” (i.e., within 0 to 60 feet of the ground); therefore, it would be subject to the zoning regulations set forth in Chapter 16.43.140 (6) of the City Municipal Code (Bird-Friendly Design Requirements). H. T. Harvey & Associates conducted an analysis of the Project’s compliance with the City’s six bird-friendly design standards and concluded that the Project complies with all but two of the standards.²¹ The analysis for these two standards is summarized below.

Design Standard 1. *No more than 10 percent of façade surfaces shall have non-bird-friendly glazing.* Building 3 would include extensive glazing over more than 10 percent of the façade, including within 60 feet of the ground. Because this glazing would not be treated (i.e., “non-bird friendly”), the building would not meet the standard. However, as indicated in the BRA, the overall architectural design of the building, as well as the bird-safe glazing treatment on balcony railings, would be enough to avoid significant impacts on native birds. Although occasional collisions between birds and the glass façade of the proposed building may occur, the frequency of such collisions is expected to be low for several reasons. The number of birds expected to occur in the Project vicinity is expected to be low because of the relatively low habitat quality of the ornamental landscaping. There are no areas of dense native vegetation or large water features that would attract large congregations of birds. In addition, glass balcony railings would be treated with bird-safe glazing. Finally, the façade would be “broken up” by solid, opaque horizontal and vertical elements, thereby making them more visible to flying birds and less likely to be mistaken for the sky or vegetation.

Design Standard 4. *Glass skywalks or walkways, freestanding (see-through) glass walls and handrails, and transparent building corners shall not be allowed.* Building 3 would not meet this standard because it would include glass corners on all sides of the building and all floors; it would also include freestanding glass handrails on the perimeter of the fourth-floor balcony. However, the glass used for the handrails would be treated with a frit pattern that would make the railings more visible to birds. Even in the absence of such treatment, however, the frequency of bird collisions is expected to be low for the reasons cited above. In addition, most collisions would involve regionally abundant, urban-adapted bird species and therefore would not result in the loss of a substantial portion of any species’ Bay Area population (i.e., would not cause any population to drop below self-sustaining levels). Therefore, the elimination of glass corners or glass handrails would not be expected to significantly reduce the number of future bird collisions.

Conclusion

The physical conditions, as they relate to local policies or ordinances for protecting biological resources, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would not meet two of the City’s six bird-friendly design standards or the requirements of ConnectMenlo Mitigation Measure BIO-1, which requires

²¹ H. T. Harvey & Associates. 2019. *Commonwealth Corporate Center Building 3 Biological Resources Assessment*. Prepared for The Sobrato Organization, Cupertino, CA. February 5.

compliance with bird-friendly designs. However, the site-specific evaluation contemplated by Section 16.43.140(6)(H) concludes that other aspects of the building's design, as well as the frequency of bird collisions, which is expected to be low, would make these deviations acceptable and avoid significant impacts related to bird strikes. Section 16.43.140(6)(H) allows the Planning Commission to grant a waiver regarding the two bird-friendly design standards that would not be met by the Project but would be included as part of the Project Conditional Development Permit. In addition, because the Project would not remove heritage trees, and the Project would not cause a significant number of birds to collide with windows, this impact would be considered ***less than significant***, and no further study is needed.

- f. Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan? (No Impact)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-6 (pages 4.3-27 to 4.3-28); it was determined that it would result in a potentially significant impact because of potential conflicts with the Stanford Habitat Conservation Plan (HCP). Implementation of ConnectMenlo Mitigation Measure BIO-6 (requiring implementation of Mitigation Measure BIO-1) would reduce impacts to less than significant.

Conclusion

The Project site is not within a geographic area covered by an adopted HCP or natural community conservation plan. The closest such plan is the Stanford HCP for an area in the Matadero/Deer Creek and San Francisquito Creek watersheds, approximately 6 miles to the south. A BRA was prepared for the Project in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Because the Project site is not covered by an HCP, the Project would have ***no impact*** on the provisions of an adopted HCP, natural community conservation plan, or other approved local, regional, or state HCP. No further study is needed.

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V. Cultural Resources	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:					
a) Cause a substantial adverse change in the significance of a historical resource, pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Historic Resources

The Project site and immediate vicinity, which are near San Francisco Bay in present-day Menlo Park, remained largely undeveloped until the 1950s. At that time, the Project site was among 200 acres acquired by developer David Bohannon for construction of Bohannon Industrial Office Park. By 1958, buildings, including large-scale industrial facilities, were present within the current boundaries of the Commonwealth Site, and over the following decade, the surrounding industrial office park was developed with roadways and additional office and manufacturing facilities.

The properties at 160 Jefferson Drive (assessor’s parcel number [APN] 055-243-040) and 165 Jefferson Drive (APN 055-242-090), two rectangular-plan office and warehouse buildings that currently stand adjacent to the Jefferson Site, were both constructed during the first half of the 1960s. The structure at 160 Jefferson Drive, which is west-adjacent to the Jefferson Site, was built circa 1962 to 1963 to house Lacar Enterprises, Inc., a household goods company. The structure at 165 Jefferson Drive, located north-adjacent to the Jefferson Site, was constructed circa 1963 to 1965 to house the Wells Lamont Corporation, a glove manufacturer. By 1980, Bohannon Industrial Office Park was predominantly built out. The 1950s-era buildings within the Commonwealth Site were replaced by the current Buildings 1 and 2 in 2015; a building on the Jefferson Site was also demolished at that time and replaced with a surface parking lot.

Because the structures at 160 Jefferson Drive and 165 Jefferson Drive are more than 50 years old and located adjacent to the Project site, they were evaluated for listing in the California Register of Historical Resources (CRHR). Neither building has previously been evaluated for CRHR listing or otherwise considered for historical resource status for the purposes of CEQA review. The structures at 160 Jefferson Drive and 165 Jefferson Drive were recorded during an intensive-level historical resources survey on March 6, 2018, and documented on Department of Parks and Recreation (DPR) 523A (Primary Record) and 523B (Building, Structure, Object) forms. The DPR forms also document the buildings’ evaluations of CRHR eligibility. The DPR forms are included in Appendix B of this Initial Study. The CRHR evaluations concluded that neither historic-age building adjacent to the Project site meets the

eligibility criteria for CRHR listing. As a result, the structures at 160 Jefferson Drive and 165 Jefferson Drive do not qualify as historical resources under CEQA. A summary of the evaluation of 160 Jefferson Drive and 165 Jefferson Drive under CRHR Criteria 1 through 4 is provided below.

- *Criterion 1:* The buildings are unremarkable in the context of mid-20th-century suburban industrial office park development, and no tenants contributed significantly to the economic growth of Menlo Park or the San Francisco Peninsula at large.
- *Criterion 2:* No individuals who were closely associated with 160 Jefferson Drive or 165 Jefferson Drive have made significant contributions to local, state, or national history.
- *Criterion 3:* The two buildings are utilitarian-style industrial and office buildings that lack architectural distinction and association with a known significant architect.
- *Criterion 4:* Neither building appears likely to yield important historical information not otherwise captured in the historic record.

Archaeological and Native American Resources

As discussed in more detail, below, this topic will be analyzed further in the Focused EIR for the Project. Therefore, the setting is not discussed in this document but will be provided instead in the Focused EIR.

General Plan Goals and Policies

The City General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on cultural resources. The following City General Plan goals, policies, and programs would serve to minimize impacts on cultural resources: Goal LU-7, Policy LU-7.8, Policy OSC-3, Policy OSC-3.1, Policy OSC-3.2, Policy OSC-3.3, Policy OSC-3.4, Policy OSC-3.4, Policy OSC-3.5, and Policy OSC-3.6.

Environmental Checklist and Discussion

- a. Cause a substantial adverse change in the significance of a historical resource, pursuant to Section 15064.5? (No Impact)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact CULT-1 (pages 4.4-12 to 4.9-15) and determined to have a significant impact on historic resources if it would lead to demolition or alteration with the potential to change the historic fabric or setting of historic architectural resources. Mitigation Measure CULT-1 (page 4.4-15) requires an individual project that is proposed on or adjacent to a site with a building that is more than 50 years old to prepare a site-specific evaluation. However, the ConnectMenlo EIR did not identify any historic resources within the vicinity of the Project site.

Project-Specific Discussion

The Project site contains no historic-age buildings; Buildings 1 and 2 were constructed in 2015. Two historic-age buildings located adjacent to the Project site, 160 Jefferson Drive and 165 Jefferson Drive, were constructed during the first half of the 1960s and, therefore, have reached the age at which they could qualify as eligible for listing in the CRHR. The evaluation of

both buildings, as well as their ineligibility for CRHR listing, is documented on the DPR 523A and 523B forms included as Appendix B of this document and summarized previously. The Project site does not contain, and is not adjacent to, any historical resources for the purposes of CEQA.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant impacts than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific impacts as a result of the Project. Redevelopment of the Project site would not alter the significance of a historic resource, as defined in Section 15064.5 of the CEQA Guidelines. Therefore, the Project would have *no impact* on historic resources.

- b. Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5? (Topic to Be Analyzed in the Focused EIR)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact CULT-2 (pages 4.4-16 to 4.9-18) and determined to be less than significant with implementation of Mitigation Measures CULT-2a and CULT-2b. Mitigation Measure CULT-2a would be applied if archaeological resources are found during construction. In addition, per Mitigation Measure CULT-2b, Native America tribes would need to be consulted.

Project-Specific Discussion

One precontact archaeological resource was identified within the Project site during literature review at the Northwest Information Center. Specifically, this resource, which was identified from monitoring efforts for the Commonwealth Corporate Center Project in 2015, is beneath the existing Building 2.²² Because additional cultural studies have not been conducted in any portion of the Project site, it is unknown whether the Project site contains additional cultural resources. Given the presence of a precontact archaeological resource within the Project site, as well as three precontact archaeological resources in the project vicinity, the Project site has a high degree of sensitivity for containing as-yet undocumented prehistoric archaeological resources.

No formal Native American resources were identified during consultation with California Native American tribes or during the search of the NAHC Sacred Lands File. However, the area was identified as very sensitive for Native American resources. Two California Native American tribal representatives requested that both archaeological and Native American monitors be present during all ground-disturbing activities. In addition, one precontact archaeological resource has been identified within the Project site; such archaeological sites are often considered tribal cultural resources.

Compliance with federal, state, and local laws and regulations, including applicable ConnectMenlo EIR mitigation measures as well as City General Plan goals and policies, would protect unrecorded archaeological deposits at the Project site by ensuring early detection of potential conflicts between development and resources. In addition, compliance would prevent

²² Garlinghouse, T. 2015. Site record for P-41-002415 (CA-SMA-425). On file at the Northwest Information Center, Rohnert Park, CA.

or minimize impairment of the archaeological deposits' ability to convey their significance through excavation or preservation. However, the Project could disturb unidentified subsurface materials that have the potential to contain prehistoric archaeological resources.

Conclusion

In order to reduce potential impacts that could occur if unidentified resources are discovered during Project construction, the Project would incorporate Mitigation Measure CULT-2a from the ConnectMenlo EIR. However, because of precontact archaeological resource at the Project site, further study is required. ConnectMenlo EIR Mitigation Measure CULT-2b (consultation with Native American tribes) has been implemented as part of this environmental review. Although no archaeological resources were identified during consultation with Native American tribes, the area was determined to be very sensitive for Native American resources. Two California Native American tribal representatives requested that all ground-disturbing activities be monitored by both archaeological and Native American monitors. Therefore, additional mitigation measures, beyond those in the ConnectMenlo EIR, may be required to reduce impacts on undiscovered archaeological resources at the Project site. This topic requires *further environmental review* in the Focused EIR

- c. ***Disturb any human remains, including those interred outside of formal cemeteries? (Topic to Be Analyzed in the Focused EIR)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact CULT-4 (page 4.4-20) and determined to be less than significant with implementation of Mitigation Measure CULT-4. This mitigation measure would provide guidance if human remains are encountered during ground disturbance.

Project-Specific Discussion

As discussed above, one precontact archaeological resource was identified within the Project footprint in 2015. Discovery of this precontact material, as well as the identification of similar resources in the general vicinity, suggests that the area has increased potential for containing as-yet undocumented archaeological deposits, including human remains. Buried deposits may be eligible for listing in the CRHR.

Conclusion

The Project would incorporate Mitigation Measure CULT-4, which provides guidance regarding the treatment of human remains encountered during ground disturbance. However, because of the sensitivity of the Project site, as discussed above, this topic requires *further environmental review* in the Focused EIR.

VI. Energy	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the Project:					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Electricity

Grid electricity and natural gas service in Menlo Park is provided by Pacific Gas & Electric (PG&E). PG&E is a publicly traded utility company that generates, purchases, and transmits energy under contract with the California Public Utilities Commission. PG&E’s service territory is 70,000 square miles in area, roughly extending north to south from Eureka to Bakersfield and east to west from the Sierra Nevada to the Pacific Ocean. PG&E’s electricity distribution system consists of 106,681 circuit miles of electric distribution lines and 18,466 circuit miles of interconnected transmission lines.²³ PG&E electricity is generated by a combination of sources, such as coal-fired power plants, nuclear power plants, and hydro-electric dams as well as newer sources of energy such as wind turbines and photovoltaic plants, or “solar farms.” “The grid,” or bulk electric grid, is a network of high-voltage transmission lines that link power plants with the PG&E system. The distribution system, comprising lower-voltage secondary lines, is at the street and neighborhood level and consists of overhead or underground distribution lines, transformers, and individual service “drops” that connect to the individual customer. The existing electrical system in the area consists of overhead and underground facilities.

On January 26, 2016, the Menlo Park City Council approved a motion to join Peninsula Clean Energy (PCE) to receive additional renewable power. PCE is part of a Community Choice Energy (CCE) program, a locally controlled community organization that enables local residents and businesses to have a choice as to where their energy comes from. CCE programs allow local governments to pool the electricity demands of their communities, purchase power with higher renewable content, and reinvest in local infrastructure. Currently, PG&E delivers the power, maintains the lines, and bills customers, but the power is purchased by the CCE program from renewable energy sources such as solar, wind, hydroelectric, geothermal, and biomass.²⁴

²³ Pacific Gas & Electric. n.d. *Company Profile*. Available: www.pge.com/en_US/about-pge/company-information/profile/profile.page. Accessed: April 4, 2019.

²⁴ Peninsula Clean Energy. 2015. *Community Guide*. Available: www.peninsulacleanenergy.com/wp-content/uploads/2015/10/PCE_community_guide_v2_web.pdf. Accessed: April 3, 2019.

Natural Gas

PG&E's natural gas (methane) pipe delivery system includes 42,000 miles of distribution pipelines and 6,700 miles of transmission pipelines. Gas delivered by PG&E originates in gas fields in California, the Southwest, the Rocky Mountains, and Canada. Transportation pipelines send natural gas from fields and storage facilities in large pipes under high pressure. The smaller distribution pipelines deliver gas to individual businesses or residences.

PG&E gas transmission pipeline systems serve approximately 15 million energy customers in California. The system is operated under an inspection and monitoring program in real time on a 24-hour basis, with leak inspections, surveys, and patrols taking place along the pipelines.²⁵ A new program, the Pipeline 2020 program, aims to modernize critical pipeline infrastructure, expand the use of automatic or remotely operated shut-off valves, catalyze development of next-generation inspection technologies, develop industry-leading best practices, and enhance public safety partnerships with local communities, public officials, and first responders.

The PG&E gas transmission pipeline nearest the Project site runs primarily along US 101 until Second Avenue, where it continues north along Broadway in Redwood City. Distribution gas pipelines are located throughout the Bayfront Area.

General Plan Goals and Policies

The City General Plan (specifically the Land Use Element, Open Space/Conservation Element, and the Circulation Element) contains general goals, policies, and programs that would require sustainable development and energy efficiency. The following City General Plan goals, policies, and programs would serve to minimize potential adverse risks specifically associated with wasteful, inefficient, or unnecessary consumption of energy resources: Goal LU-4, Policy LU-4.5, Goal LU-6, Goal LU-7, Policy LU-7.1, Policy LU-7.9, Program LU-7.A, Program LU-7.C, Program LU-7.D, Program LU-7.E, Goal OSC-4, Policy OSC-4.1, Policy OSC-4.2, Policy OSC-4.3, Policy OSC-4.4, Policy OSC-4.5, Goal CIRC-1, Policy CIRC-2.11, Goal CIRC-5, Policy CIRC-5.1, Goal CIRC-6, Policy CIRC-6.1, and Policy CIRC-6.3.

Environmental Checklist and Discussion

- a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact UTIL-13 (pages 4.14-76 to 4.14-81) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

The Project site would continue to be served by PG&E (natural gas) and PCE (electricity). The Project would result in a long-term increase in energy demand associated with operation of lighting and space heating/cooling units in the added building space as well as vehicle travel. In addition,

²⁵ Pacific Gas & Electric. n.d. *Learn about the PG&E Natural Gas System*. Accessed: https://www.pge.com/en_US/safety/how-the-system-works/natural-gas-system-overview/natural-gas-system-overview.page. Accessed: April 4, 2019.

construction activities associated with the Project would require the use of energy (e.g., electricity and fuel) for various purposes, such as operation of construction equipment and tools as well as excavation, grading, demolition, and construction vehicle travel.

Construction. The installation of new or expanded gas lines on the Project site would require excavation, trenching, soil movement, and other activities that are typical during construction of development projects. These construction impacts are discussed in detail in the appropriate topical sections of this Initial Study as part of the assessment of overall Project impacts. In addition, although construction related to the new or relocated gas and electric lines could result in short-term construction-related environmental effects (e.g., noise, dust, traffic, temporary service interruption), the work would comply with City and PG&E regulations as well as standard conditions for new construction related to infrastructure improvements. Also, any such work would be subject to compliance with applicable regulations and standard conditions of approval for the Project, including City permits/review for construction (e.g., grading permits, private development review, encroachment permits).

Construction vehicles would consume fuel. However, EPA adopted the Heavy-Duty National Program to establish fuel efficiency and greenhouse gas emissions standards in the heavy-duty highway vehicle sector, which includes combination tractors (semi-trucks), heavy-duty pickup trucks and vans, and vocational vehicles (including buses and refuse or utility trucks). These standards include targets for gallons of fuel consumed per mile beginning in model year 2014. Although construction activities would require a commitment of energy sources, the efficiency standards would further the goal of conserving energy in the context of Project development.²⁶

Operation. In the O-B zoning district, projects are required to meet green and sustainable building regulations. The proposed Building 3 would be required to meet 100 percent of its energy demand through a combination of onsite energy generation, the purchase of 100 percent renewable electricity, and/or the purchase of certified renewable energy credits. In addition, as currently proposed, Building 3 would be designed to meet LEED Gold BD+C standards. The Project would comply with City requirements for EV parking stalls. The Project would also incorporate a bird-friendly design through its placement of the building and use of low-tint exterior glazing. Other green building requirements would be met through efficient water use, placement of new structures 24 inches above the Federal Emergency Management Agency base flood elevation to account for sea-level rise, and waste management planning. Details regarding how the proposed building would meet the green and sustainable building requirements would be provided as Project plans and materials are further developed.

As an infill development, the Project furthers the objectives of energy conservation related to transportation by focusing activities in areas of existing infrastructure and services. The proposed TDM program for the Project would be independent of the existing TDM program for Buildings 1 and 2 because new zoning regulations require a 20 percent trip reduction. The proposed TDM program would encourage the use of public transportation and other forms of alternative transportation. The Project site is currently served by the M3-Marsh Road Shuttle, which is a free shuttle service with timed connections to many of the a.m. and p.m. peak-hour trains at the Menlo Park Caltrain station in both the northbound and southbound directions. The existing shuttle service includes a stop at 149

²⁶ U.S. Environmental Protection Agency. n.d. *Regulations for Greenhouse Gas Emissions from Commercial Trucks and Buses*. Available: www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-greenhouse-gas-emissions-commercial-trucks. Accessed: April 4, 2019.

Commonwealth Drive, less than 100 feet from the Project site. In order to encourage employees to use Caltrain and the Marsh Road Shuttle, subsidized transit passes, such as a Caltrain Go Pass, would be provided to new employees at the Project site. The Caltrain Go Pass is an employer-sponsored annual pass that offers unlimited rides on Caltrain through all zones, 7 days per week. Carpooling and vanpool programs would also be encouraged through free ride-matching services, carpool incentive programs, vanpool formation incentives, vanpool seat subsidies, and vanpool participant rebates. Emergency ride-home programs would also be offered to employees. In addition, the proposed TDM program would include bicycle storage, showers and changing rooms, and other onsite amenities to encourage the use of other modes of transportation. Implementation of the proposed TDM program would reduce energy impacts from transportation.

The Project would be within the 70,000-square-mile PG&E service territory for electricity and natural gas generation, transmission, and distribution. In addition, PCE would provide renewable power to the Project site. Because of the Project's size and location within an urban development, buildout of the Project would not significantly increase energy demands within the service territory and would not require new energy supply facilities. In addition, energy projections of energy providers within the state anticipate growth from development such as the Project.

Conclusion

The physical conditions, as they relate to the wasteful, inefficient, or unnecessary consumption of energy resources, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Accordingly, the Project would result in ***less-than-significant*** impacts with respect to wasteful, inefficient, or unnecessary consumption of energy resources. No further study is needed.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact UTIL-13 (pages 4.14-76 to 4.14-81) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

The Project would be required to be constructed using energy efficient modern building materials and construction practices, in accordance with the CALGreen Building Code and Chapter 12.18 of the Menlo Park Municipal Code, which contains the Green Building Ordinance. The new buildings also would use new modern appliances and equipment, in accordance with the 2006 Appliance Efficiency Regulations (Title 20, California Code of Regulations Sections 1601 through 1608). Under these requirements, the Project would use recycled construction materials, environmentally sustainable building materials, building designs that reduce the amount of energy used in building heating and cooling systems compared with conventionally built structures, and landscaping that incorporates water-efficient irrigation systems, all of which would conserve energy. In addition, the Land Use Element, Circulation Elements, and the Open Space/Conservation of the City General Plan contain goals, policies, and programs that would require local planning and development decisions to

consider impacts on energy resources. The Project would adhere to the City General Plan goals, policies, and programs, as listed above, which would serve to increase energy conservation and minimize potential impacts associated with energy use.

The Project, as part of the City's project approval process, would be required to comply with existing regulations, including City General Plan policies and zoning regulations that have been prepared to promote energy conservation and efficiency by implementing sustainable building practices and reducing automobile dependency. The City, throughout the buildout horizon, would implement General Plan programs that require development of a greenhouse gas standard for development projects and coordination with appropriate agencies to agree on long-term Peninsula transit service. Furthermore, continued implementation of the City's Climate Action Plan, compliance with the CALGreen Building Code, and other applicable state and local energy efficiency measures, would result in energy conservation and savings.

Conclusion

The physical conditions, as they relate to conflicting with a state or local plan for renewable energy and energy efficiency, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would result in *less-than-significant* impacts related to conflicting with a state or local plan for renewable energy and energy efficiency; mitigation measures would not be required for construction or operation of the Project. No further study is needed.

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VII. Geology and Soils	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	n/a	n/a	n/a	n/a	n/a
(ii) Strong seismic ground shaking?	n/a	n/a	n/a	n/a	n/a
(iii) Seismically related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable or would become unstable as a result of the Project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Regional Geology

The Project site is on the western margin of San Francisco Bay in the Santa Clara Valley, a broad, sediment-filled basin bounded on the west by the Santa Cruz Mountains and on the northeast by the Diablo Range. The Project site is underlain by Holocene-age fine-grained alluvium,²⁷ which, in turn, is underlain by Holocene and Pleistocene alluvial and basin deposits, undivided.²⁸ Fine-grained alluvium is generally described as unconsolidated, poorly sorted plastic organic clay and silty clay in poorly drained interfluvial basins, usually at the margins of tidal marshlands.

Regional Seismicity

Faults

The San Francisco Bay Area is one of the most active seismic regions in the United States. Within the Bay Area, three faults belong to the San Andreas fault system, the San Andreas, Hayward, and Calaveras faults. Trending in a northwest direction, the faults generate about 12 earthquakes each century and are large enough to cause major structural damage. Seismologic and geologic experts conclude that there is a 72 percent probability for at least one large earthquake of magnitude 6.7 or greater in the San Francisco Bay Area before 2044.²⁹ Table 3.6-1 lists the regional faults, their distance and direction from the Project site, and each fault's probability of producing one or more earthquakes of magnitude 6.7 or greater before 2044. However, no known fault crosses the Project site.³⁰

Ground Shaking

Because the Project site is in a seismically active area, strong to very strong ground shaking can be expected to occur at the site over the life of the Project.^{31,32} Such ground shaking could cause negligible damage in buildings of good design and construction, slight damage in well-built ordinary structures, and considerable damage in poorly built structures.³³

²⁷ Pampeyan, Earl H. 1993. *Geologic Map of the Palo Alto and Part of the Redwood Point 7.5-minute Quadrangles, San Mateo and Santa Clara County, California*. (IMAP 2371.) Available: <https://pubs.er.usgs.gov/publication/i2371>. Accessed: March 20, 2019.

²⁸ Ibid.

²⁹ Working Group on California Earthquake Probabilities. 2015. *UCERF3: A New Earthquake Forecast for California's Complex Fault System*. (Fact Sheet 2015-3009.) Available: <https://pubs.usgs.gov/fs/2015/3009/>. Accessed: March 20, 2019.

³⁰ Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

³¹ Ibid.

³² Association of Bay Area Governments. 2013. *San Mateo County Earthquake Hazard*. Resilience Program. Available: <http://resilience.abag.ca.gov/earthquakes/sanmateo/>. Last updated: July 21, 2014. Accessed: March 20, 2019.

³³ U.S. Geological Survey. n.d. *The Modified Mercalli Intensity Scale*. Available: <https://earthquake.usgs.gov/learn/topics/mercalli.php>. Accessed: March 20, 2019.

Table 3.6-1. Regional Faults in the Project Area and Seismicity

	Distance from Project Site (miles)	Direction from Project Site	Mean Characteristic Moment Magnitude
Monte Vista-Shannon	8	Southwest	6.50
North San Andreas-Peninsula	11	Southwest	7.23
North San Andreas (1906 event)	11	Southwest	8.05
Total Hayward	20	Northeast	7.00
Total Hayward-Rogers Creek	20	Northeast	7.33
San Gregorio Connected	26	West	7.50
Total Calaveras	29	East	7.03
North San Andreas-Santa Cruz	37	Southeast	7.12
Mount Diablo Thrust	41	Northeast	6.70
Zayante-Vergeles	47	Southeast	7.00
North San Andreas-North Coast	49	Northwest	7.51
Green Valley Connected	49	Northeast	6.80
Greenville Connected	50	Northeast	7.00

Sources: Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

Site Geology, Topography, and Groundwater

The Project site is relatively level, with an elevation that ranges from 11 to 14 feet above mean sea level. The site is underlain by alluvial deposits, consisting of medium stiff to hard clay, clay with sand, and sandy clay, along with interbedded layers of loose to dense sand and gravel with varying amounts of fines to the maximum depth explored.³⁴

Groundwater was encountered during soil boring at 10.5 feet below the existing ground surface.³⁵ Depths to groundwater can vary seasonally, because of landscaping, and locally across a geography.

Landslides and Erosion

Because the site topography is flat, there is little likelihood of landslides. Furthermore, according to the California Seismic Hazard Zonation Program, the Project site is not in an area that is susceptible to landslides.³⁶ Soils at the Project site are Urban land-Orthents, reclaimed complex, 0 to 2 percent slopes.³⁷ These soils are not rated for erosion susceptibility.

³⁴ Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

³⁵ Ibid.

³⁶ California Geological Survey. 2006. *Seismic Hazard Zones, Palo Alto Quadrangle*. October 18. Available: <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>. Accessed: March 20, 2019.

³⁷ Natural Resources Conservation Service. 2018. *Custom Soil Resource Report for San Mateo County, Eastern Part, and San Francisco County, California*. Available: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed: March 20, 2019.

Liquefaction and Seismically Induced Ground Failure

Liquefaction is a process in which loose sand and silt behave like a liquid when shaken by an earthquake. The soil can lose its ability to support structures.³⁸ According to the California Seismic Hazard Zonation Program, the Project site is in an area that is potentially susceptible to earthquake-induced liquefaction.³⁹ In addition, according to the U.S. Geological Survey, the site is in an area with moderate to very high susceptibility to liquefaction.⁴⁰ Furthermore, site-specific exploration showed that layers of medium-dense sand with varying amounts of clay and silt, from several inches to 6 feet thick, were encountered below the groundwater level (6 to 45 feet below the ground surface), indicating a potential risk of seismically induced liquefaction.⁴¹

Lateral spreading is liquefaction-related ground failure that involves horizontal (or lateral) movement of relatively flat or gently sloping soil deposits toward a free or open face, such as an excavation site, channel, or body of water.⁴² Typically, lateral spreading is associated with liquefaction involving one or more subsurface layers near the bottom of an exposed slope. Because failures tend to propagate as block failures, it is difficult to determine where the first tension crack will form.

The Project site does not include a streambank or other open face, nor is there any historical documentation of lateral spreading at the Project site.

Settlement, Subsidence, and Expansive Soil

Loose to medium-dense unsaturated sandy soils can settle during strong seismic shaking. Liquefaction intensifies this trend. Seismically induced settlement and differential settlement as a result of liquefaction could occur at the Project site.

Expansive soils undergo volume changes associated with changes in moisture content. When wetted, expansive soils tend to swell, then shrink when dried. According to the geotechnical report prepared for the Project, near-surface soils at the Project site are moderately to highly expansive.⁴³

Paleontological Resources

Paleontological resources, or fossils, are any evidence of past life, including the remains, traces, or imprints of once-living organisms that are now preserved in rocks and sediments. These provide information about the history of life on Earth and date back billions of years. According to the Society of

³⁸ U.S. Geological Survey and California Geological Survey. 2006. *About Liquefaction*. Available: <https://geomaps.wr.usgs.gov/sfgeo/liquefaction/aboutliq.html>. Accessed: March 20, 2019.

³⁹ California Geological Survey. 2006. *Earthquake Zones of Required Investigation, Palo Alto Quadrangle*. October 18. Available: <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>. Accessed: March 20, 2019.

⁴⁰ Witter, Robert C., Keith L. Knudsen, Janet M. Sowers, Carl M. Wentworth, Richard D. Koehler, and Carolyn E. Randolph. 2006. *Maps of Quaternary Deposits and Liquefaction Susceptibility in the Central San Francisco Bay Region, California*. In Cooperation with the California Geological Survey. Available: <https://pubs.usgs.gov/of/2006/1037/>. Accessed: March 20, 2019.

⁴¹ Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

⁴² U.S. Geological Survey and California Geological Survey. 2006. *About Liquefaction*. Available: <https://geomaps.wr.usgs.gov/sfgeo/liquefaction/aboutliq.html>. Accessed: March 20, 2019.

⁴³ Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

Vertebrate Paleontology,⁴⁴ significant paleontological resources include identifiable vertebrate fossils, large or small, as well as uncommon invertebrate, plant, and trace fossils. Fossils are nonrenewable paleontological resources that are afforded protection by federal, state, and local environmental laws and regulations. The potential of a particular area to produce a valuable paleontological resource depends on the geologic age and origin of the underlying rocks.

The natural geology of the Project area comprises Holocene- (less than 10,000 years ago) and Pleistocene-age alluvium.⁴⁵ These geologic deposits underlie artificial fill or disturbed soil in the developed areas of Menlo Park. A summary of each geologic unit is provided below.

- **Artificial Fill** – Artificial fill is a mixture of sand, silt, and gravel that is often used to prepare areas for urban development or fill in or replace low-lying areas and wetlands. Artificial fill is sourced from natural geologic deposits, then excavated, reworked, and transported to another location. Any fossils recovered from artificial fill would not constitute significant fossil records that could contribute to scientific or natural history because stratigraphic information would be lost through handling.⁴⁶ Artificial fill would, therefore, not contain significant paleontological resources. Artificial fill has no potential with respect to containing paleontological resources.
- **Holocene Fine-Grained Alluvium (Qaf)** – Holocene fine-grained alluvium is an unconsolidated, poorly sorted plastic organic clay or silty clay that is found in basins, usually at the margins of tidal marshlands. It is generally less than 15 feet thick and underlain by older deposits; in the Project area, it is underlain by Holocene and Pleistocene alluvial and basin deposits, undivided. Holocene-age (less than 10,000 years ago) deposits are considered too young to have fossilized remains of organisms (fossilization processes take place thousands or millions of years). These alluvial deposits contain vertebrate and invertebrate fossils of extant modern taxa,⁴⁷ which are generally not considered significant paleontological resources. Holocene fine-grained alluvium has low potential with respect to containing paleontological resources.
- **Holocene and Pleistocene Alluvial and Basin Deposits, Undivided (Qu)** – Holocene and Pleistocene alluvial and basin deposits, undivided, are generally not present at the ground surface.⁴⁸ Because of their age, there is some potential for them to contain paleontological resources. The University of California Museum of Paleontology (2018) has records of fossil discoveries in inland San Mateo County from Pleistocene deposits of unspecified geologic formation. These include species of moose, horse, camel, mammoth, and bison. Holocene and Pleistocene alluvial and basin deposits, undivided, have high potential with respect to containing paleontological resources.

⁴⁴ Society of Vertebrate Paleontology. 2010. *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. Available: vertpaleo.org/Membership/Member-Ethics/SVP_Impact_Mitigation_Guidelines.aspx. Accessed: March 20, 2019.

⁴⁵ Pampeyan, Earl H. 1993. *Geologic Map of the Palo Alto and Part of the Redwood Point 7.5-minute Quadrangles, San Mateo and Santa Clara County, California*. (IMAP 2371.) Available: <https://pubs.er.usgs.gov/publication/i2371>. Accessed: March 20, 2019.

⁴⁶ Society of Vertebrate Paleontology. 2010. *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. Available: vertpaleo.org/Membership/Member-Ethics/SVP_Impact_Mitigation_Guidelines.aspx. Accessed: March 20, 2019.

⁴⁷ Helley, E. J., and K. R. LaJoie. 1979. *Flatland Deposits of the San Francisco Bay Region, California Their Geology and Engineering Properties, and Their Importance to Comprehensive Planning*. Geological Survey Professional Paper 943. Available: <https://pubs.er.usgs.gov/publication/pp943>. Accessed: March 20, 2019.

⁴⁸ Pampeyan, Earl H. 1993. *Geologic Map of the Palo Alto and Part of the Redwood Point 7.5-minute Quadrangles, San Mateo and Santa Clara County, California*. (IMAP 2371.) Available: <https://pubs.er.usgs.gov/publication/i2371>. Accessed: March 20, 2019.

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that would require local planning and development decisions to consider impacts related to strong seismic ground shaking, seismically related ground failure (including liquefaction), and landslides. The following City General Plan goals, policies, and programs would serve to minimize potential adverse risks associated specifically with strong seismic ground shaking, seismically related ground failure, liquefaction, and landslides: Goal LU-4, Policy LU-4.5, Goal S-1, Policy S-1.1, Policy S-1.3, Policy S-1.5, Policy S-1.7, Policy S-1.13, Policy S-1.14, Program S-1.D, and Program S-1.H.

Environmental Checklist and Discussion

The California Supreme Court concluded in its *CBIA v. BAAQMD* decision that "CEQA generally does not require an analysis of how existing environmental conditions will affect a project's future users or residents." With this ruling, CEQA no longer considers the impact of the environment on a project, such as the impact of existing seismic hazards on new project receptors, to be an impact that requires consideration under CEQA, unless the project would exacerbate an existing environmental hazard.

The Project would not change existing seismic hazards and, therefore, would not exacerbate existing hazards related to surface fault rupture and seismic ground shaking. As such, the following discussions of seismic hazards related to surface fault rupture and seismic ground shaking are provided for informational purposes only.

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Not a CEQA Impact)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-1 (pages 4.5-9 to 4.5-11) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, no known fault crosses the Project site. The closest known fault is the Monte Vista-Shannon fault, approximately 8 miles southwest of the Project site. Therefore, the risk of surface fault rupture is low. Regardless, the Project site is in a seismically active area. Although it is unlikely, future faulting may occur in areas where active faults were not previously known to exist. However, the risk of surface fault rupture from unknown faults is considered to be low. Furthermore, the Project would comply with the requirements of the current California Building Standards Code to withstand forces associated with the maximum credible earthquake. The California Building Standards Code sets standards for excavation, grading, construction earthwork, fill embankments, foundation investigations, liquefaction potential, and soil strength loss. Furthermore, ConnectMenlo policies and programs would apply to the Project.

Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced. The Project would comply with California Building Standards Code requirements and implement the recommendations provided in the site-specific geotechnical report.

Conclusion

The physical conditions, as they relate to the exposure of people to an earthquake fault rupture, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. No further study is needed.

(ii) Strong seismic ground shaking? (Not a CEQA Impact)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-1 (pages 4.5-9 to 4.5-11) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above under *Regional Seismicity*, the Project is in a seismically active area and surrounded by numerous faults. A list of faults of regional significance is provided in Table 3.6-1. Seismically induced ground shaking at the Project site would depend on a number of factors, as follows:

- Size of the earthquake (magnitude)
- Distance from the Project site to the fault rupture source
- Directivity (focusing of earthquake energy along the fault in the direction of the rupture)
- Subsurface conditions

Given the Project site's proximity to the Monte Vista-Shannon fault (approximately 8 miles), the North San Andreas-Peninsula fault (approximately 11 miles), and other faults that are capable of producing a large earthquake, the potential exists for a large earthquake to induce strong to very strong ground shaking at the site during the life of the Project. It is likely that the Project site will experience strong to very strong ground shaking during the life of the Project, as discussed above under *Ground Shaking*.

The Project would be designed and constructed to meet standards set forth by the California Building Standards Code. These standards are intended to reduce major structural damage and loss of life in the event of an earthquake. The seismic performance goals generally expect some property damage to be incurred in a moderate to large earthquake, but the damage would generally be repairable and not life-threatening. Furthermore, ConnectMenlo Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil problems to be thoroughly investigated during the earliest stages of the design process; and

Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced. Adherence to these recommendations would address and mitigate geologic hazards in accordance with the specifications of California Geological Survey Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards, and the requirements of the Seismic Hazards Mapping Act.

Conclusion

The physical conditions, as they relate to the exposure of people to strong seismic ground shaking, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. No further study needed.

(iii) Seismically related ground failure, including liquefaction? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-1 (pages 4.5-9 to 4.5-11) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, the Project site has moderate to very high susceptibility to seismically induced liquefaction. According to data obtained from the geotechnical report, potentially liquefiable layers occur below the ground surface. Therefore, it is possible that seismically induced liquefaction could cause some loss of bearing strength, which would be exacerbated by the load exerted by the structure built on the susceptible soil. This loss of bearing strength could result in seismically induced settlement and differential settlement.

To reduce impacts from liquefiable soils, the Project would be designed and constructed to meet or exceed standards set forth by the City of Menlo Park as well as the current California Building Standards Code. Furthermore, ConnectMenlo Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced.

Conclusion

The physical conditions, as they relate to the exposure of people to seismically related ground failure, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Because the Project would comply with City of Menlo Park requirements and the California Building Standards Code, and implement recommendations provided in the site-specific geotechnical report, this impact would be ***less than significant***. No mitigation is required, and no further study is needed.

(iv) Landslides? (No Impact)**Analysis in the ConnectMenlo EIR**

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-1 (pages 4.5-9 to 4.5-11) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to the exposure of people to landslides, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. No substantial new information has been presented that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. As discussed above, the Project site is nearly level and not located in a zone with any potential for landslides. Project construction would not cause landslides or exacerbate existing susceptibility to landslides, resulting in **no impact**. No further study is needed.

b. Result in substantial soil erosion or the loss of topsoil? (Less than Significant)**Analysis in the ConnectMenlo EIR**

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-2 (page 4.5-11) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

Construction. Soils at the Project site are Urban land-Orthents, meaning that they are not native topsoil. Removing them for construction would not result in a loss of topsoil. Soils at the Project site are not rated for erosion. Construction of the Project would include demolition, excavation, and grading, which could result in accelerated erosion during construction. Excavation would generate approximately 6,350 cubic yards of excavated material. The removal of concrete and asphalt would expose previously sheltered soils to the elements as well as construction activities on the site, which could accelerate erosion rates. However, as described in Section X, *Hydrology and Water Quality*, all construction activities would comply with the NPDES Construction General Permit, which contains standards to ensure that water quality is not degraded. As part of this permit, standard erosion control measures and best management practices (BMPs) would be identified in a SWPPP and implemented during construction to reduce sedimentation in waterways and any loss of topsoil. The SWPPP and BMPs would minimize erosion and runoff during construction. These BMPs could include, but would not be limited to, using drainage swales or lined ditches to control stormwater flow and protecting storm drain inlets (with gravel bags or catch basin inserts).

Operation. The Project would reduce the impervious area at the Project site from 431,697 square feet to 393,155 square feet. To manage potential erosion, the Project would comply with the NPDES General Construction Permit, San Francisco Bay Municipal Separate Storm Sewer System Permit Provision C.3, and San Mateo Countywide Water Pollution Prevention Program C.3 Stormwater Technical Guidance. In addition, the Project would implement a SWPPP, stormwater biotreatment areas, and other erosion measures.

Conclusion

The physical conditions, as they relate to soil erosion or loss of topsoil, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would result in *less-than-significant* impacts related to soil erosion and loss of topsoil; mitigation measures would not be required for construction or operation of the Project. No further study is needed.

- c. ***Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-3 (pages 4.5-12 to 4.5-13) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As stated above, groundwater at the Project site is relatively shallow (encountered at a depth of approximately 10.5 feet below the ground surface). Therefore, excavation deeper than 10.5 feet is likely to encounter groundwater and require dewatering to avoid substantial water inflow at the excavation during construction. Excavation is anticipated not to exceed 7 feet below the ground surface. Therefore, the likelihood of encountering groundwater is relatively minor. However, because groundwater levels can vary, depending on season, weather, and nearby landscaping practices, it is possible that groundwater could be encountered at levels higher than the maximum depth of excavation. If this should occur, dewatering would be required. Dewatering could result in settlement beneath adjacent structures, including buildings, sidewalks, streets, and utilities. In addition, during Project operation, groundwater could exert hydrostatic pressure on subsurface parking or basement levels; permanent dewatering could be required to relieve this pressure. Section X, *Hydrology and Water Quality*, discusses water quality requirements for dewatering.

There is no historical documentation of lateral spreading at the Project site. Furthermore, the Project would be constructed on a vacant parcel that does not include a streambank or open face. Therefore, the risk of lateral spreading is low. Settlement as a result of liquefaction is anticipated to be up to 1 inch, and because the liquefiable layers below ground surface are discontinuous, differential settlement is anticipated to be up to 1 inch over 30 feet during an earthquake.⁴⁹ Static settlement as a result of consolidation is anticipated to be approximately 0.5 to 1.25 inch, and differential settlement between adjacent footings, typically 20 feet apart, is anticipated not to exceed 0.5 inch.⁵⁰

To reduce impacts from groundwater and weak soils, the Project would be designed and constructed to meet or exceed standards set forth by the City of Menlo Park as well as the current California Building Standards Code. Furthermore, ConnectMenlo Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability;

⁴⁹ Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

⁵⁰ Ibid.

Program S-1D requires potential geologic, seismic, and soil problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced.

Conclusion

The physical conditions, as they relate to unstable geologic units or soil, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Because the Project would comply with City of Menlo Park requirements and the California Building Standards Code, and implement recommendations provided in the site-specific geotechnical report, this impact would be ***less than significant***. No further study is needed.

- d. ***Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994),⁵¹ creating substantial direct or indirect risks to life or property? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-4 (page 4.5-13) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As stated above, moderately to highly expansive soil occurs at the Project site. Structures and flatwork supported on expansive soil could experience cyclic seasonal heave and settlement as the soil expands and contracts through wetting and drying cycles. If structures are not properly designed, the cyclic expansion and contraction can undermine structural stability. To reduce impacts from expansive soils, the Project would be designed and constructed to meet or exceed standards set forth by the City of Menlo Park as well as the current California Building Standards Code. Furthermore, ConnectMenlo Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced.

Conclusion

The physical conditions, as they relate to expansive soils, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Because the Project would comply with City of Menlo Park grading requirements and California Building Standards Code requirements, and implement recommendations provided in the site-specific geotechnical report, this impact would be ***less than significant***. No further study is needed.

⁵¹ Note that the CEQA Guidelines specifically reference this version of the Uniform Building Code.

- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater? (No Impact)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-5 (pages 4.5-13 to 4.5-14) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to septic tanks, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would not require the use of septic tanks or alternative wastewater disposal systems. Wastewater would be discharged into the existing public sanitary sewer system in the study area, which is serviced by the West Bay Sanitary District and Silicon Valley Clean Water. The West Bay Sanitary District provides and maintains the sanitary sewer system in Menlo Park; wastewater is conveyed to an advanced two-stage biological treatment facility operated by Silicon Valley Clean Water prior to discharge to San Francisco Bay. Therefore, the Project would result in **no impacts** related to septic tanks. No further study is needed.

- f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was discussed in the ConnectMenlo EIR as Impact CULT-3 (pages 4.4-18 to 4.4-20) and determined to be less than significant with implementation of Mitigation Measure CULT-3. This mitigation measure would temporarily halt ground-disturbing activities if unique paleontological resources are discovered.

Project-Specific Discussion

Project excavation would extend through the Holocene fine-grained alluvium deposit and into the Holocene and Pleistocene alluvial and basin deposits, undivided, up to a depth of 7 feet. The Holocene and Pleistocene alluvial and basin deposits, undivided, as discussed above, are sensitive with respect to paleontological resources. In areas where excavation would disturb deposits that are sensitive for paleontological resources, the potential exists for disturbance, damage, or the loss of paleontological resources.

The Project would incorporate ConnectMenlo EIR Mitigation Measure CULT-3 as a component of the Conditional Development Permit for the Project. In the event that fossils or fossil-bearing deposits are discovered during ground-disturbing activities anywhere in Menlo Park, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a City-approved qualified paleontologist determines whether the resource requires further study.

Conclusion

The physical conditions, as they relate to paleontological resources, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Conditional Development Permit for the Project would incorporate Mitigation Measure CULT-3, which would require any ground disturbance to be halted or diverted if fossils or fossil-bearing deposits are discovered during ground-disturbing activities. Therefore, the Project's impact on paleontological resources would be ***less than significant***. No further study is needed.

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VIII. Greenhouse Gas Emissions	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the Project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

As discussed in more detail below, this topic will be analyzed further in the Focused EIR for the Project. Therefore, the setting is not discussed in this document but will be provided instead in the Focused EIR.

General Plan Goals and Policies

General Plan goals and policies related to greenhouse gases will be outlined and discussed in the Focused EIR.

Environmental Checklist and Discussion

- a. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Topic to Be Analyzed in the Focused EIR)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (pages 4.6.28 through 4.6-35) and determined to result in significant and unavoidable impacts, despite the implementation of mitigation measures.

Conclusion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, there are aspects of the Project that were not evaluated in the ConnectMenlo EIR. Specifically, the trips generated by the Project may not be consistent with, and could be greater than, what was evaluated in the ConnectMenlo EIR. Therefore, impacts could result that were not previously disclosed. This topic requires **further environmental review** in the Focused EIR.

- b. *Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Topic to Be Analyzed in the Focused EIR)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (pages 4.6.36 through 4.6-45) and determined to result in significant and unavoidable impacts, despite the implementation of mitigation measures.

Conclusion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, there are aspects of the Project that were not evaluated in the ConnectMenlo EIR. Specifically, the trips generated by the Project may not be consistent with, and could be greater than, what was evaluated in the ConnectMenlo EIR. Therefore, impacts could result that were not previously disclosed. This topic requires *further environmental review* in the Focused EIR.

IX. Hazards and Hazardous Materials	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:					
a) Create a significant hazard for the public or environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard for the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard for the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Hazardous Materials

A hazardous material is any substance that, because of its quantity, concentration, or physical or chemical properties, may pose a hazard to human health and the environment. Under California Code of Regulations (CCR) Title 22, the term “hazardous substance” refers to both hazardous materials and hazardous wastes. Both of these are classified according to four properties: (1) toxicity, (2) ignitability, (3) corrosiveness, and (4) reactivity (CCR Title 22, Chapter 11, Article 3). A hazardous material is defined in CCR Title 22 as:

[a] substance, or combination of substances, that, because of its quantity, concentration, or physical, chemical, or infectious characteristics may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of or otherwise managed (CCR Title 22 Section 66260.10).

Exposure to hazardous materials in various forms can cause death, serious injury, long-lasting health effects, or damage to buildings, homes, and other property. Hazards to human health and the environment can occur during production, storage, transport, use, or disposal of hazardous materials.

A Phase I Environmental Site Assessment was performed for the Project by PES Environmental, Inc.⁵² According to its review of the property, the lot where the Project site is located was formerly three separate parcels (151 Commonwealth Drive, 164 Jefferson Drive, and a railroad easement) that were combined to make one property with two addresses, 162 and 164 Jefferson Drive. The former 151 Commonwealth Drive property was undeveloped or in agricultural use until a distillery and portions of a tank farm were constructed in the late 1950s. In the 1970s, the main building and tank farm were expanded. The buildings remained unchanged until all buildings were removed in 2015. The former 164 Jefferson Drive property was undeveloped or in agricultural use until sometime between 1902 and 1943 when trees for an unidentified use were planted. The trees were removed by 1958, and in 1975, a building for multi-tenant commercial use was constructed. This building was also removed in 2015. An industrial spur railroad line was constructed on the former railroad easement in 1957. The line appears to have been unused after the 1990s; the tracks were removed at an unknown date. Current buildings at the Project site were constructed in 2015, along with surrounding parking lots.

Current conditions indicate that two pad-mounted electrical transformers are located at the Project site.⁵³ At the time of the site inspection, they were not observed to be leaking, and no staining was observed in the vicinity of the transformers. No fluorescent light fixtures were observed in the buildings, and no review for asbestos-containing materials (ACMs) was conducted. However, based on the date of construction of buildings at the site (2015), the likelihood of ACMs being present at the property is very low. Surveys indicate that radon levels are most likely below the U.S. Environmental Protection Agency (EPA) action level. No review for lead-based paint (LBP) was conducted; however, based on the date of construction of buildings at the site, the likelihood of LBP being present at the property is very low. No concerns were identified regarding the disposal of solid waste. No hazardous material use and storage was observed at the site. No evidence of historical or current underground storage tanks (USTs) was observed during the site inspection. Two above-ground storage tanks (ASTs) associated with the two

⁵² PES Environmental, Inc. 2019. *Phase I Environmental Site Assessment, 162 and 164 Jefferson Avenue, Menlo Park, California*. Prepared for The Sobrato Organization, Mountain View, CA. February.

⁵³ Ibid.

site generators were observed. No leaking or staining was observed, however, at the time of site inspection. Four spill kits were located next to each AST. Two backup generators were observed at the property, each attached to an AST, as described previously. The generators were in excellent condition at the time of inspection.

A review of regulatory agency databases revealed a historical recognized environmental condition (HREC)⁵⁴ and two controlled recognized environmental conditions (CRECs)⁵⁵ at the Project site.⁵⁶

- The HREC is a result of a Chemlawn spill at the former 164 Jefferson Drive property, prior to the company vacating the property. The spill occurred at an interior mixing tank. Chemlawn removed the concrete where the spill occurred, sampled the soil beneath the concrete, and repoured the slab. The case was closed by the San Mateo County Environmental Health Department (SMCEHD) in 1996.
- One of the CRECs is associated with petroleum hydrocarbon-contaminated soil associated with a former UST (removed in 1988). The contaminated soil remains in place. However, because it is beneath a recently poured parking lot along the northeastern property boundary, there is no significant environmental concern as long as the contaminants are not further disturbed before they degrade naturally.
- The other CREC is related to volatile organic compound (VOC) concentrations that were above regulatory limits. The VOCs were identified in groundwater beneath the northern corner of the property in the 1990s; soil gas was identified in the same vicinity in 2011. Current VOC concentrations are unknown, and the source has not been identified. However, the VOCs in the soil gas appear to be limited in extent, in an area approximately 250 feet from the existing buildings.

Several properties within a 0.5-mile search radius are recorded in environmental databases as having reported releases of hazardous materials or documented environmental contamination. However, given their location and/or current contamination conditions, none of these sites has the potential to adversely affect the Project site.⁵⁷

Table 3.9-1 shows only the upgradient properties, including address, distance from Project site, direction from Project site, database, and, where available, notes about the release.

⁵⁴ A historical recognized environmental condition is a past release of hazardous substances or petroleum products that occurred in connection with a property but has been addressed to the satisfaction of the applicable regulatory authority, or meets the unrestricted use criteria established by the regulatory authority, without subjecting the property to any required controls.

⁵⁵ A controlled recognized environmental condition is the presence or likely presence of any hazardous substance or petroleum product in, on, or at a property that has been released to the environment; appears to have been released to the environment because of indicative conditions; or may pose a material threat of future release to the environment but has been addressed to the satisfaction of the applicable regulatory authority, with the substance allowed to remain in place subject to implementation of required controls (e.g., property use restrictions, activity/use limitations, institutional controls, or engineering controls).

⁵⁶ PES Environmental, Inc. 2019. *Phase I Environmental Site Assessment, 162 and 164 Jefferson Avenue, Menlo Park, California*. Prepared for The Sobrato Organization, Mountain View, CA. February.

⁵⁷ Ibid.

Table 3.9-1. Properties with Potential Contamination Concerns within 0.5 Mile of the Project Site

Label	Name	Address	Distance from Project Site (feet)	Gradient, Direction from Project Site	Database(s)	Notes
E45	Exponent Inc.	149 Commonwealth Drive	274	Higher WNW	CERS Haz Waste, Haznet, CERS	Violations (returned to compliance); inorganic solid waste and aqueous solution with organic residue disposal offsite
E46	149 Commonwealth Drive	149 Commonwealth Drive	274	Higher WNW	LUST, CPS-SLIC, San Mateo Co. Bl, Hist Cortese, CERS	LUST cleanup site (case closed)
C53	Bay Associates Wire	150 Jefferson Drive	351	Higher NNW	EnviroStor, SCH, RCRA NonGen/NLR, FINDS, ECHO, San Mateo Co. Bl	No violations found (inactive); potential contaminants of concern: benzene, naturally occurring asbestos, polynuclear aromatic hydrocarbons
C54	Info Image	141 Jefferson Drive	398	Higher NNW	CERS Haz Waste, Haznet, CERS	Violations (returned to compliance); unspecified organic mixture disposal and fuel blending prior to energy recovery offsite
L91	Amoroso Property	135 Commonwealth Drive	725	Higher WNW	LUST, CPS-SLIC, San Mateo Co. Bl, CERS	Benzene cleanup site (case closed)
J98	L3 Communications	1150 Chrysler Plant	785	Higher NW	CERS Haz Waste, CERS	Violations
J99	L3 Communications	1150 Chrysler Drive	785	Higher NW	LUST, San Mateo Co. Bl, Hist Cortese, NPDES, WDS	LUST site cleanup (case closed)
N107	Krebs Engineers	1205 Chrysler Drive	911	Higher NW	CPS-SLIC, San Mateo Co. Bl, Hist Cortese, CERS	Cleanup site; contaminants of concern: solvents, mineral spirits, distillates (case closed)
T133	Flood Park (SMCO)	Bay Road	1,581	Higher SSW	Hist Cortese	Historical Cortese list

Label	Name	Address	Distance from Project Site (feet)	Gradient, Direction from Project Site	Database(s)	Notes
T134	Flood Park (SMCO)	215 Bay	1,581	Higher SSW	LUST, Hist UST, CERS	LUST cleanup site; contaminant of concern: gasoline (case closed)
U135	Knappkins	4055 Bohannon Drive	1,591	Higher W	LUST, Hist Cortese, CERS	LUST cleanup site; contaminant of concern: gasoline (case closed)
U136	Critchfield	4055 Bohannon Drive	1,591	Higher W	LUST, San Mateo Co. Bl	LUST cleanup site (case closed)
W139, W140	J.A. Moreing Company	120 Constitution Drive	1,663	Higher NW	LUST, CPS-SLIC, Hist Cortese, CERS, CPS-SLIC, CERS	LUST cleanup site; contaminant of concern: gasoline (case closed—historical Cortese list)
141	Terminal Avenue Housing	297 Terminal Avenue	1,752	Higher E	LUST, CPS-SLIC, CERS	LUST; contaminant of concern: diesel (case closed)
X143	Pharmchem Laboratories	3925 Bohannon Drive	1,762	Higher W	RCRA-SQG, CPS-SLIC, FINDS, ECHO, San Mateo Co. Bl	LUST cleanup program site
V144	Studio Red	115 Independence	1,835	Higher NW	CPS-SLIC, San Mateo Co. Bl, EMI, CERS	Cleanup program site; contaminants of concern: dichloroethene, trichloroethylene, vinyl chloride, arsenic, benzene, diesel, gasoline, total petroleum hydrocarbons (case open—site assessment)
Z149, Z150	Automatic Rain Co.	4060 Campbell Avenue	1,988	Higher W	LUST, SWEEPS UST, San Mateo Co. Bl, Hist Cortese, CERS, LUST, CAFID UST	LUST cleanup site; contaminant of concern: gasoline (case closed)

Label	Name	Address	Distance from Project Site (feet)	Gradient, Direction from Project Site	Database(s)	Notes
Z152	BD Genomics	4040 Campbell Avenue	2,054	Higher W	Brownfields, CERS Haz Waste, Haznet	Brownfields cleanup program site; contaminant of concern: trichloroethylene (case closed)
Z153	Camitro Corp.	4040 Campbell	2,054	Higher W	CPS-SLIC, San Mateo Co. Bl, Hist Cortese, CERS	Cleanup program site; contaminant of concern: trichloroethylene (case closed)
154	Fitness 101	4085 Campbell Avenue	2,327	Higher WNW	CPS-SLIC, CERS	Cleanup program site; contaminant of concern: trichloroethylene (case closed)
155	Informix	3905 Bohannon	2,341	Higher W	LUST, San Mateo Co. Bl, CERS	LUST cleanup site; contaminant of concern: diesel (case closed)
AA156	Sunset Heating and Air Conditioning	507 Hamilton Avenue	2,444	Higher E	LUST, CERS	LUST cleanup site; contaminant of concern: gasoline (case closed)
AA157	Sunset Heating and Air Conditioning	511 Hamilton Avenue	2,494	Higher E	LUST, CPS-SLIC, Hist UST, CERS	LUST cleanup site; contaminants of concern: polychlorinated biphenyls, chlordane (case closed)
AA158	Alanzin/Tim Hilleary	519 Hamilton Avenue	2,588	Higher E	LUST, CPS-SLIC, San Mateo Co. Bl, CERS	LUST cleanup site; contaminants of concern: insecticides/pesticides/fumigants/herbicides/waste oil (motor, hydraulic, lubricating)

Source: PES Environmental, Inc., 2019.

LUST = leaking underground storage tank

In addition to the database review, soil and groundwater samples were tested in 1987, prior to development of the current Phase I Environmental Site Assessment, for contaminants as due diligence for a property transfer.⁵⁸ Results indicated the presence of VOCs in groundwater collected from wells installed for the purpose of testing, although no use of VOCs had been recorded on the property, as discussed above. The upgradient source of contamination has not been identified. Furthermore, as discussed above, at the Commonwealth property, residual petroleum hydrocarbon-affected soil was identified in an excavation for a 10,000-gallon UST that was used to store diesel at the site. When the regulatory case was closed in 2011, it was estimated that approximately 150 cubic yards of petroleum hydrocarbon-affected soil remained in the subsurface around the former UST location; this soil could be encountered during future site demolition and/or grading activities. Site closure activities in 2011 emptied the subsurface spill containment tank, then left the tank and associated tanks and infrastructure in place. The SMCEHD issued a “no further action” determination on November 8, 2011, while noting that changes in the use of the site may require further site characterization and mitigation.

Proximity to Schools

TIDE Academy is currently under construction at 150 Jefferson Drive, which is approximately 200 feet (0.04 mile) west of the Jefferson Site and 500 feet (0.09 mile) northwest of the Commonwealth Site. TIDE Academy will be part of the Sequoia Unified High School District and open in August 2019 for the 2019–2020 school year.

Proximity to Airports and Airstrips

The closest airport to the Project site, Palo Alto Airport, a general aviation field that is owned and operated by the City of Palo Alto, is approximately 3 miles from the Project site.⁵⁹ Accordingly, the Project site is not within 2 miles of an airport.

Wildland Fires

According to the California Department of Forestry and Fire Protection’s (CAL FIRE’s) Fire and Resource Assessment Program, the Project is within a Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ) of the Local Responsibility Area.⁶⁰ Therefore, the risk of wildfire at the Project site is very low.

General Plan Goals and Policies

The City General Plan (specifically the Land Use Element, Safety Element, and Circulation Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts related hazardous materials. The following City General Plan goals, policies, and programs would serve to minimize potential adverse risks associated with the routine transport, use, or disposal of hazardous materials: Goal LU-4, Policy LU-4.5, Policy LU-7.7, Goal S-1, Policy S-1.1, Policy S-1.3, Policy S-1.5, Policy S-1.5, Policy S-1.16, Policy S-1.18, Policy S-1.29, Policy S-1.30, Program S-1.J, and Policy CIRC-2.14.

⁵⁸ PES Environmental, Inc. 2014. *Soil Management Plan, The Sobrato Organization, 151 Commonwealth Drive and 164 Jefferson Drive, Menlo Park, California*. Prepared for The Sobrato Organization, Cupertino, CA. October.

⁵⁹ City of Palo Alto. 2018. *Palo Alto Airport*. Available: https://www.cityofpaloalto.org/gov/depts/pwd/palo_alto_airport/default.asp. Accessed: May 23, 2018.

⁶⁰ California Department of Forestry and Fire Protection. 2008. *San Mateo County: Very High Fire Hazard Severity Zones in LRA as Recommended by CAL FIRE*. Available: http://frap.fire.ca.gov/webdata/maps/san_mateo/fhszl_map.41.pdf. Accessed: May 23, 2018.

Environmental Checklist and Discussion

- a. *Create a significant hazard for the public or the environment through the routine transport, use, or disposal of hazardous materials? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-1 (pages 4.7-18 to 4.7-21) and determined to result in a less-than-significant impact because future development, as part of the City's project approval process, would be required to comply with existing regulations, including City General Plan policies, that have been prepared to minimize impacts related to hazardous materials. No mitigation measures were recommended.

Project-Specific Discussion

Construction. The Project involves adding an approximately 249,500 gsf office building and an approximately 324,000 gsf parking structure to the existing buildings at the Project site. The Project proposes removal of dirt and trees and construction of the described office building and parking structure. In addition, the Project would convert an existing surface parking lot to a community park that would be privately owned but publicly accessible. Project construction would involve the routine transport, use, and disposal of hazardous materials, such as fuel, solvents, paints, oils, grease, and caulking, and comply with applicable regulations. Project construction would not involve the use of substances listed in 40 Code of Federal Regulations (CFR) 355, Appendix A, Extremely Hazardous Substances and Their Threshold Planning Quantities. Although small amounts of solvents, paints, oils, grease, and caulking would be transported, used, and disposed of during Project construction, these materials are commonly used in construction projects and not considered acutely hazardous. Therefore, they would not represent the transport, use, or disposal of acutely hazardous materials.

As documented above, contaminated soil is known to exist below the surface of the parking lot; therefore, the transport of spoils may result in the transport of hazardous materials in the form of soil contaminated with petroleum hydrocarbons. However, construction activity that disturbs 1 acre or more must obtain coverage under the state's Construction General Permit. Construction General Permit applicants are required to prepare a SWPPP and implement and maintain BMPs to avoid adverse construction-related effects (including hazardous materials releases) on the surrounding environment. Furthermore, hazardous materials would be required to be transported under California Department of Transportation (Caltrans) regulations. Because compliance with existing regulations is mandatory, the Project is not expected to create a significant hazard for the public or the environment through the routine transport, use, or disposal of hazardous materials.

Operation. The Project would use hazardous materials that are typical of office use (e.g., cleaning products, building maintenance products, diesel fuel for the emergency generator, fertilizers, and pesticides used in landscaping). However, none of these products is expected to be generated or stored in large quantities. Any transport of these materials would be subject to Caltrans regulations. Furthermore, the SMCEHD regulates hazardous materials under its Certified Unified Program Agency (CUPA) and related Unified Programs, which are enforced by the Menlo Park Fire Protection District.

As shown in Table 3.9-1, above, the Project site is within 0.5 mile of upgradient sites with known hazardous materials releases. However, the site-specific Phase I Environmental Site Assessment analysis concluded that none of these sites posed a risk for the Project site.

Conclusion

The physical conditions, as they relate to transport, use, or disposal of hazardous materials, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Because compliance with existing regulations is mandatory, the Project is not expected to create a significant hazard for the public or the environment through the routine transport, use, or disposal of hazardous materials. The impact during construction and operation would be *less than significant*, and no further study is needed.

- b. Create a significant hazard for the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Less than Significant)**

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-2 (pages 4.7-21 to 4.7-23) and determined to result in a less-than-significant impact because future development, as part of the City's project approval process, would be required to comply with existing regulations, including City General Plan policies that have been prepared to minimize impacts related to accidents and spills of hazardous materials. No mitigation measures were recommended.

Project-Specific Discussion

Construction. As mentioned above under Topic IX(a), construction-related hazardous materials would be used during construction of the Project, including fuel, solvents, paints, oils, grease, etc., and would not include substances listed in 40 CFR 355, Appendix A, Extremely Hazardous Substances and Their Threshold Planning Quantities. It is possible that any of these substances could be released during construction activities. However, compliance with federal, state, and local regulations, in combination with temporary construction BMPs (as part of the Construction General Permit requirements), would ensure that all hazardous materials would be used, stored, and disposed properly, which would minimize potential impacts related to a hazardous materials release during construction of the Project. No releases are anticipated from excavation because no contamination has been identified at the Project site.

Operation. As mentioned above, the Project would use hazardous materials that are typical of office use (e.g., cleaning products, building maintenance products, fertilizers and pesticides used in landscaping). It is possible that any of these materials could be released into the environment. SMCEHD regulates waste generated by biotechnology through its Medical Waste Program and other hazardous materials through its Hazardous Materials Business Plan Program. Both programs regulate the use, storage, and disposal of their respective materials. Enforcement is overseen by the Menlo Park Fire Protection District. Compliance with federal, state, and local regulations would ensure that all hazardous materials would be used, stored, and disposed properly, which would minimize potential impacts related to a hazardous materials release during Project operation.

Conclusion

The physical conditions, as they relate to transport, use, or disposal of hazardous materials, have not changed substantially in the ConnectMenlo EIR study area since the preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would not result in an accidental release of hazardous materials during construction or operation. Therefore, the impact would be ***less than significant*** and no further study is needed.

- c. ***Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-3 (pages 4.7-23 to 4.7-24) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As described above, TIDE Academy is approximately 0.04 mile west of the Jefferson Site and 0.09 mile northwest of the Commonwealth Site. This school, which is part of the Sequoia Union High School District, will be operational in August 2019.

Construction. Although the Project would involve hazardous materials that are typical of a construction project, the Project would comply with federal, state, and local regulations. In addition, any potential construction-related hazardous releases would be from commonly used materials, such as fuels, solvents, and paints, and would not include substances listed in 40 CFR 355, Appendix A, Extremely Hazardous Substances and Their Threshold Planning Quantities. Any such spills would be localized and immediately contained and cleaned in accordance with the requirements of the Project-specific SWPPP.

Operation. As discussed above, it is anticipated that the Project would use hazardous materials typical of office use (e.g., cleaning products, building maintenance products, fertilizers and pesticides used in landscaping). Use, storage, and disposal would be regulated by the SMCEHD and the Menlo Park Fire Protection District. Compliance with federal, state, and local regulations would ensure that all hazardous materials would be used, stored, and disposed of properly, which would minimize potential impacts related to a hazardous materials release during Project operation.

Conclusion

The physical conditions, as they relate to hazards near schools, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would comply with all federal, state, and local regulations. The impact on schools due to hazardous substances would be ***less than significant***. No further study is needed.

- d. *Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard for the public or the environment? (No Impact)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-4 (pages 4.7-24 to 4.7-26). It was determined that future development could occur on sites with known hazardous materials and, as a result, create a significant hazard for the public or the environment, resulting in a potentially significant impact. The ConnectMenlo EIR found that implementation of Mitigation Measures HAZ-4a and HAZ-4b, together with compliance with applicable laws and regulations regarding cleanup and reuse of a listed hazardous material site, would ensure that impacts with respect to development on sites with known hazardous materials would be less than significant.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. As explained above, the Project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no mitigation is required to contain potential releases of hazardous materials present at such sites during Project construction. There would be **no impact**, and no further study is needed.

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area? (No Impact)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-5 (page 4.7-27) and determined to result in no impact because the study area would not be subject to any airport safety hazards, and implementation of ConnectMenlo would not have an adverse effect on aviation safety or flight patterns. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to hazards associated with an airport, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project is not within 2 miles of an airport. Accordingly, the Project would not be subject to restrictions related to airport safety hazards. There would be **no impact**, and no further study is needed.

- f. *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-7 (pages 4.7-27 to 4.7-29) and determined to result in a less-than-significant impact. The ConnectMenlo EIR found that future development, as part of the City's project approval process, would be required to comply with existing regulations. No mitigation measures were recommended.

Project-Specific Discussion

The Project would construct a new structure on a lot that currently contains other structures. Emergency access to the Project site would be provided from Commonwealth Drive and Jefferson Drive. Emergency vehicles would enter the site at Commonwealth Drive, then continue along the northern portion of the site, adjacent to the proposed building. Emergency vehicles would travel around the building and exit at Jefferson Drive. Fire access to the proposed parking structure would be at both the northern and southern ends of the site. The Project would comply with Safety Element Policy S-1.29, which requires that high-occupancy structures provide adequate access and clearance for fire equipment, fire suppression personnel, and evacuation.

Conclusion

The physical conditions, as they relate to impacts to emergency response and emergency evacuation, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would not conflict with an adopted emergency response or evacuation plan, resulting in a **less-than-significant** impact. No further study is needed.

- g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? (No Impact)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-8 (pages 4.7-29 to 4.7-30) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to wildfire hazards, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project site and surrounding vicinity are generally developed; areas that are not developed are generally marshland. As discussed above, the Project site is within a Non-VHFHSZ of the Local Responsibility Area.⁶¹ Accordingly, implementation of the Project would not result, either directly or indirectly, in the exposure of people or structures to significant loss, injury, or death involving wildland fires. There would be **no impact**, and no further study is needed.

⁶¹ California Department of Forestry and Fire. 2008. *San Mateo County FHSZ Map: Local Responsibility Area*. Available: http://frap.fire.ca.gov/webdata/maps/san_mateo/fhszl_map.41.pdf. Accessed: March 30, 2018.

X. Hydrology and Water Quality	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:					
(i) Result in substantial erosion or siltation onsite or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect floodflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In a flood hazard, tsunami, or seiche zone, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Surface Hydrology

The Project site is within the alluvial fan of the lower San Francisquito Creek watershed. The headwaters of the watershed are in the Santa Cruz Mountains, above Menlo Park; these waters eventually flow into southwest San Francisco Bay. Tidal mudflats and marshes in the Bay, the Refuge, Ravenswood Slough, and the salt ponds (some of which are within the Refuge) are across Bayfront Expressway and to the north. The Project site is less than 1 mile inland from the Refuge and Lower San Francisco Bay. Water typically flows from southwest to northeast through natural creeks and streams as well as channelized waterways. Major surface waters in the Project vicinity include Atherton Channel (also known as Atherton Creek) to the west, Westpoint and Flood Slough to the north, Ravenswood Slough to the northeast, San Francisquito Creek to the southeast, and Lower San Francisco Bay to the north.

Atherton Channel is an alternating earthen-lined/concrete-lined channel that carries flows from the upper reaches of Atherton Creek to Westpoint Slough. Westpoint Slough is less than 1 mile north of the Project site and one of several sloughs that run through the salt ponds and salt marshes north of Bayfront Expressway. It drains into Lower San Francisco Bay. Ravenswood Slough, a wetland feature that flows into the Bay, is approximately 1 mile northeast of the Project site. Levees are located throughout the salt ponds. San Francisquito Creek, approximately 2 miles southeast of the Project site, is a natural channel that flows into the Bay and serves as a boundary between San Mateo and Santa Clara Counties.

The Project site, which covers approximately 13.3 acres (578,500 square feet), is within the most northerly drainage area of Menlo Park. The Project site drains to a municipal storm drain system that outfalls to Redwood Creek and ultimately to San Francisco Bay. Currently, the total surface area of the Project site is approximately 74.6 percent impervious (approximately 431,697 square feet). The Project site includes the Commonwealth Site and the Jefferson Site, consisting of two buildings (Buildings 1 and 2, referred to by Facebook as Buildings 27 and 28), with surface parking on the Commonwealth Site and the Jefferson Site.

Currently, the site is served by a combination of existing and new onsite storm drain systems. The system collects runoff from the parking, roof, and hardscape areas and conveys it to a pump. The pump is sized to discharge water at an appropriate flow rate to biotreatment ponds for stormwater treatment. The balance of the runoff is discharged directly to Jefferson Drive from a system of pipes. Runoff is conveyed to the existing 36-inch storm drain in Jefferson Drive.⁶²

Onsite drainage is captured by area drains and landscaped areas. New and mature trees, as well as landscaping, are scattered throughout the Project site. The Commonwealth Site includes a stormwater treatment area with native grasses and flowers. Directly adjacent to Jefferson Drive is a 2,800-square-foot stormwater treatment area with trees and grasses.

Water Quality

Water quality in a typical surface water body is influenced by processes and activities that take place within the watershed. The quality of the stormwater runoff from the Project site and surrounding development is typical of urban watersheds where water quality is affected primarily by discharges from both point and nonpoint sources, including winter storms, overland flows, exposed soils, roofs,

⁶² Kier & Wright Civil Engineers & Surveyors. 2018. *Stormwater Report, Commonwealth Building 3, 162 & 164 Jefferson Drive Menlo Park, California*. February 28.

parking lots, and streets. Water quality in the Project vicinity is affected directly by stormwater runoff from adjacent streets and properties, which deliver fertilizers; pesticides; automobile/traffic-related pollutants (e.g., oil, grease, metals); sediment, with associated attached pollutants from soil erosion; trash; and other pollutants.

Constituents or pollutants in stormwater runoff vary with surrounding land uses, impervious surface area, and topography as well as with the intensity and frequency of rainfall or irrigation. The Project site is within in a developed area of Menlo Park, and the majority of the ground surface is covered by pavement (roads and parking lots) or structures (office and commercial buildings). Street surfaces are the primary sources of pollutants in stormwater runoff in urban areas.

Common sources of stormwater pollution in urban areas include construction sites; parking lots; large landscaped areas, with associated fertilizers and pesticides; and household and industrial sites. Grading and earthmoving activities associated with new construction can accelerate soil erosion. Grease, oil, hydrocarbons, and metals deposited by vehicles and heavy equipment can accumulate on streets and paved parking lots and be carried into storm drains by runoff. Table 3.10-1 shows 303(d)-listed impairments, known as total maximum daily loads (TMDLs), for the Lower San Francisco Bay region, based on the 2014/2016 California Integrated Report, and completed action plans to restore clean water.⁶³

Table 3.10-1. Overview of Water Quality Impairments for Lower San Francisco Bay

Listed Impairments Per 2014/2016 303(d) List	Potential Sources	EPA TMDL Completion
Chlordane	Source unknown	Est. 2013 ^a
Dichlorodiphenyltrichloroethane (DDT)	Source unknown	Est. 2013 ^a
Dieldrin	Source unknown	Est. 2013 ^a
Dioxin compounds (including 2,3,7,8-TCDD)	Source unknown	Est. 2019
Furan compounds	Source unknown	Est. 2019
Invasive species	Source unknown	Est. 2019
Mercury	Source unknown	2008
Polychlorinated biphenyls (PCBs) and dioxin-like PCBs	Source unknown	2010
Trash	Source unknown	Est. 2021

^a. A TMDL was expected to be completed; however, no TMDL has been approved by EPA.

Source: State Water Resources Control Board, 2018.

TCDD = tetrachlorodibenxodioxin; EPA = U.S. Environmental Protection Agency

TMDL = total maximum daily load; Est. = estimated

Groundwater

The Project site is within the San Mateo subbasin of the larger Santa Clara Valley groundwater basin (Department of Water Resources Basin Number 2-9.03). A relatively shallow aquifer overlies confined and semi-confined aquifers near the margins of the Bay, with most wells drawing from deeper deposits. The direction of groundwater flow is generally to the east and north.

⁶³ State Water Resources Control Board. 2018. *2014/2016 California Integrated Report* (Clean Water Act Section 303(d) List/305(b) Report). Last updated: 2018. Available: https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml. Accessed: March 15, 2019.

Recharge of the subbasin occurs through infiltration into streambeds as well as the infiltration of precipitation on the valley floor. Groundwater recharge increases from the hilly western to the flatter eastern portions of Menlo Park and decreases with increasing depth. Limited groundwater pumping in the basin has resulted in relatively stable groundwater levels over the past 40 years. The San Mateo subbasin is currently full; however, historical data indicate that the basin responds rapidly to increased pumping.⁶⁴ Groundwater levels in the vicinity of the Project site were estimated from pore pressure dissipation test data at depths of about 10 to 11 feet below the current grades, corresponding to elevations of 1 to 2 feet below mean sea level.⁶⁵

In general, groundwater quality in the Santa Clara Valley groundwater basin is good. Throughout most of the basin, groundwater quality is suitable for most urban and agricultural uses, with the exception of a few local impairments. The primary constituents of concern are total dissolved solids, nitrate, boron, and organic compounds. Water from public supply wells meets state and federal drinking water standards without treatment. Although a designated beneficial use identified for the Santa Clara Valley groundwater basin includes the municipal and domestic water supply, groundwater beneath the Project site itself is not considered to be a source of drinking water because of elevated salinity levels.

One closed leaking underground storage tank (LUST) cleanup site is on the Project site, and other closed cleanup sites are within 0.5 mile of the Project site. In addition, two open cleanup sites are less than 0.5 mile northwest of the Project site. Potential contaminants of concern include arsenic, benzene, dichloroethene, diesel, gasoline, total petroleum hydrocarbons, trichloroethylene, vinyl chloride, and volatile organic compounds. Refer to Section IX, *Hazards and Hazardous Materials*, for more information on LUST cases in the Project area.

Flooding

The Project site is not within the Federal Emergency Management Agency (FEMA) 100-year floodplain (Figure 3.10-1). The majority of the Project site is within Flood Zone X (unshaded), areas of minimal flood hazard, and outside the 500-year flood zone. The northwest corner of the Project site is within Zone X (shaded), areas of moderate flood hazard; these are usually areas between the limits of the 100-year and 500-year flood. The Zone X (shaded) designation is also used for base floodplains with lesser hazards, such as 100-year levee protection, or shallow flood areas with average depths of less than 1 foot or drainage areas of less than 1 square mile. Areas within the 500-year flood-hazard area are subject to a 500-year flood, which means that, in any given year, the risk of flooding is 0.2 percent. FEMA initiated the California Coastal Analysis and Mapping Program, under which the San Francisco Bay Area Coastal Study was conducted. The data are still preliminary; therefore, this analysis considers impacts from the current effective FEMA Flood Insurance Rate Maps.

Sea-Level Rise

Projected sea-level rise, an effect of climate change, is expected to increase the number of areas that experience coastal flooding along the Bay in the future. Coastal and low-lying areas, such as the Project site, are particularly vulnerable to future sea-level rise. More specifically, sea-level rise is a concern for

⁶⁴ Stanford Water in the West. 2017. *San Mateo Plain Groundwater Subbasin: A Local Case Study*. April 26.

⁶⁵ Cornerstone Earth Group. 2012. *Preliminary Geotechnical Investigation for Commonwealth Office Complex*. Project number 102-11-11. Walnut Creek, CA. March 14; Federal Emergency Management Agency. 2012. *National Flood Hazard Layer (Official)*. Panel 306 of 510, Map #06081C0306E, dated October 16, 2012. Available: <http://www.floodmaps.fema.gov/NFHL/status.shtml>. Accessed: March 15, 2019.

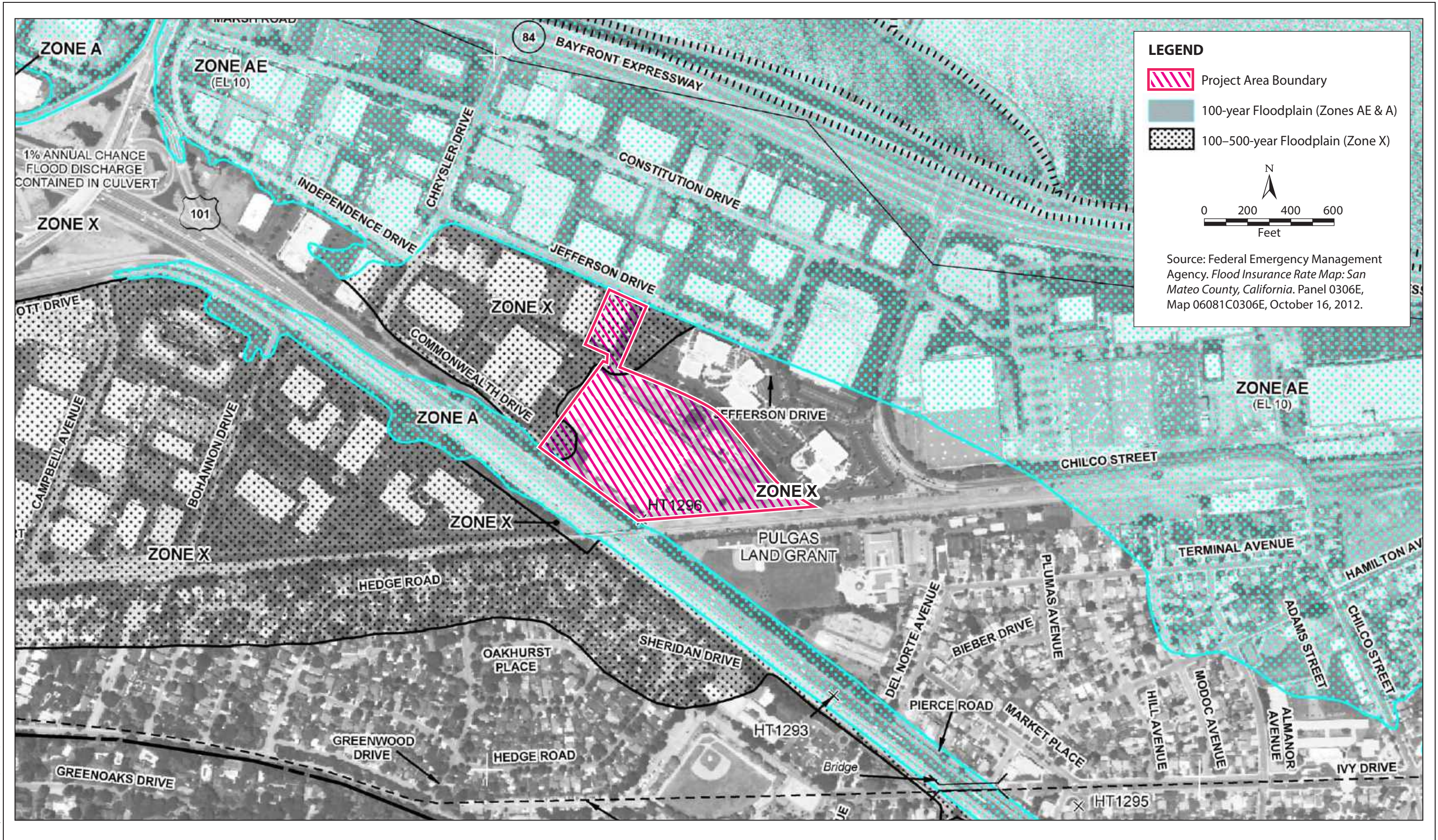


Figure 3.10-1
FEMA Flood Zones within the Project Area

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the future, particularly in combination with storm events and coastal flooding. A scenario with 100-year high tides, taking into account sea-level rise over a 50- or 100-year horizon, would dramatically increase the risk of flooding in the Project vicinity.

The Project site is in an area that is subject to future inundation as a result of sea-level rise. Sea-level rise, in combination with daily tides, could result in more substantial inundation at the upper end of the ranges for sea-level rise by mid-century and at the end of the century, ranging from 24 to 66 inches. High-tide events, combined with the effects of sea-level rise, would produce the greatest inundation and damage from flooding. The Bayfront Area is within the inundation zone with projected sea-level rise of 24 inches coupled with a 100-year storm surge. Projected 24-inch sea-level rise coupled with a 100-year storm surge would result in total sea-level rise of 66 inches, and 66-inch sea-level rise coupled with a 100-year storm surge would result in total sea-level rise of 108 inches. The area of the 66-inch sea-level rise coupled with the 100-year storm surge would increase, as would the inundation depth in the Bayfront Area.

General Plan Goals and Policies

The City General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that would require local planning and development decisions to consider impacts on hydrology and water quality. The following City General Plan goals, policies, and programs would serve to minimize potential adverse impacts related to water quality, groundwater resources, flooding, levee/dam break, sea-level rise, seiche, tsunami, and mudflows: Goal LU-4, Policy LU-4.5, Goal LU-6, Policy LU-6.11, Goal LU-7, Policy LU-7.7, Program LU-7.H, Goal OSC-5, Policy OSC-5.1, Goal S-1, Policy S-1.5, Policy S-1.10, Program S-1.10, Program S-1.D, Policy S-23, Policy S-1.26, Policy S-1.27, and Policy S-1.28.

Environmental Checklist and Discussion

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-1 (pages 4.8-27 to 4.8-29) and determined to have a less-than-significant impact on water quality because of compliance with existing federal, state, and local regulations, including City General Plan goals, policies, and design standards. No mitigation measures were recommended. In addition, this topic was also analyzed in the ConnectMenlo EIR as Impact HYDRO-6 (page 4.8-35) and determined to have a less-than-significant impact on water quality through compliance with existing federal, state, and local regulations as well as City General Plan policies that minimize impacts related to water supply. No mitigation measures were recommended.

Project-Specific Discussion

Construction. Project construction would have the potential to temporarily increase sediment loads in Lower San Francisco Bay and affect surface water quality. Other pollutants, such as nutrients, trace metals, and hydrocarbons, can attach to sediment and be transported to downstream locations; they can also degrade water quality. However, the Project would be required to comply with existing federal, state, and local regulations, including City General Plan goals, policies, and design standards.

A Project SWPPP would be developed and implemented in compliance with the Construction General Permit, local stormwater ordinances, and other related requirements. Construction BMPs for the Project would control and prevent the discharge of pollutants, including waste from pavement cutting, paint, concrete, petroleum products, chemicals, wastewater, sediments, and non-stormwater discharges, to storm drains and watercourses. In addition, construction materials and wastes would be stored, handled, and disposed of properly to prevent contact with stormwater. Earthmoving and clearing activities would be performed during dry weather only to minimize any mobilization of sediment. Temporary erosion controls would be implemented to stabilize disturbed areas until permanent erosion controls are established.

Project excavation depths would vary from 3 to 7 feet below mean sea level. Construction dewatering in areas with shallow groundwater could be required during soil excavation and tree removal. Because contaminated sites are within 0.5 mile of the Project site, groundwater may have been contaminated by other properties. Therefore, impacts related to groundwater contamination are considered potentially significant and will require mitigation to protect human health and the environment. Coverage under the Construction General Permit typically includes dewatering activities, as authorized non-stormwater discharges, provided that dischargers prove that the quality of the water is adequate and not likely to affect beneficial uses. Because groundwater at the site may be contaminated, the San Francisco Bay RWQCB would need to be notified if dewatering occurs. Furthermore, the contractor may be subject to dewatering requirements in addition to the requirements outlined in the Construction General Permit, including discharge sampling and reporting.

Construction activities could result in short-term surface and groundwater quality impacts, such as sediment loads that exceed water quality objectives or chemical spills that flow into storm drains or groundwater aquifers, if proper minimization measures are not implemented. However, a Project SWPPP would be developed and implemented in compliance with the Construction General Permit, local stormwater ordinances, and other related requirements. Because dewatering may involve potentially contaminated groundwater, construction dewatering treatment would be implemented, if necessary. Dewatering treatment would be necessary if groundwater is encountered during excavation, if dewatering is necessary to complete the Project, or if the water produced during dewatering is discharged to any storm drain or surface water body.

If dewatering activities require discharges to the storm drain system or other water bodies, the water shall be pumped to a tank and tested for water quality using grab samples and sent to a certified laboratory for analysis. If it is found that the water does not meet water quality standards, it shall either be treated as necessary prior to discharge so that all applicable water quality objectives (as noted in the San Francisco Bay Basin (Region 2) Water Quality Control Plan [Basin Plan]) are met or hauled offsite instead for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water. Water treatment methods shall be selected that remove the maximum amount of contaminants from the groundwater and represent the best available technology that is economically achievable. Implemented methods may include the retention of dewatering effluent until particulate matter has settled before it is discharged, the use of infiltration areas, filtration, or other means. The contractor shall perform routine inspections of the construction area to verify that the water quality control measures are properly implemented and maintained, conduct visual observations of the water (i.e., check for odors, discoloration, an oily sheen on groundwater), and perform other sampling and reporting activities prior to discharge. The final selection of water quality control measures shall be submitted in a report to the San Francisco Bay RWQCB for approval prior to construction. If the results from the

groundwater laboratory do not meet water quality standards and the identified water treatment measures cannot ensure that treatment meets all standards for receiving water quality, then the water shall be hauled offsite instead for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water.

Operation. The Project would include a four-story office building (Building 3), a four-story parking structure, surface level parking, and a new open space area. Implementation of the Project would reduce the amount of total impervious surfaces by approximately 38,542 square feet. Paved areas would cover approximately 393,155 square feet of impervious surfaces, or approximately 68 percent of the Project site. Hardscape at the Project site would include concrete paving, decomposed granite paving, and concrete pavers. Landscaped areas would provide 185,297 square feet of pervious surfaces, covering approximately 32 percent of the Project site.

Operation of new facilities could increase levels of pollutants (e.g., trash, oil, grease, pesticides) and introduce those pollutants into storm drains. Because the Project would create and replace more than 10,000 square feet of impervious surface, the Project would be regulated by Provision C.3 of the Municipal Regional Permit. To meet San Mateo Countywide Water Pollution Prevention Program C.3 stormwater requirements, the Project would be required to treat runoff from all impervious areas. Stormwater treatment areas would be located around the northern, eastern, and southern borders of the Project site to limit stormwater runoff. These biotreatment areas would be open, level vegetated areas that would allow runoff to be distributed evenly across the area. They would be designed to treat runoff by filtering raw runoff through the soil media in the treatment area. Biotreatment areas would trap particulate pollutants (suspended solids and trace metals) and promote infiltration. In addition, the existing stormwater treatment areas on the Commonwealth Site and directly adjacent to Jefferson Drive would remain.

The Project site would be drained by a combination of existing and new onsite storm drain system facilities. The system would ultimately convey runoff to biotreatment ponds for stormwater treatment to capture and treat runoff from the newly created or replaced impervious area. The new development would have a larger landscaped area, which would result in a net decrease in the amount of runoff leaving the site. The Project Sponsor would be required develop and implement a final Stormwater Management Plan (SWMP), with the goal of reducing the discharge of pollutants to the maximum extent practicable.

Routine maintenance activities would be implemented for the biotreatment pond to prevent sediment buildup and clogging, which reduce pollutant removal efficiency and can lead to biotreatment area failure. Maintenance tasks would include inspecting the biotreatment area to ensure proper drainage between storms and removing obstructions, debris, and trash from the biotreatment area. Further, the Project Sponsor would be required to enter into a Stormwater Operations and Maintenance Agreement with the City for maintenance of the stormwater treatment facilities. In addition, the Project would implement BMPs, both during and after construction, to minimize or prevent pollutant discharges and runoff. The Project would comply with the General Construction Permit; San Francisco Bay Municipal Separate Storm Sewer System Permit, Provision C.3; and San Mateo Countywide Water Pollution Prevention Program C.3 Stormwater Technical Guidance; and would implement a SWPPP and other erosion and pollution control measures.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Project implementation, including the construction of new buildings and associated changes in development intensities as a result of the Project, would not result in adverse effects on water quality. Construction and operational impacts on water quality would be *less than significant*, and no further study is needed.

- b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-2 (pages 4.8-30 to 4.8-32) and determined to have a less-than-significant impact on groundwater supply and/or recharge through compliance with existing federal, state, and local regulations, including City General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

Implementation of the Project would reduce the amount of impervious surfaces. Landscaped areas would provide 185,297 square feet of pervious surfaces (32 percent of the Project site). Landscaping would be provided around the perimeter of Building 3 and the parking structure as well as along the western and southern edges of the Project site. Public open space would be landscaped with trees and native vegetation. Biotreatment areas would be open, level vegetated areas that would allow runoff to be distributed evenly across the area, allowing runoff to infiltrate the soil media in the treatment area. In addition, the existing stormwater treatment area on the Commonwealth Site, which contains native grasses and flowers, and the existing 2,800-square foot stormwater treatment area directly adjacent to Jefferson Drive, which contains trees and grasses, would remain. These landscape features would allow groundwater recharge and increase recharge capabilities within the Project site. Therefore, the Project would not interfere with groundwater recharge.

Although dewatering may be necessary during Project construction, the groundwater beneath the Project site is not used for municipal water supply purposes. Should dewatering occur, it would be conducted on a one-time or temporary basis during the construction phase and would not result in a loss of water that would deplete groundwater supplies. In addition, the water supply for construction activities (e.g., dust control, concrete mixing, material washing) would come from nearby hydrants and existing surface supplies for the site and/or be trucked to the site.

The Project would not substantially deplete groundwater supplies because it would not increase groundwater demand. New and existing landscape features and treatment facilities would collect stormwater and slowly release it at a controlled rate, allowing for increased groundwater infiltration. Trees and native grasses would stabilize native soils, and new landscaped areas would slow the flow of water, allowing it to percolate into the ground and underlying aquifers and thus provide benefits related to groundwater recharge. The Project would not impede sustainable groundwater management of the basin.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Project construction and operational impacts on groundwater supplies and recharge would be *less than significant*. No further study is needed.

- c. ***Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:***

- (i) ***Result in substantial erosion or siltation onsite or offsite? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-3 (pages 4.8-32 and 4.8-33) and determined to have a less-than-significant impact on erosion and siltation because of regulatory requirements (e.g., BMPs, erosion control plans, SWPPPs) and compliance with the City Municipal Code and City General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

Project construction activities would temporarily alter existing drainage patterns and could result in temporary onsite erosion and siltation. However, the Project would implement a SWPPP to minimize the potential for erosion and sedimentation in nearby storm drains. Preparation and implementation of the SWPPP would reduce the potential for substantial erosion or siltation onsite or offsite or a substantial increase in the rate or amount of runoff. The Project would be in compliance with existing NPDES permits and the City Municipal Code for construction and stormwater management (Chapter 7.42).

Project improvements would include a four-story building, a four-story parking structure, surface parking, landscape areas, a community park, and pedestrian paths. The Project site would be drained by a combination of existing and new onsite storm drain system facilities. The system would collect runoff from the parking, roof, and hardscape areas and convey it to a pump. The pump would be sized to discharge the water at an appropriate flow rate to biotreatment ponds for stormwater treatment. The balance of the runoff not directed to the pond would discharge directly to the existing 36-inch storm drain in Jefferson Drive from a system of pipes. Only minor onsite grade changes would be required. As a result, the proposed improvements would not alter offsite drainage patterns. New stormwater conveyance and management facilities would be designed per City drainage guidelines. Because runoff from the Project site does not flow through a hardened channel or enclosed pipe before draining into a waterway in an exempt area, the Project would not be required to incorporate hydromodification measures. In addition, construction of the Project would not involve work within surface waters and thus would not alter the course of an existing stream or river because these features do not exist onsite.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result

of the Project. The Project would be consistent with the City General Plan and comply with the City Municipal Code. The Project would not alter the existing drainage pattern of the site in a manner that would result in substantial erosion or siltation. Impacts would be ***less than significant***. No further study is needed.

(ii) Substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-4 (pages 4.8-33 and 4.8-34) and determined to have a less-than-significant impact on onsite or offsite flooding through compliance with City stormwater measures from the City Municipal Code, compliance with the C.3 provisions of the Municipal Regional Permit, and adherence to City General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

The Project site would be drained by a combination of existing and new storm drain system facilities. The system would convey runoff to a pump that would be sized to discharge the water at an appropriate flow rate to biotreatment ponds for stormwater treatment. The balance of the runoff would discharge directly to Jefferson Drive from a system of pipes. In addition, the Project would increase the amount of landscaped and pervious area compared with existing conditions, thereby reducing the amount of impervious surface areas, which would result in a net decrease in the amount of runoff and floodwater leaving the Project site.

The Project site is not within the 100-year floodplain, and there is no base flood elevation for the site. However, the building design accounts for flooding and/or sea-level rise. To meet the requirements of the Hazard Mitigation and Sea-Level Rise Resiliency requirements of the O zoning district, the building would be required to be 24 inches above the existing grade. Therefore, the first-floor elevation of the proposed Building 3 would be raised 24 inches above the existing grade to an elevation of 12.5 feet.

Because only minor onsite grade changes would be required, the anticipated improvements would not alter offsite drainage patterns so as to increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite. In addition, the City of Menlo Park, which has adopted more stringent requirements than the C.3 provisions, specifies that post-development stormwater volumes must not exceed the pre-development volumes of projects that increase the amount of net new impervious surface, regardless of whether a project is regulated or not. Therefore, an increase in stormwater flows in the existing or planned storm drain system would not occur, and flooding during storm events would not be worsened.

Each new development or redevelopment project within Menlo Park would be required, as part of the CEQA process or entitlement process, if exempt from CEQA, to demonstrate that stormwater runoff from the site would not result in an exceedance of the capacity of the existing or future storm drain system, meaning that other developments in the area could not negatively affect storm system capacity. In addition, implementation of low-impact development design guidelines and an engineering review of drainage calculations and development plans by the Menlo Park Public Works Department would further ensure that no significant increases in peak flow rates or runoff volumes would occur. The grading and drainage plans for the Project would be reviewed by the City to ensure that onsite drainage and low-impact development features

would be adequate with respect to preventing onsite or offsite flooding. Future citywide improvements, subject to funding, include designing a storm drain system to address flooding along Middlefield Road from San Francisquito Creek to Ravenswood Avenue. These improvements may improve known and existing storm drain capacity issues near the Project site.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would not alter the existing drainage pattern of the site in a manner that would result in a substantial increase in runoff that would result in flooding. The Project would comply with the City Municipal Code and City General Plan. Impacts would be ***less than significant***. No further study is needed.

(iii) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-5 (page 4.8-34) and determined to have a less-than-significant impact on stormwater drainage systems because future development would be required to provide onsite infiltration for stormwater runoff, consistent with the City General Plan and City Municipal Code. No mitigation measures were recommended.

Project-Specific Discussion

Existing development in Menlo Park, as well as new development, as part of ConnectMenlo, occurs on parcels in the Bayfront Area that have already been covered with impervious surfaces. The City has stringent stormwater requirements that exceed the C.3 provisions of the Municipal Regional Permit. For example, post-development stormwater volumes must not exceed the pre-development volumes of projects that increase the amount of net new impervious surface, regardless of whether a project is regulated or not. In addition, the Project design would include stormwater treatment facilities to treat runoff from impervious surface areas. The Project would reduce the impervious surface area and result in a net decrease in the amount of runoff and associated pollutants leaving the site. In addition, the existing stormwater treatment areas on the Commonwealth Site and the existing 2,800-square-foot stormwater treatment area directly adjacent to Jefferson Drive would remain. The Project site would include biotreatment areas throughout the site. The proposed overflow pipe at the manhole pump for each biotreatment area is a couple of feet higher than the treatment volume to prevent it from functioning until the treatment flow has been stored. Flows from all proposed impervious areas, both replaced and new areas, would be directed to a pump, which would be sized to discharge runoff to biotreatment areas for stormwater treatment.

Implementation of the biotreatment areas would meet C.3 requirements as well as City requirements. These areas would capture and treat runoff from all newly created and replaced impervious areas. Maintenance guidelines and tasks related to operation and the efficient removal

of pollutants are provided in the stormwater report.⁶⁶ The biotreatment would be open, level vegetated areas that allow runoff to be distributed evenly across the area. They are designed to treat runoff by filtering raw runoff through the soil media in the treatment area. The Project would have a larger pervious area, which would result in a net decrease in the amount of runoff and associated pollutants leaving the site. The balance of the runoff not directed to biotreatment areas would discharge to the municipal storm drain system that outfalls to Redwood Creek and ultimately San Francisco Bay. In addition, landscaped and open space areas, which would be landscaped with trees, grasses, shrubs, ground cover, and native vegetation, would filter pollutants through a substrate of sandy loam. Plant materials associated with landscaping would treat stormwater runoff through biological uptake and reduce pollutant discharges.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would not create or contribute runoff water that would exceed the capacity of stormwater drainage systems or provide additional sources of polluted runoff. The impact would be *less than significant*, and no further study is needed.

(iv) Impede or redirect floodflows? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-8 (page 4.8-38) and determined to have a less-than-significant impact with respect to flood hazards through compliance with federal and City Municipal Code requirements as well as adherence to City General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, the Project site is not within a 100-year flood hazard area. The majority of the Project site is within Flood Zone X (unshaded), areas of minimal flood hazard, and outside the 500-year flood level. The northwest corner of the Project site is within Zone X (shaded), areas of moderate flood hazard; these are areas between the limits of the 100-year and 500-year flood. Because the City participates in the National Flood Insurance Program, it must ensure that the Project meets federal standards for flood protection. Chapter 12.42 of the City Municipal Code contains methods and provisions for preventing flood damage.

Although the Project site is not within the 100-year floodplain, the building would be designed to account for flooding and/or sea-level rise due to proximity to the Bay. As described above, the proposed Building 3 would be 24 inches above the existing grade, at an elevation of 12.5 feet.

Only minor onsite grade changes in disturbed soil areas would be required. However, the Project may redirect floodwaters. Biotreatment areas and landscaped areas would increase onsite infiltration and minimize the potential for overland floodflows. The Project would not impede floodflows or exacerbate the frequency or severity of flooding.

⁶⁶ Kier & Wright Civil Engineers & Surveyors. 2018. *Stormwater Report, Commonwealth Building 3, 162 & 164 Jefferson Drive Menlo Park, California*. February 28.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would comply with the City Municipal Code, City General Plan, FEMA requirements, and Engineering Division requirements, including preparation of a floodwater flow analysis. The Project would not exacerbate flooding or cause flooding to occur in areas that would not be subject to flooding without the Project. The Project would not impede or redirect floodflows offsite within a 100-year flood hazard area. Therefore, impacts would be **less than significant**, and no further study is needed.

- d. ***In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation? (Less than Significant)***

Analysis in the ConnectMenlo EIR

The topic of inundation by tsunami or seiche was analyzed in the ConnectMenlo EIR as Impact HYDRO-10 (pages 4.8-43 and 4.8-44). It was determined that impacts on future developments related to flooding from tsunamis and seiches would be less than significant through compliance with existing regulations, including City General Plan policies. No mitigation measures were recommended.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project site is not subject to flooding from tsunami or seiche. According to the California Tsunami Inundation Map for Emergency Planning (Redwood Point Quadrangle/Palo Alto Quadrangle), the Project site is not within a tsunami inundation area.⁶⁷ However, the salt ponds adjacent to the Bay and portions of Westpoint, Flood, and Ravenswood Sloughs, approximately 1 mile north of the Project site, are within designated tsunami inundation areas.

Seiche occurs in an enclosed or partially enclosed body of water, such as a lake or reservoir. There are no large bodies of fresh water, such as reservoirs or lakes, in the Project vicinity. In addition, the Bay is a large and open body of water with no immediate risk of seiche. Large waves generated in the Pacific Ocean undergo considerable refraction and diffraction upon passing through the Golden Gate, resulting in greatly reduced heights when they reach the Project site. Therefore, there is no risk of seiche affecting the Project site, and no further analysis is required. In the event of a flood hazard, to reduce the risk of a pollutant release, the Project would comply with the requirements of local water quality programs and associated municipal stormwater-related NPDES permits (e.g., municipal separate storm sewer system permit, Municipal Regional Permit) as well as City General Plan policies to manage flood risk and water quality. Compliance with these requirements would minimize risks related to a release of pollutants due to Project inundation in a flood hazard, tsunami, or seiche zone. The Project would not release pollutants as a result of inundation by flood, tsunami, or seiche. Therefore, impacts would be **less than significant**, and no further study is needed.

⁶⁷ California Emergency Management Agency, University of Southern California, California Geological Survey. 2009. *Tsunami Inundation Map for Emergency Planning*. State of California, County of San Mateo. Redwood Point Quadrangle/Palo Alto Quadrangle. June 15.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR (Section 4.8, *Hydrology*) and determined to have a less-than-significant impact with respect to conflicting with or obstructing implementation of a water quality control plan. The ConnectMenlo EIR did not analyze whether the project would conflict with or obstruct implementation of a sustainable groundwater management plan, as this is a new/revised topic for consideration. However, the ConnectMenlo EIR did conclude that development under the General Plan would result in less-than-significant impacts with respect to substantially depleting groundwater supplies or substantially interfering with groundwater recharge such that the local groundwater table would be lowered.

Project-Specific Discussion

Project implementation would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The Project would result in an increase in pervious area, which would increase capacity for groundwater recharge and decrease the amount of pollutants leaving the Project site because of the new and existing biotreatment areas. The Project Sponsor would comply with the appropriate water quality objectives for the region. Commonly practiced BMPs would be implemented to control construction site runoff and reduce discharges of pollutants (i.e., stormwater and other nonpoint-source runoff) to storm drain systems. As part of compliance with permit requirements during ground-disturbing or construction activities, implementation of water quality control measures and BMPs would ensure that water quality standards would be achieved, including water quality objectives that protect designated beneficial uses of surface water and groundwater, as defined in the Basin Plan. The NPDES Construction General Permit also requires stormwater discharges not to contain pollutants that cause or contribute to an exceedance of any applicable water quality objectives or water quality standards, including designated beneficial uses. In addition, City General Plan policies protect groundwater recharge areas and groundwater resources, as required by a sustainable groundwater management plan. According to the ConnectMenlo General Plan, the City of Menlo Park is not required to prepare a groundwater sustainability plan, and a groundwater sustainability agency has not yet been established for the groundwater basin in San Mateo County that underlies the Project area.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR with respect to violating water quality standards or depleting groundwater supplies; therefore, there would be no new specific effects as a result of the Project. The Project would comply with the Construction General Permit, City General Plan, and surface water and groundwater quality objectives, as defined by the Basin Plan. It would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, impacts would be ***less than significant***, and no further study is needed.

XI. Land Use and Planning	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the Project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Existing Land Uses

Project Site Vicinity

The Project site is in Menlo Park, which encompasses an area of about 19 square miles, including nearly 12 square miles of San Francisco Bay and wetlands. The approximately 7-square-mile urbanized portion of Menlo Park is virtually built out. The Project site is north of US 101 in Menlo Park (as shown in Chapter 2, *Project Description*, Figure 2-1). Specifically, the site is bound by Jefferson Drive and office buildings to the north, the currently inactive Dumbarton Rail Corridor to the southeast, US 101 to the south, and an Exponent building to the west. Southeast of the Dumbarton Rail Corridor is Kelly Park. Farther north, beyond the Project site, is State Route (SR) 84, tidal mudflats and marshes along the Bay, Don Edwards San Francisco Bay National Wildlife Refuge, and Ravenswood Slough.

The Belle Haven neighborhood of Menlo Park is south of the Project site, across the Dumbarton Rail Corridor. The Belle Haven neighborhood contains a mix of uses, including churches, Menlo Park Fire Station No. 77, single-family residences, multi-family residential units, and institutional buildings. The Belle Haven neighborhood’s institutional and park uses include Beechwood School, Belle Haven Elementary School, the Belle Haven Pool, Belle Haven Youth Center, Onetta Harris Community Center, Menlo Park Senior Center, the Belle Haven Branch Library, the Boys and Girls Club, Hamilton Park, and Kelly Park. The Sequoia Union High School District is constructing a new high school at 150 Jefferson Drive, which is approximately 300 feet west of the Project site. US 101 separates the Project site from residential areas to the south. However, the Project site is directly across from the Suburban Park-Lorelei Manor-Flood Park Triangle neighborhood.

Project Site

The approximately 13.3-acres Project site encompasses the Commonwealth Site (12.1-acres) and the Jefferson Site (1.2-acres). The Commonwealth Site is just south of the Jefferson Site and includes assessor’s parcel numbers (APNs) 055-243-300, 055-243-310, and a portion of 055-243-999. The

Commonwealth Site encompasses Buildings 1 and 2 (Facebook Buildings 27 and 28, respectively), a bocce court, wooden deck, courtyard with café tables and chairs, and 779 surface parking spaces. Each building provides approximately 129,960 gsf of office space and is currently leased by Facebook. Buildings 1 and 2 were constructed in 2015 and would not be affected by the Project. The Jefferson Site includes a portion of APN 055-243-999 and is currently occupied by surface parking with approximately 87 parking spaces and landscaping.

Existing Land Use Designations and Zoning

The site was historically zoned General Industrial (M-2[X]), which permitted office and general industrial uses, such as warehousing, manufacturing, printing, and assembling, as well as maximum building heights in excess of 35 feet. In 2016, the site's zoning was changed to Office-Bonus (O-B) as part of ConnectMenlo. The updated zoning established standards for new projects, including Transportation Demand Management (TDM) program requirements and restrictions regarding height, density, land use, sustainability, circulation, and open space. At the base level, the maximum height and average height are 35 feet, while the maximum floor area ratio (FAR) is 45 percent. Under the new zoning standards, bonus density is permitted (up to a FAR of 100 percent for office uses with an increased height of up to 110 feet) in exchange for providing community amenities selected from a list of potential options identified through community outreach and adopted by resolution of the Menlo Park City Council.

General Plan Goals and Policies

The City's General Plan is a legal document and required by state law. It serves as the City's direction for development and land use. All development in Menlo Park must conform to the land use designations outlined in the City General Plan. Goals, policies, and programs contained in the Land Use Element of the City General Plan provide guidance on how land use designations should be developed to contribute to the overall character of Menlo Park. The following City General Plan goals and policies would serve to promote cohesive neighborhoods and ensure consistency with applicable plans: Goal LU-1, Policy LU-1.1, Goal LU-4, Policy LU-4.5, Goal LU-6, Policy LU-6.7, Policy LU-6.11, Goal CIRC-1, Policy CIRC-1.8, Goal CIRC-2, Policy CIRC-2.7, Policy CIRC-2.11, Program CIRC-2.G, Program CIRC-2.H, Policy CIRC-2.14, Goal OSC-5, Policy OCS-5.1, Goal S-1, Policy S-1.26, and Policy S-1.27.

Environmental Checklist and Discussion

a. Physically divide an established community? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact LU-1 (pages 4.9-11 to 4.9-13) and determined to be less than significant because potential improvements would not include new major roadways or other physical features through parcels or communities that would create new barriers in the study area, which includes the Project site. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, established communities in the Project vicinity include the Belle Haven neighborhood to the east and the Suburban Park-Lorelei Manor-Flood Park Triangle neighborhood to the south. The Project site includes the existing Commonwealth Corporate Center; the Project would add buildings to a site that is already developed with an office campus. In addition, the Project site is

north of the Dumbarton Rail Corridor, in an area that is characterized by light-industrial and office uses. Although the proposed development would result in additional buildings, development would be in an area with identical uses and physically separated from nearby neighborhoods by the Dumbarton Rail Corridor and US 101. Therefore, implementation of the Project would not exacerbate existing barriers or create a new physical barrier that would divide the community.

Conclusion

The physical conditions, as they relate to the division of an established community, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. In addition, because the proposed building would be compatible with existing onsite buildings and would not add, change, or exacerbate barriers, the Project would not divide existing nearby communities, resulting in *less-than-significant* impacts. No further study is needed.

- b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact LU-2 (pages 4.9-14 to 4.9-23) and determined to be less than significant with mitigation incorporated. Mitigation Measure LU-2 from the ConnectMenlo EIR requires that future development demonstrate consistency with the applicable goals, policies, and programs in the City General Plan and the supporting zoning standards. The analysis below demonstrates consistency with the City General Plan through implementation of Mitigation Measure LU-2.

Project-Specific Discussion

Consistency with ConnectMenlo

Adoption of ConnectMenlo resulted in updated land use designations, zoning, goals, and policies for Menlo Park. ConnectMenlo established an approach to land use that was based on an overall objective of supporting the character and quality of life enjoyed in residential and commercial neighborhoods as well as embracing opportunities for creating new live/work/play environments. ConnectMenlo was designed to encourage commercial uses that would serve existing neighborhoods, retain and attract businesses citywide, and make Menlo Park a leader in sustainable development through conservation of resources and alternative energy use.

ConnectMenlo includes nine guiding principles, listed below in bold, for maintaining and enhancing the quality of life in Menlo Park. The Project would help to support these guiding principles.

- **Citywide equity.** To develop at the bonus level, the Project would have to provide community amenities. The Project would promote citywide equity by providing community amenities selected from a list of potential options identified through community outreach and adopted by the Menlo Park City Council. These community amenities would be implemented by the Project Sponsor as part of the Project.

- **Healthy community.** The Project would recognize and promote a healthy community by implementing a TDM program that provides alternatives to single-occupancy automobile travel to and from the Project site. The Project would encourage access to public transit and bicycling as alternatives to vehicular use, which would help to reduce air pollutants. Proposed landscaping around the perimeter of the Project site, including the proposed Jefferson Park, would add to the appearance of the property, which the City considers important for a healthy community. Jefferson Park and the perimeter trail would also provide opportunities for recreation, which would promote a healthy community. The Project's sustainability features are discussed further below.
- **Competitive and innovative business destination.** The Project would develop the site with an approximately 249,500 gsf building that would be designed to attract high-tech and other employers to Menlo Park, contribute to the City's tax and job base, and provide flexible space for employers to expand. This would contribute to Menlo Park's competitive and innovative business environment.
- **Corporate contribution.** The Project would contribute to the Menlo Park by providing community amenities, as discussed above. A Project objective is to provide community benefits through the community benefits process of the O-B zoning district to benefit the Belle Haven community.
- **Youth support and education excellence.** The Project would be designed to attract high-tech and other employers to Menlo Park. This would increase the number of jobs in Menlo Park and could provide opportunities for youth employment and education through opportunities such as internships. The Jefferson Site would also include 24 parking spaces that would be reserved for use by the new high school at 150 Jefferson Drive. In addition, the proposed Jefferson Park could be used by the adjacent high school for physical education classes, providing additional youth support in the community.
- **Great transportation options.** The Project would include a TDM program that would encourage access to public transit, carpooling, and bicycling as alternatives to single-occupancy automobile travel. The TDM program would require the Project to provide safe and convenient transportation options to and from the Project site. To implement this, the TDM program would include such features as bicycle storage, showers/changing rooms, and subsidized transit passes. Carpooling and vanpool programs would also be encouraged through free ride-matching services, carpool incentive programs, vanpool formation incentives, vanpool seat subsidies, and vanpool participant rebates. Emergency ride-home programs would be offered to employees.
- **Complete neighborhoods and commercial corridors.** The Project site is not in an existing residential neighborhood or along a vibrant commercial corridor. Therefore, the Project would not affect the existing residential character of Menlo Park. The Project would construct a new office building and parking structure on an existing office campus and create a more complete facility by fully utilizing the land.
- **Accessible open space and recreation.** The Project would provide 128,533 sf of publicly accessible open space and 107,333 sf of private open space, totaling approximately 235,866 sf of open space. The private open space would be between and around Buildings 1, 2, and 3, within patios and courtyards featuring tables, chairs, a seat wall, trees, access to an existing bocce court, and outdoor balconies on the third and fourth floors of Building 3. The public open space would be in the form of a 0.2-mile-long and 20-foot-wide paseo along the eastern boundary of the Jefferson

Site; the privately owned, publicly accessible Jefferson Park; and a plaza and garden on the eastern portion of the parking structure. Final designs for Jefferson Park would be determined by the City and community feedback. The plaza would include seating areas with tables and chairs, seat walls, a large trellis, and a wooden boardwalk through an area with native plantings. Therefore, this Project would provide convenient access to new public open space areas.

- **Sustainable environmental planning.** In the O-B zoning district, projects are required to meet green and sustainable building regulations. The proposed office building would be required to meet 100 percent of its energy demand through a combination of onsite energy generation, the purchase of 100 percent renewable electricity, and/or the purchase of certified renewable energy credits. In addition, as currently proposed, Building 3 would be designed to meet LEED Gold BD+C standards. The Project would meet the City's requirements for EV charging spaces. The Project would also incorporate a bird-friendly design through its placement of the building and use of low-tint exterior glazing. Other green building requirements would be met through efficient water use, placement of new structures 24 inches above the Federal Emergency Management Agency base flood elevation to account for sea-level rise, and waste management planning. As such, the Project would promote green building and help the City continue to be a leader in sustainable environmental planning.

In addition to the above guiding principles, ConnectMenlo includes goals and policies related to land use that guide physical development of Menlo Park. The following goals and policies are applicable to the Project:

- **Goal LU-1:** Promote the orderly development of Menlo Park and its surrounding area.
- **Goal LU-4:** Promote and encourage existing and new business to be successful and attract entrepreneurship and emerging technologies for providing goods, services, amenities, local job opportunities, and tax revenue for the community while avoiding or minimizing potential environmental and traffic impacts.
- **Policy LU-4.1: Priority Commercial Development.** Encourage emerging technology and entrepreneurship and prioritize commercial development that provides fiscal benefits to Menlo Park, local job opportunities, and/or goods or services needed by the community.
- **Policy LU-4.3: Mixed-Use and Nonresidential Development.** Limit parking, traffic, and other impacts of mixed-use and nonresidential development on adjacent uses and promote high-quality architectural design and effective transportation options.
- **Policy LU-4.4: Community Amenities.** Require mixed-use and nonresidential development of a certain minimum scale to support and contribute to programs that benefit the community and Menlo Park, including education, transit, transportation infra-structure, sustainability, neighborhood-serving amenities, child care, housing, job training, and meaningful employment for Menlo Park youth and adults.
- **Policy LU-4.5: Business Uses and Environmental Impacts.** Allow modifications to business operations and structures that promote revenue-generating uses for which potential environmental impacts can be mitigated.
- **Policy LU-6.2: Open Space in New Development.** Require new nonresidential, mixed-use, and multiple dwelling development of a certain minimum scale to provide ample open space in the form of plazas, greens, community gardens, and parks whose frequent use is encouraged through thoughtful placement and design.

- **Policy LU-6.9: Bicycle and Pedestrian Facilities.** Provide well-designed bicycle and pedestrian facilities for safe and convenient multi-modal activity through the use of access easements along linear parks or paseos.
- **Policy LU-6.11: Baylands Preservation.** Allow development near the Bay only in already-developed areas.
- **Goal LU-7:** Promote the implementation and maintenance of sustainable development, facilities, and services to meet the needs of Menlo Park's residents, businesses, workers, and visitors.
- **Goal CIRC-1:** Provide and maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe, and active community and quality of life throughout Menlo Park.
- **Policy CIRC-1.8: Pedestrian Safety.** Maintain and create a connected network of safe sidewalks and walkways within the public right of way, ensuring that appropriate facilities, traffic control, and street lighting are provided for pedestrian safety and convenience, including for sensitive populations.
- **Goal CIRC-2:** Increase accessibility for and use of streets by, bicyclists, pedestrians, and transit riders.
- **Policy CIRC-2.7: Walking and Biking.** Provide for the safe, efficient, and equitable use of streets by bicyclists and pedestrians through appropriate roadway design and maintenance, effective traffic law enforcement, and implementation of the City's Transportation Master Plan (following completion; until such time, the Comprehensive Bicycle Development Plan, Sidewalk Master Plan, and the El Camino Real/Downtown Specific Plan represent the City's proposed bicycling and walking networks).
- **Policy CIRC-2.11: Design of New Development.** Require new development to incorporate a design that prioritizes safe bicycle and pedestrian travel and accommodates senior citizens, people with mobility challenges, and children.
- **Policy CIRC-2.14: Impacts of New Development.** Require new development to mitigate its impacts on the safety (e.g., collision rates) and efficiency (e.g., vehicle miles traveled per service population or other efficiency metric) of the circulation system. New development should minimize cut-through and high-speed vehicle traffic on residential streets; minimize the number of vehicle trips; provide appropriate bicycle, pedestrian, transit connections, amenities, and improvements in proportion with the scale of proposed projects; and facilitate appropriate or adequate response times and access for emergency vehicles.
- **Goal OSC-5:** Ensure healthy air and water quality.
- **Policy OSC-5.1: Air and Water Quality Standards.** Continue to apply standards and policies established by the Bay Area Air Quality Management District, San Mateo Countywide Water Pollution Prevention Program, and City of Menlo Park Climate Action Plan through the California Environmental Quality Act process and other means as applicable.
- **Goal S-1:** Ensure a safe community.
- **Policy S-1.26: Erosion and Sediment Control.** Continue to require the use of best management practices for erosion and sediment control measures with proposed development in compliance with applicable regional regulations.

- **Policy S-1.27: Regional Water Quality Control Board Requirements.** Enforce stormwater pollution prevention practices and appropriate watershed management plans in the RWQCB general National Pollutant Discharge Elimination System requirements, the San Mateo County Water Pollution Prevention Program, and the City's Stormwater Management Program. Revise, as necessary, City plans so they integrate water quality and watershed protection with water supply, flood control, habitat protection, groundwater recharge, and other sustainable development principles and policies.

The Project would be consistent with the land use, circulation, open space, and safety goals, policies, and programs from ConnectMenlo because it would be designed in accordance with the goals, policies, and programs. The Project's proposed use would be consistent with land use and zoning designations, ensuring orderly development and consistent land use patterns across Menlo Park. The proposed building would be designed to attract high-tech and other employers to Menlo Park by providing flexible space for employers to expand, which would encourage commercial development with innovative local job opportunities that provide a fiscal benefit to the City.

The Project would provide open space, including 128,533 sf of publicly accessible open space, and construct bicycle lanes and pedestrian paths throughout the Project site and around the perimeter of the proposed Building 3. In addition, there would be 40 Class I protected storage enclosure spaces for long-term parking and 16 Class II bicycle rack spaces near the entrance to Building 3. Furthermore, a bicycle storage room would be provided in Building 3 for both visitor and long-term bicycle parking. The Project would also seek LEED Gold BD+C certification, which would provide community benefits, as identified through community outreach, and adhere to all air and water quality standards and requirements. Therefore, the Project would not conflict with any goals, policies, or programs.

The Project would have a combined FAR of 88 percent, and the maximum height of the proposed building would be approximately 69 feet. Across the entire Project site, including the existing buildings, the average building height would be 59.9 feet. Because these numbers are above the base level of development, both the proposed FAR and height would be permitted through the bonus-level development provisions in the zoning ordinance. Table 3.11-1 compares allowed development under LS zoning for both the base level and bonus level as well as the development proposed under the Project. As summarized in Table 3.11-1, with implementation of bonus-level development, the Project would be consistent with the FAR, height, and densities permitted at the Project site.

Compatibility with Existing Land Uses

As described above, the Project site is in the O-B zoning district. This designation provides for new office uses, along with light industrial and research and development (R&D) uses and personal services. The Project would develop the site with an approximately 249,500 gsf building and 324,000 gsf parking structure. This proposed use is consistent with the land use designation. Overall, the land uses proposed at the Project site are consistent with existing land uses. The emphasis on office uses is compatible with the character of surrounding neighborhoods, and the increased FAR and densities support the community's objective to encourage development of underutilized parcels.

Table 3.11-1. Allowed and Proposed Development at the Project Site

	O Zoning Requirements (Base Level)	O-B Zoning Requirements (Bonus Level)	Proposed Development^a
Site Area	25,000 sf (min) 100 feet x 100 feet (max)	25,000 sf (min) 100 feet x 100 feet (max)	578,500 sf
Floor Area Ratio	45% (+10% commercial)	100% (+25% commercial)	88%
Maximum Height	35 feet	110 feet	69 feet ^b
Height ^c	35 feet	67.5 feet	59.9 feet
Open Space	173,540 sf min (30% of total site area)	173,500 sf min (30% of total site area)	235,866 (40.7%)
Public Open Space	86,770 sf min (50% of open space area)	86,750 sf min (50% of open space area)	128,533 (54.5%)

Source: The Sobrato Organization and Arc Tec, Inc., 2018; City of Menlo Park Municipal Code Section 16.43.050.

Notes:

- d. The proposed development encompasses the entire Project site, which includes the proposed building and the existing buildings. The building area total does not include the parking structure.
- e. Maximum building height refers to the proposed building (not the existing onsite buildings).
- f. Height is defined as the average height of all buildings on one site where a maximum height cannot be exceeded. Maximum height does not include roof-mounted equipment and utilities.

Conclusion

The physical conditions, as they relate to land use plans and policies, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The analysis above applied ConnectMenlo Mitigation Measure LU-2 by demonstrating consistency with the City General Plan; therefore, no further mitigation is required. The change in intensities and densities as a result of the Project would not, in itself, result in sustainable adverse effects on the compatibility of surrounding land uses, and the impacts would be *less than significant*. No further study is required.

XII. Mineral Resources	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the Project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site, as delineated in a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The Surface Mining and Reclamation Act of 1975 is state legislation that protects Mineral Resource Zones (MRZs). Part of the purpose of the act is to classify mineral resources in the state and transmit the information to local governments, which regulate land use in each region of the state. Local governments are responsible for designating lands that contain regionally significant mineral resources in local general plans to ensure resource conservation in areas with intensive competing land uses. The law has resulted in the preparation of mineral land classification maps, which delineate MRZs 1 through 4 for aggregate resources (sand, gravel, and stone).

There are no known mineral resources within the vicinity of the Project site. The California Geological Survey (CGS) Mineral Resource Zones and Resource Sectors map classifies the Project site as MRZ-1,⁶⁸ an area “where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.”⁶⁹

Environmental Checklist and Discussion

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (No Impact)**

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (page 6-2); it was determined that it would result in no impact. No mitigation measures were recommended.

⁶⁸ California Geological Survey. 1987. *Special Report 146 – Mineral Land Classification: Aggregate Materials in the San Francisco-Monterey Bay Area, Part II: Classification of Aggregate Resource Areas, South San Francisco Bay Production-Consumption Region*. Palo Alto quadrangle, Plate 2.40. Available: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_146-2/SR-146_Plate_2.40.pdf. Accessed: June 18, 2018.

⁶⁹ California Geological Survey. 1987. *Special Report 146 – Mineral Land Classification: Aggregate Materials in the San Francisco-Monterey Bay Area, Part II: Classification of Aggregate Resource Areas, South San Francisco Bay Production-Consumption Region*. Available: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_146-2/SR_146-2_Text.pdf. Accessed: June 18, 2018.

Conclusion

There are no known mineral resources at the Project site, as indicated by the CGS MRZ. The Project site is not delineated as a locally important mineral resource by the CGS or on any County or City land use plan. Although there is limited information about the mineral resource potential of the Project site, the site and vicinity have been developed for uses related to research and development and office uses, which are incompatible with mineral extraction. The physical conditions, as they relate to mineral resources, have not changed in Menlo Park since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. **No impact** would occur, and no further study is needed.

- b. Result in the loss of availability of a locally important mineral resource recovery site, as delineated in a local general plan, specific plan, or other land use plan? (No Impact)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (page 6-2); it was determined that it would result in no impact. No mitigation measures were recommended.

Conclusion

As stated above, the Project site is not delineated as a locally important mineral resource site by the County or City. The physical conditions, as they relate to mineral resources, have not changed in Menlo Park since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. **No impact** would occur, and no further study is needed.

XIII. Noise	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:					
a) Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generate excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project in the vicinity of a private airstrip or an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Ambient Noise Levels

As discussed in more detail below, this topic will be analyzed further in the Focused EIR. Therefore, the setting is not discussed in this document but will be provided instead in the Focused EIR.

Overview of Ground-borne Vibration

Ground-borne vibration is an oscillatory motion of the soil with respect to the equilibrium position. It can be quantified in terms of velocity or acceleration. Variations in geology and distance result in different vibration levels, including different frequencies and displacements. In all cases, vibration amplitudes decrease with increased distance.

Operation of heavy construction equipment, particularly pile-driving equipment and other impact devices (e.g., pavement breakers), creates seismic waves that radiate along the surface of and downward into the ground. These surface waves can be felt as ground vibration. Vibration from the operation of this type of equipment can result in effects that range from annoyance for people to damage for structures. Perceptible ground-borne vibration is generally limited to areas within a few hundred feet of construction activities. As seismic waves travel outward from a vibration source, they cause rock and soil particles to oscillate. The actual distance that these particles move is usually only a few ten-thousandths to a few thousandths of an inch. The rate or velocity (in inches per second) at which these particles move is the commonly accepted descriptor of vibration amplitude, referred to as peak particle velocity (PPV). Table 3.13-1 summarizes typical vibration levels generated by construction equipment at a reference distance of 25 feet, and other distances.

Table 3.13-1. Vibration Source Levels for Construction Equipment

Equipment	PPV at 25 Feet	PPV at 50 Feet	PPV at 75 Feet	PPV at 100 Feet	PPV at 175 Feet
Pile driver (sonic/vibratory)	0.734	0.2595	0.1413	0.0918	0.0396
Hoe ram	0.089	0.0315	0.0171	0.0111	0.0048
Large bulldozer	0.089	0.0315	0.0171	0.0111	0.0048
Loaded truck	0.076	0.0269	0.0146	0.0095	0.0041
Jackhammer	0.035	0.0124	0.0067	0.0044	0.0019
Small bulldozer	0.003	0.0011	0.0006	0.0004	0.0002

Source: Federal Transit Administration. 2018. *Transit Noise and Vibration Impact Assessment*. FTA-VA-90-1003-06. Office of Planning and Environment. Available: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf Accessed: February 26, 2018.

Tables 3.13-2 and 3.13-3 summarize the guidelines developed by the California Department of Transportation for damage and annoyance potential from the transient and continuous vibration that is usually associated with construction activity. The activities that are typical of continuous vibration include the use of excavation equipment, static compaction equipment, tracked vehicles, vehicles on a highway, vibratory pile drivers, pile-extraction equipment, and vibratory compaction equipment.

Table 3.13-2. Vibration Damage Potential Threshold Criteria Guidelines

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources^a	Continuous/Frequent Intermittent Sources^b
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: California Department of Transportation. 2013. *Transportation and Construction Vibration Guidance Manual*. September. Available: http://www.dot.ca.gov/hq/env/noise/pub/TCVGM_Sep13_FINAL.pdf. Accessed: February 27, 2019.

^a. Transient sources create a single, isolated vibration event (e.g., blasting or drop balls).

^b. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

Table 3.13-3. Vibration Annoyance Potential Criteria Guidelines

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources ^a	Continuous/Frequent Intermittent Sources ^b
Barely perceptible	0.04	0.01
Distinctly perceptible	0.25	0.04
Strongly perceptible	0.9	0.10
Severe	2.0	0.4

Source: California Department of Transportation. 2013. *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. September. Available: http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013A.pdf. Accessed: February 26, 2019.

Notes:

- a. Transient sources create a single, isolated vibration event (e.g., blasting or drop balls).
- b. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element and the Noise Element) contains general goals, policies, and programs that require local planning and development decisions to consider noise impacts. The following City General Plan goals, policies, and programs would serve to minimize potential adverse impacts related to noise: Goal LU-4, Policy LU-4.5, Goal N-1, Policy N-1.1, Policy N-1.2, Policy N-1.4, Policy N-1.6, Policy N-1.7, Policy N-1.8, Policy N-1.9, Policy N-1.10, and Policy N-1.D.

Environmental Checklist and Discussion

- a. ***Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies? (Topic to Be Analyzed in the Focused EIR)***

Analysis in the ConnectMenlo EIR

Construction and operational noise effects were analyzed in the ConnectMenlo EIR as Impact NOISE-1 (pages 4.10-19 to 4.10-24) and determined to be less than significant with application of mitigation measures as well as compliance with City General Plan goals and policies. Projects that would result in the development of sensitive land uses, which the Project would not, must maintain an indoor day-night level of 45 A-weighted decibels or less, as required by ConnectMenlo EIR Mitigation Measure NOISE-1a and existing regulations. Projects that could expose existing sensitive receptors to excessive noise must comply with ConnectMenlo EIR Mitigation Measures NOISE-1b and NOISE-1c to minimize both operational noise and construction-related noise. The topic of potential traffic noise effects was discussed in the ConnectMenlo EIR under Impact NOISE-3 (pages 4.10-29 to 4.10-36). It was determined that implementation of ConnectMenlo would not result in a substantial permanent increase in ambient noise on any of the identified roadway segments. No mitigation measures were recommended.

Project-Specific Discussion

Construction. Project construction would have the potential to generate noise. The standard construction work hours proposed for the Project are 7:00 a.m. to 6:00 p.m. Monday through Friday and Saturday from 8:00 a.m. to 5:00 p.m. Some of these hours are outside the normal construction hours provided in the City Municipal Code, which states that construction equipment is exempt from normal noise restrictions and includes special provisions for construction noise generated during the daytime hours of 8:00 a.m. to 6:00 p.m., Monday through Friday. To determine if construction would result in noise impacts, particularly during non-exempt hours, construction noise modeling will be conducted for the Focused EIR.

Operations – Traffic. Potential traffic noise impacts from plan development were analyzed in the ConnectMenlo EIR; however, the Project could result in increased traffic noise at certain locations due to changes in roadway configuration and the potential for an increased number of vehicle trips compared with the number assumed in the ConnectMenlo EIR transportation analysis. Therefore, this topic will be analyzed in the Focused EIR.

Operations – Other Operational Noise Sources. Other potential sources of Project-related operational noise include mechanical equipment, such as heating, ventilation, and air-conditioning (HVAC) equipment or emergency generators, and loading docks. The ConnectMenlo EIR states that stationary noise sources, as well as landscaping and maintenance activities, shall comply with Chapter 8.06, Noise, of the City Municipal Code. Compliance with the mitigation measure would ensure compliance with Chapter 8.06 of the City Municipal Code. The Focused EIR will conduct a detailed analysis of impacts from other operational noise sources.

Conclusion

Physical conditions, as they relate to population growth, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. However, because of the expanded construction work hours required for the Project, construction noise impacts will require further analysis. With regard to traffic noise impacts, although potential traffic noise impacts from plan development were analyzed in the ConnectMenlo EIR, the Project could result in increased traffic noise at certain locations. This is because of different roadway configurations compared with what was considered in the ConnectMenlo EIR as well as the possibility of an increased number of vehicle trips compared with the number assumed in the ConnectMenlo EIR transportation analysis. In addition, other operational noise impacts will be evaluated. Therefore, this topic will be the subject of *further environmental review* in the Focused EIR.

b. *Generation of excessive ground-borne vibration or ground-borne noise levels? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact NOISE-2 (pages 4.10-25 to 4.10-29). The impact was determined to be potentially significant. With implementation of Mitigation Measures NOISE-2a and NOISE-2b, this impact would be reduced to a less-than-significant level. The analysis concluded that, overall, vibration impacts related to construction would be short term, temporary, and generally restricted to areas in the immediate vicinity of construction activity. However, because project-specific information was not available, the analysis did not quantify construction-related vibration impacts on sensitive receptors. Implementation of Mitigation Measure NOISE-2a would reduce construction-related vibration impacts to a less-than-significant level through

preparation of a vibration analysis to assess vibration levels and use of alternate construction techniques to reduce vibration, if necessary. Specifically, according to Mitigation Measure NOISE-2a from the ConnectMenlo EIR, vibration levels must be limited to 0.126 PPV in/sec at the nearest workshop,⁷⁰ 0.063 PPV in/sec at the nearest office, and 0.032 PPV in/sec at the nearest residence during daytime hours and 0.016 PPV in/sec at the nearest residence during nighttime hours. Regarding long-term construction impacts, ConnectMenlo requires projects to comply with Mitigation Measure NOISE-2b, which requires the City to implement best management practices as part of a project's approval process.

Project-Specific Discussion

Although pile driving would not be required for the Project, construction would require the use of other equipment that may generate vibration. The piece of equipment proposed for Project construction that would generate the greatest vibration level is a bulldozer.

According to Table 4.10-10 of the ConnectMenlo EIR, as well as the Federal Transit Administration's Transit Noise and Vibration Impact Assessment (2006), a large bulldozer could generate a vibration level of approximately 0.089 PPV in/sec at a distance of 25 feet.⁷¹ During Project construction, a large bulldozer could operate at a distance of approximately 80 feet from adjacent buildings located north of the Project site. At that distance, vibration from a large bulldozer would be approximately 0.016 PPV in/sec.⁷² This is below the "distinctly perceptible" threshold of 0.04 PPV in/sec shown in Table 3.13-3 (and in Table 4.10-3 of the ConnectMenlo EIR). It is also below the applicable damage thresholds for the different building types, as shown in Table 3.13-2, above, and Table 4.10-4 of the ConnectMenlo EIR, which includes thresholds for damage, based on building materials used in building construction. At the nearest residences and the under-construction TIDE Academy, which would both be approximately 400 feet away from where Project vibration-generating construction would occur, vibration from a large bulldozer would be reduced to less than 0.001 PPV in/sec. This is below all of the perceptibility thresholds and building damage thresholds defined above and in the ConnectMenlo EIR.

Based on the above analysis, Project-generated construction vibration would not be expected to exceed the aforementioned standard thresholds. However, according to ConnectMenlo EIR Mitigation Measure NOISE-2a, a project-specific vibration analysis shall be conducted to ensure that project construction vibration levels do not exceed the levels defined in this mitigation measure. Specifically, according to ConnectMenlo EIR Mitigation Measure NOISE-2a, vibration levels must be limited to 0.126 PPV in/sec at the nearest workshop, 0.063 PPV in/sec at the nearest office, and 0.032 PPV in/sec at the nearest residence during daytime hours and 0.016 PPV in/sec at the nearest residence during nighttime hours.

The modeled vibration level at the nearest offsite building north of the Project site (0.016 PPV in/sec at 80 feet, as described above) would be below the allowable level described in Mitigation Measure

⁷⁰ The term "workshop" is used in the ConnectMenlo EIR to categorize industrial-type land uses that may be conducting manufacturing activities.

⁷¹ Note that the ConnectMenlo EIR presented PPV vibration values for construction equipment in Table 4.10-10 but incorrectly labeled them as RMS vibration values. The vibration limits in Mitigation Measure NOISE-2a are also incorrectly labeled as RMS values when they are actually PPV values. Therefore, PPV is used as the unit of measure for this analysis.

⁷² Federal Transit Administration. 2006. *Transit Noise and Vibration Impact Assessment*. FTA-VA-90-1003-06. Office of Planning and Environment. Available: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf. Accessed: July 10, 2018.

NOISE-2a for a “workshop” (0.126 PPV in/sec) or “office” (0.063 PPV in/sec). As also described above, at a distance of 400 feet (the approximate distance from Project construction areas to the nearest residence and new high school), vibration from a large bulldozer would be less than 0.001 PPV in/sec. Therefore, Project construction vibration would be well below the daytime allowable level of 0.032 PPV in/sec and the nighttime allowable level of 0.016 PPV in/sec for residential land uses.

Conclusion

The physical conditions, as they relate to Project-specific vibration impacts, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Impacts from construction vibration would be *less than significant*, and no mitigation measures would be required. No further analysis is required.

- c. *For a project located in the vicinity of a private airstrip or an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels? (No Impact)*

Analysis in the ConnectMenlo EIR

This topic was discussed in the ConnectMenlo EIR as Impact NOISE-5 (page 4.10-38) and Impact NOISE-6 (page 4.10-38) and determined to result in no impact.

Conclusion

The physical conditions, as they relate to the Project’s adjacency to a private airstrip, public airport, or public use airport, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project, which is within the ConnectMenlo study area, would result in *no impact*. No further analysis is required.

XIV. Population and Housing	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the Project:					
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace a substantial number of existing people or housing units, necessitating the construction of replacement housing elsewhere?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

As discussed in more detail, below, this topic will be analyzed further in the Focused EIR. Therefore, the setting is not discussed in this document but will be provided instead in the Focused EIR.

General Plan Goals and Policies

General Plan goals and policies related to population and housing will be outlined and discussed in the Focused EIR.

Environmental Checklist and Discussion

a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (Topic to Be Analyzed in the Focused EIR)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact POP-1 (pages 4.11-5 to 4.11-18) and determined to be less than significant. Within the ConnectMenlo EIR study area, new growth would occur incrementally over a period of approximately 24 years, and future development would be guided by policy framework. No mitigation measures were recommended.

Project-Specific Discussion

The Project includes construction of a 249,500 gsf office building (Building 3) that would accommodate approximately 1,996 employees.⁷³ Although the Project would not result in onsite residential population increases, the new employees could generate households within Menlo Park and the region. Using the average of 1.88 workers per work household in San Mateo County, the Project would generate approximately 1,062 new households. On average,

⁷³ Based on a load factor of one employee per 125 sf.

approximately 6.2 percent of Menlo Park's workforce also resides in the Menlo Park,⁷⁴ which would result in up to 66 new households. With an average persons-per-household ratio of 2.88, the Project could generate up to 190 new residents within Menlo Park.⁷⁵ This represents a fraction of a percent of the total population of Menlo Park and is within the anticipated growth considered in the ConnectMenlo EIR.

Conclusion

The physical conditions, as they relate to population growth, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. However, as a result of the 2017 *City of East Palo Alto v. City of Menlo Park* settlement agreement, the Focused EIR will evaluate population growth in more detail. In particular, a Housing Needs Assessment (HNA) will be prepared for the Project. Therefore, this topic **requires further environmental review** in the Focused EIR.

- b. Displace a substantial number of existing people or housing units, necessitating the construction of replacement housing elsewhere? (Topic to Be Analyzed in the Focused EIR)**

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact POP-2 (pages 4.11-18 to 4.11-20) and Impact POP-3 (page 4.11-20) and determined to be less than significant. Within the ConnectMenlo EIR study area, new growth would occur incrementally over a period of approximately 24 years, and existing policies would ensure that adequate housing would remain and that the potential for any displacement of existing people or housing would be limited. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to displacement of housing units, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. In addition, the Project site does not include housing units. However, as a result of the 2017 *City of East Palo Alto v. City of Menlo Park* settlement agreement, the Focused EIR will evaluate this topic in more detail. In particular, an HNA will be prepared for the Project. This topic **requires further environmental review** in the Focused EIR.

⁷⁴ Keyser Marston Associates. 2019. *Initial Data: Commonwealth Building 3 Housing Needs Analyses, Menlo Park, CA.*

⁷⁵ Ibid.

XV. Public Services	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the Project:					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:					
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Fire Protection

Fire protection services in the Project area are provided by the Menlo Park Fire Protection District (MPFPD). The MPFPD service boundary covers 30 square miles and includes Menlo Park, Atherton, and East Palo Alto plus some unincorporated areas in San Mateo County.⁷⁶ Seven MPFPD fire stations serve an estimated population of approximately 100,000. The MPFPD responds to approximately 9,000 emergencies per year and is part of the greater San Mateo County boundary-drop plan (i.e., the closest apparatus responds to each call, regardless of the department).⁷⁷ The adopted performance standard for response times establishes a goal that would have the first-response unit arrive on the scene of all Code 3 emergencies within 7 minutes, starting from the time of the call to the dispatch center, 90 percent of the time. The goal of the MPFPD’s multi-unit response units is to arrive on scene within 11 minutes from the time of the call to the dispatch center. The MPFPD’s average response times in 2013 and 2014 were under the currently adopted 7-minute standard for first-response units.⁷⁸

The MPFPD is organized into five Fire District Divisions as follows: Administrative Services, Human Resources, Fire Prevention, Operations, and Support Services. As of 2018, the MPFPD is budgeted for approximately 136 full-time-equivalent (FTE) employees. Of these, 99 FTE employees provide direct fire services, while the other 37 staff members handle daily administrative tasks related to financial services, maintenance of the MPFPD’s fleet of vehicles, emergency preparedness, and the management of citizen volunteers in the Community Emergency Response Team program.⁷⁹ This equates to a ratio of approximately one firefighter per 1,000 people in the service population.

⁷⁶ Menlo Park Fire Protection District. 2018. *About the Fire District*. Available: <https://www.menlofire.org/about-the-fire-district>. Accessed: April 30, 2018.

⁷⁷ Menlo Park Fire Protection District. 2018. *Proposed Budget, 2018–2019*. Available: <https://evogov.s3.amazonaws.com/media/6/media/130940.pdf>. Accessed: July 16, 2018.

⁷⁸ Menlo Park Fire Protection District. 2015. *Standards of Cover Assessment, Volume 1, Executive Summary*. June 16. Available: <https://evogov.s3.amazonaws.com/media/6/media/22312.pdf>. Accessed: April 18, 2018.

⁷⁹ Menlo Park Fire Protection District. 2018. *Proposed Budget, 2018–2019*. Available: <https://evogov.s3.amazonaws.com/media/6/media/130940.pdf>. Accessed: July 16, 2018.

Fire Station 77, at 1467 Chilco Street, serves the Belle Haven area of Menlo Park, including the Project site. Station 77 is manned by three firefighting personnel (one captain and two firefighters) and two shop personnel (one fleet manager and one mechanic). Operating out of Station 77 is Engine 77, a 2001 Pierce Saber unit, as well as an air boat, urban search and rescue vehicles, and various utility vehicles owned by the MPFPD.⁸⁰ The MPFPD anticipates rebuilding or renovating its 4,400 sf facility to address new development and the intensification of existing land uses in East Palo Alto and east Menlo Park.⁸¹ Renovation of the existing facility would be subject to its own CEQA review, if applicable.

Police Protection

Police services in the vicinity of the Project site are provided by the Menlo Park Police Department (MPPD). The MPPD's current service population is approximately 42,000.⁸² The MPPD is headed by a chief of police who oversees two divisions, the Patrol Operations Division and Special Operations Division. From 2017 to 2018, the Patrol Services Division handled more than 39,000 calls for service. MPPD staffing includes two police administrators, 46 patrol operations employees, and 29 special operations specialists, for a total of 77 FTE employees. With upcoming approved hires (in the 2018–2019 budget), the MPPD will increase the allocation of sworn officers from 48 to 54.⁸³ Once fully implemented, Menlo Park will have a ratio of 1.29 officers per 1,000 people in the service population.

One police station, located at City Hall, covers the entire service area. The MPPD also operates a recently renovated police substation and neighborhood service center north of US 101 in the Belle Haven neighborhood. The Belle Haven Neighborhood Service Center and Substation houses the MPPD's Code Enforcement Office and Community Safety Police Officer. MPPD officers use the substation to make calls as well as interview and/or process suspects, victims, or witnesses. In addition, the substation serves as a place for the community to meet with police officers or gather.⁸⁴

Currently, the MPPD divides its service area into three beats. However, as the budget for 2018–2019 is implemented, a new beat, Beat 4, will be activated, which will divide the current Beat 3 into two beats. This will allow officers who are assigned to the Belle Haven neighborhood to remain in that area and address specific needs within that neighborhood (Beat 3); other officers will be assigned to the rest of the Bayfront Area (Beat 4), mainly north of the Dumbarton Rail Corridor.⁸⁵ Once this is implemented, the Project site will be covered by Beat 4.

Schools

Four elementary/middle school districts and one high school district are within the boundaries of Menlo Park: Menlo Park City School District (CSD), Ravenswood CSD, Las Lomas School District, Redwood CSD, and Sequoia Union High School District (SUHSD). However, the portion of Menlo Park that includes

⁸⁰ Menlo Park Fire Protection District. 2018. *Station 77*. Available: <https://www.menlofire.org/station-77>. Accessed: July 16, 2018.

⁸¹ Menlo Park Fire Protection District. 2018. *Proposed Budget, 2018–2019*. Available: <https://evogov.s3.amazonaws.com/media/6/media/130940.pdf>. Accessed: July 16, 2018.

⁸² Per the ConnectMenlo EIR, the service population for the MPPD is calculated by taking the total population and adding 0.33 of all employees within Menlo Park.

⁸³ City of Menlo Park. *Proposed Budget, Fiscal Year 2018–2019*. Available: <https://www.menlopark.org/proposedbudget>. Accessed: July 16, 2018.

⁸⁴ Menlo Park. n.d. *Neighborhood Service Center Grand Opening – Saturday, April 26*. Available: <https://www.menlopark.org/Calendar/Home/SingleEvent?eventID=166>. Accessed: July 16, 2018.

⁸⁵ City of Menlo Park. *Proposed Budget, Fiscal Year 2018–2019*. Available: <https://www.menlopark.org/proposedbudget>. Accessed: July 16, 2018.

Las Lomas School District, which is generally bounded by Alameda de las Pulgas to the north and Interstate 280 to the south, is built out, with no substantial potential for new housing units. Therefore, this school district is not analyzed further in this section because the Project would not induce the construction of new housing in this area and generate new students.

Menlo Park City School District. The Menlo Park CSD serves parts of Menlo Park, Atherton, and unincorporated areas of San Mateo County. The Menlo Park CSD operates three elementary schools (Encinal School, Laurel School, and Oak Knoll School) and one middle school (Hillview Middle School). In 2017, total student enrollment at the four schools was 2,984, with approximately 322 FTE staff members.⁸⁶ The Menlo Park CSD maintains a student-teacher ratio of 17.4 students per teacher.⁸⁷

The three elementary schools currently exceed capacity; however, Hillview Middle School has additional capacity available.⁸⁸ To accommodate growth, the Laurel School Upper Campus was constructed; it opened on October 17, 2016, to 300 third- through fifth-grade students.⁸⁹ The Menlo Park CSD is required to accommodate students within its boundaries. When a school is at capacity, students can attend another school in the district. If all classes are at capacity, then the Menlo Park CSD may increase the class size or open new classrooms. The Menlo Park CSD currently uses the following student generation rates: 0.18 student per single-family unit and 0.44 student per multi-family unit.⁹⁰

Ravenswood City School District. The Ravenswood CSD serves northern Menlo Park and East Palo Alto. The district operates two elementary schools, two middle schools, four academies, one charter school, and one development center. Two Ravenswood CSD schools are within Menlo Park, Belle Haven Elementary School and Willow Oaks Elementary School. The reported student enrollment for the 2016–2017 school year (the most recent data available) was 3,853, with 206 teachers, resulting in a student-teacher ratio of approximately 18.7 students per teacher. Enrollment at Ravenswood City Elementary, in East Palo Alto, over the 2016–2017 school year was lower than it has been in the past few years.⁹¹ Furthermore, it is anticipated that the Ravenswood CSD will experience low to no growth in the near future.⁹² The Ravenswood CSD's student generation rate is 0.39 student per single-family unit and 0.56 student per multi-family unit.⁹³

Redwood City School District. The Redwood CSD serves elementary and middle school students in Redwood City and portions of San Carlos, Menlo Park, Atherton, and Woodside. Redwood CSD includes 16 schools, serving approximately 7,700 students. Of the more than 900 employees,

⁸⁶ Menlo Park City School District. 2018. *About Us*. Available: <https://district.mpcsd.org/Page/175>. Accessed: July 16, 2018.

⁸⁷ Menlo Park City School District. June 2018. *Annual Report to the Community*. Available: https://district.mpcsd.org/cms/lib/CA01902565/Centricity/shared/community%20reports/MPCSD_Comm%20Report%202018_SinglePages.pdf. Accessed: July 16, 2018.

⁸⁸ Menlo Park City School District. 2013. *Master Facility Plan Update 2013*. Available: <https://district.mpcsd.org/Page/104>. Accessed: July 16, 2018.

⁸⁹ Menlo Park City School District. 2016. *Laurel School Upper Campus*. Available: <https://district.mpcsd.org/Page/111>. Accessed: June 18, 2018.

⁹⁰ BAE Urban Economics. 2016. *ConnectMenlo Fiscal Impact Analysis*. Available: https://menlopark.org/DocumentCenter/View/11474/ConnectMenlo-FIA-09-07-2016_public-draft?bidId=. Accessed: June 18, 2018.

⁹¹ Ed-Data, Education Data Partnership. 2017. *Ravenswood City Elementary*. Available <http://www.ed-data.org/district/San-Mateo/Ravenswood-City-Elementary>. Accessed: June 18, 2018.

⁹² Ravenswood City School District. 2015. *Facilities Master Plan*. Available: <https://drive.google.com/file/d/0BwQ1Zn7bUeTZcjkwb19Jm1jSG8/view>. Accessed: July 16, 2018.

⁹³ City of Menlo Park. 2016. *Connect Menlo, Public Review Draft EIR*. June 1.

approximately 400 are teachers, resulting in a student-teacher ratio of approximately 19.3 students per teacher.⁹⁴ The Redwood CSD's student generation rates for elementary schools are 0.36 student for single-family detached units, 0.18 student for single-family attached units, and 0.10 student for multi-family units. The Redwood CSD's student generation rates for middle schools are 0.10 student for single-family detached units, 0.06 student for single-family attached units, and 0.04 student for multi-family units.⁹⁵

Sequoia Union High School District. The SUHSD operates four comprehensive high schools, one alternative high school, and additional programs. The SUHSD serves Atherton, East Palo Alto, San Carlos, Woodside, Belmont, Portola Valley, portions of unincorporated San Mateo County, and Menlo Park, and enrollment is steadily increasing.⁹⁶ Among these schools, Menlo-Atherton High School serves students residing in Menlo Park. In 2016–2017, total student enrollment at the high schools was approximately 9,911, with approximately 553 teachers, resulting in a student-teacher ratio of approximately 17.9 students per teacher.⁹⁷ There are current plans to build a high school in at 150 Jefferson Drive (approximately 200 feet west of the Project site) to accommodate enrollment growth. TIDE Academy will open in August 2019 to the first founding ninth grade class. The SUHSD student generation rate is 0.2 student per housing unit.⁹⁸

Parks

The Menlo Park Community Services Department is responsible for providing recreational and cultural programs for residents of Menlo Park. Its facilities include 13 parks, three community centers, two public pools, three child care centers, two gymnasiums, and one gymnastics center. Included in the park and recreational areas are tennis courts, softball diamonds, picnic areas, dog parks, playgrounds, swimming pools, gymnastics centers, a skate park, a shared-use performing arts center, soccer fields, and open space.⁹⁹ An adopted City General Plan policy (Policy OSC-2.4) calls for maintaining a ratio of 5 acres of developed parkland per 1,000 residents. Currently, Menlo Park has an estimated population of approximately 33,319.¹⁰⁰ The City provides 244.96 acres of parkland for its residents, a ratio of 7.35 acres¹⁰¹ of parkland per 1,000 residents.¹⁰² Therefore, the City currently exceeds its goals.

⁹⁴ Redwood City School District. 2018. *RCS D Fast Facts*. Available: <https://www.rcsdk8.net/domain/2477>. Accessed: July 16, 2018.

⁹⁵ City of Menlo Park. 2016. *Connect Menlo, Public Review Draft EIR*. June 1.

⁹⁶ Sequoia Union High School District. 2015. *Facilities Master Plan*. June 24. Available: <http://www.seq.org/documents/construction-menlo-atherton/facilities.pdf>. Accessed: July 17, 2018.

⁹⁷ Ed-Data, Education Data Partnership. 2017. *Sequoia Union High*. Available: <http://www.ed-data.org/district/San-Mateo/Sequoia-Union-High>. Accessed: July 17, 2018.

⁹⁸ City of Menlo Park. 2016. *Connect Menlo, Public Review Draft EIR*. June 1.

⁹⁹ City of Menlo Park Community Services Department. 2018. *Community Services Department*. Available: <https://www.menlopark.org/212/Community-Services>. Accessed: April 23, 2018.

¹⁰⁰ U.S. Census Bureau. 2016. *American Fact Finder, American Community Survey Demographic and Housing Estimates (2012–2016 American Community Survey 5-year Estimates, ID DP05)*. Available: https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_16_5YR_DP05&prodType=table. Accessed: July 13, 2018.

¹⁰¹ Note that this is slightly different from the ratio included in the ConnectMenlo EIR because of the increase in population since release of the ConnectMenlo EIR.

¹⁰² A total of 244.96 acres divided by 33,319 (existing population as of 2016 [33,319]/1,000) = 7.35 acres per 1,000 residents.

Libraries

Menlo Park has two libraries, Menlo Park Library on Alma Street and the Belle Haven Community Library on Ivy Drive. In total, the libraries have approximately 37,800 gsf of space and approximately 14 FTE staff members. Operating as a department of the City of Menlo Park, the municipal libraries have approximately 23,600 registered borrowers and circulate 677,846 books and multi-media resources, including digital content.¹⁰³

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on public services. The following City General Plan goals, policies, and programs would serve to minimize potential adverse impacts on public services: Goal LU-1, Policy LU-1.1, Goal LU-4, Policy LU-4.5, Program LU-4.C, Goal LU-6, Policy LU-6.2, Goal LU-7, Policy LU-7.7, Goal CIRC-1, Policy CIRC-2.14, Goal CIRC-3, Goal S-1, Policy S-1.5, Policy S-1.29, Policy S-30, Policy S-1.38, Goal OSC-2, Policy OSC-2.1, Policy OSC-2.4, and Policy OSC-2.6.

Environmental Checklist and Discussion

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:*

Fire Protection

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-1 (pages 4.12-8 to 4.12-12). With respect to the need for remodeled or expanded fire protection facilities in order to maintain acceptable service ratios, response times, or other performance standards, the impacts were determined to be less than significant. No mitigation measures were recommended.

Project-Specific Discussion

Because of the increase in employment at the Project site, it is anticipated that the Project would increase the daytime population by approximately 1,996 people. According to MPFPD standards, each employee would be equal to 0.58 resident.¹⁰⁴ This equates to approximately 1,158 people added to the service population. In addition, as stated in Section XIV, *Population and Housing*, the Project could induce up to 200 new Menlo Park residents. If there were no increase in existing MPFPD staffing, then the ratio of one firefighter per 1,000 residents would decrease slightly with implementation of the Project. However, no additional equipment would be needed to serve the proposed building at the Project site because similarly sized buildings are already served by the MPFPD.

¹⁰³ City of Menlo Park. 2016. *Menlo Park Library Strategic Plan, 2016–2020*. Available: <https://menlopark.org/DocumentCenter/View/15808/Library-Strategic-Plan-2016-2020?bidId=>. Accessed: July 17, 2018.

¹⁰⁴ Menlo Park Fire Protection District. 2016. *Menlo Park Fire Protection District Emergency Services and Fire Protection Impact Fee Nexus Study, 2015*. Available: <https://evogov.s3.amazonaws.com/media/6/media/49065.pdf>. Accessed: April 18, 2018.

The Project would be required to comply with all applicable MPPFD codes and regulations as well as standards related to fire hydrants (e.g., fire-flow requirements, spacing requirements), the design of driveway turnaround and access points, and other fire code requirements. For example, the MPPFD Fire Prevention Code, Section 903.2, requires automatic fire sprinkler protection for commercial occupancies of more than 5,000 gsf if the building is 40 feet or taller.

Conclusion

The physical conditions, as they relate to fire services, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would not result in substantial adverse environmental impacts associated with the provision of new or physically altered fire and emergency service facilities in order to maintain acceptable service ratios, response times, or other performance objectives. Fire service impacts as a result of the Project would be *less than significant*. No further study is needed.

Police Protection

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-3 (pages 4.12-15 to 4.12-18) and determined to result in a less-than-significant impact. The MPPD indicated in the ConnectMenlo EIR that it can address issues related to maintaining adequate response times for the proposed development through staffing rather than facility expansion. No mitigation measures were recommended.

Project-Specific Discussion

The Project could affect the MPPD by intensifying site activity and adding new employees, visitors, and residents. Specifically, the Project would increase the number of employees at the Project site by 1,996 people. When calculating the service population, the MPPD considers employees who work in Menlo Park as one-third of a resident, resulting in approximately 665 additional daytime residents. In addition, the Project could induce up to 200 permanent residents to relocate to Menlo Park. If there were no increase in existing MPPD staffing, then the ratio of 1.1 officers per 1,000 service population would decrease slightly with implementation of the Project.¹⁰⁵ The added daytime and permanent residents would result in a decrease in the ratio of officers to residents. Police surveillance in the Project area would continue, including routine patrols and responses to calls for assistance. The Project would not require the MPPD to expand its current service boundary to include the Project site because it is already within Beat 4.

Conclusion

The physical conditions, as they relate to police services, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial

¹⁰⁵ City of Menlo Park. 2017. *Staff Report: Agenda Item K-1 Police*. Available: <https://www.menlopark.org/DocumentCenter/View/13411/K1---4th-Police-Unit?bidId=>. Accessed: March 22, 2019.

importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Based on current service levels and the service levels expected to occur under the Project, it is not expected that new police facilities would need to be constructed, resulting in **less-than-significant** impacts. No further study is needed.

Schools

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-8 (pages 4.12-35 to 4.12-41) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As previously stated, four elementary/middle school districts and one high school district serve Menlo Park. However, Las Lomas School District would not be affected by the indirect population increases associated with the Project and, therefore, is not considered in this analysis. The Project would consist of R&D uses; it would not construct residential units that would generate school-age students for the local school districts. However, as stated in Section XIV, *Population and Housing*, the Project would indirectly induce housing demand by increasing employment within Menlo Park. Specifically, it is estimated that up to 66 new Menlo Park households would be generated by the Project. Assuming the most conservative student generation rate for the school districts that serve Menlo Park (0.56 student per multi-family unit), the Project could generate up to 37 new students. It is currently unknown which district would enroll these students; they would most likely be distributed throughout the districts. Therefore, the addition of the Project-generated students would be minimal, and the districts would most likely be able to accommodate the students.

Residential and non-residential development, including the Project, is subject to Senate Bill (SB) 50 school impact fees (established by the Leroy F. Greene School Facilities Act of 1998). As a result of wide-ranging changes in the financing of school facilities, including the passage of state school facilities bonds, which are intended to provide a major source of financing for new school facilities, Section 65996 of the State Government Code states that the payment of the school impact fees established by SB 50, which may be required from a developer by any state or local agency, is deemed to constitute full and complete mitigation for school impacts from development. In addition, new residential development that may indirectly result from the increase in employment and generate students would be subject to separate CEQA review as well as residential school impact fees, which would be higher than the non-residential school impact fees.

Conclusion

The physical conditions, as they relate to schools, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Because the Project would not generate a substantial number of new students or trigger the need for new school facilities, impacts related to schools would be **less than significant**. No further study is needed.

Parks

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impacts PS-5 and PS-6 (pages 4.12-23 to 4.12-26) and determined to result in a less-than-significant impact. The document noted that future development would be required to comply with existing regulations to minimize impacts related to park and recreational services and facilities. No mitigation measures were recommended.

Project-Specific Discussion

The Project would generate new employees in Menlo Park, which could increase park use in Menlo Park. However, the Project would provide open space for the new onsite employees, including walking and biking paths, plazas, and seating areas. In addition, the Project would include construction of Jefferson Park, which would be publicly accessible from paseo connections to Jefferson Drive and the Commonwealth Site. Final design of the park would be determined by the City and community feedback during the entitlement process. This “parklet” would be roughly 32,000 square feet (0.73 acre) in size, including a small parking lot. Potential features could include a multi-use sports court, a flexible lawn area for games and other activities, and an area with accent pavers that would provide space for games and a mix of lounge and dining seating. Additional features could include a playground or other amenities. A 10-foot-wide paseo would run along the eastern edge of the park, providing a connection to the rest of the site and beyond. The intent is for the park to be used by the adjacent high school for physical education classes and parking, with spaces for approximately 20 to 24 staff members. During non-school hours, the park and parking would be available to the public.

Given the availability of City and regional parks, plus the proposed open space, employee growth related to development under the Project is not anticipated to increase the use of parks and recreational resources such that substantial physical deterioration would occur. Refer to Section XVI, *Recreation*, for additional analysis.

Conclusion

The physical conditions, as they relate to parks, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. As such, the impact of the Project on existing park and recreational resources would be ***less than significant***. Please refer to Section XVI, *Recreation*, for additional analysis of impacts on parks. No further study is needed.

Libraries

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-10 (pages 4.12-44 to 4.12-46) and determined to result in a less-than-significant impact. The EIR stated that future development would be required to comply with existing regulations to minimize impacts related to library services. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, the City's libraries offer a range of resources for the community. The Project is expected to increase the population in Menlo Park by adding up to 200 new residents. In addition, other potential employees who live in San Mateo County could use the library. Given that the library currently serves approximately 23,600 registered borrowers, this increase in the potential number of patrons is minimal. It is expected that the existing libraries in Menlo Park would be able to accommodate the increase in the number of residents in the area due to the Project.

Analysis in the ConnectMenlo EIR

The physical conditions, as they relate to libraries, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project is not expected to trigger the need for new or expanded library facilities. Therefore, impacts would be ***less than significant***. No further study is needed.

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XVI. Recreation	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the Project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The Menlo Park Community Services Department is responsible for providing recreational and cultural programs for the residents of Menlo Park. Its facilities include 13 parks, three community centers, two public pools, three child care centers, two gymnasiums, and one gymnastics center. Included in the park and recreational areas are tennis courts, softball diamonds, picnic areas, dog parks, playgrounds, swimming pools, gymnastics centers, a skate park, a shared-use performing arts center, soccer fields, and open space.¹⁰⁶ An adopted City General Plan policy (Policy OSC-2.4) calls for a ratio of 5 acres of developed parkland per 1,000 residents. Currently, Menlo Park has an estimated population of approximately 33,319.¹⁰⁷ The City provides 244.96 acres of parkland for its residents, a ratio of 7.35 acres¹⁰⁸ of parkland per 1,000 residents.¹⁰⁹ Therefore, the City currently exceeds its goals.

General Plan Goals and Policies

The City’s General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on recreational resources. The following City General Plan goals, policies, and programs would serve to minimize potential adverse impacts on recreational resources: Goal LU-4, Policy LU-4.5, Goal LU-6, Policy LU-6.2, Goal OSC-2, Policy OSC-2.1, Policy OSC-2.4, and Policy OSC-2.6.

¹⁰⁶ City of Menlo Park Community Services Department. 2018. *Community Services Department*. Available: <https://www.menlopark.org/212/Community-Services>. Accessed: April 23, 2018.

¹⁰⁷ U.S. Census Bureau. 2016. *American Fact Finder, American Community Survey Demographic and Housing Estimates (2012–2016 American Community Survey 5-year Estimates, ID DP05)*. Available: https://factfinder.census.gov/faces/tables/services/jsf/pages/productview.xhtml?pid=ACS_16_5YR_DP05&prodType=table. Accessed: July 13, 2018.

¹⁰⁸ Note that this is slightly different from the ratio included in the ConnectMenlo EIR because of the increase in Menlo Park’s population since release of the ConnectMenlo EIR.

¹⁰⁹ A total of 244.96 acres divided by 33,319 (existing population as of 2016) = 7.35 acres per 1,000 residents.

Environmental Checklist and Discussion

- a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-6 (pages 4.12-24 to 4.12-26) and determined to result in a less-than-significant impact with respect to physical deterioration of park facilities. The document noted that future development would be required to comply with existing regulations to minimize impacts related to park and recreational services and facilities. No mitigation measures were recommended.

Project-Specific Discussion

The Project would generate approximately 1,996 new employees at the Project site. These employees could use nearby parks as well as other parks and open space resources throughout Menlo Park. Development would add approximately 128,533 sf of public open space and approximately 107,333 sf of private open space. A 0.2-mile-long and 20-foot-wide paseo, available to bicyclists and pedestrians, would be constructed along the eastern boundary of the Jefferson Site and throughout the Commonwealth Site. Proposed private open spaces would be located between and around Buildings 1, 2, and 3, within patios and courtyards featuring tables, chairs, a seat wall, trees, and access to an existing bocce court. In addition, outdoor balconies on the third and fourth floors of Building 3 would be provided as private open spaces. The private open spaces would be used by existing and new onsite employees.

The Project would include construction of Jefferson Park, which would be publicly accessible from paseo connections to Jefferson Drive and the Commonwealth Site. Final design of the park would be determined by the City and community feedback during the entitlement process. This “parklet” would be roughly 32,000 sf (0.73 acre) in size, including a small parking lot. Potential features could include a multi-use sports court, a flexible lawn area for games and other activities, and an area with accent pavers that would provide space for games and a mix of lounge and dining seating. Additional features could include a playground or other amenities. A 10-foot-wide paseo would run along the eastern edge of the park, providing a connection to the rest of the site and beyond. The intent is for the park to be used by the adjacent high school for physical education classes and parking, with spaces for approximately 20 to 24 staff members. During non-school hours, the park and parking would be available to the public.

Because the Project would generate approximately 1,996 new employees, up to 200 new residents could be induced to move to Menlo Park. However, new residents could use parks and open space resources throughout Menlo Park, including the proposed Jefferson Park. As explained above, the Menlo Park Community Services Department currently exceeds its goal of 5 acres of parkland per 1,000 residents. The approximately 200 new residents in Menlo Park would not substantially change the existing ratio, and the City would still exceed its goal. Given the availability of City-maintained parks, population growth is not anticipated to increase the use of recreational resources to a degree that would result in substantial physical deterioration.

Conclusion

The physical conditions, as they relate to neighborhood and regional parks, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. An increase in the number of employees and the residential population would not exacerbate existing capacity issues because any increased use of recreational facilities would be spread out among several parks and recreational facilities in the area, including the facilities proposed as part of the Project. The Project would not trigger a need for the construction or expansion of parks or other recreational facilities. Therefore, the impact of the Project on existing park and recreational resources would be **less than significant**. No further study is needed.

- b. *Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-6 (pages 4.12-23 to 4.12-24) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Effects of the Project

The Project would not include new or expanded Menlo Park Community Services Department park facilities. However, as discussed above, the Project would include open spaces and construction of a new publicly accessible, privately maintained park (Jefferson Park). Although the addition of open space alone would most likely not result in a significant impact, the addition of open space has been analyzed throughout this document in context with the rest of the Project.

Conclusion

The physical conditions, as they relate to park and recreational facilities, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Construction of private open space and Jefferson Park would not have an adverse physical effect on the environment and therefore would result in **less-than-significant** impacts. No further study is needed.

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XVII. Transportation	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the Project:					
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

As discussed in more detail, below, this topic will be analyzed further in the Focused EIR. Therefore, the setting is not discussed in this document but will be provided instead in the Focused EIR.

General Plan Goals and Policies

Goals and policies related to transportation and traffic will be discussed in the Focused EIR.

Environmental Checklist and Discussion

- a. Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (Topic to Be Analyzed in the Focused EIR)**

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact TRANS-1 (pages 4.13-56 to 3.13-74). Development under ConnectMenlo was determined to result in significant and unavoidable impacts on roadway segments and study intersections, even with implementation of Mitigation Measures TRANS-1a (pages 4.13-62 and 4.13-63) and TRANS-1b (pages 4.13-70 to 4.13-72) from the ConnectMenlo EIR. However, adding travel lanes (as recommended in Mitigation Measure TRANS-1a) could require an additional right of way that is not under the jurisdiction of the City. In addition, although implementation of Mitigation Measure TRANS-1b would secure a funding mechanism for future roadway and infrastructure improvements, the City cannot guarantee improvements at any roadway segment or intersection. In addition, this topic was analyzed in the ConnectMenlo EIR as Impact TRANS-6 (pages 3.13-81 to 3.13-89); it was determined that impacts would be significant and unavoidable, even with implementation of Mitigation Measures TRANS-6a through TRANS-6c. Implementation of these mitigation measures cannot be guaranteed.

Project-Specific Discussion

Although the Project is within the development projections envisioned in the ConnectMenlo EIR, this topic requires further environmental review in the Focused EIR. The transportation mitigation measures for the ConnectMenlo EIR anticipated that any project proposed prior to adoption of a Transportation Master Plan and updated Transportation Impact Fee, including the Project, would need to conduct a project-specific Transportation Impact Assessment (TIA) to determine the impacts and necessary transportation mitigation to be funded by that project. The requirement to conduct a project-specific TIA was also part of the settlement agreement in the 2017 *City of East Palo Alto v. City of Menlo Park* case. Therefore, the Focused EIR will include analysis of 31 intersections and two future intersections, as follows:

1. Marsh Road and Bayfront Expressway (State)
2. Marsh Road and Independence Drive (State)
3. Marsh Road and US 101 northbound off-ramp (State)
4. Marsh Road and US 101 southbound off-ramp (State)
5. Marsh Road and Scott Drive (Menlo Park)
6. Marsh Road and Bay Road (Menlo Park)
7. Marsh Road and Middlefield Road (Atherton)
8. Independence Drive and Constitution Drive (Menlo Park)
9. Chrysler Drive and Bayfront Expressway (State)
10. Chrysler Drive and Constitution Drive (Menlo Park)
11. Chrysler Drive and Jefferson Drive (Menlo Park)
12. Chrysler Drive and Independence Drive (Menlo Park)
13. Chilco Street and Bayfront Expressway (State)
14. Chilco Street and Constitution Drive (Menlo Park)
15. Willow Road and Bayfront Expressway (State)
16. Willow Road and Hamilton Avenue (State)
17. Willow Road and Ivy Drive (State)
18. Willow Road and O'Brien Drive (State)
19. Willow Road and Newbridge Street (State)
20. Willow Road and Bay Road (State)
21. Willow Road and Durham Street (Menlo Park)
22. Willow Road and Coleman Avenue (Menlo Park)
23. Willow Road and Gilbert Avenue (Menlo Park)

24. Willow Road and Middlefield Road (Menlo Park)
25. University and Bayfront Expressway (State)
26. Middlefield Road and Ravenswood Avenue (Menlo Park)
27. Middlefield Road and Ringwood Avenue (Menlo Park)
28. Marsh Road and Florence Street-Bohannon Drive (Menlo Park)
29. Willow Road and US 101 northbound ramps (future only)
30. Willow Road and US 101 southbound ramps (future only)
31. Bay Road and Ringwood Avenue (Menlo Park)

Conclusion

An analysis of the Project's consistency with relevant adopted policies, plans, and programs will be presented in the Focused EIR. This topic requires *further environmental review* in the Focused EIR.

- b. *Conflict or be inconsistent with CEQA Guidelines section 15064.3(b)? (Topic to Be Analyzed in the Focused EIR)***

Analysis in the ConnectMenlo EIR

VMT was analyzed in the ConnectMenlo EIR as TRANS-1b (pages 4.13-70 to 4.13-72). It was determined that ConnectMenlo would not exceed the existing VMT threshold of significance, resulting in less-than-significant impacts with respect to VMT.

Conclusion

The transportation mitigation measures for the ConnectMenlo EIR anticipated that any project proposed prior to adoption of a Transportation Master Plan and updated Transportation Impact Fee, including the Project, would need to conduct a project-specific TIA to determine the impacts and the necessary transportation mitigation to be funded by that project. The requirement to conduct a project-specific TIA was also part of the settlement agreement in the 2017 *City of East Palo Alto v. City of Menlo Park* case. Therefore, this topic requires *further environmental review* in the Focused EIR.

- c. *Substantially increase hazards because due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Topic to Be Analyzed in the Focused EIR)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact TRANS-4 (page 4.13-77 to 4.13-79) and determined to have less-than-significant impacts because the zoning update includes design standards that require street improvements, and projects are required to be designed in accordance with these City standards. No mitigation measures were recommended.

Project-Specific Discussion

Although the Project would add vehicles at nearby intersections, the Project would not result in physical changes to the study intersections. Therefore, because design features at the intersections would not be altered as a result of the Project, collision rates are not expected to increase, and no additional hazards would occur.

The Commonwealth Site would be accessible from two driveways, with the main access point at Commonwealth Drive in the southwest corner of the Project site and the secondary access point at Jefferson Drive adjacent to the Jefferson Site. The internal street network that surrounds the Commonwealth Site would provide access to the surface parking and the proposed parking structure. Entrances to the parking structure would be provided along the internal street east of Buildings 2 and 3. A loading dock would be provided on the east side of Building 3.

Conclusion

The requirement to conduct a project-specific TIA was part of the settlement agreement in the 2017 *City of East Palo Alto v. City of Menlo Park* case. Therefore, this topic requires **further environmental review** in the Focused EIR.

d. Result in inadequate emergency access? (Topic to Be Analyzed in the Focused EIR)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact TRANS-5 (page 4.13-79 to 4.13-81) and determined to have less-than-significant impacts because the City would implement General Plan programs that would require continued coordination between the MPPD and MPFPD. In addition, proposed zoning would help to minimize traffic congestion. No mitigation measures were recommended.

Project-Specific Discussion

The Project does not include any characteristics (e.g., permanent road closures or roadway modifications) that would physically impair or otherwise interfere with emergency response or evacuation in the Project vicinity. Emergency access to the Project site would be provided from both access points on Commonwealth Drive and Jefferson Drive. Emergency vehicles would enter the site at Commonwealth Drive and continue along the northern portion of the site, adjacent to the proposed building, then travel around the building to exit at Jefferson Drive. Fire access to the proposed parking structure would be at both the northern and southern ends.

Conclusion

The requirement to conduct a project-specific TIA was part of the settlement agreement in the 2017 *City of East Palo Alto v. City of Menlo Park* case. Therefore, this topic requires **further environmental review** in the Focused EIR.

XVIII. Tribal Cultural Resources	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and that is:					
a) Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

As discussed in more detail, below, this topic will be analyzed further in the Focused EIR for the Project. Therefore, the setting is not discussed in this document but will be provided instead in the Focused EIR.

Environmental Checklist and Discussion

Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and that is:

- a. Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k)? (Topics to Be Analyzed in the Focused EIR)*

Analysis in the ConnectMenlo EIR

Tribal cultural resources, as defined by Public Resources Code Section 21074, were analyzed in the ConnectMenlo EIR as Impact CULT-1 (pages 4.4-12 to 4.9-15). Impacts were determined to be less than significant with implementation of Mitigation Measures CULT-2a, CULT-2b, and CULT-4 from the ConnectMenlo EIR.

Project-Specific Discussion

A search of the Sacred Lands File did not identify any tribal cultural resources in the Project area. Although no formal tribal cultural resources were identified as a result of consultation with the Native Americans the NAHC listed as geographically affiliated with the region, the area was identified as very sensitive for Native American resources by two representatives. In addition, one previously recorded precontact site was identified within with the Project footprint. CA-SMA-425 was identified during archaeological monitoring for the Commonwealth Corporate Center Project in 2015. The site is located beneath the existing Building 2. This resource is believed to be the last vestige of a much larger site because of the heavily disturbed nature of the Project area. Building 2 would not be augmented as part of the current Project, and this resource would not be disturbed during any Project-related activities. However, although no Project-related ground disturbance would occur in the vicinity of this resource, the potential always exists for additional as-yet undocumented tribal cultural resources to be encountered during Project demolition or construction work, as discussed in more detail in Section V, *Cultural Resources*. Buried deposits may be eligible for listing in the CRHR.

Conclusion

The Project would implement ConnectMenlo EIR Mitigation Measure CULT-2a if a potentially significant subsurface cultural resource is encountered during ground-disturbing activities. The Project would also implement ConnectMenlo EIR Mitigation Measure CULT-4 if human remains are encountered at the Project site. Although no archaeological resources were identified during consultation with Native American tribes, the area was identified as sensitive for Native American resources. Therefore, this topic requires ***further environmental review*** in the Focused EIR.

- b. Determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (Topics to Be Analyzed in the Focused EIR)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact CULT-5 (page 4.4-21). Impacts were determined to be less than significant with implementation of Mitigation Measures CULT-2a, CULT-2b, and CULT-4.

Effects of the Project

As stated above, although no tribal cultural resources were identified within the Project site during consultation with California Native American tribes, the area was determined to be very sensitive for Native American resources. In addition, one precontact archaeological resource was identified during a cultural resources review. Although this resource would not be affected by Project-related activities, the potential still exists for encountering as-yet undocumented resources that could be considered significant by California Native American tribes during Project-related construction activities.

Conclusion

Implementation of ConnectMenlo EIR Mitigation Measures CULT-2a and CULT-4 and Project Mitigation Measure CR-1 would reduce impacts. However, because of the sensitivity of the Project site, this topic requires ***further environmental review*** in the Focused EIR.

XIX. Utilities and Service Systems	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the Project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Water Supply

As discussed in more detail below, the water supply will be analyzed further in the Focused EIR. Therefore, the setting for the water supply is not discussed in this document but will be provided instead in the Focused EIR.

Wastewater Collection and Treatment

As discussed in more detail below, wastewater collection and treatment will be analyzed further in the Focused EIR. Therefore, the setting for wastewater is not discussed in this document but will be provided instead in the Focused EIR.

Stormwater

The Project site, which covers approximately 13.3 acres (578,500 sf), is located in the northernmost drainage area of Menlo Park. The Project site drains to a municipal storm drain system that outfalls to Redwood Creek and, ultimately, to San Francisco Bay. Currently, the total surface area of the Project

site is approximately 74.6 percent impervious (approximately 431,697 sf). The Project site includes the Commonwealth Site and the Jefferson Site, consisting of two buildings (Buildings 1 and 2, referred to by Facebook as Buildings 27 and 28) and surface parking on the Commonwealth Site and the Jefferson Site.

Currently, the Project site is served by a combination of existing and new onsite storm drain systems. The system collects runoff from the parking, roof, and hardscape areas and conveys it to a pump. The pump is sized to discharge the water at an appropriate flow rate to biotreatment ponds for stormwater treatment. The balance of the runoff that is not directed to the pond is discharged directly to Jefferson Drive from a systems of pipes. Runoff is conveyed from the systems of pipes to an existing 36-inch storm drain in Jefferson Drive.¹¹⁰

Onsite drainage is captured by area drains and landscaped areas. New and mature trees, as well as landscaping, are scattered throughout the Project site. The Commonwealth Site includes a stormwater treatment area with native grasses and flowers. Directly adjacent to Jefferson Drive is a 2,800 sf stormwater treatment area with trees and grasses.

Solid Waste

Recology Incorporated provides solid waste collection and conveyance service for Menlo Park. Collected recyclables, organics, and garbage are conveyed to the Shoreway Environmental Center (Shoreway) in San Carlos for processing and shipment. Shoreway is owned by RethinkWaste (former South Bayside Waste Management Authority), a joint powers authority that comprises 12 public agencies, including the City of Menlo Park. As of January 1, 2011, Shoreway has been operated by South Bay Recycling under a 10-year contract with RethinkWaste. The primary goal of RethinkWaste is to provide cost-effective waste reduction, recycling, and solid waste programs to member agencies through franchised services and the services of other recyclers to divert 50 percent (minimum) of the waste stream from landfills, as mandated by California state law (AB 939).¹¹¹

Shoreway facilities consist of a transfer station, a materials recovery facility, a public recycling center, an environmental education center, Recology offices, and South Bay Recycling offices. Shoreway serves as a regional solid waste and recycling facility for the receipt, handling, and transfer of refuse, recyclables and organic materials collected from the RethinkWaste service area (southern and central San Mateo County). Shoreway is separately permitted by the California State Integrated Waste Management Board to receive 3,000 tons per day of solid waste and recyclables.¹¹²

In 2016 (the most recent year available), the RethinkWaste service area (San Mateo County) produced approximately 86,573 tons of commercial solid waste, 34,024 tons of multi-family waste, and 60,256 tons of residential waste. Overall, the service area experienced a 50 percent diversion rate by recycling and composting waste materials. Menlo Park had a slightly higher diversion rate than the county average, with approximately 58 percent of waste diverted from the landfill.¹¹³ In 2016, Menlo

¹¹⁰ Kier & Wright Civil Engineers & Surveyors. 2018. *Stormwater Report, Commonwealth Building 3, 162 & 164 Jefferson Drive, Menlo Park, California*. February 28.

¹¹¹ RethinkWaste. 2018. *About Us*. Last revised: 2018. Available: <http://www.rethinkwaste.org/about/about-us>. Accessed: June, 18, 2018.

¹¹² RethinkWaste. 2018. *About Shoreway*. Last revised: 2018. Available: <http://www.rethinkwaste.org/shoreway-facility>. Accessed: June 18, 2018.

¹¹³ Recology San Mateo County. 2017. *Annual Report to the SBWMA for Year 2016*. Available: https://rethinkwaste.org/uploads/media_items/recology-annual-report-2016.original.pdf. Accessed: July 20, 2018.

Park's per capita solid waste disposal rate for residents was 5.1 pounds per day (ppd); the target per capita disposal rate for residents is 7.5 ppd. Menlo Park's per capita solid waste disposal rate for employees in 2016 was 4.5 ppd; the California Department of Resources Recycling and Recovery (CalRecycle) target per capita disposal rate for employees is 9.2 ppd.¹¹⁴

Materials not composted or recycled at Shoreway are sent to several different landfills in the area, with most going to the Ox Mountain Landfill (also known as Corinda Los Trancos Landfill) near Half Moon Bay. This landfill is expected to remain operational until 2034 and has a permitted throughput capacity of 3,598 tons per day.¹¹⁵ In 2017, approximately 32,617 tons of waste from Menlo Park was disposed of in landfills, with approximately 25,523 tons going to the Ox Mountain Landfill.¹¹⁶

Natural Gas

PG&E's natural gas (methane) pipe delivery system includes 42,000 miles of distribution pipelines and 6,700 miles of transmission pipelines. Gas delivered by PG&E originates in gas fields in California, the Southwest, the Rocky Mountains, and Canada. Transportation pipelines send natural gas from fields and storage facilities in large pipes under high pressure. Smaller distribution pipelines deliver gas to individual businesses and residences. PG&E's gas transmission pipeline systems serve approximately 15 million energy customers in California. The system is operated under an inspection and monitoring program in real time on a 24-hour basis, with leak inspections, surveys, and patrols taking place along the pipelines.¹¹⁷ The PG&E gas transmission pipeline nearest the Project site runs primarily along US 101 until Second Avenue, where it continues north along Broadway in Redwood City. Distribution gas pipelines are located throughout the Bayfront Area.

Telecommunications

There are numerous telecommunications providers in Menlo Park that offer DSL, wireless, cable, fiber, and cooper services, including AT&T, XFINITY from Comcast, MegaPath, and CenturyLink Business, to residents and businesses in Menlo Park. The Project site receives services from XFINITY.¹¹⁸ Underground conduits and overhead cables are present throughout the vicinity of the Project site.

General Plan Goals and Policies

The City General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on utilities. The following City General Plan goals, policies, and programs would serve to minimize potential adverse impacts on public stormwater and solid waste: Goal LU-4, Policy LU-4.5, Goal LU-6, Policy LU-6.11, Goal LU-7, Policy

¹¹⁴ CalRecycle. 2016. *Jurisdiction Diversion/Disposal Rate Detail*. Menlo Park. Available: <http://www.calrecycle.ca.gov/LGCentral/reports/diversionprogram/JurisdictionDiversionDetail.aspx?JurisdictionID=299&Year=2016>. Accessed: July 20, 2018.

¹¹⁵ CalRecycle. 2018. *Facility/Site Summary Details: Corinda Los Trancos Landfill (Ox Mountain) (41-AA-0002)*. Available: <http://www.calrecycle.ca.gov/SWFacilities/Directory/41-AA-0002/Detail/>. Accessed: July 20, 2018.

¹¹⁶ CalRecycle. 2017. *Jurisdiction Disposal by Facility: Disposal during 2017 for Menlo Park*. Available: <http://www.calrecycle.ca.gov/LGCentral/Reports/Viewer.aspx?P=ReportYear%3d2017%26ReportName%3dReportEDRSJurisDisposalByFacility%26OriginJurisdictionIDs%3d299>. Accessed: July 20, 2018.

¹¹⁷ Pacific Gas & Electric. n.d. *Learn about the PG&E Natural Gas System*. Available: https://www.pge.com/en_US/safety/how-the-system-works/natural-gas-system-overview/natural-gas-system-overview.page. Accessed: April 4, 2019.

¹¹⁸ BroadbandNow. n.d. *Internet Providers in Menlo Park, California*. Available: <https://broadbandnow.com/California/Menlo-Park#show=business>. Accessed: April 4, 2019.

LU-7.1, Policy LUS-7.5, Goal OSC-4, Policy OSC-4.2, Policy OSC-4.6, Policy OSC-4.7, Policy OSC-4.8, Goal S-1, Policy S-1.26, and Policy S-1.27. Goals and policies related to water and wastewater will be discussed in the Focused EIR.

Environmental Checklist and Discussion

- a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects? (Topic to Be Analyzed in Focused EIR)*

Analysis in the ConnectMenlo EIR

These topics were analyzed in the ConnectMenlo EIR under Impacts UTIL-2 (pages 4.14-28 and 4.14-29), UTIL-4 (pages 4.14-36 to 4.14-38), UTIL-5 (pages 4.14-38 to 4.14-41), UTIL-11 (pages 4.14-64 to 4.14-66), and UTIL-13 (pages 4.14-76 to 4.18-81) and determined to result in a less-than-significant impact. It is expected that the City will implement General Plan programs that require expansion of the Menlo Park Municipal Water District's conservation programs and future development to employ green building best practices. No mitigation measures were recommended. The ConnectMenlo EIR does not discuss impacts on telecommunication facilities.

Project-Specific Discussion

Water and Wastewater. Operation of the Project is not anticipated to result in the construction or expansion of new water or wastewater treatment facilities. However, it is unknown at this time how much water the Project would demand and, in turn, how much wastewater the Project would generate. A Water Supply Assessment (WSA) for the Project would need to be conducted and analyzed in the Focused EIR.

Stormwater. Operation of the Project would result in the construction or expansion of new stormwater facilities but would not cause significant environmental effects. Implementation of the Project would reduce the amount of impervious surface by 38,542 sf, or 6.6 percent of the Project site. Paved areas would cover approximately 393,155 sf of impervious surfaces, or approximately 68 percent of the Project site. Hardscape at the Project site would include concrete paving, decomposed granite paving, and concrete pavers. Landscaped areas would provide 185,297 sf of pervious surfaces, covering approximately 32 percent of the Project site. Because the Project would create and replace more than 10,000 sf of impervious surface, the Project would be regulated by provision C.3 of the Municipal Regional Permit. To meet San Mateo Countywide Water Pollution Prevention Program C.3 stormwater requirements, the Project would be required to treat runoff from all impervious areas. The Project site would be drained by a combination of existing and new onsite storm drain system facilities. However, the Project would reduce the amount of impervious surfaces, thereby funneling less stormwater to these new onsite facilities. The system would ultimately convey runoff to biotreatment ponds for stormwater treatment to capture and treat runoff from the newly created or replaced impervious areas. The new development would have a larger landscaped area, which would result in a net decrease in the amount of runoff leaving the site. The Project Sponsor would be required develop and implement a final Stormwater Management Plan, with the goal of reducing the discharge of pollutants to the maximum extent practicable.

The existing stormwater treatment areas on the Commonwealth Site and the existing 2,800 sf stormwater treatment area directly adjacent to Jefferson Drive would remain. The Project would provide biotreatment areas throughout the site. The overflow pipe at the manhole pump for each biotreatment area would be a couple of feet higher than the treatment volume to prevent the overflow pipe from functioning until the treatment flow has been stored. Flows from all proposed impervious areas, both replaced and new areas, would be directed to a pump that would be sized to discharge runoff to biotreatment areas for stormwater treatment.

Natural Gas. During operation, the Project would meet 100 percent of its energy demand (electricity and gas), consistent with the requirements of City Municipal Code Section 16.44.130, through the purchase of 100 percent renewable electricity from Peninsula Clean Energy. As needed, PG&E would provide gas and electrical power for the proposed facilities. Existing electricity and gas lines in the vicinity of the Project site would continue to serve the Project and may be upgraded, if necessary.

The installation of new or expanded gas lines on the Project site would require excavation, trenching, soil movement, and other activities that are typical during construction of development projects. However, these construction impacts are discussed in detail in the appropriate topical sections of this Initial Study as part of the assessment of overall Project impacts. In addition, although construction related to the new or relocated gas and electric lines could result in short-term environmental effects (e.g., noise, dust, traffic, temporary service interruption), the work would comply with City and PG&E regulations as well as standard conditions for new construction related to infrastructure improvements. For example, these regulations and conditions would require new gas line construction, or expansion of existing lines, to include best management practices (e.g., require construction areas to minimize dust generation, limit construction noise to daytime hours to limit impacts on sensitive receptors, use modern equipment to limit emissions). Also, any such work would be subject to compliance with applicable regulations and standard conditions of approval for the Project, including City permits/review for construction (e.g., grading permits, private development review, encroachment permits). It is anticipated that no offsite natural gas facilities would need to be constructed or expanded as a result of the Project.

Telecommunications. Telecommunications lines may need to be extended or relocated as a result of the Project. The installation of new or expanded telecommunication lines on the Project site would require excavation, trenching, soil movement, and other activities that are typical during construction of development projects. These construction impacts are discussed in the appropriate topical sections of this Initial Study as part of the assessment of overall Project impacts. However, no offsite telecommunications facilities would need to be constructed or expanded as a result of the Project.

Conclusion

The physical conditions, as they relate to water, wastewater treatment facilities, stormwater, natural gas, and telecommunications, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project could require construction or expansion of stormwater drainage, natural gas, or telecommunication

lines and features on the Project site but would not lead to significant environmental impacts beyond the construction impacts discussed throughout this document. Impacts would be less than significant. However, because further studies are needed to determine water and wastewater impacts, this topic requires **further environmental review** in the Focused EIR.

- b. *Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. (Topic to Be Analyzed in Focused EIR)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR under UTIL-1 (pages 4.14-24 to 4.14-27) and determined to result in a less-than-significant impact. Future development under ConnectMenlo would be required to comply with existing regulations, including City General Plan policies and zoning requirements, to minimize impacts related to water supplies. No mitigation measures were recommended.

Project-Specific Discussion

Existing water supplies should be available to serve the Project; it is not expected that new or expanded entitlements would be needed during normal, dry, and multiple dry years. However, it is unknown at this time how much water the Project would require. A WSA for the Project would need to be conducted.

Conclusion

The physical conditions, as they relate to water supplies, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. Regardless, a WSA would be prepared to determine whether the Project can be supplied with water from existing entitlements and resources. The WSA would distinguish between normal and multi-year drought conditions. The Project would be required to have an onsite water recycling system to offset potable water demand, which would be reflected in the WSA. Given that the amount of water demand from the Project is unknown, the impacts are also unknown. Since the release of ConnectMenlo EIR, the City has prepared a Water System Master Plan, which identifies a fire-flow issue in the area of the Project site. In addition to preparation of a WSA, a water system analysis would be prepared for the Project and included in the EIR. The EIR would assess delivery of water to the site with regard to fire flow. Because further studies are needed to determine water and wastewater impacts, this topic requires **further environmental review** in the EIR.

- c. *Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments? (Topic to Be Analyzed in Focused EIR)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR (pages 4.14-43 to 4.14-45) and determined to result in a less-than-significant impact. Future development is expected to tie in to existing collection facilities. The installation of extension lines would comply with applicable sewer permits, which require projects to reduce impacts on service capacity. In addition, projects would be required to comply with existing regulations that promote water conservation and minimize impacts related to wastewater generation. No mitigation measures were recommended.

Project-Specific Discussion

The Project is not expected to exceed the existing capacity of wastewater treatment facilities or the infrastructure that serves the area. However, it is unknown at this time how much water the Project would demand and, in turn, how much wastewater the Project would generate. A WSA for the Project would need to be conducted.

Conclusion

The physical conditions, as they relate to wastewater treatment facilities, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. However, because further studies are needed to determine water and, in turn, wastewater impacts, this topic requires *further environmental review* in the Focused EIR.

- d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR under Impact UTIL-8 (pages 4.14-52 to 4.14-55) and determined to result in a less-than-significant impact. Future development would be required to comply with existing regulations to minimize impacts related to solid waste disposal and attain solid waste reduction goals. No mitigation measures were recommended.

Project-Specific Discussion

The California Integrated Waste Management Act of 1989 (AB 939) requires municipalities to adopt an integrated waste management plan to establish objectives, policies, and programs related to waste disposal, management, source reduction, and recycling. In addition, Senate Bill 1383, passed in 2016, established a target that calls for a 50 percent reduction in organic waste by 2020 and 75 percent by 2025. The City of San Mateo and the City of Menlo Park have been working to meet these standards. As noted above, in 2016, San Mateo County experienced a 50 percent diversion rate by recycling and composting waste materials. Menlo Park had a slightly higher diversion rate than the county average, with approximately 58 percent of waste diverted from the landfill.¹¹⁹

Construction of the Project would generate waste but would remain within state and local standards. The proposed excavation would result in the export of approximately 2,500 cubic yards of material offsite. All soil and debris, including contaminated soil, would be off-hauled to the Dumbarton Quarry or a similar appropriate facility. The Project would be required to comply with the City's Construction and Demolition Recycling Ordinance, which requires salvaging or recycling of at least 60 percent of construction-related solid waste. Therefore, construction of the Project is not expected to have an impact on existing landfills.

¹¹⁹ Recology San Mateo County. 2017. *Annual Report to the SBWMA for Year 2016*. Available: https://rethinkwaste.org/uploads/media_items/recology-annual-report-2016.original.pdf. Accessed: July 20, 2018.

Operation of the Project would result in the generation of solid waste beyond existing conditions but would continue to meet state and local standards for solid waste and recycling. The Project would generate approximately 1,996 new employees at the Project site and up to 190 residents who could live in Menlo Park. As discussed above, the disposal rate per business employee in Menlo Park was 4.5 ppd. Assuming 1,996 employees, the Project could generate approximately 8,982 ppd of waste. In addition, Menlo Park's disposal rate per resident was 5.1 ppd. Assuming up to 190 new residents as a result of the Project, Project-induced residential waste would be approximately 969 ppd. Combined, this would result in approximately 5 tons per day. This waste generated at the Project site would be collected by Recology San Mateo and hauled to Shoreway. Shoreway is permitted to receive 3,000 tons of refuse per day. Once collected and sorted at Shoreway, solid waste is transported to Ox Mountain, which is permitted to receive 3,598 tons per day. Solid waste generated by operation of the Project would represent approximately 0.17 percent and 0.14 percent of the permitted capacity of Shoreway and Ox Mountain, respectively. As such, Shoreway and the Ox Mountain would have sufficient capacity to serve the Project.

Conclusion

The physical conditions, as they relate to landfills, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would be served by a landfill with sufficient permitted capacity to accommodate its solid waste disposal needs. In addition, the Project is within the growth projections of the ConnectMenlo EIR and, as such, would not result in impacts that were not already evaluated. The Project would not generate solid waste in excess of state or local standards or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals. Impacts would be ***less than significant***, and no further study is needed.

- e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR under Impact UTIL-9 (pages 4.14-55 and 4.14-56) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

Construction and operation of the Project would comply with all applicable statutes and regulations related to solid waste. State law (AB 341 and AB 939) requires businesses to recycle and cities to divert 50 percent of their solid waste from landfills. The Project would adhere to these laws. In addition, the Project would be required to adhere to the City's Construction and Demolition Recycling Ordinance.

Conclusion

The physical conditions, as they relate to solid waste statutes and regulations, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Implementation of the Project would have a ***less-than-significant*** impact with regard to compliance with solid waste-related management and reduction statutes and regulations. No further study is needed.

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XX. Mandatory Findings of Significance	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Checklist and Discussion

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? (Topic to Be Analyzed in the Focused EIR)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed throughout the ConnectMenlo EIR, which considered impacts associated with biological resources and cultural resources. Any impacts were mitigated in the ConnectMenlo EIR under the respective EIR topics. Therefore, mitigation was applied to the Project, as discussed in Sections IV and Section V of this document.

Project-Specific Discussion

Construction of the Project would result in short-term impacts on biological resources. However, mitigation measures have been identified that would reduce the significant impacts to less-than-significant levels. The Project would not substantially reduce a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal

community, or reduce the number of rare plants or animals. The Project could adversely affect biological resources if special-status species (white-tailed kite and tree-nesting raptors) are found during construction activities. However, the BRA prepared in compliance with ConnectMenlo EIR Mitigation Measure BIO-1 identified Mitigation Measures BR-1 through BR-4, which would be incorporated into the Project to reduce potential impacts on white-tailed kit and tree-nesting raptors to less than significant.

As described in Section V, there are no historic resources at the Project site or in the surrounding area that would be affected by the Project. No buildings would be demolished as a result of the Project. However, the Project could adversely affect cultural resources during construction if buried artifacts or remains are discovered. Implementation of ConnectMenlo EIR Mitigation Measures CULT-2a, CULT-2b, and CULT-4, would help reduce impacts on archaeological resources, tribal cultural resources, and human remains. Regardless, since the Project site is in an archaeologically sensitive area and could disturb unidentified subsurface materials that have the potential to contain prehistoric archaeological resources, this topic requires further environmental review in the Focused EIR.

Conclusion

The physical conditions, as they relate to degradation of the physical environment, have not changed substantially in the ConnectMenlo area since preparation of the ConnectMenlo EIR. No substantial new information has been presented that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Impacts on biological resources have been analyzed in this document and determined to be less than significant. However, impacts related to archaeological resources, tribal cultural resources, and human remains require **further environmental review** in the Focused EIR.

- b. Does the project have impacts that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Topic to Be Analyzed in Focused EIR)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed throughout the ConnectMenlo EIR, which considered cumulative impacts. Any impacts were mitigated in the ConnectMenlo EIR under the respective EIR topics. Therefore, mitigation was applied to the Project, as needed.

Project-Specific Discussion

As described throughout this document, the Project would result in several potentially significant project-level impacts. However, mitigation measures have been identified that would reduce these impacts to less than significant. Furthermore, all development projects are guided by the goals and polices identified in the City General Plan and regulations in the City Municipal Code. Therefore, compliance with applicable land use and environmental regulations would ensure that environmental effects associated with the Project would not combine with the effects of reasonably foreseeable future development in Menlo Park and cause cumulatively significant impacts. However, the Project could result in cumulative impacts related to traffic, air quality, and greenhouse gases. In addition, although it is not anticipated, the Project could result in cumulative impacts related to cultural/tribal resources, population, water supply, wastewater treatment, and noise; these topics will be analyzed in greater detail (including cumulative analysis). Further study in the Focused EIR is needed.

Conclusion

No substantial new information has been presented that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. However, cumulative conditions related to traffic, air quality, greenhouse gases, cultural/tribal resources, population, water supply, wastewater treatment, and operational and construction noise will be subject to **further environmental review** in the Focused EIR.

- c. ***Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Topic to Be Analyzed in Focused EIR)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed throughout the ConnectMenlo EIR, which considered impacts associated with adverse effects on human beings. Any impacts were mitigated in the ConnectMenlo EIR under the respective EIR topics. Therefore, mitigation was applied to the Project, as discussed in Section I through Section XIX.

Project-Specific Discussion

As identified in this document, the Project would generally not directly or indirectly cause adverse effects on human beings with implementation of mitigation measures. Impacts that could affect the human environment, such as those related to aesthetics, agriculture, geology and soils, hazardous materials, hydrology, land use, minerals, public services, and recreation, would be less than significant. As identified in this document, the Project could have impacts related to biological resources and hydrology; however, these impacts would be addressed through implementation of the ConnectMenlo EIR mitigation measures as part of the Project. Regardless, traffic, air quality, and greenhouse gas impacts as a result of the Project could have a substantial adverse effect on human beings. In addition, although not expected to result in adverse impacts, cultural/tribal resources, population, water supplies, wastewater facilities, and noise will require further review.

Conclusion

The physical conditions, as they relate to degradation of the physical environment, have not changed substantially in the ConnectMenlo area since preparation of the ConnectMenlo EIR. For most topics, no substantial new information has been presented that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; there would be no new specific effects as a result of the Project. However, **further environmental review** is required in the Focused EIR related to traffic, air quality, greenhouse gases, cultural/tribal resources, population, water supply, wastewater treatment, and operational and construction noise.

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4. List of Preparers

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February 26, 2018

Richard Truempler
The Sobrato Organization
10600 N. De Anza Boulevard, Suite 200
Cupertino, CA 95014

Subject: Commonwealth Building 3 Project – Avian Collision Risk Assessment (HTH #3562-03)

Dear Mr. Truempler:

Per your request, H. T. Harvey & Associates has performed an assessment of avian collision risk for the proposed Commonwealth Building 3 Project located at 164 Jefferson Drive in Menlo Park, California. It is our understanding that the project entails the construction of a new six-story office building and a five-level parking structure (Figures 1 and 2). We further understand that the project is subject to the City of Menlo Park's Bird-Friendly Design Guidelines (Ordinance No. 1024). This report summarizes our analysis of the potential risk of avian collisions with the proposed building and the proposed project's compliance with the City's guidelines.

This report describes H. T. Harvey & Associates' assessment of bird occurrence in the project vicinity under both existing conditions and anticipated conditions after construction of the project, as well as our opinion regarding the potential risk of avian collisions with the façades of the proposed new building and parking structure. As described below, we have concluded that the frequency of bird collisions will be low, and collisions are not expected to result in a significant impact under the California Environmental Quality Act (CEQA), in our opinion. Furthermore, we understand that glass used for the features most likely to result in bird collisions (railings) will be treated (e.g., with a frit pattern) to meet bird-safe guidelines.

This assessment was prepared jointly by Ginger Bolen and myself. Briefly, our qualifications are as follows (résumés attached). I have a Ph.D. in biological sciences from Stanford University, where my doctoral dissertation focused on the effects of urbanization on riparian bird communities in the South San Francisco Bay area. I have been an active birder for more than 35 years and have conducted or assisted with research on birds since 1990. I have served for eight years as an elected member of the California Bird Records Committee and for 12 years as a Regional Editor for the Northern California region of the journal *North American Birds*. I am a member of the Scientific Advisory Board for the San Francisco Bay Bird Observatory, the Technical Advisory Committee for the South Bay Salt Ponds Restoration Project, and the Board of Directors of the Western Field Ornithologists. Dr. Bolen has a Ph.D. in biological sciences from the University of California Berkeley, where her doctoral dissertation focused on the mating strategy and nesting associations of the yellow-billed magpie (*Pica nuttallii*). She has conducted or assisted with research on birds since 1992.



Figure 1. Existing project site.

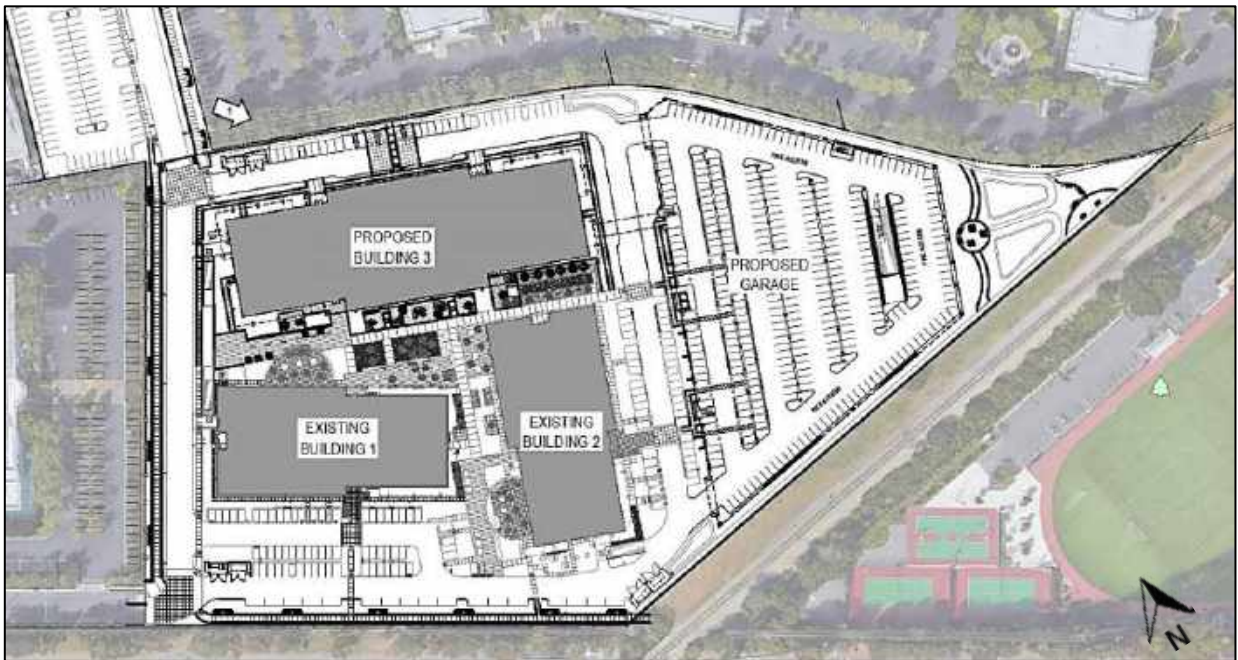


Figure 2. Project conceptual design.

Although the subject of bird-friendly design is relatively new to the West Coast, we have performed avian collision risk assessments and identified measures to reduce collision risk for a number of projects in the Bay Area, including projects in the cities of San Francisco, Oakland, Menlo Park, East Palo Alto, Mountain View, Santa Clara, Sunnyvale, and San Jose.

Methods

From decades of experience birding in the San Francisco Bay area, and 30+ years of combined ecological consulting work in the region, Dr. Bolen and I are familiar with bird distribution, bird-habitat relationships, and avian migration in the San Francisco Bay area. This experience allows us to assess, from a review of the habitat types and bird species currently present on the project site, those species that are expected to use areas such as the project site and the temporal patterns of their distribution. We assessed bird use of the project site and vicinity directly during a site visit conducted on February 8, 2018. Because our site visit represented only a snapshot of avian occurrence in the project vicinity, we also searched the eBird database (<http://ebird.org/content/ebird/>), which has been established by the Cornell University Laboratory of Ornithology to archive records of birds seen worldwide, for records in the project vicinity. This database search was conducted on February 8, 2018 to obtain up-to-date occurrence information. Prior to conducting the site visit, we reviewed the architectural layouts and renderings for the proposed buildings prepared by Arc Tec Inc. and The Guzzardo Partnership Inc. and provided by The Sobrato Organization. Based on this information, Dr. Bolen and I assessed the potential risk of avian collisions with the façades of the new buildings.

Design Features

Building 3

The proposed Commonwealth Building 3, which is similar in design to the existing Buildings 1 and 2, is a six-story structure topped with a metal roof screen. The façades of floors 1 through 6 will be composed of one of two types of curtain walls, one made with low tint glass in aluminum frames with butt glazed mullions and one made of gray tint glass in aluminum frames with butt glazed mullions. Balconies will be located on the fourth level of the north and south façades. In addition, balconies will wrap around the east and west façades on the sixth floor. All balconies will be enclosed with a glass railing; the glass used for these railings will be treated (e.g., with a frit pattern) to make the glass more conspicuous to birds, thereby meeting bird-safe design guidelines. A series of aluminum composite columns and horizontal panels will wrap the building, occurring in front of both the glass façades and balconies. In addition, an aluminum composite metal canopy and louvers will extend out horizontally from the level of the sixth-floor roof, providing shade for the balconies but also extending beyond the building façades. Figure 3 shows what the northern façade of Building 3 will look like, depicting all of the different types of materials/surfaces that will comprise the façades.

At floors two and three, a two-level bridge will connect Building 3 to the parking garage (Figure 4). The bridge will be open on both the upper and lower levels. Its handrails will be composed of low tint glass in aluminum frames with butt glazed mullions; the glass used for these railings will be treated (e.g., with a frit pattern) to make the glass more conspicuous to birds, thereby meeting bird-safe design guidelines.



Figure 3. Building 3 conceptual design (northern façade).



Figure 4. Parking structure conceptual design.

Parking Structure

The parking garage is a five-story structure (Figure 4) with no glazing. Guardrails around each level of the parking garage, as shown on Figure 4, will be composed of cables, not glass. Portions of the structure's façades will be covered by a perforated aluminum screen.

Results – Assessment of Bird Use

Land uses and habitat conditions on the project site and in the project vicinity consist primarily of developed

areas such as buildings, parking lots, and roads. The site is bordered to the southwest by Highway 101, with office and residential development located further to the southwest; to the southeast by an inactive portion of the Dumbarton Rail Corridor; and to the west by Commonwealth Drive, with office land uses occurring further to the west. The area to the north of the project site is also occupied by office land uses. Pond RS5 of the San Francisco Bay Don Edwards National Wildlife Refuge is located further to the north (approximately 0.3 mile to the north of the project site), but is separated from the site by State Route 84 and extensive development. Vegetation in the areas surrounding the project site is limited in extent, and consists primarily of non-native landscape trees and shrubs.

Currently, the project site is occupied by surface parking lots and landscaping (Figure 1). Landscaping includes primarily non-native species, including relatively small trees such as plum (*Prunus* sp.), Brisbane box (*Lophostemon confertus*), holly oak (*Quercus ilex*), and strawberry (*Arbutus unedo*). Although a number of bird species will use such vegetation, they typically do so in low numbers. The existing landscaping on the project site provides low-quality habitat for most native birds found in the region owing to the predominance of non-native species; the absence of well-layered vegetation (e.g., with ground cover, shrub, and canopy tree layers in the same areas) throughout most of the site; the limited extent of the vegetated habitat areas and preponderance of asphalt; and the amount of human disturbance by vehicular traffic and occupants of buildings on and adjacent to the site. Non-native vegetation supports fewer of the resources required by native birds than native vegetation, and the structural simplicity of the vegetation on the project site further limits resources available to birds.^{1,2} In general, the site does not represent high-quality habitat that would support particularly large concentrations of native birds. Further, due to the absence of high-quality native habitat, more sensitive or rarer bird species are not expected to occur in the project vicinity. Rather, the bird species that are present consist predominantly of regionally abundant species that are adapted to urban conditions, such as the native mourning dove (*Zenaida macroura*), bushtit (*Psaltriparus minimus*), Anna's hummingbird (*Calypte anna*), dark-eyed junco (*Junco hyemalis*), American crow (*Corvus brachyrhynchos*), California scrub-jay (*Aphelocoma californica*), and house finch (*Haemorhous mexicanus*), as well as the non-native rock pigeon (*Columba livia*), house sparrow (*Passer domesticus*), and European starling (*Sturnus vulgaris*). These species may occur on the site year-round and breed on or near the site.

The project site is not located in a landscape position that would result in high numbers of birds, especially migratory birds, moving past the project site. Although a number of birds move along the edges of San Francisco Bay, the site is more than 0.3 mile from the edge of baylands habitats, and being inland from the baylands edge, waterbirds using habitats around the Bay would not commute in the direction of the project site. As a result, waterbirds associated with San Francisco Bay are not at risk of colliding with the proposed building or parking structure. Moderate numbers of migratory songbirds are often concentrated at the edge of the bay during spring and fall migration, but they tend to use more heavily vegetated areas such as riparian corridors or large, well-vegetated parks such as Coyote Point in San Mateo, Shoreline Park in Mountain View, or Sunnyvale

¹ Anderson, B. W., A. E. Higgins, and R. D. Ohmart. 1977. Avian use of saltcedar communities in the lower Colorado River valley. Pages 128-136 in R. R. Johnson and D. A. Jones (eds.), Importance, preservation, and management of riparian habitats. USDA For. Serv. Gen. Tech. Rep. RM-43.

² Mills, G. S., J. B. Dunning, Jr., and J. M. Bates. 1989. Effects of urbanization on breeding bird community structure in southwestern desert habitats. *Condor* 91:416-429.

Baylands Park in Sunnyvale. No heavily vegetated areas or natural habitat such as riparian vegetation is present in the vicinity of the project site, and it is not located between two high-quality habitat areas such that birds would be flying past the site at an altitude as low as the proposed buildings. As a result, there is no expectation that migratory songbirds would be particularly attracted to, or would make heavy use of, the habitats in the project vicinity.

Assessment of Collision Risk

It has been well documented that glass windows and building façades can result in injury or mortality of birds due to birds' collisions with these surfaces.³ Because birds do not perceive glass as an obstruction the way humans do, they may collide with glass when the sky or vegetation is reflected in it (e.g., they see the glass as sky or vegetated areas); when transparent windows allow birds to perceive an unobstructed flight route through the glass (such as at corners); and when the combination of transparent glass and interior vegetation (such as in planted atria) results in attempts by birds to fly through glass to reach that vegetation. The greatest risk of avian collisions with buildings occurs in the area within 60 feet of the ground, because this is the area in which most bird activity occurs.⁴ Further, the majority of collisions with both residential and urban buildings happen during the day, as birds fly around looking for food.^{5,6}

After project construction is completed, there will be a low risk of bird collisions with the façades of the proposed parking structure due to the absence of glass. Building 3 is expected to experience higher collision frequency due to the more extensive use of glass throughout the façades. However, the following factors will limit the frequency with which birds may collide with the façades of Building 3:

- Based on the architectural renderings (see Figure 3 and Appendix B), the windows will be recessed from the solid/opaque vertical and horizontal elements of the façades; as a result, birds will be better able to perceive the buildings as solid structures to be avoided than if the glass were the outermost features of the building. The shadows and reflections of the solid supports in the glass will further reinforce the perception that these buildings are solid structures to be avoided.
- Mullions between glass panes will help to break up the appearance of the glass.
- The reflectivity of the glass composing the façades will be low, reducing reflections of vegetation on the surface of the glass.
- The glass rail enclosing the balconies on the fourth and sixth floors of the building, and on the bridge connecting Building 3 to the garage, will be treated (e.g., with a frit pattern) to make the glass more conspicuous to birds, thereby meeting bird-safe design guidelines. Further, the balcony behind the rail will be narrow, and no plants or other features that might otherwise attract birds to fly toward the

³ Klem, D. Jr. February, 2009. Avian Mortality at Windows: The Second Largest Human Source of Bird Mortality on Earth. Proceedings of the Fourth International Partners in Flight Conference: Tundra to Tropics. 244-251.

⁴ San Francisco Planning Department. 2011. Standards for Bird-Safe Buildings. Adopted July 14, 2011.

⁵ U.S. Fish and Wildlife Service. 2016. Reducing Bird Collisions with Building and Building Glass Best Practices. January 2016. Updated July 2016.

⁶ American Bird Conservancy. 2015. Bird-Friendly Building Design.

balconies will be present. As a result, there is little expectation that birds will try to approach the building in such a way that they might collide with the glass rail.

- No landscaping will be installed on the roof, and the rooftop windscreen will be composed of a metal panel rather than glass, increasing its visibility to birds that may be flying over the building.
- An aluminum composite metal canopy and louvers will extend out horizontally from the sixth-floor roof, reducing the reflection of the sky in the glazing of the upper floors.
- As described above, bird use of the project site is expected to be relatively low, which will limit the number of birds present in the vicinity of Building 3.

Although the frequency of collisions with the façades of Buildings 3 is expected to be somewhat higher than the frequency of collisions with the proposed parking structure, the overall frequency of bird collisions with the façades of Buildings 3 is expected to be low, and collisions are not expected to result in the loss of a substantial proportion of any native species' South Bay (or even Menlo Park) populations because bird use of the project vicinity is expected to be relatively low, which will limit the number of birds present in the vicinity.

There is some potential for bird strikes to occur with any part of the buildings at night, when birds may be less able to perceive the presence of the buildings (especially in bad weather). However, large-scale collision events involving nocturnal migrants such as those that have been documented at high-rise buildings in the East and Midwest have not been documented in the West. The project does not propose any very bright spotlights or other lighting that will be pointed upward or outward and that may serve to attract or confuse birds. Furthermore, it is worth noting that the composition of the buildings' surfaces (e.g., presence or absence of glass, or whether the glass includes bird-safe treatments) will have no influence on whether nocturnal migrants collide with the buildings if they are unable to perceive the buildings due to darkness in the first place. Finally, nocturnally migrating birds typically fly 500 feet or more above ground level, and thus well above the proposed buildings.

Therefore, in our opinion, the overall architectural design of the project, as well as bird-safe glazing treatment on balcony and bridge railings, in lieu of more extensive bird-safe glazing treatment should be sufficient to avoid any significant impacts under CEQA from bird collisions with the buildings' façades.

Results – Assessment of the Project's Compliance with the City of Menlo Park's Bird-Friendly Design Guidelines

The City of Menlo Park's Bird-Friendly Design Guidelines (Ordinance No. 1024) require the project design to comply with six bird-friendly design standards for new construction, although the City may waive the bird-friendly design requirements based on a site-specific evaluation from a qualified biologist and review and approval by the Planning Commission. Below, we discuss the project's current compliance with these six standards.

1. *No more than 10% of façade surface area shall have non-bird-friendly glazing.*

Building 3 – The Commonwealth Building 3 project includes extensive glazing (i.e., well over 10%) on the façades of Building 3, including within 60 feet of the ground (i.e., the area with the greatest risk of avian collisions). Because this glazing is not proposed to be treated (i.e., “bird-friendly”), the current project design does not comply with this standard. However, our assessment constitutes an analysis by a qualified biologist indicating whether construction of the project would pose a collision hazard to birds in the absence of the use of treated glazing on the building façades. As described above, it is our opinion that the overall architectural design of the building, as well as bird-safe glazing treatment on balcony and bridge railings, in lieu of more extensive bird-safe glazing treatment should be sufficient to avoid any significant impacts under CEQA from bird collisions with the buildings’ façades.

We expect that occasional collisions between birds and the glass façades of the proposed building will occur after the building is constructed. However, we expect the frequency of bird collisions to be low. We base this conclusion on (1) the relatively low numbers of birds expected to occur in the project vicinity, (2) the absence of any features such as dense, native vegetation or water features that might otherwise attract birds to the vicinity, (3) the bird-safe glazing treatment that will be applied to the glass railings, and (4) the appearance of the façades, which are well broken-up by solid, opaque horizontal and vertical elements, thus making the façades more conspicuous and less likely to be mistaken for the sky or vegetation.

The overall frequency of bird collisions will be low, and because the majority of collisions will involve regionally abundant, urban-adapted bird species, these collisions will not result in the loss of a substantial proportion of any species’ Bay-area populations or any Bay-area bird community. Therefore, given the relatively low number of collisions expected to occur, in combination with the other bird-collision mitigating design features noted above, we do not expect the addition of more bird-safe glazing treatment to the project design to result in a substantial reduction in the number of collisions on this project.

Parking Structure – Glazing is absent from the parking structure. Thus, the proposed parking structure is in compliance with this design standard.

- Occupancy sensors or other switch control devices shall be installed on non-emergency lights and shall be programmed to shut off during non-work hours and between 10:00 p.m. and sunrise.*

It is our understanding that occupancy sensors for light control will be installed on all non-emergency lights within the new office buildings and parking garages on the project site. These lights will be programmed to shut off during non-work hours and between 10:00 p.m. and sunrise. Thus, the indoor lighting for the project is in compliance with this design standard.

- Placement of buildings shall avoid the potential funneling of flight paths towards a building façade.*

The proposed new building and parking structure do not funnel open space that is attractive to birds toward the faces of buildings. The proposed landscaped vegetation on the site will be planted along sidewalks and in areas of open space throughout the site. No features of the proposed building design or landscaping will

funnel birds towards a building façade. Thus, it is our opinion that the project design complies with this standard.

4. *Glass skywalks or walkways, freestanding (see-through) glass walls and handrails, and transparent building corners shall not be allowed.*

Building 3 includes glass corners on all sides of the building and at all floor levels. In addition, freestanding glass handrails are located on the perimeter of the fourth and sixth floor balconies and a glass bridge connects Building 3 to the parking structure. Thus, the project design does not comply with this standard.

However, the glass used for these railings will be treated (e.g., with a frit pattern) to make the glass more conspicuous to birds. Even in the absence of such glazing treatment, though, we expect the frequency of bird collisions to be low due to the relatively low numbers of birds expected to occur in the project vicinity and the absence of any features such as dense, native vegetation or water features that might otherwise attract birds to the vicinity. Because the majority of collisions will involve regionally abundant, urban-adapted bird species, these collisions will not result in the loss of a substantial proportion of any species' Bay-area populations or any Bay-area bird community. Therefore, given the relatively low number of collisions expected to occur, we do not expect the elimination of glass corners, glass handrails, or the glass bridge to result in a substantial reduction in the number of collisions on this project.

5. *Transparent glass shall not be allowed at the rooflines of buildings, including in conjunction with roof decks, patios, and green roofs.*

Based on the architectural renderings in the project plan set, an aluminum parapet cap wraps around the building at the level of the sixth-floor roof. Thus, no windows extend all the way to the top of the building. In addition, a metal canopy and louvers extend out horizontally from the level of the sixth-floor roof (see Figure 3). Shadows and reflections from the overhang will prevent glazing near the roofline from appearing as unbroken panes of glass and will break up the reflection of the sky within the glass. Therefore, in our opinion, the project design complies with this guideline.

6. *Use of rodenticides shall not be allowed.*

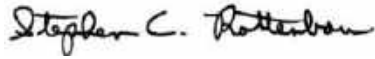
The project will comply with the City's prohibition on the use of rodenticides.

Summary

In summary, it is our opinion that the frequency of bird collisions with the proposed project will be low, and collisions are not expected to result in a significant impact under CEQA.

Please feel free to contact me at (408) 722-0931 or srottenborn@harveyecology.com if you have any questions regarding this assessment or if you would like to discuss the options presented above for moving forward with the City. Thank you very much for contacting H. T. Harvey & Associates about this project.

Sincerely,

A handwritten signature in black ink that reads "Stephen C. Rottenborn". The signature is written in a cursive style.

Stephen C. Rottenborn, Ph.D.
Principal - Wildlife Ecologist

Attachments: Résumés



Stephen C. Rottenborn, Ph.D.

Vice President, Wildlife Ecology

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408.458.3205

PROFESSIONAL PROFILE

AREAS OF EXPERTISE

- Avian ecology
- Wetlands and riparian systems ecology
- Endangered Species Act consultations/compliance
- Environmental impact assessment

EDUCATION

- Ph.D. Biological Sciences, Stanford University, 1997
- B.S. Biology, College of William and Mary, 1992

OTHER PROFESSIONAL EXPERIENCE

- Ecology Section Chief/Environmental Scientist, Wetland Studies and Solutions, Inc., 2000-2004
- Sr. Wildlife Ecologist, H. T. Harvey & Associates, 1997-2000
- Scientific Associate/Scientific Advisory Board, San Francisco Bay Bird Observatory, 1999-2004, 2009-present
- Member, Board of Directors, Virginia Society of Ornithology, 2000-2004
- Member, Board of Directors, Western Field Ornithologists, 2014-present
- Chair, California Bird Records Committee, 2016-present

KEY PROJECTS

- Candlestick Point/Hunters Point Shipyard
- Concord Community Reuse Project EIR
- Santa Clara Valley Water District Stream Maintenance Program
- Envision San Jose 2040 General Plan Update
- South Bay Salt Ponds Restoration Project

KEY PUBLICATIONS

- Rottenborn, S. C. 2000. Nest-site selection and reproductive success of red-shouldered hawks in central California. *Journal of Raptor Research* 34:18-25.
- Rottenborn, S. C. 1999. Predicting the impacts of urbanization on riparian bird communities. *Biological Conservation* 88:289-299.
- Rottenborn, S. C. and E. S. Brinkley. 2007. Virginia's Birdlife. *Virginia Society of Ornithology, Virginia Avifauna* No. 7

Steve is a principal in our wildlife group; his primary role is addressing wildlife-related CEQA/NEPA and special-status species issues. While much of his work focuses on wildlife issues, Steve's broad training enables him to expertly manage multi-disciplinary projects involving a broad array of biological issues.

In his past research, Steve conducted studies detailing the effects of urbanization, land use, and habitat degradation on riparian bird communities in the South San Francisco Bay. In addition, he identified habitat features important to individual bird species, predicted how urbanization would impact these communities, and conducted a study of nest-site selection and reproductive success of urban-nesting red-shouldered hawks. He has also conducted studies of shorebird use of agricultural fields, an assessment of habitat associations and population dynamics of colonially nesting birds, and a study of resource partitioning among members of an oak woodland foraging guild.

Combining his research and training as a wildlife biologist and avian ecologist, Steve has built an impressive professional career that is highlighted by a particular interest in wetland and riparian communities, as well as the effects of human activities on bird populations and communities. He has contributed to more than 600 projects involving wildlife impact assessment, NEPA/CEQA documentation, biological constraints analysis, endangered species issues (including California and Federal Endangered Species Act consultations), permitting, and restoration. Steve has conducted surveys for a variety of wildlife taxa, including threatened and endangered species, and contributes to the design of habitat restoration and monitoring plans. In his role as project manager and principal-in-charge for numerous projects, he has supervised data collection and analysis, report preparation, and agency and client coordination.

Steve has managed a number of large and complex projects involving wildlife issues, including CEQA assessment and/or Endangered Species Act consultation for the Santa Clara Valley Water District's Stream Maintenance Program, Concord Community Reuse Project, Braddock & Logan's Fallon Village project, Newark Areas 3 & 4 Specific Plan, Las Positas College Master Plan, and Hecker Pass Specific Plan. He served as the senior wildlife ecologist for our work on the South Bay Salt Pond Restoration Project. He managed the preparation of a resource management plan for the Santa Clara Valley Transit Authority's Coyote Ridge conservation area, and is currently assisting Lennar and the City of San Francisco with biological planning and permitting for the Candlestick Point – Hunters Point redevelopment project.

Steve also has considerable experience managing biological resources issues for large on-call projects. He has served as project manager or principal-in-charge for more than 35 task orders for Caltrans on-call projects, more than 30 task orders for the Santa Clara Valley Water District, and numerous task orders for PG&E's Hydrotest project.

Although much of Steve's work has been performed in the San Francisco Bay area, he has been heavily involved in projects throughout California. He provided considerable input on biological resources reports and permit applications for the California Valley Solar Ranch project in San Luis Obispo County and has managed a number of projects in the Central Valley, from the southern San Joaquin Valley north to the Sacramento Valley.



Ginger M. Bolen, Ph.D.

Associate Wildlife Ecologist

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408.458.3246

AREAS OF EXPERTISE

- Ecology of birds
- Endangered Species Act consultation/compliance
- Environmental impact assessment (NEPA/CEQA)
- Construction compliance and monitoring

PERMITS AND LICENSES HELD

- USFWS Recovery Permit – California red-legged frog and California tiger salamander
- California Department of Fish and Game Scientific Collecting Permit and MOU for California tiger salamanders

EDUCATION

- Ph.D. Behavioral Ecology, University of California, Berkeley, 1999
- B.S. Wildlife Science, Purdue University, 1991

PRIOR PROFESSIONAL EXPERIENCE

- Senior Wildlife Biologist, North State Resources Inc., 2004-2010
- Wildlife Ecologist, H. T. Harvey & Associates, 2001-2004
- Research Associate, Smithsonian Institution, 1999-2001

KEY PROJECTS

- Sunnyvale Baylands Park and Landfill Biological Constraints and Opportunities Analysis
- Moffett Park Burrowing Owl Survey
- SCVWD Stream Maintenance Program Update
- United Technologies Corporation's Site Closure Project
- Stanford University Medical Center Facilities Project – Nesting Bird Surveys and Monitoring

KEY PUBLICATIONS

- Crosbie, S., D. Bell, and G. Bolen. 2006. Vegetative and thermal aspects of roost-site selection in urban Yellow-billed Magpies. *Wilson Journal of Ornithology* 118(4):532-536.
- Bolen, G., S. Rothstein, and C. Trost. 2000. Egg recognition in Yellow-billed and Black-billed Magpies in the absence of interspecific parasitism. *Condor* 102:140-147.

PROFESSIONAL PROFILE

Ginger is an Associate and a senior wildlife ecologist specializing in regulatory compliance issues related to CEQA, NEPA, and the federal and state Endangered Species Acts. She is a board-certified wildlife biologist with over 16 years of professional consulting experience. Her most recent research has focused on ecological flexibility in waterfowl and the cause of the population decline of the American black duck. She has also conducted extensive research in California's Central Valley on one of the state's only endemic bird species, the yellow-billed magpie, including studies on its mating strategy, nesting association with Bullock's orioles, and egg recognition abilities.

As an ecological consultant, Ginger has contributed to a diverse array of projects throughout northern and central California, including NEPA/CEQA documentation, habitat conservation plans, open space management plans, biological constraints analyses, special-status species surveys (e.g., valley elderberry longhorn beetle, California tiger salamander, California red-legged frog, western pond turtle, burrowing owl, bald eagle, Swainson's hawk, and San Joaquin kit fox), and construction-site monitoring. She has extensive experience with the regulatory requirements of NEPA and CEQA as they relate to the preparation of environmental documents and has a strong understanding of the state and federal Endangered Species Acts, which allows her to prepare effective environmental documents that fully satisfy the regulatory requirements of the agencies that issue discretionary permits. In her role as project manager, she has supervised data collection and analysis, report preparation, and agency and client coordination.

Ginger has supervised environmental compliance for projects with a variety of ecological issues. Her responsibilities include project management, coordination of field studies, resource agency liaison, document preparation, compliance assessment, and implementation supervision. She has managed a number of large and complex projects involving wildlife issues, including CEQA assessment, NEPA Assessment, and/or Endangered Species Act consultation, including the Oakland Army Base Redevelopment Project, Concord Community Reuse Project, Jade's Ranch Habitat Conservation Plan, and the San Joaquin River Parkway Master Plan Update. In that capacity, she has spearheaded the implementation of pre-construction surveys monitoring for nesting birds, bats, San Francisco dusky-footed woodrats, special-status fish, and special-status reptiles and amphibians; preparation of the biological resources section of CEQA compliance documents; preparation of Biological Assessments for initiation of Federal Endangered Species Act consultation with the USFWS and NMFS; and preparation of Incidental Take Permit applications for consultation with the CDFW under the California Endangered Species Act. She has also managed a number of construction monitoring projects, including nesting bird surveys and deterrence, for the Stanford University Medical Center Facilities Renewal and Replacement Project, Foothill College Renovation Project, PG&E Gas Line 132 replacement project, United Technologies Corporation's Site Closure Project, San Thomas Box Culvert Renovation Project, and the South County Water Recycling Pipeline Project.

Menlo Park Transportation Impact Analysis Guidelines

Menlo Park Transportation Impact Analysis (TIA) Guidelines provide criteria for identifying the need for modifications to any intersection. The following are the TIA Guidelines standard for the City's intersections.

City arterial intersections – the intersections would be non-compliant with the TIA Guidelines standard if a project traffic would cause:

- Intersections operating at LOS D or better to operate at LOS E or F, OR
- Intersections operating at LOS D or better to increase average delay by more than 23 seconds, OR
- Intersections operating at LOS E or F to increase average delay of vehicles on all critical movements by more than 0.8 seconds.

Local approaches to State-controlled intersections – the intersections would be non-compliant with the TIA Guidelines standard if a project traffic would cause:

- Intersections operating at LOS D or better to operate at LOS E or F, OR
- Intersections operating at LOS D or better to increase average delay by more than 23 seconds, OR
- Intersections operating at LOS E or F to increase delay of vehicles on the most critical movements by more than 0.8 seconds.

Other City Intersections (Collector and Local Streets) – the intersections would be non-compliant with the TIA Guidelines standard if a project traffic would cause:

- Intersections operating at LOS C or better to operate at LOS D, E, or F, OR
- Intersections operating at LOS C or better to increase average delay by more than 23 seconds, OR
- Intersections operating at LOS D or worse to increase average delay of vehicles on all critical movements by more than 0.8 seconds.

For the Town of Atherton, the intersections would be non-compliant with the threshold standard if a project traffic would cause the intersections operating at LOS D or better to operate at LOS E or F, or cause the intersection operating at LOS E or F to increase four seconds of average delay.

For the State-controlled intersections except for ramp intersections, the intersections would be non-compliant with the threshold standard if a project traffic would cause the intersections operating at LOS D or better to operate at worse than LOS D, or cause the intersections operating at LOS D or worse to increase four seconds of average delay.³¹

Near Term (2025) Plus Project Conditions

The analysis in the TIA and summarized in this non-CEQA section is based on the TIA Guidelines for intersection LOS under Near Term (2025) Plus Project Conditions. The LOS definitions, policy standards, and thresholds, the turning movement volumes, lane and roadway configurations, Vistro³² outputs, and LOS results for the study intersections during the AM and PM peak hours under Near Term (2025) Plus Project Conditions are also presented in the TIA (Appendix 3.1-1).

³¹ Commonwealth Corporate Center Project EIR, 2014.

³² Vistro is a traffic engineering software that allows creation of a transportation network model and applies industry standard methodologies to evaluate signalized and unsignalized intersections.

The Proposed Project would cause the following fifteen study intersections to be non-compliant with the TIA Guidelines standard under Near Term (2025) Plus Project Conditions by causing the intersections to increase either average movement delay or critical movement delay exceeding the threshold established by the TIA Guidelines during at least one peak hour.

- Intersection #8, Chrysler Drive and Constitution Drive (Menlo Park): AM and PM
- Intersection #9, Chrysler Drive and Jefferson Drive (Menlo Park): AM and PM
- Intersection #10, Chrysler Drive and Independence Drive (Menlo Park): AM
- Intersection #12, Chilco Street and Constitution Drive (Menlo Park): PM
- Intersection #13, Willow Road and Bayfront Expressway (State): AM and PM
- Intersection #14, Willow Road and Hamilton Avenue (Local Approaches to State): AM and PM
- Intersection #15, Willow Road and Ivy Drive (Local Approaches to State): AM and PM
- Intersection #16, Willow Road and O'Brien Drive (Local Approaches to State): AM and PM
- Intersection #17, Willow Road and Newbridge Street (Local Approaches to State): AM and PM
- Intersection #18, Willow Road and Bay Road (Local Approaches to State): AM and PM
- Intersection #19, Willow Road and Durham Street (Menlo Park): AM
- Intersection #20, Willow Road and Coleman Avenue (Menlo Park): AM and PM
- Intersection #21, Willow Road and Gilbert Avenue (Menlo Park): AM and PM
- Intersection #22, Willow Road and Middlefield Road (Menlo Park): AM
- Intersection #23, University and Bayfront Expressway (State): PM

The intersection of Chrysler Drive and Jefferson Drive (Intersection #9) would meet the MUTCD peak hour signal warrant during the PM peak hour while the intersection of Bay Road and Ringwood Avenue (Intersection #29) would meet the peak hour signal warrant during both AM and PM peak hours under Near Term (2025) Plus Project Conditions. The intersection of Chrysler Drive and Independence Drive (Intersection #10) would not meet peak hour signal warrant during either peak hour.

The recommended modifications to improve intersection operations to pre-Project conditions, or better are documented in the TIA. With implementation of the intersection modifications, the intersections would be in compliance with LOS standard and the Project's share of the non-compliant operation would be addressed. Based on the analysis results in the TIA, modifications identified in the TIF program would address the changes in intersection delay as a result of Project traffic at the following locations.

- Chrysler Drive and Jefferson Drive (Intersection #9)
- Chrysler Drive and Independence Drive (Intersection #10)
- Willow Road and Bayfront Expressway (Intersection #13)
- Willow Road and Ivy Drive (Intersection #15)
- Willow Road and Newbridge Street (Intersection #17)
- Willow Road and Bay Road (Intersection #18)
- Willow Road and Middlefield Road (Intersection #22)

Modifications to address the changes to intersection delay as a result of Project traffic at the following locations are either beyond or not included in the TIF program.

- Chrysler Drive and Constitution Drive (Intersection #8)
- Chilco Street and Constitution Drive (Intersection #12)
- Willow Road and Hamilton Avenue (Intersection #14)
- Willow Road and O'Brien Drive (Intersection #16)
- Willow Road and Durham Street (Intersection #19)
- Willow Road and Coleman Avenue (Intersection #20)
- Willow Road and Gilbert Avenue (Intersection #21)
- University Avenue and Bayfront Expressway (Intersection #23)

In addition, implementation of modifications at the following locations would require right of way acquisition and/or be subject to review and approval by Caltrans.

- Willow Road and Bayfront Expressway (Intersection #13)
- Willow Road and Hamilton Avenue (Intersection #14)
- Willow Road and Ivy Drive (Intersection #15)
- Willow Road and O'Brien Drive (Intersection #16)
- Willow Road and Newbridge Street (Intersection #17)
- Willow Road and Bay Road (Intersection #18)
- University Avenue and Bayfront Expressway (Intersection #23)

While the City strives to maintain LOS standard, implementation of the modifications should not be at the expense of VMT impacts. Implementation of intersection or roadway modifications would not result in any changes to the land use of the Proposed Project and the VMT associated with the Proposed Project and would not result in secondary effects or contribute to impacts under CEQA.

Cumulative (2040) Plus Project Conditions

The analysis in the TIA and as summarized herein is based on the City's TIA Guidelines for intersection LOS under Cumulative (2040) Plus Project Conditions. The turning movement volumes, lane configurations, Vistro outputs, and LOS results for the study intersections during AM and PM peak hours under Cumulative (2040) Plus Project Conditions are presented in the TIA (Appendix 3.1-1).

The Proposed Project would cause 19 of the study intersections to operate in non-compliance with the TIA Guidelines standard under Cumulative (2040) Plus Project Conditions by causing the intersections to increase either average movement delay or critical movement delay exceeding the threshold established by the TIA Guidelines during at least one peak hour.

- Intersection #1, Marsh Road and Bayfront Expressway/Haven Avenue (Local Approaches to State): AM
- Intersection #3, Marsh Road and US-101 SB Off-Ramp (State): AM
- Intersection #7, Chrysler Drive and Bayfront Expressway (Local Approaches to State): PM

- Intersection #8, Chrysler Drive and Constitution Drive (Menlo Park): AM and PM
- Intersection #9, Chrysler Drive and Jefferson Drive (Menlo Park): AM and PM
- Intersection #10, Chrysler Drive and Independence Drive (Menlo Park): AM
- Intersection #11, Chilco Street and Bayfront Expressway (Local Approaches to State): AM and PM
- Intersection #12, Chilco Street and Constitution Drive (Menlo Park): AM and PM
- Intersection #13, Willow Road and Bayfront Expressway (State): AM and PM
- Intersection #14, Willow Road and Hamilton Avenue (Local Approaches to State): AM and PM
- Intersection #15, Willow Road and Ivy Drive (Local Approaches to State): AM and PM
- Intersection #16, Willow Road and O'Brien Drive (Local Approaches to State): AM and PM
- Intersection #17, Willow Road and Newbridge Street (Local Approaches to State): AM and PM
- Intersection #18, Willow Road and Bay Road (Local Approaches to State): AM and PM
- Intersection #19, Willow Road and Durham Street (Menlo Park): AM and PM
- Intersection #20, Willow Road and Coleman Avenue (Menlo Park): AM and PM
- Intersection #21, Willow Road and Gilbert Avenue (Menlo Park): AM and PM
- Intersection #22, Willow Road and Middlefield Road (Menlo Park): AM
- Intersection #23, University and Bayfront Expressway (State): AM

The intersection of Chrysler Drive and Jefferson Drive (Intersection #9) would meet the MUTCD peak hour signal warrant during the PM peak hour and the intersection of Chrysler Drive and Independence Drive (Intersection #10) would meet the peak hour warrant during the AM peak hour. The intersection of Bay Road and Ringwood Avenue (Intersection #29) would meet the peak hour warrant during both AM and PM peak hours.

The recommended modifications to improve intersection operations to pre-Project conditions, or better are documented in the TIA. With implementation of the intersection modifications, the intersections would be in compliance with LOS standard and the Project's share of the non-compliant operation would be addressed. Based on the analysis results in the TIA, modifications identified in the TIF program would address the changes in intersection delay as a result of Project traffic at the following locations.

- Marsh Road and Bayfront Expressway/Haven Avenue (Intersection #1)
- Chrysler Drive and Jefferson Drive (Intersection #9)
- Chrysler Drive and Independence Drive (Intersection #10)
- Willow Road and Bayfront Expressway (Intersection #13)
- Willow Road and Ivy Drive (Intersection #15)
- Willow Road and Middlefield Road (Intersection #22)

Modifications to address the changes to intersection delay as a result of Project traffic at the following locations are either beyond or not included in the TIF program.

- Marsh Road and US-101 SB Off-Ramp (Intersection #3)
- Chrysler Drive and Bayfront Expressway (Intersection #7)
- Chrysler Drive and Constitution Drive (Intersection #8)
- Chilco Street and Bayfront Expressway (Intersection #11)
- Chilco Street and Constitution Drive (Intersection #12)
- Willow Road and Hamilton Avenue (Intersection #14)
- Willow Road and O'Brien Drive (Intersection #16)
- Willow Road and Newbridge Street (Intersection #17)
- Willow Road and Bay Road (Intersection #18)
- Willow Road and Durham Street (Intersection #19)
- Willow Road and Coleman Avenue (Intersection #20)
- Willow Road and Gilbert Avenue (Intersection #21)
- University Avenue and Bayfront Expressway (Intersection #23)

In addition, implementation of modifications at the following 17 locations would require widening, right-of-way acquisition, and/or be subject to review and approval by Caltrans.

- Marsh Road and Bayfront Expressway/Haven Avenue (Intersection #1).
- Marsh Road and US-101 SB Off-Ramp (Intersection #3).
- Chrysler Drive and Bayfront Expressway (Intersection #7).
- Chrysler Drive and Constitution Drive (Intersection #8).
- Chilco Street and Bayfront Expressway (Intersection #11).
- Willow Road and Bayfront Expressway (Intersection #13)
- Willow Road and Hamilton Avenue (Intersection #14).
- Willow Road and Ivy Drive (Intersection #15)
- Willow Road and O'Brien Drive (Intersection #16).
- Willow Road and Bay Road (Intersection #18).
- Willow Road and Durham Street (Intersection #19).
- Willow Road and Newbridge Street (Intersection #17).
- Willow Road and Bay Road (Intersection #18)
- Willow Road and Coleman Avenue (Intersection #20).
- Willow Road and Gilbert Avenue (Intersection #21).
- Willow Road and Middlefield Road (Intersection #22).
- University Avenue and Bayfront Expressway (Intersection #23).

While the City strives to maintain LOS standards, intersection and roadway modifications that increase vehicular capacity may conflict with the City's established goals of reducing vehicle miles traveled and greenhouse gas emissions.

Roadway Segment Level of Service

The findings of the roadway segment LOS compliance analysis are presented in this section for informational purposes. The analysis scope and methodology, analysis scenarios, data collection, and level of service policy standards are detailed in Appendix 3.1-1.

Near Term (2025) Plus Project Conditions

For Near Term (2025) Plus Project Conditions, the Project vehicle trips for the study segments were identified from the Project trip distribution assigned to each route. The study segments are included in the Congestion Management Program (CMP) adopted by the City/County Association of Governments of San Mateo County (C/CAG). A difference of the turning movement volumes at the adjacent intersections between Near Term (2025) and Near Term (2025) Plus Project Conditions indicates the amount of net-new vehicle traffic that the Proposed Project would add to the study CMP segments.

The Proposed Project would increase traffic volume by one or more than one percent of the roadway capacity and contribute to causing five roadway segments to operate not in compliance with C/CAG TIA policy under Near Term (2025) Plus Project Conditions.

- Segment #1, Bayfront Expressway (SR84) between Bayshore Freeway (US 101) and Willow Road (SR 114): 6.7 percent increase
- Segment #2, Bayfront Expressway (SR 84) between Willow Road (SR 114) and University Avenue (SR 109): 2.2 percent increase
- Segment #3, Bayfront Expressway (SR 84) between University Avenue (SR 109) and San Mateo County Line: 1.8 percent increase
- Segment #5, Willow Road (SR 114) between Bayshore Freeway (US 101) and Bayfront Expressway (SR 84): 1.1percent increase
- Segment #6, Bayshore Freeway (US 101) north of Marsh Road: 1.0 percent increase

With implementation of travel lane modifications and/or TDM measures to reduce the Project peak directional vehicle trips to one or less than one percent of the directional capacity, the segment would operate at or better than Near Term (2025) Conditions. While the City strives to maintain LOS standards, roadway modifications that increase vehicular capacity may conflict with the City's established goals of reducing vehicle miles traveled and greenhouse gas emissions. Furthermore, modifications are subject to Caltrans approval, which cannot be guaranteed.

Cumulative (2040) Plus Project Conditions

For Cumulative Plus Project (2040) Conditions, the Project vehicle trips for the study CMP segments were identified from the Project trip distribution assigned to each route. A difference of the turning movement volumes at the adjacent intersections between Cumulative (2040) and Cumulative (2040) Plus Project Conditions indicates the amount of net-new vehicle traffic that the Proposed Project would add to the study CMP segments.

The Proposed Project would increase traffic volume by one or more than one percent of the roadway capacity and contribute to causing the following five roadway segments to be non-compliant with C/CAG TIA policy under Cumulative (2040) Plus Project Conditions.

- Segment #1, Bayfront Expressway (SR84) between Bayshore Freeway (US 101) and Willow Road (SR 114): 6.7 percent increase
- Segment #2, Bayfront Expressway (SR 84) between Willow Road (SR 114) and University Avenue (SR 109): 2.2 percent increase
- Segment #3, Bayfront Expressway (SR 84) between University Avenue (SR 109) and San Mateo County Line: 1.8 percent increase
- Segment #5, Willow Road (SR 114) between Bayshore Freeway (US 101) and Bayfront Expressway (SR 84): 1.1percent increase
- Segment #6, Bayshore Freeway (US 101) north of Marsh Road: 1.0 percent increase

With implementation of travel lane modifications and/or TDM measures to reduce the Project peak directional vehicle trips to one or less than one percent of the directional capacity, the segment would operate at or better than Cumulative (2040) Conditions. While the City strives to maintain LOS standards, roadway modifications that increase vehicular capacity may conflict with the City’s established goals of reducing vehicle miles traveled and greenhouse gas emissions. Furthermore, these modifications are subject to Caltrans approval, which cannot be guaranteed.

As stated above, level of service (LOS) is no longer a CEQA threshold. However, the City’s TIA Guidelines require that the LOS is retained as a local metric in compliance with the City’s General Plan. Action to address LOS compliance could be conditions of approval, but would not be CEQA required mitigation measures. As such, the recommended improvements furnished in the LOS analysis section would not be imposed as mitigations. Additionally, while the City strives to maintain LOS standards, these intersection and roadway modifications that increase vehicular capacity may conflict with the City’s established goals of reducing vehicle miles traveled and greenhouse gas emissions.

Parking Assessment

Code Requirements

The O-B zoning district code requirements for office and parking structure uses are described in Table 3.1-7.

Table 3.1-7. Menlo Park Municipal Code Parking Standards

Land Use	Vehicle Parking Requirement/Allowance		Minimum Bicycle Parking Requirement
	Minimum (per 1,000 sf)	Maximum (per 1,000 sf)	
Office	2	3	1 per 5,000 sq. ft. of gross floor area (minimum of 2 spaces): 80% for long-term and 20% for short-term

Source: Menlo Park Municipal Code (June 2021).

Notes: long-term parking is defined as use over several hours or overnight, typically used by employees and residents; short-term parking is defined as visitor parking for use from several minutes to up to a couple of hours.

sf = square feet

Tables outlining the potential improvements for intersections exceed the Level-Of-Service thresholds

Potential Improvements to Return Intersections Exceeding LOS Thresholds for Near-Term (2025) Plus Project Conditions to Pre-Project Conditions				
Intersection and Jurisdiction	Affected Peak Hour Period	Improvement Type	TIA Reference	Staff's Preliminary Feasibility Determination
Intersection #8: Chrysler Drive and Constitution Drive (Menlo Park)	AM and PM	<p>Install a left-turn lane on westbound Chrysler Drive and convert the shared left/through/right lane to a shared through/right lane resulting in having one left-turn lane and one shared through/right lane in this direction.</p> <p>The excessive delays on southbound Constitution Drive would require an installation of right-turn lane and a conversion of the shared through/right lane to through lane resulting in having one left-turn lane, one through lane, and one right-turn lane. Northbound Constitution Drive would require an installation of a right-turn lane and a conversion of the shared left/through/right lane to a shared left/through lane resulting in having one shared left/through lane and one right-turn lane. This may require traffic signal modifications.</p>	Pages: 47-48	<p>High: Westbound improvements included in City's TIF program. Project required to design and construct the improvements on the other approaches</p> <p>Low: Northbound and southbound improvements would likely require ROW acquisitions.</p>
Intersection #9: Chrysler Drive and Jefferson Drive (Menlo Park)	AM and PM	Install signal and convert the shared left/right lane to one left-turn lane and one right-turn lane on northbound Jefferson Drive.	Page: 48	High: Partial improvements included in the City's TIF program (traffic signal).
Intersection #10: Chrysler Drive and Independence Drive (Menlo Park)	AM	Install signal	Page: 49	High: Included in the City's TIF program.
Intersection #12: Chilco Street and Constitution Drive (Menlo Park)	PM	Install one right-turn lane on westbound Chilco Street and convert the shared through/right lane to through lane. The lane configuration in this direction would be two left-turn lanes, one through lane, and one right-turn lane. The excessive delay	Page: 49	<p>High: Southbound improvements . Project required to design and construct the improvements on the other approaches</p> <p>Low: Westbound improvements would</p>

		on southbound Constitution Drive would require an installation of one left-turn lane and a conversion of the shared left/through lane into through lane resulting in having one left-turn lane, one through lane, and one right-turn lane in this direction.		likely require ROW acquisitions.
Intersection #13: Willow Road and Bayfront Expressway (State)	AM and PM	Install one left-turn lane to eastbound Willow Road. The lane configuration in this direction would be two left-turn lanes, two through lanes, and three right-turn lanes.	Pages: 48-50	Low: Intersection under Caltrans jurisdiction making implementation unknown.
Intersection #14: Willow Road and Hamilton Avenue (Local approaches to State)	AM and PM	Install one right-turn lane on eastbound Willow Road and convert the shared through/right lane to a through lane. The lane configuration in this direction would be one left-turn lanes, two through lanes, and one right-turn lane.	Page: 50	Low: Improvements under Caltrans jurisdiction making implementation unknown and would likely require ROW acquisitions.
Intersection #15: Willow Road and Ivy Drive (Local approaches to State)	AM and PM	Convert the existing right-turn lane on southbound Ivy Drive into a right-turn overlap.	Pages: 50-51	High: Improvements included in City's TIF program. Project required to design and construct the improvements on the other approaches.
Intersection #16: Willow Road and O'Brien Drive (Local approaches to State)	AM and PM	Restripe northbound O'Brien Drive to two left-turn lanes and one right-turn lane	Page: 51	Low: Improvement under Caltrans jurisdiction making implementation unknown and would likely require ROW acquisitions.
Intersection #17: Willow Road and Newbridge Street (Local approaches to State)	AM and PM	Modify the signal timing to a protected left-turn phasing operation on Newbridge Street, provide a leading left-turn phase on southbound Newbridge Street and a lagging left-turn phase on northbound Newbridge Street, and optimize signal timing	Pages: 51-52	High: Included in the City's TIF program. Needs Caltrans approval
Intersection #18: Willow Road and Bay Road (Local approaches to State)	AM and PM	Install one left-turn on southbound Bay Road resulting in two left-turn lanes and one right-turn lane in this direction. The recommended modification would require narrowing the existing median on Bay Road to accommodate the additional lane	Page: 52	High: Included in the City's TIF program.

Intersection #19: Willow Road and Durham Street (Menlo Park)	AM	Install one right-turn lane on westbound Willow Road and restripe the shared through/right lane to through lane. The lane configuration in this direction would be one left-turn lane, one through lane, and one right-turn lane. The recommended modification would require a widening on westbound Willow Road for the additional lane and would potentially require acquisition of additional right-of-way.	Pages: 52-53	Low: Improvements could have secondary impact. Project required to design and construct the improvements on the other approaches. Right-of-way widening and traffic signal modifications might be required.
Intersection #20: Willow Road and Coleman Avenue (Menlo Park)	AM and PM	Install one right-turn lane on westbound Willow Road and restripe the shared through/right lane to a through lane. The lane configuration in this direction would be one left-turn lane, one through lane, and one right-turn lane. The recommended modification would require a widening on westbound Willow Road for the additional lane and would potentially require acquisition of additional right-of-way. This may require traffic signal modification if traffic signal poles need to be replaced due to the widening	Page: 53	Low: Improvements could have secondary impact. Project required to design and construct the improvements on the other approaches. Right-of-way widening and traffic signal modifications might be required.
Intersection #21: Willow Road and Gilbert Avenue (Menlo Park)	AM and PM	Install one right-turn lane on eastbound Willow Road and restripe the shared through/right lane to through lane. The lane configuration in this direction would be one left-turn lane, one through lane, and one right-turn lane. The recommended modification would require a widening on eastbound Willow Road for the additional lane and would potentially require acquisition of additional right-of-way. This may require traffic signal modification if traffic signal poles need to be replaced due to the widening.	Page: 53	Low: Improvements could have secondary impact. Project required to design and construct the improvements on the other approaches. Right-of-way widening and traffic signal modifications might be required.
Intersection #22: Willow Road and Middlefield Road (Menlo Park)	AM	Modify the existing right-turn lane on westbound Willow Road to right-turn overlap, restripe northbound Middlefield Road to include one left-turn lane, one through lane, and one right-turn lane, and restripe southbound Middlefield Road to include two	Pages: 53-54	High: Included in the City's TIF program.

		left-turn lanes, one through lane, one shared through/right lane and one right-turn lane. The traffic signal for northbound and southbound directions of Middlefield Road would be modified to include protected left-turn phasing. Would require a widening and additional right of way on Middlefield Road. In addition, the recommended lane configurations for both northbound and southbound directions on Middlefield Road would also need a design to accommodate one bike lane in each direction.		
Intersection #23: University Avenue and Bayfront Expressway (State)	PM	Add a fourth through lane and its receiving lane on eastbound Bayfront Expressway to accommodate the excessive delay in this direction	Page: 54	Low: Intersection under Caltrans jurisdiction making implementation unknown.

Cumulative (2040) Plus Project conditions, the proposed project would increase average critical movement delay by 0.8 seconds or more during at least one peak hour and cause the following five intersections to potentially exceed the City's LOS thresholds:

Potential Improvements to Return Intersections Exceeding LOS Thresholds for Cumulative (2040) Plus Project Conditions to Pre-Project Conditions				
Intersection and Jurisdiction	Affected Peak Hour Period	Improvement Type	TIA Reference	Staff's Preliminary Feasibility Determination
Intersection #1: Marsh Road and Bayfront Expressway/ Haven Avenue (Local approaches to State)	AM	Restripe the through lane on Haven Avenue to a shared through/right lane resulting in having one shared left/through lane, one shared through/right lane, and one right-turn lane	Page: 74	High: Included in the City's TIF program.
Intersection #3: Marsh Road and US-101 SB Off-Ramp (State)	AM	Install one right-turn lane, restripe the existing right-turn lane to a shared left/right lane on the off-ramp of US-101, and maintain the existing two left-turn lanes. The modifications would require a widening of the southbound off-ramp and addition of a receiving lane on eastbound Marsh Road	Page: 75	Low: Intersection under Caltrans jurisdiction making implementation unknown.
Intersection #7: Chrysler Drive and Bayfront Expressway (Local approaches to State)	PM	Convert the existing right-turn lane on Chrysler Drive to a shared left/right lane resulting in having two left-turn lanes and one shared left/right lane in this	Page: 75	Low: Intersection under Caltrans jurisdiction making implementation unknown.

		direction		
Intersection #8: Chrysler Drive and Constitution Drive (Menlo Park)	AM and PM	<p>Install a left-turn lane on westbound Chrysler Drive and convert the shared left/through/right lane to a shared through/right lane resulting in having one left-turn lane and one shared through/right lane in this direction.</p> <p>The excessive delays on southbound Constitution Drive would require an installation of right-turn lane and a conversion of the shared through/right lane to through lane resulting in having one left-turn lane, one through lane, and one right-turn lane. Northbound Constitution Drive would require an installation of a right-turn lane and a conversion of the shared left/through/right lane to a shared left/through lane resulting in having one shared left/through lane and one right-turn lane. This may require traffic signal modifications.</p>	Pages: 75-76	High: Partially included in the City's TIF program. Low: Other improvements would require ROW acquisitions
Intersection #9: Chrysler Drive and Jefferson Drive (Menlo Park)	AM and PM	Install signal and convert the shared left/right lane to one left-turn lane and one right-turn lane on northbound Jefferson Drive.	Page: 76	High: Partial improvements included in the City's TIF program.
Intersection #10: Chrysler Drive and Independence Drive (Menlo Park)	AM	Install signal	Page: 76	High: Included in the City's TIF program.
Intersection #11: Chilco Street and Bayfront Expressway (Local approaches to State)	AM and PM	Modify the center left-turn lane to a shared left/right lane on Chilco Street and re-design the existing shared bike lane. The lane configuration in this direction would be one left-turn lane, one shared left/right lane, and one right-turn lane	Page: 77	Low: Intersection under Caltrans jurisdiction making implementation unknown.
Intersection #12: Chilco Street and Constitution Drive (Menlo Park)	AM and PM	Install one right-turn lane on westbound Chilco Street and convert the shared through/right lane to a through lane. The lane configuration in this direction would be two left-turn lanes, one through lane, and one right-turn lane. The excessive delay on southbound Constitution Drive would require an	Page: 77	High: Southbound improvement. Low: Other improvements would likely require ROW acquisitions

		<p>installation of one left-turn lane and a conversion of the shared left/through lane into a through lane resulting in having one left-turn lane, one through lane, and one right-turn lane in this direction.</p> <p>The recommended modifications would require a widening on westbound Chilco Street and southbound Constitution Drive to accommodate the additional lane and would potentially require acquisition of additional right-of-way. This may require traffic signal modification if traffic signal poles need to be replaced due to the widening.</p>		
Intersection #13: Willow Road and Bayfront Expressway (State)	AM and PM	Install one left-turn lane to eastbound Willow Road. The lane configuration in this direction would be two left-turn lanes, two through lanes, and three right-turn lanes	Pages: 77-78	Low: Intersection under Caltrans jurisdiction making implementation unknown.
Intersection #14: Willow Road and Hamilton Avenue (Local approaches to State)	AM and PM	Install one right-turn lane on eastbound Willow Road and convert the shared through/right lane to a through lane. The lane configuration in this direction would be one left-turn lanes, two through lanes, and one right-turn lane.	Page: 78	Low: Improvements under Caltrans jurisdiction making implementation unknown and would likely require ROW acquisitions.
Intersection #15: Willow Road and Ivy Drive (Local approaches to State)	AM and PM	Convert the existing right-turn lane on southbound Ivy Drive into a right-turn overlap.	Pages: 78-79	High: Improvements included in City's TIF program. Project required to design and construct the improvements on the other approaches.
Intersection #16: Willow Road and O'Brien Drive (Local approaches to State)	AM and PM	Restripe northbound O'Brien Drive to two left-turn lanes and one right-turn lane	Page: 79	Low: Improvement under Caltrans jurisdiction making implementation unknown and would likely require ROW acquisitions.
Intersection #17: Willow Road and Newbridge Street (Local approaches to State)	AM and PM	Modify the signal timing to a protected left-turn phasing operation on Newbridge Street, provide a leading left-turn phase on southbound Newbridge Street and a lagging left-turn phase on northbound Newbridge Street, and optimize	Pages: 79-80	High: Included in the City's TIF program. Needs Caltrans approval

		signal timing		
Intersection #18: Willow Road and Bay Road (Local approaches to State)	AM and PM	Install one left-turn on southbound Bay Road resulting in two left-turn lanes and one right-turn lane in this direction. The recommended modification would require narrowing the existing median on Bay Road to accommodate the additional lane	Page: 80	High: Included in the City's TIF program.
Intersection #19: Willow Road and Durham Street (Menlo Park)	AM and PM	Install one right-turn lane on westbound Willow Road and restripe the shared through/right lane to through lane. The lane configuration in this direction would be one left-turn lane, one through lane, and one right-turn lane. The recommended modification would require a widening on westbound Willow Road for the additional lane and would potentially require acquisition of additional right-of-way.	Page: 81	Low: Improvements could have secondary impact. Project required to design and construct the improvements on the other approaches. Right-of-way widening and traffic signal modifications might be required.
Intersection #20: Willow Road and Coleman Avenue (Menlo Park)	AM and PM	Install one right-turn lane on westbound Willow Road and restripe the shared through/right lane to a through lane. The lane configuration in this direction would be one left-turn lane, one through lane, and one right-turn lane. The recommended modification would require a widening on westbound Willow Road for the additional lane and would potentially require acquisition of additional right-of-way. This may require traffic signal modification if traffic signal poles need to be replaced due to the widening	Page: 81	Low: Improvements could have secondary impact. Project required to design and construct the improvements on the other approaches. Right-of-way widening and traffic signal modifications might be required.
Intersection #21: Willow Road and Gilbert Avenue (Menlo Park)	AM and PM	Install one right-turn lane on eastbound Willow Road and restripe the shared through/right lane to through lane. The lane configuration in this direction would be one left-turn lane, one through lane, and one right-turn lane. The recommended modification would require a widening on eastbound Willow Road for the additional lane and would potentially require acquisition of additional right-of-way. This may require traffic	Page: 82	Low: Improvements could have secondary impact. Project required to design and construct the improvements on the other approaches. Right-of-way widening and traffic signal modifications might be required.

		signal modification if traffic signal poles need to be replaced due to the widening.		
Intersection #22: Willow Road and Middlefield Road (Menlo Park)	AM	Modify the existing right-turn lane on westbound Willow Road to right-turn overlap, restripe northbound Middlefield Road to include one left-turn lane, one through lane, and one right-turn lane, and restripe southbound Middlefield Road to include two left-turn lanes, one through lane, one shared through/right lane and one right-turn lane. The traffic signal for northbound and southbound directions of Middlefield Road would be modified to include protected left-turn phasing. Would require a widening and additional right of way on Middlefield Road. In addition, the recommended lane configurations for both northbound and southbound directions on Middlefield Road would also need a design to accommodate one bike lane in each direction.	Page: 82	High: Included in the City's TIF program.
Intersection #23: University Avenue and Bayfront Expressway (State)	AM	Add a fourth through lane and its receiving lane on eastbound Bayfront Expressway to accommodate the excessive delay in this direction	Page: 83	Low: Intersection under Caltrans jurisdiction making implementation unknown.

Sobrato Development Company, LLC
Sobrato Builders, Incorporated License
No. 809296
Sobrato Construction Corporation
License No. 642512

Sobrato Family Holdings, LLC
Sobrato Family Foundation

Mr. Kyle T. Perata
Acting Planning Manager
City Hall - 1st Floor
701 Laurel Street
Menlo Park, CA

July 5, 2022

Re: Commonwealth Building 3 – 162-164 Jefferson Drive

Dear Kyle,

This letter is to serve as written confirmation of The Sobrato Organization's ("TSO") intent to comply with Section 16.96.030 of the Menlo Park Municipal code that states for commercial development projects, the developer shall mitigate the demand for affordable housing created by the commercial development project.

To comply, TSO intends to pay the in-lieu fee prior to issuance of a building permit, pursuant to the requirements referenced in 16.96.030 (c).

We thank you for the opportunity to submit this confirmation letter.

Sincerely,



Peter Tsai
Senior Vice President, Real Estate





Ms. Payal Bhagat
City of Menlo Park
Planning Division
701 Laurel Street
Menlo Park, CA 94025

February 15, 2022

Re: Community Amenity Proposal Required for Bonus Development for Commonwealth 3

Dear Payal:

Section 16.43.070 of the Menlo Park Municipal code states that an applicant shall provide one or more community amenities in exchange for bonus level development in the O-B district. To comply, The Sobrato Organization ("TSO") provides this proposal to summarize the value of the community amenity, as described within the attached report, and propose a community amenity.

Value of Amenity

In accordance with the requirements of Section 16.43.070 (3), TSO commissioned an appraisal to establish the fair market value of the additional gross floor area of the bonus level development. The attached appraisal is dated August 12, 2021 and prepared by Kidder Mathews (Exhibit A). This appraisal report was originally submitted by TSO to Tom Smith on November 19th, 2021. On the basis of this appraisal, the required community amenity value per City guidelines is fifty percent of the fair market value or nine million four hundred thousand dollars (\$9,400,000).

Community Amenity Proposal

TSO is proposing to pay the In-Lieu Payment in accordance with Section 16.43.070 (4)(B), which states an applicant for bonus development may elect to pay one hundred ten percent (110%) of the value of the community amenity to be provided. **As such, the proposal for the In-Lieu Payment is ten million three hundred forty thousand dollars (\$10,340,000).**

We thank you for the opportunity to submit this community amenity proposal for consideration and look forward to discussing further with City Staff.

Sincerely,



Peter Tsai
Senior Vice President, Real Estate