



## REGULAR MEETING MINUTES

**Date:** 03/22/2021  
**Time:** 7:00 p.m.  
**GoToWebinar.com – ID #213-534-371**

### A. Call To Order

Chair Henry Riggs called the meeting to order at 7:02 p.m.

### B. Roll Call

Present: Andrew Barnes, Chris DeCardy, Michael Doran (Vice Chair), Henry Riggs (Chair)

Absent: Larry Kahle, Camille Kennedy, Michele Tate

Staff: Payal Bhagat, Contract Principal Planner; Ori Paz, Associate Planner; Kyle Perata, Principal Planner; Corinna Sandmeier, Senior Planner; Leo Tapia, Planning Technician

### C. Reports and Announcements

Senior Planner Corinna Sandmeier said the City Council at its March 23 meeting would review the Complete Streets Plan.

### D. Public Comment

None

### E. Consent Calendar

E1. Approval of minutes from the February 8, 2021, Planning Commission meeting. ([Attachment](#))

E2. Approval of minutes from the February 22, 2021, Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (Chris DeCardy/Michael Doran) to approve the consent calendar including the minutes from the February 8, 2021 and the February 22, 2021 Planning Commission meetings as submitted, passes 4-0-3 with Commissioners Larry Kahle, Camille Kennedy, and Michele Tate absent.

### F. Public Hearing

F1. Use Permit/Chelsea Bright/2040 Menalto Avenue:  
Request for a use permit to demolish an existing one-story, single-family residence and accessory building and construct a new two-story, single-family residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district. ([Staff Report #21-014-PC](#))

Staff Comment: Associate Planner Ori Paz said staff had no updates to the written report.  
Applicant Presentation: Anna Felver, Thomas James Homes, said the proposal was a modern house on a substandard, 55-foot-wide lot. She said side setbacks were increased from the required five-foot to 12-foot in some areas and 18-foot in others. She said they did not receive any comments from their neighbor outreach. Replying to Chair Riggs, Ms. Felver said their outreach consisted of mailings including the elevations and plans to properties within 300-foot radius of the project site.

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

Commission Comment: Commissioner Andrew Barnes said the project fit nicely on the lot. He questioned the use of composite shingle on the shed roof over the garage as it did not seem congruent with the modern architecture. Ms. Felver said they were using the composite shingle for a sleeker look particularly at the fascia and barge boards.

Commissioner DeCardy apologized that in doublechecking the proximity of his home to the subject property he found his home was within the 500-foot radius requiring his recusal and not within 1,000 square foot, which would have allowed him to participate.

Chair Riggs said that the item would not have a quorum but suggested that the applicant might want to stand by as Commissioner Kennedy had indicated she hoped to join the meeting at some point.

Planner Sandmeier apologized that staff had not caught the potential conflict of interest. She said the item would need to be continued to the next meeting due to a lack of quorum.

Item was deferred to the meeting of April 12, 2021 due to lack of a quorum.

F2 and G1 are associated items with a single staff report.

- F2. Draft EIR Public Hearing/Andrew Morcos for Greystar/104 Constitution Drive, 110 Constitution Drive, and 115 Independence Drive (Menlo Portal Project):  
Public hearing to receive public comments on the Draft EIR for approximately 335 multi-family dwelling units (inclusive of 15 additional bonus units for the incorporation of on-site below market rate units per the City's BMR Housing Program (Chapter 16.96.040)), approximately 34,868 square feet of office and commercial uses, inclusive of 1,600 square feet of neighborhood serving commercial space (childcare center). The proposed project would contain two buildings, a seven-story multifamily residential building and a three story commercial building with office use on the upper levels and the neighborhood serving commercial space on the ground level. Both buildings would include above grade two-story parking garages integrated into the buildings. The project site is located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The proposal includes a request for an increase in height, density, and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The proposal also includes a use permit request for the storage and use of hazardous materials (diesel fuel) for emergency backup generator to be incorporated into the proposed project. The Draft EIR was prepared to address potential physical environmental effects of the proposed project in the following areas: population and housing, transportation, air quality, greenhouse gas emissions, and noise (operation period traffic and stationary noise). The Draft EIR identified less than significant effects in the following topic areas: Population and Housing and Greenhouse Gas Emissions. The Draft EIR identified less than significant effects with mitigation for the Air Quality, Transportation, and Noise (operational traffic and stationary noise) topic areas. The City is requesting comments on the content of this focused

Draft EIR. The project location does not contain a toxic site pursuant to Section 6596.2 of the Government Code. The City previously prepared an initial study for the proposed project that determined the following topic areas would have no impacts, less-than-significant impacts, or less-than-significant impacts with mitigation measures (including applicable mitigation measures from the ConnectMenlo EIR): Aesthetics, Agriculture and Forestry Resources, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise (construction-period, groundborne vibration, and aircraft-related noise), Public Services, Recreation, Utilities and Service Systems, Tribal Cultural Resources, and Wildfire. Written comments on the Draft EIR may also be submitted to the Community Development Department (701 Laurel Street, Menlo Park) no later than 5:00 p.m. on April 14, 2021. ([Staff Report #21-015-PC](#))

Item F2 was transcribed by a court reporter.

## **G. STUDY SESSION**

- G1. Study Session for Use Permit, Architectural Control, Lot Line Adjustment, Lot Merger, Below Market Rate (BMR) Housing Agreement, Heritage Tree Removal Permits and Environmental Review/Andrew Morcos for Greystar/104 Constitution Drive, 110 Constitution Drive, and 115 Independence Drive (Menlo Portal Project):  
Request for a study session for a use permit, architectural control, environmental review, lot line adjustment, lot merger, below market rate housing agreement, and heritage tree removal permits to redevelop three parcels with approximately 335 multi-family dwelling units (inclusive of 15 additional bonus units for the incorporation of on-site below market rate units per the City's BMR Housing Program (Chapter 16.96.040)), approximately 34,868 square feet of office and commercial uses inclusive of 1,600 square feet of neighborhood serving commercial space. The proposed project would contain two buildings, a seven-story multifamily residential building and a three story commercial building with office use on the upper levels and the neighborhood serving commercial space on the ground level. Both buildings would include above grade two-story parking garages integrated into the buildings. The project site is located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The project site currently contains three single-story office buildings that would be demolished. The proposed residential building would contain approximately 326,581 square feet of gross floor area with a floor area ratio of 235 percent. The proposed commercial building would contain approximately 34,868 square feet of gross floor area with a floor area ratio of 25 percent. The proposal includes a request for an increase in height, density, and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The proposed project would include a below market rate housing agreement that requires a minimum of 15 percent of the units (or 48 units of the 320 maximum units allowed by the Zoning Ordinance before accounting for the 15 bonus units) be affordable. The applicant is proposing to incorporate 15 additional market-rate units (which are included in the total 335 units), per the density bonus provisions in the BMR Housing Program (Chapter 16.96.040), which allows density and FAR bonuses, and exceptions to the City's Zoning Ordinance requirements when BMR units are incorporated into the project. The proposal also includes a use permit request for the storage and use of hazardous materials (diesel fuel) for emergency backup generator to be incorporated into the proposed project. ([Staff Report #21-015-PC](#))

Staff Comment: Planner Bhagat requested the Commission consider the following topics: site layout and proposed open space, overall architectural design of the proposed building, the community amenity proposal, vehicle and bicycle parking waiver, the BMR proposal, potential intersection improvements as project conditions, and the overall development proposal.

Commissioner Barnes asked for clarification of the square footage for the childcare center. Mr. Morcos said the overall square footage was 3,790 with 1,600 square feet of interior space and 2,190 square feet of outdoor space.

Commissioner Barnes said the applicant had indicated the value of the community amenity was \$8.44 million. He asked if the childcare center fully met that value, and if not, what was proposed to meet the value fully.

Mr. Morcos said the value was \$8.55 million. He said a portion was dedicated to the actual real estate and the remainder was for the operator of the childcare facility to subsidize children's tuition with priority given to Belle Haven residents. He said they were still working with the City on how much the real estate counted to determine what additional funds would be available. He said the real estate was around \$2 to \$3 million and the remainder would go to support All Five, the operator, through a build out of the space for fixtures, indoor and outdoor equipment, and to subsidize free or reduced admission for Belle Haven residents.

Commissioner Barnes asked if the real estate value was related to the abatement of rent for the space. Mr. Morcos said BAE had only valued the interior space but, in the market, outdoor space dedicated to an interior use also had value. He said BAE was measuring foregone rents over a 50-year period.

Chair Riggs opened the public comment period.

Public Comment:

- Kim Novello, Menlo Park, said she recommended more housing than office space. She noted an apartment building in Seattle that had a grocery store on the first floor. She suggested that as a possibility. She said the outdoor space seemed compact and suggested that outdoor play space for children of families living in the building was needed.

Chair Riggs noted the units in the building were predominantly studio and junior one-bedrooms.

Chair Riggs closed the comment period.

Commission Comment: Commissioner DeCardy asked for information on the community amenities list as to how many people had provided input on it, how items were ranked in priority, and how many items were already accomplished.

Planner Perata explained where the information as to input and priority were found on the documents. He said the community amenities list was used on a project-by-project basis that looked at which of the amenities made the most sense at the project location. He said the ranking did not necessarily affect the Commission's review of the appropriateness of a certain amenity at a certain location. He said at this point no projects had been approved in the Bayfront area, so all the amenities were available. Replying further to Commissioner DeCardy, Planner Perata said staff was tracking the amenities being contemplated for the projects in process but until approval that amenity(ies) would remain on the list. He noted Commissioner DeCardy's request and indicated that staff going forward could provide information on which amenity was being proposed and for which project. He said once a project was approved the amenity associated with the proposal would be taken off the list.

Commissioner DeCardy observed that a childcare facility was an amenity that Belle Haven residents wanted. He suggested to do that the facility would be better located closer to Belle Haven. Mr. Morcos said they had looked at different options for expanding childcare in a location that was immediately within Belle Haven. He said they did not find anything that fit the description immediately within the Belle Haven area. He said they were able to incorporate the amenity within their project and as well to allocate the space for that use for years. He said their site was not immediately adjacent to Belle Haven but was close.

Commissioner DeCardy expressed surprise that an alternative space for childcare was not possible. He pointed to the square foot cost of what they were proposing to build and suggested that was more than what the square foot cost would be in other parts of the community to provide the infrastructure. Mr. Morcos said they did not find that to be the case with needing to acquire indoor and outdoor space as well as the permits and zoning required. Commissioner DeCardy asked for clarification of the applicant's statement earlier in the evening that the 25% market rate spaces would ensure that this childcare facility's delivery of services would meet the standards of delivery provided by other childcare facilities. Mr. Morcos said offering 25% of the spaces at full market rate meant the facility would have a wide range of socioeconomic enrollment to maintain a level of service commensurate with other childcare facilities that did not subsidize for students. He said the concern with subsidizing 100% subsidized was the potential for the level of service to be lower than where all users paid market rate. He said also children interacting with children with a variety of backgrounds that were diverse socioeconomically and otherwise was important for their development.

Commissioner DeCardy said it would be helpful to have an expert in childcare facilities available to answer the type of questions he was asking and to provide the best opportunity for the people who needed support versus the opportunity for the best childcare experience. He said if the childcare facility were the community amenity, he would like to see supporting information of what benefit it would bring. He asked why an opaque fence would be used to separate the childcare outdoor space from the public outdoor space. Mr. Morcos said that was driven by regulations for childcare facility regulations and was for the children's safety to have protection from people being able to look in and to access the space from the exterior. Commissioner DeCardy said he was not an expert but knew of other childcare facilities like Willow Park that did not have opaque fencing. He said he thought the opaque fencing would detract from the children's experience in that they would have to look up to see anything and the public's experience in not fully seeing the design of the spaces. Mr. Morcos said they would take another look at the fencing.

Commissioner DeCardy said regarding the staff's request to consider the community amenity appropriateness that he had three questions: 1) did the childcare facility have to be at this site or could the resources be used better at another site that would be more accessible; 2) was the fee structure proposed the right mix especially as there was some discrepancy about the total amount of money going to the amenity – he said it should be as affordable as possible for as many people as possible to have the benefit for the community; and 3) if the facility stayed onsite, he had concern with the activation of the outdoor space (opaque fencing).

Commissioner Barnes referred to staff's recommended points for the Commission to discuss. He said firstly the project was well-designed. He said the 90% residential and 10% commercial uses suited the live, work, play goal of the zoning district it was located in. He said he had nothing to add to the site layout, noting it was the project's third study session. He said the architectural design

worked for both the office, which was a smaller space, and especially well for the residential portion noting the use of materials, articulation, fenestration and well incorporated side facades. He said regarding the childcare facility proposed that this service at an institutional scale was tremendously challenging in terms of finding a property with the right physical characteristics in a zone that allowed for it. He said the space allocated in this project for childcare was small. He said he supported providing childcare as a community amenity but thought it a valid question as to which was better - doing the proposal onsite or using the resources of \$8.55 elsewhere to create or support childcare. He said they should revisit the size of the space proposed. He said he had trouble with the bicycle parking waiver and that finding space on the site for bicycle parking was an important discussion. He said the project should conform to the bicycle parking requirement. He said he had no comments on the BMR proposal. He said the overall development project was appropriate for the area. He said regarding potential intersection improvements as project conditions that he was not in favor of improvements that would induce traffic demand. He asked staff to outline what the intent or goal of those potential intersection improvements would be.

Associate Transportation Engineer Rene Baile said most of the potential intersection improvements were included in the City's Transportation Master Plan and intended to address additional trips associated with the project. He said the proposed improvements overlapped with those recommended in other projects and were to address congestion and not to induce demand.

Replying to Chair Riggs, Planner Perata referred to the City's Transportation Impact Analysis Guidelines and under CEQA the consideration of vehicle miles traveled or VMT. He said staff also does a level of service (LOS) analysis. He said the staff report referred to the non-CEQA LOS discussion in the draft EIR that identified where there was an increased delay at an intersection due to this project. He said staff had identified a number of intersections that would have that potential delay. He said the Commission was asked whether the City should engage its transportation consultant to further identify what those improvements would be, what was needed and what schematics there were. He said if the Commission were interested, they could condition the approval to require the project to improve intersections to preexisting conditions. He said they had had similar discussions in other study sessions such as 111 Independence Drive and most recently with Menlo Uptown. He said for those he believed the Planning Commission had identified that staff should continue to evaluate those potential intersection improvements as potential conditions of approval and bring those back to the Commission as part of project entitlement.

Chair Riggs asked if staff felt this was consistent with a history of improvements requests outside, above and beyond the Transportation Impact Fee (TIF) payment. Planner Perata said these improvements were what they might have seen traditionally in an EIR as mitigation of LOS but were now shifted to potential conditions of approval noting the use of VMT for CEQA and not LOS. He said these were project specific to improve to pre-existing conditions. He said if an applicant constructed the improvements as a condition of approval and that improvement was within the TIF the applicant would get credit for the cost of that in calculating the TIF. He emphasized it was not above and beyond the TIF.

Commissioner Barnes said it seemed a logical ask to have applicants make such improvements. He asked how cost scoping was done and who made the judgement call of how much bringing the conditions back to pre-existing would cost.

Planner Perata said staff would identify what was feasible. He said they had the improvements identified in the draft EIR but no schematics so they would need to get further designs to see what

was feasible. He said staff could provide general cost estimates for things like striping, pavement, or road widening. He said also staff had identified improvements that were not feasible.

Commissioner Barnes said if there was a reasonableness test applied to have a developer improve conditions to pre-existing in a way that was beneficial and had good cost benefit then he could support. Planner Perata said that was reasonable and he agreed that what Commissioner Barnes was asking were fair assessments.

Commissioner Barnes said he thought the childcare amenity needed a third-party expert to look at noting he had experience with consultants who could opine whether this was an appropriate site for childcare.

Commissioner Doran said regarding the topics for consideration that the site layout worked, and he liked the open space. He said he particularly liked the contrast in architectural styles between the office and residential space. He said the applicants had done a good job integrating mixed uses and varied the architecture, so it worked for the project individually and with the area. He said he had nothing to add regarding the overall architectural design. He said regarding the community amenity he believed the Commission had requested childcare. He said the applicants were giving that and should be commended. He said he had sympathy for the applicant and the difficulties associated with the siting of childcare facilities. He said buying a couple of residential homes in Belle Haven to convert for childcare would not provide what was wanted, noting also that homes in that neighborhood were selling for a million dollars. He said the applicants would have the contractor onsite to build the childcare facility to specifications and he understood childcare facility specifications were exacting. He said he thought it was a very appropriate use. He said regarding the 25% paying customers that he understood it from a diversity view and thought it would help ensure that the facility and its services were up to the standards of paying facilities in the area. He said regarding the BMR proposal that the applicant should commit to the Commission's desire to have a mix of income levels for the BMR units and to not have them all be the same. He said he wanted to note that for the record. He said he had nothing to add to the roadway conditions and level of service conversation. He said as the applicant would be contributing to TIF that he would trust the City to identify the best use of that. He said the overall development proposal was very much in keeping with what the City had envisioned for the neighborhood and it was the correct use of space for the parcel. He expressed his support for the application as currently proposed.

Commissioner DeCardy said regarding the areas of consideration requested by staff that the applicant had responded to the Commission's input from previous sessions on the site layout and proposed open space. He said regarding the overall development project that he thought it would be helpful to get plans that showed the transition from this project to the adjacent project. He said he agreed with other Commissioner comments on the overall architectural design. He said it looked nice and did a good job with different massing so from the street it did not feel imposing. He said the boutique office space looked to him like a separate, floating above the community, glassed-in kind of special place that he would like to see be more connected to the ground and to the community. He said this was the one way the project proposal had progressed that did not feel great. He said they had discussed the community amenity proposed and he thought it was worth exploring in the ways discussed. He said in terms of letting the market decide perhaps they could do an \$8 million endowment that would give out \$400,000 in vouchers which he thought would cover 17 slots of GeoKids in perpetuity. He said he thought there were multiple ways to look at it and he thought someone should look at the community amenity carefully. He said he commended the applicant for this creative response to the Commission and community's interest in childcare. He said regarding

the vehicle and bicycle parking waiver that he was fine under parking for vehicles but finding spaces to park bicycles was desirable. He said he agreed with Commissioner Doran on the BMR proposal to have a spread of income levels. He said regarding the road congestion and level of service that he liked the principle articulated by Commissioner Barnes that no improvements would be made that would induce traffic. He referred to his comments under the EIR discussion to have a robust and enforceable TDM plan and he thought more than a 15% reduction was achievable. He said Facebook a decade ago was a leader in reducing single-occupancy vehicular travel and he would like the developers bringing these other projects forth to also be leaders in managing transportation impacts. He said regarding the overall development proposal that it worked, and he thought would be a nice addition to the community. He said it was a shame that a diesel generator would be used for emergency back up for a building that otherwise would be splendid in its energy mix.

Chair Riggs said he agreed with the other three Commissioners' comments almost entirely. He said the overall design was done well particularly the residential building. He said the open space was fine as it had been worked on thoroughly with staff. He said given that the community amenity proposed was something that they had asked for it was difficult to criticize in concept. He said he concurred with Commissioner DeCardy about the potential for it to be offered elsewhere. He noted four building conversions to childcare facilities that he had done professionally. He said the most recent was the conversion of a former Sunday school space to an entirely conforming childcare space for 26 to 40 children. He said that was accomplished on a \$450,000 budget inclusive of design and administrative fees but did not include leasing or buying property. He said childcare as community amenity was associated on the list with the Belle Haven community. He said the project site was rather remote from Belle Haven and closer to the North Fair Oaks, Haven Avenue and Lorelei Manor communities. He said he thought childcare facilities would be welcome in any of those communities. He said he was inclined to be supportive of the proposal but thought a review of the budget was appropriate. He said to him it was apparent the childcare facility would not serve the building tenants as those were small units. He said to his knowledge that no other childcare facility in the City used opaque fencing for its outdoor space and he thought its use should be revisited.

Chair Riggs referred to the pocket park and the perforated metal screen between it and the residential parking structure on the left. He suggested some treatment to block the view of the parking structure interior such as planting or lights. He said in agreement with a couple of others about bicycle storage that TDM was particularly important to reducing additional traffic. He said providing bicycle storage space for 60% of units would be fantastic and suggested the applicants reconsider that.

Recognized by the Chair, Mr. Morcos said they would have 480 long term bicycle parking spots and 48 short term ones for the residential use. He said their vehicular parking was at the minimum allowed of one space per residential unit. He said the staff report discussion was about the 15 additional BMR units as those would not have allotted garage parking or additional bicycle parking. Chair Riggs thanked the applicant for the clarification and confirmed that the BMR residents would have access to the bicycle storage spaces. He said he agreed with Commissioner DeCardy that a 15% reduction in traffic through the TDM plan was mild. He said he hoped the bar could be raised on TDM. He complimented the project architect on a marvelous job particularly on the residential and the site planning. He said the project would be an asset to the new neighborhood.

Commissioner Barnes said regarding his earlier comments on the childcare facility that he now saw the operator was NAEYC accredited, which gave him a tremendous level of comfort. He said the proposed site allowed for 35 square foot per child. He said although it might be nice if the facility



could support more than 22 children, he was comfortable with the plan and the operator and would remove his request to have a third party look at it. He said in addition the value of having childcare in an office building was quite beneficial with drop off hours as well as parking for the teachers.

Chair Riggs said additionally he supported the staff's efforts at intersection improvements based on staff's judgement. He said he supported the BMR proposal.

Replying to Chair Riggs, Planner Sandmeier said that another Commissioner to make up the quorum needed to consider 2040 Menalto Avenue had not happened and the applicant had communicated she had to leave the meeting as well.

## **H. Informational Items**

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

- Regular Meeting: April 12, 2021

Planner Sandmeier said the April 12 agenda had several smaller items as well as the deferred 2040 Menalto Avenue project.

- Regular Meeting: April 26, 2021

## **I. Adjournment**

Chair Riggs adjourned the meeting at 10:17 p.m.

Staff Liaison: Corinna Sandmeier, Senior Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on April 12, 2021

CITY OF MENLO PARK  
PLANNING COMMISSION

**CERTIFIED  
TRANSCRIPT**

In re: )  
104 CONSTITUTION DRIVE )  
110 CONSTITUTION DRIVE )  
115 INDEPENDENT DRIVE )  
MENLO PORTAL PROJECT )  
\_\_\_\_\_ )

ENVIRONMENTAL IMPACT REPORT  
SCOPING SESSION  
REPORTER'S TRANSCRIPT OF PROCEEDINGS  
MONDAY, MARCH 22, 2021  
MENLO PARK CITY COUNCIL CHAMBERS

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

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| <p>1 ATTENDEES</p> <p>2 THE PLANNING COMMISSION:</p> <p>3 Andrew Barnes</p> <p>Henry Riggs - Chairperson</p> <p>4 Larry Kahle (Absent)</p> <p>Camille Kennedy (Absent)</p> <p>5 Chris DeCardy</p> <p>Michele Tate (Absent)</p> <p>6 Michael C. Doran - Vice Chairperson</p> <p>7 SUPPORT CONSULTANT:</p> <p>8 Theresa Wallace - LSA Associates, Inc.</p> <p>Amanda Leahy - LSA Associates, Inc.</p> <p>9</p> <p>10 PROJECT PRESENTERS:</p> <p>11 Andrew Morcos - Greystar Real Estate Partners</p> <p>Clark Manus - Heller Manus Architects</p> <p>12 Karen Krolewski - PGAdesign</p> <p>13</p> <p>14 ---o0o---</p> <p>15</p> <p>16 BE IT REMEMBERED that, pursuant to Notice</p> <p>17 of the Meeting, and on March 22, 2021, 7:24 PM at the</p> <p>18 Menlo Park City Council Chambers, 701 Laurel Street,</p> <p>19 Menlo Park, California, before me, MARK I. BRICKMAN, CSR</p> <p>20 No. 5527, State of California, there commenced a Planning</p> <p>21 Commission meeting under the provisions of the City of</p> <p>22 Menlo Park.</p> <p>23 ---o0o---</p> <p>24</p> <p>25</p>  | <p>1 MEETING AGENDA</p> <p>2 Page</p> <p>3 Presentation by Ms. Bhagat 8</p> <p>4 Project Presenters:</p> <p>5 Mr. Morcos 10</p> <p>6 Mr. Manus 15</p> <p>7 Ms. Krolewski 19</p> <p>8 Consultant Presentation</p> <p>9 Ms. Wallace 22</p> <p>10 Public Comments:</p> <p>11 Ms. Bramlett 35</p> <p>12 Ms. Novello 38</p> <p>13 Commission Questions and Comments 40</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>   |
| Page 4  | Page 5  |
| <p>1 MARCH 23, 2021 7:24 PM</p> <p>2 P R O C E E D I N G S</p> <p>3 ---o0o---</p> <p>4 CHAIR RIGGS: All right. So is Mr. Morcos</p> <p>5 here? Although this is a little earlier than he</p> <p>6 anticipated joining us.</p> <p>7 MR. MORCOS: Yes, Chair Riggs. I'm here.</p> <p>8 CHAIR RIGGS: Thank you. That's wonderful.</p> <p>9 In that case, we will move on to item F2.</p> <p>10 Again, F2 and G1 are related. F2 is our Draft</p> <p>11 EIR Public Hearing, the environmental report, and as we</p> <p>12 often do on major projects, we are using the same hearing</p> <p>13 to conduct a Study Session, and I believe this will be</p> <p>14 the third Study Session on this project. Someone will</p> <p>15 correct me, I know, if -- if I'm wrong.</p> <p>16 So let me read our agenda for this evening for</p> <p>17 104 Constitution Drive, 110 Constitution Drive and 115</p> <p>18 Independence Drive, three blocks which add together for</p> <p>19 the Menlo Portal project.</p> <p>20 Mr. Andrew Morcos is the applicant for</p> <p>21 Greystar.</p> <p>22 This is a public hearing to receive public</p> <p>23 comments on the Draft EIR for approximately 335</p> <p>24 multi-family dwelling units (inclusive of fifteen</p> <p>25 additional bonus units for the incorporation of on-site</p> | <p>1 below market rate units per the City's BMR Housing</p> <p>2 Program -- that's chapter 16.96.040) -- and approximately</p> <p>3 34,868 square feet of office and commercial uses</p> <p>4 inclusive of 1,600 square feet of neighborhood serving</p> <p>5 commercial space, in this case a child care center.</p> <p>6 The proposed project would contain two</p> <p>7 buildings, a seven-story multi-family residential</p> <p>8 building and a three story commercial building with</p> <p>9 office use on the upper levels and the neighborhood</p> <p>10 serving commercial space on the ground level.</p> <p>11 Both buildings would include above-grade two-</p> <p>12 story parking structures integrated into the building</p> <p>13 heights, so noted. Both buildings would include</p> <p>14 above-grade two-story -- I'm sorry. I said that.</p> <p>15 The project site is located in the R-MU-B --</p> <p>16 that's Residential Mixed Use, Bonus -- Zoning District.</p> <p>17 The proposal includes a request for an increase in</p> <p>18 height, density and floor area ratio under the bonus</p> <p>19 level development allowance in exchange for community</p> <p>20 amenities.</p> <p>21 The proposal also includes a Use Permit request</p> <p>22 for the storage and use of hazardous materials -- in this</p> <p>23 case diesel fuel -- for an emergency backup generator to</p> <p>24 be incorporated into the proposed project.</p> <p>25 The Draft EIR was prepared to address potential</p> |

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1 environmental effects of the proposed project in the  
 2 following areas: Population and housing, transportation,  
 3 air quality, greenhouse gas emissions and noise, meaning  
 4 operation, period traffic and stationary noise.  
 5 The Draft EIR identified less than significant  
 6 effects in the following topic areas: Population and  
 7 housing and greenhouse gas emissions.  
 8 The Draft EIR identified less than significant  
 9 impacts with mitigation for the air quality,  
 10 transportation and noise, again operational and  
 11 stationary noise topic areas.  
 12 The City is requesting comments on the content  
 13 of this focused Draft EIR. The project location does not  
 14 contain a toxic site pursuant to Section 65.2 of the  
 15 Government Code.  
 16 The City previously prepared an initial study  
 17 for the proposed project that determined the following  
 18 topic areas would have no impact, less than significant  
 19 impacts or less than significant impacts with mitigation  
 20 measures, including applicable mitigation measures from  
 21 the Connect Menlo EIR, which is the overall EIR for this  
 22 development neighborhood.  
 23 Those categories are aesthetics, agriculture  
 24 and forestry resources, biological resources, cultural  
 25 resources, energy, geology and soils, hazardous and --

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1 subject.  
 2 Ms. Bhagat.  
 3 MS. BHAGAT: Good evening, Chair. Good  
 4 evening Commissioners and members of the public.  
 5 The project that's before you this evening is a  
 6 redevelopment of three parcels located at 115  
 7 Independence Drive, 104 and 110 Constitution Drive  
 8 located in the Bayfront area.  
 9 The project site is located near the south of  
 10 Bayfront Expressway and to the east of Marsh Road. The  
 11 project site includes approximately fifteen houses  
 12 located opposite the project and those are supposed to be  
 13 reduced.  
 14 The two parcels are supposed to be consolidated  
 15 and then supposed to contain adjustment to newly created  
 16 parcels to create two parcels to be 34,800 square foot  
 17 office building, and the second parcels composed of 335  
 18 unit apartment building.  
 19 After the 34,800 office building, 1,600 square  
 20 feet will be dedicated as community amenities space. Of  
 21 the proposed project would contain 335 apartment units,  
 22 forty-eight units will be dedicated as below market rate  
 23 units available to become low income households.  
 24 The apartment building consists of studio and  
 25 one bedroom, one bedroom, two bedroom and three bedroom

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1 excuse me. Hazards and hazardous materials, hydrology  
 2 and water quality, land use and planning, mineral  
 3 resources, noise. That's construction, period, ground  
 4 vibration and aircraft noise.  
 5 Public services, recreation, utilities and  
 6 service systems, tribal cultural resources and wildfire.  
 7 All these categories are mandated by the  
 8 Environmental Quality Act with California in case you  
 9 wonder.  
 10 Written comments on the Draft EIR may also be  
 11 submitted to the Community Development Department at 701  
 12 Laurel Street, Menlo Park no later than 5:00 PM on April  
 13 14 of this year 2021.  
 14 So let's start with the EIR as a presentation.  
 15 Again tonight we will see both the EIR and the Study  
 16 Session, but when we talk about the EIR, this Commission  
 17 is confirming that the scope of the EIR is appropriate  
 18 having commented previously on that scope, and we will  
 19 review the suggested mitigations no doubt.  
 20 Subsequently we will have a presentation  
 21 regarding the Study Session in which we will look at the  
 22 architectural review, the below market rate development,  
 23 the bonus level proposal and so forth.  
 24 So let us start with the EIR, and I'll look to  
 25 staff to see who will make the presentation on this

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1 units.  
 2 Part of the community amenity space is  
 3 approximately 2,000 square feet of open space attached to  
 4 the childcare center, which is part of the plaza that  
 5 exists between the office buildings and the residential  
 6 buildings.  
 7 Staff is recommending the Planning Commission  
 8 move the two items this evening. The first item is  
 9 review the Draft Environmental Impact Report, hold a  
 10 Public Hearing on the document.  
 11 Staff -- after those comments, Staff recommends  
 12 that you hear from the applicant who will go over the  
 13 project in detail. There will also be a presentation  
 14 from the consultant to discuss the finding of the Draft  
 15 Environmental Impact Report.  
 16 Following the staff recommends the Commission  
 17 to open the Public Hearing on comments on the Draft  
 18 Environmental Impact Report from the community.  
 19 After that, there will be time to ask Staff and  
 20 the applicant questions on the Draft Environmental Report  
 21 and then you can make comments and ask questions yourself  
 22 on the Draft Environmental Report.  
 23 The second portion of this item would be the  
 24 Study Session, and the Study Session allows us to review  
 25 the questions that will be answered this evening by the

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1 Planning Commission as we move through the Study Session  
 2 item.  
 3 We just ask that the Planning Commission open  
 4 the Public Hearing to invite community projects on the  
 5 Study Session after they've had an opportunity to ask  
 6 their initials question and then we would be available by  
 7 providing comments.  
 8 This concludes my presentation. I'm of course  
 9 available to answer any questions that you might have  
 10 on -- on this EIR and also on the Study Session piece.  
 11 And with that, I would like to invite Andrew  
 12 Morcos from Greystar to provide an overview of the  
 13 project.  
 14 Thank you.  
 15 CHAIR RIGGS: Thank you, Miss Bhagat.  
 16 Mr. Morcos.  
 17 MR. MORCOS: Good evening, Chair Riggs and  
 18 Planning Commissioners. My name is Andrew Morcos. I'm  
 19 representing Greystar. Just give us a second while we  
 20 get the presentation up.  
 21 Awesome. Okay. It looks like we're ready. Go  
 22 back to the previous page, please. Thank you.  
 23 So I'm here to give you an update on Menlo  
 24 Portal, which is our third project in Menlo Park and our  
 25 second housing development following the adoption of

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1 units and almost 35,000 square feet of office and is  
 2 located at the corner of Constitution and Independence  
 3 just east of Marsh Road between the Menlo Gateway  
 4 projects.  
 5 The next slide I want to focus our -- on our  
 6 comments and responses to Planning Commission and  
 7 community topics that were raised since the last Study  
 8 Session.  
 9 One big one was around BMR affordability  
 10 levels, and we heard this about our project, Menlo  
 11 Uptown, as well.  
 12 The Menlo Portal proposed forty-eight low  
 13 income units, but we understand the application of  
 14 affordability is preferred.  
 15 In discussing with the City, it appears that an  
 16 equivalent alternative incorporating a variety of income  
 17 levels, from very low, low and moderate, would comply  
 18 with code and will work with the -- we are agreeing to  
 19 work with the City on pursuing an option that offers an  
 20 equivalent alternative.  
 21 Second is around our community amenities. Over  
 22 the course of the last two years, we've heard a need for  
 23 one affordable housing, a second for improved education  
 24 opportunities in Belle Haven.  
 25 We've heard from the Commission itself that

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1 Connect Menlo.  
 2 The focus of this presentation is how we  
 3 incorporate yours and the community comments from the  
 4 initial presentation in to 2019.  
 5 Although this presentation is on Menlo Portal,  
 6 I thought I'd start by giving you a brief reminder of  
 7 our -- of Greystar in Menlo Park.  
 8 Between our completed project, Elan Menlo Park  
 9 and our three projects and entitlements, we are working  
 10 with the City to provide over 1,100 multi-family units.  
 11 Over 140 of these will be affordable BMRs. For  
 12 comparison, Menlo Park has -- currently has 477 BMR  
 13 rental units, so these projects alone would increase the  
 14 number of BMR affordable units by over twenty-eight  
 15 percent.  
 16 Menlo Uptown, our first project, closed Connect  
 17 Menlo adoption is 441 rental units and thirty-two  
 18 townhomes and has completed its Draft EIR comment period  
 19 and is expected to be presented to Planning Commission  
 20 for approval in late April.  
 21 Menlo Flats, our third project consists of 158  
 22 units and is expected to start its Draft EIR comment  
 23 period in April, as well. Go to the next slide.  
 24 As mentioned, the focus for today is Menlo  
 25 Portal. So the project consists of 335 multi-family

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1 childcare was very important, and so we found a way to  
 2 incorporate 3,700 -- just under 3,800 square feet of  
 3 indoor and outdoor space that will be for a community --  
 4 will be a childcare/early education center, and I'll go  
 5 into more detail on that on the next slide.  
 6 We've also worked on facade improvements,  
 7 activating a publicly accessible central plaza with music  
 8 and movies and provided an ample alternative transit  
 9 opportunities, including electric bike charging in our  
 10 bike loops. That was an idea we heard here in Planning  
 11 Commission, as well.  
 12 Lastly we've continued to engage leaders on  
 13 Dumbarton Rail, advocate on behalf of the Bayside area  
 14 and Belle Haven to advance that project and ensure  
 15 there's appropriate access from this area and Belle  
 16 Haven.  
 17 On the next slide I want to focus on our  
 18 community amenity. As background, our total community  
 19 amenity was determined by the City's appraiser and totals  
 20 8.6 million.  
 21 The community amenity list that passed in  
 22 Connect Menlo has meant education improvements in Belle  
 23 Haven and community members also identified education as  
 24 a critical improvement needed in the Belle Haven area.  
 25 So we're recommending donating thirty -- just

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1 under 3,800 square feet to All Sides, which is an early  
 2 education childcare provider that's existing in Belle  
 3 Haven to operate a childcare center and to subsidize --  
 4 and to further subsidize with any additional funds  
 5 available to All Sides operation from the community  
 6 amenity.  
 7 All Sides would run a preschool program for  
 8 twenty to twenty-four 3 to 5-year old, and priority for  
 9 enrollment will be given to Belle Haven children and  
 10 priority for staff positions will be given to Belle Haven  
 11 residents.  
 12 Importantly seventy-five percent of the  
 13 students in this program either -- enrolled in the  
 14 program either have free enrollment or heavily subsidized  
 15 on a sliding scale.  
 16 And the remaining twenty-five percent are at  
 17 full cost, and the twenty-five percent that are at full  
 18 cost ensure that the quality of care given to these -- to  
 19 the kids here are equal or better than any other market  
 20 rate childcare opportunities.  
 21 So we're really excited about this opportunity  
 22 and look forward to any comments the Commission has on  
 23 it.  
 24 And the next slide we have a little bit more  
 25 information about where this childcare area is. You'll

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1 MR. TAPIA: Yes.  
 2 MR. MANUS: All right. We're all good to go.  
 3 Thank you very much, Andrew.  
 4 So good evening Chair Riggs and fellow  
 5 Commissioners and I want to thank you for your continued  
 6 contributions on this project and the others that we have  
 7 been before you, and the last time that we were before  
 8 you in a significant way was actually January 2020, so  
 9 certainly an enormous amount has changed in our world.  
 10 So we've continued to refine the project  
 11 details to Staff as you've heard in the Staff report, so  
 12 I want to provide you with a summary of the project  
 13 designs developed over the last year.  
 14 Your comments have been well received and I  
 15 think have been reflected here. Next. Next. Oh,  
 16 wonderful. Good. We're on a little delay here.  
 17 So this rendering which you saw little earlier  
 18 as part of Andrew's presentation illustrates is what we  
 19 really feel is the exciting area that this opportunity  
 20 that's resolved and you've approved projects in this  
 21 general area around it, Menlo Gateway, and now the Menlo  
 22 Portal project, which is the combined multi-family and  
 23 boutique office building.  
 24 I think we're really excited about what this  
 25 rendering illustrates it its potential for the activities

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1 see on the left the 1,600 square feet and on the right  
 2 we've allocated an -- an additional space outdoors as  
 3 required -- above the requirements for -- for the  
 4 childcare area.  
 5 And this is along the central plaza, and so  
 6 it's blocked from the -- from Marsh Road.  
 7 On the next slide it's just a quick overview of  
 8 the Draft EIR process. The comment period started on  
 9 February 25th and ends on April 14th.  
 10 Importantly the Draft EIR does not identify any  
 11 significant and unavoidable impacts, and the next thing  
 12 on the Draft EIR is that it will incorporate comments  
 13 received and then we will return for a presentation to  
 14 Planning Commission and City Council for project  
 15 approval.  
 16 With that, I want to introduce our team. Clark  
 17 Manus from Heller Manus is the lead architect and a  
 18 multi-planner. Karen Krolewski, from PGA is our  
 19 landscape architect, I'll hand it over to Clark to go  
 20 through more details on the design.  
 21 Clark, are you there? It looks like we might  
 22 be having some issues with Clark.  
 23 MR. TAPIA: Your microphone is showing as  
 24 active, Clark.  
 25 MR. MANUS: Is it on now?

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1 of the scale that we've embedded here. Next.  
 2 So if you were to go across the street and look  
 3 at the project in its context beyond the aerial bird's  
 4 eye view, one of the organizing principles that I think  
 5 we have stayed with -- and I think you've provided  
 6 comments on -- is the pocket park, and the pocket park  
 7 offers a very important organizing element that we leave  
 8 the multi-family office building on the left and boutique  
 9 office building on the right in a -- what we would  
 10 describe as a much more informed composition.  
 11 And so by intents the community benefits that  
 12 Andrew was talking to earlier for the proposed childcare  
 13 center, which fronts the street in the pocket park, helps  
 14 to reinforce the center where the pocket park could work.  
 15 Next.  
 16 And looking backwards towards the street within  
 17 the pocket park, the multi-family building amenities on  
 18 the right create this space, both you and Staff have  
 19 encouraged us to look what those opportunities are, and  
 20 up ahead on the left -- which you really wouldn't be able  
 21 to see in this rendering but you saw it earlier in  
 22 Andrew's exhibits -- show how we were able to take  
 23 advantage of locating the childcare center and the  
 24 adjacent outdoor area as a part of it.  
 25 This space, also, by the way, provides a food

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1 lot connection along 111 Independence and on the backside  
 2 of the Menlo Portal multi-family project. Next.  
 3 So as a brief refresher, the next three plans  
 4 really illustrate things that we have shared with you in  
 5 the past and we have reflected in minor issues with the  
 6 compliance with Staff is the ground floor. Next.  
 7 The typical unit floor lower level floor plan  
 8 basically allows us to conceal the parking from view from  
 9 the streets, which I think is an important criteria, and  
 10 a third is a cut-through typical residential floor in the  
 11 multi-family office building and the single floor plate  
 12 that's in the boutique office building to the left that's  
 13 a part of that frontage.  
 14 And in the next item is we just put it in here  
 15 because we wanted to touch on it. This is a compliance  
 16 analysis that we did that's reflected in the Staff Report  
 17 about how we dealt with both the public and the private  
 18 open space.  
 19 Karen will be able to elaborate in much more  
 20 detail some of the issues that we have refined over the  
 21 time associated with the landscape and the open space.  
 22 Next.  
 23 So both this and the next image are really  
 24 about -- talking about the materiality of the building,  
 25 both the multi-family and the office building, and I

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1 development area.  
 2 That's going on the east side of the office  
 3 building, and it will be enclosed with an opaque fencing,  
 4 and -- and so it will separate from the central plaza.  
 5 We've also created a dropoff zone for the  
 6 childcare facility on Constitution Drive and then we've  
 7 reconfigured the front entry ramp to the office building  
 8 and also accommodating a separate entry to the childcare  
 9 facility.  
 10 We have also added a dropoff zone on  
 11 Independence Drive and that's to function as a dropoff  
 12 zone for the office building.  
 13 The street level will also have a continuous  
 14 green planting strip along the edges on Constitution and  
 15 Independence and will only break where there's a dropoff  
 16 zone or parking for bikes as -- as there's not enough  
 17 width to do both. So next slide.  
 18 So this slide is showing the improvements at  
 19 the central plaza. So there's -- there's not a lot of  
 20 significant changes to the design, but there's been a lot  
 21 of development since we last talked.  
 22 So the -- again the central plaza is -- is  
 23 meant to function as a -- a publicly accessible open  
 24 space, a -- a pocket park, as Clark mentioned, and it  
 25 will include space for outdoor fitness classes, office

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1 think the character that we really want expressed in both  
 2 is a both crisp and warm character in the colors and  
 3 tones that could help unify the site impression together.  
 4 So the multi-family in its character is a  
 5 combination of fibrous cement and stucco, aluminum and  
 6 brass windows -- yes, Chair Riggs -- allowing us to  
 7 provide a sort of very defined vocabulary for the  
 8 multi-family building. Next.  
 9 And then the office building which I would  
 10 describe as very boutique and a very nice element as a  
 11 part of this composition is a dark brown anodized  
 12 aluminum with perforated metal screen kept from view.  
 13 And so the combined vocabulary of the materials  
 14 that we're proposing really provoke the buildings to  
 15 harmonize together.  
 16 So with that overview, I want to turn this over  
 17 to Karen who can provide a very highlight on the  
 18 landscape and the open space elements that we've  
 19 developed since the time that we met with you in January  
 20 of 2020.  
 21 MS. KROLEWSKI: Thank you, Clark.  
 22 So I'm just going to highlight some of the  
 23 changes since we last presented.  
 24 So for -- at the street level, the biggest  
 25 change is the -- providing the space for the child

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1 workers on lunch break, places to walk dogs, perhaps an  
 2 outdoor cafe area and will also have space for occasional  
 3 outdoor movie night.  
 4 The plaza features some stepped seating  
 5 elements which -- which is the goal to foster social  
 6 gatherings.  
 7 Those are shown in the image on the upper left  
 8 and upper right and -- and those are spaced off the  
 9 plaza.  
 10 There's also reclaimed urban waste eucalyptus  
 11 logs that will be placed along the pathway and also will  
 12 function as a different type of seating element.  
 13 At the end of the plaza is a vertical long  
 14 sculptural element which will provide a backdrop to the  
 15 plaza.  
 16 We've also worked hard to integrate bike  
 17 parking and have located that at both front entry to  
 18 the -- the portal building and -- and have also spaced  
 19 additional bike parking elsewhere on the site.  
 20 The space also includes the dog walking area,  
 21 which is kind of in the lower right, and on -- it will  
 22 future decorative pavers and -- as well as a lush  
 23 planting area with a robust tree canopy.  
 24 The tree canopy will be fed off of the storm-  
 25 water treatment center system that is below the pavers,

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1 so that's going to ensure that the tree canopy is  
 2 actually robust and strong.  
 3 And the planting that will be in the spine,  
 4 we're going to feature multiple agave varieties  
 5 integrated with blue fescue. And the next slide.  
 6 So these are images of the level three and  
 7 level seven roof deck space showing including the pool  
 8 spa, outdoor kitchens, top court and other amenities, as  
 9 well.  
 10 So concludes or presentation and thank you for  
 11 hearing our update for the Menlo Portal project.  
 12 CHAIR RIGGS: All right. Thank you.  
 13 If there are no other elements to the  
 14 presentation, perhaps this is where we move on to the EIR  
 15 description.  
 16 MS. WALLACE: Good evening. I'm Theresa  
 17 Wallace with LSA, the City's consultant for environmental  
 18 review of the Menlo Portal project. Here we go.  
 19 Tonight I also have Amanda Leahy from LSA with  
 20 us. She is the transportation consultant representative.  
 21 So please bear with me as I go through this  
 22 presentation tonight. It's pretty similar to some of the  
 23 presentation we've seen before for other projects in the  
 24 area, so I will get through it as quickly as I can.  
 25 So the purpose of this portion of the meeting

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1 preparation of the Draft EIR.  
 2 The City and LSA then prepared the Draft EIR  
 3 and we're currently in the 25-day review period.  
 4 After the close of the comment period on April  
 5 14th, we will then prepare written responses to each  
 6 subsequent comment received on the adequacy of the EIR  
 7 analysis, and that's referred to as the Response to  
 8 Comments document, and then the Response to Comments  
 9 document together with the Draft EIR will constitute the  
 10 Final EIR.  
 11 The Final EIR will be published and available  
 12 for review a minimum of ten days before any hearings are  
 13 held on the project.  
 14 So this slide will give some background on the  
 15 California Environmental Quality Act or CEQA, the state  
 16 law that requires environmental evaluation of the  
 17 project.  
 18 Generally the purpose of CEQA is the inform the  
 19 City's decision-makers, other agencies and the general  
 20 public about potential environmental consequences and  
 21 project approval.  
 22 Once the environmental impacts are identified,  
 23 some lead agencies may try to mitigate or modify those  
 24 impacts, and when an EIR is required alternatives to the  
 25 project must also be identified and evaluated.

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1 tonight is to hear comments on the adequacy of the Draft  
 2 EIR which was published on February 25th. There we go.  
 3 So the -- the purpose again is on the adequacy  
 4 of the EIR and the merits of the project will be  
 5 considered separately.  
 6 Although we're happy to answer your questions  
 7 or clarify the material in the Draft EIR tonight, we ask  
 8 that any comments of a technical nature be provided again  
 9 in writing and then we will provide written responses.  
 10 We want to be sure that we're providing you  
 11 with accurate responses and we can incorporate our  
 12 technical specialists.  
 13 A court reporter is reporting your comments and  
 14 the transcript of all comments received tonight will be  
 15 prepared. Each comment on the EIR will then be formally  
 16 responded to and all comments must be received by April  
 17 14th.  
 18 So this slide shows the overall schedule for  
 19 the environmental review process. On January 7th, 2020,  
 20 the City issued a Notice of Preparation or NOP notifying  
 21 applicable parties and responsible agencies that an EIR  
 22 would be prepared, and an initial study was concluded for  
 23 review.  
 24 All public comments as provided during the  
 25 thirty-day comment period were considered during

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1 The environmental analysis for this project  
 2 comes from the ConnectMenlo EIR. The Connect Menlo EIR  
 3 provided a program letter of analysis of the  
 4 developments -- potential developments in entire city,  
 5 including any big developments potential in the Bayfront  
 6 area where the project is located.  
 7 This EIR evaluated the impacts that a property  
 8 of 2.3 million square feet of non-residential space, 400  
 9 community amenity and 4,500 residential units.  
 10 The proposed project fits within the  
 11 development assumptions of the ConnectMenlo EIR, so it's  
 12 appropriate to hear from that document.  
 13 A settlement agreement with the City of [sic]  
 14 Palo Alto also requires certain projects that tier from  
 15 ConnectMenlo EIR, including those utilizing bonus level  
 16 development at the proposed project.  
 17 The focused EIR looks at environment, housing  
 18 and transportation. The environmental review of the  
 19 project also cover the terms of that Development  
 20 Agreement.  
 21 As I mentioned before, an initial study was  
 22 circulated with the Notice of the EI -- that an EIR would  
 23 be prepared, and based on the conclusions of the initial  
 24 study, the topics shown on the slide were not fully  
 25 evaluated because the project was not anticipated to



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1 result in significant environmental effects related to  
 2 these issue topics or because the initial study found  
 3 that these topic areas were adequate -- adequately  
 4 addressed through the program level analysis in the  
 5 ConnectMenlo Final EIR.  
 6 The topics on the left of this slide are shown  
 7 as potentially significant and are identified in the  
 8 initial study for further analysis.  
 9 So this slide just gives an overview of the  
 10 findings for each topic evaluated in the Draft EIR which  
 11 I'll go over in the next few slides..  
 12 The main takeaway, as was mentioned before, is  
 13 there are no significant and unavoidable impacts. All  
 14 impacts can be reduced to less than significant levels  
 15 with mitigation measures.  
 16 So for the first topic, population and housing,  
 17 a housing needs assessment or HNA, as we call it, was  
 18 prepared in compliance with the terms of the settlement  
 19 agreement to provide background and context for the  
 20 section and analysis.  
 21 So this means the project would fit within the  
 22 growth projections identified in the ConnectMenlo EIR and  
 23 would not induce unplanned populations growth.  
 24 Additionally the project would increase the  
 25 availability of housing and would not increase

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1 The EIR also determined that the project would  
 2 generally comply with the typical transportation related  
 3 plans and policies, would not create design hazards or  
 4 result in inadequate emergency access.  
 5 Consistent with the City's TIA guidelines, a  
 6 level of service analysis was also conducted for lateral  
 7 planning and informational purposes in the EIR.  
 8 Three intersections were identified in the  
 9 near-term as exceeding the City's average critical  
 10 movement delay threshold and five were determined to  
 11 exceed the threshold during cumulative conditions.  
 12 Intersection improvements were recommended be  
 13 included as project conditions of approval.  
 14 For the next topic, which is air quality --  
 15 CHAIR RIGGS: I'm sorry.  
 16 MS. WALLACE: -- the analysis --  
 17 CHAIR RIGGS: May I interrupt and ask a  
 18 question regarding the VMT threshold?  
 19 MS. WALLACE: You certainly can. It might be  
 20 best if Amanda is pulled up as a presenter. She's  
 21 currently on the phone.  
 22 CHAIR RIGGS: And if you would prefer that I  
 23 wait and ask about this at the end of your presentation,  
 24 I can do that.  
 25 MS. WALLACE: Up to you.

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1 displacement pressures on surrounding communities,  
 2 including Belle Haven or East Palo Alto, and no  
 3 mitigation measures were required.  
 4 For the topic of transportation, a  
 5 Transportation Impact Analysis or TIA was prepared  
 6 consistent with the City's TIA guidelines.  
 7 Under CEQA, as most of you are probably aware,  
 8 roadway congestion or level of service is no longer the  
 9 metric for evaluation of transportation impacts.  
 10 In compliance with SB 43 and the City's TIA  
 11 guidelines, vehicle miles total or VMT is the new  
 12 threshold.  
 13 This threshold considers VMT per person or per  
 14 capita, which is the measurement of the amount of  
 15 distance the resident or visitor drive.  
 16 For a mixed use project, each land use is  
 17 independently evaluated, and the analysis for the  
 18 residential component of the project would determine that  
 19 the implementation of the proposed Transportation Demand  
 20 Management Plan, the project would be below the  
 21 established threshold which needs to be fifteen percent  
 22 for the regional average VMT.  
 23 For the office use, additional TDM measures  
 24 were recommended as mitigation to ensure that this will  
 25 also be below the threshold.

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1 CHAIR RIGGS: All right. While we're on the  
 2 topic, then, just to get a sense, the VMT threshold is  
 3 something below fifteen percent of the VMT expected for  
 4 this region? Is that what I heard?  
 5 MS. WALLACE: Right.  
 6 CHAIR RIGGS: All right. And was that  
 7 threshold set in consideration of the ConnectMenlo  
 8 predicted development of this immediate region?  
 9 MS. WALLACE: I'm going to ask if Amanda can  
 10 be called up to help answer that question because she's  
 11 someone that does the analysis.  
 12 MS. LEAHY: This is Amanda Leahy with LSA  
 13 Associates, and to answer what I think you're asking is  
 14 is the established threshold, which is fifteen percent  
 15 below the regional or citywide average for the particular  
 16 land use, is that a -- a cumulative -- is it a baseline  
 17 or like the VMT that we see today or is it anticipating  
 18 the buildout of ConnectMenlo? So it's based on the  
 19 future VMT, is that correct? Was that the question --  
 20 CHAIR RIGGS: Yes.  
 21 MS. LEAHY: Yes. It's - it's a baseline.  
 22 We're using the model baseline for 2020 in that analysis.  
 23 CHAIR RIGGS: I'm sorry. I missed the  
 24 connection. A baseline means not including ConnectMenlo,  
 25 which was 2017 or -- or 2016, or including the

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1 anticipated -- is it current or anticipated is the key  
 2 question.  
 3 MS. LEAHY: It reflects current 2020 VMT.  
 4 CHAIR RIGGS: All right. Okay. Thank you so  
 5 much.  
 6 MS. LEAHY: Sure.  
 7 MS. WALLACE: Okay. Thanks, Amanda.  
 8 Okay. So going back to air quality. The  
 9 analysis determined that implementation of the Bay Area  
 10 Air Quality Management District's basic construction  
 11 control measures would be required to reduce construction  
 12 period impacts to a consistent level, which is consistent  
 13 with the findings of the ConnectMenlo EIR.  
 14 The public would also not exceed regional air  
 15 quality emission threshold during operations, and the EIR  
 16 also concluded -- included a construction and operational  
 17 Health Risk Assessment or HRA consisting of the  
 18 mitigation measures outlined in ConnectMenlo.  
 19 The HRA determines whether or not some vectors,  
 20 including existing residences, pools or other similarly  
 21 could be exposed to toxic air containers.  
 22 And the analysis determined that mitigation  
 23 measures would be required to ensure that construction  
 24 equipment is equipped with specific emissions controls to  
 25 reduce exposure of offsite receptor -- receptors to TAC

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1 windows would be consistent with the findings of the  
 2 ConnectMenlo EIR.  
 3 So this slide is just an overview of the  
 4 alternatives that were considered for the project. The  
 5 alternatives are developed with the objective of reducing  
 6 potential impacts of the project.  
 7 These were determined in consultation with City  
 8 Staff and based on the comments received during the NOP  
 9 scoping period.  
 10 Under CEQA, alternatives to a project must  
 11 generally meet the basic project objective.  
 12 While a number of alternatives were considered,  
 13 the EIR also included a form analysis of three  
 14 alternatives, including the CEQA required no project  
 15 alternative and two developments alternative.  
 16 So the first development alternative that is  
 17 called a base level alternative with further development  
 18 of the site under the maximum base residential density  
 19 allowed in the zoning district without community  
 20 amenities and without service level development.  
 21 This would include about 224 fewer residential  
 22 units than the project and a decrease of approximately  
 23 15,500 square feet of non-residential space, which would  
 24 consist of retail rather than office use.  
 25 While some of the impacts of the project would

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1 during construction.  
 2 And the analysis determined that the on and off  
 3 site of the receptors would not be exposed to substantial  
 4 increases in TAC associated with the project during  
 5 operation.  
 6 For the topic of greenhouse gas emissions, all  
 7 impacts will be less than significant, and implementation  
 8 of the Air District construction measures, which I just  
 9 mentioned, would further reduce those emissions during  
 10 construction.  
 11 The project would be well below the Air  
 12 District threshold for operational emissions, and the  
 13 project would generally comply with all applicable plans,  
 14 policies and regulations that have been adopted for the  
 15 purpose of reducing GHG emissions.  
 16 The findings for noise analysis determined that  
 17 transportation related increases in noise would not  
 18 exceed City standards.  
 19 Because the project would locate residential  
 20 uses in an area that is considered a conditional accepted  
 21 noise environment by the City, mitigation measures will  
 22 be required to reduce indoor noise impacts. Again,  
 23 that's a fairly common mitigation measure.  
 24 And that includes implementation of mechanical  
 25 ventilation so that windows can remain closed, and use of

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1 be slightly reduced due to the overall lessened square  
 2 footage, none of the impacts would be entirely avoided  
 3 and similar mitigation measures would be required.  
 4 For the maximum buildout alternative, the  
 5 system looked at the development under the maximum  
 6 residential density allowed at the bonus level in the  
 7 zoning district, and it includes thirty-three more  
 8 residential units compared to the project and about the  
 9 same square footage of non-residential space but split  
 10 between office and retail use.  
 11 Similar to the project, this alternative would  
 12 include the childcare space, and again under this  
 13 alternative, none of the impacts of the project would be  
 14 reduced or avoided and similar mitigation measures would  
 15 be required.  
 16 Ultimately as -- as is required by CEQA, the  
 17 environmentally superior alternative was determined to be  
 18 the base level alternative because impacts would be  
 19 incrementally less.  
 20 However, this alternative would not fully  
 21 achieve some of the basic project objectives and  
 22 maximizing the development potential of the project site,  
 23 reducing the jobs and housing imbalance and providing  
 24 affordable housing.  
 25 So with that, that concludes my overview of the

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1 CEQA process and the results of the EIR.  
 2 Comments should be sent to the City and should  
 3 be submitted -- should be shown on the slide I have next,  
 4 but is not popping up.  
 5 Verbal comments will be made at the meeting  
 6 tonight. Please submit your comments in writing and  
 7 we'll be sure to respond to all comments in the further  
 8 response to comments document in the Final EIR.  
 9 With that, I'll hand it back to the chair.  
 10 CHAIR RIGGS: Sorry. Thank you, Miss Wallace.  
 11 And so do we have any questions from Commission  
 12 members regarding the EIR presentation?  
 13 All right. Well, I'll kick off. I do have  
 14 one.  
 15 COMMISSIONER DECARDY: Through the Chair --  
 16 CHAIR RIGGS: Mr. DeCardy?  
 17 COMMISSIONER DECARDY: Are we going to go  
 18 to public comments and then ask questions or are we  
 19 putting off public comments?  
 20 CHAIR RIGGS: I was going to do some initial  
 21 questions, but thank you for reminding me. I think Staff  
 22 had suggested that we go to public comment first, which  
 23 is a good idea.  
 24 So at this time if you are participating  
 25 remotely, would you please look at the right side of your

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1 I -- you know, the government part is certainly part of  
 2 that, and so I'm here before you as an individual, but I  
 3 am more informed because of that broader interest in  
 4 keeping the residents safe.  
 5 And I want to point out first that when  
 6 ConnectMenlo was passed, that was a very quick process  
 7 and we also know a lot more today.  
 8 And I'm learning about hazards, and the area  
 9 where these projects are -- are proposed is - is an area  
 10 with substantial hazard risk due to the intersection of  
 11 multiple hazards working together combined with sea level  
 12 rise.  
 13 So I like the developer, I like the project,  
 14 but nonetheless it's in a high hazard zone.  
 15 First they're located in a liquefaction zone  
 16 area, and I had written you earlier an article, and I'll  
 17 try -- an e-mail with some links, and I'll try to  
 18 summarize.  
 19 Most damage from earthquakes, the Loma Prieta,  
 20 the Christchurch was because of that. So the ground  
 21 becomes -- depending on the shaking, the buildings are  
 22 more prone to fall over.  
 23 And what's made it worse is global sea level  
 24 rise, because the groundwater is closer to the surface,  
 25 and the groundwater doesn't just stay at low lying areas.

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1 screen on the Go-to Webinar control panel? You'll see a  
 2 handy con. If you slick on that hand icon, this will  
 3 tell Staff that you would like to speak to the project.  
 4 And you will have three minutes to speak  
 5 specifically on this Menlo Portal project. You'll be  
 6 prompted for your name and we can identify you right  
 7 away.  
 8 So I'll start as usual asking Mr. Tapia if  
 9 anyone has so indicated that they would like to speak.  
 10 MR. TAPIA: Good evening, Chair, Commissioners  
 11 and members of the public. I am showing a couple of  
 12 virtual hands. I will go ahead and call upon the first  
 13 virtual speaker.  
 14 So with your permission, Chair, I'd like to go  
 15 ahead and introduce them.  
 16 CHAIR RIGGS: Please.  
 17 MR. TAPIA: I'm going to go ahead and  
 18 introduce Lynne Bramlett. As a reminder if you could  
 19 please state your first time and your last name and the  
 20 political jurisdiction or organizational affiliation.  
 21 So Lynne Bramlett, your microphone is now  
 22 active.  
 23 MS. BRAMLETT: Yes. I -- good evening. I'm  
 24 Lynne Bramlett and I happen to be a member of a grass  
 25 roots disaster preparedness group, and as part of that,

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1 It's coming in deep into the land, and these  
 2 are things that researchers, geologists, and yes, I have  
 3 been to conferences by the US Geological Survey, because  
 4 I am a thorough person, and there's actually even one  
 5 meeting the next few days.  
 6 So sea level rise is having an impact, and so I  
 7 ask that as part of that there is included a study of the  
 8 stability of the foundation soils underneath the planned  
 9 project.  
 10 And at a later point I ask that the Planning  
 11 Commission start to look at the construction permitting  
 12 process in -- you know, in light of hazards.  
 13 And I also ask that Menlo Portal EIR include a  
 14 mapping study of the groundwater table, what it is today  
 15 along with predictions from sea level rise.  
 16 So I do want to say that again we continue to  
 17 build in an area when you take a look at that Cal US my  
 18 hazard zone, a big section is the liquefaction.  
 19 We now know more about the rising groundwater  
 20 tables, sea level rise, how they're working together to  
 21 increase the probabilities of harm.  
 22 CHAIR RIGGS: You have ten second to wrap up.  
 23 MS. BRAMLETT: Yeah. So I ask you to do more  
 24 for this project and at the root cause of the bigger  
 25 problem.

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1 CHAIR RIGGS: All right. Thank you very much.  
 2 Mr. Tapia, do we have a second speaker?  
 3 MR. TAPIA: Yes, we do. I'm going to go ahead  
 4 an introduce the next speaker.  
 5 As a reminder to the speaker if you can just go  
 6 ahead and introduce your first name, last name, political  
 7 jurisdiction which you live in or your organizational  
 8 affiliation.  
 9 I'm going to go ahead an introduce Kim Novello.  
 10 Kim, you do have the ability to activate your microphone.  
 11 Okay. Now you should have the ability, Kim.  
 12 MS. NOVELLO: Sorry. I hit the wrong button.  
 13 Thank you.  
 14 Good evening, everyone. Thank you.  
 15 So I have to admit I was quite -- a little -- a  
 16 little overwhelmed by the size of the Draft EIR and I  
 17 wasn't able to go through all of it, but I would like to  
 18 comment on some things that jumped out at me.  
 19 The first is on -- in Section 3.1.3, which is  
 20 page 3.5, it mentions that it provides for higher density  
 21 to meet the needs of all income levels, and I don't  
 22 understand how -- income levels, what that has to do  
 23 necessarily with density.  
 24 I understand pricing of cost of living, but I  
 25 feel like this is implying that certain income levels

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1 looking at the General Plan, as well, and if we want to  
 2 fix the discrepancy between jobs and housing, I don't  
 3 think -- I think all of our focus should be on housing  
 4 and not necessarily office space.  
 5 Thank you.  
 6 CHAIR RIGGS: All right. Thank you, Miss  
 7 Novello.  
 8 And Mr. Tapia, do we have any other comments?  
 9 MR. TAPIA: At this time, Chair, I'm not  
 10 seeing any other comments.  
 11 CHAIR RIGGS: All right. Well, we've had six  
 12 minutes' opportunity to indicate, but I'll say one more  
 13 time.  
 14 If you would like to speak, your opportunity is  
 15 now to click on that hand icon on the right side of your  
 16 screen ap -- appended to your Go-to Webinar control  
 17 panel.  
 18 All right. Seeing no lighted recognition from  
 19 my -- the bottom right corner of the screen, it appears  
 20 that we have heard our public comment for this evening.  
 21 And I will close the public comment period and  
 22 bring the discussion of the Draft EIR back up to this  
 23 panel.  
 24 Questions for Staff or the presenter or  
 25 comments at this point? Mr. DeCardy.

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1 don't have the same needs as other humans that live in  
 2 the building.  
 3 And then also continuing in that same section,  
 4 it goes on to talk about the project site -- the purpose  
 5 and intent of the zoning district identified.  
 6 Number 3, it says: "It's to blend with and  
 7 complement existing neighborhood through site regulations  
 8 and design standards."  
 9 I don't believe that any of the seven -- a  
 10 seven-story high-rise blends with the, say, Belle Haven  
 11 neighborhood at all. And -- so that was an issue that I  
 12 had.  
 13 Also in -- I believe it's Section 4.0, page  
 14 4-1, it's talking about the definition of environment  
 15 and, you know, I -- pardon my kind of new introduction do  
 16 all of this, but I'm not seeing -- and again, I didn't  
 17 read the whole entire thing, but I'm not seeing anything  
 18 about the environment discussing like the effects on  
 19 people, so mental -- mental health effects of changes  
 20 that a seven foot apartment building.  
 21 And I believe that it should possibly be  
 22 considered to be included in the environment. Again, I  
 23 don't know if you have control over that, but it's a big  
 24 building, the -- the seven-story one especially.  
 25 And finally regarding the office space, I was

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1 COMMISSIONER DECARDY: Thank you, Chair Riggs.  
 2 Thank you for the two public comments. Thank you to the  
 3 team for the presentation. It's going to be a great  
 4 addition to the community, and for your time to engage  
 5 with the staff to put this together.  
 6 I have a question around where Chair Riggs had  
 7 his initial, and that was a question on transportation.  
 8 In the Staff Report and in the presentation in  
 9 the EIR, it's referenced to the Transportation Demand  
 10 Management plan, and I'm not sure who to ask this of. I  
 11 think it's of Staff.  
 12 But if the TDM plan that is being referred to  
 13 in those comments the one that is in the EIR, which is on  
 14 page 42-27, and is that the entirety of the plan or is  
 15 that TDM plan going to be further developed as the  
 16 project moves along?  
 17 MS. WALLACE: Well, this is Theresa with LSA.  
 18 I'll jump in and say that the TDM plan that's presented  
 19 in the EIR is the TDM plan that is proposed by the  
 20 project, and I don't know if Staff wants to speak to any  
 21 further refinements that may occur throughout the  
 22 process, but we've evaluated that TDM plan to be sure  
 23 that it achieves the reductions that it's intended to in  
 24 the EIR.  
 25 COMMISSIONER DECARDY: That's all. That's all

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1 perfect.

2 Then ask I ask you? How do you do that

3 assessment?

4 My read of the TDM plan as proposed is a set of

5 opportunities to reduce vehicle miles traveled, but there

6 is nothing in there that I see that is definitive.

7 So you can go to a portal for more information.

8 You have the opportunity to sign up for RideShare.

9 There's a bike availability for you to park your bike.

10 That all makes sense.

11 But how do you know that you'll actually meet

12 the reduction that you said is needed in the

13 presentation?

14 MS. WALLACE: I'll ask Amanda to jump in there

15 to talk about how she considers the TDM plan and the

16 evaluation.

17 MS. LEAHY: Yes. Absolutely. That's a good

18 question.

19 The -- the analysis relies on an extensive

20 literature review and studies conducted by the California

21 Air Pollution Control Officer's Association and it's

22 applied -- its use is widespread for the purpose to give

23 an estimate of how much one might expect a project to be

24 able to reduce its vehicle miles traveled when

25 implementing this type of TDM measures.

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1 is meeting what the TDM plan is proposing.

2 So like for example if they're offering the

3 residents some usage of let's say the Caltrain pass, that

4 information they need to report -- the applicant needs to

5 report to us.

6 So at least we'll know it's effective or there

7 are some changes that they need to make.

8 So there's a mechanism for -- for Staff to know

9 that the TDM plan measures proposed are effective or not.

10 COMMISSIONER DECARDY: They do that by a

11 survey of who?

12 MR. BAILE: The applicant will do a survey of

13 their employees or residents, whether they're doing some

14 of the TDM plan measure or walking or doing some transit

15 and then provide this information to us.

16 Where they can survey their employees or

17 residents, they need to bring it. So these are the type

18 of things that we could -- the information that they

19 could provide us to let us know that they're meeting the

20 TDM plan goals.

21 COMMISSIONER DECARDY: All right. Thank you

22 for the clarification. I won't -- I won't go any further

23 on this. I'll just note -- this is a comment.

24 My comment is that I think the TDM plan needs

25 to be more specific in general and I think the monitoring

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1 There are some citations in the table of the --

2 the impact topics of the VMT analysis that refers to the

3 specific calculations that were completed for this

4 project for that TDM plan.

5 COMMISSIONER DECARDY: Thank you for that. I

6 appreciate it.

7 And then is there any -- this may be a question

8 of you for that analysis or it may be of the applicant.

9 Are there any measurement mechanisms? It's one

10 thing to offer the opportunity for a demand management

11 reduction, but is there anything that ever happens in the

12 TDM plan like this for this project that would actually

13 have measurement and evaluation that that goal has been

14 met? And is that something you looked at in the EIR or

15 not?

16 MS. LEAHY: Staff can confirm, but that is a

17 requirement of TDM plan, that they do go monitored and

18 evaluated.

19 MR. BAILE: This is Rene. I'm the Associate

20 Transportation Engineer with Menlo Park.

21 So we are going to require the applicant to

22 submit an annual report to monitor -- to monitor the

23 effectiveness of the TDM measure.

24 So they can provide a survey or any metrics

25 that will provide us information whether this TDM measure

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1 and assessment needs to be strong and stronger than

2 surveys, and there are many, many ways that that's done

3 in different projects in the Bay Area and in different

4 places.

5 So -- and this is not questioning the

6 commitment of the developer. It's human nature.

7 MR. BAILE: Yeah, yeah. I did mention surveys

8 survey as one instrument, but there are driveway counts

9 to make sure they are to measure from the driveway.

10 COMMISSIONER DECARDY: Right.

11 MR. BAILE: So it's one of the tools, but it's

12 not going to be the main tool.

13 COMMISSIONER DECARDY: I think it should be

14 clear and I think it should be made public so people

15 really know.

16 MR. BAILE: I understand, Commissioner

17 DeCady.

18 COMMISSIONER DECARDY: Thank you very much.

19 This is my last set of questions on the EIR and

20 it's also on transportation. This is the question back

21 to the presentation of the EIR about the alternative

22 considered but not selected for further analysis.

23 So on 6-18, the two that are interesting to me

24 are the reduced parking analysis and then the no net VMT

25 increase and no net GHG increase.

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1 And I'd like to understand a little bit more  
 2 about why those weren't looked at. First of all, thank  
 3 you for at least putting them in there. That was my  
 4 interest in all of these projects. So thank you for at  
 5 least acknowledging it.  
 6 But then I want understand why that was not  
 7 done.  
 8 And specifically it looks to me that the reason  
 9 it's not done is that there is an assumption that it is  
 10 not in the capacity of a single project in a community  
 11 like ours to be able to make such a reduction, the no net  
 12 VMT or there absolutely would be leakage that if you  
 13 didn't have parking, that by necessity the parking then  
 14 would leak into the rest of the community and cause  
 15 problems.  
 16 And I want to understand the logic behind both  
 17 of those assumptions.  
 18 MS. WALLACE: Well, maybe Amanda can bail me  
 19 out again since she helped with these, but basically the  
 20 project site is in a really high VMT area, and so to  
 21 achieve no net new VMT, you would basically have to  
 22 replace the existing buildings on the site with a  
 23 building of a similar size and of similar use.  
 24 Otherwise almost any type of project in this  
 25 area will result in some kind of new VMT that requires

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1 I'll make a comment on this on the heels of  
 2 this.  
 3 The purpose of an EIR is sunshine. The purpose  
 4 of the EIR so that members of the community can have  
 5 information to then be able to voice their opinions of  
 6 the viability of the project and the benefits to the  
 7 community.  
 8 And I appreciate your response. I -- I think  
 9 it makes sense, but it's also based on a fair number of  
 10 assumptions, and if we just go back to the earlier  
 11 question about the Transportation Demand Management plan,  
 12 there's a whole set of literature views, of practices in  
 13 other communities, of ways to be able to assess what a no  
 14 parking alternative surely would do, and that to me seems  
 15 like our city should put this into an EIR in a part of  
 16 our community that is already completely maxed out and  
 17 stressed out by the influx of vehicles.  
 18 So this is more just a comment to our city and  
 19 to when we have these EIRs. I don't understand why we --  
 20 in a city where in a community like, we have a massive  
 21 transportation problem, we know we have a massive  
 22 transportation problem and won't even look at an EIR as a  
 23 sunshine measure with a no parking alternative or no VMT  
 24 alternative. Or something that is close to it.  
 25 So that at least we could have the information

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1 reduction in a TDM plan.  
 2 I don't know if that's kind of getting to your  
 3 question. I mean, the point of the alternatives analysis  
 4 was to find a way to reduce impact and the -- we looked  
 5 at that possibility and such a project wouldn't --  
 6 probably wouldn't be viable, wouldn't meet most of the  
 7 basic project objectives and wouldn't really achieve any  
 8 effective reduction in VMT.  
 9 And as far as no parking, there was some  
 10 discussion and evaluation of that potential impact, and  
 11 again it was determined that a project that doesn't  
 12 provide enough parking would result in a different and  
 13 new impacts in this area which is not very well served by  
 14 transit, and that having a -- a project in this area  
 15 right now that didn't provide any parking would also  
 16 probably not be very viable.  
 17 It might cause actually additional  
 18 environmental impacts because you then have folks driving  
 19 around looking for parking creating more congestion and  
 20 resulting emissions.  
 21 COMMISSIONER DECARDY: Thank you.  
 22 MS. WALLACE: So I don't know if that gets to  
 23 your question.  
 24 COMMISSIONER DECARDY: Sure does. It's  
 25 helpful.

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1 available to us to be able to then ask the developer if  
 2 there are some things that they would be able to.  
 3 I just think not looking at it more in-depth is  
 4 a big mistake and I think it's a problem. I think  
 5 there's absolutely more that we can do with a fifteen  
 6 percent reduction.  
 7 I think that you absolutely run no parking  
 8 projects and you can monitor them by license plates, by  
 9 their visits to boutique office buildings and I think  
 10 there are all sorts of ways that you can put the  
 11 incentives to developers to solve the problem.  
 12 But what we're doing right now is we're  
 13 essentially saying well, it's a community-wide problem,  
 14 but we'll only look at it project specific, and we can't  
 15 do anything about it because it's a community-wide  
 16 problem. And this is not tenable.  
 17 So this is not a complaint necessarily about  
 18 this project. It's a frustration with EIRs and how we're  
 19 doing them and we're not doing a service to our community  
 20 to get the right kind of information to get a look at the  
 21 project alternatives.  
 22 Thank you, Chair Riggs. Those are my comments  
 23 on the EIR this evening.  
 24 CHAIR RIGGS: All right. And thank you, Mr.  
 25 DeCardy, for targeting a particularly sensitive point.

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1 I seem to recall -- and I may be in error --  
 2 that our last meeting -- and -- and there are multiple  
 3 projects, so this could be a problem and if it were  
 4 another Greystar project but we may made to comment, but  
 5 we did ask for an alternative that was all housing, and I  
 6 don't see such an alternative here in the Draft EIR.  
 7 I do see one that is essentially the same  
 8 program, but with the housing shifted to all affordable.  
 9 That's a slightly different target. It's a -- it's a  
 10 very different effect.  
 11 So I would have preferred an alternative that  
 12 was strictly housing for the purposes of our evaluation.  
 13 So I'll continue to ask for that.  
 14 Before I -- actually, that may be my only EIR  
 15 question or comment.  
 16 So anyone else on the Commission have an EIR  
 17 comment or question?  
 18 Mr. Barnes.  
 19 COMMISSIONER BARNES: Thank you. I do have an  
 20 EIR question and I also have a clarifying question to the  
 21 chair.  
 22 Is right now only for EIR and then we have a  
 23 separate breakout -- breakoff for specific project-  
 24 related questions or are they commingled in this  
 25 particular time, project and EIR? How does this --

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1 tease backwards is the trip generation impacts of  
 2 residential versus office.  
 3 So, for instance, the quick math that I did was  
 4 if I add all of the daily trips from residential and I  
 5 add the daily trips from office together, and -- you  
 6 don't have to follow my math in my head. Just to give  
 7 you an idea of my methodology here.  
 8 So we've got the day trips generated from  
 9 office, the office component as it's called and from  
 10 residential.  
 11 In that ratio, roughly 85/15. So just doing  
 12 some high-level math, with a 90/10 ratio of residential  
 13 to office and then with a trip ratio of 85/15 -- I'll go  
 14 with roughly that equivalent -- that shifting from --  
 15 shifting if, for instance, the project were to have less  
 16 office and more residential, it would still result in a  
 17 shift of car trips to the residential side in relative  
 18 proportion to the shift, say 90/10, a hundred/zero  
 19 percent office, you would have a corresponding shift.  
 20 You wouldn't get rid of car trips. You would  
 21 simply shift from -- simply shift office car trips to  
 22 residence car trips in roughly the same proportion as the  
 23 constitution of the building.  
 24 That's kind of what I think I see here, and I'd  
 25 love to be disabused of that notion or, you know,

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1 CHAIR RIGGS: Yes. The former. We'll have a  
 2 sort of a renewal presentation from Staff or Mr. Manus  
 3 and then we'll launch into architectural review, BMR and  
 4 other related Study Session issues. But that will be  
 5 very soon after the next public comment.  
 6 COMMISSIONER BARNES: Thank you.  
 7 So my question to whomever, EIR consultant. It  
 8 relates to in the EIR itself, the report itself on page  
 9 4.2-29, and I'll -- I am looking at the EIR.  
 10 I'll give you a moment to pull that up. I'm in  
 11 specific looking at the table on that page, table 4.2.B,  
 12 vehicle trip generation.  
 13 MS. WALLACE: I -- the benefit says remote. I  
 14 can't pull anything up. I have it up. Again, I might  
 15 need Amanda to help me with the question.  
 16 COMMISSIONER BARNES: Thank you, Theresa.  
 17 Okay. So this is kind of a math question and  
 18 tell me how I should think about this. So we've got this  
 19 project and the balance of square footage is  
 20 approximately 90/10.  
 21 You've got ninety percent residential, ten  
 22 percent office in this area. So if I've got that ratio,  
 23 ninety percent residential, ten percent office.  
 24 Now I've got this table 4.2.B and it's about  
 25 vehicle trip generation estimates, and what I'm trying to

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1 otherwise know how it works when we talk about going with  
 2 residential with the same idea thinking about reduction  
 3 of car trips.  
 4 MS. WALLACE: Amanda, do you have some  
 5 thoughts on that?  
 6 MS. LEAHY: I think I'm not following you. I  
 7 don't know if there's a way you can state that  
 8 differently, perhaps.  
 9 COMMISSIONER BARNES: Sure. I guess -- so I  
 10 was trying to contextualize the question. Maybe a simple  
 11 way of saying it is: What's the ratio of determining if  
 12 this were to be all residential, and so 90/10 office/  
 13 residential, what would happen to the total trip count?  
 14 And is there a quick back-of-napkin ratio that  
 15 you use that would allow any -- my layman's trying to  
 16 figure out what that might be?  
 17 So how would trips -- I'll just say it that  
 18 way.  
 19 MS. LEAHY: Well, I don't know if there's a  
 20 quick back-of-the-envelope calculation, but I think the  
 21 -- the documentation for the trip generation is included  
 22 in the appendix and that should include the trip  
 23 generation rates that are used to calculate the daily and  
 24 the AM and the PM peak hour.  
 25 If you're looking at the daily end, I think the

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1 approach you're taking to give you a general look at --  
 2 idea of what that might look like, it gets a little more  
 3 complicated when you're thinking about the AM and the PM  
 4 and the inbound and outbound trips.  
 5 I'm not entirely sure of the objective here.  
 6 The trip generation themselves are -- they are related  
 7 more to the level of service analysis that was provided  
 8 for the local transportation impact assessment.  
 9 So I -- I don't know if I'm -- I'm really  
 10 answering your question here, but I guess I just -- if  
 11 you're looking for the trip generation rate, they are  
 12 provided in the appendix.  
 13 COMMISSIONER BARNES: Without -- I assume you  
 14 got to rerun the ball. So the hypothetical that I'm  
 15 asking is: Say you went from 90/10 to one hundred/zero.  
 16 Would the amount of trips decline or remain  
 17 static? And it sounds like what you're saying is there's  
 18 multiple factors in that so you'd have to rerun the  
 19 numbers specific to that.  
 20 Is that -- you couldn't postulate on that  
 21 question; correct?  
 22 MS. LEAHY: I -- I think the easiest thing is  
 23 to say correct because it's also a difference in looking  
 24 at residential units versus residential square footage  
 25 and office space square footage.

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1 I think there's number kind of a relationship  
 2 that's fairly -- will toggle with the portions of office.  
 3 I'm sorry. I spoke out of turn.  
 4 CHAIR RIGGS: No, you didn't. It was your  
 5 question, and I will just emphasize it's my conclusion or  
 6 my reading that if you have average unit size of around  
 7 600 square feet and you have, what? 300 -- some 326,000  
 8 square feet, you have an idea of how many units you have.  
 9 And -- and therefore since it's unit count that  
 10 is somewhat emphasized for daily trip count because  
 11 you're as likely to have two cars in a one-bedroom as you  
 12 are in a three-bedroom depending on the market, blah-  
 13 blah-blah, for daily trips, one can only look at I think  
 14 a given program because if predominant units were 1,300  
 15 square feet, say typical to Suburban Park, then the  
 16 326,000 square feet would result in a prediction of fewer  
 17 car trips, I believe, and I think that's why Amanda  
 18 hesitates.  
 19 But in the case of this I have to agree with  
 20 Commissioner Barnes that one can resolve a number and the  
 21 numbers seem to be quite similar.  
 22 So -- which in a sense predicts what would have  
 23 been a conclusion had I seen the alternative project EIR  
 24 studied for all residential projects. I think there's a  
 25 suggestion there that the daily trip counts would be

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1 COMMISSIONER BARNES: Mm-hmm.  
 2 CHAIR RIGGS: I'm going to jump in here for a  
 3 second on this -- on this topic because it seems to me  
 4 that for this project which focuses on small units, the  
 5 daily trip count per square foot is quite similar between  
 6 office use and residential for this project and this kind  
 7 of unit count.  
 8 Is that -- is that a stretch of a conclusion or  
 9 is that in the ballpark? Amanda, I guess this is thrown  
 10 to you.  
 11 MS. LEAHY: Oh, I see. I don't happen to have  
 12 the Excel sheet in front of me, so I'm going to say we  
 13 can get back to you with that?  
 14 CHAIR RIGGS: Right. I think that would be a  
 15 potentially useful reference to have for a meeting like  
 16 this, and obviously in this case that would be useful.  
 17 So thank you.  
 18 COMMISSIONER BARNES: Can I just add -- I  
 19 don't know how you -- I mean, if you just run the  
 20 numbers, I don't know if you could find any difference in  
 21 that.  
 22 Yes, we're for square footage and commercial  
 23 clearly, but you can do a correlation between --  
 24 between -- for each square foot allotted for a particular  
 25 use, car trips, so I didn't hear a number there.

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1 similar.  
 2 I'm sorry. Well, yes. Because daily trips is  
 3 what we're looking at.  
 4 That doesn't necessarily clarify TDM, though.  
 5 So I do hope -- I'm sorry. VMT. So I do hope in the  
 6 future that we get an alternative -- if not on this  
 7 project, on another one that is all housing as opposed to  
 8 mixed use. I think it would be valuable.  
 9 Anyone else have a question on the EIR? Or  
 10 comment. I know they're a lot of work and I appreciate  
 11 that this is presented to us and in a readable format.  
 12 So with that, Miss Payal, are we -- Ms. Bhagat,  
 13 are we ready for the Study Session introduction?  
 14 MS. BHAGAT: Yes, we are, but I believe if I'm  
 15 correct, we have to end the public hearing.  
 16 CHAIR RIGGS: We did a public comment on the  
 17 EIR. Yes, we did, and we had two commenters.  
 18 MS. BHAGAT: Okay. So yes, then we can  
 19 proceed with the Study Session.  
 20 (This portion of the meeting concluded at 8:48  
 21 PM).  
 22 ---o0o---  
 23  
 24  
 25



1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN FRANCISCO )  
3

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

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

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IN WITNESS WHEREOF, I have  
hereunto set my hand this  
\_\_\_\_\_ day of \_\_\_\_\_,  
2021.

MARK I. BRICKMAN CSR 5527

|  |   |   |  |   |
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# MENLO PORTAL PROJECT

115 Independence Drive

Study Session

Staff Presentation to Planning Commission, March 22, 2021



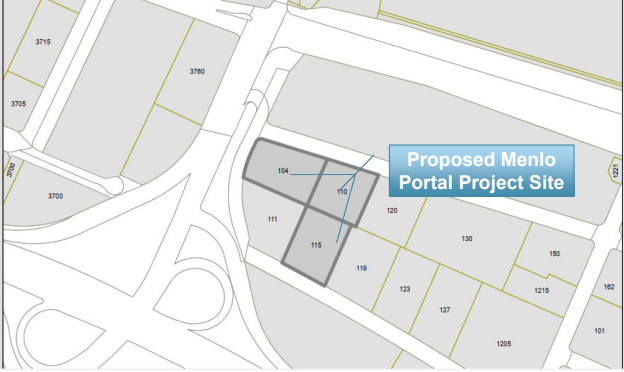

## PLANNING COMMISSION CONSIDERATIONS

- Site layout, including proposed open space
- Overall architectural design of the proposed building
- Community amenity proposal
- Vehicle and bicycle parking waiver
- BMR proposal
- Potential intersection improvements as project conditions
- Overall development proposal





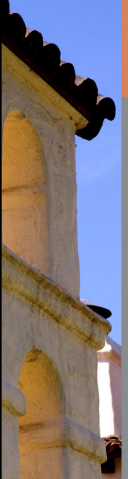


**MENLO PORTAL PROJECT**  
 115 Independence Drive  
 Draft Environmental Impact Report Public Hearing  
 Staff Presentation to Planning Commission, March 22, 2021

**PROJECT LOCATION**

Proposed Menlo Portal Project Site

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**MEETING PURPOSE**

- Two public meetings
  - Environmental Impact Report (EIR) public hearing
    - Opportunity to comment on focused Draft EIR
  - Study session
    - Provide feedback on the project design changes, Below Market Rate (BMR) housing proposal, and community amenities proposal
    - Previous study session was held on January 27, 2020
- No actions will be taken
  - Public comment period ends April 14, 2021 at 5 p.m.
  - Staff and consultant will review and respond to all substantive comments in the Final EIR
  - Planning Commission will consider certification of Final EIR and land use entitlements

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**RECOMMENDED MEETING FORMAT**

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

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## MENLO PORTAL PROJECT PUBLIC REVIEW DRAFT EIR

March 22, 2021

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## PURPOSE OF TONIGHT'S MEETING

Receive comments on the Draft EIR:

- Public Comment Period began February 25, 2021
- Verbal and written comments accepted this evening
- Written comments accepted by April 14, 2021

Comments should address the content and adequacy of the Draft EIR and not the project merits

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## CEQA PROCESS AND TIMELINE

| Milestone   | Date              |
|---|-------------------|
| Publication of Notice of Preparation (NOP) and Initial Study (IS) | January 7, 2020   |
| Draft EIR Scoping Session   | January 27, 2020  |
| End of 30-Day NOP comment   | February 7, 2020  |
| Publication of Draft EIR and Notice of Availability               | February 25, 2021 |
| Draft EIR Comment Session   | March 22, 2021    |
| End of 45-Day Draft EIR Comment Period                            | April 14, 2021    |
| Publication of Response to Comments on Draft EIR                  | Early Summer 2021 |
| Final EIR Certification Hearing/Consideration of Project          | Summer 2021       |

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## PURPOSE OF CEQA

California Environmental Quality Act (CEQA)

- Identify a project's significant environmental impacts  
(Impacts are direct *physical* changes in the environment and reasonably foreseeable indirect physical changes)
- Identify ways to mitigate or avoid project impacts
- Identify a range of reasonable alternatives that meet basic project objectives and avoid project impacts
- Inform the public and decision-makers of the environmental effects of a project

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## CONNECTMENLO EIR

- Project site is within the ConnectMenlo study area
- Programmatic EIR certified in November 2016
- Project tiers from ConnectMenlo EIR
- East Palo Alto Settlement Agreement

## INITIAL STUDY FINDINGS

| Potentially Significant Impact   | Less than Significant with Mitigation   | Less than Significant Impact  | No Impact   |
|--|---|---|---|
| <ul style="list-style-type: none"> <li>• Air Quality</li> <li>• GHG Emissions</li> <li>• Noise (Operation Period Traffic)</li> <li>• Population and Housing</li> <li>• Transportation</li> </ul> | <ul style="list-style-type: none"> <li>• Cultural Resources</li> <li>• Geology and Soils</li> <li>• Noise (Construction-Period Noise; Airports)</li> <li>• Tribal Cultural Resources</li> </ul> | <ul style="list-style-type: none"> <li>• Aesthetics</li> <li>• Biological Resources</li> <li>• Energy</li> <li>• Hazards and Hazardous Materials</li> <li>• Hydrology and Water Quality</li> <li>• Land Use and Planning</li> <li>• Public Services</li> <li>• Recreation</li> <li>• Utilities</li> <li>• Wildfire</li> </ul> | <ul style="list-style-type: none"> <li>• Agriculture and Forestry Resources</li> <li>• Mineral Resources</li> </ul> |

## OVERVIEW OF DRAFT EIR FINDINGS

| Significant Unavoidable                                  | Less than Significant with Mitigation  | Less than Significant Impact  |
|--|--|---|
| <ul style="list-style-type: none"> <li>• None</li> </ul> | <ul style="list-style-type: none"> <li>• Air Quality</li> <li>• Noise</li> <li>• Transportation</li> </ul> | <ul style="list-style-type: none"> <li>• GHG Emissions</li> <li>• Population and Housing</li> </ul> |

## DRAFT EIR FINDINGS: POPULATION AND HOUSING

- Housing Needs Assessment prepared consistent with Settlement Agreement
- Project would fit within the growth projections identified in the ConnectMenlo EIR and would not directly or indirectly induce unplanned population growth
- Increase in availability of market rate and affordable housing would moderate displacement pressures within surrounding neighborhoods and communities

## DRAFT EIR FINDINGS: TRANSPORTATION

- Transportation Impact Analysis prepared consistent with City's TIA Guidelines
- Project would be consistent with applicable transportation-related plans, ordinances and policies
- Project would not exceed VMT threshold of significance with implementation of the proposed TDM Plan and Mitigation Measure that requires additional TDM Measures for the Office Use
- Project would not increase design hazards or result in inadequate emergency access
- Non-CEQA LOS Analysis identified project share of improvements to area intersections for compliance with the City's TIA Guidelines

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## DRAFT EIR FINDINGS: AIR QUALITY

- Health Risk Assessment (HRA) prepared consistent with ConnectMenlo EIR Mitigation Measures
- BAAQMD's Basic Construction Measures would be implemented, consistent with ConnectMenlo EIR Mitigation Measures
- Construction equipment would be required to be equipped with emission controls to prevent exposure of nearby sensitive receptors to TACs
- Project would not exceed regional air quality emissions thresholds and would not expose sensitive receptors to TACs during operation

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## DRAFT EIR FINDINGS: GREENHOUSE GAS EMISSIONS

- BAAQMD's Basic Construction Measures would be implemented, consistent with ConnectMenlo EIR Mitigation Measures
- Additional measures would reduce TAC emissions by requiring construction equipment to meet higher emission standards
- Project would not exceed total annual service population thresholds during operation
- Project would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions, including the Climate Action Plan

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## DRAFT EIR FINDINGS: NOISE

- Project would generate new stationary and mobile sources of noise in the vicinity, but this increase would not exceed established standards
- Building design measures would be implemented to reduce interior noise impacts in compliance with City noise standards and consistent with ConnectMenlo EIR Mitigation Measures

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## PROJECT ALTERNATIVES

| Alternative      | Characteristics  | Impacts Reduced?   | Mitigation Measures Required  |
|------------------|--|--|---|
| No Project       | <ul style="list-style-type: none"> <li>No modifications to the project site</li> </ul>   | <ul style="list-style-type: none"> <li>All project impacts would be avoided</li> </ul>   | <ul style="list-style-type: none"> <li>None</li> </ul>  |
| Base Level       | <ul style="list-style-type: none"> <li>111 residential units</li> <li>20,928 sq. ft. of retail</li> <li>Four-story, 45-foot-tall building</li> </ul>   | <ul style="list-style-type: none"> <li>Population and Housing (population growth)</li> <li>Air Quality (construction-period emissions)</li> <li>Noise (vibration)</li> </ul> | <ul style="list-style-type: none"> <li>All mitigation measures would still be required</li> </ul> |
| Maximum Buildout | <ul style="list-style-type: none"> <li>368 residential units</li> <li>33,278 sq. ft. of office/retail space</li> <li>1,600 sq. ft. of childcare space</li> <li>Eight-story, 85-foot-tall building</li> </ul> | <ul style="list-style-type: none"> <li>None</li> </ul>   | <ul style="list-style-type: none"> <li>All mitigation measures would still be required</li> </ul> |

## PUBLIC COMMENT

Written comments on the Draft EIR  
can be submitted until  
**Monday, April 14 before 5:00 p.m. to:**

Payal Bhagat, City of Menlo Park, Community Development  
Department, Planning Division  
701 Laurel Street, Menlo Park CA 94025  
[PBhagat@menlopark.org](mailto:PBhagat@menlopark.org)  
650-330-6702