



## REGULAR MEETING AGENDA

**Date:** 09/13/2021

**Time:** 7:00 p.m.

**Meeting Location:** [Zoom.us/join](https://zoom.us/join) – ID# 831 6644 9012

### NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

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

Teleconference meeting: All members of the Planning Commission, city staff, applicants, and members of the public will be participating by teleconference. To promote social distancing while allowing essential governmental functions to continue, the Governor has temporarily waived portions of the open meetings act and rules pertaining to teleconference meetings. This meeting is conducted in compliance with the Governor's Executive Order N-25-20 issued March 12, 2020, and supplemental Executive Order N-29-20 issued March 17, 2020.

- How to participate in the meeting
  - Submit a written comment online up to 1-hour before the meeting start time: [menlopark.org/planningpubliccomment](https://menlopark.org/planningpubliccomment) \*
  - Access the meeting real-time online at: [zoom.us/join](https://zoom.us/join) – Meeting ID# 831 6644 9012
  - Access the meeting real-time via telephone (listen only mode) at: (669) 900-6833  
Regular Meeting ID # 831 6644 9012  
Press \*9 to raise hand to speak

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

- Watch the meeting
  - Online: [menlopark.org/streaming](https://menlopark.org/streaming)

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

## Regular Meeting

### A. Call To Order

### B. Roll Call

### C. Reports and Announcements

### D. Public Comment

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

### E. Consent Calendar

- E1. Approval of minutes from the August 9, 2021, Planning Commission meeting. ([Attachment](#))

### F. Public Hearing

- F1. Use Permit/Rebecca & Kevin Loewke/248 Oakhurst Place:  
Request for a use permit to construct a second-floor addition and perform interior and exterior modifications to an existing nonconforming, single-story, single-family residence in the R-1-U (Single Family Urban Residential) zoning district. The value of the proposed work would exceed 50 percent of the replacement value of the existing nonconforming structure in a 12-month period and therefore requires a use permit. ([Staff Report #21-042-PC](#))

F2 and G1 are associated items with a single staff report

- F2. Environmental Impact Report (EIR) Scoping Session/Jason Chang/1075 O'Brien Drive and 20 Kelly Court (Referred to as the CSBio Phase 3 Project):  
Request for environmental review for an amended and restated conditional development permit (CDP) and Below Market Rate (BMR) Housing Agreement for the construction of a new seven-story research and development (R&D) and office building, approximately 100,000 square feet of gross floor area in size, with a ground-floor restaurant/food court commercial space on a two-parcel site in the LS-B (Life Sciences, Bonus) zoning district. A new five-level parking structure would be constructed on 20 Kelly Court. The existing one-story warehouse building on 1075 O'Brien Drive and the two-story portion of the R&D building at 20 Kelly Court would be demolished. The three-story portion of the R&D building at 20 Kelly Court is proposed to remain and a new hazardous materials and utility yard attached to the building would be constructed. The proposed project includes a request for the storage and use of hazardous materials for an emergency backup generator and for the use of hazardous materials for future research and development processes. The proposed project would include a BMR agreement per the City's Ordinance and Guidelines. The proposal includes a request for an increase in height and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The proposed project also includes a

lot merger to merge the two existing parcels. Both parcels would be governed by the amended and restated CDP. An Initial Study has been prepared and is included with the Notice of Preparation (NOP) for the proposed project. The NOP and Initial Study were released on Friday, August 27, 2021. The Initial Study scopes out the following environmental topics from further review: aesthetics, agricultural and forestry resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, public services, recreation, and utilities and service systems. The focused EIR will address potential physical environmental effects of the proposed project that have not been scoped out, as outlined in the California Environmental Quality Act (CEQA), in the following areas: air quality, biological resources, cultural and tribal resources, greenhouse gas emissions, noise, population/housing, and transportation. The City is requesting comments on the scope and content of this focused EIR. The project location does not contain a toxic site pursuant to Section 6596.2 of the Government Code. Comments on the scope and content of the focused EIR are due by 5:30 p.m. on Monday, September 27, 2021 ([Staff Report #21-043-PC](#))

## **G. Study Session**

- G1. Study Session/ Jason Chang\1075 O'Brien Drive and 20 Kelly Court (CSBio Phase 3 Project): Study session on a request for an amended and restated Conditional Development Permit, BMR Housing Agreement and environmental review for the construction of a new seven-story research and development (R&D)/office building, approximately 100,000 square feet of gross floor area in size with a ground-floor restaurant/food court commercial space on a two-parcel site in the LS-B (Life Sciences, Bonus) zoning district. A new five-level parking structure would be constructed on 20 Kelly Court. The existing one-story warehouse building at 1075 O'Brien Drive and the two-story portion of the R&D building at 20 Kelly Court would be demolished. The three-story portion of the building at 20 Kelly Court is proposed to remain and a new hazardous materials and utility yard attached to the building would be constructed. The proposed project includes a request for the storage and use of hazardous materials for an emergency backup generator and for the use of hazardous materials for future research and development processes. The proposed project would include a BMR agreement per the City's Ordinance and Guidelines. The proposal includes a request for an increase in height and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The proposed project also includes a lot merger to merge the two existing parcels. Both parcels would be governed by the amended and restated CDP ([Staff Report #21-043-PC](#))

## **H. Informational Items**

- H1. Future Planning Commission Meeting Schedule – The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.
- Regular Meeting: September 27, 2021
  - Regular Meeting: October 4, 2021

## **J. Adjournment**

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

At every special meeting of the Planning Commission, members of the public have the right to directly address the

Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

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

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

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at [menlopark.org/agenda](http://menlopark.org/agenda) and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at [menlopark.org/notifyme](http://menlopark.org/notifyme). Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 09/08/2021)