



## REGULAR MEETING AGENDA

**Date:** 8/14/2023  
**Time:** 7:00 p.m.  
**Location:** Zoom.us/join – ID# 862 5880 9056 and  
City Council Chambers  
751 Laurel St., Menlo Park, CA 94025

Members of the public can listen to the meeting and participate using the following methods.

How to participate in the meeting

- Access the live meeting, in-person, at the City Council Chambers
- Access the meeting real-time online at:  
[zoom.us/join](https://zoom.us/join) – Meeting ID# 862 5880 9056
- Access the meeting real-time via telephone (listen only mode) at:  
(669) 900-6833  
Regular Meeting ID # 862 5880 9056  
Press \*9 to raise hand to speak
- Submit a written comment online up to 1-hour before the meeting start time:  
[planning.commission@menlopark.gov](mailto:planning.commission@menlopark.gov)\*  
Please include the agenda item number related to your comment.

\*Written comments are accepted up to 1 hour before the meeting start time. Written messages are provided to the Planning Commission at the appropriate time in their meeting.

Subject to change: 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 website [menlopark.gov](https://menlopark.gov). 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.gov/agendas](https://menlopark.gov/agendas)).

## 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. Each speaker may address the Commission once under public comment for a limit of three minutes. You are not required to provide your name or City of residence, but it is helpful. 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 court report transcript and minutes from June 26, 2023, Planning Commission meeting. ([Attachment](#))

### F. Public Hearing

- F1. Adopt resolutions certifying the Final Environmental Impact Report (Final EIR), adopting California Environmental Quality Act (CEQA) Findings and Mitigation Monitoring and Reporting Program (MMRP), and approving a use permit for bonus level development in exchange for community amenities and to modify the bird friendly design requirements, architectural control for the proposed buildings and site improvements, and adopt a resolution recommending the City Council approve the below market rate (BMR) housing agreements and vesting tentative map for the proposed 123 Independence Drive Project that would demolish the existing buildings and site improvements and redevelop the project site with 316 rental apartment units, approximately 2,000 square feet of commercial space within the apartment building, and 116 for-sale condominium units with associated open space and other improvements located in the R-MU-B (Residential Mixed Use Bonus) zoning district at 119, 123-125 and 127 Independence Drive, and 1205 Chrysler Drive and 130 Constitution Drive.

The proposal includes a request for an increase in floor are ratio (FAR), height, and density under the bonus level development allowance in exchange for community amenities. The proposed project includes 48 rental units and 18 for-sale townhome units (15 percent of the total units) affordable to low-income households pursuant to the City’s BMR Housing Program and Guidelines. In addition, the applicant is proposing to provide eight additional rental BMR units affordable to low-income households as the community amenity in exchange for bonus level development, which would result in a total of 74 BMR units (56 rental units and 18 for-sale townhome units). The applicant is requesting concessions and waivers pursuant to the State Density Bonus Law to allow for the development of for-sale affordable housing units as proposed. Additionally, pursuant to Section 13 of the City’s BMR Housing Guidelines, the applicant is requesting modifications to several guidelines. The proposal also includes a vesting tentative map

for a major subdivision for parcel management and to create the 316 for-sale townhome units. The City Arborist conditionally approved the removal of 29 heritage trees.

The Final EIR pursuant to CEQA was released on August 4, 2023. The Final EIR for the proposed project does not identify any significant and unavoidable environmental impacts that would result from the implementation of the proposed project. All the comments received during the Draft EIR public comment period are included in the Final EIR and responses are provided to all substantive comments. The Final EIR identifies potentially significant environmental impacts that can be mitigated to a less than significant level (LTS/M) in the following categories: air quality, biological resources, cultural resources, hazard and hazardous materials, noise, and tribal cultural resources. The Final EIR identified less than significant impacts (LTS) in the following categories: aesthetics, energy, geological and soils, greenhouse gas emissions, hydrology and water quality, land use and planning, population and house, public services, transportation, and utilities and services systems. Previously a Notice of Preparation (NOP) was released on September 10, 2021, and included a public review period from September 10, 2021 through October 11, 2021 to solicit comments on the scope and content of the Draft EIR. Through the EIR scoping process the following topic areas were determined not to result in any potential significant effects and were not studied in the project EIR: agriculture and forestry resources, mineral resources, and wildfire. In accordance with CEQA, the certified program-level ConnectMenlo EIR served as the first-tier environmental analysis. Further, this EIR was prepared in compliance with the terms of the Settlement Agreement between the City of East Palo Alto and the City of Menlo Park. The Draft EIR was circulated for a minimum 45-day public review from November 28, 2022 to January 17, 2023. The project location does not contain a toxic site pursuant to Section 6596.5 of the Government Code. ***Continued to the meeting of August 28, 2023***

## **G. Study Session**

- G1. Study Session/General Plan, Zoning Ordinance, and El Camino Real/Downtown Specific Plan amendments associated with the Housing Element Update project:  
Study session to provide an overview and receive feedback on proposed amendments to the General Plan Land Use Element, Zoning Ordinance (Title 16 of the Menlo Park Municipal Code), and El Camino Real/Downtown Specific Plan in association with the implementation of the 2023-2031 Housing Element. The proposed zoning amendments are intended to provide capacity to meet the City's Regional Housing Needs Allocation (RHNA) of 2,946 dwelling units and are generally summarized below. ([Staff Report #23-052-PC](#))

### General Plan Land Use Element and map

- Make amendments for consistency with the proposed Zoning Ordinance amendments, including changes in land use designation for applicable housing opportunity sites, addition of new land use designations and modifications to existing designations to reflect increased densities and floor area ratios (FAR).

### Zoning Ordinance and map

- Modify the development regulations such as residential density, height and FAR for R-3 zoned properties around downtown and for sites meeting certain criteria;
- Modify and consolidate multiple retail and commercial zoning districts to allow new and mixed-use opportunities along Willow Road, Middlefield Road, Sharon Park Drive and Sand Hill Road;

- Modify the regulations of the Office zoning district (Chapter 16.43 of the Menlo Park Municipal Code) and create a new corresponding O-R (Office-Residential) zoning map designation in the Bayfront Area;
- Modify the regulations of the Affordable Housing Overlay (AHO) (Chapter 16.98 of the Menlo Park Municipal Code) to work in concert with State density bonus law to allow up to approximately 100 dwelling units per acre for 100 percent affordable housing developments; and
- Update Section 16.08.085 of the Zoning Ordinance, “Child day care homes,” to allow large family daycares by-right in residential areas.

#### El Camino Real/Downtown Specific Plan

- Removal of references to a maximum of 680 residential units at full build-out;
- Increases in density, FAR, and height and modifications to other development standards for the Specific Plan subdistricts, as applicable;
- Modifications to parking ratios, including removal of minimum parking requirements for residential uses on sites meeting certain criteria and addition of maximum parking requirements; and
- Modifications to the use of the public parking plazas to allow the development of multifamily residential housing.

## H. Informational Items

G1. 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: August 28, 2023
- Regular Meeting: September 11, 2023

## I. Adjournment

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

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

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or before, 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.gov](mailto:jaherren@menlopark.gov). 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 Cal. Gov. Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the city website at [menlopark.gov/agendas](http://menlopark.gov/agendas) and can receive email notifications of

agenda postings by subscribing at [menlopark.gov/subscribe](https://menlopark.gov/subscribe). Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 8/11/2023)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CITY OF MENLO PARK  
Planning Commission

In re:  
Environmental Impact Report  
(EIR)/ Scoping Session/ O'Brien  
Drive Portfolio LLC/1300-1320  
Willow Road, 975-995 and  
1001-1015 O'Brien Drive



\_\_\_\_\_ /

Environmental Impact Report  
REPORTER'S TRANSCRIPT OF PROCEEDINGS  
AGENDA ITEMS F3 and G1  
MONDAY, JUNE 26, 2023

Reported by AMBER ABREU-PEIXOTO  
(Via ZOOM Videoconference)  
Certified Shorthand Reporter No. 13546  
State of California

1 ATTENDEES

2

3 The Planning Commission:

4 Cynthia Harris (Chair)

Linh Do (Vice Chair)

5 Andrew Barnes

Andrew Ehrich

6 Henry Riggs

7 ABSENT: Katie Ferrick

Jennifer Schindler

8

SUPPORT STAFF:

9

Chris Turner, Associate Planner

10 Kyle Perata, Planning Manager

11

PROJECT PRESENTERS:

12 Susan Eschweiler, DES Architects & Engineers.

13

CONSULTANTS:

14 Katherine Wagh, Dudek

15

16 ---o0o---

17

18

19 BE IT REMEMBERED that, pursuant to Notice of the

20 Meeting, and on June 26, 2023, via ZOOM Videoconference,

21 before me, AMBER ABREU-PEIXOTO, CSR 13546, State of

22 California, there commenced a Planning Commission meeting

23 under the provisions of the City of Menlo Park.

24

25 ---o0o---

1	MEETING AGENDA	
2		PAGE
3	Presentation by Chair Harris	4
4		
5		
6	Project Presenters:	
7	Chris Turner, Associate Planner	7
8		
9	Applicant/Consultant Presentations	
10	Susan Eschweiler, DES	10
11	Katherine Wagh, Dudek	19
12		
13		
14	Commission Questions and Comments	28
15		
16		
17	--o0o--	
18		
19		
20		
21		
22		
23		
24		
25		



## 1 P R O C E E D I N G S

2

3

4 CHAIR HARRIS: Okay. We are going to move on to  
5 our next item. And we have F3 and G1, which are  
6 associated with a single Staff Report. I am going to read  
7 it. And it's quite lengthy, again.

8 So this is an Environmental Impact Report, EIR  
9 Scoping Session, for O'Brien Drive -- 1005 O'Brien Drive  
10 and 1320 Willow Road Project that would redevelop the  
11 project site. The proposed project includes requests for  
12 a development agreement, architectural control, use  
13 permit, lot line adjustment, lot merger, and environmental  
14 review.

15 The project would demolish three existing  
16 one-story commercial buildings on three parcels, and  
17 construct one new five-story building for research and  
18 development uses, one new four-story building for R&D  
19 uses, and one new seven-story parking structure on two  
20 parcels located in the Life Science, Bonus zoning  
21 district.

22 The proposed project would be constructed in two  
23 phases, with the five-story R&D/office building and five  
24 levels of the parking structure to be developed in the  
25 first phase, and the four-story R&D/office building and

1 the remaining two levels of the parking structure in the  
2 second phase.

3 The applicant is proposing a development  
4 agreement to extend the life of the entitlements in order  
5 to account for a potential delay of approximately 10 years  
6 between the two phases.

7 The proposed total gross floor area of the  
8 project would be approximately 228,081 square feet of R&D  
9 space with a floor area ratio (FAR) of 1.24. The proposal  
10 includes a request for an increase in height and FAR under  
11 the bonus level development provisions in exchange for  
12 community amenities.

13 The applicant is proposing payment of a community  
14 amenities in-lieu fee. The project includes a hazardous  
15 materials use permit request to allow two diesel  
16 generators, one for each proposed building, to operate the  
17 facilities in the event of a power outage or emergency.

18 The project includes a request to modify the  
19 design standards related to major building modifications  
20 -- sorry -- modulations to allow the modulation on the  
21 south elevation of the 1005 O'Brien Drive building to  
22 extend to the second floor, instead of extending to 45  
23 feet, which is the required base height.

24 The proposed project is requesting an exception  
25 from the City's reach code to allow for the use of natural

1 gas for space conditioning in the laboratory spaces of  
2 both buildings. The proposed project also includes a  
3 request to remove seven heritage trees.

4 An Initial Study has been prepared and is  
5 included with the NOP for the proposed project. The NOP  
6 and an Initial Study were released on Friday, June 2nd,  
7 2023. The Initial Study scopes out the following  
8 environmental topics from further review: Aesthetics,  
9 agricultural and forestry resources, biological resources,  
10 cultural resources, energy, geology and soils, hazards and  
11 hazardous materials, hydrology and water quality, land use  
12 and planning, mineral resources, noise from operation of  
13 an airport or airstrip, public services, recreation,  
14 utilities and service systems, and wildfire.

15 The focused EIR will address potential physical  
16 environmental effects of the proposed project that have  
17 not been scoped out, as outlined in the California  
18 Environmental Quality Act, or CEQA, in the following  
19 areas: Transportation, population and housing, air  
20 quality, greenhouse gas emissions, and noise (traffic  
21 noise, construction noise and vibration).

22 The City is requesting comments on the scope and  
23 content of that focused EIR. The project location does  
24 not contain a toxic site, pursuant to Section 6596.2 of  
25 the Government Code.

1           Comments on the scope and content of the focused  
2 EIR are due by 5:30 p.m., on Wednesday, July 5th, 2023.

3           At this time, I would like to introduce staff to  
4 introduce the project, and then I assume we'll have a  
5 presentation by the applicant and the EIR consultant.

6           MR. TURNER: Yes. Thank you, Chair Harris. I  
7 can go ahead and get started with my presentation.

8           And, yes, we'll here from the applicants and then  
9 our environmental review consultant, Katherine Wagh, from  
10 Dudek.

11           Okay. So this is the 985 to 1005 O'Brien and  
12 1320 Willow Road project. Next slide.

13           This is a look at the project site. Generally  
14 it's bounded by Willow Road to the west, MidPen High  
15 School to the north; O'Brien Drive to the south, and then  
16 other life science buildings to the east.

17           The purpose of this meeting, we'll have two  
18 public hearings; one on the Environmental Impact Report  
19 Scoping Session. So this will provide the Commission and  
20 the public an opportunity to provide comments on the scope  
21 of the EIR.

22           And then we'll move into a Study Session to  
23 provide feedback on the project itself, including the  
24 design, open space, proposed uses, et cetera. No actions  
25 will be taken tonight.

1           And then one update. We did receive one  
2 additional item of correspondence this afternoon. The  
3 commenter generally expressed concerns with the use of  
4 natural gas heating for the lab spaces, removal of  
5 heritage trees on-site, existing heritage trees on-site,  
6 and then asked the Planning Commission to look at  
7 restricting biosafety levels to restricting bio safety  
8 levels three and above.

9           And with that, our recommended meeting format for  
10 this evening, we'll do the EIR Scoping Session. So we'll  
11 have just one presentation by the applicant. It will  
12 serve as the presentation for both the EIR portion and the  
13 Study Session.

14           Then we'll hear from our consultant from Dudek on  
15 the Initial Study. Then we can answer any clarifying  
16 questions, take public comments, and then close the  
17 Scoping Session.

18           And then we can move into the Study Session  
19 portion. We can open public comment for that portion and  
20 then have any clarifying questions and discussion from the  
21 Planning Commission.

22           So with that, I will hand it over to the  
23 applicant team.

24           MS. ESCHWEILER: (Audio disruption) -- we  
25 represent the design team and Tarlton Properties for the

1 project known as 985 and 1005 O'Brien, and 1320 Willow  
2 Road. And we have a slide show, I think.

3 Thanks, Chris.

4 MR. TURNER: Sorry. Just through the Chair, my  
5 colleague will be presenting the slides. I think now we  
6 got it up. So sorry about that.

7 MS. ESCHWEILER: This is the Dudek presentation,  
8 not the DES presentation.

9 MR. TURNER: Sorry about that. We are working on  
10 getting the correct presentation.

11 CHAIR HARRIS: Would you prefer a little bit of  
12 time? We could take a short break, which we're going to  
13 do at some point anyway. Would that be helpful?

14 Okay. You know what? We're going to take a  
15 short -- we'll just take a five-minute, maybe six-minute  
16 break.

17 Sorry to be interrupting in the presentation, but  
18 I want to give staff some time. Five minutes. Thanks.

19 (Brief recess taken.)

20 CHAIR HARRIS: Okay. Thank you. And we're back.  
21 I think we have the staff presentation -- I'm sorry -- the  
22 architect presentation.

23 And if you could please go ahead with your  
24 presentation. Thank you.

25 MS. ESCHWEILER: Thank you very much, Chair

1 Harris.

2 Susan Eschweiler, with DES Architects and  
3 Engineers. I'm here tonight to present the 1005 O'Brien  
4 Drive and 1320 Willow Road projects.

5 COMMISSIONER RIGGS: Excuse me, Susan. Could you  
6 lift the microphone just a bit? Thanks.

7 MS. ESCHWEILER: Thank you.

8 So who do I cue? Chris? Okay.

9 So just as a reminder, this is a project on -- at  
10 the corner of Willow Road and O'Brien Drive. It is part  
11 of the LSB District, and it is adjacent to the  
12 Hetch-Hetchy Right of Way.

13 It is a combination of properties -- you can go  
14 on to the next one -- that will be part of the Menlo Park  
15 Labs Life Science area that is developed by Tarlton  
16 Properties. We -- this is -- as it's stated in the Staff  
17 Report, there's a five-story building, a four-story  
18 building, and a parking garage that will be put on these  
19 properties, but you can see how it relates to the rest of  
20 the Tarlton developments along O'Brien Drive.

21 We were here not long ago for the 1125 O'Brien  
22 Drive project at the corner, as the bend of the road at  
23 O'Brien Drive, and then it wraps around to the area where  
24 we were here for 1350 Adams Court not long ago as well.

25 Next.

1           So Menlo Park Labs is a burgeoning Life Science  
2 District developed by the Tartltons, and it has --  
3 includes Pacific Bio Sciences that you see in the upper  
4 left. It has a full service cafeteria, air cafe and  
5 fitness center on O'Brien Drive that serves the tenants of  
6 the park. And it has a variety of different research and  
7 development companies that do anything from cancer  
8 research to medical devices to other types of research and  
9 development for -- that are related to life sciences and  
10 health care.

11           The features of the park is that Tarlton is a --  
12 very much involved in the transportation concerns that  
13 Mr. Riggs mentioned before. And John Tarlton is an avid  
14 cyclist. And so we have very much focused on on-site  
15 bicycle storage and bicycles that can go from -- around  
16 the park itself. We'll be adding in this project 48  
17 long-term bike parking and 20 short-term parking. The  
18 long-term parking will be in the parking garage, and the  
19 20 will be near the entries to the buildings. And this  
20 complements the other -- the 132 other bicycle parking  
21 spaces that we have in the rest of the park.

22           As part of our TDM program, we will be having  
23 showers and changing rooms to support the bicycle riders  
24 and other people who may be walking or doing fitness in  
25 the park. We'll have four womens' and four mens' changing



1 rooms and shower rooms in this new facility.

2           There -- as I mentioned, there is a fitness  
3 center with multiple showers in that -- in 1440 O'Brien  
4 Drive, where the cafe is.

5           Tarltons provide a -- Menlo Park ride-share  
6 electrical vehicles. They have championed electrical  
7 vehicle charging stations throughout the park. There are  
8 over 200 of them already. And we will be adding 28 EV  
9 ready spaces here, 83 EVSEs and 44 clean-energy parking  
10 spaces.

11           In addition, there is a shuttle service that goes  
12 from Union City and Fremont BART to the park, Palo Alto  
13 Caltrain, Milbrae BART, and two locations in San  
14 Francisco. And this is all in an effort to keep cars off  
15 of the road.

16           Next.

17           So the site itself, unusual sites that were  
18 developed long ago in sort of rhomboid and trapezoid-kind  
19 of shapes. And this will be -- this project combines  
20 these three sites: 985 O'Brien Drive, 1001 O'Brien Drive,  
21 and 1320 O'Brien Drive. And you can see that there are  
22 buildings on -- three buildings built.

23           For the Phase 1, two of the buildings will come  
24 down, and a portion of the 13 Willow property will come  
25 down. And there will be a phased project that would go

1 in, with a five-story and a parking structure. And then  
2 in the second phase, the rest of 1320 Willow would come  
3 down for the second four-story building.

4           The buildings that are existing there today are  
5 one-story concrete tilt-ups that were, essentially, kind  
6 of warehouse -- nondescript warehouses. And where the  
7 parking structure goes, there's actually just a paved  
8 parking lot right now.

9           So here's the site from a Google Maps standpoint.  
10 The three properties will be combined, and then lot lines  
11 adjusted to accommodate the new -- new building layouts.  
12 And so the ones that are in gray would come down in Phase  
13 1, and the one that is in -- has a white roof would remain  
14 until Phase 2.

15           As you can see, our approach to developing this  
16 is really to give back a lot of open space on the project.  
17 And as part of the LSB requirements, there's a 20 percent  
18 open space, which is all shown in green. And 10 percent  
19 of open space would be dedicated to the public.

20           What our strategy is here is to design the public  
21 open space along the areas to the north. 70 percent of  
22 the public space would be in the dark green area to the  
23 north, along the Hetch-Hetchy, across from the Peninsula  
24 High School, and directly across from the public access  
25 park of the Willow Village. 30 percent of the public open

1 space would be along O'Brien Drive. And as you'll see in  
2 the later slides, we're developing those to have a variety  
3 of different types of landscape treatments.

4 In between the parking garage and 1005 O'Brien  
5 would be a private courtyard for the use of the tenants.  
6 Along that upper portion, where the dark green was on the  
7 previous slide, we are developing pathways and seating  
8 areas and some passive resting zones coming from Willow  
9 Road, in parallel to the Hetch-Hetchy, and which is  
10 actually part of the -- where the Peninsula High School  
11 has its parking lot.

12 And directly adjacent to the soccer field of  
13 Peninsula High School, we will be developing a sports  
14 court and public amenity area for picnicking under  
15 catenary lights. And a really nice resting spot there.  
16 The sport court would be part of the public amenity and  
17 would also be available, perhaps, if the school would want  
18 to use it.

19 Along O'Brien Drive, we have a public sidewalk  
20 that would go in along the street, as well as some  
21 walkways in front of the 1005 O'Brien project.

22 There is a pathway that connects from O'Brien --  
23 you can go to the next one. It's fine -- a pathway that  
24 connects from O'Brien, up the -- you see up the east side  
25 of the parking garage to that sport court's area.

1           This is denoting Phase 1 of the project where  
2 you'd have the 1005 five-story building along O'Brien  
3 Drive, and the parking garage to the rear, adjacent to --  
4 backing up to the public open space. In this Phase 1,  
5 1320 Willow remains along Willow -- Willow Drive -- Willow  
6 Road.

7           This is a view of the 1005 O'Brien project. That  
8 -- the building itself is five stories. It would be  
9 composed of bird-safe blue glazing, with a -- dark  
10 charcoal-colored mullions. It will be two colors of GFRC  
11 glass fiber reinforced panels. And it's designed to have  
12 a roof deck at the top, with a nice flat shelter roof at  
13 that point.

14           And I know that one of the staff items was  
15 talking about the modulation. And we've developed this  
16 kind of a shorter roof at the top of the second floor,  
17 between the second and the third floor. And that really  
18 gives that modulation -- you know, kind of breaking up the  
19 massing of the building, as well as connecting as it goes  
20 -- wraps around the corner. That's the V-shape roof that  
21 you see with the "1005" sign.

22           The lobby is at the corner. It would be a nice  
23 two-story glass lobby that you would come into, and you  
24 would be able to have all the transparency at that ground  
25 floor level.

1           This is an aerial view of the same building. Now  
2 we've taken off -- we're kind of seeing through that flat  
3 top shelter roof at the roof garden. So that's a private  
4 space for use of the tenants, conference room, and private  
5 deck at that location.

6           And then, when Phase 2 comes along, the remainder  
7 of 1320 Willow Road is removed, and the two stories of  
8 additional parking is put on the garage. And we have --  
9 the four-story building at 1320 Willow Road would be  
10 built.

11           The entry to 1320 is off of Willow Road itself.  
12 So we have developed driveways that -- we have two  
13 driveways off of O'Brien, and a single driveway off of  
14 Willow, which would be right in and right out.

15           All three buildings would be built to elevation  
16 14.8, I believe, which is two feet above base flood  
17 elevation.

18           And this is a view from Willow Road of the entry  
19 into 1320 Willow. And you can see how inviting it is to  
20 have the trees on the left, that would bring you in from  
21 Willow Road into the public -- publicly-accessible open  
22 space that would run down the side of 1320 to that sports  
23 court in the distance.

24           This building also has the same material finishes  
25 as 1005. So they would look like a set of GFRC panels and

1 the same type of bird-friendly glass. And then this is --  
2 this building, 1320, would also have a roof deck for the  
3 tenants themselves.

4 And as the Tarltons are always very focused on  
5 maximizing the green building design features for 1005, we  
6 will be going for LEED Gold. And on 1320, we'll be  
7 targeted for LEED Silver. They will be purchasing 100  
8 percent renewable energy from clean PCE and additional  
9 carbon offset.

10 Both projects, we've set aside some areas for  
11 some solar PVs on the available part of the roof, where we  
12 also will have roof screens that are enclosing any kind of  
13 mechanical for the building itself.

14 We have optimizing windows. You saw a lot of the  
15 nice glazed areas to bring in natural daylight and take  
16 advantage of the views across the bay, and also to the  
17 hills on the west.

18 We have -- we always do a -- reduced water-use  
19 fixtures throughout the buildings and use  
20 sustainably-sourced materials.

21 We do have natural gas that we are using for  
22 heating of the labs, but that would be offset with carbon  
23 offsets. We install all LED light fixtures throughout the  
24 buildings, both inside and out. And we always are working  
25 towards diverting as much construction waste from the

1 landfills.

2           The building materials themselves would be here.  
3 The two colors of GFRC -- and that's kind of a theme that  
4 we're using throughout the business park of having a  
5 lighter color and a darker gray for the GFRC. And these  
6 buildings, we're introducing a wood-look metal for accents  
7 of trellised areas on the front, example of -- at 1320,  
8 along Willow Road, we have the blue-tint glass, and we  
9 have gray metal panels. The blue tint glass would be bird  
10 friendly.

11           And then for the mechanical screens, we are using  
12 the corrugated metal for mechanical screens.

13           And, lastly, this is a couple of views of the  
14 garage, both in its four-story format, and then when the  
15 additional two stories are added. And for that, we're  
16 going to be doing a really nice patterning with a mesh --  
17 colored mesh that would have charcoal and a lighter color  
18 mesh on the elevation to screen the views of the cars,  
19 along with concrete at the stair course at the corners.

20           And that concludes my presentation of the 1005,  
21 1320 Willow Road project.

22           CHAIR HARRIS: Thank you for that presentation.

23           Do we have a presentation from the EIR  
24 consultant?

25           Thank you. Please proceed.

1 MS. WAGH: Oh. Good evening. Sorry. I was  
2 expecting staff to pull up the presentation.

3 But good evening. My name is Katherine Wagh.  
4 I'm a Senior Project Manager with Dudek, and we are  
5 serving as the City's environmental consultant for this  
6 project.

7 And as Chris set up and the intent of tonight's  
8 meeting is to review the scope of the Environmental Impact  
9 Report.

10 So next slide, please.

11 Excuse me. So I'll just do a quick overview of  
12 the purpose of a Scoping Session: Review the content of  
13 the Initial Study that we've prepared, that accompanies  
14 the Notice of Preparation, And review the Environmental  
15 Impact Report, the anticipated scope of that document.

16 And then, you know, the main intent here is to  
17 receive public comments on both the Initial Study and the  
18 Environmental Impact Report Scope of Work.

19 Next slide. Thank you.

20 So the purpose of a Scoping Session is to  
21 understand, you know, what the basic intent of the project  
22 is, and the key project elements, which we've just heard  
23 from the project applicant's team, and then, again, to  
24 receive the -- any comments from the public and other  
25 public agencies that may be involved in reviewing the



1 project, particularly with a focus on considering the  
2 potential environmental effects of a project, strategies  
3 to mitigate those effects by either reducing or avoiding  
4 or providing compensation for those potential effects, and  
5 also to talk about possible project alternatives that  
6 should be evaluated in the Environmental Impact Report  
7 that can help further the analysis and discussion of the  
8 project's benefits and how -- and impacts and other  
9 options that may avoid or reduce some of those effects.

10 Next slide.

11 So at first I will be going over the Initial  
12 Study. As I said, we prepared a detailed Initial Study to  
13 help us narrow down the focus of the Environmental Impact  
14 Report so that we're really just looking at those areas  
15 where there are potentially significant effects.

16 So in the Initial Study, we took the approach of  
17 looking for impacts where compliance with existing  
18 regulations and requirements can help to frame the project  
19 design in a way that avoids those environmental effects in  
20 the first place.

21 And then we also looked at issue areas or  
22 environmental issue topic areas where there is a potential  
23 that a significant impact could occur, but that standard  
24 mitigation measures that the City has relied on for other  
25 projects could, you know, be shown to reduce those impacts

1 to a less-than-significant level so that we don't need to  
2 put additional time and effort into evaluating those  
3 impacts in a greater level of detail in the EIR.

4 And then that leaves us with the final bucket of  
5 environmental topics, which are those that do require that  
6 additional level of analysis in the EIR.

7 Next slide. Thank you.

8 So these are the impact categories where we found  
9 that the impacts -- there would either be no impacts --  
10 so, for example, in the case of agricultural and forestry  
11 resources, there are no such resources on this project  
12 site. And so we can pretty clearly conclude that there  
13 are no impacts in that category; whereas, a lot of these  
14 other ones have what we would consider to be a  
15 less-than-significant impact, because we can demonstrate  
16 that the project is either compliant with existing City  
17 regulations or city/state federal regulations, where  
18 applicable, that the effects of the project would not rise  
19 to a level of significance.

20 And so for most of these resource areas, we found  
21 that -- across the board of the different questions and  
22 checklist items that we need to look at in an Initial  
23 Study, that these impacts would be either -- there would  
24 be none, or we would have less than significant impacts.

25 But I did want to highlight that we have two

1 items on here that will also show up in the EIR. But  
2 we've been able to narrow down within that subject area  
3 the specific items that we need to look at. So those two  
4 are air quality and noise.

5 For example, noise. You know, there are no  
6 airports or airstrips within close-enough proximity to the  
7 project site that there would be an exposure to excessive  
8 noise levels. And so we're able to streamline preparation  
9 of the Environmental Impact Report and, therefore,  
10 streamline the City's process to review and consider that  
11 information by eliminating that topic -- that subtopic, I  
12 guess you could say, from further analysis in the EIR.

13 And similarly, with air quality, we found that  
14 because the project is consistent with the land use and  
15 zoning designations for the project site, it is considered  
16 to be consistent with the air quality plan for the region.

17 And we also found that there's nothing in this --  
18 none of the project components that would have a potential  
19 to generate odor that is outside the typical odor  
20 generation of this type of land use and zoning  
21 designation.

22 Next slide, please. Thank you.

23 So this slide lists the five topics where, in the  
24 Initial Study, we found there was a potential for a  
25 significant impact, but those impacts could be controlled

1 with mitigation measures. And, again, these are  
2 mitigation measures that the City has typically applied to  
3 other projects of a similar scope and nature. And so they  
4 are mitigation measures that have been vetted through the  
5 City's experience.

6           So under the topic of biological resources, this  
7 is a common issue, when you are demolishing buildings or  
8 doing any kind of ground disturbance, is that there's a  
9 potential for nesting birds or nesting bats to occur  
10 within the project site. And with the protocols set forth  
11 in the mitigation measures, we know that we can implement  
12 these measures in a way that we can do pre --  
13 pre-construction or pre-demolition surveys to verify what  
14 those conditions are; whether those species are or are not  
15 present, and if they are present, the subsequent measures  
16 that need to be taken to ensure that they can vacate the  
17 property prior to demolition or other disturbance such  
18 that there are no significant impacts to those species.

19           And similar mitigation measures are identified  
20 for the other resource topics, which I'd be happy to  
21 answer questions for. But in the interest of keeping the  
22 presentation brief, I'm going to, you know, just go to the  
23 next slide, and let you guys ask questions.

24           But the next two slides just give us a quick  
25 outline of those mitigation measures.

1           So as I mentioned with the biological resources,  
2 it's the pre-construction surveys for nesting birds. For  
3 the cultural work -- or cultural issues, it's a similar  
4 approach of identifying protocols that would be followed,  
5 should any resources be encountered during construction.

6           Next slide, please.

7           And so then we'll see here three more of the  
8 cultural mitigation measures. They're just very specific  
9 as to the types of resources that may be identified.

10          And then, under the topic of hazardous materials  
11 is a site mitigation plan to ensure that as building  
12 demolition occurs, and ground disturbance occurs,  
13 appropriate protocols are followed to manage any hazardous  
14 materials that may be contained within those buildings or  
15 deposited within the soils.

16          Next slide.

17          And so as I said, these are the five topics that  
18 we have found that warrant review -- more detailed review  
19 within the Environmental Impact Report. And so Dudek  
20 staff are preparing technical studies regarding air  
21 quality and greenhouse gas emissions, as well as noise and  
22 transportation.

23          And then we're working with a subconsultant, BAE  
24 Urban Economics, to evaluate population and housing needs  
25 that may be associated with the project.

1           This slide provides you some of the key  
2 milestones in the environmental review process under CEQA.  
3 And so, as you noted through the Staff Report, the Notice  
4 of Preparation was published on June 2nd; and then it  
5 includes the Initial Study that I spoke about briefly  
6 earlier.

7           And tonight we are taking, you know, public  
8 comments for the review of -- or for the future work that  
9 we will be putting into the Environmental Impact Report to  
10 ensure that we capture all of the important environmental  
11 resource issues that may be of concern to the community.

12           In addition to anybody who wants to provide  
13 verbal comments tonight, written comments can be submitted  
14 to the City through the end of the day on July 5th.

15           And then we anticipate to publish the Draft EIR  
16 in the fall of this year. We would have a similar public  
17 hearing as we're having tonight in order to receive  
18 comments on the content of that Draft EIR.

19           And then, finally, we would prepare the Final  
20 EIR, where we provide written responses to all of the  
21 comments that are received on the Draft EIR, and to  
22 clarify any of that analysis or elaborate upon any of the  
23 issues that are of concern.

24           Thank you.

25           And so, finally, just a reminder that public

1 comments can be submitted -- and I realized earlier, I  
2 think it was mentioned that comments are accepted until  
3 5:30 p.m., as opposed to 5 o'clock sharp, as I've noted on  
4 this slide. But this provides folks with address -- both  
5 mail and e-mail addresses to submit those comments.

6 And that is -- concludes my presentation. As I  
7 said, I wanted to keep it brief. But I'm happy to answer  
8 any questions that folks might have.

9 CHAIR HARRIS: Thank you so much for that  
10 presentation.

11 Does staff have anything else to add? Otherwise,  
12 we're going to bring it back here for clarifying  
13 questions.

14 MR. TURNER: I do not have anything else, but I'm  
15 happy to answer questions.

16 CHAIR HARRIS: Okay. Are there any  
17 clarifying questions from any of the commissioners, before  
18 we go to public comment on -- and this would specifically  
19 be just on the EIR portion. We will be doing a study  
20 session after the EIR portion. But if there are any  
21 clarifying questions from the commission, before we go to  
22 public comment on the EIR.

23 Okay. Seeing none, let's move to public comment.  
24 And just as a reminder, you will have two opportunities to  
25 comment. This first time is to comment specifically on

1 the EIR. So if you have comments -- to the public, if you  
2 have comments on the EIR, please raise your hand now.

3 And if you have general comments about the  
4 project, we will have another opportunity for those  
5 comments after we complete the EIR study session.

6 MR. PRUTER: Thank you, Chair. Thank you, Chair  
7 Harris. At this time, I don't see any hands raised.

8 With a reminder to the public, if you're in  
9 person, and you'd like to speak on this item, please feel  
10 free to fill out a comment card and send it over to me,  
11 and we can have you speak here, in person, at the Council  
12 chambers. Otherwise, those on Zoom, you can press your  
13 hand icon on your Zoom interface, and we can have you take  
14 the opportunity to speak. Or if you're by phone, you can  
15 press star nine.

16 We can wait a moment, if you'd like. I still see  
17 no hands.

18 CHAIR HARRIS: I see no hands either.

19 I think we've had enough time. So let's close  
20 public comment for the EIR and bring it back to the  
21 commission for comments and thoughts on the EIR project  
22 alternatives.

23 Who would like to start us off?

24 Okay. While the other commissioners are thinking  
25 about their ideas and questions, I have a couple of --



1 I'll just start with one of my own.

2 So for studying the air quality -- this is a  
3 question for the EIR consultant, Miss -- how do you  
4 pronounce your last name?

5 MS. WAGH: Wagh [pronouncing].

6 CHAIR HARRIS: Ms. Wagh [pronouncing].

7 So when studying air quality, does that take into  
8 account the diesel generators, in the event that they  
9 could be on for multiple days, if we have an outage?

10 MS. WAGH: So, yes. As part of the air quality  
11 analysis, we will be conducting a health risk assessment.  
12 And that is where you find the most weight put upon the  
13 use of diesel generators.

14 And I will make a note to check with our air  
15 quality modelers, in terms of what assumptions they're  
16 going to be using, in terms of the amount of time that a  
17 diesel generator is operating. We typic -- well, we often  
18 will look at them simply as an emergency situation.

19 And in the past, in my experience, we haven't  
20 looked at that as needing to be run for multiple days.  
21 But you make a good point that, you know, conditions are  
22 changing, and sometimes that is necessary. So I will have  
23 to get back to you. I don't have a firm answer on that,  
24 but I will make a note to make sure that we think about  
25 that, as we're getting into that modeling.

1           CHAIR HARRIS: Thank you so much. My concern is  
2 that there are residential neighborhoods around -- very  
3 close around. So I just want to ensure that we know what  
4 we're getting into with the diesel generators.

5           Let's see. So for population and housing, I  
6 understand that you are not going to be the lead agency  
7 for this. But in the past, we've calculated based on  
8 different percentages of what we would expect to be  
9 residing in Menlo Park based on this new development.

10           Is that the same? And what are -- what are those  
11 percentages?

12           MS. WAGH: Do you mean the percentage of  
13 employees at this property that may reside within the city  
14 or --

15           CHAIR HARRIS: Yes. Yes.

16           MS. WAGH: Okay. So, again, as you recognize, I  
17 don't -- I don't know the answer off the top of my head.  
18 But, again, I'm adding that to my notes.

19           And I know that, you know, our subconsultant BAE  
20 Urban Economics, have worked in the region on multiple  
21 projects. And so they have that data at their fingertips,  
22 in terms of looking at the types of jobs, the income  
23 ranges, and existing levels of employment, unemployment,  
24 and all of those other factors that help them to develop  
25 those assumptions.

1 CHAIR HARRIS: Okay. Thank you.

2 And one more question. There's been a lot of  
3 discussion, and I'm sure there will be more discussion  
4 tonight, about BSL levels. And my understanding is that  
5 an EIR cannot take a look at that, given that we don't  
6 know yet who the -- who will be leasing, and which  
7 companies will be in those -- in those properties.

8 But I just wanted to clarify that that is the  
9 case -- if we will not -- that the EIR cannot study the  
10 effects of different BSL levels?

11 A I'm sorry. I have to admit, I don't know what  
12 you mean by "BSL levels."

13 Q Okay. The biological safety --

14 A Oh, yes. Yes. Thank you.

15 That is correct. So -- sorry. I'm writing that  
16 one down as well.

17 So, yes. It is very difficult, in the context of  
18 the CEQA environmental review, that a building can  
19 accommodate multiple different types of end users, and  
20 that end user may change over time. But we can certainly,  
21 you know, investigate the -- you know, I can learn more  
22 about the issue, hopefully with the support of City staff,  
23 and figure out if there are particular mitigation measures  
24 or conditions of approval that may be useful to the City  
25 in providing better control or better assurance over those

1 concerns.

2 CHAIR HARRIS: Thank you.

3 All right. That concludes my questions for now.

4 Who would else -- who else would like to comment?

5 Vice Chair Do?

6 VICE CHAIR DO: Thank you, Chair Harris.

7 The current alternatives listed are no project  
8 and base level. I read that in the Staff Report.

9 Through the Chair, would it -- is it possible  
10 that an alternate could explore a scenario where the TDM  
11 reduces the vehicle trips by significantly increased  
12 number, say 50 percent, rather than -- I think it's 20  
13 percent is required, since the point of the alternatives  
14 is to identify alternatives that minimize or decrease  
15 impacts, such as air quality, emissions, and noise, due to  
16 traffic?

17 MS. WAGH: Yes. And that's definitely one of the  
18 considerations that we look into, as we're developing the  
19 project alternatives.

20 It's important to know that CEQA requires that  
21 the greatest focus of the alternatives' analysis is,  
22 first, to identify what the significant impacts of the  
23 project are and then design the alternatives in a way that  
24 would reduce those particular impacts.

25 So until we've done the modeling analysis to

1 identify what the air quality, greenhouse gas, noise, and  
2 transportation impacts are, it's hard to say, you know,  
3 what's the right percentage to look at for a TDM plan to  
4 avoid those impacts.

5           In some cases, you know, we might find that the  
6 impacts are, you know, very large and, therefore, we do  
7 need to look at something like a 50 percent reduction.  
8 But in other cases we might find that those impacts either  
9 don't occur when we have the 20 percent level TDM, or  
10 maybe they occur, but we don't quite need to go to 50  
11 percent; we need to go more like to 25 percent.

12           And so it's not something that we can set today,  
13 without having completed the modeling analysis to  
14 understand what those impacts are because CEQA requires  
15 that -- you know, that the City is limited to looking at  
16 alternatives that would substantially reduce a significant  
17 impact; whereas, when there's an impact that's not  
18 significant, that there's a little bit more of a  
19 limitation on how broad we can design those alternatives.

20           VICE CHAIR DO: Oh, okay. Got it. So I think I  
21 was just -- I understand that the analysis has to come  
22 first. I guess I was jumping to the conclusion because  
23 those air quality and emissions and transportation noise  
24 do seem to tend to be the more impactful consequences of  
25 development.

1           That's it for now. Thank you.

2           CHAIR HARRIS: Thank you, Vice Chair Do.

3           Commissioner Riggs.

4           COMMISSIONER RIGGS: Yes. Thank you. I wondered  
5 if I could follow up on the previous question.

6           Given that this is a scoping meeting, regardless  
7 of what the actual impacts turn out to be, or the  
8 estimated impacts turn out to be during the next few  
9 months of examination of this project, can we not, as a  
10 commission, ask that there be a 50 percent TDM version as  
11 one of the alternates?

12           MS. WAGH: Well, so as I was mentioning, the  
13 focus under CEQA is that the alternatives need to be  
14 something that can be shown to reduce something that has  
15 been identified as a "significant impact." And so there  
16 are some limitations as to what the City can, you know,  
17 require, as a project alternative in the EIR setting.

18           There are, you know, cases, though, where we do  
19 look at alternatives that maybe go a bit beyond what the  
20 fine letter of the law requires under CEQA. And it's --  
21 also, we look at these things in a more comprehensive  
22 nature, as opposed to just focusing in on one particular  
23 issue, but trying to look at the project comprehensively  
24 because sometimes, there are ways that -- reducing an  
25 impact in one issue, category, can also help to reduce an

1 impact in another issue.

2           And so typically our approach is that during the  
3 scoping session, we take all of the input and suggestions  
4 and keep those all in the front of our mind, as we're  
5 going through the impact analysis, in developing  
6 mitigation measures to ensure that we develop alternatives  
7 that are, you know, feasible to implement, as well as meet  
8 city and regional objectives, and as well as achieve that  
9 goal, under CEQA, of reducing the impacts that have been  
10 identified.

11           COMMISSIONER RIGGS: Well, pursuing that logic, I  
12 can tell you that it would be helpful to the Commission,  
13 and I believe to City Council, to know what comparative  
14 effect it would have on, for example, greenhouse gas  
15 emissions, if we went to 50 percent diversion, rather than  
16 20 or 25 percent diversion. That would not only be  
17 informative on this project, but on future projects.

18           For example, this prompt might not be necessary  
19 on the next project because we will have already  
20 established a baseline through this project. Does that  
21 make sense?

22           MS. WAGH: Yes. Definitely. And it is -- you  
23 know, it's a great perspective to want to, you know, apply  
24 lessons learned from one project to carry forward to  
25 future projects.

1           We get into an issue where we need to balance the  
2 City's responsibilities and obligations for an individual  
3 project, versus the community-wide planning efforts. But  
4 we can certainly work with -- with staff and City Attorney  
5 to figure out, you know, the best way that we can meet  
6 those -- those goals within the context of this individual  
7 project, as well as, you know, having a broader  
8 perspective, you know, community wide.

9           COMMISSIONER RIGGS: Thank you.

10          CHAIR HARRIS: Just to, again, piggyback with the  
11 rest of the folks who have spoken about this. I think, as  
12 a commission, we've been disappointed in the EIRs that do  
13 not show us a larger reduction in TDM. So to the extent  
14 that you can figure out a way to have this 50 percent  
15 diversion studied, I think that is going to be the best  
16 thing for this -- for this project and for this EIR plan.

17          Who else would like to speak?

18          Commissioner Barnes.

19          COMMISSIONER BARNES: So good evening, Ms. Wagh.  
20 I want to say that I thought that your presentation slides  
21 were excellent and very clear, and I appreciate your  
22 responses. I found them to be very clear as well. I  
23 appreciate that.

24          Question, as it relates to the phasing in of  
25 electric vehicles and the emissions of greenhouse gases in



1 vehicles and how that's calculated. To what extent of  
2 that phasing in of different types of electrical vehicle  
3 -- electric vehicles figured into the calculation of what  
4 is or is not greenhouse gas emissions?

5 MS. WAGH: Sure. So we typically look at  
6 statewide and local regulations. And often you'll see a  
7 firm target or required, you know, percentage of the  
8 vehicle fleet that must be electric by a certain point in  
9 time in years. And so that's -- those are the data points  
10 that we will build into the modeling, or sometimes the  
11 modeling programs already have those built in.

12 And the intent here is that we don't want to  
13 engage -- well, CEQA precludes us in engaging in  
14 speculation. So even though it may be a community ideal  
15 to achieve greater than what the state mandate is, we  
16 don't want to assume that for the purposes of modeling  
17 because we might be painting a more-rosy picture than what  
18 the City can really rely upon.

19 And so that is, you know, in a short -- the short  
20 answer would be -- is, you know, we look at what the  
21 actual regulations are on the ground; whether it's at the  
22 state level, or if there's something specific in local or  
23 regional regulations, which typically don't rise to that  
24 level of mandating, you know, certain percentages of EVs  
25 -- electric vehicles. Excuse me. And that's what we use

1 to build that modeling based on.

2 COMMISSIONER BARNES: Allow me to understand that  
3 a little bit more.

4 So what we're essentially -- we talk about the  
5 project, and we talk about TDMs. Essentially, what we're  
6 doing is, we're looking at car trips; right? So for --  
7 for a specific project, what's the to and from, and what  
8 are the car trips associated with that particular project?

9 Then, within that, there would be some model for  
10 what the estimation is for how many of those vehicles  
11 would be combustion engine, versus not-combustion engine.

12 And I don't know that Menlo Park, for instance,  
13 says, "Hey. Look" -- first of all, I don't know if Menlo  
14 Park says, "Hey, look. You have to have an electric  
15 vehicle." The state might, at some point, say 2035,  
16 electric vehicles -- the new ones have to be electric, not  
17 combustion. But all of that is regulations on production.  
18 It's not regulation as to how many need to be driven at  
19 any given time.

20 So just so I understand what you're saying, is  
21 there a model that makes an assumption about the adoption  
22 of how many electric vehicles coming in and out based on  
23 adoption, or is that considered speculation as well?

24 And I don't -- I'm trying to figure out how that  
25 change in emissions from vehicles gets calculated and not

1 calculated into the formula.

2 MS. WAGH: Sure. Again, this is not -- I'm not  
3 one of the people that does the air quality modeling, so I  
4 don't have all of the lingo at my fingertips.

5 My understanding is that, you know, the main  
6 controlling regulation is from the state because the  
7 cities and counties and other regional bodies don't really  
8 have the power to regulate automobile manufacture and  
9 sales.

10 And you're right. It is really more of the  
11 manufacture end where the state can regulate. The state  
12 can't mandate to me personally which kind of vehicle I  
13 buy. And, you know, multiply that to every citizen of  
14 your city.

15 But there are models and data that tracks how  
16 quickly the fleet is turning over, and how quickly old  
17 cars are being retired, and new cars are being purchased  
18 -- whether those are new combustion engines that meet  
19 higher efficiency requirements under state and federal  
20 law, or whether they are combustion engines being replaced  
21 by electric vehicles or even hybrids -- all of these  
22 different types of models that are available. So there's  
23 all of this data that shows, you know, how that trajectory  
24 has been going over the last set number of years.

25 And then there's inputs for those air quality

1 modeling programs that is developed by looking at the  
2 trajectory and putting a reasonable protection on how that  
3 is going to continue in the future. And those are the  
4 sources of data that feed into the air quality monitor  
5 modeling.

6 COMMISSIONER BARNES: Got it.

7 And that's not necessarily speculation. That's  
8 taking data and extrapolating outwards and putting into  
9 the model?

10 MS. WAGH: Right.

11 And we do use the state regulations. And so the  
12 data that we have in the past is based on a certain set of  
13 regulations. And if you look at the fuel efficiency  
14 standards, that's one of the things that's a little easier  
15 for folks to wrap their heads around.

16 And we can look at, now that there's a bright  
17 line where those regulations change, and they say you have  
18 to be 10 percent better or 5 percent better, whatever the  
19 number is, and then they can -- the projected modeling  
20 data can take that regulation into account and assume you  
21 know, based on the year in which that regulation takes  
22 effect -- you know, the numbers can be adjusted, based on  
23 that.

24 COMMISSIONER BARNES: Great. Thank you for  
25 enhancing my understanding. I appreciate it. Thank you.

1                   CHAIR HARRIS: Thank you for those questions,  
2 Commissioner Barnes.

3                   Does anybody else have any questions on the EIR  
4 at this time?

5                   If not, I really appreciate your presentation and  
6 your clarity in answering all of our questions. So thank  
7 you so much.

8                   MS. WAGH: Thank you.

9                   CHAIR HARRIS: At this point, I am going to close  
10 the EIR Scoping Session, and we are going to have any  
11 clarifying question -- we're going to move on to the Study  
12 Session for the project.

13                   And if any of the commissioners have any  
14 clarifying questions for staff or the applicant, before we  
15 take public comment on the Scoping Session, I would take  
16 those now.

17                   (Whereupon, Agenda Item F-3 and G-1 completed.)

18

19   --o0o--

20

21

22

23

24

25

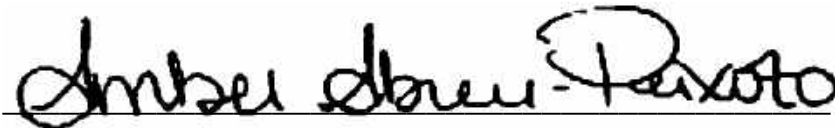
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE OF REPORTER

I, AMBER ABREU-PEIXOTO, hereby certify that the foregoing was taken in shorthand by me, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true, and correct report of said proceedings which took place;

That I am a disinterested person to the said action.

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of July, 2023.



AMBER ABREU-PEIXOTO, CSR No. 13546

-	4	<b>actual</b> 33:7 36:21	<b>alternatives</b> 20:5 27:22 31:7,13,14,19,23 32:16,19 33:13,19 34:6
--o0o-- 40:19	<b>44</b> 12:9	<b>Adams</b> 10:24	<b>alternatives'</b> 31:21
1	<b>45</b> 5:22	<b>add</b> 26:11	<b>Alto</b> 12:12
<b>1</b> 12:23 13:13 15:1,4	<b>48</b> 11:16	<b>added</b> 18:15	<b>amenities</b> 5:12,14
<b>1.24</b> 5:9	5	<b>adding</b> 11:16 12:8 29:18	<b>amenity</b> 14:14,16
<b>10</b> 5:5 13:18 39:18	<b>5</b> 26:3 39:18	<b>addition</b> 12:11 25:12	<b>amount</b> 28:16
<b>100</b> 17:7	<b>50</b> 31:12 32:7,10 33:10 34:15 35:14	<b>additional</b> 8:2 16:8 17:8 18:15 21:2,6	<b>analysis</b> 20:7 21:6 22:12 25:22 28:11 31:21,25 32:13,21 34:5
<b>1001</b> 12:20	<b>5:30</b> 7:2 26:3	<b>address</b> 6:15 26:4	<b>answering</b> 40:6
<b>1005</b> 4:9 5:21 7:11 9:1 10:3 14:4,21 15:2,7,21 16:25 17:5 18:20	<b>5th</b> 7:2 25:14	<b>addresses</b> 26:5	<b>anticipate</b> 25:15
<b>1125</b> 10:21	6	<b>adjacent</b> 10:11 14:12 15:3	<b>anticipated</b> 19:15
<b>13</b> 12:24	<b>6596.2</b> 6:24	<b>adjusted</b> 13:11 39:22	<b>applicable</b> 21:18
<b>132</b> 11:20	7	<b>adjustment</b> 4:13	<b>applicant</b> 5:3,13 7:5 8:11,23 40:14
<b>1320</b> 4:10 7:12 9:1 10:4 12:21 13:2 15:5 16:7,9, 11,19,22 17:2,6 18:7,21	<b>70</b> 13:21	<b>admit</b> 30:11	<b>applicant's</b> 19:23
<b>1350</b> 10:24	8	<b>adoption</b> 37:21,23	<b>applicants</b> 7:8
<b>14.8</b> 16:16	<b>83</b> 12:9	<b>advantage</b> 17:16	<b>applied</b> 23:2
<b>1440</b> 12:3	9	<b>aerial</b> 16:1	<b>apply</b> 34:23
2	<b>985</b> 7:11 9:1 12:20	<b>Aesthetics</b> 6:8	<b>approach</b> 13:15 20:16 24:4 34:2
<b>2</b> 13:14 16:6	A	<b>afternoon</b> 8:2	<b>approval</b> 30:24
<b>20</b> 11:17,19 13:17 31:12 32:9 34:16	<b>accents</b> 18:6	<b>agencies</b> 19:25	<b>approval</b> 30:24
<b>200</b> 12:8	<b>accepted</b> 26:2	<b>agency</b> 29:6	<b>approximately</b> 5:5,8
<b>2023</b> 6:7 7:2	<b>access</b> 13:24	<b>Agenda</b> 40:17	<b>architect</b> 9:22
<b>2035</b> 37:15	<b>accommodate</b> 13:11 30:19	<b>agreement</b> 4:12 5:4	<b>Architects</b> 10:2
<b>228,081</b> 5:8	<b>accompanies</b> 19:13	<b>agricultural</b> 6:9 21:10	<b>architectural</b> 4:12
<b>25</b> 32:11 34:16	<b>account</b> 5:5 28:8 39:20	<b>ahead</b> 7:7 9:23	<b>area</b> 5:7,9 10:15,23 13:22 14:14,25 22:2
<b>28</b> 12:8	<b>achieve</b> 34:8 36:15	<b>air</b> 6:19 11:4 22:4,13,16 24:20 28:2,7,10,14 31:15 32:1,23 38:3,25 39:4	<b>areas</b> 6:19 13:21 14:8 17:10,15 18:7 20:14,21, 22 21:20
<b>2nd</b> 6:6 25:4	<b>Act</b> 6:18	<b>airport</b> 6:13	<b>assessment</b> 28:11
3	<b>actions</b> 7:24	<b>airports</b> 22:6	<b>assume</b> 7:4 36:16 39:20
<b>30</b> 13:25		<b>airstrip</b> 6:13	<b>assumption</b> 37:21
		<b>airstrips</b> 22:6	<b>assumptions</b> 28:15 29:25
		<b>alternate</b> 31:10	<b>assurance</b> 30:25
		<b>alternates</b> 33:11	
		<b>alternative</b> 33:17	

<b>Attorney</b> 35:4	<b>bit</b> 9:11 10:6 32:18 33:19 37:3	<b>California</b> 6:17	<b>citizen</b> 38:13
<b>audio</b> 8:24	<b>blue</b> 15:9 18:9	<b>Caltrain</b> 12:13	<b>city</b> 6:22 12:12 20:24 21:16 23:2 25:14 29:13 30:22,24 32:15 33:16 34:8,13 35:4 36:18 38:14
<b>automobile</b> 38:8	<b>blue-tint</b> 18:8	<b>cancer</b> 11:7	<b>City's</b> 5:25 19:5 22:10 23:5 35:2
<b>avid</b> 11:13	<b>board</b> 21:21	<b>capture</b> 25:10	<b>city/state</b> 21:17
<b>avoid</b> 20:9 32:4	<b>bodies</b> 38:7	<b>car</b> 37:6,8	<b>clarify</b> 25:22 30:8
<b>avoiding</b> 20:3	<b>bonus</b> 4:20 5:11	<b>carbon</b> 17:9,22	<b>clarifying</b> 8:15,20 26:12,17,21 40:11,14
<b>avoids</b> 20:19	<b>bounded</b> 7:14	<b>card</b> 27:10	<b>clarity</b> 40:6
	<b>break</b> 9:12,16	<b>care</b> 11:10	<b>clean</b> 17:8
	<b>breaking</b> 15:18	<b>carry</b> 34:24	<b>clean-energy</b> 12:9
	<b>briefly</b> 25:5	<b>cars</b> 12:14 18:18 38:17	<b>clear</b> 35:21,22
	<b>bright</b> 39:16	<b>case</b> 21:10 30:9	<b>close</b> 8:16 27:19 29:3 40:9
	<b>bring</b> 16:20 17:15 26:12 27:20	<b>cases</b> 32:5,8 33:18	<b>close-enough</b> 22:6
<b>back</b> 9:20 13:16 26:12 27:20 28:23	<b>broad</b> 32:19	<b>categories</b> 21:8	<b>code</b> 5:25 6:25
<b>backing</b> 15:4	<b>broader</b> 35:7	<b>category</b> 21:13 33:25	<b>colleague</b> 9:5
<b>BAE</b> 24:23 29:19	<b>BSL</b> 30:4,10,12	<b>catenary</b> 14:15	<b>color</b> 18:5,17
<b>balance</b> 35:1	<b>bucket</b> 21:4	<b>center</b> 11:5 12:3	<b>colored</b> 18:17
<b>Barnes</b> 35:18,19 37:2 39:6,24 40:2	<b>build</b> 36:10 37:1	<b>CEQA</b> 6:18 25:2 30:18 31:20 32:14 33:13,20 34:9 36:13	<b>colors</b> 15:10 18:3
<b>BART</b> 12:12,13	<b>building</b> 4:17,18,23,25 5:16,19,21 10:17,18 13:3,11 15:2,8,19 16:1, 9,24 17:2,5,13 18:2 24:11 30:18	<b>cetera</b> 7:24	<b>combination</b> 10:13
<b>base</b> 5:23 16:16 31:8	<b>buildings</b> 4:16 6:2 7:16 11:19 12:22,23 13:4 16:15 17:19,24 18:6 23:7 24:14	<b>Chair</b> 4:4 7:6 9:4,11,20, 25 18:22 26:9,16 27:6, 18 28:6 29:1,15 30:1 31:2,5,6,9 32:20 33:2 35:10 40:1,9	<b>combined</b> 13:10
<b>based</b> 29:7,9 37:1,22 39:12,21,22	<b>built</b> 12:22 16:10,15 36:11	<b>chambers</b> 27:12	<b>combines</b> 12:19
<b>baseline</b> 34:20	<b>burgeoning</b> 11:1	<b>championed</b> 12:6	<b>combustion</b> 37:11,17 38:18,20
<b>basic</b> 19:21	<b>business</b> 18:4	<b>change</b> 30:20 37:25 39:17	<b>comment</b> 8:19 26:18, 22,23,25 27:10,20 31:4 40:15
<b>bats</b> 23:9	<b>buy</b> 38:13	<b>changing</b> 11:23,25 28:22	<b>commenter</b> 8:3
<b>bay</b> 17:16		<b>charcoal</b> 18:17	<b>comments</b> 6:22 7:1,20 8:16 19:17,24 25:8,13, 18,21 26:1,2,5 27:1,2,3, 5,21
<b>bend</b> 10:22		<b>charcoal-colored</b> 15:10	<b>commercial</b> 4:16
<b>benefits</b> 20:8		<b>charging</b> 12:7	<b>commission</b> 7:19 8:6, 21 26:21 27:21 33:10 34:12 35:12
<b>bicycle</b> 11:15,20,23		<b>check</b> 28:14	
<b>bicycles</b> 11:15		<b>checklist</b> 21:22	
<b>bike</b> 11:17		<b>Chris</b> 9:3 10:8 19:7	
<b>bio</b> 8:7 11:3		<b>cities</b> 38:7	
<b>biological</b> 6:9 23:6 24:1 30:13			
<b>biosafety</b> 8:7			
<b>bird</b> 18:9	<b>cafe</b> 11:4 12:4		
<b>bird-friendly</b> 17:1	<b>cafeteria</b> 11:4		
<b>bird-safe</b> 15:9	<b>calculated</b> 29:7 36:1 37:25 38:1		
<b>birds</b> 23:9 24:2	<b>calculation</b> 36:3		



<b>Commissioner</b> 10:5 33:3,4 34:11 35:9,18,19 37:2 39:6,24 40:2	<b>considerations</b> 31:18	<b>darker</b> 18:5	<b>directly</b> 13:24 14:12
<b>commissioners</b> 26:17 27:24 40:13	<b>considered</b> 22:15 37:23	<b>data</b> 29:21 36:9 38:15, 23 39:4,8,12,20	<b>disappointed</b> 35:12
<b>common</b> 23:7	<b>consistent</b> 22:14,16	<b>day</b> 25:14	<b>discussion</b> 8:20 20:7 30:3
<b>community</b> 5:12,13 25:11 35:8 36:14	<b>construct</b> 4:17	<b>daylight</b> 17:15	<b>disruption</b> 8:24
<b>community-wide</b> 35:3	<b>constructed</b> 4:22	<b>days</b> 28:9,20	<b>distance</b> 16:23
<b>companies</b> 11:7 30:7	<b>construction</b> 6:21 17:25 24:5	<b>deck</b> 15:12 16:5 17:2	<b>district</b> 4:21 10:11 11:2
<b>comparative</b> 34:13	<b>consultant</b> 7:5,9 8:14 18:24 19:5 28:3	<b>decrease</b> 31:14	<b>disturbance</b> 23:8,17 24:12
<b>compensation</b> 20:4	<b>contained</b> 24:14	<b>dedicated</b> 13:19	<b>diversion</b> 34:15,16 35:15
<b>complements</b> 11:20	<b>content</b> 6:23 7:1 19:12 25:18	<b>delay</b> 5:5	<b>diverting</b> 17:25
<b>complete</b> 27:5	<b>context</b> 30:17 35:6	<b>demolish</b> 4:15	<b>document</b> 19:15
<b>completed</b> 32:13 40:17	<b>continue</b> 39:3	<b>demolishing</b> 23:7	<b>Draft</b> 25:15,18,21
<b>compliance</b> 20:17	<b>control</b> 4:12 30:25	<b>demolition</b> 23:17 24:12	<b>Drive</b> 4:9 5:21 7:15 10:4,10,20,22,23 11:5 12:4,20,21 14:1,19 15:3,5
<b>compliant</b> 21:16	<b>controlled</b> 22:25	<b>demonstrate</b> 21:15	<b>driven</b> 37:18
<b>components</b> 22:18	<b>controlling</b> 38:6	<b>denoting</b> 15:1	<b>driveway</b> 16:13
<b>composed</b> 15:9	<b>corner</b> 10:10,22 15:20, 22	<b>deposited</b> 24:15	<b>driveways</b> 16:12,13
<b>comprehensive</b> 33:21	<b>corners</b> 18:19	<b>DES</b> 9:8 10:2	<b>Dudek</b> 7:10 8:14 9:7 19:4 24:19
<b>comprehensively</b> 33:23	<b>correct</b> 9:10 30:15	<b>design</b> 5:19 7:24 8:25 13:20 17:5 20:19 31:23 32:19	<b>due</b> 7:2 31:15
<b>concern</b> 25:11,23 29:1	<b>correspondence</b> 8:2	<b>designation</b> 22:21	
<b>concerns</b> 8:3 11:12 31:1	<b>corrugated</b> 18:12	<b>designations</b> 22:15	<hr/> <b>E</b> <hr/>
<b>conclude</b> 21:12	<b>Council</b> 27:11 34:13	<b>designed</b> 15:11	
<b>concludes</b> 18:20 26:6 31:3	<b>counties</b> 38:7	<b>detail</b> 21:3	<b>e-mail</b> 26:5
<b>conclusion</b> 32:22	<b>couple</b> 18:13 27:25	<b>detailed</b> 20:12 24:18	<b>earlier</b> 25:6 26:1
<b>concrete</b> 13:5 18:19	<b>court</b> 10:24 14:14,16 16:23	<b>develop</b> 29:24 34:6	<b>easier</b> 39:14
<b>conditioning</b> 6:1	<b>court's</b> 14:25	<b>developed</b> 4:24 10:15 11:2 12:18 15:15 16:12 39:1	<b>east</b> 7:16 14:24
<b>conditions</b> 23:14 28:21 30:24	<b>courtyard</b> 14:5	<b>developing</b> 13:15 14:2,7,13 31:18 34:5	<b>Economics</b> 24:24 29:20
<b>conducting</b> 28:11	<b>cue</b> 10:8	<b>development</b> 4:12,18 5:3,11 11:7,9 29:9 32:25	<b>effect</b> 34:14 39:22
<b>conference</b> 16:4	<b>cultural</b> 6:10 24:3,8	<b>developments</b> 10:20	<b>effects</b> 6:16 20:2,3,4,9, 15,19 21:18 30:10
<b>connecting</b> 15:19	<b>current</b> 31:7	<b>devices</b> 11:8	<b>efficiency</b> 38:19 39:13
<b>connects</b> 14:22,24		<b>diesel</b> 5:15 28:8,13,17 29:4	<b>effort</b> 12:14 21:2
<b>consequences</b> 32:24	<hr/> <b>D</b> <hr/>	<b>difficult</b> 30:17	<b>efforts</b> 35:3
	<b>dark</b> 13:22 14:6 15:9		<b>EIR</b> 4:8 6:15,23 7:2,5,21 8:10,12 18:23 21:3,6



<b>generator</b> 28:17	10:1 18:22 26:9,16	<b>impact</b> 4:8 7:18 19:8,	<b>issue</b> 20:21,22 23:7
<b>generators</b> 5:16 28:8,	27:7,18 28:6 29:1,15	15,18 20:6,13,23 21:8,	30:22 33:23,25 34:1
13 29:4	30:1 31:2,6 33:2 35:10	15 22:9,25 24:19 25:9	35:1
<b>geology</b> 6:10	40:1,9	32:17 33:15,25 34:1,5	<b>issues</b> 24:3 25:11,23
<b>GFRC</b> 15:10 16:25	<b>hazardous</b> 5:14 6:11	<b>impactful</b> 32:24	<b>item</b> 4:5 8:2 27:9 40:17
18:3,5	24:10,13	<b>impacts</b> 20:8,17,25	<b>items</b> 15:14 21:22 22:1,
<b>give</b> 9:18 13:16 23:24	<b>hazards</b> 6:10	21:3,9,13,23,24 22:25	3
<b>glass</b> 15:11,23 17:1	<b>head</b> 29:17	23:18 31:15,22,24 32:2,	
18:8,9	<b>heads</b> 39:15	4,6,8,14 33:7,8 34:9	<hr/>
<b>glazed</b> 17:15	<b>health</b> 11:10 28:11	<b>implement</b> 23:11 34:7	<b>J</b>
<b>glazing</b> 15:9	<b>hear</b> 8:14	<b>important</b> 25:10 31:20	<hr/>
<b>goal</b> 34:9	<b>heard</b> 19:22	<b>in-lieu</b> 5:14	<b>jobs</b> 29:22
<b>goals</b> 35:6	<b>hearing</b> 25:17	<b>included</b> 6:5	<b>John</b> 11:13
<b>Gold</b> 17:6	<b>hearings</b> 7:18	<b>includes</b> 4:11 5:10,14,	<b>July</b> 7:2 25:14
<b>good</b> 19:1,3 28:21	<b>heating</b> 8:4 17:22	18 6:2 11:3 25:5	<b>jumping</b> 32:22
35:19	<b>height</b> 5:10,23	<b>including</b> 7:23	<b>June</b> 6:6 25:4
<b>Google</b> 13:9	<b>helpful</b> 9:13 34:12	<b>income</b> 29:22	<hr/>
<b>Government</b> 6:25	<b>heritage</b> 6:3 8:5	<b>increase</b> 5:10	<b>K</b>
<b>gray</b> 13:12 18:5,9	<b>Hetch-hetchy</b> 10:12	<b>increased</b> 31:11	<hr/>
<b>great</b> 34:23 39:24	13:23 14:9	<b>individual</b> 35:2,6	<b>Katherine</b> 7:9 19:3
<b>greater</b> 21:3 36:15	<b>Hey</b> 37:13,14	<b>information</b> 22:11	<b>keeping</b> 23:21
<b>greatest</b> 31:21	<b>High</b> 7:14 13:24 14:10,	<b>informative</b> 34:17	<b>key</b> 19:22 25:1
<b>green</b> 13:18,22 14:6	13	<b>Initial</b> 6:4,6,7 8:15	<b>kind</b> 13:5 15:16,18 16:2
17:5	<b>higher</b> 38:19	19:13,17 20:11,12,16	17:12 18:3 23:8 38:12
<b>greenhouse</b> 6:20	<b>highlight</b> 21:25	21:22 22:24 25:5	<hr/>
24:21 32:1 34:14 35:25	<b>hills</b> 17:17	<b>input</b> 34:3	<b>L</b>
36:4	<b>housing</b> 6:19 24:24	<b>inputs</b> 38:25	<hr/>
<b>gross</b> 5:7	29:5	<b>inside</b> 17:24	<b>lab</b> 8:4
<b>ground</b> 15:24 23:8	<b>hybrids</b> 38:21	<b>install</b> 17:23	<b>laboratory</b> 6:1
24:12 36:21	<b>hydrology</b> 6:11	<b>instance</b> 37:12	<b>labs</b> 10:15 11:1 17:22
<b>guess</b> 22:12 32:22		<b>intent</b> 19:7,16,21 36:12	<b>land</b> 6:11 22:14,20
<b>guys</b> 23:23	<hr/> <b>I</b> <hr/>	<b>interest</b> 23:21	<b>landfills</b> 18:1
		<b>interface</b> 27:13	<b>landscape</b> 14:3
<hr/> <b>H</b> <hr/>		<b>interrupting</b> 9:17	<b>large</b> 32:6
<b>hand</b> 8:22 27:2,13	<b>icon</b> 27:13	<b>introduce</b> 7:3,4	<b>larger</b> 35:13
<b>hands</b> 27:7,17,18	<b>ideal</b> 36:14	<b>introducing</b> 18:6	<b>lastly</b> 18:13
<b>happy</b> 23:20 26:7,15	<b>ideas</b> 27:25	<b>investigate</b> 30:21	<b>law</b> 33:20 38:20
<b>hard</b> 32:2	<b>identified</b> 23:19 24:9	<b>inviting</b> 16:19	<b>layouts</b> 13:11
<b>Harris</b> 4:4 7:6 9:11,20	33:15 34:10	<b>involved</b> 11:12 19:25	<b>lead</b> 29:6
	<b>identify</b> 31:14,22 32:1		<b>learn</b> 30:21
	<b>identifying</b> 24:4		<b>learned</b> 34:24

<b>leasing</b> 30:6	<b>LSB</b> 10:11 13:17	<b>Midpen</b> 7:14	<b>needing</b> 28:20
<b>leaves</b> 21:4		<b>Milbrae</b> 12:13	<b>neighborhoods</b> 29:2
<b>LED</b> 17:23	<hr/> <b>M</b> <hr/>	<b>milestones</b> 25:2	<b>nesting</b> 23:9 24:2
<b>LEED</b> 17:6,7	<b>mail</b> 26:5	<b>mind</b> 34:4	<b>nice</b> 14:15 15:12,22 17:15 18:16
<b>left</b> 11:4 16:20	<b>main</b> 19:16 38:5	<b>mineral</b> 6:12	<b>noise</b> 6:12,20,21 22:4, 5,8 24:21 31:15 32:1,23
<b>lengthy</b> 4:7	<b>major</b> 5:19	<b>minimize</b> 31:14	<b>nondescript</b> 13:6
<b>less-than-significant</b> 21:1,15	<b>make</b> 28:14,21,24 34:21	<b>minutes</b> 9:18	<b>NOP</b> 6:5
<b>lessons</b> 34:24	<b>makes</b> 37:21	<b>mitigate</b> 20:3	<b>north</b> 7:15 13:21,23
<b>letter</b> 33:20	<b>manage</b> 24:13	<b>mitigation</b> 20:24 23:1, 2,4,11,19,25 24:8,11 30:23 34:6	<b>not-combustion</b> 37:11
<b>level</b> 5:11 15:25 21:1,3, 6,19 31:8 32:9 36:22,24	<b>Manager</b> 19:4	<b>model</b> 37:9,21 39:9	<b>note</b> 28:14,24
<b>levels</b> 4:24 5:1 8:7,8 22:8 29:23 30:4,10,12	<b>mandate</b> 36:15 38:12	<b>modelers</b> 28:15	<b>noted</b> 25:3 26:3
<b>life</b> 4:20 5:4 7:16 10:15 11:1,9	<b>mandating</b> 36:24	<b>modeling</b> 28:25 31:25 32:13 36:10,11,16 37:1 38:3 39:1,5,19	<b>notes</b> 29:18
<b>lift</b> 10:6	<b>manufacture</b> 38:8,11	<b>models</b> 38:15,22	<b>Notice</b> 19:14 25:3
<b>light</b> 17:23	<b>Maps</b> 13:9	<b>modifications</b> 5:19	<b>number</b> 31:12 38:24 39:19
<b>lighter</b> 18:5,17	<b>massing</b> 15:19	<b>modify</b> 5:18	<b>numbers</b> 39:22
<b>lights</b> 14:15	<b>material</b> 16:24	<b>modulation</b> 5:20 15:15,18	<hr/> <b>O</b> <hr/>
<b>limitation</b> 32:19	<b>materials</b> 5:15 6:11 17:20 18:2 24:10,14	<b>modulations</b> 5:20	<b>O'BRIEN</b> 4:9 5:21 7:11, 15 9:1 10:3,10,20,21,23 11:5 12:3,20,21 14:1,4, 19,21,22,24 15:2,7 16:13
<b>limitations</b> 33:16	<b>maximizing</b> 17:5	<b>moment</b> 27:16	<b>objectives</b> 34:8
<b>limited</b> 32:15	<b>measures</b> 20:24 23:1, 2,4,11,12,15,19,25 24:8 30:23 34:6	<b>monitor</b> 39:4	<b>obligations</b> 35:2
<b>lines</b> 13:10	<b>mechanical</b> 17:13 18:11,12	<b>months</b> 33:9	<b>occur</b> 20:23 23:9 32:9, 10
<b>lingo</b> 38:4	<b>medical</b> 11:8	<b>more-rosy</b> 36:17	<b>occurs</b> 24:12
<b>listed</b> 31:7	<b>meet</b> 34:7 35:5 38:18	<b>move</b> 4:4 7:22 8:18 26:23 40:11	<b>odor</b> 22:19
<b>lists</b> 22:23	<b>meeting</b> 7:17 8:9 19:8 33:6	<b>mullions</b> 15:10	<b>offset</b> 17:9,22
<b>lobby</b> 15:22,23	<b>Menlo</b> 10:14 11:1 12:5 29:9 37:12,13	<b>multiple</b> 12:3 28:9,20 29:20 30:19	<b>offsets</b> 17:23
<b>local</b> 36:6,22	<b>mens'</b> 11:25	<b>multiply</b> 38:13	<b>on-site</b> 8:5 11:14
<b>located</b> 4:20	<b>mentioned</b> 11:13 12:2 24:1 26:2	<hr/> <b>N</b> <hr/>	<b>one-story</b> 4:16 13:5
<b>location</b> 6:23 16:5	<b>mentioning</b> 33:12	<b>narrow</b> 20:13 22:2	<b>open</b> 7:24 8:19 13:16, 18,19,21,25 15:4 16:21
<b>locations</b> 12:13	<b>merger</b> 4:13	<b>natural</b> 5:25 8:4 17:15, 21	<b>operate</b> 5:16
<b>logic</b> 34:11	<b>mesh</b> 18:16,17,18	<b>nature</b> 23:3 33:22	<b>operating</b> 28:17
<b>long</b> 10:21,24 12:18	<b>metal</b> 18:6,9,12	<b>necessarily</b> 39:7	
<b>long-term</b> 11:17,18	<b>microphone</b> 10:6		
<b>looked</b> 20:21 28:20			
<b>lot</b> 4:13 13:8,10,16 14:11 17:14 21:13 30:2			

<b>operation</b> 6:12	<b>payment</b> 5:13	4,22 22:18,24 23:9	20,24 35:3,7,16 37:5,7, 8 40:12
<b>opportunities</b> 26:24	<b>PCE</b> 17:8	<b>potentially</b> 20:15	<b>project's</b> 20:8
<b>opportunity</b> 7:20 27:4, 14	<b>Peninsula</b> 13:23 14:10, 13	<b>power</b> 5:17 38:8	<b>projected</b> 39:19
<b>opposed</b> 26:3 33:22	<b>people</b> 11:24 38:3	<b>pre</b> 23:12	<b>projects</b> 10:4 17:10 20:25 23:3 29:21 34:17, 25
<b>optimizing</b> 17:14	<b>percent</b> 13:17,18,21,25 17:8 31:12,13 32:7,9,11 33:10 34:15,16 35:14 39:18	<b>pre-construction</b> 23:13 24:2	<b>prompt</b> 34:18
<b>options</b> 20:9	<b>percentage</b> 29:12 32:3 36:7	<b>pre-demolition</b> 23:13	<b>pronounce</b> 28:4
<b>order</b> 5:4 25:17	<b>percentages</b> 29:8,11 36:24	<b>precludes</b> 36:13	<b>pronouncing</b> 28:5,6
<b>outage</b> 5:17 28:9	<b>permit</b> 4:13 5:15	<b>prefer</b> 9:11	<b>properties</b> 8:25 10:13, 16,19 13:10 30:7
<b>outline</b> 23:25	<b>person</b> 27:9,11	<b>preparation</b> 19:14 22:8 25:4	<b>property</b> 12:24 23:17 29:13
<b>outlined</b> 6:17	<b>personally</b> 38:12	<b>prepare</b> 25:19	<b>proposal</b> 5:9
<b>outwards</b> 39:8	<b>perspective</b> 34:23 35:8	<b>prepared</b> 6:4 19:13 20:12	<b>proposed</b> 4:11,22 5:7, 16,24 6:2,5,16 7:24
<b>overview</b> 19:11	<b>phase</b> 4:25 5:2 12:23 13:2,12,14 15:1,4 16:6	<b>preparing</b> 24:20	<b>proposing</b> 5:3,13
<hr/> <b>P</b> <hr/>	<b>phased</b> 12:25	<b>present</b> 10:3 23:15	<b>protection</b> 39:2
<b>p.m.</b> 7:2 26:3	<b>phases</b> 4:23 5:6	<b>presentation</b> 7:5,7 8:11,12 9:7,8,10,17,21, 22,24 18:20,22,23 19:2 23:22 26:6,10 35:20 40:5	<b>protocols</b> 23:10 24:4, 13
<b>Pacific</b> 11:3	<b>phasing</b> 35:24 36:2	<b>presenting</b> 9:5	<b>provide</b> 7:19,20,23 12:5 25:12,20
<b>painting</b> 36:17	<b>phone</b> 27:14	<b>press</b> 27:12,15	<b>providing</b> 20:4 30:25
<b>Palo</b> 12:12	<b>physical</b> 6:15	<b>pretty</b> 21:12	<b>provisions</b> 5:11
<b>panels</b> 15:11 16:25 18:9	<b>picnicking</b> 14:14	<b>previous</b> 14:7 33:5	<b>proximity</b> 22:6
<b>parallel</b> 14:9	<b>picture</b> 36:17	<b>prior</b> 23:17	<b>PRUTER</b> 27:6
<b>parcels</b> 4:16,20	<b>piggyback</b> 35:10	<b>private</b> 14:5 16:3,4	<b>public</b> 6:13 7:18,20 8:16,19 13:19,20,22,24, 25 14:14,16,19 15:4 16:21 19:17,24,25 25:7, 16,25 26:18,22,23 27:1, 8,20 40:15
<b>park</b> 10:14 11:1,6,11, 16,21,25 12:5,7,12 13:25 18:4 29:9 37:12, 14	<b>place</b> 20:20	<b>proceed</b> 18:25	<b>publicly-accessible</b> 16:21
<b>parking</b> 4:19,24 5:1 10:18 11:17,18,20 12:9 13:1,7,8 14:4,11,25 15:3 16:8	<b>plan</b> 22:16 24:11 32:3 35:16	<b>process</b> 22:10 25:2	<b>publish</b> 25:15
<b>part</b> 10:10,14 11:22 13:17 14:10,16 17:11 28:10	<b>planning</b> 6:12 8:6,21 35:3	<b>production</b> 37:17	<b>published</b> 25:4
<b>passive</b> 14:8	<b>point</b> 9:13 15:13 28:21 31:13 36:8 37:15 40:9	<b>program</b> 11:22	<b>pull</b> 19:2
<b>past</b> 28:19 29:7 39:12	<b>points</b> 36:9	<b>programs</b> 36:11 39:1	<b>purchased</b> 38:17
<b>pathway</b> 14:22,23	<b>population</b> 6:19 24:24 29:5	<b>project</b> 4:10,11,15,22 5:8,14,18,24 6:2,5,16, 23 7:4,12,13,23 9:1 10:9,22 11:16 12:19,25 13:16 14:21 15:1,7 18:21 19:4,6,21,22,23 20:1,2,5,18 21:11,16,18 22:7,14,15,18 23:10 24:25 27:4,21 31:7,19, 23 33:9,17,23 34:17,19,	<b>purchasing</b> 17:7
<b>pathways</b> 14:7	<b>portion</b> 8:12,19 12:24 14:6 26:19,20		<b>purpose</b> 7:17 19:12,20
<b>patterning</b> 18:16	<b>potential</b> 5:5 6:15 20:2,		
<b>paved</b> 13:7			

**purposes** 36:16  
**pursuant** 6:24  
**pursuing** 34:11  
**put** 10:18 16:8 21:2  
 28:12  
**putting** 25:9 39:2,8  
**PVS** 17:11

---

**Q**

---

**quality** 6:11,18,20 22:4,  
 13,16 24:21 28:2,7,10,  
 15 31:15 32:1,23 38:3,  
 25 39:4  
**question** 28:3 30:2  
 33:5 35:24 40:11  
**questions** 8:16,20  
 21:21 23:21,23 26:8,13,  
 15,17,21 27:25 31:3  
 40:1,3,6,14  
**quick** 19:11 23:24  
**quickly** 38:16

---

**R**

---

**R&d** 4:18 5:8  
**R&d/office** 4:23,25  
**raise** 27:2  
**raised** 27:7  
**ranges** 29:23  
**ratio** 5:9  
**reach** 5:25  
**read** 4:6 31:8  
**ready** 12:9  
**realized** 26:1  
**rear** 15:3  
**reasonable** 39:2  
**receive** 8:1 19:17,24  
 25:17  
**received** 25:21  
**recess** 9:19

**recognize** 29:16  
**recommended** 8:9  
**recreation** 6:13  
**redevelop** 4:10  
**reduce** 20:9,25 31:24  
 32:16 33:14,25  
**reduced** 17:18  
**reduces** 31:11  
**reducing** 20:3 33:24  
 34:9  
**reduction** 32:7 35:13  
**region** 22:16 29:20  
**regional** 34:8 36:23  
 38:7  
**regulate** 38:8,11  
**regulation** 37:18 38:6  
 39:20,21  
**regulations** 20:18  
 21:17 36:6,21,23 37:17  
 39:11,13,17  
**reinforced** 15:11  
**related** 5:19 11:9  
**relates** 10:19 35:24  
**released** 6:6  
**relied** 20:24  
**rely** 36:18  
**remain** 13:13  
**remainder** 16:6  
**remaining** 5:1  
**remains** 15:5  
**reminder** 10:9 25:25  
 26:24 27:8  
**removal** 8:4  
**remove** 6:3  
**removed** 16:7  
**renewable** 17:8  
**replaced** 38:20  
**Report** 4:6,8 7:18 10:17  
 19:9,15,18 20:6,14 22:9  
 24:19 25:3,9 31:8

**represent** 8:25  
**request** 5:10,15,18 6:3  
**requesting** 5:24 6:22  
**requests** 4:11  
**require** 21:5 33:17  
**required** 5:23 31:13  
 36:7  
**requirements** 13:17  
 20:18 38:19  
**requires** 31:20 32:14  
 33:20  
**research** 4:17 11:6,8  
**reside** 29:13  
**residential** 29:2  
**residing** 29:9  
**resource** 21:20 23:20  
 25:11  
**resources** 6:9,10,12  
 21:11 23:6 24:1,5,9  
**responses** 25:20  
 35:22  
**responsibilities** 35:2  
**rest** 10:19 11:21 13:2  
 35:11  
**resting** 14:8,15  
**restricting** 8:7  
**retired** 38:17  
**review** 4:14 6:8 7:9  
 19:8,12,14 22:10 24:18  
 25:2,8 30:18  
**reviewing** 19:25  
**rhomboid** 12:18  
**ride-share** 12:5  
**riders** 11:23  
**Riggs** 10:5 11:13 33:3,  
 4 34:11 35:9  
**rise** 21:18 36:23  
**risk** 28:11  
**road** 4:10 7:12,14 9:2  
 10:4,10,22 12:15 14:9  
 15:6 16:7,9,11,18,21

18:8,21  
**roof** 13:13 15:12,16,20  
 16:3 17:2,11,12  
**room** 16:4  
**rooms** 11:23 12:1  
**run** 16:22 28:20

---

**S**

---

**safety** 8:7 30:13  
**sales** 38:9  
**San** 12:13  
**scenario** 31:10  
**school** 7:15 13:24  
 14:10,13,17  
**science** 4:20 7:16  
 10:15 11:1  
**sciences** 11:3,9  
**scope** 6:22 7:1,20 19:8,  
 15,18 23:3  
**scoped** 6:17  
**scopes** 6:7  
**scoping** 4:9 7:19 8:10,  
 17 19:12,20 33:6 34:3  
 40:10,15  
**screen** 18:18  
**screens** 17:12 18:11,  
 12  
**seating** 14:7  
**Section** 6:24  
**send** 27:10  
**Senior** 19:4  
**sense** 34:21  
**serve** 8:12  
**serves** 11:5  
**service** 6:14 11:4 12:11  
**services** 6:13  
**serving** 19:5  
**session** 4:9 7:19,22  
 8:10,13,17,18 19:12,20

26:20 27:5 34:3 40:10, 12,15  
**set** 16:25 17:10 19:7 23:10 32:12 38:24 39:12  
**setting** 33:17  
**seven-story** 4:19  
**shapes** 12:19  
**sharp** 26:3  
**shelter** 15:12 16:3  
**short** 9:12,15 36:19  
**short-term** 11:17  
**shorter** 15:16  
**show** 9:2 22:1 35:13  
**shower** 12:1  
**showers** 11:23 12:3  
**shown** 13:18 20:25 33:14  
**shows** 38:23  
**shuttle** 12:11  
**side** 14:24 16:22  
**sidewalk** 14:19  
**sign** 15:21  
**significance** 21:19  
**significant** 20:15,23 21:24 22:25 23:18 31:22 32:16,18 33:15  
**significantly** 31:11  
**Silver** 17:7  
**similar** 23:3,19 24:3 25:16  
**similarly** 22:13  
**simply** 28:18  
**single** 4:6 16:13  
**site** 4:11 6:24 7:13 12:17 13:9 21:12 22:7, 15 23:10 24:11  
**sites** 12:17,20  
**situation** 28:18

**six-minute** 9:15  
**slide** 7:12 9:2 14:7 19:10,19 20:10 21:7 22:22,23 23:23 24:6,16 25:1 26:4  
**slides** 9:5 14:2 23:24 35:20  
**soccer** 14:12  
**soils** 6:10 24:15  
**solar** 17:11  
**sort** 12:18  
**sources** 39:4  
**south** 5:21 7:15  
**space** 5:9 6:1 7:24 13:16,18,19,21,22 14:1 15:4 16:4,22  
**spaces** 6:1 8:4 11:21 12:9,10  
**speak** 27:9,11,14 35:17  
**species** 23:14,18  
**specific** 22:3 24:8 36:22 37:7  
**specifically** 26:18,25  
**speculation** 36:14 37:23 39:7  
**spoke** 25:5  
**spoken** 35:11  
**sport** 14:16,25  
**sports** 14:13 16:22  
**spot** 14:15  
**square** 5:8  
**staff** 4:6 7:3 9:18,21 10:16 15:14 19:2 24:20 25:3 26:11 30:22 31:8 35:4 40:14  
**stair** 18:19  
**standard** 20:23  
**standards** 5:19 39:14  
**standpoint** 13:9  
**star** 27:15

**start** 27:23 28:1  
**started** 7:7  
**state** 36:15,22 37:15 38:6,11,19 39:11  
**stated** 10:16  
**statewide** 36:6  
**stations** 12:7  
**storage** 11:15  
**stories** 15:8 16:7 18:15  
**strategies** 20:2  
**strategy** 13:20  
**streamline** 22:8,10  
**street** 14:20  
**structure** 4:19,24 5:1 13:1,7  
**studied** 35:15  
**studies** 24:20  
**study** 6:4,6,7 7:22 8:13, 15,18 19:13,17 20:12, 16 21:23 22:24 25:5 26:19 27:5 30:9 40:11  
**studying** 28:2,7  
**subconsultant** 24:23 29:19  
**subject** 22:2  
**submit** 26:5  
**submitted** 25:13 26:1  
**subsequent** 23:15  
**substantially** 32:16  
**subtopic** 22:11  
**suggestions** 34:3  
**support** 11:23 30:22  
**surveys** 23:13 24:2  
**Susan** 10:2,5  
**sustainably-sourced** 17:20  
**systems** 6:14

---

**T**


---

**takes** 39:21  
**taking** 25:7 39:8  
**talk** 20:5 37:4,5  
**talking** 15:15  
**target** 36:7  
**targeted** 17:7  
**Tarlton** 8:25 10:15,20 11:11,13  
**Tarltons** 12:5 17:4  
**Tartltons** 11:2  
**TDM** 11:22 31:10 32:3,9 33:10 35:13  
**TDMS** 37:5  
**team** 8:23,25 19:23  
**technical** 24:20  
**tenants** 11:5 14:5 16:4 17:3  
**tend** 32:24  
**terms** 28:15,16 29:22  
**theme** 18:3  
**thing** 35:16  
**things** 33:21 39:14  
**thinking** 27:24  
**thought** 35:20  
**thoughts** 27:21  
**tilt-ups** 13:5  
**time** 7:3 9:12,18 21:2 26:25 27:7,19 28:16 30:20 36:9 37:19 40:4  
**tint** 18:9  
**today** 13:4 32:12  
**tonight** 7:25 10:3 25:7, 13,17 30:4  
**tonight's** 19:7  
**top** 15:12,16 16:3 29:17  
**topic** 20:22 22:11 23:6 24:10

**topics** 6:8 21:5 22:23  
23:20 24:17

**total** 5:7

**toxic** 6:24

**tracks** 38:15

**traffic** 6:20 31:16

**trajectory** 38:23 39:2

**transparency** 15:24

**transportation** 6:19  
11:12 24:22 32:2,23

**trapezoid-kind** 12:18

**treatments** 14:3

**trees** 6:3 8:5 16:20

**trellised** 18:7

**trips** 31:11 37:6,8

**turn** 33:7,8

**TURNER** 7:6 9:4,9  
26:14

**turning** 38:16

**two-story** 15:23

**type** 17:1 22:20

**types** 11:8 14:3 24:9  
29:22 30:19 36:2 38:22

**typic** 28:17

**typical** 22:19

**typically** 23:2 34:2  
36:5,23

---

## U

---

**understand** 19:21 29:6  
32:14,21 37:2,20

**understanding** 30:4  
38:5 39:25

**unemployment** 29:23

**Union** 12:12

**unusual** 12:17

**update** 8:1

**upper** 11:3 14:6

**Urban** 24:24 29:20

**user** 30:20

**users** 30:19

**utilities** 6:14

---

## V

---

**V-SHAPE** 15:20

**vacate** 23:16

**variety** 11:6 14:2

**vehicle** 12:7 31:11  
36:2,8 37:15 38:12

**vehicles** 12:6 35:25  
36:1,3,25 37:10,16,22,  
25 38:21

**verbal** 25:13

**verify** 23:13

**version** 33:10

**versus** 35:3 37:11

**vetted** 23:4

**vibration** 6:21

**Vice** 31:5,6 32:20 33:2

**view** 15:7 16:1,18

**views** 17:16 18:13,18

**Village** 13:25

---

## W

---

**Wagh** 7:9 19:1,3 28:5,6,  
10 29:12,16 31:17  
33:12 34:22 35:19 36:5  
38:2 39:10 40:8

**wait** 27:16

**walking** 11:24

**walkways** 14:21

**wanted** 26:7 30:8

**warehouse** 13:6

**warehouses** 13:6

**warrant** 24:18

**waste** 17:25

**water** 6:11

**water-use** 17:18

**ways** 33:24

**Wednesday** 7:2

**weight** 28:12

**west** 7:14 17:17

**white** 13:13

**wide** 35:8

**wildfire** 6:14

**Willow** 4:10 7:12,14 9:1  
10:4,10 12:24 13:2,25  
14:8 15:5 16:7,9,11,14,  
18,19,21 18:8,21

**windows** 17:14

**womens'** 11:25

**wondered** 33:4

**wood-look** 18:6

**work** 19:18 24:3 25:8  
35:4

**worked** 29:20

**working** 9:9 17:24  
24:23

**wrap** 39:15

**wraps** 10:23 15:20

**writing** 30:15

**written** 25:13,20

---

## Y

---

**year** 25:16 39:21

**years** 5:5 36:9 38:24

---

## Z

---

**zones** 14:8

**zoning** 4:20 22:15,20

**Zoom** 27:12,13





## REGULAR MEETING DRAFT MINUTES

**Date:** 06/26/2023  
**Time:** 7:00 p.m.  
**Location:** Zoom.us/join – ID# 862 5880 9056,  
City Council Chambers  
751 Laurel St., Menlo Park, CA 94025, and  
Belle Haven Branch Library  
413 Ivy Dr., Menlo Park, CA 94025

### A. Call To Order

Chair Cynthia Harris called the meeting to order at 7:00 p.m.

### B. Roll Call

Present: Cynthia Harris (Chair), Linh Do (Vice Chair), Andrew Barnes, Andrew Ehrich, Henry Riggs

Absent: Katie Ferrick, Jennifer Schindler

Staff: Connor Hochleutner, Assistant Planner; Kyle Perata, Planning Manager; Matt Pruter, Associate Planner; Corinna Sandmeier, Principal Planner; Chris Turner, Associate Planner

### C. Reports and Announcements

Principal Planner Sandmeier said the City Council at its June 27, 2023 meeting would consider adoption of the budget and capital improvement plan for FY 2023-2024 and review and authorize staff to submit the revised 6<sup>th</sup> Cycle Housing Element to the California Department of Housing and Community Development.

### D. Public Comment

Nancy Edelson, East Palo Alto resident, Alborni Street, said she had received notice of a new research and development project at 1020-1030 O'Brien Drive near her home and objected to a three-story building and use of gas energy source there because of negative noise, light pollution and privacy impacts.

### E. Consent Calendar

E1. Approval of minutes from May 15, 2023, Planning Commission meeting. (Attachment)

E2. Approval of minutes from June 5, 2023, Planning Commission meeting. (Attachment)

**ACTION:** Motion and second (Do/Riggs) to approve the consent calendar consisting of the minutes for the May 15, 2023 and June 5, 2023 Planning Commission meetings with the following modifications: passes 5-0 with Commissioners Ferrick and Schindler absent.

- Replace **Ehrick** in all occurrences as **Ehrich** in both sets of minutes.

## F. Public Hearing

- F1. Use Permit/John Ray/248 San Mateo Drive:  
Consider and adopt resolutions to approve a use permit to demolish an existing single-story, single-family residence and construct a new two-story single-family residence with a basement on a substandard lot with regard to minimum lot width in the R-1-S (Single-Family Suburban Residential) zoning district; determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures. The proposal includes a detached accessory dwelling unit (ADU) which is a permitted use and not subject to discretionary review. (Staff Report #23-042-PC)

Assistant Planner Hochleutner indicated staff had no additions to the written report.

Steven Schwanke spoke on behalf of the project.

Chair Harris opened the public hearing and closed it as no persons requested to speak.

ACTION: Motion and second (Riggs/Ehrich) to adopt resolutions to approve a use permit to demolish an existing single-story, single-family residence and construct a new two-story single-family residence with a basement on a substandard lot with regard to minimum lot width in the R-1-S (Single-Family Suburban Residential) zoning district and determine this action is categorically exempt under CEQA Guidelines Section 15303's Class 3 exemption for new construction or conversion of small structures; passes 5-0 with Commissioners Ferrick and Schindler absent.

- F2. Architectural Control and Use Permits/Peninsula Innovation Partners, LLC/1350-1390 Willow Road, 925-1098 Hamilton Avenue, and 1005-1275 Hamilton Court:  
Consider and adopt resolutions to approve architectural control review for buildings and site improvements associated with the approved Willow Village masterplan development project. The masterplan, including the general plan amendment, rezoning and zoning map amendment, vesting tentative maps, conditional development permit, development agreement, and below market rate (BMR) housing agreements were approved by the City Council on December 6 and 13, 2022 and authorize up to 1.6 million square feet of office and accessory uses (with a maximum of 1.25 million square feet for office uses and the balance for accessory uses), up to 1,730 dwelling units (including 312 BMR units), up to 200,000 square feet of retail and restaurant uses, and an up to 193 room hotel. The architectural control reviews by the Planning Commission for conformance with the approved masterplan, conditional development permit, development agreement, mitigation monitoring and reporting program from the certified environmental impact report, the R-MU (residential mixed use) and O (Office) zoning districts, and other applicable requirements from the masterplan governing documents is the next phase in the implementation of the Willow Village masterplan project.

This item includes four separate architectural control plans and use permit requests for the office campus, meeting and collaboration space, town square project components (all located on Parcel 1), and the mixed-use residential building on Parcel 2. The office campus and meeting and collaboration space would include approximately eight buildings, the elevated park, and two parking structures with up to 1.6 million square feet (with a maximum of 1.25 million square feet for office uses and the balance for accessory uses), inclusive of approximately 30,041 square feet of retail

and restaurant uses. The meeting and collaboration space project also includes the publicly accessible elevated park. The town square includes approximately 4,778 square feet of retail and restaurant use and an approximately 1.5 acre publicly accessible open space that would be predominately hardscape with landscape planting features. The residential mixed-use building on Parcel 2 would include up to approximately 328 dwelling units with a ground floor grocery store of approximately 46,768 square feet. The proposals include associated use permit requests for modifications to design standards (e.g. setbacks, stepbacks, modulation and projections, base height, frontage landscaping, building/garage entrances) not included in the conditional development permit; determine this action is consistent with the environmental impact report prepared for the proposed project and certified by the City Council on December 6, 2022. (Staff Report #23-043-PC)

Associate Planner Turner presented the item. He said correspondence was received earlier that day and that the commenter was concerned about allowing buildings to use natural gas for cooking in the grocery store, offered some suggestions and urged Planning Commission to require the buildings be all electric. He said the Conditional Development Permit and Development Agreement have a structure for requesting use of natural gas that would be reviewed as an exception to the building permit. He said the building codes and REACH codes would be reviewed by the city's Environmental Quality Commission.

Planner Turner presented several clarifications to the conditions of approval and are stated here.

1.g: Revisions to this ACP shall be processed by the City Community Development Department in accordance with Section 8.5 (~~Changes to conditional development permit~~ Administrative Amendments of Project Approvals) of the CDP Development Agreement.

1.k: The Applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City ~~concerning a development, variance, permit or land use approval; provided, however, that the Applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the Applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the Applicant's or permittee's defense of said claims, actions, or proceedings.~~ To in accordance with Section 9.6 of the Development Agreement.

1.q: Simultaneous with the submittal of a complete building permit application, the Applicant shall comply with Item 13.5 (Public Open Space Access) of the CDP. Prior to issuance of the certificate of occupancy, the Applicant shall construct the publicly accessible open space for each ACP, subject to Exhibit F of the Development Agreement, and subject to the satisfaction of the Building, Engineering, Planning, and Transportation Divisions. Further, the publicly accessible open space shall comply with the operating rules identified in Section 19 of the CDP.

1.t: No later than upon the submittal of a complete building permit application for each building, and prior to issuance of the foundation permit, approved soil management plans and work plans by the agency with jurisdiction over any remediation work are required to be submitted to the City for reference purposes. Any excavation related to soils remediation shall require issuance of a building permit from the City. The applicant shall comply with the requirements of CDP Item 10.4 (Voluntary

remediation work) ~~regardless of whether an agency of jurisdiction over remediation work requires remediation.~~

2.e: Subject to CDP section 4.13 and the Development Agreement, no later than ~~upon the submittal of a complete building permit application and issuance of the superstructure building permit~~ twelve months after Certificate of Occupancy is granted, the Applicant shall submit calculations documenting the prorated/fair share water usage allocated to the building based on square footage, units, or hotel rooms. The maximum total potable water usage for the project site is 94 98 million gallons per year . The Applicant shall submit water allocation calculations to the City's Engineering Division and shall be reviewed and approved by the Public Works Director for compliance with the requirements of CDP ~~condition~~ section 13.1.

2.f: Once construction has commenced, the applicant shall diligently pursue the project's construction through to completion, and, if at any point after building permits have been issued, the applicant abandons construction and the building permits expire, the applicant shall demolish the uncompleted portions of the project covered by the building permit(s) and restore the site to rough grade condition and/or shall take reasonable measures to protect public health and safety, protect the building structure from the elements, screen unsightly elements from view (such as fencing, painting or attractive screens or coverings), and maintain temporary landscaping, to the satisfaction of the Planning Division.

Paul Nieto, Signature Development Group, Jaron Lubin, Safdie Architects, Anthony Markese, Pickard Chilton, and Tim Murry, Ankrom Moisan Architects, spoke on behalf of the project items present.

Chair Harris opened the public hearing.

Public Comment:

- Ali Sapirman, Housing Action Commission, expressed her organization's support of housing for residents of all income levels and its endorsement of the Willow Village project for its housing and services.
- Maggie Fahey, Chamber San Mateo County, said her organization's Board of Directors gave full project endorsement support to the Willow Village Project in February 2022.
- Barrie Hathaway, CEO of JobTrain, spoke in support of the Willow Village project noting the opportunities for local residents in the building and construction trades and other employment opportunities created by the project's services.
- Bonnie Lam, Belle Haven resident, spoke in support of the Willow Village project.
- Angelisa Rodriguez, Housing Leadership Council of San Mateo County, reiterated her organization's support of the Willow Village project.

Chair Harris closed the public hearing.

The Commission discussed with the applicants the request for an exception to allow the use of gas for the commercial kitchens and that electric connections would be available for future use there and that cafeterias were not requesting that exception. The Commission also discussed with the applicants landscaping in general and on the elevated park.

Commissioner Barnes moved to approve as recommended in the staff report.

Other Commission comments included praise for the architectural design, the materials, the sensitivity to the street level and users and that community and citywide input was reflected in those elements. Commissioner Riggs specifically commented on the lack of transportation infrastructure and the multiple large projects in the area that would impact traffic.

Commissioner Barnes in reply to staff noted that his motion included the modifications to the conditions of approval in the four resolutions as previously stated this evening.

Commissioner Ehrich seconded the motion.

**ACTION:** Motion and second (Barnes/Ehrich) to adopt four resolutions approving the architectural control review for buildings and site improvements associated with the approved Willow Village masterplan development project with the following modifications to conditions of approval; passes 4-1 with Commissioner Riggs opposed and Commissioners Ferrick and Schindler absent.

1.g: Revisions to this ACP shall be processed by the City Community Development Department in accordance with Section 8.5 (~~Changes to conditional development permit~~ Administrative Amendments of Project Approvals) of the CDP Development Agreement.

1.k: The Applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City ~~concerning a development, variance, permit or land use approval;~~ provided, however, that the Applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the Applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the Applicant's or permittee's defense of said claims, actions, or proceedings. To in accordance with Section 9.6 of the Development Agreement.

1.q: Simultaneous with the submittal of a complete building permit application, the Applicant shall comply with Item 13.5 (Public Open Space Access) of the CDP. Prior to issuance of the certificate of occupancy, the Applicant shall construct the publicly accessible open space for each ACP, subject to Exhibit F of the Development Agreement, and subject to the satisfaction of the Building, Engineering, Planning, and Transportation Divisions. Further, the publicly accessible open space shall comply with the operating rules identified in Section 19 of the CDP.

1.t: No later than upon the submittal of a complete building permit application for each building, and prior to issuance of the foundation permit, approved soil management plans and work plans by the agency with jurisdiction over any remediation work are required to be submitted to the City for reference purposes. Any excavation related to soils remediation shall require issuance of a building

permit from the City. The applicant shall comply with the requirements of CDP Item 10.4 (Voluntary remediation work) ~~regardless of whether an agency of jurisdiction over remediation work requires remediation.~~

2.e: Subject to CDP section 4.13 and the Development Agreement, no later than ~~upon the submittal of a complete building permit application and issuance of the superstructure building permit~~ twelve months after Certificate of Occupancy is granted, the Applicant shall submit calculations documenting the prorated/fair share water usage allocated to the building based on square footage, units, or hotel rooms. The maximum total potable water usage for the project site is 94 98 million gallons per year . The Applicant shall submit water allocation calculations to the City's Engineering Division and shall be reviewed and approved by the Public Works Director for compliance with the requirements of CDP ~~condition~~ section 13.1.

2.f: Once construction has commenced, the applicant shall diligently pursue the project's construction through to completion, and, if at any point after building permits have been issued, the applicant abandons construction and the building permits expire, the applicant shall demolish the uncompleted portions of the project covered by the building permit(s) and restore the site to rough grade condition and/or shall take reasonable measures to protect public health and safety, protect the building structure from the elements, screen unsightly elements from view (such as fencing, painting or attractive screens or coverings), and maintain temporary landscaping, to the satisfaction of the Planning Division.

F3 and G1 are associated items with a single staff report.

- F3. Environmental Impact Report (EIR) Scoping Session/O'Brien Drive Portfolio LLC/1300-1320 Willow Road, 975-995 and 1001-1015 O'Brien Drive: Public hearing to receive comments on the Initial Study (IS) and Notice of Preparation (NOP) for the proposed 1005 O'Brien Drive and 1320 Willow Road Project that would redevelop the project site (985-1005 O'Brien Drive and 1320 Willow Road). The proposed project includes requests for a development agreement, architectural control, use permit, lot line adjustment, lot merger, and environmental review. The project would demolish three existing, one-story commercial buildings on three parcels and construct one new five-story building for research and development (R&D) uses, one new four-story building for R&D uses, and one new seven-story parking structure on two parcels located in the Life Science, Bonus (LS-B) zoning district. The proposed project would be constructed in two phases, with the five-story R&D/office building and five levels of the parking structure to be developed in the first phase and the four-story R&D/office building and the remaining two levels of the parking structure in the second phase. The applicant is proposing a development agreement to extend the life of the entitlements in order to account for a potential delay of approximately 10 years between the two phases. The proposed total gross floor area of the project would be approximately 228,081 square feet of R&D space with a floor area ratio (FAR) of 1.24. The proposal includes a request for an increase in height and FAR under the bonus level development provisions in exchange for community amenities. The applicant is proposing payment of a community amenities in-lieu fee. The project includes a hazardous materials use permit request to allow two diesel generators, one for each proposed building, to operate the facilities in the event of a power outage or emergency. The project includes a request to modify the design standards related to major building modulations to allow the modulation on the south elevation of the 1005 O'Brien Drive building to extend to the second floor (approximately 34 feet) instead of extending to 45 feet, which is the required base height. The proposed project is requesting an exception from the City's reach code to allow for the use of natural gas for space conditioning in the laboratory spaces of both buildings. The proposed project also includes a request



to remove seven heritage trees. 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, June 2, 2023. The Initial Study scopes out the following environmental topics from further review: aesthetics, agricultural and forestry resources, biological resources, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise (operation – airport or air strip noise), public services, recreation, utilities and service systems, and wildfire. 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: transportation, population and housing, air quality, greenhouse gas emissions, and noise (operation – traffic noise, construction noise and vibration). 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 Wednesday, July 5, 2023. (Staff Report #23-044-PC)

A court reporter transcribed this agenda item.

## **G. Study Session**

### **G1. Study Session/O'Brien Drive Portfolio LLC/1300-1320 Willow Road, 975-995 and 1001-1015 O'Brien Drive:**

Request for a study session for a development agreement, architectural control, use permit, lot line adjustment, lot merger, and environmental review for the proposed 1005 O'Brien Drive and 1320 Willow Road Project that would redevelop the project site (985-1005 O'Brien Drive and 1320 Willow Road). The project would demolish three existing, one-story commercial buildings on three parcels and construct one new five-story building for research and development (R&D) uses, one new four-story building for R&D uses, and one new seven-story parking structure on two parcels located in the Life Science, Bonus (LS-B) zoning district. The proposed project would be constructed in two phases, with the five-story R&D/office building and five levels of the parking structure to be developed in the first phase and the four-story R&D/office building and the remaining two levels of the parking structure in the second phase. The applicant is proposing a development agreement to extend the life of the entitlements in order to account for a potential delay of approximately 10 years between the two phases. The proposed total gross floor area of the project would be approximately 228,081 square feet of R&D space with a floor area ratio (FAR) of 1.24. The proposal includes a request for an increase in height and FAR under the bonus level development provisions in exchange for community amenities. The applicant is proposing payment of a community amenities in-lieu fee. The project includes a hazardous materials use permit request to allow two diesel generators, one for each proposed building, to operate the facilities in the event of a power outage or emergency. The project includes a request to modify the design standards related to major building modulations to allow the modulation on the south elevation of the 1005 O'Brien Drive building to extend to the second floor (approximately 34 feet) instead of extending to 45 feet, which is the required base height. The proposed project is requesting an exception from the City's reach code to allow for the use of natural gas for space conditioning in the laboratory spaces of both buildings. The proposed project also includes a request to remove seven heritage trees. (Staff Report #23-044-PC)

No additional presentation was made.

Chair Harris opened public comment.

- John McKenna, Environmental Quality Commissioner, requested as an individual that the developer and the city reconsider the gas infrastructure planned for the project and noted a lab building being constructed in Millbrae that was all-electric and did not require use of natural gas for space heating. He also requested that the project be prohibited from biosafety level 3 and above uses and that the EIR compare different biosafety levels to determine what level was safe. He also commented that Belle Haven lacked tree coverage and that removing old growth heritage trees was increasing that disparity.

Chair Harris closed public comment.

#### Commission Comments:

Individual commissioners (Barnes/Harris) commented on biosafety levels and whether the Planning Commission through a development use permit could require that use be limited to certain levels and a desire that the city establish what it would and would not allow in that regard.

Commissioner Do said given the changing technology and that all electric was becoming possible for labs that she hoped the city would have an informed revisit of the current exceptions it had to its REACH code.

Replying to Commissioner Ehrich, COO Ron Krietemeyer, Tarlton Properties, said he believed their parking ratio was in the low 2.3s and noted it was challenging to get much below that noting tenant needs and marketing. He said their Transportation Demand Management program target was a 35% reduction in single-vehicle occupancy. He noted the need for public transit in the life sciences district. He noted that they were providing eating options, a gym facility and other amenities in the business park to allow people to remain on campus and not have to drive. Replying to Chair Harris, Mr. Krietemeyer said that the allowable parking ratios in the life science district were 1.5 to 2.5. He said parking studies they had done prior to the pandemic indicated a parking need range of about 2.1 to 2.3 depending upon which building and what type of use.

Chair Harris commented that she hoped the applicants could continue to look at reducing the parking ratio. She said she appreciated what they were doing at the park with bicycles and shuttles, especially the shuttle to Dumbarton. She said with other landowners in that area it would be great to have combined shuttle transit.

Chair Harris referred to the construction phasing and said she was not comfortable with the idea that Project B would occur potentially 10 years past Project given how much things might change over 10 years such as parking need or transportation, or biosafety levels and diesel generators.

Planner Turner said the extension of the life of the project would be through the development agreement (DA) that was negotiated between the city and the applicant. He said the zoning was unlikely to change in the next 10 years so the impacts as far as the types of uses would be similar if not the same. He said if only building 1 was completed under the 10-year DA that the applicant to do building 2 would have to reapply.

Chair Harris asked if the next time a staff report was prepared that tables shown such as required parking and proposed parking spaces show the distribution for each phase and not for the whole project as she thought that would be helpful.



Commissioner Riggs said he was also concerned about the 10 years. He asked if the applicants were considering building a two-story parking garage and then later adding another story.

Ms. Eschweiler said it looked like a two-story going to three-story, but it was four-story. She said they would do a four-story garage and add two-stories later.

Commissioner Riggs noted that the materials board showed corrugated steel for mechanical screening, but he did not see that on the renderings. He asked when they came back with the project to show those on the renderings as the height and sun reflection might be significant. He referred to the roof deck planned for 1005 and the consideration of wind control. He noted similar constructs at Meta properties and the negative impact of wind. He said one rendering showed a view across Willow Road with some rather dramatically sized trees and asked if those trees were there already.

Ms. Eschweiler said those trees would be planted. Commissioner Riggs said at a later point the Commission would probably ask what size trees were intended for planting. He commented regarding gas heating that Mr. Tarlton had been at a hearing on another project and had explained that gas heat was economically necessary for the volume of air changes necessary for many labs. He said, however, that 10 years was a long time and perhaps in five years something considerably more effective in power storage might be developed. He said right now he was not concerned about gas heat for a biolab but well before the 10-year window was done he thought he would be concerned with that.

Replying to Commissioner Barnes, Ms. Eschweiler said the most major change from the last study session to this one was the 9000 square foot community room that apparently did not meet the qualifications for a community benefit and was now removed from the project and replaced with the public open space sports court.

Commissioner Barnes said the proposed color materials were appropriate for the area. He said he thought the design, architecture, design and materials all worked well. He said the site access and layout were straightforward and worked well. He said he liked the concept of the “stackable” parking. He said the open space was publicly accessible but not publicly inviting and noted the site limitations. He said he was okay with the building height noting it was within the zoning standards for the zone and because it was located further back from Willow Road. He said he had to question the 10-year window for development and would like to see a stronger explanation from the applicant for that need.

Mr. Krietemeyer said they had to assume they would not be able to access the area for Phase 2 until their tenants’ lease ended. He said with the negotiated DA that perhaps things like revisiting gas use and other things the city was concerned about might be included in that DA.

Commissioner Barnes expressed concern that the community amenity appraisal done would not be sufficient in 10 years’ time.

Mr. Perata said through the DA process they would consider the community amenity requirement for the project, timing, and potential modifications to the negotiated value for public benefit and modify or adjust those public benefits in exchange for vested rights.

Commissioner Barnes indicated Mr. Perata' explanation assuaged his concern.

Replying to Chair Harris, Planner Turner said frontage improvements would be required for the project along O'Brien Drive and Willow Road.

Chair Harris said she agreed with Commissioner Barnes regarding the publicly accessible open space. She said she thought the proposed location was the right decision as it was directly across the street from the high school.

Ms. Eschweiler said they would create a trail from Willow Road to the sports court in phase 1.

Commissioner Do said the sports court made sense in its proximity to the high school but noted what looked like a wall on a Google map next to the high school's playing field that might block access.

Mr. Krietemeyer said there was no wall and noted that if they built a basketball court it would be used, noting that in other locations youth scaled fences to get to the courts to play.

Commissioner Do referred to the five-story building with the terrace on the south side and asked if neighbors had expressed privacy concerns. She asked too about the building on the north side of O'Brien Drive and how she could tell whether height was a privacy issue.

Mr. Krietemeyer said it was certainly something they could address and would do line of sight studies for when they returned the next time with the project.

## **H. Informational Items**

### **H1. Future Planning Commission Meeting Schedule**

- Regular Meeting: July 10, 2023

Mr. Perata said the July 10<sup>th</sup> meeting would have some single-family homes and a remodel and expansion project for the Menlo Park Fire Protection District's Station 77 located at 1467 Chilco Street.

- Regular Meeting: July 24, 2023

## **I. Adjournment**

Chair Harris adjourned the meeting at 10:59 p.m.

Staff Liaison: Corinna Sandmeier, Principal Planner

Recording Secretary: Brenda Bennett



## STAFF REPORT

**Planning Commission**

**Meeting Date:**

**8/14/2023**

**Staff Report Number:**

**23-52-PC**

**Study Session:**

**Review and provide feedback on potential Zoning Ordinance, Specific Plan, and General Plan amendments associated with the adopted 2023-2031 Housing Element**

### Recommendation

Staff recommends that the Planning Commission conduct a study session to provide feedback on potential changes to the Zoning Ordinance and El Camino Real/Downtown Specific Plan (Specific Plan), and related conforming changes to the Land Use Element and other elements of the General Plan, that would modify residential densities and associated development standards, and allow large family daycare facilities by right in residential zoning districts, to implement the City's adopted 2023 to 2031 Housing Element, and provide direction for next steps.

The study session will not include any project actions. The City Council will be the final decision-making body for amendments to the General Plan, Zoning Ordinance, and Specific Plan, and rezoning of certain parcels to allow increased residential densities, multifamily residential, or mixed-use developments. The Planning Commission will be required to review and make a recommendation on the various discretionary actions at a future public hearing tentatively scheduled for late fall 2023/early winter 2024.

### Policy Issues

As part of the City's Housing Element Update project, the City adopted a Housing Element for the 2023 to 2031 planning period (also called the 6<sup>th</sup> Cycle) on January 31, 2023. The State Department of Housing and Community Development (HCD) reviewed the adopted Housing Element and returned comments to the City on April 7, 2023. The project team addressed the comments and resubmitted the Housing Element to HCD on June 30, 2023; the revised Housing Element (Attachment A) is currently under review. The Housing Element contains programs committing the City to implement zoning changes to increase permitted densities within certain zoning districts and on housing inventory sites within a one-year timeframe from adoption of the Housing Element (i.e., by January 31, 2024). The Housing Element programs addressed by the proposed changes are noted in the Analysis section of this report.

Implementation of the Housing Element programs related to zoning changes would require the following actions:

1. **General Plan Amendment** to update the Land Use Element and any corresponding changes to other elements of the General Plan necessary to maintain consistency with the Zoning Ordinance and Specific Plan changes;
2. **Specific Plan Amendments** to modify residential densities and associated development standards in various subdistricts and remove the 680-unit cap on residential development;
3. **Zoning Ordinance Amendments** to modify residential densities and associated development standards in the C-1, C-1-A, C-1-C, C-2, C-2-A, C-2-B, C-2-S, C-4, and P zoning districts; remove the

- minimum lot size requirement for R-3 zoned properties located around downtown and allow up to 30 dwelling units per acre (du/ac) on R-3 sites greater than two acres; and modify the Affordable Housing Overlay district; and
4. **Rezoning** of certain housing opportunity sites to allow multifamily residential uses or mixed-use developments.

## **Background**

State law requires the City to have and maintain a general plan with specific contents in order to provide a vision for the City's future, and inform local decisions about land use and development, including issues such as circulation, conservation, and safety. The Housing Element is one of the state-mandated elements of the General Plan. State law required the City to update the Housing Element of its General Plan by January 31, 2023, while making any changes to other elements of the General Plan needed to maintain internal consistency and undertaking any related changes to the City's Zoning Ordinance and Specific Plan. In accordance with state law, the eight-year planning period for the updated Housing Element extends from 2023 to 2031.

## **Regional Housing Needs Allocation**

In addition to including goals, policies, and implementation programs concerning housing issues, housing elements must include an inventory or list of housing sites on which housing development is allowed at sufficient densities to accommodate a specific number of units at various levels of affordability. HCD sets a statewide number of units to be developed during the Housing Element planning period and allocates a share to each region of the state based on a variety of factors. In the Bay Area, the Association of Bay Area Governments (ABAG) determines how the regional assignment of housing units is divided among local jurisdictions. This assignment is referred to as the Regional Housing Needs Allocation (RHNA), and the City is required to demonstrate it can meet its RHNA of 2,946 units by developing a site inventory in its Housing Element.

Based on HCD's requirements, the City's 6<sup>th</sup> Cycle Housing Element identifies housing sites for at least 2,946 units at specified levels of affordability (income limits/groups based on AMI, adjusted annually by HCD) plus a buffer of additional units at appropriate densities. Future development on identified sites will be at the discretion of individual property owners and will be largely dependent on market forces and in the case of affordable housing, available funding and/or other incentives.

## **Land use scenario**

The Housing Element describes a combination of changes to the Zoning Ordinance and Specific Plan to increase residential densities and modify other development standards, based on the following general strategies:

- "Re-use" sites from the City's current 5th Cycle Housing Element that were not developed with housing during the current planning period and allow "by right" development for projects that include at least 20 percent affordable units. Densities would allow 20 du/ac or more on these sites, and would be consistent with the densities permitted based on the additional zoning changes described in the strategies below and the remainder of this report.
- Increase the permitted densities for sites within the Specific Plan area to allow 30 du/ac or more at the base level density and potential increases to the maximum bonus level density. The existing residential cap of 680 units would also be removed to allow for greater development potential in the Specific Plan area, and a minimum density requirement of 20 du/ac for residential uses would be established.

- Modify the affordable housing overlay (AHO; Menlo Park Municipal Code Chapter 16.98) to allow up to 100 du/ac for 100 percent affordable housing developments (meaning 100 percent of units would be available to residents at the low-income and lower affordability levels) and an increase in densities for mixed-income developments where the percentage of affordable housing exceeds the City's Below Market Rate (BMR) requirement.
- Modify certain retail/commercial zoning districts to allow for residential uses and add or change other development standards to encourage the production of mixed-use developments (specifically in the C-1, C-1-A, C-1-C, C-2, C-2-A, C-2-B, C-2-S, C-4, and P zoning districts).
- Remove the 10,000 square-foot minimum lot size requirement to allow R-3 sites around downtown a density of up to 30 du/ac.

Zoning modifications to achieve the increased densities (such as floor area ratio, height, and/or others) will continue be refined based on additional public input and analysis. In combination with the actions described above, the zoning changes could result in a theoretical maximum amount of housing production that could exceed the 4,000 net new housing units studied in the Housing Element Update Project Subsequent Environmental Impact Report (SEIR). However, the 4,000 units studied in the SEIR are expected to be a more realistic total for the city's housing production through 2040, based on implementation of the Housing Element.

## Analysis

The following sections provide an overview of potential modifications to the Zoning Ordinance and Specific Plan that could provide the anticipated production of up to 4,000 net new housing units through 2040 (as studied in the project SEIR) on housing opportunity sites and in zoning districts identified in Chapter 7: Site Inventory and Analysis of the Housing Element (Attachment A).

### Overview of proposed El Camino Real/Downtown Specific Plan changes

In the Specific Plan area, the base and bonus level densities of eight zoning subdistricts are proposed to be modified with a minimum permitted density of 30 du/ac or more, which HCD has deemed appropriate to accommodate housing for lower income households. The increased densities, ranging from 40 du/ac to 100 du/ac, would demonstrate zoning capacity to meet the City's 6<sup>th</sup> Cycle RHNA plus a 30 percent buffer. Permitted maximum heights would also be increased to correspond with the increased densities. The existing base and bonus level FARs for each of the subdistricts would be increased, and additional residential FAR, called a "step-up FAR," would also be available to projects that meet all of the following criteria:

- Provide more than 50 percent of the overall building FAR for residential uses (with no more than 65 percent residential FAR in the Downtown, Station Area East, and Station Area West subdistricts to encourage a vibrant downtown and promote commercial activity to complement new residential uses);
- Provide an average net residential unit size of 1,000 square feet; and
- Construct 50 percent of units with two or more bedrooms, inclusive of 10 percent with three or more bedrooms, or provide all for-sale units.

The intent of the increased heights and FARs would be to make residential development at greater densities feasible in the Specific Plan area (Program H4.L of the Housing Element), and the step-up FAR would promote a variety of unit sizes, including those designed for larger families (Program H3.L of the Housing Element).

The project team received comments encouraging additional density increases in the Specific Plan area from Commissioners, Council members, and the public at initial study sessions on the proposed zoning changes held in December 2022. In response, the project team evaluated density increases generally in the range of 10 to 20 du/ac higher at the base level and 10 to 40 du/ac higher at the bonus level. The chart included as Attachment B shows three sets of key development standards at the base and bonus levels for the eight Specific Plan subdistricts (shown in the map in Attachment C) to be modified:

- A. Existing Specific Plan: These are the current regulations that guide development in eight Specific Plan subdistricts.
- B. 12/22/22 Study Session Proposal: These are the proposed densities that were studied as part of the Housing Element Update Project SEIR and presented to the Planning Commission and City Council in December 2022. There have been minor adjustments and additional details added since the study sessions to reflect development standards that could reasonably accommodate mixed-use developments at the studied densities. Compared to the existing regulations (Set A.), the December 2022 proposal in general would allow moderate increases in density up to 15 du/ac at the base level and up to 20 du/ac at the bonus level compared to existing Specific Plan densities. Corresponding increases in height, FAR, and step-up FAR would be granted.
- C. Density Increase Option: These are the proposed development standards in response to feedback received in December 2022 from the Planning Commission and City Council (Set B.). Densities at the bonus level would permit development at up to 100 du/ac Downtown and in the Station Area subdistricts, which are at the core of the downtown and central to the city and near transit, also including the downtown parking lots. A maximum commercial FAR would be set for each district, consistent with the amount that would be allowed under the existing Specific Plan, and the remaining amount of Total FAR available in each subdistrict would be to provide for residential uses only. The maximum density of 100 du/ac was evaluated to provide parity with the bonus level densities permitted in the Bayfront, and is also near the upper end of densities that could be accommodated in what is commonly called a “five-over-two” development. The five-over-two development type is regularly used for new residential mixed use construction in the Bay Area, and typically has a two-level concrete base (or podium) that integrates parking, commercial spaces, and sometimes residential uses, with up to five levels of wood-frame construction above, typically for residential uses. At densities above approximately 125 du/ac, a more expensive high-rise construction type may be necessary, which raises the cost of a development and may be less likely to result in the development of affordable units. Examples of Menlo Park and other Bay Area residential and mixed-use developments at approximately 100 du/ac (and in some cases greater) are provided in Attachment D. The development and construction status of the example projects in Attachment D is likely to have progressed since the examples were collected in December 2021.

The development standards in Sets A., B., and C. of Attachment B are intended to show the evolution of the project team’s recommendations over time compared to the existing Specific Plan development standards. Based on correspondence and feedback received at previous public meetings on the Housing Element, and after consideration of density increases that would remain consistent with the certified SEIR analyses, the project team recommends the Density Increase Option (Set C.) as the basis for proceeding with detailed draft modifications to the Specific Plan. The proposed changes would focus new residential development in the Downtown and along the El Camino Real corridor without forgoing commercial development, increase densities in high resource areas around services and transit, and help incentivize larger units (higher bedroom counts) for various household types.

### *Specific Plan-wide changes*

In addition to modifying the zoning standards of certain subdistricts, the following changes would be made across the entire Specific Plan:



- The limit of 680 new residential units in the Specific Plan area would be removed, and Chapter G: Implementation of the Specific Plan would be updated accordingly.
- For all Specific Plan subdistricts, a minimum density of 20 du/ac and FAR on a sliding scale that would increase relative to density would be established to set a common floor for the amount of housing to be developed on any site when proposing either a residential only or mixed-use development.
- The minimum parking requirement for residential uses in the Specific Plan area would potentially be removed or reduced from the current requirement of one space per unit, and a new maximum parking rate per unit would be established. The project team is refining the proposed rates. However, a state housing law, AB 2097, was recently signed by Governor Newsom and would generally prohibit local jurisdictions from imposing minimum automobile parking requirement on any residential, commercial, or other development project located within one-half mile of major transit stops, except in special circumstances that would require written findings and evidence of substantial negative impacts from a lack of parking for a project. For developments that are eligible and choose to utilize the provisions of AB 2097, no parking would be required.

Overview of proposed Zoning Ordinance changes

As described in Chapter 7 of the adopted Housing Element and outlined in the Land Use Scenario section of this report, the City is pursuing opportunities for additional housing by modifying the development regulations of the zoning districts in which the 69 sites in the Housing Element inventory are located. In particular, a land use strategy was included to modify the Zoning Ordinance to permit residential and mixed-use developments in certain zoning districts that currently primarily or exclusively allow for commercial development (Program H4.I of the Housing Element). Two of the zoning districts included in this strategy, C-2-S and C-2-B, currently allow mixed-use development, but C-2-S allows a density less than 30 du/ac. The commercial zoning districts would be modified to allow residential uses with densities up to 30 du/ac.

*Commercial zoning districts*

Table 1 lists the commercial zoning districts that are proposed to modified, current residential densities (if any), and proposed residential densities. The C-2-B district, a mixed-use zoning district that allows residential development up to 30 du/ac, is provided in bold and italicized text for reference, because it currently allows a density of 30 du/ac.

Table 1: Commercial Districts Existing and Proposed Residential Densities (in du/ac)		
District	Existing Density	Proposed Maximum Density
Administrative and Professional, Restrictive (C-1)	N/A	30
Administrative and Professional (C-1-A)	N/A	30
Administrative, Professional and Research, Restrictive (C-1-C)	N/A	30
Neighborhood Shopping (C-2)	N/A	30
Neighborhood Shopping, Restrictive (C-2-A)	N/A	30
<i>Neighborhood Mixed Use, Restrictive (C-2-B)</i>	<i>30</i>	<i>30</i>
Neighborhood Commercial, Special (C-2-S)	18.5	30
General Commercial (C-4)	N/A	30
Parking (P)	N/A	30

Because the C-2-B district currently allows residential mixed-use development at 30 du/ac, this district is a

good model for the proposed changes to several of the existing commercial zoning districts. The project team believes there is an opportunity to simplify and combine the six zoning districts in Table 2, based on their similar characteristics, into a single zoning district using the C-2-B zoning regulations. Table 2 compares existing key regulations of each of the districts. The proposal is to rezone the parcels to C-2-B, and the parcels in the six districts would assume the C-2-B development standards shown in bold and italicized text). A map of the subject parcels is included as Attachment E.

Table 2: Commercial Districts to Be Combined Under C-2-B Regulations			
District	Max. Coverage	FAR	Height
Administrative and Professional (C-1-A)	40%	40%	35 feet
Neighborhood Shopping (C-2)*	50%	40%	30 feet
Neighborhood Shopping, Restrictive (C-2-A)	50%	40%	One story
<i>Neighborhood Mixed Use, Restrictive (C-2-B)</i>	60%	<i>40 to 50% comm.; up to 90% res.; 100% total max.</i>	<i>30 to 40 feet</i>
Neighborhood Commercial, Special (C-2-S)	Per individual development	50%	Per individual development
General Commercial (C-4)	No max.	40%	30 feet
Parking (P)**	0%	0%	None

\*All C-2 parcels would be rezoned C-2-B, with the exception of the Sharon Heights Shopping Center parcel, which would be granted additional FAR for residential uses, as shown in Table 3.

\*\*The P district currently only allows parking lots and consists of three parcels citywide. Because of the small size of the parcels, their proximity to sites to be rezoned to allow residential mixed-use developments, and their location near existing residential neighborhoods, the P district presents additional opportunities to build new housing and neighborhood commercial uses instead of prioritizing vehicle-only uses.

In addition, four C-2-zoned parcels at and near the intersection of Gilbert Avenue and Menalto Avenue in the Willows neighborhood would be rezoned C-2-B. The parcels have physical characteristics and land uses similar to those in the five districts in Table 2. The only remaining C-2-zoned parcel in the city would be the Sharon Heights Shopping Center, which has a larger land area and different development type and context than the other smaller, neighborhood-adjacent parcels.

For the remaining commercial districts shown in Table 3 (C-1, C-1-C, and C-2), the project team believes the residential development regulations of the C-2-B district could be added to encourage mixed use opportunities while maintaining the districts' existing commercial zoning regulations. Table 3 highlights key existing regulations of the three commercial districts that would be permitted up to 30 du/ac of residential uses. Existing maximum building coverage, commercial FAR, and height are not proposed to change for the districts. Changes to accommodate residential development are included in bold and italicized text. A map of the subject parcels is included as Attachment F.



Table 3: Commercial Districts to Allow Residential Uses			
District	Max. Coverage	FAR	Height
Administrative and Professional, Restrictive (C-1)	40%	30% comm.; up to 90% res.; 100% total max	35 feet
Administrative, Professional and Research, Restrictive (C-1-C)	20%	25% comm.; up to 90% res.; 100% total max.	35 feet
Neighborhood Shopping (C-2)*	50%	40%; up to 90% res.; 100% total max.	30 feet

\*The additional residential FAR would apply to the Sharon Heights Shopping Center parcel only. All other existing C-2 parcels would be rezoned C-2-B.

**Affordable Housing Overlay (AHO)**

The existing AHO (Chapter 16.98 of the Zoning Ordinance, hyperlink Attachment G) was originally created by the City to encourage the development of affordable units for low, very low, and extremely low-income households by allowing more generous density bonuses and additional incentives than state density bonus law. The City Council adopted the AHO in 2013 and it currently applies to properties in the Specific Plan area and certain properties zoned R-4-S (AHO).

The original state density bonus law went into effect in 1979 and permitted a maximum bonus of 35 percent for developments with:

- 11 percent or more of the total units for very low income households; or
- 20 percent or more of the total units for low income households; or
- 40 percent or more of the total units for moderate income households.

For comparison, the AHO offers a sliding scale density bonus depending on the number of affordable units provided, with a maximum bonus of up to 60 percent for developments with:

- 12 percent or more of the total units for very low income households; or
- 21 percent or more of the total units for low income households.

To qualify for the AHO, a project must accommodate a range of income units, and include at least 25 percent of units at very low and/or extremely low income affordability, or at least 15 percent of units at extremely low-income affordability.

A more detailed explanation of the requirements and additional qualifications is provided in Chapter 16.98.020 of the Zoning Ordinance.

In 2021, the state density bonus law was modified (AB 2345) to offer density increases up to 50 percent and enhanced incentives for developments that meet certain criteria and include:

- 15 percent or more of the total units for very low income households; or
- 24 percent or more of the total units for low income households; or
- 44 percent or more of the total units for moderate income households.

Additional clarifications and modifications were made to state density bonus law in 2022, which specify additional housing types that qualify for density bonuses and how to calculate rent levels for 100 percent affordable housing developments (AB 2334, AB 1551, and AB 682).

For developments that are 100 percent affordable to low and very low income households, the state density bonus law offers density increases up to 80 percent per AB 1763 (2019). If a project is within one half mile of a major transit stop or in a very low vehicle travel area (an area that generates vehicle miles traveled (VMT) per capita that is below 85 percent of regional VMT), AB 1763 and AB 2334 also eliminate restrictions on density and allow a height increase of up to three stories or 33 feet.

As a result, in some cases the City’s AHO is no longer as competitive with the state density bonus law in generating potential affordable units and consequently, developers may find the State’s density bonus law more attractive. Projects that utilize the state density bonus law can request up to four incentives or concessions, depending on the percentage of affordable units in the proposed development, and can also ask for waivers of development standards, such as setbacks or open space requirements, in order to achieve the permitted density. The City’s AHO establishes certain incentives such as reduced parking requirements and fee waivers, and provides additional flexibility and standards for proposed developments that offer affordable units.

To assist the City in meeting its RHNA and creating a more robust AHO (Housing Element Program H4.D), application of the AHO would be expanded to include all 6<sup>th</sup> Cycle RHNA housing opportunity sites (except 321 Sheridan Drive), in addition to the current sites and Specific Plan area. Whereas the AHO is currently designed to work alone as an alternative to the state density bonus, the AHO is proposed to be modified to work in combination with the updated state density bonus law on a site, if a developer desired to apply both, which HCD has advised is necessary for Housing Element compliance with state statutes. The intent of the combined AHO and state density bonuses is to incentivize the production of affordable housing units, but it could also result in a substantial increase in new market-rate housing units in mixed-income developments since the density bonus would allow for new market rate units in exchange for certain percentages of affordable units. Currently, the AHO, like state density bonus law, applies to both 100 percent affordable and mixed income developments. Depending on the level and percentage of affordability, different density bonuses and incentives could be provided.

The income categories and affordable unit percentages for developments that would be eligible to use the AHO would be updated to reflect the recent changes in state density bonus law, but would generally focus on providing bonuses for including low, very low, and extremely low income units on a sliding scale, similar to the current AHO. The AHO would require a project to provide a greater percentage of affordable units than required under the City’s Below Market Rate (BMR) Housing Guidelines (currently 15 percent for projects of 20 or more units).

Housing Element Program H4.D identifies potential densities of 100 du/ac or greater with use of the AHO and state density bonus law. Table 4 below shows an example of a 100 percent affordable housing development on a site with a base density of 30 du/ac. In order to achieve 100 du/ac, the proposed AHO density bonus would be 86 percent, which would have the effect of providing a total density of 101 du/ac when combined with the 80 percent state density bonus.

**Table 4: Example AHO Application to C-1 Zoned Parcel with 80 Percent State Density Bonus**

Acres	Max Density	Max Base Units	AHO Density Bonus	AHO Bonus Units	Base Units + AHO Bonus Units	80% State Density Bonus Units	Total Units	Total Density
(A)	(B)	A*B=(C)	B*.86=(D)	A*D=(E)	C+E=(F)	F*.80=(G)	F+G=(H)	H/A=(I)
1.0	30 du/ac	30 units	26 du/ac	26 units	56 units	45 units	101 units	101 du/ac

If this approach is supported, the proposed AHO density bonus for mixed-income developments would scale downward from 86 percent since the proposed percentage of affordable units in a development would decrease. Modifications to the AHO would also consider processing fee waivers, deferrals, or further reduction of other fees (such as traffic impact fees, recreation in-lieu fees, etc.) as well as incentives for providing units or preferences for persons with disabilities.

All Specific Plan area parcels, R-4-S-zoned parcels, and Housing Element inventory sites would be eligible to utilize the AHO, with the exception of the former Flood School site (321 Sheridan Drive; Site #38) based on previous direction from the City Council.

#### *Other considerations for sites near major transit stops*

When considering proposed changes to the AHO and zoning changes in the Specific Plan area, it should be noted that a state housing law, AB 1763, would allow projects that are 100 percent affordable to low and very low income residents and sited within one-half mile of a major transit stop to have unlimited density and a height increase of up to three stories or 33 feet. The Menlo Park and Palo Alto Caltrain stations are considered major transit stops and future projects in Menlo Park near these stations that meet the necessary criteria could utilize AB 1763 provisions and exceed the proposed maximum density and height for an applicable site. This provision would exceed density bonuses proposed in the updated AHO.

#### *Other zoning ordinance modifications*

In addition to modifying the commercial and mixed-use zoning districts as described above, the following changes would be made to the Zoning Ordinance:

- The 10,000 square-foot minimum lot size requirement for increased densities on R-3 zoned properties located around downtown would be removed. All R-3 zoned properties within the defined area would be able to develop at a density of up to 30 du/ac. In addition, the proposed changes would allow R-3 properties located anywhere in the City over two acres to develop at a density of up to 20 du/ac.
- An overlay district would be created for “carveout” development on certain housing opportunity sites included in the City’s 6<sup>th</sup> Cycle RHNA housing inventory. The intent of the overlay would be to allow housing development of one or two acres that could be located anywhere on the applicable parcels.
- Section 16.08.085 of the Zoning Ordinance, “Child day care homes,” would be updated to allow large family daycares by-right in residential areas. Currently, the City’s ordinances require notification to adjoining property owners with the possibility of a public hearing if requested by an affected party, and Community Development director approval with the option for an appeal to City Council. This requirement is inconsistent with recent state law, which requires the use of a home as a small or large family daycare to be considered a residential use of property, and a use by-right for the purposes of all local ordinances (2022 California Health and Safety Code, Division 2, Chapter 3.6, Section 1597.45) (Housing Element Program H2.F).

#### Planning Commission considerations

The following key topics are provided by staff for the Planning Commission’s consideration:

- Zoning standards for proposed Specific Plan subdistricts and potential density increases based upon prior feedback.
- Use of C-2-B zoning standards as model to develop modified commercial districts’ standards for potential mixed-use developments on smaller sites.
- AHO modifications to achieve increased densities for affordable housing, up to 100 du/ac.

The Commission should use the study session as an opportunity to review the proposed zoning changes,

receive public comment, and ask clarifying questions.

### Next Steps

Following the Planning Commission's study session, staff will share the feedback with the City Council at a study session on August 22. Based upon the City Council's input and guidance, staff will further develop the proposed Zoning Ordinance and Specific Plan area modifications and create draft ordinances, which would be reviewed at future Planning Commission and City Council meetings tentatively planned for late fall/early winter 2023.

It should be noted that the proposed changes described in this report are in effort to update the City's codes and ordinances for compliance with state law and the City's commitments to implement programs in its adopted Housing Element within one year of January 2023. Over the course of 2024 and beyond, staff will continue to make progress to implement other important programs such as the development of an anti-displacement strategy (Program H2.E), an accessory dwelling unit (ADU) amnesty program (Program H2.D), incentives and zoning text amendments for special needs housing (Programs H3.D and H3.G), and others.

The Planning Commission and City Council will also continue to receive annual progress reports on housing production toward meeting the City's RHNA. Housing Element Program H1.H commits to a mid-cycle review in 2027 to evaluate the progress of the City's zoning changes in helping to meet the City's RHNA. Based on the results of the annual and mid-cycle reviews, the City Council may revisit zoning and direct staff to evaluate further modifications to densities and development standards in order to produce satisfactory levels of affordable housing in the community.

### **Impact on City Resources**

As part of the fiscal year 2020-21 budget, the City Council appropriated nearly \$1.5 million from the general fund to support the Housing Element Update (including preparation of the SEIR), which is a City Council priority. On March 14, 2023, the City Council approved an amendment to the professional services agreement with M-Group, the City's Housing Element Update project consultant, in the amount of \$75,414, for an overall contract total of \$1,547,466. For future efforts related to the Housing Element Update project, an additional budget augment may be requested to ensure the continued involvement of project consultants in conducting public engagement and finalizing the documents and tasks necessary to complete the project.

### **Environmental Review**

This study session item is not a project within the meaning of the California Environmental Quality Act. As part of the Housing Element Update process (i.e., Housing Element and Safety Element updates and a new Environmental Justice Element, and associated changes including zoning), a SEIR was prepared. On January 31, 2023, the City Council adopted Resolution No. 6808 certifying the SEIR and associated CEQA actions. On February 1, 2023, a Notice of Determination (NOD) was filed.

The certified SEIR studied densities consistent with those shown in the 12/22/22 Study Session Proposal columns of Attachment B. The zoning regulations for the Density Increase Option in Attachment B would also be consistent with the SEIR and would be evaluated through an administrative SEIR Addendum, which could typically be completed within a few months' time. If higher densities are requested, additional environmental review may be required and could take several months or longer to complete. Given state requirements and the adopted Housing Element commitment to complete zoning changes by January 2024, preparation, circulation, and certification of a new the SEIR would not be a feasible option to meet the City's

required deadlines. Therefore, it is recommended that any zoning increases beyond those shown in Attachment B be addressed in connection with future zoning code updates after the City completes the rezoning necessary by January 31, 2024 to maintain a legally adequate Housing Element.

## Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. A bilingual (English and Spanish) mailer providing an overview of the proposed zoning changes and invitation to join the August 14 and August 22 study sessions was mailed to every mailing address in Menlo Park as well as property owners with mailing addresses outside of Menlo Park. A Weekly Digest article was posted on August 4 with similar information. A standard public meeting notice for the August 14 study session was published in The Examiner-Redwood City Tribune on August 4. A standard public meeting notice for the August 22 study session was published in the Examiner-Redwood City Tribune on August 10. A special bilingual (English and Spanish) advertisement notice in the Almanac will be provided on August 11 in advance of the August 14 study session and will be also be provided on August 18 in advance of the August 22 study session. Notice was also provided via the City's social media channels.

## Attachments

- A. Hyperlink June 30, 2023 Updated Housing Element:  
<https://menlopark.gov/files/sharedassets/public/community-development/documents/housing-element-annual-progress-reports/2023-2031-menlo-park-housing-element-clean-copy-version-updated-20230630.pdf>
- B. Specific Plan Development Standards Comparison Table
- C. Specific Plan Area Map
- D. Hyperlink Sample Developments of 100 Dwelling Units Per Acre (Status as of December 2021):  
<https://menlopark.gov/files/sharedassets/public/community-development/documents/projects/housing-element-update/sample-developments-of-100-dwelling-units-per-acre.pdf>
- E. Map of Commercial Districts to Be Combined Under C-2-B
- F. Map of Commercial Districts with New Residential FAR
- G. Hyperlink Zoning Ordinance Chapter 16.98: Affordable Housing Overlay:  
<https://www.codepublishing.com/CA/MenloPark/#!/MenloPark16/MenloPark1698.html#16.98>

Report prepared by:  
Tom Smith, Principal Planner

Report reviewed by:  
Corinna Sandmeier, Principal Planner  
Mary Wagner, Assistant City Attorney  
Deanna Chow, Assistant Community Development Director

# ATTACHMENT B

Attachment B: El Camino Real/Downtown Specific Plan Housing Density Options																				
Base Density Options		A. EXISTING SPECIFIC PLAN						B. 12/22/22 STUDY SESSION PROPOSAL						C. DENSITY INCREASE OPTION						
ALL OPTIONS		A. EXISTING SPECIFIC PLAN						B. 12/22/22 STUDY SESSION PROPOSAL						C. DENSITY INCREASE OPTION						
Specific Plan Subdistrict	Land Use	Base Density	FAR	Height	Façade Height	45° Building Profile Sides	Base Density	Commercial FAR	Total FAR	Step-Up FAR	Height	Façade Height	45° Building Profile Sides	Base Density	Commercial FAR	Total FAR	Step-Up FAR	Height	Façade Height	45° Building Profile Sides
D - Downtown	Retail/Mixed-Use (MSO)	25	2.00	38'	30'	Public	40	2.00	2.00	2.40*	50'-54**	40'	Public	60	2.00	2.75	3.15*	60'-64**	40'	Public
DA - Downtown Adjacent	Office/Residential	18.5	0.85	38'	30'	Public	30	0.85	1.00	1.25*	40'-44**	30'	All	40	0.85	1.15	1.55*	50'-54**	30'	All
ECR NE - El Camino Real North-East	Mixed-Use	25	1.10	38'	NA	NA	30	1.10	1.10	1.25*	40'-44**	NA	NA	40	1.10	1.35	1.75*	50'-54**	40'	Public-Rear
ECR NE-L - El Camino Real North-East Low Density	Mixed-Use	20	0.75	38'	30'	Public-Rear	30	0.75	1.00	1.25*	40'-44**	30'	All	40	0.75	1.15	1.55*	50'-54**	30'	All
ECR NW - El Camino Real North-West	Mixed-Use/Residential	25	1.10	38'	NA	NA	30	1.10	1.10	1.25*	40'-44**	NA	NA	40	1.10	1.35	1.75*	50'-54**	40'	Public-Rear
SA E - Station Area East	Retail/Mixed-Use (MSO)	50	1.35	60'/48' Alma	38'	Public-Rear	50	1.35	2.30	2.75*	60'-64'/48' Alma**	40'	Public-Rear	60	1.35	2.75	3.15*	60'-64'/48' Alma**	40'	Public
SA W - Station Area West	Retail/Mixed-Use (MSO)	50	2.00	48'	38'	Public	50	2.00	2.30	2.75*	60'-64**	40'	Public	60	2.00	2.75	3.15*	60'-64**	40'	Public
ECR SW - El Camino Real South-West	Mixed-Use/Residential	25	1.10	38'	30'	Public-Rear	30	1.10	1.10	1.25*	40'-44**	30'	All	40	1.10	1.35	1.75*	50'-54**	30'	All

Public Benefit Bonus Density Options		A. EXISTING SPECIFIC PLAN						B. 12/22/22 STUDY SESSION PROPOSAL						C. DENSITY INCREASE OPTION						
ALL OPTIONS		A. EXISTING SPECIFIC PLAN						B. 12/22/22 STUDY SESSION PROPOSAL						C. DENSITY INCREASE OPTION						
Specific Plan Subdistrict	Land Use	Bonus Density	FAR	Height	Façade Height	45° Building Profile Sides	Bonus Density	Commercial FAR	Total FAR	Step-Up FAR	Height	Façade Height	45° Building Profile Sides	Bonus Density	Commercial FAR	Total FAR	Step-Up FAR	Height	Façade Height	45° Building Profile Sides
D - Downtown	Retail/Mixed-Use (MSO)	40	2.25	38'	30'	Public	60	2.25	2.75	3.15*	60'-64**	40'	Public	100	2.25	3.75	4.50*	81'-85**	40'	Public (Stepbacks over 60 du/ac)***
DA - Downtown Adjacent	Office/Residential	25	1.00	38'	30'	Public	50	1.00	1.45	1.85*	50'-54**	40'	All	50	1.00	1.45	1.85*	50'-54**	40'	All
ECR NE - El Camino Real North-East	Mixed-Use	40	1.50	48'	38'	Public	50	1.50	1.75	2.05*	50'-54**	40'	Public-Rear	50	1.50	1.75	2.05*	50'-54**	40'	Public-Rear
ECR NE-L - El Camino Real North-East Low Density	Mixed-Use	30	1.10	38'	30'	Public-Rear	40	1.10	1.15	1.55*	50'-54**	30'	All	50	1.10	1.45	1.85*	50'-54**	40'	All
ECR NW - El Camino Real North-West	Mixed-Use/Residential	40	1.50	38'	NA	NA	50	1.50	1.75	2.05*	50'-54**	40'	Public-Rear	50	1.50	1.75	2.05*	50'-54**	40'	Public-Rear
SA E - Station Area East	Retail/Mixed-Use (MSO)	60	1.75	60'/48' Alma	38'	Public-Rear	80	1.75	3.25	3.75*	71'-75'/48' Alma**	40'	Public (Stepbacks over 60 du/ac)***	100	1.75	3.75	4.50*	81'-85'/48' Alma**	40'	Public (Stepbacks over 60 du/ac)***
SA W - Station Area West	Retail/Mixed-Use (MSO)	60	2.25	48'	38'	Public	80	2.25	3.25	3.75*	71'-75**	40'	Public (Stepbacks over 60 du/ac)***	100	2.25	3.75	4.50*	81'-85**	40'	Public (Stepbacks over 60 du/ac)***
ECR SW - El Camino Real South-West	Mixed-Use/Residential	40	1.50	38'	30'	Public-Rear	50	1.50	1.75	2.05*	50'-54**	40'	All	50	1.50	1.75	2.05*	50'-54**	40'	All

**Notes**

\*Step-Up FAR requires at least 50% of the overall building FAR to be residential use with no more than 65% residential FAR in D, SA E and SA W subdistricts, an average net residential unit size of at least 1,000 SF, and either a) 50% of units with 2+ bedrooms and 10% with 3+ bedrooms or b) all for sale units.

\*\* In D, SA E, SA W subdistricts maximum heights for projects with residential uses would be 50' (54' at pitch roofs 3:12+) for density of 20 to 40 du/ac; 60' (64' at pitch roofs 3:12+) for density over 40 du/ac to 60 du/ac; 71' (75' at pitch roofs 3:12+) for density over 60 du/ac to 80 du/ac; 81' (85' at pitch roofs 3:12+) for density over 80 du/ac. (See note 7 for height limits for 100 percent commercial use development)

\*\*\* In DA, ECR NE, ECR NE-L, ECR NW, and ECR SW subdistricts maximum height for projects with residential uses would be 40' (44' with pitch roofs 3:12 or greater) for density of 20 to 30 du/ac; 50' (54' with pitch roofs 3:12 or greater) for density over 30 du/ac. (See note 7 for height limits for 100 percent commercial use development)

\*\*\*\* Where density exceeds 60 du/ac stepbacks are required in-lieu of building profile at required building sides as follows: Stepback 1 (10' back from primary façade at/below maximum façade height); Stepback 2 (10' back at building wall at 60' above grade or at uppermost level if lower than 60').

**Additional Notes and Requirements**

- MSO = Main Street Retail Frontage Overlay along Santa Cruz Avenue: Property fronting Santa Cruz Avenue shall be required to have a minimum 1.0 FAR of commercial use (note: ground floor uses shall be retail, restaurant etc. per Table E1 of the Specific Plan). These FAR and Step-Up FAR shown in red.
- Minimum residential floor area ratio (FAR): Minimum ratio of residential square footage of the gross floor area of all buildings on the lot to the square footage of the lot shall increase on an even gradient from 53% for 20 du/ac to 264% for 100 du/ac. (Based on 1,150 GSF per unit which roughly equates to about 900 sf for average net unit size)
- Minimum Residential Density (20 du/ac): Any project in the Specific Plan area that includes residential would be required to have a minimum density of 20 du/ac. This is the minimum density allowed by HCD for housing element site inventory properties.
- 30 du/ac Residential Density Provision: Development standards for all subdistricts allow at least 30 du/ac to be consistent with HCD minimum density requirement for Bay Area affordable housing. This modifies some existing Specific Plan base and public benefit bonus densities. See numbers in brackets above.
- Height/Floor Level Reference (Information): 40'-44' (3 floors mixed-use/residential); 50'-54' (4 floors mixed-use/residential); 60'-64' (5 floors mixed-use/residential); 71'-75' (6 floors mixed-use/residential); 81'-85' (7 floors mixed-use/residential)
- Commercial FAR based on allowed commercial FAR in Existing Specific Plan. (Note: Most subdistricts limit office use to one-half of FAR but allow other non-office commercial uses to the allowed FAR)
- Maximum building and facade heights for 100 percent commercial use development (i.e., development with no residential use component) shall be regulated by the building and facade height limits set forth in the Existing Specific Plan (e.g. 38' and 30' in the Downtown). Note: This may reduce the potential commercial floor area relative to a mixed use project with minimum 20 du/ac.



MENLO PARK EL CAMINO REAL AND DOWNTOWN SPECIFIC PLAN

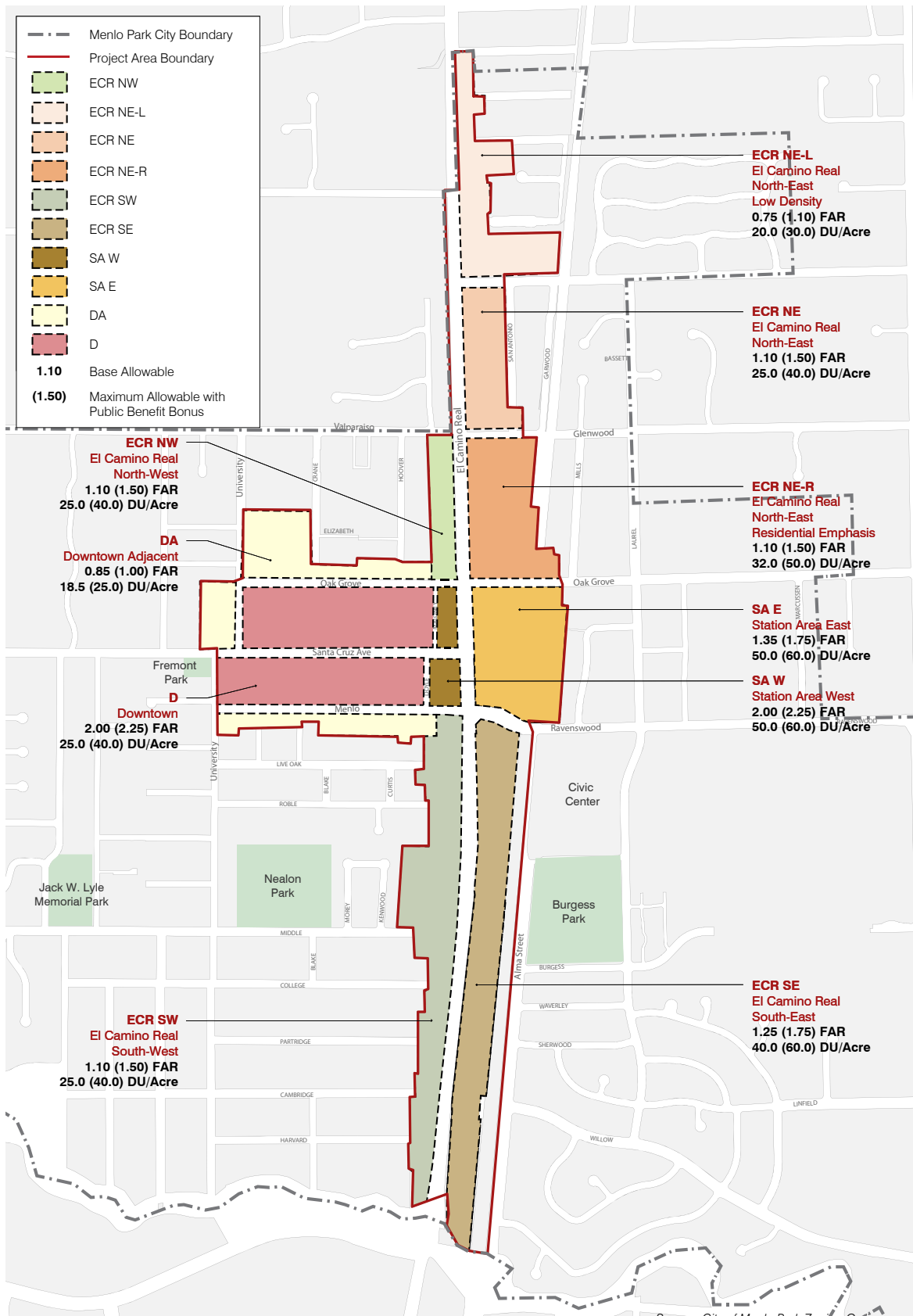
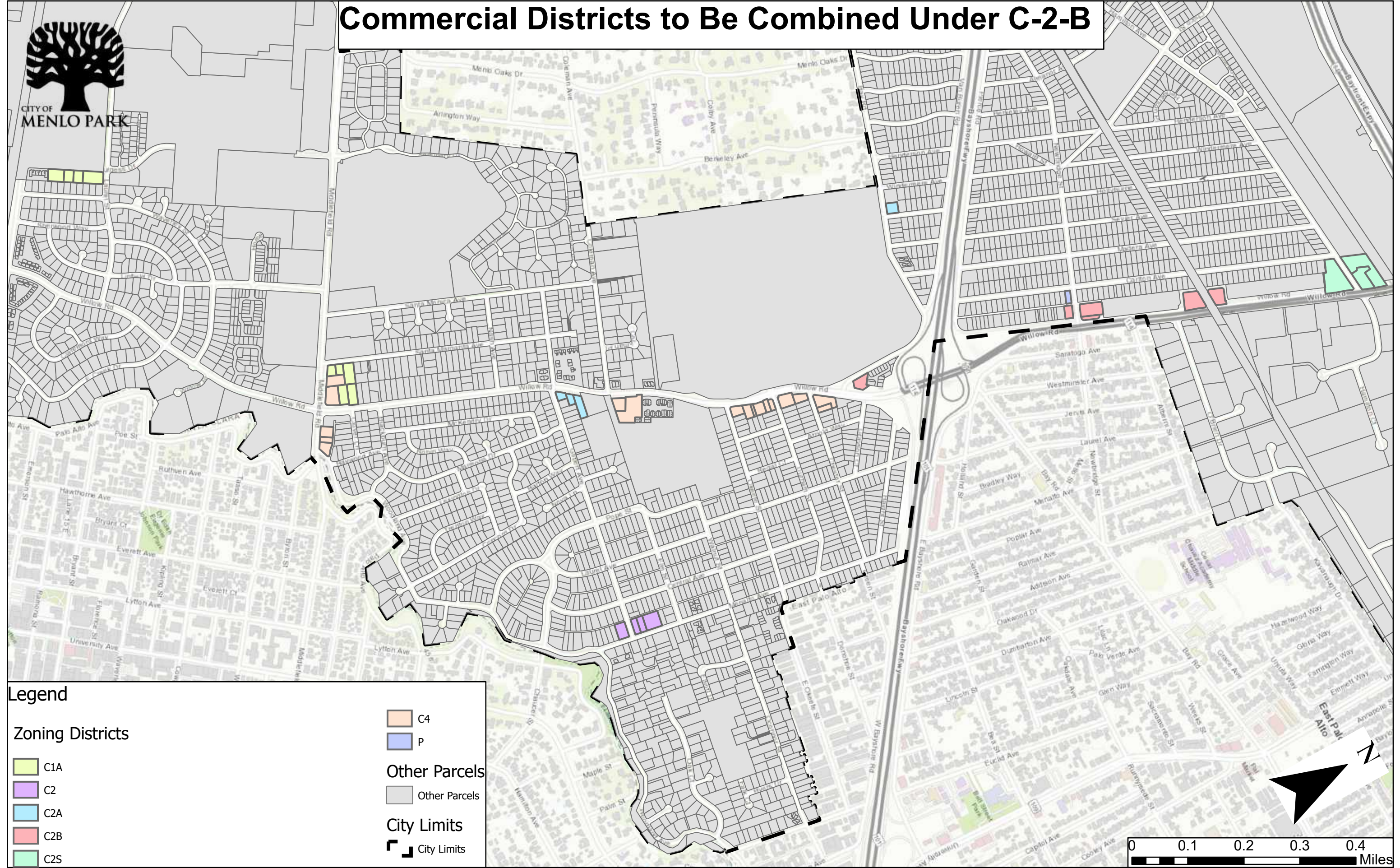


Figure E2. Development Intensity / Density



# Commercial Districts to Be Combined Under C-2-B



**Legend**

**Zoning Districts**

- C1A
- C2
- C2A
- C2B
- C2S
- C4
- P

**Other Parcels**

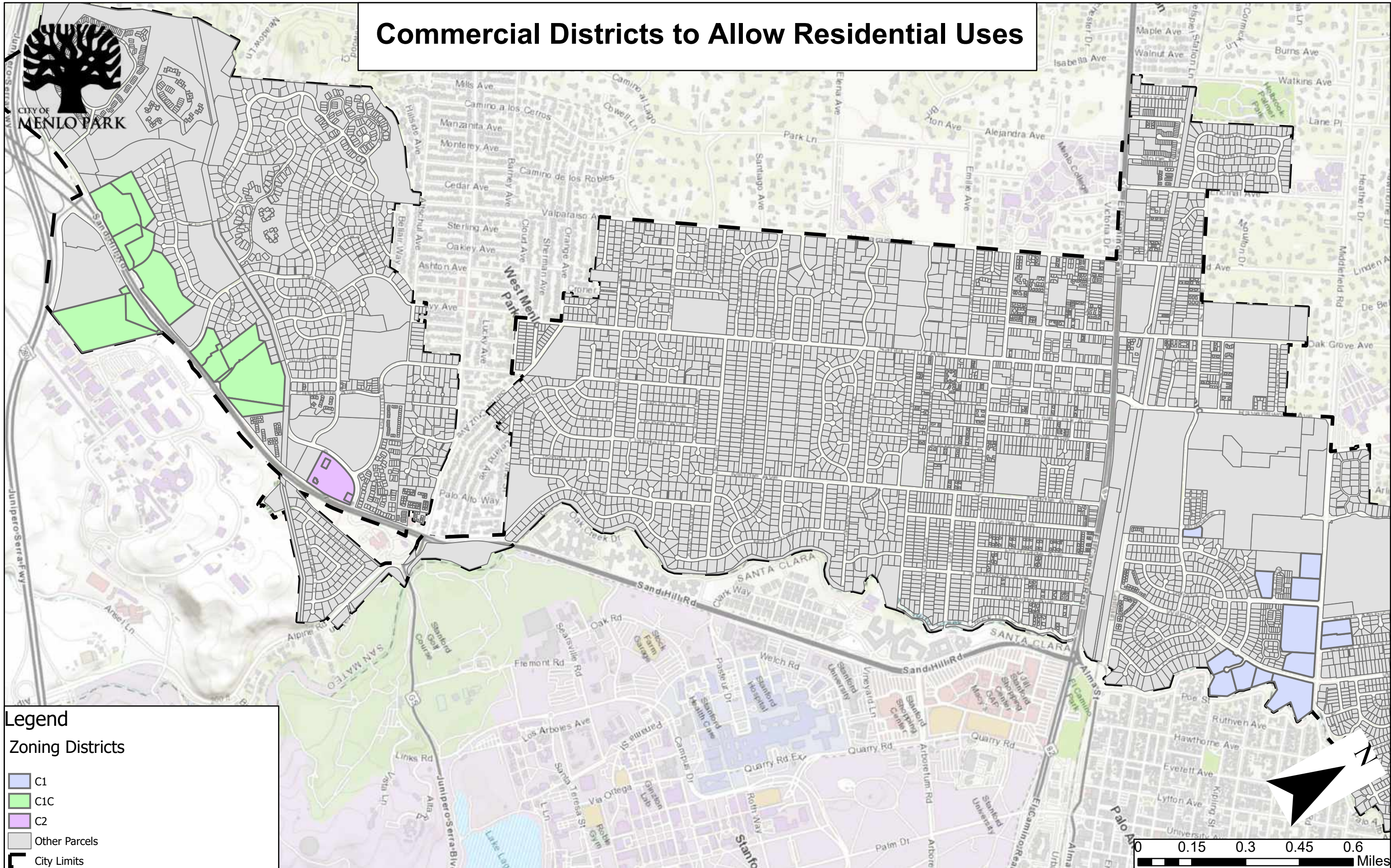
- Other Parcels

**City Limits**

- City Limits



# Commercial Districts to Allow Residential Uses



## Legend

### Zoning Districts

- C1
- C1C
- C2
- Other Parcels
- City Limits