REGULAR MEETING MINUTES

Date: 01/25/2021
Time: 7:00 p.m.
GoToWebinar.com – ID #763-269-963

A. Call To Order

Chair Henry Riggs called the meeting to order at 7:03 p.m.

B. Roll Call

Present: Andrew Barnes (arrived at 7:07 p.m.), Chris DeCardy, Michael Doran (Vice Chair), Larry Kahle, Henry Riggs, Michele Tate

Absent: Camille Kennedy

Staff: Kaitie Meador, Senior Planner; Ori Paz, Associate Planner; Kyle Perata, Principal Planner; Leo Tapia, Planning Technician

C. Reports and Announcements

Principal Planner Kyle Perata said the City Council at its January 26, 2021 meeting would consider design elements for the pool related to the Menlo Park Community Center project. He said the City Council had approved the Menlo Park Community Center project at its January 12, 2021 meeting. He said the Council would also at the same meeting consider modifications to the Downtown Street Closure on Santa Cruz Avenue that might or might not be affected by the recent lifting of the Stay at Home Health Order. He said the City Council on January 30 would conduct a goal setting workshop.

D. Public Comment

(Commissioner Andrew Barnes joined the meeting.)

Kim Novello, Menlo Park, asked in general how residents were made aware of development projects and how their input on whether those projects were wanted or not was enabled. She asked if projects were being looked at through an “equity” lens. She said she was becoming more civically involved and wondered how best to get issues resolved. She said it would be great if the City could have some type of nature walk connecting all of the communities in Menlo Park. She said regarding projects coming before the Commission such as the one later on the agenda that she did not understand why it was 85% rental and only 15% was below market rate and why it was rental and not for sale noting enabling people to be able to afford housing in the area. She said she did not understand why more office was being built as that would increase the demand on housing and more housing was needed.

Chair Riggs said that residents could be on the email list for development project notifications. He said the City’s website also had other areas of interest for which residents could receive information.

He said that issues raised by the speaker had been addressed by the City although not everyone agreed with how.

Planner Perata said the website had information on all of the projects going on in Menlo Park. He said people could be added to notification lists for projects requiring California Environmental Quality Act (CEQA) analysis. He said that the speaker was welcome to contact him by phone or email and he could answer many of her questions noting his contact information was on the website. He said the Housing Element update process would begin this year and there would be time to get on the notification list and to participate in community outreach meetings.

Chair Riggs closed public comment.

E. Consent Calendar

E1. Approval of minutes and court report from the December 7, 2020, Planning Commission meeting. (Attachment)

E2. Approval of minutes from the December 14, 2020, Planning Commission meeting. (Attachment)

ACTION: Motion and second (Chris DeCardy/Michael Doran) to approve the consent calendar including the minutes and court report for the December 7, 2020 Planning Commission meeting and minutes for the December 14, 2020 Planning Commission meeting; passes 6-0 with Commissioner Camille Kennedy absent.

F. Public Hearing

F1 and G1 are associated items with a single staff report

F1. Environmental Impact Report (EIR) Scoping Session/The Sobrato Organization/119-127 Independence Drive, 1205 Chrysler Drive, and 130 Constitution Drive:
Request for environmental review, use permit, architectural control, heritage tree removal permits, below market rate (BMR) housing agreement, and vesting tentative map for a proposed mixed use development in the R-MU (Residential Mixed Use) Zoning District. The proposed project would consist of a major subdivision for 67 for-sale town homes, construction of a 316-unit rental apartment building, and an 88,750 square foot office building. The applicant is requesting a use permit for bonus-level development in exchange for the provision of community amenities. The project also includes a hazardous materials use permit request to allow for a diesel generator to operate in the event of an emergency. The proposed floor area ratio (FAR) would be 143 percent where a maximum of 148 percent is allowed with community amenities. The proposed project would consist of 15 percent below market rate housing units, and the proposed project will be required to comply with the city's BMR program. Environmental review is required to assess the potential environmental impacts of the project. The proposed project is considered a housing development project pursuant to the Housing Accountability Act. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed hazardous waste sites are present at the location. The project location does not contain a toxic site pursuant to Section 6596.2 of the Government Code. (Staff Report #21-004-PC)

A Court Reporter transcribed item F1.

G. Study Session

G1. Study Session for Use permit, Architectural Control, Vesting Tentative Map, Heritage Tree Removal Permits, Below Market Rate (BMR) Housing Agreement, and Environmental Review/The Sobrato Organization/119-127 Independence Drive, 1205 Chrysler Drive, and 130 Constitution Drive: Request for a use permit, architectural control, vesting tentative map, heritage tree removal permits, BMR housing agreement, and environmental review for a mixed use development in the R-MU (Residential Mixed Use) Zoning District. The proposed project would consist of a major subdivision for 67 for-sale town homes, construction of a 316-unit rental apartment building, and an 88,750 square foot office building. The applicant is requesting a use permit for bonus-level development in exchange for the provision of community amenities. The project also includes a hazardous materials use permit request to allow for a diesel generator to operate in the event of an emergency. The proposed floor area ratio (FAR) would be 143 percent where a maximum of 148 percent is allowed with community amenities. The proposed project would consist of 15 percent below market rate housing units, and the proposed project will be required to comply with the city's BMR program. Environmental review is required to assess the potential environmental impacts of the project. The proposed project is considered a housing development project pursuant to the Housing Accountability Act. (Staff Report #21-004-PC).

Staff Comment: Planner Meador presented key topics for the Commission's consideration for feedback during the study session including site and building design, open space and paseo design and activation, possible incorporation of public-serving commercial space, community amenity preferences and Below Market Rate (BMR) units.

Questions of Staff: Chair Riggs said this project under the Housing Accountability Act limited the Commission's purview. He asked about bonus level development and community amenities and the Commission's purview in its review. Planner Meador said the Commission could provide guidance on community amenities.

Chair Riggs opened the public comment period.

Public Comment:

- Kim Novello said a comment was made that the design was urban but Menlo Park was suburban, and questioned if the building had to be five stories. She said she did not see a park in the plans referring to open space. She questioned how many bedrooms were in the townhomes and apartments and whether the BMR units were both apartments and townhomes. She suggested a grocery store would be a better commercial use than offices. She suggested for community amenities to provide more nature, more trees and spaces for families to go on nature hikes. She said she did not see any yard space or privacy for families. She said it seemed the type of housing was geared toward dormitory style and that would perhaps house workers, which would impact housing and traffic even more.

- Pamela Jones, Menlo Park, said she liked that 10 of the townhomes were for sale to moderate income level buyers. She said 84.5% of the apartments were studios and one bedrooms and to her that meant people would be just in and out of those spaces. She said she would like to see at least 20-25% low income BMRs at all affordability levels and that was doable as there was nothing prohibiting it. She said she appreciated the outreach being done in the community

regarding community amenities. She said if all the developers in the area put their money together they could build a nice bicycle/pedestrian bridge that would connect the area that would have five new developments over to the new Menlo Park Community Center and the neighborhood services it would provide.

Chair Riggs closed the public comment period.

Commission Comment: Commissioner Barnes said he thought this proposal was informed by the projects that came before it and improved through previous discussions. He said it was great how parking was integrated into the structures. He said the project worked within the ConnectMenlo design standards and made really good use of materials. He said the for sale townhomes were warm and inviting. He said the materials for the multi-family building were a good mix. He said regarding the EIR and campus corporate housing that was part of the Facebook Classic campus design when the City was doing the ConnectMenlo General Plan Amendment. He said with the limited number of stakeholders in this zoning district the development of ConnectMenlo was very progressive in its sustainability requirements, its abilities to connect the paseos, and its transportation outlook.

Commissioner Barnes referred to the first bullet point for discussion *Site Layout and Building Design*. He said the question posed was whether the proposed layout of the building in relation to the proposed Menlo Portal project was acceptable. He asked if staff could show something that visualized the question being asked. Planner Meador showed a slide noting on the left far side of the townhomes was a proposed driveway on this project site and on the adjacent parcel a service driveway for Menlo Portal. Commissioner Barnes indicated he did not have an opinion on that question. He referred to the BMR housing and the applicant's proposal to do a mix of very low, low and moderate income levels and asked if that mix was the crux of the question posed by staff. Planner Meador said the main question was about paying an in-lieu fee or providing an additional BMR unit as proposed by the applicants and related to community amenities whether the Commission wanted to see more BMR units proposed as part of the project. She said rather than doing all low income BMRs the project was proposing a mix of income levels for the apartments. She said that was allowed but the Commission could comment on that if it thought it was more appropriate to do all low income level BMRs. She said the for sale townhomes were treated slightly differently.

Commissioner Barnes said he was fine with the extra BMR unit being located in the apartment part of the project and he would prefer that to payment of an in-lieu fee. He said he preferred having a mix of very low, low and moderate income levels for the BMR units. He said it was very difficult to get very low income BMRs in any project that were not tax credit funded projects and it would support housing allocation needs for the City. He said regarding the question of the project providing public-serving commercial space that he thought the area was doing well for community space. He said he never recalled any discussion about Bayfront Bedwell being park space for this project. He said Facebook put funds into the existing park as an amenity for their employees.

Commissioner Doran said regarding the site layout and building design that it was a very handsome project and laid out well. He said the parking garage for the apartment building was very well executed and completely hidden from the street on all four sides. He said he did not really have an opinion on the office building parking garage as he had not had enough time to fully review the plans. He said regarding the interaction between this project and Menlo Portal he did not have an opinion on that without seeing the adjacent plan for Menlo Portal next to this project plan. He said he

was happy with the public open space and found the paseos well done. He said regarding public-serving commercial space that there would be a lot residents in the project itself as well as with all the other projects being built in the area and community serving amenities would be needed such as restaurants and takeout food services, and shops of all kinds. He said he would really encourage the applicants to use some of the ground level commercial space for those community serving retail uses. He said regarding community amenity that he liked the one speaker's idea about a bicycle/pedestrian bridge. He said it was probably out of budget for this project itself but was a great idea worth consideration. He said he would encourage the Sobrato Organization to see about getting the Sobrato philanthropic organization interested in contributing to that idea. He said regarding BMR housing that he agreed with Commissioner Barnes and would like to see a mix of income levels and that was good for the community as a whole. He said regarding an additional BMR unit rather than paying an in-lieu fee his definite preference was for an additional BMR unit built. He said he would like to see the BMR units integrated with market rate units and that was good for the community as a whole.

Commissioner Kahle said he agreed with much of what Commissioner Doran said and had some other comments. He said he appreciated the housing and especially the BMR units as that was great for the City and the area. He said even more BMR units would be appreciated. He said for the siting the design was appropriate. He said the paseo worked really well noting it was wide and connected where it was supposed to. He said a minor point was the swimming pool on level 2 with a five-story building around it as he expected the pool would be completely shaded much of the time. He said in general he was tempted to ask for less office space and more housing but just looking at the number of units and the site it was a very dense project with 316 apartments mostly one-bedroom units and not much open space in the immediate area for people living there except inside the courtyard. He said he thought that also would have a lot of shadow. He said as he understood it there was no commercial space planned other than office. He said having some other services would be useful for those living in the area. He said the contemporary design fit the area well and it was a handsome project. He said a couple of minor things were that the apartments and townhomes were very linear and even boxy and although there was nothing wrong with that it seemed the units were missing some residential elements whether it was roof slopes or curves, something that said residential, particularly for the townhouses. He said the office building worked very well although the entry was very deemphasized, which he thought would be appropriate to highlight more.

Commissioner Tate said she liked the look of the project. She said regarding housing that she liked to see very low income level BMRs as other Commissioners had noted. She said rather than another BMR rental unit she would like a BMR for sale unit and definitely at a low income level. She said that was important to allow people the access to purchase. She said also those units were bigger which was generally what low income people needed. She said regarding community amenities she also liked the idea of a bicycle/pedestrian bridge and pooling resources with other developers to try to make it happen. She said she wanted people to be mindful regarding community amenities that when ConnectMenlo was implemented the amenities were supposed to be tied to Belle Haven residents.

Commissioner DeCardy asked about the green open space on top of the parking garage and if that was accessible by residents. Peter Tsai, Sobrato Organization, said the green space above the parking was meant to be exclusively for the office users. Commissioner DeCardy asked Mr. Tsai how much more outreach they planned to do to determine community amenity. Mr. Tsai said community outreach was ongoing and had no stop date. He said with Covid and the pandemic they had to be creative to conduct the community outreach. He said the Commission was welcome to

contact them by phone or email if they had suggestions about people or groups to reach out to. He said the bridge idea mentioned was something they had brought up with community members and it would be hard to pull together. Commissioner DeCardy said traffic was a huge issue and noting TDM plans were developed more fully post-Commission project review asked how traffic impacts might be mitigated. Mr. Tsai said the best thing was to offer alternate modes of transportation whether walking or biking. He said they had explored using a company called Envoy for the residential building. He said rather than tenants having multiple cars there would be a fleet of electric cars within the complex that could be rented. He said they were trying to find creative ways to resolve some of the concerns they were hearing from the community.

Commissioner DeCardy said he echoed comments on the site and design that it was nicely designed and fit the site well. He noted Commissioner Kahle's comment on residential language and said that something to highlight the residential as residential would be nice. He said it was a shame that the green space on the office building garage was not accessible to residents in the apartments as tenants would see the green space from the upper stories. He said it would be nice if that could be integrated more with the residential space. He said in general the public open space layout made sense. He said it was a good idea to have the widest open space between sections of town homes activated so it was friendly for families and children. He said he agreed with other Commissioners about getting BMR units at a very low income level as much as possible and with the one speaker's comments about getting a greater percentage of BMR units in the project. He said regarding public-serving commercial space and community amenity that they needed to hear from the community. He said the list of community amenities was designed a while ago and some things on it were moot at this point and some were note the highest priority. He encouraged drilling down on that and to hear from people what they wanted. He said he agreed with comments that it would be nice to look more holistically at community amenities over projects. He encouraged the applicants to look at a battery operated alternative, the cost of which had gone down, rather than the proposed backup diesel generator and before they locked down all the uses and spaces as battery backup units might need larger housing than a diesel generator. He said the project would require removal of a number of heritage trees. He said he appreciated the replacement onsite of trees and would also encourage the applicant to work with the City, perhaps the Environmental Quality Commission, to plant trees elsewhere, in Belle Haven for instance.

Commissioner Barnes said regarding the community amenities list that an important category was jobs and training by M2 companies, including job opportunities for residents, education and enrichment programs for young adults, job training and education centers, and paid internships and scholarships for young adults. He said this was important in light of the economic inequities being seen in the pandemic due to differences in education and skills. He said Sobrato was uniquely positioned to make some of that community amenity happen. He said he would wholeheartedly add his support for any mix of the items under jobs and training on the community amenities list rather than a coffee shop or another amenity that might make life easier for residents of an apartment building. He said jobs and training were a critical need and a good fit for what Sobrato uniquely might bring to the table considering its influence in Silicon Valley.

Commissioner Barnes asked to see the drawing of the commercial building as he had a question about what they were going for in the proposed style. Ted Korth said they were going for a modern, airy and light style with a lot of open visual access both in and out. He said the intent was a modern crisp harmless design that would provide very nice collaborative space for those working within it; and a design that made a nice gesture to the street and provided a pedestrian scaled base both along Independence Drive and Chrysler Drive.

Commissioner Barnes asked how they saw the interior space being used. Mr. Korth asked Mr. Tsai to correct him if he spoke in error. He said recently most office buildings had more collaborative spaces and fewer private offices. He said the building had window mullions to create private office space or conference spaces wherever wanted, but generally people were drawn to more open and collaborative spaces. Mr. Tsai said one of the things they thought was happening in the office market related to Covid was the greater possibilities to work from home with employers allowing staff to work one to two days from home. Commissioner Barnes indicated he was thinking whether having collaborative working space allowed for more people going in and out of the building.

Commissioner Tate said she appreciated Commissioner Barnes' comments on jobs and training and how important during the pandemic that was. She said Commissioner Barnes and she had sat on an advisory board during the ConnectMenlo process and one of the conversations had been about having a training center somewhere in the subject general area, but no one ever stepped up to own that. She suggested perhaps that was something this project's commercial space could be used for and that would actually lead to sustainable employment, something equitable and sustainable so people could afford to live here. She said if Sobrato with their long arm of philanthropy wanted to take that on and incorporate in part of their space that would be great.

Commissioner Doran said regarding his previous comments endorsing the idea of public-serving commercial space with retail and neighborhood amenities that he did not mean to imply that would count as community amenity. He said community amenity qualified bonus level development was a separate category. He said he was just thinking about appropriate uses of the commercial spaces in this project. He said with the number of residents and the office workers at that site and on other sites nearby that there would be a demand for neighborhood services. He said people would not have to drive elsewhere if they could get what they needed locally.

Chair Riggs said the architecture and massing of the proposed project were very amenable and as described by others it was a handsome project. He said he agreed with the idea of getting another BMR for sale unit rather than payment of a partial in-lieu fee. He said he agreed with the comments about tree plantings. He said he supported the comments on job training. He said regarding the site and building design that he had some specific comments and asked staff to show a view of the office building parking garage. He asked if it was correct that the parking area was not defined by any screening at this time. Mr. Korth said their thought was to use a stenciled metal panel there to provide natural ventilation and to have an attractive interesting wall there with that image shown on the slide as a wetlands. He said it was an early concept at this point.

Chair Riggs said he agreed with comments about the vernacular for the townhomes particularly and the residential sense of that. He said the most challenging aspect of the townhome designs were not that they were modern and used blocks and forms but the form that was the inverted "U." He said the mass seemed heavy and a bit awkward and that might be making it difficult for the sense of residential space to come through. He said he thought the apartment building was quite attractive but the identification of the entry was not strong in the images presented. He said he recalled an earlier comment about the entry to the office building. He said an entry really needed to draw a person into a space. He noted that what was occurring with the office building was very much the result of the City's own requirements for modulation and design guidelines. He said designers were pushed to recess the middle of a large façade at the first level and recess it further at the second level. He said he did not know how much better of an integration of the long façade was possible but having a stronger entry at the pedestrian (five foot above grade) first floor level would help a great

deal. He said he thought that was sheet A7.03. He asked about the reference to large shade trees on the paseo. He said he saw a lot of patio or decorative trees on the list. Mr. Samuelson said an Australian evergreen with dense canopy was proposed as more of a buffer along the edge as it would grow tall and cast a good shadow over parts of the paseo. He said they had some oaks going along the edges in between the townhomes and apartments. He said they would use larger canopy trees like oaks and elm tree but in tighter spaces taller, more columnar trees.

Chair Riggs said the change in aesthetic in the fly through down the paseo between residential units and office building was sharp. He said he wanted to see some type of transition from the residential area to the massive five-story wall and asked how that would be seen from the residential area and if they were counting on tree growth to screen or what to address the transition. Mr. Samuelson said in the transition between the two they had larger canopy trees as a buffer on the back side. Replying to Chair Riggs, Mr. Korth said he did not think they had a rendering of the view from the residential or fly through. He said they had discussed a potential for having a green wall at the edge of the deck which was at a lower elevation. He said they thought that maybe part of that deck could have a green wall on it and that then back into landscaping as well, but that was not shown in the packet of drawings. Mr. Tsai asked if staff could pull up the presentation at one minute, 35 seconds as he thought that was the view Chair Riggs was referring to. Chair Riggs suggested that a row of trees at the edge of the residential component next to the service road between it and the office building might help create a smoother transition.

Chair Riggs said as mentioned traffic was the large issue and he appreciated Commissioner DeCardy's comments regarding TDM plans and solutions. He said as Mr. Tsai commented a viable alternative had to exist to get people out of their cars. He thanked the applicants for a very nice project and said he looked forward to seeing it again.

H. Regular Business

H1. Determination of Substantial Conformance/333 Marmona Drive:
Review of staff determination that changes to the roofing material and window and door alterations are in substantial conformance with the previous approvals. Review requested by Commissioner Riggs. (Attachment)

Chair Riggs asked for a description of the changes. Planner Paz said as part of the conditions for approval the applicant was required to reduce the overall height by one foot and so the proportions of the windows changed during the building permit stage. He said those changed again and a number of window changes were highlighted on the slide that showed the approved version on the right and the proposed changes on the left with the building permit application. He said the most substantial change was from the standing seam metal second floor roof to comp shingle. He said there was also an increase in height of the metal door to the garage. He showed a second slide of the rear and right elevation showing window changes on the first floor and roof material change on the second floor.

Chair Riggs opened the public comment period. He asked if any of the applicant team were available and wanted to speak.

Anna Felver, Thomas James Homes, said the requirement to lower the overall height by one foot affected window configurations, which were highlighted on the slides shown. She said a door was adjusted to be a bit larger and that happened during the building permit application review. She said

their main concern was that their building submittal match the approved planning submittal. She said their major request related to the standing seam metal roof was due to a potential buyer with concerns about noise on standing seam metal roofs and who also wanted to install solar. She said solar could be installed on a standing seam metal roof but it was just a little more involved to do that than on an asphalt shingle roof. She said since the metal roof was only on the second floor and more hidden from the main view they were requesting it switch to an asphalt shingle roof to allow easier solar installation and address noise potential.

Chair Riggs closed public comment.

Commission Comment: Chair Riggs said he had asked that the Commission review the substantial conformance of the proposed changes. He said he had no issue with the window changes and he liked the higher door into the garage. He said the change in the roof specification concerned him. He said the Commission had seen a pattern with developers changing Commission approved materials to less expensive ones. He said a standing seam metal roof was quite a different quality level material than asphalt shingle roof. He said he did not find this in substantial conformance with the approved project. He said he recently managed the completion of two roughly 10,000 square foot, wood sided buildings with standing seam metal roofs both of which had solar panels across the south face and there were no issues. He said when mounting solar to a standing seam metal roof all the parts needed for that were available off the shelf and any penetrations to the roof were made neatly with a metal to metal connection to ensure waterproofing.

Commissioner Kahle said he agreed. He said all the proposed changes except the roof were acceptable. He said it might be a little easier to install solar on an asphalt shingle roof but he thought it was a mistake to make the change. He said the roof needed to be all asphalt shingles or all metal.

Commissioner Barnes said project changes happened and he fundamentally agreed with staff's finding that the change on the top roof to asphalt shingle was okay. He said while the aesthetic might not be the preference of some individuals that did not necessarily change the spirit of the project. He said he lived around the corner from the project and it was beautiful. He said the photos had not shown the vertical wood siding on the house. He said everything worked well together. He said the second floor roof would be hard to see and he thought it was in substantial conformance and was not such a change that required a use permit revision.

Chair Riggs moved to find that the roof change was not substantially in conformance with the previously approved project. Commissioner Kahle seconded the motion.

Chair Riggs called the vote and the motion failed.

Commissioner Barnes moved to find the changes substantially in conformance with the previously approved project. Commissioner DeCardy suggested that another motion was not needed. Planner Perata said another motion was not necessary. Commissioner Barnes' motion died for lack of a second.

Discussion ensued between the applicant, commissioners and staff as to what would be allowable related to the applicant's request to modify the roof materials within the scope of the item notification with additional clarification.

ACTION: Motion and second (Riggs/Kahle) to find the proposed roof material changes were not in

substantial conformance with the previously approve project; fails 3-3 with Commissioners Barnes, DeCardy and Tate opposing and Commissioner Kennedy absent

Commission clarified with the applicant to proceed with revisions as shown in the substantial conformance memo and that they might revise the lower floor roof to be composition shingle consistent with the second floor roof while maintaining the standing seam metal roof accents over the bay features.

I. Informational Items

I1. Future Planning Commission Meeting Schedule

- Regular Meeting: February 8, 2021

Planner Perata said the architectural revision request for the 1540 El Camino Real project was the only item on the February 8 agenda. He said they did not have set agendas yet for the other meetings after the 8th. He said that he just noticed the City Council's January 26 agenda would have a proclamation honoring Katherine Strehl, a former Planning Commissioner.

- Regular Meeting: February 22, 2021
- Regular Meeting: March 8, 2021

Chair Riggs said the study session this evening reinforced for him the challenge of having their entire meeting packet in digital form. He said pre-Covid there were a number of 11 by 17-inch pages that were very useful to refer to. He asked if staff could make available to interested Commissioners those architectural plans, renderings and elevations as hard copies. Planner Perata said he would check on that noting it would be difficult as most staff was working remotely and also staff was not getting hard copies from applicants. Chair Riggs noted that businesses like Staples could do the printing and collating and those three to seven copies could be picked up from there and dropped off at Commissioners' front steps contactless. He said it was his request to have those made available.

J. Adjournment

Chair Riggs adjourned the meeting at 10:55 p.m.

Commission Liaison: Kyle Perata, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on February 22, 2021

CITY OF MENLO PARK

PLANNING COMMISSION

In re)
119-127 INDEPENDENCE DRIVE)
1205 CHRYSLER DRIVE)
130 CONSTITUTION DRIVE)
_____)

PUBLIC HEARING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

MONDAY, JANUARY 25, 2021

MENLO PARK CITY COUNCIL CHAMBERS

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

925-831-9029 emerickfinch@emerickfinch.com

ATTENDEES

THE PLANNING COMMISSION:

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

THE CITY STAFF:

Kyle Perata - Principal Planner
Kaitie Meador - Senior Planner

SUPPORT CONSULTANTS:

Katherine Waugh

PROJECT PRESENTERS:

Peter Tsai, Sobrato Organization
Maren Moegel, Studio T-SQ
Nick Samuelson, Sobrato Organization
Ted Korth, Sobrato Organization

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on January 25, 2021, 7:16 PM at the Menlo Park City Council Chambers, 701 Laurel Street, Menlo Park, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a Planning Commission meeting under the provisions of the City of Menlo Park.

---o0o---

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

MEETING AGENDA

925-831-9029 emerickfinch@emerickfinch.com

JANUARY 25, 2021 7:16 PM

P R O C E E D I N G S

---o0o---

CHAIRPERSON RIGGS: With that, we move to Item F, which is our public hearing tonight. Item F1 and Item G1 make up the -- essentially the remainder of our agenda this evening, and they both are in regard to the Sobrato Organization submittal for a Use Permit, Architectural Control, et cetera, and I will read the Item F1 first.

I'll note that not to mislead here, there will be a discussion following this item, both its EIR and a Study Session to determine a substantial conformance of 333 Marmona Drive, a residential application that has requested a change. So that will be somewhat further down in the evening.

So tonight Item F1. This is the Environmental Impact Report -- we say EIR -- Scoping Session for applicant the Sobrato Organization for 119-127 Independence Drive, 1205 Chrysler Drive and 130 Constitution Drive, a cluster of blocks together.

This is a request for environmental review, use permit, architectural control, heritage tree permits, removal permits, below market rate housing agreement and a vesting tentative map for a proposed mixed use development in the R-MU, that is residential mixed use

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

zoning district.

The proposed project will consist of a major subdivision for sixty-seven for-sale townhomes, construction of a 316 unit rental apartment building and then 88,750 square foot office building.

The applicant is requesting a use permit for bonus-level development in exchange for the provision of community amenities.

The project also includes a hazardous materials use permit request to allow or a diesel generator to operate in the event of an emergency.

The proposed floor area ratio, FAR, would be 143 percent where a maximum of 148 percent is allowed with community amenities.

The proposed project would consist of fifteen percent below market rate housing units, and the proposed project will be required to comply with the City's BMR program.

Environmental review is required to assess the potential environmental impacts of the project.

The proposed project -- proposed project is considered a housing development project pursuant to the Housing Accountability Act through the State of California.

The California Environmental Quality Act --

925-831-9029 emerickfinch@emerickfinch.com

CEQA as we call it -- requires this notice to disclose whether any listed hazardous waste sites are present at the location.

The project location does not contain a toxic site pursuant to Section 6596.2 of the Government Code.

Mr. Perata, do we proceed at this point with the public hearing and have a second reading for the discussion of the -- the Study Session?

MR. PERATA: That's correct. And Kaitie Meador, our senior planner, will give a Staff presentation, and then we will go into a presentation by the applicant and the City's EIR consultant.

So I'll turn it over to Kaitie at this time, but yes, we will go into a Study Session after. So the City -- the Planning Commission should focus their discussion at this time -- and the public, as well -- on the EIR Scoping Session.

CHAIRPERSON RIGGS: Thank you.

Ms. Meador.

MS. MEADOR: Good evening, Planning Commissioners. Thank you, Chair, for that lengthy project description.

So this is the project looking at 123 Independence Drive, and this portion of the presentation will focus on the Scoping Session.

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

So here you can see the proposed project location. The proposed project will have frontages on both Independence Drive, Chrysler Drive and Constitution Drive, and it is located in the R-MU Bonus Zoning District.

Let me just go back there for a second.

Just to give you a little bit of an overview of the project and what it includes, it will include 316 rental apartment units, sixty-seven for-sale townhomes and approximately 88,750 square feet of office.

And fifteen percent of the rental and for-sale units would have to be proposed as affordable BMR units. And then the total site is made up of five different parcels for a total area of 8.15 acres.

So the meeting tonight will be two public hearings. One will focus on the Environmental Impact Report Scoping Session, so that's what this part is right now.

So that will give the public and the Planning Commission an opportunity to comment on the EIR topics that will be studied.

In attendance, we also have a court reporter who will be taking a transcript of the meeting.

And then the second portion of the meeting after this will be on the Study Session, and that would

925-831-9029 emerickfinch@emerickfinch.com

be for the Planning Commission and public to provide feedback on the project design, building design, site design, things like the open space, proposed usage, community amenities and below market rate units.

So at this meeting, no action will be taken. We'll just be collecting comments.

And then for -- as far as formatting, we recommend that we do the EIR Scoping Session first, and then after my presentation, we'll do a presentation by the applicant followed by the EIR consultant presentation, then public comment.

And then after that, we'll go into the Planning Commissioner questions and comments and then we close the Scoping Session before we head into the Study Session.

so if people can get their comments in on the portion of the EIR part of the project at the beginning, that will be most beneficial so we can capture them all in that court reporter transcript.

And then after that, we'll go into a Study Session and that will start with -- I will actually do another presentation, then we'll take public comments, and then Planning Commissioner questions and comments.

And then I did receive one letter from the Native American Heritage Commission after the Staff Report was published, and that should be included in the

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

agenda tonight, and also e-mailed to you guys earlier today.

Other than that, I don't have anything else to add, but will be happy to answer questions after all the presentation.

CHAIRPERSON RIGGS: Mr. Barnes, question.

COMMISSIONER BARNES: Yes. In the spirit of a clarifying question as it relates to the interim part of this that we're going to be talking about this evening.

In the introduction part of it, it notes that the proposed project is considered a housing development project pursuant to the Housing Accountability Act.

So within that context, you can answer now or later on as we work through this. Would you detail -- given that it's a housing development project, under the Housing -- Housing Accountability Act, how does that impact the discretion by the Council or by the Planning Commission for approval of the project and what does that mean for the project?

MS. MEADOR: Yeah. I can try to answer some of that now and then make Kyle will want to jump in with more.

But the -- the Housing Accountability Act, we call them SB-330 project, that will limit the number of public hearings on the project to five, so that's one of

925-831-9029 emerickfinch@emerickfinch.com

the limitations.

And then also what it does is it locks the project into the development regulations at the time of the project submittal.

So that means like we can't add any new development regulations on to the project that weren't in place when they first submitted.

And it's just the goal is to streamline the process for some of these housing developments, and I think like that's the general goal.

I don't know if there's any other like main points that the SB-330 adds that maybe, Kyle, you want to jump in and add to.

MR. PERATA: Sure. So in addition to those items, there is also some limitations placed on the ability of a city to impose modifications that would result in a reduction in density to a project.

And then also objective standards. There's some limitations on applying objective standards versus subjective standards, as well.

COMMISSIONER BARNES: And we saw -- I'm sorry. Through the Chair, we saw this same SB-330 recently in Greystar's project, but we also I believe saw this which was across on El Camino where Feldman's Bookstore is and that project is through the Housing Accountability Act, I

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

believe, where we had somewhat limitations on the discretionary aspect of the design of a project as long as it was conforming to standards. For instance, in that case the Downtown Specific Plan.

Is that pretty much what we have here, as well? As long as it conforms to what's specifically called out in Connect Menlo, the design discretion is somewhat limited from Planning Commission's standpoint? Is that correct.

MS. MEADOR: Yes, that's correct. The Menlo Uptown project I think you remember --

COMMISSIONER BARNES: Yes.

MS. MEADOR: -- and Menlo Flats is similar, and I believe the Feldman's Bookstore, that one has gone through that process, too.

So similar to those. We would have the follow the design standard. Like so the R-MU-B Zoning District does have some design standards in it that we can require that the project comply with, but we cannot require additional design standards above and beyond that.

COMMISSIONER BARNES: I'm sorry. The last question on that. So you can't fuss with the development regulations.

Does the fifteen percent prescriptive BMR that is required for the project, is that in the bucket of

development reg -- development regulations? You can't fuss -- in other words, it wouldn't be a discretionary item to increase that? It's locked in in the fifteen percent.

Does that fall into the bucket that you can't mess with?

MS. MEADOR: I believe they are all locked in to the BMR requirements at the time of submittal.

Since this is a bonus project and requires community amenities, BMR housing units are one of the potential community amenities, so the Planning Commission could talk about, you know, wanting additional BMR units as part of that.

COMMISSIONER BARNES: Got it. Okay. So the mini bucket is locked into the fifteen percent prescriptive BMR as required.

Okay. Thank you so much. I appreciate that. Thanks, Kaitie.

Thank you, Chair.

CHAIRPERSON RIGGS: Thank you, Mr. Barnes.

So moving on with the presentation.

MS. MALATHONG: I can control it if the applicant's okay with that. Just tell me when you want me to move.

MR. TSAI: Can everyone hear me?

CHAIRPERSON RIGGS: Yes.

MR. TSAI: All right. Thank you.

Okay. Well, good evening, Chair Riggs, Vice-Chair Doran, Commissioners, Staff, Menlo Park residents. Thank you for giving us the opportunity this evening to present 123 Independence.

I'm Peter Tsai from the Sobrato Organization. I'm joined tonight by Maren Moegel from Studio T-SQ and then of course KLZ Architects and Nick Samuelson from the Sobrato Partnership.

Next slide, please.

All right. For those of you unfamiliar with Sobrato, we a local family owned organization that's been part of the Bay Area since the 1950s.

The organization consists of three divisions, Sobrato Capital, Sobrato Properties and Sobrato Real Estate.

These three organization are making the Bay Area a place of opportunity for all is shown through strong back and forth as well as its approach towards real estate.

Next slide, please.

MS. MALATHONG: I apologize. It seems like it's going a little bit slow.

MR. TSAI: There you go. No worries.

925-831-9029 emerickfinch@emerickfinch.com

All right. And now for the project. What we have here is a map of the site which currently consists of light industrial office buildings. The eight acre site is bound by Independence to the west, Constitution to the east, Chrysler to the south and neighboring buildings to the north.

Next slide.

We understand that we're in a very unique and important time. Everyone's facing challenges. You know that said, we believe in the long-term viability of a mixed use project in this location.

You know, for the office component, we believe, you know, office buildings are necessary, and while are benefits to working from home, less commute time, time commuting, flexible work schedule, not having to wear pants.

While some drawbacks are they lack an in-person interaction and some community culture, we do believe that people will come back and return to the office setting, and healthier office and residential building trends, such as architectural control, programming and use of outdoor spaces I think have been accelerated by COVID, and these trends are starting to create a healthier work and live environment. And these ideas seem to be the design of the future.

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

Next slide.

Menlo Park is in the forefront of implementing environmental practices in their development projects. All electric buildings, UV parking, waste reduction, wastewater treatment, and these projects are designed with these practices in mind.

In addition, Sobrato strives for Fitwell certification. This is a certification similar to LEED and creates a healthier workplace environment.

Next slide.

As a long-term holder of -- of real estate, Sobrato strives to be a part of neighborhood development and community outreach is an essentially part of our process.

Amid the COVID pandemic, we have virtually met with the diverse citizens of Menlo Park, its stakeholders, all with similar and differing community interests as well as an approach to get a holistic understanding of the community.

For example, we met with New Hope Community Church, Beechwood Elementary, Sachi Sushi. We met with Youth United to give you a couple names.

Next slide, please.

This chart represents a list of the current community amenities list. In the bold and the large text

this represents the consistent feedback we received during our outreach process.

We'll continue our outreach efforts in order to reach as many stakeholders as possible and we will focus on repeated themes of traffic calming and affordable housing.

Also, 123 Independence is an SB-330 project, it is to comply with the community amenities at the time of this application, which was July 2020.

Next slide.

In order to give you some context, the project since this is the first time we are in front of you, we'll be showing you a kick kind of slide through of the project.

To give you an overview of the proposed development, starting in the lower right side of the page with the office at the corner of Chrysler and Independence and moving clockwise, we have the townhomes along Independence and the apartments on Constitution.

These are all connected by open spaces and paseos and bring together a campus.

And so now to the slides.

(Slide show being shown).

Okay. This is taking a bird's eye view coming down on the office project and working our way down

Independence.

You will see the townhomes on the right-hand side. There are thirty-one townhomes and will be called lot C.

Separating lot C is a public park, and to the opposite side of the public open space is lot A, which is twenty-six townhome units.

You can see the open space provides a nice safe haven for the neighborhood. We are now talking down the paseo towards the apartment building on the right-hand side.

Towards Constitution the five-story product with four levels of parking.

We'll now be returning back. Now you'll get kind of the corner of the apartment building. There's a leasing office.

We're working our way down the paseo where we came up, and then you see the townhomes again on the left-hand side. That is the forty-one units on lot C.

We'll then go going down through another paseo between the townhomes on the left- and right-hand side. Heading towards the office building.

And then we will be spinning out giving another bird's eye view of the project.

So with that, I will be turning the

925-831-9029 emerickfinch@emerickfinch.com

presentation over to Maren Moegel with Studio T-SQ. She will be going over the residential design aspect of this project.

Maren.

MS. MOEGEL: Okay. Thank you.

Can we go to the next slide?

As you've seen in the video, the new community is well connected to the square district with the new paseo and the neighborhood park.

To the west and east of the park are the two townhome communities with a total of sixty-seven units and they're smaller green spaces to second secondary pedestrian pathways.

To the north of Constitution Drive, there is a proposed five-story apartment building with sixteen units and the courtyard amenities with pool deck.

Next slide, please.

MS. MALATHONG: Hold on one second.

MS. MOEGEL: The residential architecture and massing to ensure variety and scale. There's a taller urban edge on Constitution Drive complementary in scale and character to the recent built offices.

The townhomes of Independence Drive provide the slightly smaller neighborhood scale character. There's also some exposure to the neighborhood park.

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

And the apartment building fully hidden from public view. All four sides of the building are addressed architecture with similar attention to detail, a true form of architecture.

Visually of architectural character throughout the site, yet all building designs are related to each other and so we can ensure a coherent appearance.

Next slide.

The next slide is showing the apartment building. So it is four-story buildings and has a height of 260 feet.

We think it has a nice variation in the roof line and height modulation. There's a virtual setback on the top floor above the fifty-eight foot base element and also many modulations to break the sound massing.

The ground floor plan is designed to reach the industrial experience with the leasing office at the corner of Constitution and the paseo seen here in front and the ground floor units all feature multiple lobbies, as well, and connect to the building.

Next slide, please.

So here is plaster and siding as well as large window openings and overall it's a high quality of materials and finishes that we're providing with an urban scale, but with commercial quality finishes.

Next slide, please.

The townhomes. They are called for with active edges with entry, neighborhood park, the paseo, Independence Drive and two different townhome buildings is on two different styles of massing with the design, and both designs feature three-story townhomes with lots inside and outside thirty-two feet.

Next slide.

Also the materials of the townhomes are very warm material and again include warm colored siding with essence of steel, metal and glass railings.

Overall, there's a high quality of material and finishes and we believe contemporary architecture that will really complement well the surrounding commercial uses.

So with this, I would like to hand it over to the head architect of the office building.

MR. KORTH: Thank you. Good evening. Commissioners.

This is the view of the proposed building of the corner of Independence Drive and Chrysler Drive. This is a three-story office building. The parking is tucked in. You can see it's leading under the building of the far left.

We've chosen light color pallets for the south

portion of the building and then clear glass for the window area of the building so that it provides transparency both looking from outside, inside, vice versa.

It has a nice pedestrian scale of halfway on Chrysler Drive, and then at the far left where the parking extends out beyond the edge of the building there's an outdoor landscaped terrace called a scale transition.

The left side where you can see the terrace stepping down adjacent to the townhomes. Showing modulation along both elevations at the center of the building on Chrysler Drive.

So that should be a nice addition to that neighborhood and fit in with the rest decks, as well.

Thank you, and then I'll pass it on to Nick Samuelson of Sobrato Partnership and we'll go through starting with the next slide.

MR. SAMUELSON: All right. Thanks, Ted.

As Ted said, Nick Samuelson from the landscape architect.

From the landscape design here, as has been outlined here, our goal was to integrate fun landscape elements wanting to do with the functions that are required for the site, and that includes fire access that

925-831-9029 emerickfinch@emerickfinch.com

goes between several of the parcels, which is pretty critical for safety through the site.

All the connections we wanted to get between the different uses, and the paseo that connects from Independence up to Constitution. It's a part of Connect Menlo Park requirements.

Can we go to the next slide?

So the most exciting part as far as we're concerned from a landscape design is the central open space which fronts on to Independence.

Part of what the site has to do with -- there's a five feet grade change that we're having to pick up over the site from the existing grade.

So we're using that architectural advantage a terrace, a landscape element that takes you up to those heights and provides a series of different rooms in the park so you have different areas of seating areas and turf and child's areas and uses that follow along.

They follow along with this paseo which integrates that into the park design.

Okay. The next slide.

And the first image -- it looks like it skipped a few. Oh. Perfect. Okay. Well, there we go.

All right. This first slide shows parts of the park shows a fire access, too. It's twenty-six feet

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

wide, which is a good amount of pavement that's required.

So we looked at bracing that up by defining the circulation route with the concrete paths and then using varied materials of stone and DG and pavers to kind of break that up and provide a -- a richness of materials.

This is indicating a feeling on the edges of that and the trees help provide shade over the paving areas.

The second plan view down there shows one paseo's courtyards in between the townhomes, and those provide an intimate scale with the walkways and the lawn area that kids can come out there and play, and a little bit of seating area to come out and meet with people and -- when you're able to do that again and there's some seating.

Next slide, please.

Now -- so then there's another paseo. This is part of a open area paseo that connects from Independence to Constitution.

So this is a part that's sort of the big open space which also is a fire lane there, too. For keeping the paseo a ten foot width for the requirement and using the rest for different paving materials.

They have native plants through these areas, also shade trees to provide a big canopy overhead and

925-831-9029 emerickfinch@emerickfinch.com

looking at the area, varying paving material and using seating in those elements.

The next slide, please.

This is our inspiration. Taking that origami geometry and using that for paving design, and these integrate our seating elements and other features in the site, and it shows down on the bottom kind of the idea with the terraced plaza spaces that can be incorporated into the grade changes that we have.

And that shows up on the next slide, as well, too. This is a different seating area that you can meet your client up to five feet there.

With that, that's it. Thank you very much for the rest of the team and we'll be happy to answer questions when it's appropriate.

CHAIRPERSON RIGGS: All right. Thank you, Kaitie. Do we move on to the EIR at this point before questions regarding the design?

MS. MEADOR: Yeah. Now and after the presentation.

MS. WAUGH: Good evening, Commissioners. My Katherine Waugh. I'm the -- I'll introduce myself while I wait for that presentation to pop up.

I'm the senior project manager with Dudek. This is our first time working with the City of Menlo

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

Park, but we've really excited for the opportunity. Let me get this into full screen. There we go.

Okay. So I will just go quickly through my presentation. A -- a little bit of an introduction to the purpose of the Scoping Session.

Everyone else has covered the project overviews, so I'll go quick through that part and quickly discuss what we anticipate being the scope of the Environmental Impact Report, and then overview of the ov -- process and schedule before we would recommend opening up the public hearing for public comment.

So the -- the purpose of the Scoping Session is to help inform our work as we prepare the Environmental Impact Report.

And so this is the first opportunity for the public and outside agencies to provide input identifying what issues, environmental issues are of importance to the community members and to any agencies that may have a -- an approval over some element of the project.

We also typically see in scoping comments what community members and agencies will suggest mitigation measures or strategies that can be used to help mitigate any project impacts, and then also sometimes suggestions regarding what sorts of project alternatives should be considered as we're preparing the Environmental Impact

925-831-9029 emerickfinch@emerickfinch.com

Report.

So just to reiterate for some members of the public, we would want to make comments tonight, but for the Scoping Session, we really want to focus on what are the areas related to environmental impacts that this project could have an effect and how that would affect the community members and what kind of strategies can be recommended to help mitigate some of those effects.

So rather than focusing on things like design and -- and project elements, we're really focusing on the environmental issues which I'll have -- have a slide to lists the topics that we'll be looking at.

As I -- as I mentioned, the project overview has been explained very well by Kaitie and by the applicant team.

We have here an image that helps orient folks to the location of the project, as -- as has been explained to you, and then just a quick summary to reiterate that the site is existing office and industrial buildings within the project site which total a little over a hundred thousand square feet will be demolished.

There are five existing parcels that are part and four parcels as they're labeled here on this slide with parcel A going to the left showing the townhomes, parcel B being the apartments that are accessed from

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

Constitution Drive, parcel C being the townhomes in the center of the project site and then parcel D being the office building along Chrysler Drive.

And then as Chair Riggs has summarized earlier in the meeting, in addition to the -- these specific elements, the project would require final entitlements, including a use permit, architectural control overview, a major subdivision, heritage tree removal permits and then the below market rate housing agreement.

In terms of the Environmental Impact Report, there was a discussion in the Staff Report that identifies that in some of the prior housing projects the City has recently considered, a Focused EIR was prepared because those housing projects were still within the residential unit cap that's identified in Connect Menlo.

This project with the number of units that are proposed would go over that cap, and therefore we have a -- a little bit more analysis that's needed rather than doing what we typically call tiering from the General Plan's EIR.

We'll need to take a fresh look at the more complete list of issues. And so those issues are shown on the slide.

In addition, a -- a financial, fiscal impact analysis will be completed, and that does not get

925-831-9029 emerickfinch@emerickfinch.com

reflected in the Environmental Impact Report because CEQA, the California Environmental Quality Act, does not ask us to look at issues related to the fiscal impacts.

And then there will also be a housing needs assessment completed, as well, which would help inform the population, employment and housing chapter.

For the other topics, we are doing typical technical studies, for example, for biological and cultural resources.

We've had our staff out to inspect the site and they're working on preparing reports document based on what we found out there.

We will also be doing modeling to -- to prepare estimates of air quality and greenhouse gas emissions, air pollutant and greenhouse gas emissions, and that will include a review of hazards and hazardous materials information to make sure that we have adequately addressed those issues.

And I'm happy -- I wanted to just give you a quick overview, but I'm happy to answer questions about any of the details about those technical studies of reports to those issues.

There are three topics under CEQA that we have determined would not need to be evaluated, and that is explained in the Notice of Preparation that is out for

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

public review currently.

Those three are agricultural and forestry resources, because none exist within or adjacent to the project site; mineral resources, again, none exist within our adjacent to the project site; and then wildfire is a newer issue that is in a lot of newer EIRs, but the project area is not near a -- a fire -- wildland fire hazard severity zone, so that's another issue that we have focused out.

In terms of the overall environmental review process, as I mentioned we have published a Notice of Prep -- Preparation earlier this month.

That is out for public review and was submitted through the state clearing house to be stipulated to the state agencies and also out for review of local agencies to help aid the preparation of the Environmental Impact Report.

Tonight is the Draft EIR Scoping Session, and the end of the comment period is February 8. So all of the comments that will made through tonight and through written responses to the Notice of Preparation will be summarized and evaluated as we're preparing the individual chapters of the EIR to make sure that we're addressing all of the issues that were raised.

We anticipate that the Draft EIR will be

925-831-9029 emerickfinch@emerickfinch.com

published for public review in this -- in this summer and that the -- the Planning Commission would hold another public hearing to receive comments on that Draft EIR in late summer.

And after the Draft EIR comment period ends, we will prepare direct responses to each of the comments that were raised.

If necessary, there may be revisions or edits made to the Draft EIR to clarify some of the impact analysis or mitigation measures, and then we will publish a Final EIR containing all of those responses as well as a revised draft, which we expect to do in the fall of this year.

And then that would be available for the City to consider certification and -- and do the rest of the project processing.

So just to reiterate that any written comments that the public or agencies want to submit, they need to be submitted to Kaitie Meador by February 8th at 5:00 PM, and her contact information is here on this slide.

And that completes my presentation. As I said, I'm happy to answer any questions on some of those details, but we look forward to receiving the public comments.

CHAIRPERSON RIGGS: All right. Thank you.

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

If there are no immediate questions regarding the EIR presentation, we'll go ahead to public comment.

Mr. Barnes.

COMMISSIONER BARNES: Thank you. Thank you for that -- the EIR and going through those. A couple questions as it relates to that.

If you could walk back through the part of it which is having to do a Focus -- what I think I heard is having to do a Focused EIR specific for this project because of the programmatic EIR focused with Connect Menlo is being exceeded in terms of the unit count associated with residential.

So did I get that right when I heard that? Is that correct.

MS. WAUGH: Yes, and so that -- usually in the programmatic EIRs, some assumptions are made as to the level of development that is -- that are anticipated under the planning documents.

And so those assumptions then inform the analysis that is done on -- on a whole range of topics and issues.

And so in order to make sure that we've updated and -- are looking at the complete set of, you know, what developments or full buildout would look like if this project were approved, we -- we go back and

double -- double-check that those assumptions are no longer valid, what adjustments need to be made and how does that affect the environment and the conclusions of that EIR.

COMMISSIONER BARNES: So what -- is it presum -- is it presumptive to assume that -- well, is there an approval that allows for exceeding of the residential cap?

Is that a separate approval that you get, for instance, from another body, be it in this case, City Council that says, "Yes, you can exceed," and then when you get that, you go through this Focused EIR?

Which is the chicken and which is the egg in terms of, you know, determining that you even need to do this, having been allowed to exceed it?

MS. WAUGH: Sure, and I don't know the City's -- your policies and processes as -- as well as I know the environmental impact end of it, but -- but in terms of the CEQA approach, we typically -- you know, we recently worked with projects that require some kind of a discretionary approval that maybe does exceed a development cap or density limitation, something along those lines, and the best practice under CEQA is to assume that the project is approved as proposed, and that way we are capturing all of the environmental effects

that can come through the development that -- the application that is before the -- the decision-makers.

The decision-makers of course still have the opportunity to -- to exercise all of the discretion that's -- that's allowed to them under the city and state regulations that govern that project.

But it would be -- you know, CEQA requires that we do this environmental analysis before the decision is made as to what level of development, you know, can be allowed or the city can feel comfortable, you know, entitling for that site.

MS. MEADOR: And if I can just add to that a little bit, too. So I just wanted to clarify that -- that the number of units that we're proposing is -- is covered under the General Plan which allows a total of 4,500 residential units.

It's just that the EIR for -- the EIR for the General Plan only studied a certain portion of those housing units.

So that's why we need to do a full EIR at this time to study the additional units they're proposing.

So they are requesting a General Plan Amendment to add additional units above what the General Plan has studied or has planned for, I guess I should say.

COMMISSIONER BARNES: And Kaitie, when you say

General Plan, do you mean General Plan Amendment specific to Connect Menlo or an overall General Plan for the entire city and that's pulling from a different area of the city?

MS. MEADOR: I see Kyle jump up, but my understanding is it's total residential units, but Kyle may have something to add, too.

MR. PERATA: Yeah. So let me try to clarify through the Chair if it's okay that I jump in.

The Connect Menlo study -- Connect Menlo specifically studied 4,500 housing units in the Bayfront area and added them to the previous General Plan that had some development potential outside of the Specific Plan documents already built in. So there are more than 4,500 units.

But the more thing that the 4,500 units that were studied that were in the EIR, the program level EIR for Connect Menlo broke out those 4,500 units out 3,000 unrestricted units and 1,500 kind of corporate style dormitory style units.

But the General Plan itself put a cap on everything at 4,500 units, not differentiating between corporate, dormitory style units and unrestricted units.

So the total out there is 4,500, and this would be within that total, but it isn't studied under the

General Plan.

Connect Menlo program level EIR is 3,000 unrestricted units, and this project I think gets us into the 3,100 unit range. So we do need a full EIR for that purpose.

Does that help you clarify?

COMMISSIONER BARNES: I appreciate that. Thanks.

MR. PERATA: And just to add on to that, Kaitie, the -- the project itself doesn't require a General Plan Amendment, but there might have been a glitch on that end of the audio so I just wanted to make that clear.

CHAIRPERSON RIGGS: Mr. DeCardy.

COMMISSIONER DECARDY: Thank you, Commissioner Barnes. That was exactly my question.

Katherine, I have another question about this. So as you do the focused EIR and you go back and you look at the program EIR from Connect Menlo, that one used benchmarks that were best in class at that time.

And how will you approach then benchmarks based on information gathered since then? So I guess there are certain impacts.

Can you just describe a little bit? Are you looking -- whether you're doing that focused EIR and

925-831-9029 emerickfinch@emerickfinch.com

going back and checking those assumptions, can you just be more explicit about those assumptions and against what benchmarks we'll be utilizing?

MS. WAUGH: Yes. Certainly. So to review and dig into the Connect Menlo programmatic EIR and to understand the methodologies and like you're saying the benchmarks and the thresholds that were used in that document, and that really helps us to kind of design those parameters.

These are the things that the City has already adopted as being the City's policies and standards both in terms of the General Plan policy language, the Connect Menlo policy language as well as the -- the -- some thresholds that were used in that EIR to evaluate impacts.

So we -- that's sort of our starting point, but as you recognize, there are changes in regulations for -- for a lot of different resources, and so we also look to all those types of changes that have been adopted through the state level regulatory actions or agency level.

So, you know, if the Air District adopts a new set of guidelines, we also look to those. So when we prepare our individual, you know, sections that focus on each resource issue that we're looking at, we do, you know, compile all of that information so that we are

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

using, you know, defensible and -- and industry standard or current best practices to -- to measure those impacts and -- and determine whether an impact rises to a level of significance and therefore requires mitigation or not.

COMMISSIONER DECARDY: Thank you for that explanation.

When you complete the EIR, is there a way that you can be explicit if you in fact have updated or changed that benchmark from what was in the original program EIR so that is something that can be called out perhaps in a table in this section or perhaps in a separate section of the EIR so that we can understand what has remained the same since you're looking at this project against given that we have multiple projects that have come through, all the program EIR with the focused one, it would be helpful to know the difference.

Is that -- am I asking that in a way that is reasonable or am I not understanding something well?

MS. WAUGH: No. I think I understand, and it's not something that we always necessarily do, but we certainly can usually.

Usually in each section, there will be a -- a subsection that lists what we call thresholds of significance.

And so we can make a note that where those may differ from what was used in the Connect Menlo programmed EIR, that we should explain, you know, where that difference came from, whether it's through more recently adopted regulation or -- or guidance documents, and will provide the citations for those.

And I can work with City Staff, too. If there's enough of those to warrant maybe doing them in a table or appendix or in sort of in the -- an overview section. We can certainly provide that.

COMMISSIONER DECARDY: I think that will be very helpful. I think the purpose of the EIR is sunshine, and for community members to be understanding of what potential impacts are and I think having this, helpful to lay out in a way that you just described. So thanks for considering.

CHAIRPERSON RIGGS: All right. Thank you, and Mr. Doran had a question.

COMMISSIONER DORAN: Thanks. I just wanted to follow up on Mr. Barnes' question.

Mr. Perata said the Connect Menlo is 4,500 total units with 3,000 being residential, 1,500 being corporate dormitory style units. This project apparently will push the total for residential above 3,000.

The question is: Have there been any corporate

dormitory style projects built? I can't remember them in -- in my time on the Commission, and if not, are there any plans or projects in process with corporate dormitory style units?

MS. WAUGH: That's not something that I'm aware of. I will ask Kyle. I'll let him answer.

MR. PERATA: I can answer.

We do not have any in the city, to my knowledge, and we don't have any proposed using the Connect Menlo zoning parameters there.

COMMISSIONER DORAN: Thank you.

CHAIRPERSON RIGGS: All right. If there are no more questions, I'd like to move to public comment at this time.

If any member of the public would like to comment on the EIR portion of this meeting, we are scoping the EIR which in part means that we are casting about for suggestions for what the EIR should study other than the standard format as has been described so far in the introduction by the EIR consultant or any comments on that content.

So if you would like to comment, on the right side of your screen, the Go-to Meeting control panel contains a hand icon and if you flick on that, it will tell staff that you would like to make a comment.

925-831-9029 emerickfinch@emerickfinch.com

Public comments are limited to three minutes and they go into the formal record of this meeting.

Mr. Tapia, do we have anyone wishing to speak on the EIR?

MR. TAPIA: Good evening, Chair, members of the Commission and members of the public. It looks like we do have a couple members of the public.

With your permission, I will go to the first commenter.

CHAIRPERSON RIGGS: Please.

MR. TAPIA: So Kim Novello, your microphone should now be active.

MS. NOVELLO: Thank you. Thank you, everyone. I'm a little -- I am unfamiliar with what the scope of an environmental report entails.

So what I'm wondering, what comes to mind when I think of environment is my space around me, say, if I were living there.

And so I'm wondering about mental health, if that is taken into account when you're considering your environment of the space.

I know there may be major considered, but that's something, just how it's laid out to affect people's mental health. That would be good. Also connecting with nature is very important.

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

And I -- I have a lot of comments. I don't know that they would fall under this section, so I'll leave it at that.

Thank you.

CHAIRPERSON RIGGS: All right. Thank you, Miss Novello, and I'll just note that the -- the EIR in its initial pages and the EIR is -- scoping is part of the Staff Report here, I believe.

The initial pages indicate what is studied, everything from agricultural use -- which in this case there is no recent history -- to archeological artifacts as well as noise, air pollution and so forth are listed, and that list would be a good place to start to get an idea of what an EIR covers.

Also, please make note that an EIR specifically is present because of a California law that requires environmental quality impacts to be studied and gives a rather specific target for what the EIR should do.

This is part of why it is separate from the Study Session or the design because that law has no interest in what the building looks like or how well it works.

And Mr. Tapia, do we have another speaker?

MR. TAPIA: yes. I'll go ahead and introduce the next exposure. So Matthew Zito, your microphone --

925-831-9029 emerickfinch@emerickfinch.com

you should have the ability to activate your microphone.

MR. ZITO: Hi. Matthew Zito, Chief Facility Officer for the Sequoia Union High School District of which the Bayfront neighborhood of course is part of the school district boundaries, and this particular project is just a few hundred yards -- the office building component of it from the TIDE Academy, which is the high school there, and I'm assuming that this project -- we have a two-year timeframe to go to construction, so the time this project will be completed, there will be 400 teenagers who will be in high school just very shortly down the street, and the majority of them would come in -- either through automobile, bike, walking or skateboard would actually come over Marsh overpass and then make that tight right turn that goes into the neighborhood, and the street that they would likely go down is Independence.

So there will be quite a large number of students traipsing to and from school down that street.

I would say the District's concerns at least at this point -- we'll send a more formal letter -- in terms of EIR components will be air quality, and then I think our largest concern will be transportation, traffic, and some of this is in general looking at, you know, traffic patterns.

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

The District does have 11,000 students circulated around the morning. In this particular neighborhood, there are at this point fewer students than there will be in a few years, but we do have great concerns over traffic and traffic safety.

And I know that there appear to be fourteen intersections that are going to be studied as part of the EIR. I'm not sure that's a complete and comprehensive list.

Because if I look just at the neighbor -- the streets that families would come if they were coming from the County, Redwood City, central of West Menlo Park or from East Menlo Park or East Palo Alto, there would be more than fourteen sections. So please make sure that there is a traffic study that's attached to this project.

The other concern is regarding the total impacts of developments. From what I understand, we have Greystar's Menlo Flats, Greystar's Menlo Uptown 111 Independence and now an additional 400 units being proposed.

That total in each of those Focused EIRs just looked at their specific projects. I'm glad this is a full EIR, but I'm wondering if any documents are really studying the total impact of that development and the fact that the buildout is coming much more quickly than

anyone ever thought.

A twenty to forty-year timeframe is now condensed in less than ten years. So concerns about that.

And also finally the dormitory style apartments are very different from the student generation standpoint than our large apartments and townhomes.

These are two very different things to study in terms of student generation. Our school that serves this area, the comprehensive high school, Menlo-Atherton is already or crowded, and we now have some 3,000 units, and I don't think they've been fully analyzed and the Connect Menlo plan didn't really do a complete and robust fiscal analysis.

CHAIRPERSON RIGGS: Thank you. I'm sorry. You're well over your three minutes, but we do understand your concerns.

MR. ZITO: Great. Thank you

CHAIRPERSON RIGGS: Thank you.

And Mr. Tapia, any other speakers?

MR. TAPIA: Yes, Chair. I will go ahead and introduce the next speaker.

So Pamela Jones, you should have the ability to activate your microphone. Pamela Jones, your microphone is showing as active, so you should be able to speak at

this time.

CHAIRPERSON RIGGS: Miss Jones, in the upper portion of your Go-to Webinar control panel, if the symbol is not green, you need to click on it to make sure you can speak.

If you want to test your voice.

MR. TAPIA: It looks like she may be having some technical difficulties, Chair. There was another commenter.

Do you want me to move on to the next one for now?

CHAIRPERSON RIGGS: Yes, please. We might be able to come back to Miss Jones in three minutes.

MR. TAPIA: It looks like actually the other commenter, a virtual hand down, but I did have Miss Novello raised her virtual hand again.

And through the Chair, I was just wondering if she has the ability to speak again.

CHAIRPERSON RIGGS: No. We do limit to three minutes for a variety of reasons, but it is always possible -- particularly on the EIR process -- to write into Miss Meador and make comment on the process, and also do take up Mr. Perata on his offer to help with background on involvement in the City.

We might wait for just a little bit more to see

925-831-9029 emerickfinch@emerickfinch.com

if Miss Jones is able to connect, and during that time, if I could ask Mr. Perata.

There was a question from Mr. Zito about whether or not we look collectively at other residential projects, and I think I know the answer, but if you might take a moment to clarify that.

MR. PERATA: Sure. Yeah. So we -- we do do a cumulative analysis for all of the topic areas that are studied in each EIR, whether it's a Focused EIR, full EIR, the topic areas are being studied, we do have a cumulative analysis for those areas, and that does take into account the overall total development potential that's not just proposed but available under Connect Menlo, but the other General Plans for Menlo Park.

But yes, the cumulative does include every project and we do have current on file, and the project is not yet applied for that could use that future development potential.

CHAIRPERSON RIGGS: Thank you.

Mr. Tapia, do we have any luck with Miss Jones?

MR. TAPIA: It looks like her virtual hand has gone away, but I do have another virtual hand from another member of the public who would like to speak.

CHAIRPERSON RIGGS: All right. Let's connect.

MS. CONROY: All right. So Dorothy Conroy, you should have the opportunity to activate your microphone at this time.

MS. CONROY: Thank you. I am new here, so I hope my comments will be appropriate.

I'm particularly concerned about the greenhouse gas emissions, air quality and water conservation that are built directly into the -- the units, all of those different units.

So in particular the greenhouse gas emissions are connected to the traffic and parking. I hope that there is more than adequate parking for every unit so we don't end up with Palo Alto problems with too many units and not enough parking.

And the traffic is definitely a concern, and also is a concern when talking with air quality that heritage -- heritage trees, even one, it takes decades and decades for them to be able to do their -- their job with cleansing the air, and I'm concerned about the removal of any heritage trees at all.

And I -- I liked -- and with regard to water conservation, you're aware, of course that we're in a drought area, and so we have to be careful on how we use the resources and how we plan to use them.

I understand it's a LEED project. I just want

wanted to highlight that -- that concern.

Also, to make sure that we cut down on -- cut down on any emissions.

Finally, I did like what the other person spoke about with the general environment, and I understand we are talking about things that are more specific, but it is important when you're talking about the general environment of -- of projects that a lot of times the green space, it's just like walk-through green space, and I think important that we -- we think about ways to make it very inviting and above all comfortable.

Chairs like Adirondack chairs that line some of the areas and -- and the mental health piece. Actually, it rang true.

So I just think that we have to give a lot of thought to making sure the seating is not just benches, not just stools, you know, but there's comfort that's built into it to make the people want to come out of their areas and enjoy the environment and the -- and the beautiful buildings that you are creating.

So thank you for listening.

MR. TAPIA: If I may, Chair, it looks like I made some additional contact with Pamela Jones. It looks like she's having some technical difficulties at this time.

(Chairperson Riggs is speaking, but muted).

MR. TAPIA: If I may through the Chair try to invite Pamela Jones.

CHAIRPERSON RIGGS: So Mr. Tapia, if you have any content coming in?

MR. TAPIA: Sorry, Chair. Are you able to hear me at this time?

CHAIRPERSON RIGGS: Yes. I'm sorry. My microphone was briefly off. I was trying to cover a cough and forgetting to turn it back on.

MR. TAPIA: So it looks like we made contact with Pamela Jones. So with your permission, I would like to -- to introduce her at this time.

CHAIRPERSON RIGGS: Excellent. Thank you.

MR. TAPIA: So Pamela Jones should have the ability to activate your microphone.

MS. JONES: Thank you.

So my comments weren't heard?

CHAIRPERSON RIGGS: No, but you are -- you are heard now.

MS. JONES: Okay. Okay. All right. So thank you.

My first comment was about cultural and tribals. Note that the current buildings have been there for so long that they probably weren't required to report

925-831-9029 emerickfinch@emerickfinch.com

if they found any native remains.

So it's important that as workers begin to clear out that area, they're aware. I mean, we know that this was Ohlone Reservation land, so we know that they were here.

The second thing I have is about traffic mitigation. I wasn't able to find the list of traffic impact assessment, but that's okay.

The -- since there's five projects that are going on at the same time in that same area at the same end of the area, that's over -- that's about 1,464 units, and if we multiply that times two people, that's a lot of people that are going to be moving in over there.

And we need to consider traffic that will be trying to access that area from Willow Road. There will be times when traffic's so heavy that people will take the back way in, which is again through the Belle Haven neighborhood, and there's already an issue -- well, there will be an issue when we open up to people again, especially since we have the Willow Village that will be completed not too long after they're completed over there, which is another 1,700 units.

So thank you very much, and --

CHAIRPERSON RIGGS: And we've lost you. We lost you with the thank you very much, so at least I

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

think we got the bulk of your comments. Thank you, Miss Jones.

All right. Mr. Tapia, any other hands raised?

MR. TAPIA: At this time, Chair, that is all we have. {}

CHAIRPERSON RIGGS: All right. This is the right time to close public comment on the EIR section of this project and bring it up to the Commissioners for questions regarding the EIR scope as presented followed by any comments, suggestions regarding the scoping.

So do I have any questions or comments? Mr. DeCardy?

COMMISSIONER DECARDY: Yeah. First of all, I just want to thank everybody from the community. It was Fantastic and really appreciate you all coming up with the difficulty of doing this remotely to have your voice heard. It's very important, so thank all of you for your comments.

I want to follow up on several people that talked about the transportation impacts and just ask how specifically you're thinking about looking at that in both the scope of the EIR and then also as you think about the alternatives to projects, and then how to think through where Transportation Demand Management is put in place.

925-831-9029 emerickfinch@emerickfinch.com

You know, where is that looked at in the EIR versus where is that part of the project in the development? Because I know the TDM, if you can just explain that. Appreciate it, Katherine.

MS. WAUGH: Sure. The TDM is an element that is, you know, defined -- defined part of the project proposal that will also be informed by the transportation analysis if we find that the TDM measures that have been put forth are not sufficient to control impacts, we can recommend additional measures to be -- to be added on to that.

In terms of the -- the scope itself of the traffic study, the transportation study, you know, under CEQA, the -- the main focus in the EIR will be talking about vehicle miles traveled, because there have been changes to the CEQA guidelines in recent years that restricts us from looking at what -- what people are used to seeing, which is the level of service at various intersections.

However, we worked closely with the City Staff to make sure that that is a component of our scope, as well, to help inform some of these factors that the community members, you know, are interested in and need to know about as well as the decision-makers.

And so we -- we do have, as one of the

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

commenters referred to, there's a detailed scope for the traffic study. I don't remember if it's included in the Staff Report for this meeting, but it was included in the Staff Report to the City Council when they -- when they authorized the contracts impacts to do this EIR.

And so it's available for people to look at if there are specific other intersections that are of concern and that would be a great comment to make to identify those.

So then we can look at it with the City Staff again and make sure that we've -- you know, included all of the appropriate intersections.

COMMISSIONER DECARDY: And just one more follow-up. Thank you. Through the Chair. So for the point made of multiple projects with a lot more residential happening at the same time and it's collapsed down in terms of its, you know, development window, the window is now tighter than that.

So in that scoping, you are also looking at all of those projects and the cumulative impacts around transportation?

MS. WAUGH: Yes. Yes. As Kyle said, for all of the projects that we evaluate in the EIR, we will consider cumulative impacts, and that will include all -- what we call under CEQA are the reasonably foreseeable

925-831-9029 emerickfinch@emerickfinch.com

projects.

So particularly those are projects that have been recent approved, but not yet constructed or maybe they're partially constructed and we add on to the additional traffic that would come as we reach buildout as well as other projects that are far enough long in the project, the entitlement process to understand what -- you know, whether to include them as a reasonably foreseeable project and what their effects may be.

So we will work carefully with City Staff to make sure that we've captured all of those projects that -- that belong in the cumulative analysis.

COMMISSIONER DECARDY: Great. Thanks for your clarification.

CHAIRPERSON RIGGS: Thank you.

Any other questions? Any comments on the EIR? All right. I think I have a couple.

So Miss Waugh, the EIR inevitably will include a no project alternative.

Do you have an -- excuse me if it's already in the text. Forgive me.

Do you have a proposed alternative project for the EIR comparison?

MS. WAUGH: No. We have not started working on those yet. We typically like to get a little bit into

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

the analysis, because the intent under CEQA for an alternatives analysis is to find alternatives that would reduce or avoid some of the impacts of the project.

And so we -- we might, you know, start looking at kind of concepts for alternatives at this stage, particularly as we get comments on the Notice of Preparation and folks have any suggestions along that line, but we -- we stay away from, you know, getting committed to a particular alternative concept until we have a better understanding of where we're -- what types of impacts the project could cause.

So we make sure those alternative analysis responds directly to those impacts.

CHAIRPERSON RIGGS: I will go ahead and make a suggestion for an alternative which would be a -- a fully built out residential project for the one hundred dwelling units per acre maximum in the code.

And I might as well suggest that that be a residential project only with no office space. I would do this as a test to eliminate among others traffic impact.

And then on a separate issue, is it appropriate for the EIR to identify the recreation locations that would serve this -- this population, including an analysis of the availability of space or hours to include

925-831-9029 emerickfinch@emerickfinch.com

at the minimum the desire for soccer fields?

MS. WAUGH: So typically when we look at recreational facilities, we look at things like the -- the statewide Quimby Act and any policies that the City has adopted, and usually those are expressed in terms of number of acres of park per group of population, per thousand people, something like that.

And then a lot of times those targets of acreage for parklands are also further broken down into the types of parks, whether they're neighborhood parks or neighborhood parks or regional type parks.

We don't frequently get into the specific of whether it's a soccer field versus a baseball field versus some other type of active recreation.

It's usually more active versus passive. If there's a need in the community, it's certainly we can put a little further effort into to help document if there's a known deficiency or a known need for more soccer fields, you know, we can address that as part of the analysis, as well.

CHAIRPERSON RIGGS: I -- think that's a good idea and I'll leave it to Recreation and Parks to enumerate what active uses are most in demand.

And for background, I'll note that my concern is that with the Connect Menlo rezoning, which we call

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

the update of the General Plan, we leaned on the fact that we have an adjacent very large natural open space park; that is, it was developed to appear and act as a natural open space. It's actually a landfill.

And that serves to easily cover the acreage requirement. However, when you get out there, other than the birds and the trails, there is very little to do, and -- and that's very purposefully. It's a passage park.

So that park does not serve for the active needs of any new residents, not any of the 3,100.

So those are my only comments for the EIR.

Mr. Kahle.

COMMISSIONER KAHLE: Thank you.

I just wanted to tag on to two things that were mentioned. One is Mr. Zito's comments about the impacts to the educational system, and not only just the high school, but with all the -- the new residential units coming in, there's going to be a need at some point for primary schools, secondary schools, as well.

And then just those, and I'll also comment on what Chair Riggs just mentioned about the -- the park space or potentially the lack of park space, because you have Bayfront Park as well as Kelley Park on each end, but there's a lot of people that will be living in this

925-831-9029 emerickfinch@emerickfinch.com

area without really much open space other than paseos in the center of this area. So I want -- wanted to get that considered, as well.

Thank you.

CHAIRPERSON RIGGS: I did have just one other clarification too ask for. The EIR studies impact on adjacent neighborhoods. Is that correct?

MS. WAUGH: Yes. Specifically it was looking at the transportation patterns as well as things like noise, air quality, in terms of health risks from -- from air pollutant generation.

CHAIRPERSON RIGGS: So I just wanted to note that in terms of proximity, we have the North Fair Oaks area. In other words, nominally north of Marsh Road.

We have Lorelei Manor, nominally west of the railroad tracks and 101, and these are both less than a mile from this new project or -- or about a mile.

And including Haven Avenue where we have produced a couple of large apartment buildings.

And then more than a mile away is Belle Haven neighborhood. So it would be appropriate to make sure that all three areas are looked at in terms of impacts.

It appears that Marsh Road will be the most significant approach to this building and -- or this project, rather, and so those are the most immediate

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

Marsh Road neighbors.

Oh, I should clarify that nominally north of Marsh Road are both the County residential area as well as Redwood City in addition to the strip of Haven Avenue that is Menlo Park.

So all three are bordering on Marsh Road right there before you get to Bay Road.

All right. And that is -- oh, just one final comment, and I don't know whether this is so much consistent with CEQA's requirements as what we might hope for in Menlo Park.

What I think we don't want to see is a review of a fairly significant issue in Menlo Park, as you've heard tonight, which is transportation and traffic, and I have the category conclude with the phrase "unavoidable."

Increasingly this is a less than acceptable response, often indicating that the City of Menlo Park might have to coordinate with another jurisdiction as if that were not possible.

So if it -- if it is possible for this report to avoid sidestepping a mitigation with that phrase, that would be much preferred. I had to ask.

MS. WAUGH: I -- I understand the point and the frustration.

There are some, you know, legal requirements

sometimes that do come up. So I, you know, don't have any specifics to point to -- point you to right now, but, you know, if there's a roadway improvement that requires the approval of a neighboring jurisdiction, it's -- that's where we sometimes get stuck with these unavoidable conclusions because we don't have any guarantee that the neighboring jurisdiction will act in a particular manner.

But, you know, not having gotten into the analysis, we don't know if that's an issue that's going to come up with this one, but certainly I've made the note and I'm sure City Staff has made the note that that will be a big priority for us to try to avoid any unavoidable impacts.

CHAIRPERSON RIGGS: Yes, and you will find that there are repeatedly such conditions where it becomes beholden on the City to step forward and coordinate with another jurisdiction. That is just part of life.

As you can imagine, if in your work or personal life you were told that unless it's directly within your control you weren't responsible, your life would be a lot simpler, but you would fulfill a lot -- a lot less with respect to your colleagues and neighbors.

All right. Thank you, and lacking any other

questions or suggestions for the EIR -- I don't see any -- thank you very much and welcome to Menlo Park and look forward to see you -- seeing you in a couple of months.

MS. WAUGH: Thank you.

CHAIRPERSON RIGGS: Thank you.

All right. So with that, I'll close the Item F1 public hearing and we'll move on to item G1, which is the Study Session for this same project.

(This portion of the meeting concluded at 8:48 PM.)

---o0o---

925-831-9029 emerickfinch@emerickfinch.com

STATE OF CALIFORNIA)

COUNTY OF SAN FRANCISCO)

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this _____day of _____, 2021.

_____

MARK I. BRICKMAN CSR 5527

Emerick and Finch, Certified Shorthand Reporters
Reporter's Transcript of Proceedings

DUDEK

123 INDEPENDENCE DRIVE MIXED-USE PROJECT

Draft EIR Scoping Session

CITY OF MENLO PARK

JANUARY 25, 2021

Overview

- Purpose of Scoping Session
- Project Overview
- Environmental Impact Report (EIR)
- Environmental Review Process
- Public Comment

Purpose of Scoping Session

Receive comments from the public and agencies regarding the scope of the environmental document, including:

- Key environmental issues of concern
- Potential mitigation measures
- Potential alternatives for consideration

Project Overview

Project Location

Project Overview

SOURCE: KOH Architects, 2020

Project Description

- Demolish five existing office and industrial buildings
- Create four parcels
- Construct 316 rental apartments, 67 for-sale townhomes, and 88,750 square feet of office space

Environmental Impact Report

- Aesthetics and Visual Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population, Employment, and Housing
- Public Services and Utilities
- Recreation
- Tribal Cultural Resources
- Transportation/Traffic

Environmental Review Process

Milestone	Date
Publication of Notice of Preparation (NOP)	January 8, 2021
Draft EIR Scoping Session	January 25, 2021
End of NOP Comment Period	February 8, 2021
Publication of Draft EIR	Summer 2021
Draft EIR Comment Session	Late Summer 2021
Close of Draft EIR Comment Period	Early Fall 2021
Publication of Final EIR	Fall 2021
EIR Certification Hearing	Fall 2021

Public Comment

Written comments on the scope of the Draft EIR can be submitted until

February 8, 2021, before 5:00 p.m. to:

Kaitie Meador, Senior Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025
650-330-6731
Email: KMMeador@menlopark.org

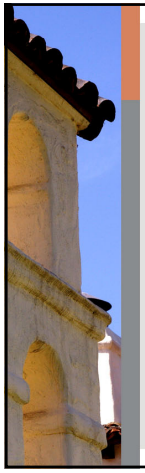
123 INDEPENDENCE DRIVE PROJECT

119 Independence Drive, 123-125 Independence Drive, 127 Independence Drive, 1205 Chrysler Drive, and 130 Constitution Drive

Environmental Impact Report Scoping Session
Staff Presentation to Planning Commission, January 25, 2021

PROJECT LOCATION

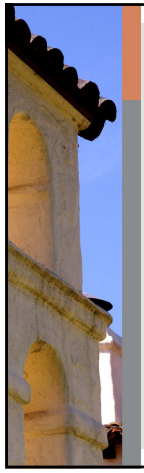
2



MEETING PURPOSE

- Two public hearings
  - Environmental Impact Report (EIR) scoping session
    - Opportunity to comment on EIR topics to be studied
  - Study session
    - Provide feedback on the project design including site and building design, open space and paseo design, proposed uses, community amenities, and Below Market Rate (BMR) units.
- No actions will be taken

3



RECOMMENDED MEETING FORMAT

- EIR Scoping Session
  - Presentation by applicant
  - Presentation by EIR consultant
  - Public comments
  - Commissioner questions
  - Commissioner comments
  - Close scoping session public hearing
- Study Session
  - Public comments
  - Commissioner questions
  - Commissioner comments

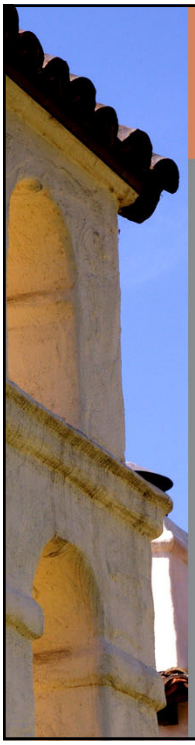
4

123 INDEPENDENCE DRIVE PROJECT

119 Independence Drive, 123-125 Independence Drive, 127 Independence Drive, 1205 Chrysler Drive, and 130 Constitution Drive

Study Session

Staff Presentation to Planning Commission, January 25, 2021



KEY TOPICS FOR CONSIDERATION

- Staff recommends that the Commission consider the following topics in providing feedback:
  - Site and building design
  - Open space and paseo design and activation
  - Possible incorporation of public-serving commercial space
  - Community amenity preferences
  - Below Market Rate (BMR) units

2