



REGULAR MEETING MINUTES

Date: 1/27/2020
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Andrew Barnes called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes (Chair), Chris DeCardy, Michael Doran, Larry Kahle, Camille Kennedy, Henry Riggs (Vice Chair), Michele Tate

Staff: Kaitie Meador, Senior Planner: Corinna Sandmeier, Senior Planner; Tom Smith, Senior Planner: Chris Turner, Assistant Planner

C. Reports and Announcements

Senior Planner Corinna Sandmeier said she had an update to a question from the last meeting regarding the City's accessory dwelling units (ADU) ordinance. She said staff's priority is to bring the ADU ordinance into compliance with new state laws and staff is working with the City Attorney and 21 elements to bring updates to the City Council. She said they also applied for an SB2 grant last year that would allow for consultant resources to help with the ordinance.

Planner Sandmeier said the City Council at its January 28, 2020 meeting would consider the 706 Santa Cruz Avenue project, a mixed-use project that the Commission had reviewed and recommended for approval on December 9, 2019.

Commissioner Michele Tate referred to the ADU ordinance update and asked if staff and the City Attorney were preparing the completed item for the City Council without input from the Planning or Housing Commissions. Planner Sandmeier said the priority was to update the ordinance to comply with new state laws that were in effect. She said staff was also working with the City Attorney to ensure pending applications were being processed properly. Commissioner Tate asked whether within that process if it was possible to look at simplifying the permit process for ADUs. Planner Sandmeier said the City Council in considering the ordinance update and would have the opportunity to provide direction if it wanted to go beyond the elements needed for the ordinance to comply with state law.

Chair Barnes indicated he would request an agenda item to consider the ADU ordinance by the Planning Commission and would provide specifics as to what the item would entail.

D. Public Comment

Pamela Jones, Menlo Park, said that the Housing Commission had been discussing ADUs and had an ADU subcommittee. She said she looked at the subject matter experts, in this case the Housing Commission, as those who had to be involved in the conversations on matters for which they were the experts. She said she wanted that as part of the record.

Ms. Jones said Facebook said at the February 25, 2019 Commission meeting that it would have a housing supply study completed and released in August 2019, noting page 12 of the meeting minutes. She said she contacted Kyle Perata and he had indicated he was working with Facebook on the study. She said she wanted it in the record that the report was due in August 2019, and to her knowledge it was not available.

E. Consent Calendar

None

F. Public Hearing

- F1. Use Permit/Philippe and Sayeh Morali/1076 Santa Cruz Avenue:
Request for a use permit to demolish a one-story, single family residence and construct a new two-story, single family residence on a substandard lot with respect to lot width in the R-E (Residential Estate) zoning district. The proposal includes the removal of one heritage fig tree, one heritage palm tree, and one heritage redwood tree. The proposal also includes a five- to six-foot-tall front fence that would meet the height and design standards for fences on residential properties fronting Santa Cruz Avenue. ([Staff Report #20-004-PC](#))

Staff Comment: Assistant Planner Chris Turner said after the staff report was published three emails were received opposing the removal of heritage trees. He said those were sent to the Commissioners and copies were at the dais and in the back for the public.

Applicant Presentation: David Terpening, project architect, said that the house had been moved back on the lot nine feet. He said two redwood trees, #20 and #21, which were the issues at the previous hearing on this application, were being retained. He said they were retaining another redwood tree in the northeast corner of the property, noting it had attained heritage size during the time of the project process. He said the number of trees that would be planted greatly exceeded the number of heritage trees that would be removed. He said the trees being removed were a decaying fig tree, a palm tree that was within the footprint of the house, and a redwood that was within the footprint of the new driveway. He said their contract arborist and the City Arborist agreed with the proposed tree removals.

Commissioner Larry Kahle asked if tree #25 had to be removed because of its proximity to the Valley oak or the driveway. Mr. Terpening said because of the driveway and the area to fit the driveway between the Valley oak and the trees beyond it. Commissioner Kahle asked if the driveway might be moved closer to the Valley oak. Mr. Terpening said the driveway was right against the Valley oak now. Commissioner Kahle said he was comparing sheet C2 and C3. He asked for a comparison of the existing driveway and proposed new driveway. Mr. Terpening said the existing driveway came straight in next to the Valley oak and the new driveway would come in at an angle.

Replying to Chair Barnes, Mr. Terpening said tree #26, a non-heritage redwood tree that was being removed, was in the footprint of the driveway, tree #25 was being removed and tree #27 was being retained.

Chair Barnes opened the public hearing.

Public Comment:

- Zach McReynolds, Menlo Park, said he lived on Arbor Road adjacent to this property. He said the trees on the subject property were its most valuable asset and it was unclear why another 45-foot tall healthy redwood tree had to be removed, noting its carbon offset compared to a newly planted tree. He said he was still concerned about why the proposed house was so close to the front of the lot as it might result in a future flag lot.
- Kevin Salilion, Menlo Park, said he lived on Arbor Road adjacent to the subject property. He said he bought his home in 2018 primarily because of the heritage trees in the neighborhood. He said the trees slated for removal for this project were visible to him from his master bedroom. He said those trees helped to protect from noise and the lights on Santa Cruz Avenue. He said there was no reason why any of the trees had to be removed and architects should be able to work around the trees.

Chair Barnes closed the public hearing.

Commission Comment: Commissioner Michael Doran said that if the Commission took the position that no redwood tree could ever be removed then he thought people would not want to plant redwoods. He said tree #25, a redwood, was not a heritage tree when the Commission heard the previous application. He said he thought the Commission needed to be careful about the incentives they set. He asked if the Commission could specify that replacement trees were redwoods. Planner Turner said as a condition of approval the Commission could request recommendation from the City Arborist to require a redwood tree to be planted as a heritage tree replacement for one of the trees proposed for removal. Commissioner Doran asked if irrigation could be required for the redwood replacement tree having noted earlier that redwood trees grew quickly with proper irrigation. Planner Turner said the Heritage Tree Ordinance required a replacement tree for a removed heritage tree had to be cared for and maintained to facilitate growth to heritage size. He said irrigation would be part of that care and maintenance. He said the City Arborist at the building permit stage would confirm that the irrigation was sufficient for heritage tree maintenance. Commissioner Doran asked if the Commission could specify that one or more of the replacement trees would be visible at the front of the property. Planner Turner said that condition would be a consultation with the City Arborist at the time of building permit submittal to recommend the tree species.

Commissioner Doran said he had heard no objections to the architecture or any neighbor complaint about the house itself. He said the only objection was the removal of heritage trees. He said if they could specify replacement redwood trees at the front of the property that were irrigated properly then he would be prepared to support approval.

Commissioner Camille Kennedy said she concurred with Commissioner Doran. She moved to approve the project with conditions to specify the type of heritage replacement trees and their care

to encourage their growth to heritage size more rapidly.

Commissioner Chris DeCardy said the City Arborist would check at the building plan and construction stage for irrigation to make sure trees would be taken care of but there was no enforcement mechanism to ensure the replacement trees were properly watered and maintained to reach heritage tree size. Planner Sandmeier said that violation would be report based as she did not think the City Arborist would check on the trees continually. She said a neighbor could report a concern.

Commissioner Kahle said he appreciated that the house was moved back and heritage trees #20 and #21 were retained. He said he appreciated that tree #27 was also saved. He said the proposed removals made sense to him except for tree #25 as he thought it could be retained by doing a narrower driveway or shifting the driveway differently. He said related to planting more redwood trees along the frontage that if #25 was a problem he did not see how any more redwood trees might fit there.

Commissioner Henry Riggs said he agreed with a couple of comments about the redwood trees. He said as this lot had redwood trees that he was inclined to leave the frontage for the most part in the hands of the designers, who he thought were sensitive in general and had been responsive to the Commission's requests. He said he could second a motion to approve with an encouragement to put a redwood as the replacement tree somewhere in the front of the lot working with staff. He said the proposed design was very handsome.

Planner Sandmeier asked for clarification if one of the replacement trees had to be a redwood and further up on the lot or whether more than one replacement tree would be a redwood.

Commissioner Riggs said if the motion maker agreed his suggestion was that one of the replacement trees be somewhere in the front of the lot and be a redwood. Commissioner Kennedy said that was acceptable.

Chair Barnes said he thought the architecture and layout on the lot were very well done. He said as you looked at the property the architect had gone to lengths to integrate the garage into the house. He said the applicant had a requirement for three replacement trees and were proposing eight replacement Brisbane box trees in the rear that directly affected adjacent Arbor Road residences. He said Brisbane box trees grew tall and columnar with a nice full, if not wide, canopy. He said he thought those would screen the property more than what was there now. He said the applicants were removing 10 non-heritage trees and adding approximately 26 new non-heritage trees. He said he did not think the property suffered from a lack of landscaping and from a screening perspective he thought the applicant's plan would increase neighbors' privacy. He said he was not in favor of mandating a redwood tree in the front of the house and thought that should be the domain of the landscape architect.

Commissioner DeCardy said he was not clear why the current driveway had to be replaced. He said however since the Commission last saw this application that one of the trees grew to heritage size, which seemed unfair. He said he was not a fan of dictating what trees should be planted as replacements. He said he appreciated the number of trees for planting but there was a difference in creating a community that had trees in different mixes, sizes and scales including a number of heritage trees over time and then replacing with heritage trees for a different purpose such as screening. He said that resulted in a monocrop of trees. He said if they did that for all properties it

would look like a tree plantation in the City rather than what they really wanted. He said three heritage trees of different sizes and different types were scattered in interesting ways on the lot that were not particularly helpful or conducive for construction. He said those would be replaced with eight heritage trees on the edge of the property for screening, which did not seem to actually accomplish what they were trying to do. He said that was not particularly helpful for a solution. He said he was inclined to approve but requested the applicant in addition to the trees for screening add three heritage trees of different species placed interestingly on the property.

Chair Barnes asked the applicant where the redwood replacement might be planted. Mr. Terpening said he thought the frontage was crowded but suggested that the northeast corner or on the right side of the driveway approaching the house could work. He said he did not want a replacement tree anywhere near the Valley oak.

ACTION: Motion and second (Kennedy/Riggs) to approve the project subject to the following modification; passes 6-1 with Commissioner Kahle opposing.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by David W. Terpening, consisting of 26 plan sheets, dated received January 21, 2020, and approved by the Planning Commission on January 27, 2020, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. 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.
 - c. 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.
 - d. 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.

- e. 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.
- f. 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.
- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Ian Geddes and Associates Arboricultural Consulting, dated revised January 17, 2020.

4. Approve the use permit subject to the following ***project-specific*** condition:

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans including sections through the one-story portions of the house. If the sections show areas where the finished floor to ceiling height exceeds 12 feet, these areas shall be counted at 200% towards the (FAL) floor area limit. If the revised floor area calculations result in the structure exceeding the maximum FAL for the lot, the applicant shall submit revised plans modifying the interior heights to not exceed 12 feet by either the addition of attic areas with heights of less than five feet or a reduction in the overall height of the one-story portions of the structure, subject to review and approval of the Planning Division.
- b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans showing one replacement heritage tree as a redwood tree in the front of the lot, subject to review and approval of the Planning Division and City Arborist.

- F2. Development Agreement Annual Review/Bohannon Development Company/105-155 Constitution Drive and 100-200 Independence Drive (Menlo Gateway Project):
Annual review of the property owner's good faith compliance with the terms of the Development Agreement for the Menlo Gateway (Bohannon Hotel & Office) project. ([Staff Report #20-005-PC](#))

Staff Comment: Senior Planner Tom Smith referred to page 4 of the staff report and a bullet listing of Development Agreement (DA) items that would continue beyond the term of the DA. He said the 4th bullet stated that the project was enrolled in the Peninsula Clean Energy ECOPlus program but that should read Peninsula Clean Energy ECO100. He said the program was 100% greenhouse gas free. He said it was correctly stated in Attachment D.

Questions of Staff: Commissioner DeCardy referred to D4 and the notes regarding the Transient Occupancy Tax (TOT) amount and that there was some confusion regarding the implementation of the additional one percent TOT rate for a period of time after the Hotel opened. He asked what the confusion was. Planner Smith said the requirements to pay the TOT were assigned to the hotel and the property owner assigned those rights to the hotel operator when they took over. He said there was some confusion about the rate of the TOT between the various levels of the City's Finance Department when that occurred, and the hotel paid the standard TOT rate for a period of time. He said it was approximately \$280,000 that was owed. Commissioner DeCardy asked if

moving backward and forward the City would receive that 1% over the standard TOT rate. Planner Smith said as soon as the error was recognized, the hotel began paying the correct rate and the \$280,000 would be reimbursed to the City for the period of time the standard TOT rate was used.

Commissioner Riggs referred to page 5 of the staff report that indicated the applicant met with City staff weekly and asked if that was ongoing. Planner Smith said it was and that they typically had met on Thursdays since 2015. Replying further to Commissioner Riggs, Planner Smith said that as the project progressed the meeting frequency had slowed some. He said the applicant paid the fee for staff's time.

Commissioner Kahle asked who attended the weekly meetings. Planner Smith said typically it was the Planning and Engineering Divisions' staff with three to four representatives from the Bohannon team depending on outstanding questions. He said because it was such a large project there had been considerable coordination on items both large and small. He said they found meeting was one of the best ways to make sure they were up to speed on everything that was going on.

Commissioner Kahle noted this was the final annual review of the DA and asked if this was the last time the Commission would see it. Planner Smith said the DA specified that when the core and shell of the second Constitution Drive office building was finalized that the term of the DA would then expire. He said as noted there were some ongoing conditions that would survive indefinitely or as defined in the DA.

Applicant Presentation: Steve Buchholz, Heller Manus Architects, said he was the project architect for the past five years and had attended the weekly meetings with City staff. He made a visual presentation on the completed project under Phase 1. He continued with offsite connections of Phase 1 and Phase 2 that included sidewalk improvements, landscaping, fencing, and lighting. He noted another project improvement was the T-intersection that used to be a hook and was an unsafe condition. He said also there was a piece of City property that they turned into a pocket park adjacent to the parking structure that was now planted with pathways. He provided views of Phase 2.

Commissioner DeCardy asked how vehicle trips were measured, the measurement source and who did it. Mr. Buchholz said the vehicle trips were measured twice a year randomly through the project's traffic engineer. He said they did video and tracking at the property driveways, and then submitted the count. He noted that the parking structure typically had a number of empty spaces. Replying further to Commissioner DeCardy, Mr. Buchholz said the metric for shared parking between the hotel and the office building was higher than the demand size. He said part of that was Facebook's use of the building for sales staff, many of whom were not in the office all the time.

Commissioner DeCardy referred to the JobTrain labor training class program and number of associates living within 13.5 miles, and local hires. He said the numbers looked great but noted he did not have anything to compare it to and asked if they had had a goal or metric. Mr. Buchholz said he did not know. Commissioner DeCardy addressed staff and suggested that would be good information on such projects going forward. Planner Smith said there was no metric for a specific number of individuals but was rather a requirement that the applicant partner with JobTrain or comparable program. He said for future projects that was something to be considered if desired.

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

Commission Comments: Commissioner Riggs said he appreciated that the Bohannon team made a commitment with this project and spent nine years following through on the details of that commitment. He said as an architect that the buildings were very successful visually. He said one complaint had been the visibility of the garage ramp from Highway 101. He recommended for future considerations of projects along Highway 101 to keep in mind that the noise of Highway 101 increased noticeably within nearby residential areas after this project's construction.

Commissioner Tate noted Commissioner Riggs' comment about noise from the freeway bouncing off buildings. She said as the President of Belle Haven Association that the noise increase of traffic from constructed projects in that area was something her neighborhood had been dealing with for years.

Chair Barnes referred to B.7 on D6 and shuttles. He asked about the utilization of that service. Mr. Buchholz said the condition was in place before they had a tenant. He said one of the things Facebook did very well was its traffic management and employee shuttle service. He said the project's shuttles were running but had very few occupants. He said they believed this was a condition in time that could be removed if the shuttles were not used. Chair Barnes asked about the frequency of the runs. Mr. Buchholz said he did not know. Planner Smith said they had been coordinating with the Transportation Division pretty closely on the implementation of the shuttles but did not have data on the frequency of the runs. Chair Barnes asked if the shuttle service was proven to be ineffective and was phased out how would the applicant continue to direct resources to mitigate trips. Planner Smith said the intent of the condition in the DA was vehicle trip reduction. He said they would monitor over time how well the development was doing, and after the Constitution Drive building was phased in how their associated trips would net out. He said tenants might change in the future and that would be another issue. He said they would continue to work closely with the project owner's team and monitor with intent to keep trips at or below the allowable amount. Chair Barnes said this project was entitled before M2 up zoning and its economics were very different from what current developments in that zoning area had in terms of contributions to the community. He said he would not like the shuttles to run just for the sake of running them. He said as it cost money to run them that if they were discontinued, he would like those funds used to benefit the community. Planner Smith said the project had a Transportation Demand Management (TDM) program and perhaps resources could be shifted to other aspects of that program if it was found the shuttle was not effectively used.

Chair Barnes said that the photos shown by Mr. Buchholz did not include any views from Highway 101. He said for the previous annual review of the DA that he and former Commissioner Onken had voted to not find the applicant's efforts in good faith as they wanted attention drawn to the view from Highway 101. He said the view from Highway 101 was of service buildings that blocked the lower portion of the hotel and parking garages that did not integrate with the buildings. He asked if the architect agreed and if he had thoughts on what could be done to soften or make the view more aesthetically appealing.

Mr. Buchholz said lessons had been learned in going through Phase 1 to Phase 2. He said overall the garage was large in scale. He said if they had been able to reduce the parking stall requirements, they would have had room for more of a setback from Highway 101. He said at this stage he did not see there was much more they could do. He noted the plantings would grow over time and screen. Replying further to Chair Barnes regarding the view of the service buildings, Mr. Buchholz said there were plantings there that would also grow taller. Chair Barnes asked what height that growth would reach. Mr. Buchholz said eventually those trees would reach 40 feet in

height.

Planner Smith said the landscape architect provided details of the back of the Independence Drive garage. He said a row of trees was planted that at full maturity should reach 40 feet in height. He said directly adjacent to the back of the ramp there were additional trees planted that could reach 40 to 50 feet in height at maturity.

ACTION: Motion and second (Riggs/Kahle) to make the findings as recommended in the staff report; passes 7-0.

1. Make a finding that the Annual Review of the Development Agreement has no potential to result in an impact to the environment and does not meet the definition of a Project under the California Environmental Quality Act (CEQA).
2. Make a finding that Bohannon Development Company has implemented the provisions of its Development Agreement during the 2019-2020 Development Agreement Review Year.

F3 and G1 are associated items with a single staff report

- F3. Environmental Impact Report (EIR) Scoping Session/Andrew Morcos for Greystar/104 Constitution Drive, 110 Constitution Drive, and 115 Independence Drive (Menlo Portal Project): Request for a use permit, architectural control, environmental review, lot line adjustment, lot merger, below market rate housing agreement, and heritage tree removal permits to redevelop three parcels with approximately 335 multi-family dwelling units, approximately 33,211 square feet of office, and approximately 1,608 square feet of neighborhood serving commercial space. The proposed project would contain two buildings, a seven-story residential building and a three story commercial building with office use on the upper levels and the neighborhood serving commercial space on the ground level. Both buildings would include above grade two-story parking garages integrated into the buildings. The project site is located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The project site currently contains three single-story office buildings that would be demolished. The proposed residential building would contain approximately 327,970 square feet of gross floor area with a floor area ratio of 235 percent. The proposed commercial building would contain approximately 34,819 square feet of gross floor area with a floor area ratio of 25 percent. The proposal includes a request for an increase in height, density, and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The proposed project would include a below market rate housing agreement that requires a minimum of 15 percent of the units be affordable. The applicant is proposing to incorporate 15 additional market-rate units (which are included in the total 335 units), per the density bonus provisions in the BMR Housing Program (Chapter 16.96.040), which allows density and FAR bonuses, and exceptions to the City's Zoning Ordinance requirements when BMR units are incorporated into the project. ([Staff Report #20-006-PC](#))

The minutes for Item F3 were transcribed by a court reporter.

G. Study Session

- G1. Study Session/Andrew Morcos for Greystar/104 Constitution Drive, 110 Constitution Drive, and 115 Independence Drive (Menlo Portal Project): Request for a use permit, architectural control, environmental review, lot line adjustment, lot

merger, below market rate housing agreement, and heritage tree removal permits to redevelop three parcels with approximately 335 multi-family dwelling units, approximately 33,211 square feet of office, and approximately 1,608 square feet of neighborhood serving commercial space. The proposed project would contain two buildings, a seven-story residential building and a three story commercial building with office use on the upper levels and the neighborhood serving commercial space on the ground level. Both buildings would include above grade two-story parking garages integrated into the buildings. The project site is located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The project site currently contains three single-story office buildings that would be demolished. The proposed residential building would contain approximately 327,970 square feet of gross floor area with a floor area ratio of 235 percent. The proposed commercial building would contain approximately 34,819 square feet of gross floor area with a floor area ratio of 25 percent. The proposal includes a request for an increase in height, density, and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The proposed project would include a below market rate housing agreement that requires a minimum of 15 percent of the units be affordable. The applicant is proposing to incorporate 15 additional market-rate units (which are included in the total 335 units), per the density bonus provisions in the BMR Housing Program (Chapter 16.96.040), which allows density and FAR bonuses, and exceptions to the City's Zoning Ordinance requirements when BMR units are incorporated into the project. ([Staff Report #20-006-PC](#))

Staff Comment: Senior Planner Meador said she had nothing to add to the written report. She said a materials board for the residential building and another for the office building had been distributed to the Commission. She said the applicant's presentation under F3 covered everything.

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

Commission Questions/Comments: Commissioner DeCardy asked whether the applicant could provide 20% BMR units and what the mix of income levels would look like for the BMR units provided. Mr. Morcos said the BMR Ordinance requirements were for 15% and a mix averaging as low income. He said the final BMR proposal would be very tied in with the community benefit process, and that was something they were working on with the City. He said until they knew fully what would be required through the community benefit process or if BMRs were what was requested through the community benefit process that those were coupled, and he was not able to give a firm answer either way. He said that the request for additional BMRs had been heard and was taken seriously.

Commissioner DeCardy said since the project last came forward the City had placed a ban on natural gas in new construction. He asked how onerous that had been for this project. Mr. Morcos said generally when changes impacting new construction occurred that costs increased. He said specifically regarding the Full Electrification Ordinance they had seen an almost 5% increase on their total construction budget. He said things were still not determined noting that the State had not provided the necessary pathways to model their Title 24 requirements, their electrical requirements and their ability to comply with Code. Commissioner DeCardy asked if that was a conservative estimate. Mr. Morcos said it was an aggressive estimate. He said as they went through installation, he thought it would probably increase.

Commissioner DeCardy asked about the proposed community facing portion of the two-story office building and if it had an atrium. Mr. Manus said it was a taller space noting it was the same level as the parking garage, but it was not an atrium.

Commissioner Kahle confirmed with Mr. Morcos that the 1600 square feet of commercial space was all in the office building. He said sheet A.005 showed a pinkish color and asked if that was a two-story building. Mr. Morcos said it was two-stories of parking and one-story of office space. Commissioner Kahle said it appeared less than 1600 square feet. Mr. Manus said they had been very careful in that calculation. Commissioner Kahle asked what type of commercial use would work in that space. Mr. Morcos said the City had a community benefit list they would work with to determine what went into that space such as neighborhood-serving retail, non-profit office, or community meeting space. He said they wanted feedback from the Commission and community as to what was wanted there.

Commissioner Kahle said he heard mention of outdoor dining space and asked if that was people bringing their lunch to then eat outdoors. Mr. Morcos said they would like to create indoor and outdoor space for residents or office workers from the two office buildings on either side of the project or in the project itself for eating lunch. Commissioner Kahle asked what the business center was across the plaza. Mr. Morcos said they used to call those business centers, but he thought they would call it co-working space now as a resident amenity. He said the space would have desks and phone booths spilling into the publicly accessible open space to activate along the frontage. Commissioner Kahle asked who would be able to use the space. Mr. Morcos said the internal space was residents only.

Commissioner Kahle asked about the plaza and its connection to 111 Independence Drive. Mr. Morcos said their grade had to be at a different level than 111 Independence Drive's final grade. He had suggested to the community and received favorable response to put a movie screen there. He said they wanted to integrate on the edges of their building to coordinate with 111 Independence Drive such that the grades could be consistent for as long as possible.

Commissioner Kahle said he was concerned that the pool and courtyard space for the seven-story residential building would be in shadow most of the time. Mr. Morcos said the eight-stories of the building at 111 Constitution Drive had a bit of a buffer to this project's podium level.

Commissioner Kahle said he liked how the vehicles were hidden. He said he would like to see better elevations with more at a larger scale than the current small drawings as well as more 3-D ones to help with visualizing how the project would look. He said the overall design worked well. He said he was somewhat concerned with metal simulated to look like a wood product and would like that material rethought. Mr. Manus noted the views shown were all taken from a 3-D model they had been using to develop the design. He asked Commissioner Kahle if there were some particular views and vantage points that he would like to see to let them know.

Chair Barnes referred to page 18 of the staff report and staff's request for feedback on three bullet points.

Commissioner Kennedy referred to the community spaces and public benefit spaces. She asked how those spaces were intended to be used and what community would benefit. Mr. Morcos noted the list of community benefits through ConnectMenlo. He said their intent was to reflect what was being asked of them. He said they had put suggestions out for physical space within their building such as a nonprofit office or a café, or some other type of retail. He said they were getting a retail consultant to help them ensure the space would be active and vibrant with whomever operated the space doing so successfully.

Commissioner Kennedy said the project was on the edges of the City and only slightly near Belle Haven. She said she did not see how this project would solve for anything and if it did who or what community would benefit from it. She said the units created here would not qualify for the secondary services that came with single-family homes, condos and townhomes with a yard that might have a yard service and removed any secondary job market opportunities. She suggested in looking at the community benefit to think more broadly about the overall community and not just the community created by the project.

Mr. Morcos said those comments were relevant. He said what was shown were placeholders and until they went through the community benefit process it was difficult to see what the package would be. He referred to a comment by Ms. Jones that right now there was no connection to Kelly Park. He said they did not want to have disparate communities but a community with Menlo Park having access to it.

Commissioner Kennedy said she appreciated that he said that and appreciated also his earlier comment about interest in having a Dumbarton Rail Corridor so this project would not be an island. She said no one yet had brought an overlay showing how things would be connected. Mr. Morcos said he agreed and that they needed to advocate now for transit solutions.

Commissioner Riggs noted his continuing support for anything the applicant could do with the Dumbarton Rail. He asked if they had thoughts on short-term transit other than the focus on pedestrian orientation noting bicycles and scooters. Mr. Morcos said he was very receptive to ideas that meant people got out of their cars and used bike paths by bike, scooters or other means. Commissioner Riggs said he did not see that scooter transit was accommodated. He said not everyone wanted to use the bicycle lane no matter the money and compromise that went into those and encouraged them to think through that. He asked if some of the car parking spaces should be considered for scooter and motorcycle parking spaces. Mr. Morcos said the vehicular parking spaces were at a premium as those were 1 to 1-unit parking ratio. He said they had 1 ½ to 1 bike parking ratio. He said in San Francisco where he lived scooters often parked in bicycle parking spaces. He suggested the possibility of working with staff to allocate certain portions of the bicycle parking to other modes of transportation.

Commissioner Riggs noted sheet A.000 and said the success of the warm horizontal material shown there depended on the corner details. Mr. Manus assured him that would be done well. Commissioner Riggs referred to A.004D that showed mature tree trunks. He said those were a winner in this environment and provided a texture that otherwise would not be there. He said it was a wonderful long-term goal. He said the metal screening was intended to have ivy and asked if that would grow. Mr. Manus said he saw no reason why it would not. He noted that the materials board showed a silver color metal for the screen, but they would use a bronze color. He said that was shown on the rendering. Ms. Krolewski said they certainly could find a vine to grow on that material. Commissioner Riggs asked about the walls interior to the courtyard and if that was mostly all the stucco. Mr. Manus said the design guidelines said that every façade needed to be no more than 50% stucco and the rest rain screen or cementitious fiber. He said that occurred on the interior walls of the courtyard and the exterior elevations. He said they had not yet rendered the courtyard walls but would.

Commissioner Riggs noted A.019 through A.025 had color codes and asked if those could be looked at to be more readable. He said this project proposal might be the most successful response to the requirement for building modulations since the City passed ConnectMenlo and the

earlier Downtown Specific Plan as it did not have formulaic feel to it. He said he would encourage staff to accept the applicant's interpretations of the modulations as he thought the applicant was very successful in breaking up the mass which was the intent of the modulations. He noted his willingness to work with staff to get an item on the City Council's agenda to loosen those requirements.

Chair Barnes said he thought the project did well in terms of modulations, fenestration, and articulation. He said he liked the materials and the view from Independence and Constitution Drives. He addressed staff and asked why the 50% of the valuation of the bonus density was being discussed as additional BMR units. He asked what the current status of the discussion was on the use of the 50% of the valuation of the bonus density. Planner Meador said for the bonus level project an appraisal was done to determine how much value the bonus portion of the project was adding to the total project. She said 50% of that had to be provided as a community benefit. She said adding BMR units was one way they could provide community benefit.

Replying to Chair Barnes' observations and questions on how impacts from providing community benefit for bonus level development might be addressed by the applicant economically and how those were related to the community, Mr. Marcos said his goal was to present as many opportunities to the community and to get feedback based on those options. He said he hoped one of the levers would be various BMR assumptions.

Chair Barnes referred to the commercial space and said when it flowed into a tenant amenity then he thought it was no longer a public amenity. He said he did not want that conflated with a community amenity. He said it was unfortunate that they needed two floors of parking. Mr. Morcos said perhaps the parking on the weekends when there was not a large influx of office workers might be shared with the Belle Haven community. He said that flexibility was something they could work on with staff and Commission to incorporate.

Chair Barnes asked about the 15 additional units allowed under the state bonus density law. Mr. Morcos said he believed it was that for every BMR unit on the project they were entitled to one market rate unit. He said they found that out well along the design phase. He said they wanted to keep the building envelop as it was so there were only so many units they could add, which amounted to 15.

Commissioner DeCardy said he wished they could be creative to create a tradeoff that reduced parking need, so it actually started tilting incentives in the right direction. He said when they looked at this project by project, they had situations such as the Bohannon project where the requirement for parking was not the level of use of parking and spaces were empty. He said that project was built and right next door. He asked if there was some way the applicant could discuss how much extra parking that project had and work out getting that parking for this project. He said they heard about those kinds of tradeoffs within Facebook projects. He said the onus of parking would not solve the issue of traffic and address alternative transportation. Mr. Morcos said that sounded like an opportunity and he was happy to have discussions with Bohannon Development about that.

Commissioner Riggs asked if the parking for the apartments was decoupled from rent per Menlo Park ordinance. Planner Meador said that was correct and tenants had to pay for parking separate from the residential unit. Commissioner Riggs asked if the applicant had a rough sense of the fee for the parking spaces. Mr. Morcos said generally in this area the market rate ranged from \$100 to \$150 per parking space. He said there were times in the market when one parking space was

included with the rent depending on the building's capacity. He said this particular building had less than one to one parking ratio so they might have oversubscribed on individuals wanting to park their cars, which would lead to increased prices. Commissioner Riggs said if the residential parking had space there might be an opportunity for the office to have a lease including some parking in the residential building to offload some of the parking in the office building.

Replying to Chair Barnes, Mr. Morcos encouraged the Commissioners to email them or call them directly if they have any more questions or input as they were happy and willing to meet as they were doing with the community to make the project a partnership and the best project it could be for both them and the community.

H. Informational Items

H1. Future Planning Commission Meeting Schedule

- Regular Meeting: February 10, 2020

Planner Sandmeier said the February 10 Planning Commission agenda had two residential development projects and the annual DA review for the 500 El Camino Real / Stanford project.

- Regular Meeting: February 24, 2020
- Regular Meeting: March 9, 2020

I. Adjournment

Chair Barnes adjourned the meeting at 10:34 p.m.

Staff Liaison: Corinna Sandmeier, Senior Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on February 24, 2020

CITY OF MENLO PARK
PLANNING COMMISSION

In re)
Menlo Portal Project)
_____)

ENVIRONMENTAL IMPACT REPORT
SCOPING SESSION
REPORTER'S TRANSCRIPT OF PROCEEDINGS
MONDAY, JANUARY 27, 2020
MENLO PARK CITY COUNCIL CHAMBERS

Reported by: MARK I. BRICKMAN, CSR, RPR, CRG
License No. 5527

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1 ATTENDEES
2 THE PLANNING COMMISSION:
3 Andrew Barnes - Chairperson
4 Henry Riggs - Vice Chairperson
5 Camille Kennedy
6 Chris Decardy
7 Michele Tate
8 Michael C. Doran
9 Larry Kahle
10 THE CITY STAFF:
11 Corinna Sandmeier - Senior Planner
12 Kaitie Meador - Senior Planner
13
14 SUPPORT CONSULTANTS:
15 Matthew Wiswell, LSA Associates
16 Theresa Wallace, LSA Associates
17 PROJECT PRESENTERS:
18 Andrew Morcos
19 Clark Manus
20 Karen Krolewski
21
22 ---o0o---
23
24 BE IT REMEMBERED that, pursuant to Notice
25 of the Meeting, and on January 27, 2020, 8:20 PM at the
Menlo Park City Council Chambers, 701 Laurel Street,
Menlo Park, California, before me, MARK I. BRICKMAN, CSR
No. 5527, State of California, there commenced a Planning
Commission meeting under the provisions of the City of
Menlo Park.
---o0o---

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1 MEETING AGENDA
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1 JANUARY 27, 2020 8:20 PM
2 PROCEEDINGS
3 ---o0o---
4 CHAIR BARNES: Which leads us to the last item
5 on our agenda. Okay. This is the last item on tonight's
6 agenda, and this is F3, which is the Public Hearing
7 portion of it, and G1, which is Study Session portion of
8 it are in the same staff report and we will be
9 treating -- going from -- through them in two pieces.
10 And I'll start with F3, which is the
11 Environmental Impact Report (EIR) Scoping Session for 104
12 Constitution Drive, 110 Constitution Drive and 115
13 Independence Drive commonly known as the Menlo Portal
14 Project.
15 This is a request for a use permit,
16 architectural control, environmental review, lot line
17 adjustment, lot merger, below market rate housing
18 agreement and heritage tree removal permits to redevelop
19 three parcels with approximately 335 multi-family
20 dwelling units, approximately 33,211 square feet of
21 office and approximately 1,608 square feet of
22 neighborhood serving commercial space.
23 The project would contain two buildings, a
24 seven-story residential building and a three-story
25 commercial building with office use on the upper floors

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1 and the neighborhood commercial space on the ground
2 level.
3 Both buildings would include above grade two-
4 story parking garages integrated into the building. The
5 project site is located in the R-MU-B (Residential Mixed
6 Use, Bonus) zoning district. The project site currently
7 contains three single-story office buildings that would
8 be demolished.
9 The proposed residential building would contain
10 approximately 327,970 of gross floor area with a floor
11 area ratio of 235 percent.
12 The proposed commercial building would contain
13 approximately 34,917 square feet of gross floor area with
14 a floor area ratio of twenty-five percent.
15 The proposal includes a request for an increase
16 in height, density and floor area ratio (FAR) under the
17 bonus level development allowance in exchange for
18 community amenities.
19 The proposed project would include a below
20 market rate housing agreement that requires a minimum of
21 fifteen percent of the units to be affordable.
22 The applicant is proposing to incorporate
23 fifteen additional market rate units (which are included
24 in the total 335 units per density), per the density
25 bonus provisions in the BMR Housing Program (Chapter

Page 6

1 16.96.040) which allows density and exceptions to the
 2 City Zoning Ordinance requirements when BMR units are
 3 incorporated into the project.
 4 Good evening, Ms. Kaitie Meador.
 5 MS. MEADOR: Good evening. Thank you for that
 6 summary. I just have a short presentation which you will
 7 have probably seen before on the process for the Scoping
 8 Session and the Study Session.
 9 So this project Chair Barnes summarized
 10 thoroughly, but I'll just go into like a little bit of
 11 detail on the site location, which is in the Bayfront
 12 area.
 13 You can see the building highlighted in a pink/
 14 red color there and Highway 101 and Bayfront Expressway
 15 nearby. The applicant will also go into more details on
 16 the project in their presentation.
 17 So tonight we'll have two hearings. The first
 18 will be the Environmental Impact Report Scoping Session.
 19 So this is the opportunity for the Planning Commission
 20 and the public to comment on what will be studied in the
 21 EIR, and for this part of the meeting, I would really try
 22 to focus on the topics we want to be studied in the EIR
 23 and save all design comments for the Study Session.
 24 The court reporter will be here to record any
 25 Public Comments on this portion of the project, but will

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1 Any clarifying questions for staff? Any
 2 questions from you regarding procedure?
 3 Seeing no lights on, I will say good evening
 4 to -- to who? To the applicant. Good evening. Before I
 5 say -- I've already said good evening to you. I'd like
 6 to say good evening to the court reporter. You're always
 7 here silent.
 8 May I ask your name, please?
 9 THE REPORTER: Mark Brickman.
 10 CHAIR BARNES: Good evening, Mark. Thank you
 11 for coming in tonight.
 12 So with that, if the applicant would do a
 13 presentation on your proposal.
 14 MR. MORCOS: Of course. Thank you for having
 15 me tonight, Planning Commissioners. My name is Andrew
 16 Morcos and I'm the senior development director for
 17 Greystar in Menlo Park.
 18 What you see in front of you is our Project
 19 Menlo Portal. It is in the M-2 area of Menlo Park which
 20 was rezoned for housing in 2016 due to significantly
 21 existing office and office under development or zoned for
 22 development.
 23 About a month ago, I was here with you all
 24 presenting our other project, Menlo Uptown, which is a
 25 483 unit housing project. In that presentation, I talked

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1 not be here for the Study Session.
 2 So after the EIR Scoping Session, we will go
 3 into the Study Session where the public and the Planning
 4 Commission can provide feedback on the project plans and
 5 the design details.
 6 There was one previous Study Session in July
 7 2019 and also tonight there will be no action taken on
 8 the item. It's purely just to collect feedback on the
 9 project.
 10 So the format we're recommending tonight is for
 11 the EIR Scoping Session will start with the applicant's
 12 presentation and then a presentation by the EIR
 13 consultant followed by Planning Commissioner questions,
 14 Public Comment, Commissioner comments and then closing of
 15 the Scoping Session.
 16 After that, we'll have a Study Session. We
 17 won't redo the presentation. We'll jump right back into
 18 Commissioner questions, Public Comments again and then
 19 Commissioner comments.
 20 So other than that, we did receive three
 21 letters since the Staff Report was published. One was on
 22 BMR units. The other was from the Water Board and the
 23 last was from -- from Caltrain. So you should have those
 24 in front of you, as well.
 25 CHAIR BARNES: Thank you.

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1 about how there are 2.3 jobs for every housing unit in
 2 Menlo Park. I explained that four of the five largest
 3 employers in Menlo Park are within walking distance of
 4 these sites.
 5 There are nearly one million square feet of
 6 office that are under construction today which implies
 7 5,000 additional employees traveling to and from this
 8 location, and that doesn't account for the zoning and
 9 future development projects.
 10 All of this information demonstrates a
 11 significant number of jobs and not enough housing in this
 12 area for people to live in. The vast majority are
 13 getting here by car, causing traffic and pollution
 14 related to traffic.
 15 So today I want to focus on something else.
 16 The environmental impact does not provide housing nor
 17 jobs. Over 200,000 people per -- commute over two hours
 18 daily to jobs in the Bay Area.
 19 Transportation emissions are the single largest
 20 contributor to CO2 production and passenger car use is
 21 the single largest contributor to these emissions.
 22 Over twenty-five percent of California's carbon
 23 footprint comes from people driving cars. The only way
 24 we're going to start combating transportation emissions
 25 is by building housing near major employment centers like

Page 10

1 these.

2 That all leads me to this project, Menlo

3 Portal, which is across the street from the newly built

4 buildings you were just hearing about, 700,000 square

5 feet of office and the largest employer in Menlo Park.

6 This housing project totals 335 multi-family

7 rental units and 35,000 square feet of office, and we're

8 working with the City to ensure compliance with all of is

9 the design standards.

10 We've organized community meetings on this

11 project to date, and the key themes concerning the City's

12 future and about this project specifically.

13 One is the need for affordable housing. This

14 project will include at least forty-eight affordable

15 housing units to be located onsite and distributed

16 equitably throughout the project.

17 Between our two projects, that totals over 120

18 affordable units that will be delivered to Menlo Park.

19 We'll work with the community and the City to

20 continue to determine levels. We've heard a lot of

21 feedback about the BMR affordability and we want to

22 continue those conversations with each of you to come to

23 a solution that works for all of us.

24 We've consolidated open space in the project

25 between the office and the housing and we've included

Page 12

1 Some of the ideas we brought to the table are

2 gathering and seating areas with lush landscaping. We

3 intend to include public parks, movie nights, music

4 performances and other events to draw the community to

5 this area.

6 We worked with -- we worked on the garage

7 screening and are looking forward to comments based on

8 previous planning session -- Planning Commission comments

9 and we've started our outreach and support for Dumbarton

10 rail which we really appreciated the -- the kind of kick

11 in the butt on that.

12 We're taking that seriously. We're meeting

13 with key stakeholders towards that effort and will be

14 actively involved since one potential stop near Kelley

15 Park is walking distance from the site.

16 We're excited to continue to work entitlements

17 with presentation of our Notice of Preparation and will

18 continue engaging the community for additional feedback.

19 I want to introduce my team. Heller Manus is

20 the lead architect. Clark Manus and PGA's our landscape

21 architect and they'll continue the presentation from

22 here.

23 MR. MANUS: Good evening, Commissioners.

24 You'll excuse me. I'm battling a cold like everybody

25 else here, so I'll manage to -- so when we were here last

Page 11

1 almost 13,000 square feet of publicly acceptable open

2 space, which is over fifty percent more than our

3 requirement.

4 We're working with staff to determine our

5 neighborhood benefit, but have included 1,600 square feet

6 that could be contributed.

7 We've made this site walkable and bikeable and

8 are giving residents the best opportunity to work -- to

9 get to work through sustainable transportation.

10 Lastly, Menlo Park has among the most ambitious

11 goal in the country, environmental goals in the country.

12 This project will be certified LEED Gold, operate with a

13 hundred percent renewable energy, provide substantial Ev

14 charging opportunities and reduce the typical parking

15 footprint by using parking staffers. It will also be a

16 fully electric building. No gas whatsoever.

17 I'd like to compare the project you saw

18 previously in July here to our current project. A few

19 things we've heard at Planning Commission and the

20 community meetings through individual meetings have been

21 reflected here.

22 One is continued outreach to the neighborhood

23 on neighborhood benefit and the -- on the BMR proposal.

24 We were asked to consider how to activate the publicly

25 accessible plaza.

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1 time for the Study Session, several of you had some

2 wonderful comments, and I think what we have here

3 reflects -- Karen and I are going to basically take you

4 through some of the changes that we made and look for

5 your comments on that.

6 The Scoping Project is relatively simple,

7 similar to what you saw before in terms of the size of

8 the site, paseo orientation, the average height, parking

9 and bikes.

10 But one of the things I think probably is the

11 most significant that we will sort of touch on here is

12 one, Karen will talk a little bit more about the sort of

13 the increased character or increased augmentation of a --

14 the pocket park that we've created between the multi-

15 family and the office building.

16 The second is -- and Commissioner Riggs was

17 good enough to sort of use the sort of nomenclature of

18 looking at how we can make this a little bit more home-

19 like.

20 We worked very hard both on material character

21 and the colors as a result of that, so what you see on

22 the right is the office building, bronze in color --

23 color, glass is light in character for transparency and

24 the materials that you see on the material board that you

25 have behind you are a combination of both sort of white

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1 and a charcoal and accent of a gray screen element on the
 2 corners in order to help warm the nature of the project
 3 up.
 4 And so that's looking into this open space here
 5 that we see as a real benefit in terms of those people
 6 who live there, working there as well as any of the
 7 residents in -- in the area. We really see this is
 8 something that people will dwell and use as part of that.
 9 Again, this is again that view looking at the
 10 street. One of the things that I think you certainly
 11 probably picked up in the Staff Report is we worked very
 12 hard in the minor and major modulation that is in the
 13 early design guidelines.
 14 We reflected on this. I think there's a couple
 15 small items that we'll continue to work with staff on,
 16 but I think -- overwhelmingly, I think staff has been
 17 very happy with the orientation that we've created on the
 18 street frontages and all around the building.
 19 Karen will talk a little bit more about this,
 20 and I think this is very similar to what you saw last
 21 time, but I think the thing that probably is most
 22 significant is the nature of the kind of uses that we see
 23 in the ground floor in the multi-family.
 24 We see them as in all places where people can
 25 actually provide activated use that are -- they're

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1 buildings on the U-shaped lot is no different than what
 2 you saw in the Study Session. Residential on the right,
 3 office building on the left.
 4 Probably the most significant difference in the
 5 configuration of the office building is the incorporation
 6 of the minor and major modulation.
 7 What you saw in the Study Session before is we
 8 took the approach that we didn't believe that they were
 9 preferable to staff, and we have talked a lot about that,
 10 and as a result what you see is actually a reflection of
 11 that, and there are technical things that we probably
 12 want to talk to staff more about, but the idea was to
 13 sort of be able to break that service square mass now,
 14 and what you see is the sort of demonstration both on the
 15 Constitution and Marsh frontages.
 16 Again working our way up, this is the podium
 17 floor and rooftop for the office building still is in
 18 play. We really see this as an opportunity. It's also
 19 on the Marsh Street side in order to provide the sort of
 20 separation and privacy for the residents over there and
 21 again sort of working our way up through the building.
 22 And then lastly the -- the section through the
 23 building.
 24 One of the overriding things that I think we
 25 have been very consistently trying to reflect here is

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1 visible from public open space, and on the left side is
 2 the screening for the garage and all the way at the end
 3 is the commercial use that we've been talking about
 4 relative to the community benefit opportunities.
 5 One of the things I think that probably is
 6 different -- and I think we're -- we're actually very
 7 happy with it -- is this sort of entry sequence sort of
 8 off of Marsh Road and the use of materials that are warm
 9 in color, both that are connected to both the office
 10 building and the residential I think are part of the tone
 11 that we're trying to set.
 12 Some of you talked last time about the nature
 13 of the screening. I think one of the things that I feel
 14 has been very important in this is to try and create a
 15 screening mechanism that will allow us to not actually
 16 see the cars and to provide a sort of filtered view of
 17 them or a filtered view from the street and what you
 18 actually see in there is the opportunity to create some
 19 sort of landscape vines that actually again soften --
 20 soften the character of that.
 21 So again on the board that's behind you, the
 22 kind of materials that we're suggesting are ones that are
 23 basically used to be able to screen the view of the cars.
 24 You saw this last time. Again I'll just sort
 25 of run through this very quickly. Configuration of the

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1 trying to bury the cars from view in the residential
 2 portion.
 3 There's only one portion that's actually along
 4 the fire lane where the view -- where the visible
 5 remainder basically concealed within the -- the podium
 6 level where the five levels of residential start.
 7 And then lastly I want to turn this over to
 8 Karen. She's going to take you through a little more
 9 detail in terms of the development of the open space both
 10 on the space that's fronting both the office building and
 11 the residential and on the street frontages.
 12 MS. KROLEWSKI: Hi there. Thank you.
 13 I'm Karen Krolewski from PGA Design, the
 14 landscape architect for the project and I'm going to take
 15 you through maybe the central plaza space which is
 16 designed to be a vibrant, active and publicly accessible
 17 open space.
 18 It's a generously sized plaza. It's 12,780
 19 square feet. Its dimensions are fifty feet across and
 20 175 feet deep, the -- the approximate size and shape of
 21 the well-known Kelly Park in New York City, which is a
 22 celebrated public space.
 23 The plaza's edges are -- are designed to be
 24 activated by uses throughout the day and night including
 25 residential and office amenity spaces which will open out

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1 on the plaza as well as we envision outdoor dining areas
 2 that will connect to these spaces.
 3 The plaza safety have been enhanced through
 4 open sitelines, daytime and nighttime uses, and the
 5 overlook windows from offices and residences.
 6 We imagine the plaza to be activated by things
 7 like activities such as outdoor fitness classes, office
 8 workers on lunch breaks, neighbors walking their dogs,
 9 outdoor cafe areas and potentially even occasional
 10 outdoor movie nights or music performances.
 11 So we're -- we're designing a plaza that can
 12 kind of be close to all these activities and be a
 13 flexible outdoor open space.
 14 The plaza also features gathering areas for
 15 groups of different sizes, ample seating and site
 16 furnishings, bike parking, decorative features as well as
 17 lighting and a lush planting scheme including a robust
 18 tree canopy.
 19 In addition, one of the focuses of the plaza
 20 will be a public art piece and way finding features to
 21 draw people into the site. It's an informal seating
 22 area.
 23 We hope -- we hope and we are working with the
 24 neighbors at 111 Independence to coordinate the activity
 25 and uses of our space and to integrate the two.

Page 20

1 purpose of the Scoping Meeting, an overview of the
 2 ConnectMenlo EIR and its relationship to this project,
 3 the initial study that was prepared for this project, the
 4 EIR -- the EIR that will be prepared and an overview of
 5 the environmental review process and schedule and then
 6 we'll open it up to Public Comments.
 7 So the California Environmental Quality Act, or
 8 CEQA, requires that lead agencies that approve projects
 9 to identify impacts associated with those projects and
 10 then either avoid or mitigate those impacts.
 11 So the purpose of the scoping session tonight
 12 is to engage interested parties early on in the
 13 environmental review process and to get your thoughts on
 14 the topics that should be considered in the environmental
 15 review of the proposed project.
 16 The merits of the project are not considered in
 17 the EIR, so your comments at least for now should focus
 18 on specific issues that relate to the environmental
 19 impacts.
 20 Comments should focus on the range of
 21 environmental topics that -- to be considered in the EIR.
 22 Any specific issues of concern related to environmental
 23 topics that you think should be addressed in the EIR and
 24 the approach and methods used in the analysis as well as
 25 any potential mitigation measures or alternatives you

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1 There's continued grading going on between the
 2 two sites, but we think we can work well with the
 3 adjacent site to connect those two spaces.
 4 And as you saw with the -- the office space,
 5 we're able to provide enhanced screening around the --
 6 the parking garage side where it fronts the road, and
 7 we're continuing to work with the architect on that, as
 8 well.
 9 And next I'd like to hand it back to Andrew.
 10 MR. MORCOS: That's our presentation. Thank
 11 you, Planning Commissioners. We're open to questions.
 12 CHAIR BARNES: When we have questions related
 13 to architectural components, we'll give those questions
 14 in the second half of this. Stay tuned. We've got a
 15 load of those, I'm sure.
 16 We will progress now to the presentation by the
 17 City's EIR consultant.
 18 MR. WISWELL: Good evening. I'm Matthew
 19 Wiswell. I'm a planner at LSA. We are the City's
 20 environmental consultant for preparation of the EIR for
 21 the Menlo Portal Project.
 22 With me tonight is Theresa Wallace, LSA's
 23 principal in charge.
 24 So -- so this first slide are the slide that
 25 I'll cover in my brief presentation tonight including the

Page 21

1 think should be considered.
 2 As you know well by now, ConnectMenlo was
 3 approved by the City Council in 2016 and the
 4 ConnectMenlo Final EIR provided a program level analysis
 5 of development in the Bayfront area -- including the
 6 Bayfront area where the project site is located.
 7 The City of East Palo Alto challenged the
 8 City's certification of the ConnectMenlo Final EIR, and
 9 to settle the litigation, the parties entered into a
 10 settlement agreement that allows for environmental review
 11 for a later activity, such as the proposed project
 12 tonight, that is consistent with the program of
 13 development to be limited to effects that were not
 14 analyzed as -- as significant in the prior EIR or are
 15 subject to a substantial reduction or avoidance through
 16 project revision, but requires certain projects,
 17 including those utilizing bonus level development like --
 18 like the proposed project to conduct a focused EIR with
 19 regard to housing and transportation.
 20 Environmental review of the project will tier
 21 from the ConnectMenlo EIR and will also comply with the
 22 terms of the settlement agreement.
 23 So at the initial steps in the environmental
 24 review process, an initial study was prepared to evaluate
 25 the potential impacts of the project and determine what

Page 22

1 levels of additional analysis will be appropriate for the
 2 EIR.
 3 The initial study discloses relevant impacts
 4 and mitigation measures covered in the ConnectMenlo EIR
 5 and discusses whether the project is within the
 6 parameters of the ConnectMenlo EIR.
 7 I would like to note that although we are
 8 tiering off of the ConnectMenlo in terms of the maximum
 9 development potential we've considered, we are also
 10 evaluating the project against baseline conditions as
 11 they exist today and also evaluating the project against
 12 the currently applicable regulations and thresholds.
 13 For example, the CEQA guidelines were updated
 14 since the certification of the ConnectMenlo EIR and those
 15 changes were considered and addressed in the initial
 16 study review and will also be addressed in the EIR.
 17 So based on the inclusions of the initial
 18 study, the topics shown on this slide will not be further
 19 evaluated because the project is not anticipated to
 20 result in significant effects as related to these issues
 21 or because the initial studies found that these topics
 22 were adequately -- adequately addressed through the
 23 program level EIR prepared for ConnectMenlo.
 24 So the topics of cultural resources, geology
 25 and soils, which covers paleontological resources,

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1 There would be no more impacts related to
 2 transportation related noise, so this topic will be
 3 addressed in the EIR.
 4 For population and housing, a housing needs
 5 assessment will be prepared pursuant to the terms of the
 6 settlement agreement with East Palo Alto and this topic
 7 will also be covered in the EIR, and again the terms of
 8 the settlement agreement require the preparation of a
 9 project specific transportation impact assessment.
 10 This study will include an analysis of the
 11 potential impacts at fifteen study intersections and the
 12 identification of project specific mitigation measures in
 13 the transportation section of the EIR.
 14 And then you'll see travel cultural resources
 15 listed up -- on the slide, as well, but that's -- that
 16 will be included in the EIR based on any potential
 17 consultation with tribes under 8052.
 18 So finally the EIR's required to evaluate a
 19 reasonable range of alternatives. The alternatives
 20 should contain most of the basic project object --
 21 project objectives and should avoid or substantially
 22 lessen any significant effects of the project, any
 23 significant impacts of the project.
 24 The alternatives will be developed after the
 25 impacts are identified and with input received during

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1 hazards and hazardous materials and noise, it was
 2 determined that applicable mitigation measures from the
 3 ConnectMenlo EIR would ensure that these impacts would be
 4 less than significant.
 5 The focused EIR will analyze whether the
 6 proposed project would result in significant impacts to
 7 these five -- six issues, sorry, listed on the slide.
 8 For air quality, the ConnectMenlo EIR
 9 identified mitigation measures that required technical
 10 assessment of project operation and construction period,
 11 air quality impacts.
 12 The site is also located in -- in proximity to
 13 several major roadways which requires preparation of
 14 health risk assessments.
 15 For green -- for greenhouse gas emissions, the
 16 project's contribution to emissions will be studied based
 17 on the transportation impacts identified in the project.
 18 For noise, although the ConnectMenlo EIR
 19 determined that impacts would be less than significant
 20 with implementation of recommended mitigation measures,
 21 there is a possibility that transportation -- the
 22 transportation analysis conducted for the project will
 23 identify new or more severe impacts related to
 24 transportation, and therefore transportation related
 25 noise.

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1 this NOP comment period.
 2 A no project alternative will also be
 3 considered which is required by CEQA and a -- a reduced
 4 size project may be considered based on the potential
 5 impacts.
 6 So this slide shows the anticipated schedule
 7 for the environmental review process. On January 7th,
 8 the City issued a Notice of Preparation, or an NOP,
 9 notifying interested parties and responsible agencies
 10 that an EIR will be prepared and initial -- and the
 11 initial study will be included for review.
 12 The comment period to provide public comments
 13 on the scope and content of the EIR ends as you can see
 14 on February 7th.
 15 So during this time, which is right now,
 16 interested parties are encouraged to submit comments on
 17 the scope of the EIR in writing or verbally which would
 18 take place tonight.
 19 Over the next several months, we'll prepare the
 20 EIR. The Draft EIR is expected to be published some time
 21 in late spring.
 22 After the EIR is published, there's a 45-day
 23 public comment period. During these forty-five days,
 24 interested parties will again have an opportunity to
 25 review the Draft EIR and submit any comments to the City.

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1 The City will also hold another Public Hearing
 2 on the Draft EIR during the 45-day comment period and at
 3 that time the public can also provide verbal or
 4 written comments.
 5 After the close of the Public Comment period,
 6 we will then prepare written responses to each
 7 substantive comment received on the adequacy of the EIR
 8 analysis and/or response the comments period.
 9 The response to comments document will also
 10 include any revisions to the Draft EIR if any are
 11 necessary.
 12 Together that Draft EIR and the response to
 13 comments document constitutes the Final EIR. The Final
 14 EIR will be published and available for review a minimum
 15 of ten days before any hearings are held.
 16 Once the Final EIR's complete, the City will
 17 consider certification of the EIR and after that will
 18 consider approval of the project as a separate action.
 19 The public is free to attend these hearings and
 20 provide any comments on the Final EIR, and as you can
 21 see, the EIR certification is currently anticipated for
 22 fall of this year.
 23 So again just finally the -- the purpose of
 24 this meeting is to engage the public early on in the
 25 environmental review process and to get your thoughts on

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1 MS. JONES: Im going to take a chance for the
 2 scope.
 3 CHAIR BARNES: So we've got Mr. Zito followed
 4 by Ms. Jones. Good evening, Mr. Zito. Thank you for
 5 coming. Please state your name and applicable
 6 jurisdiction or organization.
 7 MR. ZITO: Absolutely. Good evening. Matthew
 8 Zito from the high school, Sequoia Union High School
 9 District. We appreciate an opportunity to provide to
 10 comment on the EIR for the second very large project from
 11 Greystar.
 12 It creates concern. We remain concerned about
 13 the scale of all of those reasonably proposed residential
 14 development in the ConnectMenlo area.
 15 This project's right around the corner from
 16 TIDE Academy, our new high school. This development is
 17 also has a very large project also directly across from
 18 the high school. That's also under review.
 19 I think between the two projects, 900 units
 20 will be either directly right in front of the school or
 21 right around the corner.
 22 Up to 700 potential students will be generated
 23 from these two plus other projects that are under your
 24 consideration, and we do understand that the Sobrato
 25 Group is actually interested in building 800 townhomes in

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1 topics that should be evaluated in the EIR.
 2 Even if you provide your comments verbally
 3 tonight, we will encourage you to also submit them in
 4 writing again prior to February 7th before 5:00 PM.
 5 And with that, we have available for your
 6 questions. Thanks.
 7 CHAIR BARNES: Questions for the EIR
 8 consultant? Commissioner Riggs.
 9 COMMISSIONER RIGGS: Yes. Thank you. You
 10 know, it strikes me that my questions are more in the
 11 form of EIR comments.
 12 Would you like to hold those to a time after
 13 the public has a chance --
 14 CHAIR BARNES: Yes. Commissioner comments
 15 will follow Public Comments. Thank you for clarifying
 16 that.
 17 If there's no clarifying comments to the EIR
 18 consultant, I will proceed now to call for Public Comment
 19 on the scope and then bring it back up for Commissioner
 20 comments to the scope.
 21 So with that, I'll call for Public Comments on
 22 the EIR scope. I have one card from Mr. Zito, an EIR
 23 scope and I've got another for Ms. Jones.
 24 Is this for the EIR scoping or is this for the
 25 Study Session?

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1 between Menlo Portal and Menlo Uptown, so you have all of
 2 this cumulative impact. They've purchased five parcels
 3 already.
 4 The ConnectMenlo EIR does not contemplate or
 5 analyze the district's ability to provide its public
 6 service in relation to Menlo Portal, its impact on TIDE
 7 Academy, which wasn't even proposed, or the decision to
 8 rely on the quote.
 9 Therefore, the district's position is that a
 10 focused EIR is really is inappropriate in this particular
 11 situation.
 12 So we disagree with LSA on the exclusion of
 13 public service from the EIR for this particular project.
 14 I think that was in the excluded category. We really
 15 feel that that's inappropriate to exclude that. You have
 16 all this housing directly across the street from a brand
 17 new high school. It's not at capacity, either.
 18 ConnectMenlo did not evaluate impacts caused by
 19 other projects on schools, and the statutory developer
 20 fees are woefully inadequate.
 21 They cover a fraction of the cost of providing
 22 facilities. They cover nothing for the purchase of land
 23 which we figure is about twelve million dollars an acre
 24 right now.
 25 Our feeling is TIDE Academy must be studied.

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1 In particular we really want the -- the project will
 2 reduce pedestrian safety, safety -- increase accidents,
 3 slow emergency response and perhaps the other than
 4 student safety, this other situation will cause complete
 5 gridlock out there at least two times during the day, and
 6 if you don't think a high school can cause gridlock, go
 7 out to M/A at 3:15 every day and you can see the effect
 8 of that.

9 The district requests the EIR analyze and
 10 mitigate traffic safety concerns and we would really like
 11 the EIR to review the level of service, not just vehicle
 12 miles traveled. We really feel that a level of service
 13 analysis is much more appropriate.

14 In addition to these direct impacts, the
 15 project exacerbates the lack of existing capacity in
 16 current facilities, particularly as relating to traffic
 17 since we have no room at M/A, the largest high school in
 18 the county, requiring students having to travel a very
 19 large distance from this particular area.

20 So there is no capacity in the school that
 21 these residential developments reside in.

22 We would really like -- in terms of the scoping
 23 again, I just have a couple quick things. The EIR really
 24 must analyze existing or anticipated student movement
 25 patterns -- it's all about safety - including a school

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1 School District, is getting development from Stanford in
 2 the El Camino Real Special Plan Development.

3 So those units are going to come online. They
 4 may produce fewer students than these units. There's
 5 thousands of units of housing, and again, M/A has they
 6 2,400 students, the largest high school in the county.

7 TIDE was created to actually reduce M/A's
 8 population to a more reasonable level. Certainly that
 9 doesn't look like that's happening any time soon.

10 Appreciate the opportunity to speak and we
 11 really would like to spend more time with Greystar really
 12 talking about these things in real mitigation.

13 And also things like our students are going to
 14 walk through all your landscape, so there's some things
 15 in terms of coordination that would really benefit --
 16 benefit you as well as benefiting us because we'll all be
 17 out there together.

18 Great thing having a high school or any school,
 19 but schools -- schools have real impacts on the develop
 20 that surrounds them.

21 Usually that's a residential neighborhoods, but
 22 we kind of have a more -- more much more interesting mix
 23 of business, housing, schools out there, but we really
 24 need to be able to work more closely and -- and we're
 25 just concerned about that program EIR which is perfectly

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1 pedestrian movement, school transportation and busing
 2 activities.

3 We do have concerns about air quality. All of
 4 our students are sensitive receptors and noise concerns
 5 during construction in particular.

6 The district is interested in partnering with
 7 the City and developers like Greystar for the greater
 8 good to provide housing. You also need housing for the
 9 students as these projects develop or create, and I must
 10 say these 120 affordable units in the combined two
 11 projects are going to generate quite a few students.

12 So we -- looking at the ConnectMenlo EIR, you
 13 know, development was anticipated from 2016 to 2040,
 14 except in four or five years, you're going to reach the
 15 development potential that was anticipated over twenty
 16 more years, and so use that program EIR to -- to kind of
 17 in some ways excuse the responsibility for doing more
 18 analysis.

19 Not on the project, just doing more analysis is
 20 a real concern to the district because it's coming very
 21 fast, very furious, from the developments that are coming
 22 to present this to you and the housing is a critical
 23 need, but you do have need to be able to house students,
 24 as well.

25 The district also, unlike Menlo Park's City

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1 fine.

2 We don't -- we don't agree with the point that
 3 the developers meet the requirement for school housing.
 4 We think there's other requirements, but using that EIR
 5 that was commissioned and done almost in a different --
 6 it was almost done in a vacuum, right?

7 So anyway, I don't mean to beat a dead horse.
 8 Really appreciate the opportunity to speak and hear more
 9 about the project, and we are looking again to be
 10 involved in the process as the EIR rolls out.

11 Thank you very much.

12 CHAIR BARNES: Thank you.

13 Next is Ms. Jones. And my last card is from
 14 Ms. Jones, so if anyone would like to give public
 15 comment, now is the time to come forward.

16 Good evening.

17 MR. JONES: Good evening. Pamela Jones,
 18 specifically in the Belle Haven neighborhood. I do not
 19 speak for the neighborhood. I speak for Pamela Jones,
 20 who has been a resident there for forty-five yearsish.
 21 Maybe forty-seven.

22 You heard the statistic on the number of
 23 employees when the buildings over at -- on Constitution,
 24 Menlo Gateway and the MK Building 22 when they open, and
 25 we have -- we're only building 923 units.

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1 So clearly we have to build more units. So
 2 none of these comments have anything to do with the
 3 number of units.
 4 I want to applaud Greystar because I believe
 5 they've done fairly good outreach. I've sat in on a
 6 number of their presentations and had private with them
 7 and I'm wondering if out of that is where this additional
 8 fifteen units came from, because they are aware that we
 9 do need housing.
 10 With all of that being said, I'm going to go
 11 back to -- go to their studies when they do population
 12 and housing, that they have to include a detailed study
 13 of all the ongoing gentrification.
 14 They have to note the number of current
 15 residents in Menlo Park that are housing challenged, rent
 16 challenged. That's a fairly high percentage there.
 17 Because I'm looking at them and appreciate
 18 their BMR from fifteen to twenty percent and there needs
 19 to be another thirty percent of affordable.
 20 In that study, they should be noting the number
 21 of people that work in Menlo Park that live in -- beyond
 22 units that's also causing us to have increased traffic.
 23 All traffic mitigation given all of these
 24 projects, the fact that TIDE Academy will have its full
 25 capacity by the time their projects are done.

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1 Prologix helicopter site.
 2 So I want to go back to the increasing the
 3 number of affordability units. They -- Greystar was
 4 willing to give us more, forty-eight percent more open
 5 space. We need open space, especially in such a dense
 6 complex, but we also need to be able to have people
 7 afford to live there.
 8 Thank you.
 9 CHAIR BARNES: Thank you.
 10 And so with that, I have no other comment
 11 cards, and seeing no one coming forward, with that I will
 12 close Public Comment and bring it back up to the dais,
 13 and this is for Commissioner comments pursuant to the EIR
 14 scope and not related to questions on the project, per
 15 se.
 16 Commissioner Decardy.
 17 COMMISSIONER DECARDY: So on the alternatives,
 18 there's no project alternative which you're mandated to
 19 do, and the other alternatives will be determined at what
 20 point in this process so people can comment specifically
 21 on them?
 22 MR. WISWELL: First of all, if you have any
 23 comments on alternatives, we'd certainly welcome them
 24 right now.
 25 We don't want to rule anything out, but it

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1 Traffic mitigation must be done before they put
 2 one resident in any units over there. So I don't know
 3 how they'll work that out, but I think that's something
 4 that the developers can do.
 5 We can't wait until there's a problem before we
 6 try and fix it when we know there's going to be a problem
 7 because we already have a problem.
 8 I would also like to see them add into the
 9 transportation are limiting portion. Accessibility from
 10 those units over to Kelley Park.
 11 Right now that -- that area will not be able to
 12 access Kelley Park, and the new comprehensive community
 13 center at the end of Terminal given all the traffic
 14 situations, and I want to be able to use their
 15 facilities, and there's no way for me to really safely
 16 bike over there out of the Belle Haven neighborhood.
 17 And the last thing is under tribal resources,
 18 they may not get quite the level of -- of communication
 19 from the state level because the state level I understand
 20 the Tribal Resources Department only has one employee,
 21 one or two employees, so it's hard for them to respond.
 22 So under that area, need to review all the
 23 projects that have been done over there from the
 24 beginning because certainly there's been -- there's been
 25 remnants found in that area just as they have over at the

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1 begins with -- so as part of the project description,
 2 we'll determine some basic project objectives, and then
 3 at the point at which at we identify any potentially
 4 significant impacts, we -- we want to identify all those
 5 before we get to any alternatives because really the
 6 basic goal of an alternative is to avoid an impact. So
 7 it really depends on what those impacts are.
 8 And so I -- I hope that answers your question.
 9 There's not quite another time to provide input on what
 10 we think an alternative should be. So if you have any
 11 thoughts, we'd really welcome those right now.
 12 CHAIR BARNES: Yes. We are in the
 13 Commissioner comments on the EIR scope. So specific to
 14 the EIR scope.
 15 COMMISSIONER DECARDY: Yes.
 16 CHAIR BARNES: Have at it.
 17 COMMISSIONER DECARDY: I think the
 18 conversation on a couple of the measures that you're
 19 going to take a look at again, my belief is that I
 20 understand that you're going to go through and figure out
 21 the impacts.
 22 I think on some of these measures, the impacts
 23 are already so high that any additional impact would be
 24 considered onerous.
 25 And so I think that specifically looking at

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1 transportation and I think specifically looking at air
 2 quality that having no increased impact whatsoever should
 3 be one of the alternatives that you take a look at and
 4 then determine whatever mechanisms could be actually hit
 5 that target.
 6 I think traditionally there's some look at
 7 these things to say well, is there a percentage
 8 mitigation and let's look at the additional impact
 9 separately, but if you're already over a threshold that
 10 is just not accessible for impacts on a particular
 11 neighborhood, a community and a particular timeframe, and
 12 I think it warrants at least on those two looking at no
 13 net increase whatsoever.
 14 CHAIR BARNES: Mr. Riggs.
 15 COMMISSIONER RIGGS: One of my comments is the
 16 essence of follow-up on Mr. Decardy's subject.
 17 I'll note that I for one -- and I think I've
 18 heard some other voices -- have been asking over maybe
 19 the last year in particular that large new projects do
 20 two things: One is that they include an alternative that
 21 is no housing impact, and in this case, that would be
 22 rather ironic.
 23 The other is that there would be alternative
 24 with no traffic impact, as Mr. Decardy has just
 25 mentioned. So I'll have to add my emphasis to that.

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1 of a neighborhood is not the same as our R-1-U or R-1-S
 2 or even an R-1-E in terms of mobility.
 3 When you walk in an R-1-U neighborhood, you
 4 have a front door every fifty feet. When you walk in an
 5 R-1-S, you might have a front door every hundred feet.
 6 When you step out of this building, you won't see another
 7 front door for at least a block, and it might be a long
 8 block.
 9 On the other hand, if you step out the door and
 10 get on your scooter, you will feel much more mobile, and
 11 I hope do so in order to avoid using the automobile.
 12 So I'm wondering if the project EIR can base an
 13 alternative on scooter transit that is not a zero
 14 increase in traffic, but is a different kind of trans --
 15 traffic.
 16 And then when we get to the project design
 17 review, we can talk about how the site and building can
 18 reflect that alternative.
 19 So for the EIR, that's my comments.
 20 CHAIR BARNES: Commissioner Tate.
 21 COMMISSIONER TATE: So my comment is back to
 22 the affordable housing, and twenty percent sounds like
 23 a -- a decent number to come in and it looks like quite a
 24 few community members are thinking the same way, at least
 25 twenty percent.

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1 I believe that that can be done, particularly
 2 since there is so much employment in the immediate area.
 3 We know that simply building the project will
 4 add traffic. I think -- believe the staff confirmed that
 5 about a previous project in that -- housing project in
 6 that the average unit might have two people in it. Two
 7 people with excellent salaries, one of whom may work
 8 locally, maybe even at Facebook.
 9 The likelihood of the second one working
 10 locally is much, much lower, and then as we know, people
 11 change jobs in the valley rather frequently.
 12 So one might move into one of these units, work
 13 for Facebook for eighteen months or maybe even five years
 14 and then go to LinkedIn.
 15 Or interestingly enough Facebook might re-
 16 assign you to Sunnyvale, which happened to -- actually,
 17 one of our City Councilmembers who had just bought a home
 18 adjacent or within easy reach of the Menlo Park Facebook
 19 offices. He is now a commuter.
 20 So one of the alternatives needs to reflect
 21 that -- reflect a methodology that will not -- simply not
 22 increase the traffic impact.
 23 The second point has to do with non-automobile
 24 travel. I notice that the project is designed with a
 25 very nice emphasis on pedestrian movement, but this kind

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1 So I definitely hope that you take a better
 2 look at that as opposed to the fifteen.
 3 CHAIR BARNES: Thank you.
 4 Mr. Kahle.
 5 COMMISSIONER KAHLE: Thank you.
 6 Mr. Zito spoke passionately about the impact to
 7 the schools, particularly the Sequoia Union High School
 8 District. I also want to mention something I said at the
 9 last Greystar presentation, that with all of the new
 10 housing here, it's going to be from my estimation more
 11 than enough to support an elementary school and that
 12 should be considered in the EIR, as well.
 13 CHAIR BARNES: Looking for any other
 14 Commissioner comments on the EIR scope.
 15 Question as it relates to the methodology on
 16 the EIR scope. As I look at this project and of the 335
 17 units, 289 are one-bedroom or less, one bedroom -- junior
 18 one-bedroom and studio and only thirteen percent are two
 19 or three bedrooms.
 20 So when you're developing the methodologies for
 21 trips and impacts, how are you ascribing people counts to
 22 different room sizes?
 23 MR. WISWELL: So I will note that we are not
 24 the transportation engineers, so we -- we can answer that
 25 question somewhat generally, but if we -- if you have a

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1 really -- a more in-depth question, maybe we could pass
 2 that along to the transportation engineer.
 3 But generally trips are generated by --
 4 CHAIR BARNES: I'm sorry. So we have room
 5 sizes. We have one bedroom and less, which is
 6 sixty-seven percent or eighty-seven percent of the units.
 7 When you look at those, how are you figuring
 8 how many people, how many bodies are in a particular
 9 room? So if you could talk to that methodology. Having
 10 nothing to do with transportation.
 11 MR. WISWELL: Sure. I understand. We are
 12 preparing -- not -- not us particularly, but we have a
 13 subconsultant who's preparing, as was mentioned
 14 previously, a housing needs impact, and as -- as a part
 15 of that, I believe he'll look at trends throughout the
 16 City and the -- the typical population within the
 17 different types of units that you've mentioned and will
 18 present that data, and that will be part of the EIR.
 19 So I -- I can't answer immediately the
 20 methodology right now, but I -- that will be -- there
 21 will be a figure for that presented at both the housing
 22 needs study and the population housing section of the
 23 EIR.
 24 CHAIR BARNES: And that will get modified or
 25 somewhat adjusted for potential demographics in that

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1 existing capacity and move people out of homes that maybe
 2 are too large or they don't -- they'd like to downsize
 3 and stay in the community, then you open up those homes
 4 that are family friendly for people to move in to maybe
 5 out of the apartments that are one and two bedrooms,
 6 because these are not for families.
 7 So the -- the supposition that all of these
 8 housing units going to create a demand for new elementary
 9 school and even a demand for additional high school, you
 10 know, I don't think it's borne out.
 11 So I -- I would like us all to sort of look at
 12 how we approach the housing need in Menlo Park to be more
 13 than just for people between the age of -- for lack of a
 14 better range, 25 to 55.
 15 CHAIR BARNES: Thank you, and I'll tail on the
 16 back of that. I wasn't clear within the work that you're
 17 going to undertake how it relates to the need for
 18 facilities for -- you know, whether it's education,
 19 whether it's elementary, middle or high school.
 20 Is there modeling that you're going to do to
 21 come up with the impact, you know, which take into
 22 account demographics?
 23 In this area, I have no idea. Maybe young
 24 folks that aren't generating any types of kids are going
 25 or it could be the inverse.

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1 area?
 2 MR. WISWELL: Correct.
 3 CHAIR BARNES: So said differently, you've got
 4 an employer in the area. You may be -- you may have
 5 younger folks in there, particularly however many to a
 6 room, and that all gets figured into the methodology,
 7 correct?
 8 MR. WISWELL: Correct.
 9 CHAIR BARNES: Thank you.
 10 Commissioner Kennedy.
 11 COMMISSIONER KENNEDY: EIR feedback. So
 12 question. I don't know if this is EIR related or the
 13 project, but -- and but every time we sit here and we
 14 hear a new project and we talk about housing, we assume
 15 two types of -- two types of residents, right?
 16 So it's two income no children or family, and
 17 so there's an entire population in this community, the
 18 larger broader Menlo Park community of people over the
 19 age of 65 who are in houses that are either too large or
 20 they can no longer keep up on them and they would like to
 21 stay in the community and there's no place for them to
 22 downsize to go to.
 23 I would love for there to be an opportunity to
 24 look at -- maybe in the housing study on who the user
 25 group is, because if you can -- if you can free up

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1 Do you model for what the increased demand will
 2 be in the school system and what ages and what types of
 3 school-aged kids?
 4 MR. WISWELL: For public facilities in
 5 particular, no. In this case, we -- we are relying on
 6 the ConnectMenlo EIR which included a -- an assumption
 7 for the total population generated by new development in
 8 the area and then looked at the existing facilities
 9 and -- and in that way determined whether or not new
 10 facilities would be needed just based on the population
 11 count.
 12 And so we would be -- because this project is
 13 consistent with the development assumed and the Connect-
 14 Menlo area, we would be tiering off that analysis.
 15 CHAIR BARNES: In -- so the ConnectMenlo EIR
 16 has in there net new dwelling units and in that
 17 programmatic EI -- EIR.
 18 How -- is there any check to see if there's --
 19 so as long as it's within the net new residential units
 20 that were contemplated under the ConnectMenlo
 21 programmatic EIR, when it's within that unit count,
 22 you're relying on that information. Is that correct?
 23 MR. WISWELL: Yes.
 24 CHAIR BARNES: And how do we know if there's a
 25 real disparity between what that was modeling out and

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1 what we might see? Are there sanity checks along the way
 2 for the bodies stay the same and units will stay the
 3 same, but the demographics might be different than we
 4 anticipated.
 5 Is there a check and a balance along the way?
 6 MS. WALLACE: So I Would just add that we've
 7 heard the comments from the school district and the
 8 concerns there, and so we'll certainly be going back and
 9 assessing this issue with City Staff to see if there are
 10 other items that should be added to the EIR.
 11 CHAIR BARNES: Okay. So -- so for the record,
 12 my request would be -- my request is that there is -- are
 13 we looking at the assumptions in the programmatic EIR and
 14 making sure that's tethered to what we think we're going
 15 to see in this location?
 16 And I want to emphasize this has nothing to do
 17 with the funding. I mean, we've got -- there's ways that
 18 school facilities need to be funded and some of the
 19 properties subsidize residents of the community should
 20 bear the burden of this and I don't think it necessarily
 21 follows on the housing generators.
 22 So it's a very different discussion, just
 23 ferreting that out, I think it's important data points to
 24 have.
 25 MR. WISWELL: And if I might provide

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1 6,000 a month on a two-bedroom in a high-rise in an
 2 office area rather than spend 6,000 a month on a three-
 3 bedroom, two-bath sixty, seventy-year-old home in a quiet
 4 neighborhood like Lorelei or Suburban Park, has a
 5 backyard and two-car parking garage that simply doesn't
 6 make sense once you have children.
 7 So I -- I understand that if you do a survey of
 8 Menlo Park, you will get information that reflects
 9 predominantly single family house behavior and use.
 10 If you do a survey of the condominiums between
 11 El Camino Real and the Caltrain tracks, you're going to
 12 get somewhat different demographics, and then if you
 13 upgrade that to current building standards and marketing,
 14 you'll probably rule out the last of those would-be
 15 family occupants.
 16 So I think if we're going to put forward
 17 projections regarding student body count impacts, we have
 18 to look at -- if -- if we're going to refer to an
 19 existing condition, that condition has to be relevant to
 20 the project.
 21 CHAIR BARNES: Great. So looking for any
 22 additional comments as it relates to the EIR scope. If
 23 there are none, I see no lights on, what I'll do is close
 24 the Public Hearing, this portion of the Public Hearing as
 25 it relates to the EIR Scoping Session and then we open it

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1 clarification specifically to demographics and the type
 2 of user on the site --
 3 CHAIR BARNES: Correct.
 4 MR. WISWELL: -- correct? Yes.
 5 CHAIR BARNES: Thanks.
 6 Commissioner Riggs.
 7 COMMISSIONER RIGGS: To at least some degree,
 8 I would like to echo those comments, although I come at
 9 it from a slightly different point of view.
 10 One type made over several years including 2016
 11 with the ConnectMenlo EIR.
 12 I think the question, the assumption that when
 13 you build a three-bedroom on Independence or
 14 Constitution, that that means you're going to have a
 15 family with babies and teenagers.
 16 I have to question it because simply looking
 17 at, say, a two-bedroom in a building like this, I have to
 18 figure that the rent is going to be in the \$6,000 a month
 19 range, maybe higher, and it's going to be occupied
 20 between two and four techies who are going to share the
 21 space, share the rent and work nearby.
 22 If you have a three-bedroom, it's going to have
 23 between three and six techies who are going to be sharing
 24 the rent, sharing the space as a crash pad.
 25 A family is not going to in my opinion spend

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1 up for the Project Proposal Scoping Session starting with
 2 intro by staff and then moving right to Commissioner
 3 questions related to the project.
 4 Seeing no lights on, I will do that. I'm going
 5 to close this portion of the Public Hearing and check in
 6 with my Commissioners.
 7 (This portion concluded at 9:24 PM).
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1 STATE OF CALIFORNIA)
 2 COUNTY OF SAN FRANCISCO)
 3

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

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

13
 14 IN WITNESS WHEREOF, I have
 15 hereunto set my hand this
 16 _____ day of _____,
 17 2020.

18
 19 MARK I. BRICKMAN CSR 5527
 20
 21
 22
 23
 24
 25