



NOTICE OF PREPARATION OF THE INITIAL STUDY AND ENVIRONMENTAL IMPACT REPORT FOR THE 1125 O'BRIEN DRIVE PROJECT

Date: July 30, 2021

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| To: | State Clearinghouse | From: | David Hogan |
| | State Responsible Agencies | | Contract Planner |
| | State Trustee Agencies | | City of Menlo Park |
| | Other Public Agencies | | 701 Laurel Street |
| | Interested Organizations | | Menlo Park, CA 94025 |

Subject: **Notice of Preparation of the Initial Study and
Environmental Impact Report
for the 1125 O'Brien Drive Project**

Lead Agency: City of Menlo Park, Planning Division

Project Title: 1125 O'Brien Drive Project

Project Location: 1105, 1135, and 1165 O'Brien Drive and 1 Casey Court
Bayfront Area, City of Menlo Park

INTRODUCTION

The City of Menlo Park (City) is the lead agency for the 1125 O'Brien Drive Project (Proposed Project). Pursuant to the California Environmental Quality Act (CEQA), upon deciding to prepare an environmental impact report (EIR), the City, as lead agency, must issue a Notice of Preparation (NOP) to inform trustee and responsible agencies, as well as the public, of the decision to undertake preparation of an EIR. The purpose of this NOP is to describe the Proposed Project and its potential environmental effects to those who may wish to comment about the scope and content of the information to be considered in the EIR. Agencies should comment on such information as it relates to their statutory responsibilities in connection with the Proposed Project. Agencies and the public are invited to provide comments on the scope and content of the environmental review, the potential mitigation strategies, and the Project alternatives by **5:00 p.m. on Monday, August 30, 2021.**

A description of the Proposed Project, including its location, and a discussion of the environmental factors that may be affected by development of the Proposed Project are provided below. The EIR will evaluate Project-specific and cumulative impacts, identify feasible mitigation measures to reduce or avoid significant Project impacts, and identify a reasonable range of alternatives to the Proposed Project and their comparative environmental effects.

SCOPING MEETING

A public scoping session will be held as part of the Planning Commission meeting on **Monday, August 9, 2021, via Zoom at 7:00 p.m.**, or as near as possible thereafter. In response to the ongoing COVID-19 pandemic, the Planning Commission meeting will be held remotely. To access the online meeting, as well as the meeting agenda, please visit www.menlopark.org/371/Planning-Commission. Trustee and responsible agencies, as well as members of the public, are invited to attend the meeting to learn more about the Proposed Project and provide input on the scope and content of the EIR through public comment. The scoping process is designed to enable the City to determine the scope and content of the EIR at an early stage; identify a range of actions; evaluate potentially significant environmental effects, along with the alternatives and mitigation measures to be analyzed in the EIR; and eliminate any unimportant issues.

SUBMITTING COMMENTS

Comments regarding the appropriate scope of analysis and content for the EIR are invited from all interested parties. Please submit comments to the City no later than **5:00 p.m. on Monday, August 30, 2021**. However, we would appreciate your response at the earliest possible date. Please send your written comments to David Hogan at the address shown below with “1125 O’Brien Drive Project EIR” as the subject. Because of the ongoing COVID-19 pandemic, emailed comments are preferred. Public agencies that provide comments are asked to include the name of a contact person for the agency.

**David Hogan, Contract Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025**

Email: dwhogan@menlopark.org

Phone: 650.330.6702

City Website: menlopark.org

Project Website: <https://www.menlopark.org/1419/1105-1165-OBrien-Drive>

PROJECT LOCATION AND EXISTING CONDITIONS

The Project site, which is located at 1105, 1135, and 1165 O’Brien Drive and 1 Casey Court, is north of US 101 in the city of Menlo Park (as shown in Figure 1). The site is bounded by the Hetch Hetchy right-of-way to the north, O’Brien Drive to the east and south, and a warehouse to the west adjacent to Kelly Court. In addition, Dura-Foam Roofing and Wund3rSCHOOL/Open Mind School, a small private school, are slightly north of the Project site. Farther north, beyond the campus, are the Dumbarton Rail Corridor (inactive) and State Route 84. Neighborhoods in East Palo Alto are located east and south of the Project site. A Menlo Park neighborhood, Belle Haven, is west of the Project site, across Willow Road. The closest single-family residences are approximately 300 feet from the Project site.

The Project site is zoned Life Science, Bonus (LS-B) per the General Plan and M-2 Zoning Update (referred to as ConnectMenlo). The Development Lot (Parcel 1) includes the existing buildings at 1105, 1135, and 1165 O’Brien Drive. The three single-story buildings, with a maximum height of 20 feet, are located on two properties (Assessor’s Parcel Numbers [APNs] 055-433-320 and 055-433-330). Also part of the Development Lot is an adjacent property to the west (APN 055-433-350) with an approximately 20-foot-wide drainage ditch that runs from storm drains in East Palo Alto. In total, the Development Lot has a lot area of 2.44 acres (106,355 square feet [sf]). Two of the existing office/research-and-development (R&D) buildings have a total area of approximately 26,911 gross square feet (gsf); the existing office/warehouse building has a total area of approximately 12,000 gsf, resulting in a total floor

area ratio (FAR) of approximately 37 percent across the three buildings. The buildings are surrounded by surface parking lots with 98 uncovered stalls. Minimal decorative landscaping is included at the front entries to the buildings or along the O'Brien Drive frontage. In addition, the Proposed Project includes development of a second parcel (Accessory Parking Lot or Parcel 2) located at 1 Casey Court (APN 055-433-180). This parcel would be used for surface parking. The Accessory Parking Lot has an area of approximately 1.68 acres (73,000 sf). The existing office/warehouse building on the parcel has a total area of approximately 20,955 gsf, a FAR of approximately 29 percent, and a height of approximately 19.2 feet. The Accessory Parking Lot currently has onsite surface parking with 44 uncovered stalls. Minimal landscaping exists on the property.

PROJECT DESCRIPTION

The Project Sponsor is seeking approval of bonus-level development, pursuant to provisions of the City Zoning Ordinance applicable to the Life Sciences (LS) zoning district, in order to permit construction of an approximately 131,825 gsf building for R&D and commercial uses as well as surface parking lots. Under the Proposed Project, the four existing buildings at 1105, 1135, and 1165 O'Brien Drive and 1 Casey Court would be demolished.

The Proposed Project would involve construction of a new five-story building with an area of approximately 131,825 gsf that would include R&D uses, office uses associated with the primary R&D use, a 500 sf chemical storage area associated with the primary R&D use, and ground-floor commercial space. The Proposed Project would have a maximum height of approximately 100.8 feet and a combined FAR of 1.24, or 124 percent. Across the Project site, the average building height would be approximately 60.6 feet. Furthermore, because the Project Sponsor is proposing bonus-level development, the City Zoning Ordinance requires the Project Sponsor to provide community amenities in exchange for bonus-level development.

The proposed building would accommodate approximately 124,821 gsf of R&D and associated office uses for life sciences, 2,659 gsf of ground-floor commercial/restaurant space, 500 sf of chemical storage space, 775 gsf for bicycle storage, and 3,070 gsf for storage/elevators/stairs. The building would be designed with the flexibility to accommodate a single R&D/life science tenant or meet the needs of multiple tenants. To the west would be approximately 89 surface parking stalls, with access to an additional 160 surface parking stalls on the adjacent Accessory Parking Lot.

In total, approximately 39,306 sf of open space would be provided throughout the Project site. The private open space proposed as part of the Project would include a 6,600 sf roof deck with landscaping and seating areas. The public open space along the street frontage would be landscaped with berms, trees, bioretention areas, and California-native vegetation. The public open space would be approximately 19,399 square feet in size. Furnishings at the public space adjacent to the proposed commercial/restaurant space may include trash receptacles as well as benches and outdoor furniture. The Project site would continue to be accessible from two driveways on O'Brien Drive as well as one on Casey Court. In addition, a secondary driveway would be provided in the northeastern portion of the Project site. A curb cut out would be included at the front of the proposed building on O'Brien Drive.

PROJECT APPROVALS

The following City discretionary approvals/actions¹ would be required prior to development at the Project site:

- Use Permit
- Architectural Control
- Lot Merger and/or Lot Line Adjustment
- Heritage Tree Removal Permit
- Below-Market-Rate Housing Agreement
- Environmental Review

As part of the Project review process conducted by the City, and not as part of the environmental review, a fiscal impact analysis would be prepared as well as a Housing Needs Assessment (HNA), pursuant to the terms of the settlement agreement with the City of East Palo Alto. In addition, an appraisal would identify the value of the community amenity to be provided in exchange for bonus-level development. Review of the Proposed Project by the City Planning Commission would be conducted as a part of the EIR review and entitlement process. The Planning Commission would be the final decision-making body on the requested land use entitlements and certification of the EIR.

RESPONSIBLE AGENCIES

The agencies listed below are expected to review the draft EIR to evaluate the Proposed Project:

- Bay Area Air Quality Management District
- California Department of Transportation
- California Regional Water Quality Control Board, San Francisco Bay Region/San Mateo Countywide Water Pollution Prevention Program
- City/County Association of Governments
- San Mateo County Transportation Authority
- Menlo Park Fire Protection District
- San Mateo County Environmental Health Division
- West Bay Sanitary District
- Native American Heritage Commission
- San Francisco Public Utilities Commission

¹ Determination of the final list of required discretionary approvals/actions would be based on the final development characteristics and site plans for the Proposed Project, which would be finalized prior to issuance of any permits or agreements.

INTRODUCTION TO EIR

The Project site is within the ConnectMenlo study area. ConnectMenlo, which updated the City General Plan Land Use and Circulation Elements and rezoned land in the M-2 Area (now referred to as the Bayfront Area), was approved on November 29, 2016. Because the City General Plan is a long-range planning document, the ConnectMenlo EIR was prepared as a program EIR, pursuant to CEQA Guidelines Section 15168. If a later activity would have effects that were not examined in the program EIR, Section 15168(c)(1) of the CEQA Guidelines states that a new initial study must be prepared. Section 15168(d) of the CEQA Guidelines provides the information needed for simplifying the preparation of environmental documents and incorporating by reference analyses and discussions as well as mitigation measures.

An initial study has been prepared to evaluate the potential environmental impacts of the Proposed Project and determine what level of additional environmental review is appropriate. In accordance with the requirements outlined in Section 15168(c) of the CEQA Guidelines, the initial study has been prepared to disclose the relevant impacts and mitigation measures covered in the ConnectMenlo EIR and determine whether the Proposed Project is within the parameters of the ConnectMenlo EIR. The initial study is available for review online through the Project website listed above. Because of the ongoing COVID-19 pandemic, hard copies are not currently available. Please contact David Hogan at dwhogan@menlopark.org if you require additional assistance.

As stated above, Section 15168(d) of the CEQA Guidelines provides for simplifying the preparation of environmental documents by incorporating by reference analyses and discussions. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152[d]). By tiering from the ConnectMenlo EIR, the environmental analysis for the Proposed Project relies on the ConnectMenlo EIR where applicable.

Based on the findings in the initial study, the ConnectMenlo EIR serves as adequate environmental analysis for some of the effects of the Proposed Project (e.g., is incorporated by reference, pursuant to Sections 15150, 15130, and 15183); however, a focused EIR will be prepared for potentially significant impacts that need further discussion and/or mitigation beyond that provided in the ConnectMenlo EIR. The focused EIR for the Proposed Project will be prepared and processed in accordance with CEQA and the CEQA Guidelines. In addition, pursuant to the settlement agreement in the *2017 City of East Palo Alto v. City of Menlo Park* case, certain topics have been identified as needing further environmental review. This EIR and the Initial Study were prepared in accordance with the terms of the 2017 settlement agreement, which allows simplification in accordance with CEQA Guidelines Section 15168 for all topic areas, except housing and transportation, and incorporates by reference the information contained in the ConnectMenlo Final EIR, as applicable.

The focused EIR will include an analysis of the potentially significant impacts of the Proposed Project on transportation. Furthermore, separate and apart from the focused EIR, the settlement agreement requires the preparation of an HNA to determine the potential multiplier effect from indirect and induced employment caused by the Proposed Project and its relationship to the regional housing market and displacement. The City anticipates that the HNA for the Proposed Project will be made available when the public draft of the focused EIR is released for review and comment. It must be noted that the HNA prepared for the Proposed Project, pursuant to the settlement agreement, is not required by CEQA. Regardless, the focused EIR will include an analysis of population and housing impacts, consistent with the information provided in the HNA.

PROBABLE ENVIRONMENTAL EFFECTS

Based on the conclusions in the initial study, the following topics will not be analyzed further in the focused EIR: aesthetics, agricultural and forestry resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, public services, recreation, and utilities and service systems. The focused EIR will analyze whether the Proposed Project would have a significant environmental impact related to the following areas:

- Air Quality
- Biological Resources
- Cultural and Tribal Resources
- Greenhouse Gas Emissions
- Noise
- Population and Housing²
- Transportation

ALTERNATIVES

Based on the significance conclusions from the focused EIR, alternatives to the Proposed Project will be analyzed to reduce identified impacts. Section 15126.6(e) of the CEQA Guidelines requires evaluation of a no-project alternative. Other alternatives may be considered during preparation of the focused EIR. These will comply with the CEQA Guidelines, which call for a “range of reasonable alternatives to the project, or to the location of the project, that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.” The focused EIR will discuss the process by which alternatives are identified. This includes consideration of any feasible alternatives suggested during the scoping process.

EIR PROCESS

Following the close of the NOP comment period, a draft focused EIR will be prepared that considers all NOP comments. In accordance with CEQA Guidelines Section 15105(a), the draft focused EIR will be released for public review and comment over a required 45-day review period. Following the close of the 45-day public review period, the City will prepare a final EIR, which will include responses to all substantive comments received on the draft focused EIR. The draft focused EIR, all public comments and recommendations, a list of all persons and organizations commenting on the draft focused EIR, all responses to comments prepared by the City, and any other information added by the City will compose the final EIR; thereafter, the final EIR will be considered by the Planning Commission and City Council when making the decision whether to certify the final EIR and approve or deny the Proposed Project.


Katie Meador, Senior Planner
City of Menlo Park

7/26/2021
Date

² No significant impacts related to population and housing are anticipated, but this topic will be included in the EIR, consistent with the 2017 *City of East Palo Alto v. City of Menlo Park* settlement agreement.



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