



REGULAR MEETING AGENDA

Date: 5/2/2022
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 871 4022 8110

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

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

Teleconference meeting: In accordance with Government Code section 54953(e), and in light of the declared state of emergency, all members of the Planning Commission, city staff, applicants, and members of the public will be participating by teleconference.

How to participate in the meeting

- Submit a written comment online up to 1-hour before the meeting start time:
PlanningDept@menlopark.org *
- Access the meeting real-time online at:
zoom.us/join – Meeting ID# 871 4022 8110
- Access the meeting real-time via telephone (listen only mode) at:
(669) 900-6833
Regular Meeting ID # 871 4022 8110
Press *9 to raise hand to speak

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

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

Regular Meeting

A. Call To Order

B. Roll Call

C. Reports and Announcements

D. Public Comment

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

E. Consent Calendar

None

F. Regular Business

- F1. Selection of Planning Commission Chair and Vice Chair for May 2022 through April 2023 ([Staff Report #22-023-PC](#))

G. Public Hearing

G1 and H1 are associated items with a single staff report

- G1. Draft Environmental Impact Report (Draft EIR) Public Hearing/Tarlton Properties, LLC/1350 Adams Court:
Public hearing to receive comments on the Draft EIR to develop a five-story research and development (R&D) building with up to 260,400 square feet of gross floor area (GFA), as part of the 1350 Adams Court Project in the LS-B (Life Sciences, Bonus) zoning district. The project site consists of an existing two-story approximately 188,100-square-foot life sciences building, addressed 1305 O'Brien Drive, and an undeveloped northern portion of the site. The proposed R&D building would be located on the vacant site area and the existing building would remain. Parking for the proposed new R&D building would be located in a partially-below-grade podium level with three additional levels of parking provided above grade and integrated into the building. The total gross floor area at the project site with the proposed and existing buildings would be approximately 448,500 square feet, with a total proposed floor area ratio (FAR) of approximately 92 percent for the site. The proposal includes a request for an increase in height and FAR under the bonus level development allowance in exchange for community amenities. The applicant is proposing payment of a community amenities in-lieu fee. The project also includes upgrades of water lines beneath Adams Court, along the interior of the project site, and beneath O'Brien Drive from the southwest corner of the project site frontage to the intersection with Willow Road. The project also includes a hazardous materials use permit request to allow a diesel generator to operate the facilities in the event of a power outage or emergency. In accordance with CEQA, the certified program-level ConnectMenlo EIR served as the first-tier environmental analysis. Further, the Draft EIR was

prepared in compliance with the terms of the Settlement Agreement between the City of East Palo Alto and the City of Menlo Park. The Draft EIR was prepared to address potential physical environmental effects of the proposed project in the following areas: population and housing, transportation, air quality, greenhouse gas emissions, noise (operation – traffic noise, construction noise and vibration), and utilities and energy. The draft environmental impact report does not identify any significant and unavoidable environmental impacts from the proposed project. The project site does not contain a toxic release site, per Section 6596.2 of the California Government Code. Written comments on the Draft EIR may be also submitted to the Community Development Department (701 Laurel Street, Menlo Park) no later than 5:00 p.m. on May 23, 2022. ([Staff Report #22-024-PC](#))

H. Study Session

- H1. Study Session/Tarlton Properties, LLC/1350 Adams Court:
Request for a study session for a use permit, architectural control, below market rate (BMR) housing agreement, heritage tree removal permits, and environmental review to develop a five-story research and development (R&D) building with up to 260,400 square feet of gross floor area (GFA), as part of the 1350 Adams Court Project in the LS-B (Life Sciences, Bonus) zoning district. The project site consists of an existing two-story approximately 188,100-square-foot life sciences building, addressed 1305 O'Brien Drive, and an undeveloped northern portion of the site. The proposed R&D building would be located on the vacant site area and the existing building would remain. Parking for the proposed new R&D building would be located in a partially-below-grade podium level with three additional levels of parking provided above grade and integrated into the building. The total gross floor area at the project site with the proposed and existing buildings would be approximately 448,500 square feet, with a total proposed floor area ratio (FAR) of approximately 92 percent for the site. The proposal includes a request for an increase in height and FAR under the bonus level development allowance in exchange for community amenities. The applicant is proposing payment of a community amenities in-lieu fee. The project also includes upgrades of water lines beneath Adams Court, along the interior of the project site, and beneath O'Brien Drive from the southwest corner of the project site frontage to the intersection with Willow Road. The project also includes a hazardous materials use permit request to allow a diesel generator to operate the facilities in the event of a power outage or emergency. ([Staff Report #22-024-PC](#))

I. Informational Items

- I1. Future Planning Commission Meeting Schedule – The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.
- Regular Meeting: May 9, 2022
 - Regular Meeting: May 23, 2022

J. Adjournment

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

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

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

Menlo Park at, or prior to, the public hearing.

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

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 04/27/22)



STAFF REPORT

Planning Commission

Meeting Date: 5/2/2022
Staff Report Number: 22-023-PC

Regular Business: Planning Commission Chair and Vice Chair
Selection: May 2022 - April 2023

Recommendation

Staff recommends that the Planning Commission select a Chair and Vice Chair for the term of May 2022 through April 2023.

Policy Issues

City Council Procedure CC-19-0004 "Commissions/Committees Policies and Procedures and Roles and Responsibilities" states that each Commission shall annually rotate its Chair and Vice Chair. The policy does not provide any particular guidance for these selections, although staff would note that the Planning Commission has historically appointed Commissioners that have served the longest in their current service period without being Chair or Vice Chair, with any tiebreakers going to a Commissioner whose term is expiring first. However, these are not requirements.

Background

The Planning Commission last selected a Chair and Vice Chair on June 7, 2021, with Commissioners Doran and DeCardy being appointed to those roles, respectively.

Analysis

The Commission should seek nominations for the position of Chair and Vice Chair in two separate motions. Each position needs to receive a majority of votes of a quorum present and voting. The Chair and Vice Chair selected would serve through April 2023, or possibly through part of May, depending on when the City Council makes appointments for any expiring Commission seats.

The Chair and Vice Chair should both have a basic familiarity with typical meeting rules of order, although this does not require any specialized training; most Commissioners have likely absorbed these procedures through their membership on the Commission, and staff will always provide support. Ideally, the Chair and Vice Chair should not share similar conflicts-of-interest (e.g., home location or place of employment).

For reference, Table 1 on the following page summarizes the service to date of each Commissioner, with a sorting that reflects the Commission's typical past selection practices, with alphabetical sorting where Commissioners have the exact same appointment/term details.

Table 1: Planning Commission Appointment/Chair History				
Commissioner	Date Appointed	Previously Served as Chair	Term Expiration	Eligible for Reappointment when Current Term Expires
Chris DeCardy	April 2019	No	April 2023	Yes
Michele Tate	April 2019	No	April 2023	Yes
Cynthia Harris	May 2021	No	April 2025	Yes
Linh Dan Do	April 2022	No	April 2026	Yes
David Thomas	April 2022	No	April 2026	Yes
Andrew Barnes	May 2016; Reappointed June 2020	Yes - May 2019-July 2020	April 2024	No
Henry Riggs	May 2016; Reappointed June 2020 (separately served 2005-2014)	Yes – July 2020- May 2021 (separately served as Chair September 2008-December 2009)	April 2024	No

Impact on City Resources

Selection of a Chair and Vice Chair does not have any impact on City resources.

Environmental Review

Selection of a Chair and Vice Chair is not considered a project under the California Environmental Quality Act (CEQA), and thus does not require any environmental review.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

None

Report prepared by:
 Corinna Sandmeier, Acting Principal Planner



STAFF REPORT

Planning Commission

Meeting Date: 5/2/2022
Staff Report Number: 22-024-PC

Public Hearing and Study Session:

Draft Environmental Impact Report (Draft EIR) public hearing and study session for the proposed 1350 Adams Court life sciences/research and development (R&D) project

Recommendation

Staff recommends that the Planning Commission conduct:

- A public hearing to receive public testimony and provide comments on the focused Draft EIR; and
- A study session to receive public comments and ask clarifying questions on the proposed project, including but not limited to the project refinements since the previous Planning Commission study session on January 14, 2019 and the community amenities proposal.

The May 2nd meeting will not include any project actions. Pursuant to Menlo Park Municipal Code sections 16.82.030 (use permit), 16.68.020 (architectural control), 16.96.030 (below market rate housing program), and 16.45.070 (community amenities), the Planning Commission will be required to review and issue and/or deny the various entitlements requested by the proposed project at a future public hearing.

Staff recommends the following meeting procedure for the two items, allowing the public and the Planning Commission to focus comments and discussion on the specific project components.

Draft EIR Public Hearing

- Introduction by staff
- Presentation by the applicant
- Presentation by City's EIR consultant
- Public comments on Draft EIR (submitted orally or written)
- Commissioner questions and comments on Draft EIR
- Close of public hearing

Project Proposal Study Session

- Introduction by staff
- Commissioner questions
- Public comments on proposed project
- Commissioner comments and discussion regarding the project's design and other details

Standard practice for recent projects that include a Draft EIR public hearing and study session has been to include the applicant team's presentation during the Draft EIR public hearing instead of the study session to allow the Planning Commission and community members to receive an overview of the project prior to providing comments on the Draft EIR.

Policy Issues

A public hearing on the Draft EIR provides an opportunity for the Planning Commission and the public to comment on the completeness and accuracy of the Draft EIR. A study session provides an opportunity for the community members to provide comments on the proposed project and for the Planning Commission to ask clarifying questions on the proposed project's details and design. The Draft EIR public hearing and the study session should be considered as separate items, with comments and clarifying questions used to inform future consideration of the proposed project. The Commission will consider whether to approve the project at future meetings, after the City has received public comments on the Draft EIR and prepares responses. Commissioners are advised to refrain from expressing a position regarding approval of the project until the environmental review process is completed.

The proposed project would require the following actions:

1. **Environmental Review** to analyze potential environmental impacts and certify the EIR as legally compliant with CEQA;
2. **Use Permit** approval of bonus-level development (which includes the approval of acceptable community amenities);
3. **Architectural Control** approval of the design of the proposed building and associated site improvements;
4. **Heritage Tree Removal Permits** to remove heritage trees on the project site and plant heritage tree replacements consistent with the City's code requirements; and
5. **Below Market Rate (BMR) Housing Agreement** approval of an in-lieu fee for commercial development in accordance with the City's BMR Ordinance.

In addition, the City has prepared the following documents to analyze the proposed project and inform reviews by community members, the Planning Commission, and potentially the City Council:

- Housing Needs Assessment (HNA), including an analysis of the multiplier effect for indirect and induced employment from the proposed project, in compliance with the terms of the 2017 settlement agreement between the City of Menlo Park and the City of East Palo Alto;
- Fiscal Impact Analysis (FIA) to inform decision makers and the public of the potential fiscal impacts of the proposed project; and
- Appraisal to identify the required value of the community amenities in exchange for bonus level development.

These reports are not subject to specific City action, but provide background information for the use permit and other land use entitlements.

After the close of the Draft EIR public comment period on May 23, 2022, the City and its environmental consultant will review and respond to all substantive comments received in what is referred to as a "Response to Comments" document, which along with the Draft EIR and any revisions, additions, or clarifications to the Draft EIR, will constitute the Final EIR. The Planning Commission, as the final decision making body, will review the Draft and Final EIR together and determine if the environmental review was

prepared in compliance with the California Environmental Quality Act (CEQA). The EIR would need to be certified as legally adequate and CEQA compliance findings would need to be adopted prior to final action on the proposed project. If the Planning Commission certifies the Final EIR, the Commission would then consider and take action on the requested land use entitlements. Certifying the EIR would not obligate the Planning Commission to approve the project.

Background

Site location

The project site is an 11.2-acre, LS-B (Life Sciences-Bonus)-zoned parcel that currently contains an existing 188,104-square-foot R&D building on the southern half of the site occupied by Pacific Biosciences (PacBio). The proposed building would be located on the northern 4.4 acres of the project site that is currently vacant and undeveloped. A new address of 1350 Adams Court is proposed. For purposes of this staff report, O'Brien Drive is considered to have an east-west orientation, and all compass directions referenced will use this orientation. The project site is located immediately north of O'Brien Drive, with access points to the project site from O'Brien Drive to the south, Adams Drive to the east and Adams Court to the north.

To the west of the project site is the former ProLogis Menlo Science and Technology Park and the site of the proposed Willow Village Project (<https://www.menlopark.org/WillowVillage>), which would include office, residential, and commercial uses as part of a multi-phase development. Those parcels are zoned O-B (Office, Bonus) and R-MU-B (Residential Mixed Use, Bonus) and currently contain 20 buildings occupied by R&D, offices, manufacturing, and warehousing uses on approximately 60 acres. Parcels to the north across Adams Court are zoned LS-B (Life Sciences, Bonus) and occupied by R&D and warehousing uses. The parcels to the east are also zoned LS-B and are part of the Menlo Business Park and occupied by R&D uses. Parcels to the south across O'Brien Drive are zoned LS (Life Sciences) and contain R&D and manufacturing uses.

The project site is situated near the City of East Palo Alto, with the vacant portion of the subject property located approximately 800 feet from parcels in East Palo Alto at the nearest point. Nearby land uses in that jurisdiction include single-family residences and schools. A location map is included as Attachment A.

Project overview

The applicant, Tarlton Properties, Inc., is proposing to demolish existing surface parking lots, a concrete slab, and unimproved landscape areas in the northern portion of the project site and construct a new five-story research and development (R&D) building, up to 260,400 square feet in size. The existing building at 1305 O'Brien Drive would remain. The new building is proposed to utilize bonus level provisions identified in the Zoning Ordinance. The LS-B zoning district allows a development to seek an increase in floor area ratio (FAR) and/or height subject to obtaining a use permit or conditional development permit and providing one or more community amenities, as further discussed in the Community Amenities section of this report. The project plans are included as Attachment B.

The proposed project would also include upgrades to water lines at the following locations:

- The existing 10-inch lines would be upgraded to 12-inch lines under Adams Court and along the interior of the 1350 Adams Court property, connecting to existing lines at the adjacent Menlo Science and Technology Park, and
- Portions of the existing 10-inch line would be upgraded to a 12-inch line under O'Brien Drive, beginning

at the southwest corner of the 1305 O'Brien Drive frontage to the intersection of O'Brien Drive and Willow Road.

The water lines would be upgraded to improve fire flow not only for the proposed project, but for existing development in the area and the development previously analyzed under ConnectMenlo.

Table 1 provides a comparison between the existing development, proposed new development, and the total proposed combined development on the project site as it relates to the LS-B zoning regulations.

Table 1: Project Data				
	Existing Development	Proposed New Development	Total Proposed Project	Zoning Ordinance Bonus Level (Maximums)
Floor area ratio	38.6%	53.4%	91.9%	125% + 10% commercial
Gross floor area	188,104 s.f.	260,400 s.f.	448,504 s.f.	609,895 s.f. + 48,791.6 s.f. commercial
Height (maximum)*	35 feet	92 feet	92 feet	110 feet + 10 feet
Height (average)*	35 feet	92 feet	50.7 feet	67.5 feet + 10 feet
Parking	373 spaces	588 spaces	961 spaces	764 to 1,024 spaces**
Total open space	--***	22.3%	22.3%	20%
Public open space	--***	10%	10%	10%

* Maximum height and average height do not include roof-mounted equipment, utilities, or parapets used to screen mechanical equipment.

** Under the conditions of approval for the existing building at 1305 O'Brien Drive when it was modified and expanded, 373 parking spaces must be provided for that building. This total represents 373 spaces plus the minimum and maximum amount of parking permitted for the proposed building under the LS-B zoning regulations.

*** The existing development was constructed under the M-2 zoning regulations that previously applied to the site, which did not include requirements for open space and public open space.

Site layout

The proposed building would be oriented in an east-west direction. The main entrance would be located on the northern frontage along Adams Court and would include a semi-circular driveway leading to a partially-covered entry plaza and four visitor parking spaces near the entrance to the building. The main entrance would have a pedestrian connection to the sidewalk along Adams Court via a series of wide steps and a path of pavers leading up to the building. The front of the building would gradually step back in three segments from west to east along the Adams Court frontage to allow for open space (both public and private) to be located near the corner of Adams Court and Adams Drive. The southern façade of the building would contain loading docks, a trash enclosure and a service/storage yard that would include an emergency generator. The applicant proposes to keep the trash enclosure and the service yard separate from the facilities used by PacBio for the other building on the site.

The summary below is intended to provide an overview of the proposed project for the Planning Commission, based on Table 1 above. More detailed information on the overall project, including open space, architectural design, transportation demand management (TDM), below market rate (BMR) housing,

and sustainability are contained within the study session portion of this staff report. A table summarizing the previous project milestones and meetings is included in Attachment C.

Gross floor area (GFA) and floor area ratio (FAR)

The proposed new building would be developed with up to 260,400 square feet of GFA. The current project plans show a proposed GFA of 255,602 square feet, but the environmental impact report for the project was developed based on the original proposal of 260,400 square feet, and this report also describes the project using the original square footage to indicate the maximum potential size, scale, and environmental impacts that could be realized with its development.

The proposed project would be developed at a bonus level FAR of 91.9 percent which includes the existing building at 1305 O'Brien Drive and the proposed building at 1350 Adams Court, both of which would be dedicated to life sciences office/R&D uses. The proposed total FAR is less than the 125 percent FAR permitted for office/R&D uses (plus an additional 10 percent FAR for commercial uses). Table 1 includes more details regarding GFA and FAR for the proposed project.

Height

The proposed building would have a maximum height of 92 feet, where 120 feet is the maximum height permitted for any building on a bonus level development site in the LS-B district. The average height of both buildings on the site would be 50.7 feet, below the maximum average height of all buildings on one site of 77.5 feet permitted for a bonus level development in the LS-B district. The maximum height and average height permitted for the project site is inclusive of an additional 10-foot height allowance for properties in the flood zone. More information about the average height and maximum height of the existing and proposed buildings is included in Table 1.

Site access and circulation

As part of the proposed project, it is anticipated that bicycle lanes would be constructed around the perimeter of the project site along with new sidewalks. The project proposes Class II bicycle lanes on the frontage of each adjacent roadway. In addition, ConnectMenlo identified a proposed 20-foot-wide paseo for pedestrians and bicyclists to be located along the western edge of the site (half on the project site and half on the adjacent property), connecting Adams Court to O'Brien Drive. This report discusses the paseo requirement and the applicant's proposal in detail in a later section.

For pedestrian circulation, sidewalks are proposed on the project frontage along Adams Court and Adams Drive. The sidewalks adjacent to the property would connect to the proposed paseo. The proposed project would not include construction of a sidewalk on O'Brien Drive; however, a meandering sidewalk on the north side of O'Brien Drive is anticipated to be constructed at a later date by the City, depending on the City's overall design of planned O'Brien Drive streetscape improvements in coordination with the applicant.

Vehicles would access the site from a driveway on Adams Drive, a circular one-way driveway from Adams Court for visitors, and an additional driveway from Adams Court near the northwest corner of the project site. Vehicular ramps would connect the northern and southern portions of the site. Employee and service vehicles would enter from the west end of Adams Court or from the Adams Drive access point and enter a parking structure integrated into the proposed building through one of three access points. A vehicle access point to the lower parking level would be provided from Adams Drive. Additionally, two vehicle access points to the parking garages would be located on the western side of the building, across from the proposed paseo. The southern side of the building would feature a loading/service area. Because of its location between the two buildings on this site, this area would not be very visible from off-site.

Site parking

The proposed building would be located on a podium above a partially below grade parking garage that would provide 356 parking stalls. The raised podium would allow the proposed project to comply with the flood zone requirements from the Federal Emergency Management Agency (FEMA) and the City's sea level rise (SLR) requirements. In addition to the below grade parking level, a multi-story parking garage would be integrated into the western portion of the building and would include 333 parking stalls in three levels. The two structured parking areas would not be internally connected due to space constraints that would prevent the necessary ramps and circulation from being constructed. There would be 17 surface parking stalls located near the front entrance (on Adams Court) and along the rear of the building. The combined surface and structured parking for the proposed project would provide 706 parking stalls within the development for 1350 Adams Court.

The site currently contains 373 parking stalls for the existing building at 1305 O'Brien Drive. All 118 parking spaces on the northern portion of the lot would be removed to allow for the development of the proposed building; however, those spaces would be replaced in the parking structure. There would be a total of 961 parking spaces at the project site for both buildings, which is a ratio of 2.14 stalls per 1,000 square feet of gross floor area. For R&D and light industrial land uses, the LS zoning district requires a minimum parking ratio of 1.5 spaces per 1,000 square feet of gross floor area and a maximum parking ratio of 2.5 spaces per 1,000 square feet of gross floor area. Thus the proposed project would comply with the Zoning Ordinance vehicular parking requirements.

For bicycles, there would be 48 Class I secure bicycle lockers for long-term parking within the parking structure, and there would be 12 Class II bicycle racks for short-term parking located near the entry plaza on the north side of the building. The 51 bicycle spaces would meet the bicycle parking requirements of the Zoning Ordinance.

CEQA review

A Draft EIR evaluates potential environmental impacts that could result from implementation of the proposed project. Under CEQA, a significant environmental effect is a potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Potential environmental impacts under CEQA are only related to the physical environment, and do not evaluate potential social or economic effects of the proposed project. Each potential impact is determined based on criteria of significance, which are thresholds set by the state CEQA Guidelines and applicable City policies to determine whether an impact is potentially significant.

As stated in the CEQA Guidelines, an EIR is an informational document that is intended to provide the City, responsible and trustee agencies, other public agencies, and community members with detailed information about the potential environmental effects that could result from implementing the proposed project, examine and implement mitigation measures to reduce or avoid potentially significant physical environmental impacts if the proposed project is approved, and consider feasible alternatives to the proposed project, including a required No Project Alternative. Members of the Planning Commission were previously provided a copy of the Draft EIR for the proposed project, which was released on April 4, 2022. The Draft EIR is available through the hyperlink in Attachment D.

The May 2, 2022 Planning Commission meeting falls within the Draft EIR comment period, which ends on Monday, May 23, 2022 and serves as a public hearing to receive comments from interested persons and the Planning Commission on the Draft EIR. Oral comments received during the public hearing and written comments received during the Draft EIR comment period will be considered while preparing the Final EIR

for the proposed project. Responses to substantive comments on the Draft EIR will be included in the Final EIR.

Prior to development of the Draft EIR, and in accordance with CEQA Guidelines Section 15168(c), an initial study (IS) was prepared to evaluate the potential environmental impacts of the proposed project and determine what level of environmental review would be appropriate for the project EIR. The IS and a Notice of Preparation (NOP) were released on December 10, 2018, beginning an extended 45-day review and comment period ending on January 24, 2019. The NOP is included via hyperlink in Attachment E and the IS via hyperlink in Attachment F. Following the release of the IS, the Planning Commission conducted a scoping session on January 14, 2019, to provide an opportunity early in the environmental review process for the Planning Commission and interested persons to provide comments on the scope and content of the EIR and the IS.

The IS disclosed relevant impacts and mitigation measures already covered in the program-level Final EIR for ConnectMenlo (ConnectMenlo EIR), which was certified by the City Council on November 29, 2016, as part of an update to the Land Use and Circulation Elements of the General Plan and related zoning changes, commonly referred to as ConnectMenlo. Applicable mitigation measures from the ConnectMenlo EIR apply to the proposed project.

The IS identified no impacts, less-than-significant impacts, or less-than-significant impacts with mitigation measures (including applicable mitigation measures from the ConnectMenlo EIR) related to the following environmental issues:

- Aesthetics
- Agriculture and forestry resources
- Air quality (conflicts with plans, odors)
- Biological resources
- Cultural and tribal cultural resources
- Geology and soils
- Hazards and hazardous materials
- Hydrology and water quality
- Land use and planning
- Mineral resources
- Noise (all impacts except traffic noise)
- Public services
- Recreation
- Transportation (changes in air traffic)
- Utilities and service systems

A complete description of potential impacts and recommended mitigation measures for these topic areas is provided in the IS, which is Appendix 1-1 of the Draft EIR, and again in Table ES-1 of the Draft EIR (beginning on page ES-8 of Attachment D). Based on the conclusions of the IS, the City prepared a focused EIR for the proposed project, meaning that the project-level EIR focuses on only those CEQA topic areas that require additional study. Population and housing and transportation are required study topics in the Draft EIR as a result of a 2017 settlement agreement between the City of Menlo Park and the City of East Palo Alto (Settlement Agreement). In addition, because air quality, greenhouse gas (GHG) emissions, and noise could be impacted by the results of the project-specific transportation analysis, those topic areas were also not scoped out to allow for consideration of the transportation analysis in evaluating potential impacts in those topic areas.

Since the release of the IS, the project has been modified to include the construction of upgraded water lines and to incorporate new assumptions regarding construction of the proposed building. As a result, construction noise and vibration topics, as well as topics related to utilities and service systems were also evaluated in the focused Draft EIR.

Analysis

Draft EIR

Consistent with the findings of the IS and Settlement Agreement, which requires preparation of an EIR, including a housing needs assessment (HNA) and transportation impact analysis (TIA) for proposed bonus level development, a focused Draft EIR has been prepared to address potential physical environmental effects of the proposed project in the following areas:

- Air quality
- GHG emissions
- Noise
- Population and housing
- Transportation
- Utilities and energy

Impact analysis

For each of the analyzed topic areas, the Draft EIR describes the existing conditions (including regulatory and environmental settings) and analyzes the potential environmental impacts (noting the thresholds of significance and applicable methods of analysis). Impacts are considered both for the project individually, as well as cumulatively for the project in combination with other reasonably foreseeable probable future projects and cumulative growth. The Draft EIR identifies and classifies the potential environmental impacts as:

- No Impact (NI)
- Less than Significant (LTS)
- Significant (S)
- Potentially Significant (PS)

Where a significant or potentially significant impact is identified, mitigation measures are considered to reduce, eliminate, or avoid the adverse effects (making the impact less than significant with mitigation). If a mitigation measure cannot eliminate/avoid an impact or reduce the impact below the threshold of significance, it is considered a significant and unavoidable impact. One of the following determinations is then applied to the impact:

- Less than Significant with Mitigation (LTS/M)
- Significant and Unavoidable (SU)

The Draft EIR prepared for the project identifies less than significant effects and effects that can be mitigated to a less-than-significant level in all topic areas. The proposed project would result in potentially significant impacts related to transportation, air quality, greenhouse gas emissions, and noise, but these impacts would be reduced to a less-than-significant level with implementation of identified mitigation measures. Impacts related to population and housing and utilities and energy would be less than significant. Attachment G includes Table ES-2 from the executive summary of the Draft EIR, which summarizes the impact significance and mitigation measures for all studied topic areas. A more detailed analysis of the proposed project's impacts and associated mitigation measures by topic area is provided in the Draft EIR. Interested parties are encouraged to review the specific topics of interest in the Draft EIR (hyperlinked in Attachment D).

Project alternatives

Although the Draft EIR concluded that implementation of the proposed project would not create any significant and unavoidable impacts, CEQA Guidelines require study of a reasonable range of alternatives to the proposed project. A “reasonable range” includes alternatives that could feasibly attain most of the project’s basic objectives, while avoiding or substantially lessening any of the significant adverse environmental effects of the project. An EIR does not need to consider every conceivable alternative to a project, but it must consider a reasonable range of potentially feasible alternatives for the purpose of fostering informed decision-making and public participation. Section 15126.6(e) of the State CEQA Guidelines requires the evaluation of a No Project Alternative. Other alternatives may be considered during preparation of the EIR and must comply with the State CEQA Guidelines. Alternatives considered but rejected include:

1. **Alternative Locations:** An alternative location was explored but rejected because it would require general plan and zoning ordinance amendments to accommodate a similar project and/or land acquisition, and/or would not be integrated with the remainder of the applicant’s campus focused on life sciences R&D uses.
2. **Alternative Development Scenario:** Other uses than R&D uses were not considered because they would not be consistent with the applicable zoning and general plan land use designations and policies for the property. Development other than life sciences R&D uses would prevent from the project from meeting nearly all of the basic project objectives.
3. **Maximum Bonus Alternative:** Under the maximum bonus alternative, the project would be developed at the maximum bonus level of development allowed in the LS-B district. The increase in building FAR, height, and potential employees would lead to increased impacts, and was therefore rejected.

For a more detailed summary of the alternatives considered but rejected for analysis in the Draft EIR, please review the Draft EIR Chapter 6: Alternatives.

The Draft EIR includes a discussion and analysis of the following alternatives:

1. **No Project Alternative:** Under this alternative, no additional construction would occur at the project site. The project site would remain undeveloped and vacant, and the existing building at 1305 O’Brien Drive and its associated parking areas would be maintained under current conditions. The applicant would not construct the new building, establish new publicly accessible open space, nor install infrastructure.
2. **Base Level Alternative:** Under this alternative, the proposed project would be developed in accordance with the base level requirements for the LS zoning district. The site plan would likely be similar to the proposed project, but with reduced building square footage and height and possibly a reduced building footprint. Open space and parking requirements would be reduced, and landscape and circulation features similar to those of the proposed project would be installed, but to a lesser extent. The Base Level Alternative would achieve LEED Silver certification or equivalent, and would implement a TDM program at a smaller scale. The Base Level Alternative would continue to include construction of water lines, which would be necessary for any development in the area to occur. Table 2 below summarizes the intensity of the Base Level Development Alternative compared to the proposed project (inclusive of the existing building on the site at 1305 O’Brien Drive unless otherwise noted).

Table 2: Base Level Alternative Intensity		
	Base Level Alternative	Proposed Project
New office/R&D square footage	80,250 s.f.	260,400 s.f.
Total square footage	268,354 s.f.	448,504 s.f.
Total floor area ratio	55%	90.7%
Total average height	35 feet	92.1 feet
Total parking spaces	494 to 573 spaces	961 spaces

3. **Mixed-Use Alternative:** This alternative would result in the same building that would be developed under the proposed project, but would replace the ground floor of life science uses with approximately 38,995 square feet of commercial space for use by the general public. The alternative assumes that the site plan, building footprint, landscape and open space, and access and circulation would remain the same as under the proposed project. The Mixed-Use Alternative would achieve LEED Gold certification or equivalent, and would implement a TDM program scaled to a smaller number of life sciences employees and additional commercial employees and patrons. However, additional parking would be required compared with the proposed project because commercial uses in the LS zoning district have a higher parking ratio than life science uses (2.5 to 3.3 spaces per 1,000 square feet for retail uses compared to 1.5 to 2.5 spaces per 1,000 square feet for life sciences uses). The additional parking would be accommodated in an additional one-half to full level of parking in the new parking structure. The Mixed-Use Alternative would continue to include the construction of water lines. Table 3 below summarizes the intensity of the Mixed-Use Alternative compared to the proposed project (inclusive of the existing building on the site at 1305 O'Brien Drive unless otherwise noted).

Table 3: Mixed-Use Alternative Intensity		
	Mixed-Use Alternative	Proposed Project
New office/R&D square footage	221,405 s.f.	260,400 s.f.
New commercial square footage	38,995 s.f.	0 s.f.
Total square footage	448,504 s.f.	448,504 s.f.
Total floor area ratio	90.7%	90.7%
Total average height	92.1 feet	92.1 feet
Total parking spaces	804 to 1,054 spaces	961 spaces

Table 6-8 from the Draft EIR (page 6-32) contains a comparison of the impacts of the proposed project to the project alternatives. Table 6-8 is included in Attachment H. CEQA requires the EIR to identify what is considered the environmentally superior alternative, which in this case is the No Project Alternative. However, CEQA Guidelines Section 15126.6(e)(2) states that when the No Project Alternative is identified as the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other alternatives.

The Base Level Alternative would result in a reduction in building area, and the project would have fewer employees and vehicle trips. Because the size of the building would be smaller, footprint-related impacts would be the same or less than those of the proposed project. The Base Level Alternative would result in fewer construction and operational impacts related to air quality, GHG emissions, noise, and transportation. All other impacts would be similar to those identified for the proposed project. Therefore, the Base Level Alternative is the environmentally superior alternative. In considering the Base Level Alternative, the City will need to evaluate the tradeoff of a base level development that would result in potentially reduced impacts, none of which were identified as potentially significant and unavoidable as part of the proposed project, with the lack of community amenities that would be received from a bonus level project in exchange for increased intensity and height.

Next steps

As previously mentioned, the comment period on the Draft EIR is currently open through May 23, 2022. Once the Draft EIR comment period is completed, the environmental consultant will review and respond to all substantive comments received in what is referred to as a "Response to Comments" document or Final EIR. The Final EIR will be circulated a minimum of 10 days prior to the Planning Commission's review and decision whether to certify the Final EIR, to allow for public review of the responses to comments prior to the public hearings by the Planning Commission. The EIR must be certified before final action can be taken on the proposed project. Certification of the Final EIR does not require that the Planning Commission approve the requested land use entitlements.

Study session

Please refer to the earlier Project Overview section of this staff report for a general summary of the proposed project. This portion of the report highlights a variety of topic areas for consideration during the study session. As the Planning Commission reviews the report, staff recommends that the Commission consider the following topics and use these as a guide to ask clarifying questions:

- Site layout, including the proposed open space and paseo
- Architectural design
- Potential intersection improvements through project-specific conditions
- Below Market Rate (BMR) housing proposal
- Community amenities proposal

The Planning Commission may also wish to discuss additional topics of interest not mentioned above.

Open space

The total proposed open space would be 22.3 percent of the site area, where 20 percent is required, and the total publicly accessible open space would be 10 percent, where 10 percent is required.

Private open space

Private open space for use by building tenants and guests would consist of a patio at the northeast corner

of the building, which could be outfitted with tables and chairs, sunshades, planters, and landscaping. Additional private open space would be provided on a second-floor outdoor deck and paved and landscaped areas around the immediate exterior of the building. The plaza and landscaping areas in front of the existing 1305 O'Brien Drive building would also be considered private open space as part of the overall project.

Publicly accessible open space

The proposed project would utilize the areas primarily around the perimeter of the site as publicly accessible open space. The site is bounded on three sides by the public right of way, and the open space proposal includes landscaped areas adjacent to the proposed frontage improvements (new sidewalks) along these rights of way. Beginning at the 1430 O'Brien Drive property (opposite O'Brien Drive from the 1305 O'Brien Drive building), a series of innovative scientist sculptures would be located along the Adams Drive frontage of the project site among a landscaped meandering path. The intent of these sculptures is to provide visual interest within the open space adjacent to Adams Drive and to attract the public to a larger plaza area at the northeast corner of the project site, near the intersection of Adams Court and Adams Drive, where the final sculptures of the series would be located. The publicly accessible open space plaza would include additional landscaping, pathways, site furnishings, and public art. The meandering path would connect to a new sidewalk along Adams Court and lead to another meandering path along the interior property line, adjacent to a proposed paseo that would run adjacent to the interior of the project site if constructed as part of the Willow Village. The path would include landscaping, seating, and a potential point of access to the paseo. More information about the paseo proposal is provided below.

Paseo

As defined in the Zoning Ordinance, paseos are pedestrian and bicycle paths that provide a member of the public access through one or more parcels to public streets and/or other paseos. The adopted Zoning Map identifies new paseos in the Bayfront Area, including a paseo connecting O'Brien Drive to the Dumbarton Corridor along the western edge of the project site. On the adopted Zoning Map, this paseo is partially located on the Willow Village site and partially on the project site. However, the applicant for the proposed Willow Village project (Signature Development Group) has proposed to locate the paseo entirely on the Willow Village site. As mentioned above, the proposed project would develop a meandering path along the western edge of the new building adjacent to the Willow Village paseo, with a potential access point to connect to the paseo at a future date if both projects are approved and constructed.

Staff has worked with the applicant for this project (Tarlton Properties) to identify a mechanism to ensure the development of 10 feet of paseo along the entire edge of the project site if the paseo is not fully developed on the Willow Village project site for any reason. If all or a portion of the paseo is not approved and constructed entirely on the Willow Village property, a public access easement (and conditions of approval requiring development of the paseo on the project site) would ensure coordinated development of the proposed project's 10-foot-wide share of the entire 20-foot width of the paseo. The applicant would need to construct its portion of the required paseo and still maintain the necessary amount of parking for the existing 1305 O'Brien Drive building by restriping existing parking spaces along the western property line. A proposed contingent paseo diagram is provided in the project plans on sheet A5e. Staff is continuing to work with the applicant to develop an agreement for implementation of the contingent paseo plan if necessary.

Trees and landscaping

There are currently 208 trees on the entire project site, 83 of which are located on the northern portion of the lot where the proposed building would be constructed and along the Adams Drive frontage. Of those 83 trees, 15 would be removed; 12 of the removed trees would be heritage trees. The applicant would be

responsible to plant heritage tree replacements in an amount equal to the appraised value of the removed heritage trees, subject to approval by the City Arborist. Heritage tree removal permits have been filed by the applicant and are currently under review by the City Arborist and Planning Division.

Design standards

In the LS zoning district, all new construction and building additions of 10,000 square feet of GFA or more must meet design standards subject to architectural control review. The design standards regulate the siting and placement of buildings, landscaping, parking, and other features in relation to the street; building mass, bulk, size, and vertical building planes; ground floor exterior facades of buildings; open space, including publicly accessible open space; development of paseos to enhance pedestrian and bicycle connections between parcels and public streets in the vicinity; building design, materials, screening, and rooflines; and site access and parking. Below is a summary of how the project complies with various design standards. As staff continues to review the proposed project additional documentation may be required to ensure compliance with the requirements of the Zoning Ordinance.

Architectural style and building design

The design of the proposed building would have a contemporary architectural style, utilizing low-e blue tinted glass for the majority of the building facades along with glass fiber reinforced concrete (GFRC) panels in tones of grey and white. The glass facades would have aluminum mullions. The horizontal panels would be eggshell white and the vertical accent panels would be shades of grey. The building would be designed in three sections that would be offset to provide articulation and meet the required building modulations along the main façade (Adams Court frontage). The main entry of the proposed building would be located near the middle of the front façade and would be clad in glass curtain walls with a metal panel projection framing the entrance and an additional awning projection over the entry doors. Stair towers would be located on the east and west ends of the building and would project above the roof level to provide the required roof height modulation. The stair tower on the eastern side of the building would be predominately clad in glass.

The proposed parking structure would be integrated into the western portion of the building and would extend to the south behind the building façade. The façade along Adams Court and the portion of the west façade, north of the stair tower would be clad in pre-cast concrete panels and tinted low-e glazed storefronts or curtain walls mounted on pre-cast concrete. The pattern for the two-story above-grade garage portion would differ slightly in architecture from the other two sections of the building and the upper floors on the western section; however, the architectural style and materials would be generally consistent. The parking garage would extend beyond the footprint of the upper levels to the south, but would not be generally visible from the Adams Court right of way. However, the parking garage would be located adjacent to the publicly accessible paseo along the western edge of the site. That façade would include a glass storefront entry into the parking garage with pedestrian access to the public open space and paseo along the edge of the property. The parking garage elevation would be approximately 34 feet in height from the podium level and would include pre-cast concrete panels and perforated metal panels within the openings on the north and west elevations. The southern elevation would include perforated metal panels in some of the openings on the first, second, and third levels.

With regard to the overall project design/style and the application of LS-B district standards, staff believes that the design would be in compliance. Staff is continuing to evaluate the proposed project for compliance with the LS zoning district requirements as minor refinements are made to the plans. In terms of the proposed building design and parking and circulation plans, the project has not changed substantially from the previous study session.

Green and sustainable building regulations

The proposed project would, at a minimum, comply with the green and sustainable building requirements of the City's Zoning Ordinance, reach code, and EV charger ordinance. The summary below includes the City's requirements for the proposed project:

- Meet 100 percent of its energy demand through any combination of on-site energy generation, purchase of 100 percent renewable electricity, and/or purchase of certified renewable energy credits;
- Be designed to meet LEED (Leadership in Energy and Environmental Design) Gold BD+C (Building Design + Construction);
- Comply with the electric vehicle (EV) charger requirements adopted by the City Council in November 2018;
- Meet water use efficiency requirements including the use of recycled water for all City-approved non-potable applications;
- Locate the proposed buildings 24 inches above the Federal Emergency Management Agency (FEMA) base flood elevation (BFE) to account for sea level rise;
- Plan for waste management during the demolition, construction, and occupancy phases of the project (including the preparation of the required documentation of zero waste plans); and
- Incorporate bird friendly design in the placement of the building and use bird friendly exterior glazing and lighting controls.

In addition, the proposed project would be required to use electricity as the only source of energy for all appliances used for space heating, water heating, cooking, and other activities, consistent with the City's reach code, with the exception of laboratory space heating that may apply for an exception to use natural gas. The project proposes to use natural gas for laboratory space heating, but would purchase and retire carbon credits to fully offset any natural gas used in building operations. The building manager would provide the City with documentation demonstrating implementation of this requirement on an annual basis.

Level of service or roadway congestion analysis (non-CEQA transportation analysis)

LOS is no longer a CEQA threshold of significance; however, the City's TIA Guidelines require that the TIA also analyze LOS for planning purposes. The LOS analysis determines whether the project traffic would cause an intersection LOS to be potentially noncompliant with local policy if it degrades the LOS operational level or increases delay under near term and cumulative conditions. The LOS and delay thresholds vary depending on the street classifications as well as whether the intersection is on a state route. Attachment I includes an excerpt from the Transportation chapter of the Draft EIR that further explains the LOS thresholds and the identified deficiencies and recommended improvements measures to comply with the TIA Guidelines. Where deficiencies are identified, the TIA Guidelines require consideration of improvement measures.

Near-term (2022) plus project conditions

Staff is currently evaluating the recommended improvement measures and will provide a more detailed analysis on which measures staff believes are feasible and which are infeasible for the Planning Commission's consideration of the entitlements and certification of the Final EIR. Potentially feasible improvement measures were identified at the following intersections (including intersections in East Palo Alto):

- University Avenue and Adams Drive (new traffic signal)
- US 101 northbound off-ramp/University Plaza driveway and Donohoe Street (payment of traffic impact fee, or TIF, toward City of East Palo Alto improvement plans)
- Willow Road and O'Brien Drive (adaptive traffic signal coordination, payment of TIF toward other

- improvements)
- Willow Road and Newbridge Street (modify/optimize signal timing)
 - Adams Drive and O'Brien Drive (payment of TIF toward other improvements)
 - Willow Road and US 101 northbound ramps (adaptive traffic signal coordination, payment of TIF toward other improvements)
 - US 101 northbound on-ramp and Donohoe Street (payment of TIF toward City of East Palo Alto improvement plans)
 - University Avenue and Woodland Avenue (fair share contribution toward City of East Palo Alto improvement plans)

Cumulative (2040) plus project conditions

The proposed project would not cause any additional intersections to be potentially non-compliant with respect to local policies during either the a.m. or p.m. peak hours under cumulative plus project conditions compared to near-term plus project conditions. The proposed improvements listed above would be sufficient to address any potential cumulative non-compliance issues.

Below market rate (BMR) ordinance

The City's BMR Housing Program requires commercial development projects to provide BMR housing on site (if allowed by the zoning district) or off site. If it is not feasible to provide BMR units, the developer must pay an in-lieu fee prior to issuance of a building permit for the proposed project. The applicant has submitted a preliminary BMR housing agreement term sheet (Attachment J) that is being reviewed by Planning and Housing staff. Because the LS-B zoning district does not allow residential uses and the applicant does not own property zoned for residential land uses elsewhere in the city, the applicant has requested to pay the applicable in-lieu fee for the proposed project. The current rate for office and R&D uses is \$20.46 per square foot of gross floor area; in-lieu fee rates are adjusted annually on July 1. At present, the project would be responsible to contribute approximately \$5,327,784 to the City's BMR housing fund, although the final amount may increase if the project is approved after July 1, 2022 when new rates would become effective.

The Housing Commission will review the applicant's proposed BMR term sheet at an upcoming meeting and provide a recommendation to the Planning Commission prior to certification of the Final EIR and review of the project entitlements.

Community amenities

Bonus level development is allowed in exchange for the provision of community amenities. Community amenities are intended to address identified community needs that result from the effect of the increased development intensity on the surrounding community. As part of the ConnectMenlo process, a list of community amenities was generated based on robust public input and adopted by resolution of the City Council. The Zoning Ordinance identifies several mechanisms for providing amenities, including selecting an amenity from the Council-approved list as part of the proposed project, providing an amenity not on the approved list through a development agreement, or through the payment of an in-lieu fee. The value of the amenity to be provided must equal a minimum of 50 percent of the fair market value of the additional GFA of the bonus level development.

The method for determining the required value of the community amenities begins with an appraisal. The applicant provides, at their expense, an appraisal performed by a licensed appraisal firm consistent with the City's appraisal instructions. The Zoning Ordinance requires the form and content of the appraisal to be approved by the Community Development Director. To provide the Community Development Director with

sufficient information to determine if the form and content is adequate, the City commissions a peer review or peer appraisal at the applicant's cost. Once the Community Development Director approves the appraisal based on the peer review or peer appraisal identifying the required community amenity value, the applicant will then provide the City with a proposal identifying the proposed community amenity and providing an explanation of the amenity value. The applicant's initial appraisal for the proposed project concluded that the community amenities value would be \$11,700,000.

As with previous Bayfront projects, the City commissioned Fabbro, Moore & Associates, Inc. to perform an independent professional peer-appraisal of the applicant's proposed project. That appraisal determined that the project's community amenities obligation would be \$14,650,000, which was accepted as the project's required community amenities value by the Community Development Director ([hyperlink Attachment K](#)).

In response to this determination, the applicant's appraiser provided a rebuttal to the peer-appraisal and identified a different community amenities valuation of \$12,850,000. Fabbro, Moore & Associates responded to the rebuttal confirming that the project's community amenities obligation remained the amount approved by the Community Development Director. The applicant submitted an initial community amenities proposal on August 2, 2021 (Attachment L) which proposes to provide an in-lieu payment equal to 110% of the \$12,850,000 value determined by the applicant's appraiser (inclusive of a 10% administration fee). Prior to certification of the EIR and approval of the proposed project entitlements, the applicant will need to submit a revised proposal indicating payment of an in-lieu fee in the approved amount of \$16,115,000, which would be 110% of the value of the community amenity as determined by Fabbro, Moore & Associates, Inc.

Correspondence

As of the writing of this report, staff has received one item of correspondence from an individual indicating concerns with sea level rise impacts and future climate change risks to the proposed building (Attachment M). As noted in the green and sustainable building regulations section of this report, the first floor of the proposed building would be located 24 inches above the FEMA base flood elevation to account for sea level rise. All substantive comments received on the Draft EIR will be included and addressed as part of the final EIR.

Impact on City Resources

The applicant is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the proposed project. The applicant is also required to fully cover the cost of work by consultants performing environmental review and additional analyses to evaluate potential impacts of the project.

Environmental Review

A Draft EIR has been prepared for the proposed project. Following the close of the comment period, staff and its consultant will compile the response to comments document, and will consider and respond to substantive comments received on the Draft EIR. Repeat comments may be addressed in Master Responses, and portions of the EIR may be revised in ~~striketrough~~ (deleted text) and underline (new text) format. Once the responses and revisions are complete, the Final EIR will be released, consisting of the Response to Comments document plus the Draft EIR. The Final EIR will be considered for certification in compliance with CEQA by the Planning Commission prior to the final project actions.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a ¼-mile radius of the subject property.

Attachments

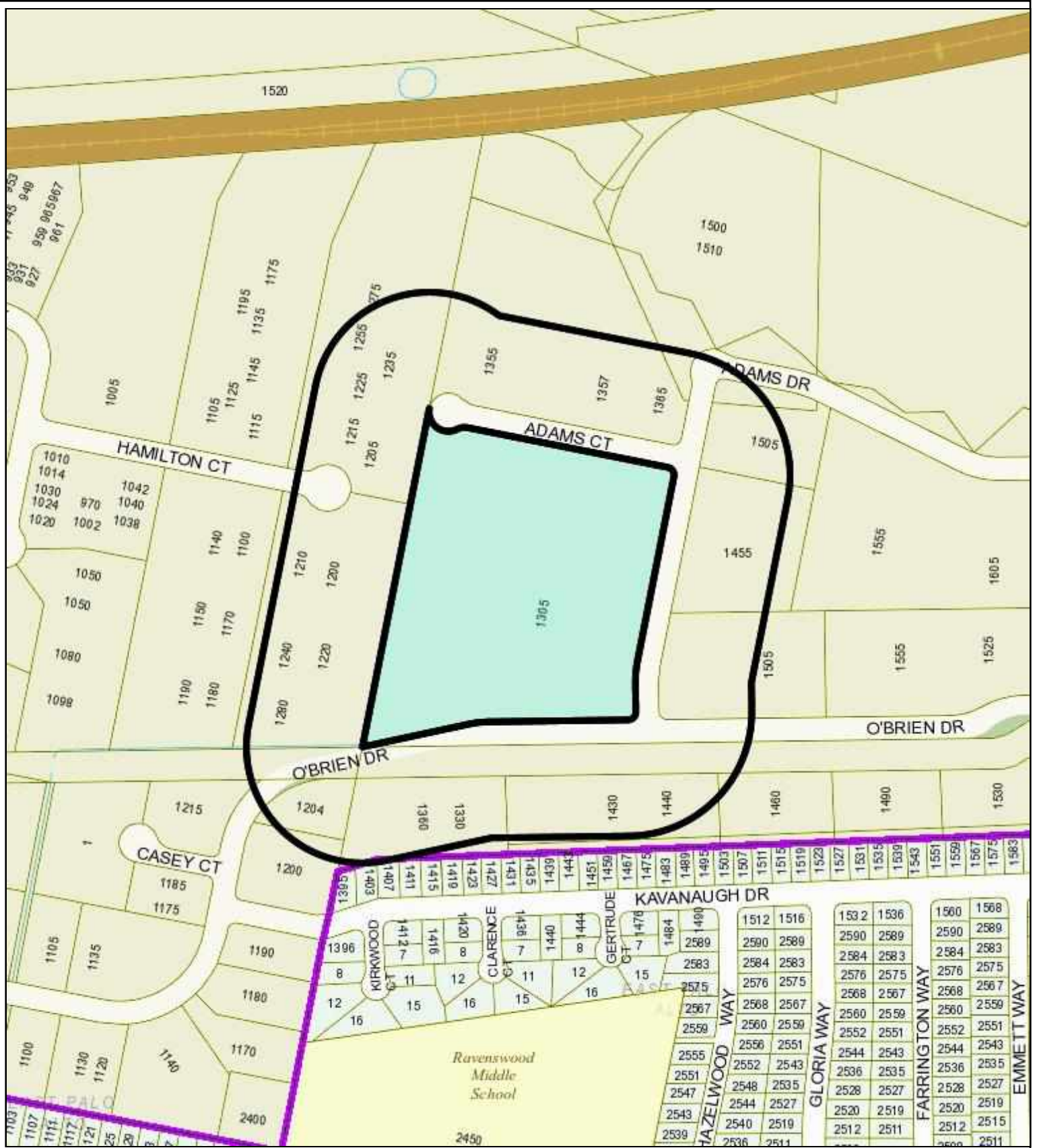
- A. Location Map
- B. Hyperlink: Project plans: <https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/20220318-1350-adams-court-plan-set.pdf>
- C. Previous project milestones and meetings
- D. Hyperlink: Draft EIR: <https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adams-court-draft-environmental-impact-report.pdf>
- E. Hyperlink: Notice of Preparation: https://beta.menlopark.org/files/sharedassets/public/community-development/documents/1350-adams-nop_final_signed.pdf
- F. Hyperlink: Initial Study: https://beta.menlopark.org/files/sharedassets/public/community-development/documents/1350-adams-court_final-is.pdf
- G. Summary of Draft EIR impacts – Table ES-2 from Draft EIR
- H. Comparison of alternatives from Draft EIR (excerpt)
- I. Non-CEQA LOS section from Draft EIR (excerpt)
- J. Preliminary Below Market Rate housing proposal
- K. Hyperlink: City-sponsored peer-appraisal to establish community amenities value: https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adam-ct_community-amenities-appraisal.pdf
- L. Hyperlink: Preliminary community amenities proposal: https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adams-ct_community-amenities-proposal.pdf
- M. Correspondence

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

Report prepared by:
Tom Smith, Acting Principal Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner
Kyle Perata, Acting Planning Manger
Ed Shaffer, Assistant City Attorney



City of Menlo Park

Location Map
1350 Adams Court



Attachment C: Project Meetings and Milestones	
Milestone	Date
Project submittal	November 2017
Planning Commission study session	April 2018
Notice of Preparation for EIR released	December 10, 2018
Planning Commission EIR scoping session and study session	January 14, 2019
Draft EIR released for public review and comment	April 4, 2022
Planning Commission Draft EIR public hearing and study session	May 2, 2022

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
3.1 Transportation			
TRA-1. The Proposed Project would not conflict with an applicable plan, ordinance, or policy, including the CMP, concerning all components of the circulation system.	LTS	None required	LTS
TRA-2. The Proposed Project could exceed an applicable VMT threshold of significance.	PS	Project Mitigation Measure TRA-1, Implement TDM Plan: The Proposed Project shall be required to implement the TDM plan included in Appendix 3.1 of this EIR. Annual monitoring and reporting, pursuant to Menlo Park Municipal Code Section 16.44.090(2)(B), will be required to ensure a minimum reduction in VMT of 21.1 percent for the life of the Project.	LTS/M
TRA-3. The Proposed Project would not substantially increase hazards due to a design feature or incompatible uses.	LTS	None required	LTS
TRA-4. The Proposed Project would not result in inadequate emergency access.	LTS	None required	LTS
3.2 Air Quality			
AQ-1. The Proposed Project could conflict with or obstruct implementation of the applicable air quality plan.	PS	Project Mitigation Measure AQ-1.1, Use Clean Diesel-powered Equipment During Construction to Control Construction-Related Emissions: The Project Sponsor shall ensure that all off-road diesel-powered equipment greater than 200 horsepower used during construction is equipped with EPA-approved Tier 4 Interim engines to reduce DPM emissions. The construction contractor shall submit evidence of the use of EPA-approved Tier 4 Interim engines, or cleaner, to the City prior to the commencement of Project construction activities.	LTS/M

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
<p>AQ-2. The Proposed Project could result in a cumulative net increase in criteria pollutants for which the Project region is classified as a nonattainment area under an applicable federal or state ambient air quality standard.</p>		<p>ConnectMenlo Mitigation Measure AQ-2b1: As part of the City’s development approval process, the City shall require applicants for future development projects to comply with the current Bay Area Air Quality Management District’s basic control measures for reducing construction emissions of PM10 (Table 8-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of BAAQMD’s CEQA Guidelines).</p> <p>ConnectMenlo Mitigation Measure AQ-2b2: Prior to issuance of building permits, development project applicants that are subject to CEQA and exceed the screening sizes in BAAQMD’s CEQA Guidelines shall prepare and submit to the City of Menlo Park a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology for assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in the BAAQMD CEQA Guidelines, the City of Menlo Park shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below the thresholds (e.g., Table 8-2, Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions above the Threshold of the BAAQMD CEQA Guidelines, or applicable construction mitigation measures subsequently approved by BAAQMD). These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City’s Building Division and/or Planning Division.</p>	LTS/M
<p>AQ-3. The Proposed Project could expose sensitive receptors to substantial pollutant concentrations, even with mitigation incorporated.</p>	PS	<p>Implement Project Mitigation Measure AQ-1.1, above.</p>	LTS/M

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
<p>AQ-4. The Proposed Project would not result in other emissions (such as those leading to odors) that would adversely affect a substantial number of people.</p>	LTS	None required	LTS
3.3 Greenhouse Gas Emissions			
<p>GHG-1a. Construction of the Proposed Project could generate GHG emissions that could have a significant impact on the environment.</p>	PS	<p>Implement <i>ConnectMenlo Mitigation Measure AQ-2b1</i>, above.</p> <p><i>Project Mitigation Measure GHG-1a: Require Implementation of BAAQMD-Recommended Construction Best Management Practices.</i> The Project Sponsor shall require its contractors, as a condition of Project approval by the City, to implement measures to minimize the level of GHG emissions associated with Project construction. These shall include, but shall not be limited to, the measures listed below, which are recommended in Appendix B of the 2017 Scoping Plan.</p> <ul style="list-style-type: none"> • Instead of using fossil fuel-based generators for temporary jobsite power, grid-sourced electricity from PG&E or Peninsula Clean Energy shall be used to power tools (e.g., drills, saws, nail guns, welders) as well as any temporary office buildings used by construction contractors. This measure shall be required during all construction phases, except site grubbing, site grading, and the installation of electric, water, and wastewater infrastructure. This measure shall be implemented during building demolition, the framing and erection of new buildings, all interior work, and the application of architectural coatings. Electrical outlets shall be designed according to PG&E’s Greenbook standards and placed in accessible locations throughout the construction site. The Project Sponsor, or its primary construction contractor, shall coordinate with the utility to activate a temporary service account prior to 	LTS/M

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
		<p>proceeding with construction. Implementation of this measure shall be required in the contract the Project Sponsor establishes with its construction contractors.</p> <ul style="list-style-type: none"> • Use local building materials for at least 10 percent of all building materials used⁵(i.e., sourced from within 100 miles of the planning area); and • Recycle at least 50 percent of construction waste and demolition material. <p>The Project Sponsor shall submit evidence of compliance to the City prior to issuance of each construction permit and every year thereafter during Project construction.</p>	
GHG-1b. The level of GHG emissions associated with operation of the Proposed Project would not have a significant impact on the environment.	LTS	None required	LTS
GHG-2. The Proposed Project could conflict with an applicable, plan, policy, or regulation adopted for the purpose of reducing emissions of GHGs.	PS	Implement <i>ConnectMenlo Mitigation Measure AQ-2b1 and Project Mitigation Measures TRA-1 and GHG-1a</i> , above.	LTS/M
3.4 Noise			
NOI-1. The Proposed Project could generate a substantial temporary construction-related increase in ambient noise levels in the vicinity of the project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies.	PS	Modified ConnectMenlo Mitigation Measures NOISE-1c: Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction-related activity through CEQA review, conditions of approval, and/or enforcement of the City’s Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans, indicating that during ongoing grading, demolition,	LTS/M

⁵ The 10 percent threshold is based on the total weight of the building material.

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
		<p>and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:</p> <ul style="list-style-type: none"> ● All internal-combustion engines on construction equipment and trucks shall be fitted with properly maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than those originally equipped by the manufacturer. ● Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses. ● Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors. ● Unnecessary engine idling shall be limited to the extent feasible. ● Limit the use of public address systems. ● Construction traffic shall be limited to the haul routes established by the City. <p>Project Mitigation Measure NOI-1: <i>Implement Noise Control Plan to Reduce Construction Noise from development of Lot 3 North.</i> The Project Sponsor shall develop a noise control plan for construction at the Project site. The plan shall require compliance with Section 8.06 of the Menlo Park Municipal Code and include measures to ensure compliance with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall include measures to ensure that construction noise will not result in a 10-dB increase over the ambient noise level at nearby sensitive receptors, which is unlikely to occur at most nearby sensitive uses from Project construction but may occur at the nearest school where existing ambient noise levels from 6:00 a.m. to 8:00 a.m. were not recorded.</p>	

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
		<p>The plan shall specify the noise-reducing construction practices that will be employed to reduce noise from construction activities, and shall demonstrate that compliance with these standards will be achievable. If the noise control plan cannot comply with the standards outside the daytime 8:00 a.m. to 6:00 p.m. hours, those activities will be required to occur only during the daytime hours (e.g., pavement breaking with jackhammers and concrete saws). The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to issuance of building permits. The noise control plan shall:</p> <ul style="list-style-type: none"> • Demonstrate that noise levels during construction on the Project site will meet the standards of this mitigation measure at sensitive receptors while those receptors are in use. • Demonstrate that any construction activities taking place outside daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday shall comply with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall demonstrate that individual equipment proposed for use would not exceed the 85 dBA L_{eq} at 50 feet limit for powered equipment noise, and that combined construction noise would not result in a 10 dBA increase over the ambient noise level at nearby sensitive receptors. Activities that would produce noise above applicable daytime or nighttime limits shall be scheduled only during normal construction hours. If the noise control plan concludes that a particular piece of equipment will not meet the requirements of this mitigation measure, that equipment shall not be used outside the daytime construction hours. 	

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
		<ul style="list-style-type: none"> • Verify construction activities are conducted at adequate distances, or otherwise shielded with sound barriers, as determined through analysis, from noise-sensitive receptors when working outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, and verify compliance with the Menlo Park Municipal Code through measurement. • Verify the effectiveness of noise attenuation measures by taking representative noise level measurements at the nearest sensitive receptors (limited to receptors within 1,000 feet of the Project site) during construction activities that occur outside the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, to verify compliance with the 50 and 60 dBA L_{eq} City noise standards. The final noise monitoring requirements and locations shall be defined in the noise control plan based on predicted equipment use and noise. • Verify the effectiveness of noise attenuation measures by taking noise level measurements at nearest noise-sensitive land uses (limited to receptors within 1,000 feet of the Project site) during construction to verify compliance with the 10 dB-over-ambient threshold. The final noise monitoring requirements and locations shall be defined in the noise control plan based on predicted equipment use and noise. <p>Measures used to control construction noise may include:</p> <ul style="list-style-type: none"> • Upgraded construction equipment mufflers (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields, shrouds) on equipment and trucks used for Project construction. 	

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
<p>NOI-2. The Proposed Project would not expose persons to or generate excessive ground-borne vibration or ground-borne noise levels.</p>	LTS	<ul style="list-style-type: none"> ● Equipment staging plans, e.g., locating stationary equipment at adequate distances. ● Limitations on equipment and truck idling. ● Shielding sensitive receptors with sound barriers sufficient to comply with the Menlo Park Municipal Code. <p>As determined in the noise control plan, temporary noise barriers may be required around construction on the Project site to reduce construction noise from equipment used outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. on weekdays. Noise barriers shall be constructed of material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 3/4-inch Plexiglas, 5/8-inch plywood, 5/8-inch oriented strand board, or straw bales. If Sound blankets are used, the sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70.</p>	LTS
<p>3.5 Population and Housing</p>			
<p>POP-1. The Proposed Project would not induce substantial population growth indirectly through job growth, nor would projected growth result in adverse direct impacts on the physical environment.</p>	LTS	None required	LTS

Table ES-2. Summary of Impacts and Mitigation Measures from the EIR

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
POP-2. The Proposed Project would not displace substantial numbers of people or housing, necessitating the construction of replacement housing elsewhere.	LTS	None required	LTS
3.6 Utilities and Energy			
UT-1. The Proposed Project would not require or result in the relocation of existing or construction of new or expanded water or wastewater treatment facilities.	LTS	None required	LTS
UT-2. Sufficient water supplies would be available to serve the Proposed Project and reasonably foreseeable future development during normal, dry, and multiple dry years.	LTS	None required	LTS
UT-3. The Proposed Project would not result in a determination by the wastewater treatment providers that they have inadequate capacity to serve the Proposed Project’s projected demand in addition to the provider’s existing commitments.	LTS	None required	LTS
UT-4. The Proposed Project would not result in potentially significant environmental impacts due to the wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation.	LTS	None required	LTS
UT-5. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	LTS	None required	LTS

Table 6-8. Comparison of Impacts among Project Alternatives

Environmental Issue	Project	No-Project Alternative	Base Level Alternative	Mixed-Use Alternative
Transportation				
Conflict with Applicable Plan, Ordinances, or Policies	LTS	NI (-)	LTS (0)	LTS (0)
Vehicle Miles Traveled	LTS/M	NI (-)	LTS/M (0)	LTS/M (0)
Air Quality				
Conflict with Air Quality Plan	LTS/M	NI (-)	LTS/M (0)	LTS/M (0)
Construction Criteria Air Pollutant Emissions	LTS/M	NI (-)	LTS/M (0)	LTS/M (+)
Operational Criteria Air Pollutant Emissions	LTS	NI (-)	LTS (-)	LTS (+)
Exposure of Existing Sensitive Receptors to Substantial Pollutant Concentrations (Construction)	LTS/M	NI (-)	LTS/M (0)	LTS/M (+)
Exposure of Existing Sensitive Receptors to Substantial Pollutant Concentrations (Operation)	LTS	NI (-)	LTS (-)	LTS (+)
Create Objectionable Odors	LTS	NI (-)	LTS (0)	LTS (0)
Cumulative Impacts	LTS/M	NI (-)	LTS/M (0)	LTS/M (0)
Greenhouse Gas Emissions				
GHG Emissions during Project Construction	LTS/M	NI (-)	LTS/M (0)	LTS/M (+)
GHG Emissions during Project Operation	LTS	NI (-)	LTS (-)	LTS (+)
Conflict with Applicable GHG Emission Plans, Policies, and Regulations	LTS/M	NI (-)	LTS/M (0)	LTS/M (0)
Cumulative Impacts	LTS	NI (-)	LTS (0)	LTS (0)
Noise				
Exposure to Excessive Noise Levels in Excess of Local or Applicable Standards (Construction)	LTS/M	NI (-)	LTS/M (0)	LTS/M (0)
Exposure to Excessive Noise Levels in Excess of Local or Applicable Standards (Operation)	LTS/M	NI (-)	LTS/M (+)	LTS/M (+)
Expose Persons to or Generate Excessive Ground-borne Vibration or Ground-borne Noise Levels	LTS	NI (-)	LTS (0)	LTS (0)
Cumulative Impacts	LTS	NI (-)	LTS (0)	LTS (0)
Population and Housing				
Indirect Population Growth	LTS	NI (-)	LTS (-)	LTS (0)
Displacement of People or Housing	LTS	NI (-)	LTS (0)	LTS (0)
Cumulative Impacts	LTS	NI (-)	LTS (-)	LTS (0)
Utilities and Energy				
Water Supply	LTS	NI (-)	LTS (-)	LTS (0)
Water Treatment Facilities	LTS	NI (-)	LTS (-)	LTS(0)
Wastewater Generation	LTS	NI (-)	LTS (-)	LTS(0)
Energy Demand	LTS	NI (-)	LTS (-)	LTS (0)
Cumulative Impacts	LTS	NI (-)	LTS (-)	LTS (0)

Notes:

NI = No Impact; LTS = Less than Significant; LTS/M = Less than Significant with Mitigation; SU/M= Significant and Unavoidable with Mitigation

(-) Alternative impact is less than that of the Proposed Project; (0) Alternative impact is similar to that of the Proposed Project; and (+) Alternative impact is greater than that of the Proposed Project

Project would be expected to reduce VMT per employee within the study area where the Project site is located. Consistent with the findings of the ConnectMenlo Final EIR, the cumulative impact of the Proposed Project with respect to VMT would be *less-than-significant with mitigation*.

Impacts C-TRA-3. The Proposed Project in combination with other foreseeable projects would not substantially increase hazards due to a design feature or incompatible uses. (LTS)

Overall, cumulative land use development and transportation projects would promote accessibility for people walking to and through the site by conforming to general plan policies and zoning regulations and adhering to planning principles that emphasize providing convenient connections and safe routes for people bicycling, walking, driving, or taking transit. In addition, as with current practice, projects would be designed and reviewed in accordance with the Transportation Program of the City's Public Works Department, which would provide oversight through an engineering review to ensure that the projects are constructed according to City specifications. As a result, cumulative projects would not generate activities that would increase hazards due to a design feature or incompatible use. For these reasons, the Proposed Project in combination with cumulative projects would have a *less-than-significant* cumulative impact with respect to design features or incompatible uses.

Impacts C-TRA-4. The Proposed Project in combination with other foreseeable projects would not result in inadequate emergency access. (LTS)

Future development, as part of the City's project approval process, would be required to comply with existing regulations, including general plan policies and zoning regulations that have been enacted to minimize impacts related to emergency access. The City, throughout the 2040 buildout horizon, would implement general plan programs that require the City's continued coordination with Menlo Park Police Department and Menlo Park Fire Protection District to establish circulation standards, adopt an emergency response routes map, and equip all new traffic signals with pre-emptive devices for emergency services. Furthermore, implementation of zoning regulations would help minimize traffic congestion that could affect emergency access.

For these reasons, the Proposed Project in combination with cumulative projects would have a *less-than-significant* cumulative impact with respect to emergency access.

Non-CEQA Analysis

Intersection Level-of-Service Analysis

The findings of the intersection LOS compliance analysis are presented in this section for informational purposes. The scope and methodology of the analysis, analysis scenarios, data collection efforts, and LOS policy standards are detailed in Appendix 3.1 of this EIR.

As stated above, LOS is no longer a CEQA threshold. However, the City's TIA Guidelines require the TIA to analyze LOS for local planning purposes. The LOS analysis determines whether a project's traffic would cause intersection LOS to exceed City LOS thresholds or either average delay or average critical delay to exceed City intersection delay thresholds under near-term and cumulative conditions. The LOS and delay thresholds vary, depending on the street classifications and whether the intersection is a State route. The City's TIA Guidelines further require an analysis of a project in relation to relevant policies of the Circulation Element and consideration of specific measures to address noncompliance with local policies that may occur as a result of the addition of project traffic. The TIA identifies measures that could be applied as conditions of approval to bring operations back to pre-project levels. Although not included in

the TIA for purposes of this EIR, an analysis may be prepared separately to determine if there are potential measures that could bring the Proposed Project into conformance with Circulation Policy 3.4 (i.e., strive to maintain an acceptable LOS at all City-controlled intersections). Implementation of any such measures would require review and approval by City decision-makers.

Near-Term (2022) Plus-Project Conditions

The results of the intersection LOS analysis under near-term (2022) plus-Project conditions are summarized in Table 6 of Appendix 3.1. Under near-term plus-Project conditions, the following eight intersections would be non-compliant with respect to local policies during either the a.m. or the p.m. peak hour compared to near-term conditions:

- **Intersection #2:** University Avenue (SR 109) and Adams Drive (unsignalized) [East Palo Alto] [Caltrans] – p.m. peak hour
- **Intersection #8:** US 101 northbound off-ramp/University Plaza driveway and Donohoe Street [East Palo Alto] [Caltrans] – a.m. peak hour
- **Intersection #13:** Willow Road (SR 114) and O'Brien Drive [Menlo Park] [Caltrans] – a.m. and p.m. peak hours
- **Intersection #14:** Willow Road (SR 114) and Newbridge Street [Menlo Park] [Caltrans] – p.m. peak hour
- **Intersection #21:** Adams Drive and O'Brien Drive (unsignalized) [Menlo Park] – p.m. peak hour
- **Intersection #22:** Willow Road (SR 114) and US 101 northbound ramps [Caltrans] – a.m. peak hour
- **Intersection #25:** US 101 northbound on-ramp and Donohoe Street (unsignalized) [East Palo Alto] [Caltrans] – a.m. peak hour
- **Intersection #27:** University Avenue (SR 109) and Woodland Avenue [East Palo Alto] [Caltrans] – p.m. peak hour

University Avenue and Adams Drive would meet the *Manual on Uniform Traffic Control Devices* peak-hour signal warrant during the p.m. peak hour under near-term plus-Project conditions. Other unsignalized intersections would not meet the signal warrant.

It should be noted that average delay at some intersections decreases with the addition of Project traffic. This occurs because intersection delay is a weighted average of all intersection movements. When traffic is added to movements with delays below average intersection delay, average delay for the entire intersection can decrease. Furthermore, congestion and queue spillback at an adjacent intersection can constrain the traffic volume at some intersections, resulting in a small decrease in average delay.

Intersection effects and recommended modifications to return the intersections to pre-Project conditions are described below.

#2 University Avenue (SR 109) and Adams Drive

This intersection is expected to operate at an unacceptable LOS of F during the a.m. and p.m. peak hours under near-term conditions. The addition of Project traffic would cause delay at the intersection to increase by 5 or more seconds during the a.m. and p.m. peak hours under near-term (2022) plus-Project conditions. Near-term traffic volumes at this intersection with or without the Proposed Project would meet the peak-hour volume warrant during the p.m. peak hour. This constitutes non-compliance, according to the thresholds established by the City of East Palo Alto.

Enhanced TDM measures to reduce Project trip generation by more than 20 percent could reduce delay and improve intersection operations. However, the intersection would continue to be non-compliant under Project conditions.

The recommended modification for this location is the installation of a new traffic signal. The new signal would be consistent with the recommended University Avenue and Adams Drive Project in the City of Menlo Park's Transportation Master Plan. Along with a new traffic signal, appropriate bicyclist and pedestrian accommodations should be provided. This includes pedestrian countdown timers, ADA-compliant curbs, and bicycle detection loops. With these improvements, the intersection would operate acceptably at LOS A during the a.m. peak hour and LOS C during the p.m. peak hour under near-term (2022) plus-Project conditions. This improvement is in the City's TIF program; the Proposed Project would be required to pay traffic impact fees according to the City's current TIF schedule. Therefore, payment into the TIF program would address the adverse effect on traffic operations at this intersection as a result of Project traffic.

#8 US 101 Northbound Off-Ramp/University Plaza Driveway and Donohoe Street

The intersection is expected to operate at an unacceptable LOS of F during the a.m. and p.m. peak hours under near-term (2022) conditions. With the Proposed Project, average delay would increase by more than 4 seconds during the a.m. peak hours. This constitutes non-compliance, according to the thresholds established by the City of East Palo Alto.

Enhanced TDM measures to reduce Project trip generation by more than 20 percent could reduce delay and improve intersection operations. However, the intersection would continue to be non-compliant under Project conditions.

The City of East Palo Alto plans to widen the northbound approach on Donohoe Street at the US 101 northbound off-ramp to accommodate four through lanes and improve vehicular throughput at this intersection. This improvement would require median modifications and narrowing of the southbound Donohoe Street approach to Cooley Avenue to provide two through lanes and a full-length left-turn lane. In addition, traffic signals would be coordinated with adjacent traffic signals on Donohoe Street. With these improvements, the intersection would be in compliance with the City of East Palo Alto's LOS policy. The proposed improvements at this intersection would be part of the improvements at intersections around the University Avenue and US 101 interchange included in Menlo Park's TIF program. The Proposed Project would pay traffic impact fees, according to the City of Menlo Park's current TIF schedule, that would contribute to improvements at this intersection.

#13 Willow Road (SR 104) and O'Brien Drive

This intersection is expected to operate at an unacceptable LOS of F during the a.m. peak hour and LOS E during the p.m. peak hour under near-term (2022) conditions. The addition of Project traffic would cause critical movement delay for the northbound shared left-right movement to increase by more than 0.8 second during both peak hours. This constitutes non-compliance, according to the thresholds established by the City of Menlo Park. The unacceptable LOS is due primarily to existing congestion on Willow Road.

Enhanced TDM measures to reduce Project trip generation by more than 20 percent could reduce delay and improve intersection operations. However, the intersection would continue to be non-compliant under Project conditions.

The City of Menlo Park is implementing an adaptive coordination system for traffic signals on the Willow Road corridor to improve traffic flow. Adaptive traffic control is a technology that automatically adjusts traffic signal timing according to actual traffic demand at an intersection. This measure would improve intersection operations and could reduce intersection delay. It is expected that this improvement would reduce critical movement delay on the local approach and avoid adverse effects during the a.m. peak hour. However, it is not expected that this improvement would be enough to avoid the adverse effect of the Project at this intersection during the p.m. peak hour or bring the intersection into compliance with the City's LOS policy. Other physical intersection improvements are considered infeasible because of right-of-way constraints and/or adverse effects on bicyclist and pedestrian travel. The Proposed Project would pay traffic impact fees, according to the City's current TIF schedule, to contribute to other transportation improvements in the area.

#14 Willow Road (SR 104) and Newbridge Street

This intersection is expected to operate at an unacceptable LOS of F during the a.m. and p.m. peak hours under near-term (2022) conditions. The addition of Project traffic would cause critical movement delay for local westbound through movement to increase by more than 0.8 second during the p.m. peak hour. This constitutes non-compliance, according to the thresholds established by the City of Menlo Park.

Enhanced TDM measures to reduce Project trip generation by more than 20 percent could reduce delay and improve intersection operations. However, the intersection would still be non-compliant under Project conditions.

To bring this intersection back to pre-Project conditions, the recommendation is to modify signal timing through a protected left-turn phasing operation on Newbridge Street, provide a leading left-turn phase on southbound Newbridge Street and a lagging left-turn phase on northbound Newbridge Street, and optimize overall signal timing. Signal modification would be consistent with the recommended Willow Road Corridor Improvement Project in the City's Transportation Master Plan. No widening or additional rights-of-way would be required. This improvement is in the City's TIF program. The Project Sponsor would be responsible for design and implementation of the modifications. With implementation of the modifications, the intersection would operate at better than near-term conditions, and the northbound through movement would no longer be a critical movement.

#21 Adams Drive and O'Brien Drive

This intersection is expected to operate at an unacceptable LOS of D during the p.m. peak hour under near-term conditions. The addition of Project traffic would cause delay for the stop-controlled movement to increase by more than 0.8 second during the p.m. peak hour. This constitutes non-compliance, according to the thresholds established by the City of Menlo Park.

Enhanced TDM measures to reduce Project trip generation by more than 20 percent could reduce delay and improve intersection operations. However, the intersection would still be non-compliant under Project conditions.

One potential modification to bring the intersection to pre-Project conditions would be to make it all-way stop controlled. However, the intersection does not meet the *Manual on Uniform Traffic Control Devices* all-way stop-controlled warrant during the p.m. peak hour under near-term (2022) plus-Project conditions. No other improvements are recommended at this time. In lieu of an improvement at this intersection, the Proposed Project would pay traffic impact fees, according to the City's current TIF schedule, to contribute to other transportation improvements in the area.

#22 Willow Road (SR 114) and US 101 Northbound Ramps

This intersection is expected to operate at an unacceptable LOS of F during the a.m. peak hour under near-term (2022) conditions. The addition of Project traffic would cause delay at this intersection to increase by more than 4 seconds during the a.m. peak hour. This constitutes non-compliance, according to the thresholds established by Caltrans.

Enhanced TDM measures to reduce Project trip generation by more than 20 percent could reduce delay and improve intersection operations. However, the intersection would still be non-compliant under Project conditions.

The delay caused at this intersection is due to congestion on Willow Road. The City of Menlo Park is implementing an adaptive coordination system for traffic signals on the Willow Road corridor to improve traffic flow. Adaptive traffic control is a technology that automatically adjusts traffic signal timing according to actual traffic demand at an intersection. This measure would improve intersection operations and could reduce intersection delay. The reduction in delay due to adaptive signal coordination is not expected to bring the intersection into compliance with the City's LOS policy. Other physical intersection improvements are considered infeasible because of right-of-way constraints and/or adverse effects on bicyclist and pedestrian travel. The Proposed Project would pay traffic impact fees, according to the City's current TIF schedule, to contribute to other transportation improvements in the area.

#25 US 101 Northbound On-Ramp and Donohoe Street

The intersection is expected to operate at an unacceptable LOS of F during the a.m. peak hour under near-term conditions. With the Proposed Project, average delay would increase by more than 4 seconds during the a.m. peak hour. This constitutes non-compliance, according to the thresholds established by the City of East Palo Alto.

Enhanced TDM measures to reduce Project trip generation by more than 20 percent could reduce delay and improve intersection operations. However, the intersection would still be non-compliant under Project conditions.

The City of East Palo Alto plans to install a new traffic signal at this intersection and coordinate the timing of closely spaced signals along Donohoe Street. Along with the new traffic signal, appropriate bicyclist and pedestrian accommodations would be provided. This includes pedestrian countdown timers, ADA-compliant curbs, and bicycle detection loops. To align with the proposed driveway for the University Plaza Phase II site on the north side of Donohoe Street, the US 101 on-ramp would be shifted approximately 30 feet to the south. In addition, the southbound approach on Donohoe Street would be restriped to accommodate a short, exclusive left-turn pocket, approximately 60 feet in length; a shared left/through lane; and a shared through right lane. These improvements would require widening of the US 101 northbound on-ramp to accommodate two lanes, which would taper down to a single lane before connecting to the loop on-ramp from eastbound University Avenue. With these improvements, the intersection would be in compliance with the City of East Palo Alto's LOS policy. The Proposed Project would reduce its adverse effect on traffic operations at this intersection by making a fair-share monetary contribution toward the improvements. The US 101 northbound on-ramp and Donahoe Street intersection is part of a planned coordinated signal system that also includes intersections at University Avenue/Donahoe Street, the US 101 northbound off-ramp/Donahoe Street, Cooley Avenue/Donahoe Street, University Avenue/the US 101 southbound off-ramp, and University Avenue/Woodland Avenue. The City of Menlo Park TIF includes improvements at the University Avenue/Donahoe intersection; funding would go toward the planned coordinated signal system. Therefore, payment toward the City of Menlo Park TIF would constitute the Project's fair-share contribution toward the improvements.

#27 University Avenue (SR 109) and Woodland Avenue

The intersection is expected to operate at an unacceptable LOS of E during the a.m. peak hour and LOS F during the p.m. peak hour under near-term (2022) conditions. With the Proposed Project, average delay would increase by more than 4 seconds during the p.m. peak hour. This constitutes non-compliance, according to the thresholds established by the City of East Palo Alto.

Enhanced TDM measures to reduce Project trip generation by more than 20 percent could reduce delay and improve intersection operations. However, the intersection would still be non-compliant under Project conditions.

The recommended Donohoe Street improvements at Euclid Avenue and the US 101 northbound on-ramp would improve traffic flow on University Avenue and eliminate the queue spillback that extends from Donohoe Street past Woodland Avenue. Although the University Avenue/Woodland Avenue intersection is expected to continue to operate at LOS F during the a.m. peak hour, the Donohoe Street improvements would reduce average delay at the University Avenue/Woodland Avenue intersection to a level below that under near-term (2022) conditions without the Proposed Project. With the improvements, the intersection would be in compliance with the City of East Palo Alto's LOS policy. The Proposed Project would reduce its adverse effect on traffic operations at this intersection by making a fair-share monetary contribution toward the improvements.

Cumulative (2040) Conditions Intersection Level of Service

Intersection LOS calculation sheets are included in Appendix 3.1. The results of the intersection LOS analysis under cumulative (2040) plus-Project conditions are summarized in Table 7 in Appendix 3.1. Under cumulative (2040) plus-Project conditions, the following seven intersections would be non-compliant with respect to local policies during either the a.m. or p.m. peak hour compared with cumulative (2040) conditions:

- **Intersection #2:** University Avenue (SR 109) and Adams Drive (unsignalized) [East Palo Alto] [Caltrans] – a.m. and p.m. peak hours
- **Intersection #8:** US 101 northbound off-ramp/University Plaza driveway and Donohoe Street [East Palo Alto] [Caltrans] – a.m. and p.m. peak hours
- **Intersection #13:** Willow Road (SR 114) and O'Brien Drive [Menlo Park] [Caltrans] – p.m. peak hour
- **Intersection #21:** Adams Drive and O'Brien Drive (unsignalized) [Menlo Park] – p.m. peak hour
- **Intersection #22:** Willow Road (SR 114) and US 101 northbound ramps [Caltrans] – a.m. peak hour
- **Intersection #25:** US 101 northbound on-ramp and Donohoe Street (unsignalized) [East Palo Alto][Caltrans] – a.m. and p.m. peak hours
- **Intersection #27:** University Avenue (SR 109) and Woodland Avenue [East Palo Alto][Caltrans] – a.m. and p.m. peak hours

The results show that the Proposed Project would not cause any additional intersections to be potentially non-compliant with respect to local policies during either the a.m. or p.m. peak hour under cumulative (2040) plus-Project conditions compared with near-term (2022) plus-Project conditions. The improvements proposed under near-term (2022) plus-Project conditions would be enough to address cumulative non-compliance issues.

1350 Adams Court

DRAFT

Below Market Rate (BMR) Housing Agreement Term Sheet

1. Applicant owns property comprised of Assessor’s Parcel Number 055-472-030, which includes the project site on the northern portion of the parcel more commonly known as 1350 Adams Court, Menlo Park;

2. Applicant is requesting a Use Permit, Architectural Control, Heritage Tree Removal Permit, a Below Market Rate (BMR) Housing Agreement, and building permits to construct a new 260,400 square foot Research and Development (R&D) building on the vacant northern portion of the parcel. The proposed building will be greater than 10,000 square feet in gross floor area and therefore, Applicant is required to comply with Chapter 16.96 of City’s Municipal Code (“BMR Ordinance”) and with the Below Market Rate Housing Program Guidelines (“Guidelines”) adopted by the City Council to implement the BMR Ordinance;

3. Property is located within the LS (Life Science) zoning district and the Life Sciences land use designation in the City of Menlo Park;
 - a. Property’s General Plan land use and zoning designations do not permit residential uses;

4. Applicant does not own any other sites within the City that are zoned for residential land uses; and

5. Consistent with the BMR Ordinance and Guidelines, Applicant is permitted to satisfy the BMR housing requirement for the proposed project by delivering 13 off-site BMR units, combining resources with other applicants to deliver such off-site units, or by payment of an in-lieu fee;
 - a. R&D is a Group A use under Section 16.96.030 of the City’s BMR Ordinance and Housing Program Guidelines; and the in-lieu fee is calculated at \$19.61 per square foot. The BMR in-lieu fee is estimated at \$5,106,444.00;

 - b. The equivalent unit requirement is 13units; however, residential use of the property is not permitted and the applicant does not own any sites for residential uses in the City;

 - c. Therefore, provision of off-site units is infeasible and prior to building permit issuance, the Applicant will pay the in-lieu fee, which would be adjusted based on the existing and proposed square footages at the time of building permit issuance. The applicable fee per square foot is adjusted annually on July 1. The table in Item 6 below shows the estimated in-lieu fee and its calculation.

6. The table below provides the estimated in-lieu fee:

	Use Group	Fee/SF	Square Feet	Fees
Proposed Building – R&D	A – R&D and Office	\$19.61	260,400	\$5,106,444.00
Total Estimated In Lieu Fee				\$5,106,444.00

From: [Kristen L](#)
To: [Smith, Tom A](#)
Subject: Adams Court will be a sea level rise victim
Date: Sunday, April 10, 2022 3:20:43 PM

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I hope they will build whatever they want as long as they NEVER ask the city to pay for any climate change impact mitigation projects. The area is very low lying and very close to the water. Sea level rise will impact it. If there is any chance that the Adams Court Project will ask for tax dollars to protect their project, nothing should ever be built. If they assume all the risk, I am all in favor.