

Parkline EIR Scoping Comments

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From: [Brooke Cotter](#)
To: [Sandmeier, Corinna D](#)
Subject: Parkline/SRI project scoping study requests
Date: Sunday, January 8, 2023 5:36:43 PM

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Hi,

I am writing in regards to the proposed project at SRI and the impending EIR. I have been told that this is also the time the city will be including the metrics to study for their overall scoping of the proposed project. As such, I am requesting the following items be studied as part of the evaluation of this project:

- Traffic flow and congestion at all intersections and streets within a 1 mile radius of the project, at the proposed building size of 400 housing units, 600 units, and also at a lower density of 200 units for comparison. We are asking that you study the traffic impact (congestion, number of cars, pedestrian safety etc) at a variety of different office space densities as well.
- We are asking for a study of traffic impact of a project design that DOES NOT HAVE a vehicular entrance on Laurel Street to the apartment complexes. We request that you study the traffic impact on all streets and intersections within 1 mile of the project when there is an entrance on Laurel (as currently proposed) and without one (as asked for by the local community). Study this difference (no entrance versus an entrance at Laurel) at a size of 200, 400, and 600 units. Specifically including, but not limited to, car trips on Laurel St, Waverley, Willow, and Linfield.
- study the feasibility of pedestrian safe crossing on Laurel
- Project impact on local public facilities: fields (including sports programming), gymnasium, pool, and library. We are asking that you study this at the proposed building size of 400 units, 600 units, and also at a lower density of 200 units for comparison.
- Impact of construction and longer term effects of underground parking (as suggested by community) versus above ground (as planned)

Thank you for your time,
Brooke Cotter

From: [David Fencil](#)
To: [Sandmeier, Corinna D](#)
Subject: Parkline
Date: Tuesday, December 6, 2022 2:24:23 PM

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I was looking at the map of the proposed Parkline development...the map was very small but there was green at the corner of Ravenswood and Middlefield...between the church and Middlefield...if that is a park, my experience with the police department would predict a big problem with kids hanging around even during school days and other kids hanging out waiting for the HS kids...
Dominick (650) 269-6279

Sent from [Mail](#) for Windows

From: [Denis Kourakin](#)
To: [Sandmeier, Corinna D](#)
Subject: SRI project - environmental report
Date: Monday, January 9, 2023 3:45:13 PM

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Dear Ms Sandmeier,

I am writing to you to provide my input into the SRI Parkline development project currently reviewed by the city.

I firmly believe that in the current scope the project would significantly overdevelop the SRI land plot, overburden existing city infrastructure - traffic, schools, parks, etc and will decrease the quality of life for the current residents.

I encourage the city to study the environmental impact of the project in the reduced scope - with lower number of residential units and/or office space.

Furthermore, I would encourage the planning commission to study the full housing impact of the proposed project - with the currently proposed significant new office construction it would require the city to build even more below market rate housing in the future. With that said, I would encourage the city to request a proposal from the developer that would consist of only housing development - i.e. no new office construction.

Kind regards,

Denis Kourakin,
Menlo Park resident since 2009

From: [Gail Gorton](#)
To: [Sandmeier, Corinna D](#)
Subject: EIR Regarding Parkline/SRI Project
Date: Monday, January 9, 2023 3:42:12 PM

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Dear Corrina,

As a Menlo Park resident, I'm requesting that a third option be included in the EIR scope of the Parkline/SRI project. I think it is important for the city to consider the impact of a smaller scale option with the following:

- Maintain the original 400 housing units with 20% of them at BMR units
- No driveway access onto Laurel for the apartment complex in order to protect bike safety for school children and pedestrians, and to avoid gridlock on Laurel.
- Add an access driveway on Middlefield near Ringwood
- Study traffic flow/congestion within a **one-mile radius** of the project
- Include the impact of CalTrains raising train-tracks at Alma and Ravenswood
- Reduce the amount of office space to comply with the current C1 zoning
- Increase parking for renters and employees since inadequate parking forces apartment renters, visitors and employees to clog residential streets with traffic while looking for parking and taking up limited residential parking
- Include underground parking for ALL of the apartment complex, and a portion of office building
- Include impact on use of already limited facilities at Burgess Park

Thank you for your attention to this matter.
Gail Gorton

From: Henry Biggs
To: Sandmeyer, Corinna D
Cc: Peralta, Kyle T; Taylor, Cecilia; Chris DeCardy
Subject: 333 Ravenswood, Ravenswood re-route
Date: Saturday, December 10, 2022 5:43:49 PM
Attachments: light radius offset.pdf
F&P high speed offset.png

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Hi Corinna,

I had a glimpse of the street offset reportedly proposed by Fehr and Peers. It seems as if they feel our 30 mph roadway is comparable to Alpine Rd in terms of vehicle speed requirement. The site planning would be significantly impacted by such a path, and I for one would not support that.

Before we abandon the goal of re-alignment, I wonder if we should look at an offset using the existing curve radius of the right turn lane currently in use? While not a 30 mph curve, it is comfortable in use except for the current merge, which would go away.

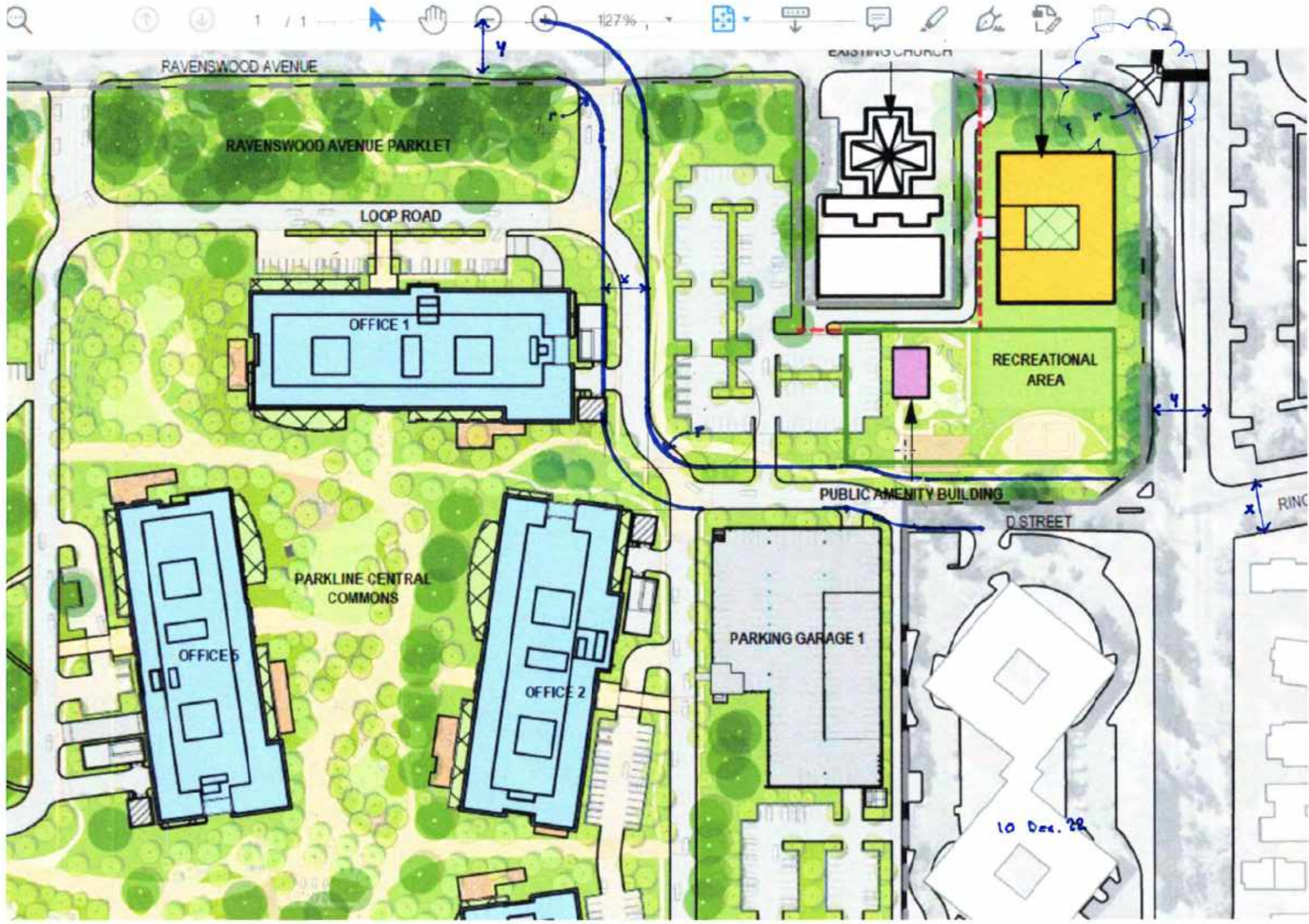
Attached is an alternative alignment using that curve radius "r", and Ringwood and Middlefield roadway widths "x" and "y" respectively, as noted. This is only a concept sketch of course, but I hope F&P can speak to a similar option on Monday.

Thanks,

Henry



 Public Road



From: [Henry Riggs](#)
To: [Sandmeier, Corinna D](#)
Subject: Re: 333 Ravenswood, Ravenswood re-route
Date: Monday, December 12, 2022 12:27:50 PM
Attachments: [+50% radius alignment.pdf](#)

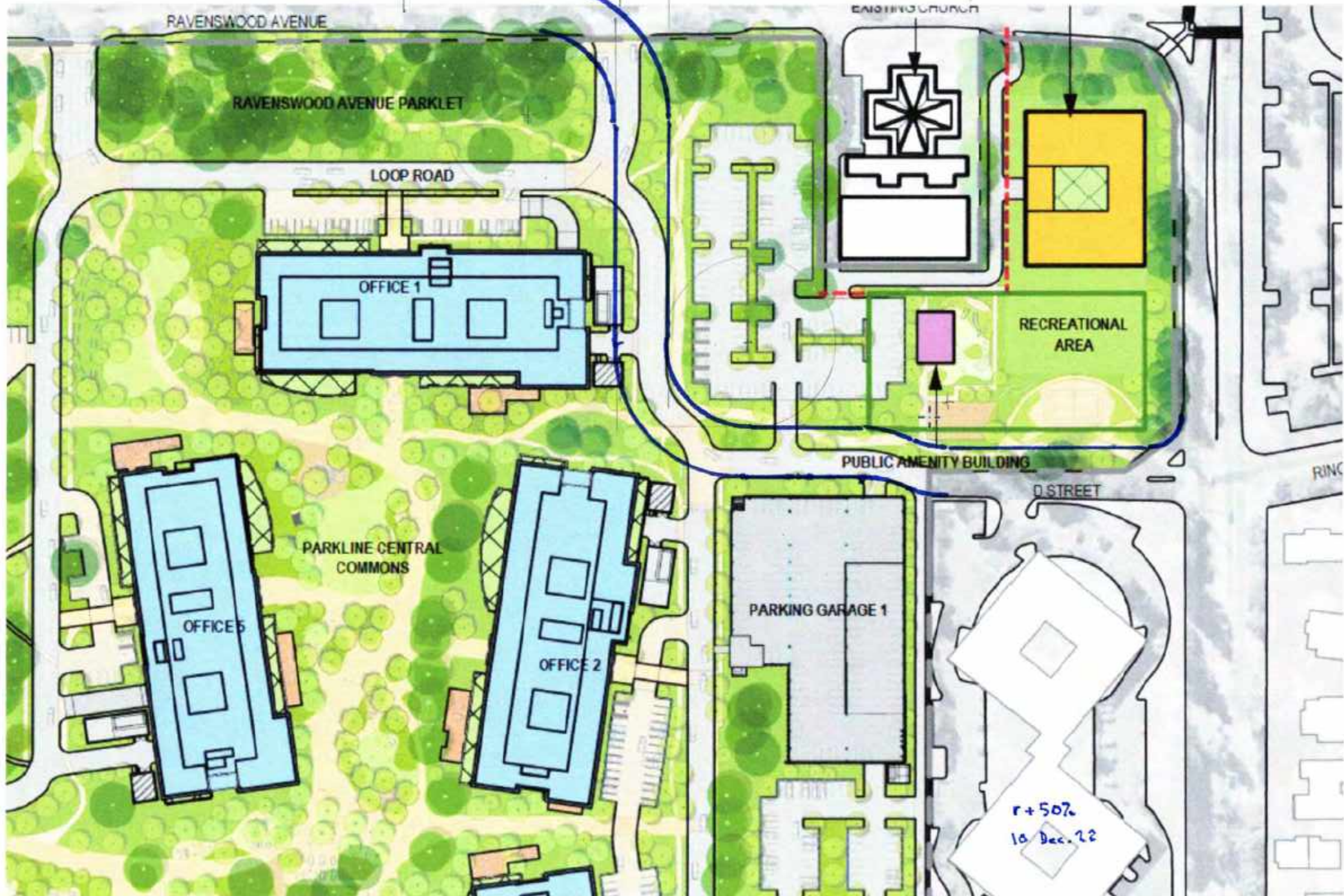
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Corinna

Having done one sketch, I did another, using a minor radius 50% larger than the referenced existing, in case it's helpful. Attached.

Henry

> On Dec 10, 2022, at 5:43 PM, Henry Riggs <hrriggs@comcast.net> wrote:
>
> Hi Corinna,
>
> I had a glimpse of the street offset reportedly proposed by Fehr and Peers. It seems as if they feel our 30 mph roadway is comparable to Alpine Rd in terms of vehicle speed requirement. The site planning would be significantly impacted by such a path, and I for one would not support that.
>
> Before we abandon the goal of re-alignment, I wonder if we should look at an offset using the existing curve radius of the right turn lane currently in use? While not a 30 mph curve, it is comfortable in use except for the current merge, which would go away.
>
> Attached is an alternative alignment using that curve radius "r", and Ringwood and Middlefield roadway widths "x" and "y" respectively, as noted. This is only a concept sketch of course, but I hope F&P can speak to a similar option on Monday.
>
> Thanks,
>
> Henry
>
> <tight radius offset.pdf><F&P high speed offset.png>



r + 50%
10 Dec. 22

From: [Jeff Staudinger](#)
To: [Sandmeier, Corinna D](#)
Subject: Comments on SRI/Parkline EIR Scoping
Date: Monday, January 9, 2023 1:18:42 PM

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Dear Ms. Sandmeier:

In regards to the EIR that is to be prepared for the proposed Parkline/SRI Re-Development project, I wish to see the following two "variants" added to the list of project Alternatives that will be considered under the EIR:

1) The developer's original proposal (400 units, 15% BMR, etc.) as submitted to the city back in October of 2021. That was a reasonable proposal which had been presented to the city council as well as vetted with local residents before being formally submitted to the city. As such, and given its significantly lower environmental impacts, it is certainly worthy of further consideration as an Alternative to the current project proposal.

2) A lower-impact option now being floated which modifies the current proposal as follows:

- Reduce housing back down to 400 units (as per the original project proposal), but raise the BMR % requirement from 15% to 25%.
- Reduce the amount of office space to comply with current C1 zoning requirements.
- Eliminate the driveway onto Laurel Street from the apartment buildings to preserve bike safety for school children and pedestrians and to avoid gridlock on Laurel.
- Increase parking for both renters and employees since inadequate parking forces those folks to clog residential streets with traffic while looking for parking and then take up limited residential neighborhood parking
- Include underground parking for both the housing units and the offices to reduce the overall height of the project (most notably to reduce the height of the 3-story parking garage proposed behind existing Barron Street homes)
- Include the proposed emergency water storage tank as part of the project (as a "community benefit").

Additionally, I wish to comment that for a project this size - with many impacts and many unknowns - a comprehensive Fiscal Impact Analysis (FIA), as was performed in the case of the Menlo Gateway Project, should also be prepared and presented along with the EIR for consideration by City Council in making their final decision on the proposed project.

Thank you.

Respectfully submitted,

Jeff Staudinger
Menlo Park Resident

From: [Judith Asher](#)
To: [Sandmeier, Corinna D](#)
Cc: [Sandmeier, Corinna D](#); [Planning Commission](#)
Subject: Request for studying a smaller scope option for the SRI/ParkLine EIR
Date: Monday, January 9, 2023 7:12:59 PM

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Attention:
Corrina Sandmeier -- Acting Principal Planner
and the Menlo Park Planning Commission

Dear Corrina and Planning Commission,

As a resident of The Classics at Burgess, we are requesting a third level in the EIR scope to review a lower-impact, smaller development option -- especially since the proposed plan **INCREASES the affordable housing deficit.**

In this smaller-scope project, we request the EIR to measure the following:

1. The SRI/ParkLine project should net out to provide the state-mandated housing that the amount of office planned will require Menlo Park to build.
 - o Reduce the amount of office to comply with the current C1 zoning. The planned office use will actually **NEGATIVELY** impact the affordable housing deficit and result in increasing the deficit due to the proposed office use. The risk of the projected lab use FAR being changed to higher employee densities per 1000 square feet will further increase the affordable housing deficit. In short, the office size and density is creating a bigger housing problem.
 - o Keep the housing at 400 apartments, but have 25% of them be BMR (Below Market Rate) units, so the separate one-acre donation being considered for an affordable housing development will not be required.
2. Study the option of removing the apartment complex driveway onto Laurel to preserve bike safety for school children and pedestrians and to reduce the existing gridlock on Laurel Street. The smaller driveway for the townhome residents can remain as indicated in the current plan.
3. Measure the use of the (currently gated) SRI driveway onto Middlefield to redirect traffic flow as a viable alternative to the removal of the Laurel Street for the apartment buildings. The office traffic can be significantly reduced on the Ravenswood driveways if the Middlefield driveway opens (it will reduce Ravenswood gridlock to/from Middlefield and El Camino) and direct commuter traffic closer to Willow and Highway 101.
4. Increase parking for renters and employees since inadequate parking forces apartment renters, visitors and employees to clog residential streets with traffic while looking for parking and for taking up limited residential parking
(Note: In the 12/12 Planning Commission meeting on the SRI EIR, some commissioners wanted to reduce the proposed parking to force renters/employees to use public transit. But the representative from the firm that will conduct the EIR said that studies showed that reducing parking spaces did NOT reduce cars or numbers of car trips. It just pushed drivers to surrounding residential areas to take street parking, which added traffic as well. There were no reductions in Greenhouse Emissions or in number of car trips.)
5. Provide underground parking for the housing units and for the offices to reduce the overall height of the project (notably to reduce the height of the 3-story parking garage behind the Barron Street

homes) and the potential of five six-story apartment buildings if the project is approved for the 600 total housing unit option being reviewed.

6. Include the emergency water storage tank since there is no emergency water for residents and workers west of El Camino (per the latest water report) which said the emergency well in the city yard is not online yet. The risk of toxic contamination of the city yard emergency well makes it a problem since the city's gas tanks and city yard with other toxic substances (oil, pesticides, etc.) are above it could leak into the groundwater, especially in the expected large earthquake event at some point in the future.

Thank you for your help in getting this lower-impact option included in the EIR so we have a solid comparative analysis of the other two scenarios, especially the much larger scope option, that are being proposed in the EIR scope.

Judith S. Asher
530 Barron Street
Menlo Park, CA 94025

From: [Kenneth Everett Mah](#)
To: [Sandmeier, Corinna D](#)
Subject: Parkline Master Plan Project EIR & NOP - Written comment
Date: Sunday, January 8, 2023 10:43:27 PM

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Dear Ms. Sandmeier, Planning Commission, and City Council of Menlo Park,

My wife and I are writing to express our concerns about the project overall and EIR, and request additional items be added to the scope and be studied/changed. We, along with our 4.5yo daughter and 6mo son, bought our home in the Burgess Classic neighborhood ~1 year ago (November 2021) and live directly on Laurel St across from Burgess Pool. I am faculty at Stanford School of Medicine. We have lived on Laurel St for now 6+ years total.

Generally, we are concerned about the impact of the size of the residential and commercial development on local safety and resources. Specifically, traffic on Laurel St, safety of biking and walking on Laurel street especially for children since it's a safe route to school, and utilization of Burgess Park amenities.

- Entrances/exits on Laurel St
 - These should all be removed. All traffic, both residential and commercial, should be routed to Middlefield and Ravenswood. There is an opportunity to create an additional network of roads within SRI to either offload current traffic or at a minimum keep new traffic that will be added by this project off Laurel St, which is residential. We requested this in writing and verbally to both the City Council/Planning Commission and Lane Partners, but continue to be ignored and have not received any explanations on why they want to direct the new residential traffic onto Laurel as opposed to the internal SRI roads or Ravenswood. Furthermore, not having driveways onto Laurel would encourage new residents to use alternative modes of transportation rather than drive.
 - Request: Please remove all entrances/exits on Laurel St, or study the impact on traffic on Laurel St and demonstrate there will be no difference from the current state. Also, study the impact at the different variations of housing density.
- Safety on Laurel St
 - Laurel St is a residential street that is designated a safe route to school. Any increase in car traffic or driveway use (the current SRI driveways on Laurel have minimal traffic to no traffic) will compromise the safety of children. Walking and biking will be more dangerous due to traffic and more intersections. We have verbally requested Lane Partners extend truly protected (by physical barriers such as curb, and not just paint) bike lanes in both directions on Laurel from Ravenswood to Burgess, and they verbally agreed, but we don't see it on the proposal.
 - Request: Please remove all entrances/exits on Laurel St, or study the impact on traffic on Laurel St and demonstrate that traffic accidents (car vs car, car vs bike, car vs pedestrian) will not increase, and the impact of at the different variations of housing density.
 - Request: Install truly protected (by physical barrier such as curb or immobile ballard) bike lanes in both directions on Laurel St from

- Ravenswood to Burgess.
- Request: Install truly protected (by physical barrier such as curb or immobile ballard) bike lanes in both directions on Burgess Drive from Laurel St to SRI/Menlo Park Corporation Yard (since this will be open to bike/pedestrian traffic).
 - Also, would like protected bike lanes the full length of Burgess between Alma and SRI whether as part of this Parkline Project or the Middle Tunnel.
 - Utilization of Burgess Park amenities
 - Adding 400+ units and commercial space will severely overcrowd the amenities at Burgess Park, and decrease how current residents can use them. These include the pool, tennis courts, playground, library, gymnastics center, etc. and the associated classes with them, such as gymnastic and dance classes, swim lessons, etc.
 - Request: Study the impact on Burgess amenities by specific amenities, not generally, and class/course offerings at each amenity, and demonstrate there will be no difference than current state. Also, study the impact at the different variations of housing density.
 - Request: Give Burgess Classics residents priority and discounted/free access to Burgess Park amenities if the Parkline development will impact access in any way.
 - Menlo Park Corporation Yard Parking lot
 - This parking lot is primarily used by MP staff during the day, and Burgess Classics residents at night. We are currently not allowed to get annual overnight parking passes despite our limited street parking, but we can use the lot and tennis court. We are concerned that Parkline residents and workers will use the lot, as will other people who come to use the public space and amenities in Parkline as it is the closest parking lot to SRI/Parkline.
 - Request: Study the impact of the development on use of the Corporation Yard parking lot during the day, evening, and overnight, and demonstrate there will be no impact.
 - Request: If there is an impact, make lot not accessible to Parkline residents or workers nor the public, and give Burgess Classic residents access to overnight annual parking permits for free so we can park on the streets of Burgess Classics (Thurlow, Hopkins, and Barron) and the Corporation Yard parking lot.

Please let me know if you have questions or need clarification about these concerns or requests. Also, can you confirm receipt and that these requests will be included?
Thank you for your time and consideration,
Kenneth

From: [Michael Hart](#)
To: [Sandmeier, Corinna D](#)
Cc: [Jessica Hart](#)
Subject: Parkline Notice of Preparation comments
Date: Sunday, January 8, 2023 11:22:12 PM

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Hi Corinna - I am writing to submit feedback regarding the Notice of Preparation for the EIR study of the proposed redevelopment project at 333 Ravenswood Ave. For context, I live in the Burgess Classics community adjacent to the SRI campus with my wife Jess (cc'd).

While we understand from speaking with Jen Wolosin that the review process for this project is a complex, multi-step endeavor, we are concerned that limiting the EIR to the two project variants proposed will not provide enough information about how certain specific decisions will affect the overall impact this project has on our community.

Specifically, we would like to request that SRI and Lane Partners include in the study a project variant that has different entrances and exits for vehicle traffic to the office and apartment campuses. We (and many of our neighbors) have concerns about how this overall project will affect traffic congestion in the area, but without the benefit of an objective study comparing different alternative entrance and exit locations, we are left merely speculating and hoping for the best. If the traffic impacts (and alternatives) are a matter that will be studied outside of this EIR proposal, we would greatly appreciate transparency into when that study will be conducted and where the results will be published.

Thank you very much

Michael Hart

From: winterstorm@ymail.com
To: [Sandmeier, Corinna D](#)
Subject: Comments for the Parkline Project
Date: Sunday, January 8, 2023 4:52:40 PM

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Greetings:

My concerns for the project are centered around the safety of the community on Laurel Street and the surrounding neighborhoods.

It is imperative that no further entrances or exits are planned for vehicles on Laurel. The road is already a busy route for the children of the community to travel to school (whether by foot or bike). It will be a tragedy of epic proportions if an increase in congestion causes an accident. Minimizing further entry and exit will minimize this occurrence and should be a prime topic for any environmental impact study.

Additionally, with such a large project, there must be some benefit to the community in the immediate area whether it be playground structures, athletic fields or courts, and parks or gardens for the members of the community.

Many of us feel that increase from 400 to 600 and now 650 units is not justified. The initial plan for 400 units was a shock and now the increase appears to be an attempt to maximize the amount of housing to no end. More importantly, it seems that the projected pricing of the monthly rent for the units in comparison to newly built units in the community already make it financially impossible for those many groups to live there. Perhaps increasing the percentage of units for lower income groups should be increased.

Michael M Kim, MD

From: [Pam Fernandes](#)
To: [Sandmeier, Corinna D](#)
Subject: SRI Development
Date: Wednesday, December 28, 2022 10:57:12 AM

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Hi Corrina,

I wanted to send some input regarding the SRI redevelopment project. My family and I live in Burgess Classics (536 Hopkins) and like to use the amenities across the street - pool, playground, library, rec center, etc. We also often cut through the Burgess Park area to walk downtown, etc.

My main concern is having an exit from the housing complex onto Laurel. (I know it can't be avoided for the townhomes.)

Currently, there are times during the day when it becomes difficult to cross Laurel to get to Burgess Park because of the vehicle traffic. Also at times it feels unsafe for the kids biking to/from school along Laurel. With the stated intention of encouraging people from the new SRI Development to cross Laurel to use the city facilities and access transportation and downtown, it seems like having an additional entrance/exit to the complex is inconsistent with that intention.

No matter how things are configured there will be additional traffic on Laurel but preventing an additional entrance/exit would make it more manageable and safer for residents to cross.

Thanks for your consideration.

Sincerely,
Pam Fernandes

From: [Patti Fry](#)
To: [Planning Commission](#)
Cc: [CCIN](#)
Subject: SRI site EIR Scoping Discussion
Date: Saturday, December 10, 2022 2:40:15 PM

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Planning Commissioners -
Recommendations related to the EIR -

1. include a Jobs/Housing Balanced Alternative to be studied in the EIR - This would examine a scenario in which the maximum number of workers can be no greater than twice the number of housing units provided in the project or funded in Menlo Park by the project
Rationale: Menlo Park's jobs/housing ratio has been increasing further away from its projections of improved balance. The city now is under pressure to add considerably more housing because it has added a large number of jobs in recent years, and approved projects bringing in thousands more jobs without commensurate increases in housing. This project represents an opportunity to improve the jobs/housing balance. As proposed, the project would worsen the imbalance. This should be an environmentally superior Alternative, reducing potential car commuters and reducing impacts on city infrastructure.

2. In the analysis of impacts, assume that the project would involve more intense 'packing" of workers in the space than assumed in the staff report. The staff report states an intention of using a aratio of 250 SF/office worker and 350 to 425 SF/ per life sciences worker. The analysis should instead utilize the 150 SF/office worker ratio utilized in Facebook expansion EIRs, typical of Silicon Valley business practices. It also should utilize no more than 300 SF/Life Sciences worker unless the overwhelming majority of Life Sciences space is dedicated to wet labs. In our city and area, Life Sciences companies utilize space similarly to office spaces so the occupancy analysis should utilize more workers by type of space than described in the staff report..

Rationale: using these higher occupancy rates, the EIR would better reflect local practices, thereby avoiding the undercounting and underestimating of the real impacts of the project.

3. In the analysis of impacts, compare net new workers against the current level of occupancy not against the 1975 cap. The staff report states that the occupancy has ranged from the current 1,100 workers to a high of 2,000 in the period since 2003. The current amount or average of the recent range should be used as the baseline occupancy

Last, in site planning, please keep massing and vehicular circulation away from existing and new housing as much as possible, with transitions of lower facade heights, building heights as well as greater setbacks and lines of sight that are protective of privacy and solar access.

Thank you for your service,
Patti Fry
former Menlo Park Planning Commissioner

From: [Paul Collacchi](#)
To: [CCIN](#)
Cc: [Planning Commission](#)
Subject: Paul Collacchi Comments on SRI EIR scope
Date: Sunday, January 8, 2023 5:53:05 PM
Attachments: [PJC SRI EIR comments v2.0.pdf](#)
[PJC SRI EIR Appendix 1 - 042500 - SRI task force final prioritized issues.pdf](#)
[PJC SRI EIR Appendix 2 - 021800issues - SRI task force1.pdf](#)
[PJC SRI EIR Appendix 3 - 022200tc- Revision of LUCS Task One Findings.pdf](#)

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January 7, 2023

Council members, Planning Commissioners, and Staff,

Thank you for receiving these comments regarding the EIR for the Parkline masterplan ("SRI") project.

The comments append and incorporate historical city documents.

For historical perspective, these comments append and include two public documents created by the City for the 2000 SRI Task force, and a single public document from the 2000 Land Use and Circulation Study ("LUCS"). They include by reference any other existing SRI Task Force or LUCS document still in possession of the City, and any and all City documents associated with the 2013 SRI Campus Modernization project whose CEQA EIR NOP was submitted in July 2013.

- Appendix 1 -- Task Force recommendations for future use/mitigation of the SRI site.
- Appendix 2 -- A thorough regulatory history of SRI including a list of items the Task Force considered.
- Appendix 3 --A Staff Report for the LUCS project showing scope of future planning for the greater downtown Menlo Park area. It describes alternate futures for the SRI site used by the SRI Task Force.

Though the SRI Task Force documents do not appear on City letter head, to the best of my recollection that they are authentic and unaltered copies of public documents that existed at the time and were given to me by staff.

The LUCS and the 2000 SRI task force reviewed SRI alternatives

The LUCS studies coincided with the 2000 SRI Task force whose recommendations are included in the appended documents. The 2000 SRI Task force looked at several alternatives for the SRI site.

1. Proposed [2000] master plan development (1,545,000 s.f.).
2. Reduce development to currently allowed 30% FAR for zoning district.
3. Maintain existing development.
4. Maintain existing development or reduce development to currently allowed 30% or 25% FAR for zoning district, but allow residential development at a higher FAR.
5. Rezone to all residential.

Eliminating the existing Conditional Develop Permit employment caps and counting rules quadruples the site's net housing deficit.

The project proposes to eliminate the existing Conditional Development Permit ("CDP"). The impacts on the project's ability to increase the housing deficit is shown below. Without CDP restrictions the housing net deficit potential swells from 608 units to 2527 units. (table below)

CDP Employee

	Housing Demand		Limits	
	Area	Employees	Debited cap	
Office @4/1000 sf (250sf)	1,100,000	4400	Non-SRI @ 2:1	2775
Retained lab @ (515) sf	287,000	557		838
Total Project Employment		4957		
Existing Employment		1100	Existing SRI	1100
Net New Project Employment		3857	Total Site	1938

	Housing Supply		
	Du's	Employees* housed	
Luxury units w/BMR @1.9 emp/du*	600	1140	1140
Affordable units @ 1.9 emp/du*	100	190	190
Total Employees Housed		1330	1330

	Project (Demand-Supply)	Site (Demand-Supply)
Total project impact on Deficit	2527	608

There are superior project alternatives consistent with policy that should be reviewed.

In my view, several of the LUCS alternatives are clearly superior policy alternatives and should be studied as alternatives in the EIR. In particular they retain CDP employment caps but allow additional housing in place of office thereby increasing housing supply.

My comments are organized in four sections.

- 1.) Proposed alternatives to be studied
- 2.) Comments regarding EIR analysis
- 3.) Comments regarding the Housing Needs Assessment ("HNA")
- 4.) Comments regarding the Financial Impact Analysis. ("FIA")

Sincerely,

Paul Collacchi
Redwood City, CA



Virus-free. www.avast.com

January 7, 2023

Council members, Planning Commissioners, and Staff,

Thank you for receiving these comments regarding the EIR for the Parkline masterplan ("SRI") project.

The comments append and incorporate historical city documents.

For historical perspective, these comments append and include two public documents created by the City for the 2000 SRI Task force, and a single public document from the 2000 Land Use and Circulation Study ("LUCS"). They include by reference any other existing SRI Task Force or LUCS document still in possession of the City, and any and all City documents associated with the 2013 SRI Campus Modernization project whose CEQA EIR NOP was submitted in July 2013.

- Appendix 1 -- Task Force recommendations for future use/mitigation of the SRI site.
- Appendix 2 -- A thorough regulatory history of SRI including a list of items the Task Force considered.
- Appendix 3 --A Staff Report for the LUCS project showing scope of future planning for the greater downtown Menlo Park area. It describes alternate futures for the SRI site used by the SRI Task Force.

Though the SRI Task Force documents do not appear on City letter head, to the best of my recollection that they are authentic and unaltered copies of public documents that existed at the time and were given to me by staff.

The LUCS and the 2000 SRI task force reviewed SRI alternatives

The LUCS studies coincided with the 2000 SRI Task force whose recommendations are included in the appended documents. The 2000 SRI Task force looked at several alternatives for the SRI site.

1. Proposed [2000] master plan development (1,545,000 s.f.).
2. Reduce development to currently allowed 30% FAR for zoning district.
3. Maintain existing development.
4. Maintain existing development or reduce development to currently allowed 30% or 25% FAR for zoning district, but allow residential development at a higher FAR.
5. Rezone to all residential.

Eliminating the existing Conditional Develop Permit employment caps and counting rules quadruples the project's net housing deficit.

The project proposes to eliminate the existing Conditional Development Permit ("CDP"). The impacts on the project's ability to impact the housing deficit is shown below. Without CDP restrictions the housing deficit potential swells from 608 units to 2527 units. (table below)

	Housing Demand		CDP Employee Limits	
	Area	Employees	Debited cap	
Office @4/1000 sf (250sf)	1,100,000	4400	Non-SRI @ 2:1	838
Retained lab @ (515) sf	287,000	557		
Total Project Employment		4957		
Existing Employment		1100	Existing SRI	1100
Net New Project Employment		3857	Total Site	1938

	Housing Supply		
	Du's	Employees* housed	
Luxury units w/BMR @1.9 emp/du*	600	1140	1140
Affordable units @ 1.9 emp/du*	100	190	190
Total Employees Housed		1330	1330

Project (Demand-Supply)		
Total project impact on Deficit	2527	608

There are superior project alternatives consistent with policy that should be reviewed.

In my view, several of the LUCS alternatives are clearly superior policy alternatives and should be studied as alternatives in the EIR. In particular they retain CDP employment caps but allow additional housing in place of office thereby increasing housing supply.

My comments are organized in four sections.

- 1.) Proposed alternatives to be studied
- 2.) Comments regarding EIR analysis
- 3.) Comments regarding the Housing Needs Assessment ("HNA")
- 4.) Comments regarding the Financial Impact Analysis. ("FIA")

Sincerely,

Paul Collacchi
1 Lake Ct
Redwood City, CA

Section 1.) SRI project alternative: LUCS # 4. C-1 FAR office alternative.

The EIR should study a "C-1 FAR" office alternative consistent with restrictions placed upon the site by the existing Conditional Development Permit in conjunction with the underlying C-1 zoning harmonized with the primary recommendation made by the 2000 SRI task force for the site; namely:

"Any SRI project should not have any greater traffic impacts or impacts on sewer, water, or other municipal services than would a comparable office project developed in accordance with the underlying C-1 zoning regulations. The Floor Area Ratio (FAR) for the site shall be established as a baseline of 25% to 30% (as established for the C-1 zoning district as a result of the Land Use and Circulation Study prior to approval of the SRI proposal). Additional FAR may be allowed, if conditions are imposed to guarantee that traffic and other impacts won't exceed an office project complying with the C-1 zoning regulations, subject to the requirements that the number of parking spaces does not exceed 1,932 to 2,319 spaces and the number of on-site employees, contract workers, and non-SRI tenants (calculated at a ratio of 2 to 1) does not exceed 1,932 to 2,319 persons. The maximum FAR allowed for the property should be 35% to 45%. (Some members of the task force feel that the maximum FAR should be 35% while other members feel that 45% may be appropriate if it is demonstrated that the project will not exceed the impacts of an office project complying with the C-1 zoning regulations.

The alternative should be constructed in good faith by Staff, using one of several methods outlined below, but generally speaking the alternative would study non-lab (i.e office) buildings at C-1 densities (30% FAR). This option would leave proposed SRI lab and housing components untouched , but reduce the proposed office components by up to 50%.

Methods of Construction of the C-1 FAR Alternative

Suggested Construction Methods

a.) Consistent with the stated intent of the applicant to submit a tentative parcel map to aggregate SRI parcels and then sub-divide so that each office resides on a distinct parcel, the alternative would limit construction of each office on a separable parcel to C-1 densities (30% FAR).

b.) Consistent with existing CDP historical practices, employment caps, and counting rules, the method would compute SRI and non-SRI employment caps for the site and propose office adequate to meet the employment caps using proposed occupancy rules of thumb.

CDP rules and historical practices.

- Beginning with Classics of Menlo, the SRI site has been given an employment cap.
- Beginning with Classics of Menlo, the SRI site employment cap has been reduced proportionately when SRI land is subdivided and divested.
 - Under this practice the cap of 3308 would be further reduced to 2775 to reflect the divestment of the housing parcel.
 - Regardless of this rule, since 2000 SRI has twice asked for an employment cap of 3000.
- Non-Sri employees are counted as two employees ("2:1").
- Offices in the "Middlefield commercial corridor", including the McAndless building on divested SRI property, is zoned C-1 with 30% FAR. The only exception is the Federally owned USGS building which is exempt from local zoning.

SRI and non-SRI employment caps under the CDP rules

Given these rules and practices here is a range of SRI and non SRI employment for the site.

	"Low"	"Current"	"High"
Site Employment cap under the CDP	2775	2775	2775
SRI Employees	550	1100	1500
Non-SRI employees allowed under 2:1 CDP	1113	838	638
Total Site Employment under CDP	1662	1938	2138

Non-SRI Office needed for the CDP employment caps (1000's sf)

Here are computations of office required for non-SRI use on the site.

	"Low"	"Current"	"High"
Non-SRI office @ 4/1000 (250sf)	278	209	159
Non-SRI office @ 2.2/1000 (450sf)	501	377	287

Parking under the C-1 FAR alternative

Assuming that parking is proportionate to office space and employment density, then the C-1 FAR alternative would have a significantly reduced parking footprint, from 2800 spaces to at most 2100.

Observations from the reconstruction data

These limits are very consistent with those given the by SRI Task force as computed by staff in 2000. Under the CDP, the maximum allowable non-SRI office, would not exceed 500k sf,

about half of what is being proposed. This is why the EIR should study a CDP/C1 conforming alternative.

Non-SRI use of the site varies inversely with SRI use of the site. If SRI employment increases then, under the CDP, there is no need for more than 287k sf of non-SRI office. The greatest amount of non-SRI ("office) occurs when SRI employment is at its lowest, 550 employees, half of what is reported as "current."

Possible footprint of the C-1 FAR alternative

The reduction in office space can be accomplished by reducing the number of floors in buildings and/or removing buildings. Similar logic applies to parking structures. Consistency with CDP height limits may require eliminating floors rather than entire buildings.

Regardless, for the purpose of the EIR, the C-1 FAR alternative can analyze the proposed footprint at reduced intensities by assuming fewer floors and/or buildings with lower or fewer parking structures.

Policy justification for the C-1 FAR alternative

- It is totally consistent with Menlo Park policy alternatives in the LUCS examined by the SRI Task force and preferred by the task force.
- It is totally consistent with 2000 CDP practices to restrict non-SRI and non-Lab uses of the site to C1 equivalent employment densities.
- It is consistent with the underlying C1 zoning.
- It has a superior jobs/housing ratio
- It is environmentally superior

It cannot be the goal of the project to "make as much money as possible from the site" and thereby declare all less intense alternatives as "unreasonable" or "infeasible" because they would generate less revenue.

Menlo Park has been fair and generous with SRI

Historically, SRI has enjoyed generosity and good will from the city of Menlo Park. SRI was allowed large amounts of low-intensity lab space. Since, then the intensity of the original campus has inflated as SRI divested land later redeveloped by 3rd parties such as McAndless and Classics, while keeping the same amount of lab space on an ever-decreasing core campus.

The CDP intended to protect Menlo Park and limit non-SRI office use of the campus.

In or about 2000, SRI's financial struggles led the non-profit to sell more land (Classics of Menlo) and rent its own internal office space to find new revenue streams. Menlo Park

accommodated SRI but placed protections into the CDP that would limit SRI's ability to intensify the site with non-SRI uses and to inflate SRI intensity when divesting land. Hence the CDP created a site employment cap, debited the cap proportionately when parcels were divested, and counted non-SRI employees double. The first two measures mitigate site employment density inflation. The last measure served as proxy to insure that non-SRI office re-use of the campus did not exceed C-1 zoning intensities.

The Parkline project proposal skirts the CDP protections

It seems clear that the Parkline project seeks to circumvent these protections by converting generous amounts of grandfathered lab-space into office uses, apparently in place, but in a manner that allows SRI to divest parcels and offices at twice the density, 60% FAR, allowed elsewhere in the Middlefield office corridor.

The project should be understood and analyzed as a conversion from SRI to a non-SRI office park

There is a clear difference between the physical configuration and description of the 2013 SRI Campus modernization project and the proposed 2022 Parkline project. This reflects different project goals and hence impacts alternatives.

Whether or not SRI intends to effectively or eventually abandon its MP research activities in favor of monetizing the site, under this proposal, there is good reason for Menlo Park to believe that the site is converting to one that could be used as a predominantly non-research non-SRI office park, and whose buildings might be sold to 3rd parties.

It is therefore reasonable for the EIR to construct and study alternatives for SRI expansion of the "Middlefield Commercial Corridor" consistent with goal of selling or renting the majority of the physical plant and "use" of the campus and that are consistent with historical divestment practice used for McAndless, and that are consistent with long-standing policy for C1 zoning elsewhere in the neighborhood, and which would provide no more opportunity for non-SRI uses, on site with no divestment, than would otherwise be allowed under the existing CDP.

Other project alternatives.

In its build out scenarios the LUCS considered these alternatives for the site:

1. Proposed [2004] master plan development (1,545,000 s.f of lab.).
2. Reduce development to currently allowed 30% FAR for zoning district.
3. Maintain existing [2004] development.
4. Maintain existing development or reduce development to currently allowed 30% or 25% FAR for zoning district, but allow residential development at a higher FAR.
5. Rezone to all residential

Each of these scenarios have valid policy reasons to be included in the EIR as alternatives. For example, flavors of 1 & 3 will be studied as the no-project alternative.

The LUCS analysis has clearly shown that replacing office with housing rapidly reverses housing deficits and reverses commute profiles with beneficial traffic impacts.

Herein I request such an alternative. The EIR should study an alternative that replaces proposed office with housing. For the purposes of the EIR study, this might include, consistent with reducing office to 30% FAR, allow tall offices, but replace any or all of the amenity building, parking structure 3, and office buildings 3 & 4 in favor of additional housing at suitable densities. The remaining parking structures can be reduced appropriately.

This alternative would retain the proposed housing units, the retained SRI labs, office buildings 1, 2, & 3 and required parking in structures at requested heights, but replace vacated office and parking footprint on the south side of the site with housing at appropriate densities.

Reduced office and increased housing would have much more favorable jobs/housing numbers and reverse the commute profile from predominantly in-bound commute to a heavier outbound commute reducing peak hour traffic impacts.

Section 2.) Comments regarding the EIR analysis.

Employment Densities.

Describe SRI site historical employment clearly and accurately.

Menlo Park Staff Report 22-073-PC states that

"The applicant indicates approximately 1,100 people are currently employed at the project site, although SRI's headcount has fluctuated between approximately 1,400 and 2,000 workers since 2003." (p3)

This count should be harmonized with Staff Report 13-097 which states

Current employee count at the SRI Campus includes approximately 1,500 SRI employees and an additional approximately 280 people who are employed by unrelated tenants. Based upon the CDP requirement that non-SRI employee count be calculated at a 2:1 ratio, these 280 people would equate to 540 employees, for a total employee count of approximately 2,040 employees.

Staff Report 13-097 is clear. Staff Report 22-073-PC is not. Does the 22-027-PC 2000 "headcount" embed the CDP 2:1 counting rules? If so, then actual SRI employment on the site has never exceeded 1500 since 2003 and is currently 1100

Whenever historical employment counts are discussed in the EIR they should explicitly clarify between bodies and counts. The EIR should call out the actual number of on-site employees (bodies) vs the "employee count" or "headcount" as computed under the CDP 2:1 rule, and they should explode employee data explicitly into SRI and non-SRI employees.

The history of SRI use over the last twenty years suggests that SRI has never employed more than 1500 of its own employees on the site. This figure should be the maximum used for the planning horizon of the EIR. If not, the EIR should explain in detail why not.

Describe future employee counts similarly and provide SRI counts anticipated over the lifetime of the EIR.

The EIR needs to determine and publish intended SRI employment densities for the time horizon of the EIR as it did the 2013 project and with Meta in the Willow Village project. How many SRI employees currently occupy the site? How many SRI employees will occupy the site over time?

What facilities will be needed by SRI employees over the horizon of the EIR? How much lab space and how much office space will SRI initially occupy at the beginning and over the lifetime of the EIR?

From these, the EIR can determine SRI and non-SRI employment densities and footprint.

Remote Employment

The EIR needs to discuss whether or not it analyzed offsite employment, how much, and if not, how the potential future impact of remote employment at the site can be mitigated (precluded) through regulatory mechanisms. These mitigations could and should be included in the Developer's Agreement.

Visual Impacts

The project proposes buildings in excess of 100 ft with rooftop equipment. These are higher than most if not all buildings, visible from many places including single family homes. The EIR analysis of visual impacts should perform shadow analysis and list/show all locations from which buildings heights are visible.

Traffic: Extraordinary cumulative impacts: "secondary diversion"

According to information in the appended LUCS document, then (year 2000) future build outs of the LUCS study areas would result in extraordinary traffic impacts previously unimagined by Menlo Park staff members.

Conventional wisdom in Menlo Park has been that regardless of land use development decisions in Menlo Park, future traffic related to regional growth would overwhelm major portions of the transportation system. The Land Use and Circulation Study forecast confirms that regional growth could have significant adverse effects on the circulation system in Menlo Park and consequent effects on the quality of life in the community. However, the forecasts also indicate a number of considerations that may not necessarily be consistent with prior conventional wisdom. These considerations include:

- “Theoretical build-out” of the General Plan land uses in Menlo Park in itself could have impacts on the local circulation system comparable to those of regional growth.
- The combined effect of “theoretical build-out” of the Menlo Park General Plan together with regional growth would be about the same as either regional growth or General Plan “theoretical build-out” taken alone. *This suggests that under either scenario, traffic demand will be approaching or exceeding full saturation of capacity of the area street system.*
- *Under any of the scenarios tested, regional growth alone, “theoretical build-out” alone or regional growth plus “theoretical build-out combined, the most noteworthy traffic changes are not on major streets. Major streets like El Camino Real, Sand Hill Road, Santa Cruz Avenue near Sand Hill Road, and*

Willow Road east of Middlefield Road are shown to experience some traffic increases but the increases are unremarkable. The streets that experience dramatic traffic changes are streets like Valpairiso, Glenwood, Encinal, Oak Grove, Ringwood and Middle. On such streets the effects of traffic changes are likely to be perceived as especially impactful. The increased concentration of traffic on such streets appears to be indicative of reaching a saturated condition on the major streets, such that locally knowledgeable drivers, particularly ones making short trips, will increasingly avoid the major streets in favor of secondary ones.

Expand the EIR traffic study area to capture all primary and secondary diversion impacts.

In line with this known observation that "dramatic traffic changes" will happen on "non-commute" arterials by local and sub-regional drivers avoiding arterial congestion, the EIR should expand the study area to include all those streets listed above including others that might also be impacted. In particular, since the SRI site is central to the city, and commute traffic is likely to come from both I-280 and US 101, and the East Bay over the Dumbarton Bridge, the study area should probably include the entire city and not just a few blocks around the site.

Re-use the dynamic modeling analysis used in the LUCS to capture these effects.

It would be preferable if the traffic analysis was based on dynamic versus static modeling using modeling software rather than engineer speculation to show where secondary diversion of this type is most likely to occur.

Include Segment Counts and LOS changes

The LUCS language is stark. In describing today's (2020) traffic it uses phrases such as "adverse effects on the circulation system ... and consequent effects on the quality of life in the community", "overwhelm major portions of the transportation system", "full saturation of capacity of the area street system", "perceived as especially impactful", "saturated condition on the major streets."

Surely, since 2000, it cannot be the case that Menlo Park has adopted new community approved thresholds that allow and encourage overwhelming the local street system with traffic. To whatever degree Sacramento has tied the hands of local communities to accurately empower its residents to mitigate the true impacts of project traffic on its streets, the EIR has an obligation to describe catastrophic traffic conditions, so that residents can understand them.

Publish a traffic map visually locating Traffic or modeler site traffic egress and ingress assumptions, and visually depicting traffic assignment assumptions.

Traditional EIR analysis uses tools such as Traffic to locate and assign traffic to the project and local street system, but these assignments are never shown explicitly. Instead, derived impacts on VMT or intersection LOS or segment counts are shown in tables or maps, but the public never knows where the site traffic originated, how much and when. The EIR should publish

such a map showing the location of Site destinations and commute origins and the volume of traffic assumed to originate or terminate at each such location on the SRI site. The EIR should also include a map with segment direction arrows showing trip assignment counts to and from these points so that lay members of the public can see traffic assignments on nearby roads and regional routes such as I-280 and US 101.

Publish a visual VMT map showing the assumptions made about those who will work at the site and where VMT analysis assumes they will live.

CEQA: Short term shocks to baseline counts on Cumulative Impact scenarios

Existing Menlo Park baseline traffic counts are impacted by two non-equilibrium shocks. The first is the pandemic, and the 2nd is the current and potential on-going slump/recession evidenced by large scale notices of tech layoffs in Silicon Valley and Meta.

Because of this, existing traffic baselines are likely to be lower than during pre-pandemic equilibrium and full employment. Though this should not impact that part of the CEQA analysis that considers project vs existing, it WILL impact cumulative scenarios that add project impacts to existing baselines, if existing baselines are depressed due to the shocks. This may also be true for other parts of the analysis besides traffic.

For the cumulative traffic impacts and other CEQA cumulative analysis for elements whose cumulative analysis is similar to traffic, the EIR should attempt to adjust existing baselines to eliminate shock effects and reproduce true equilibrium baseline conditions. It should be a good faith effort by staff and the preparer. Perhaps uses 2019 values, if they exist, with conditions updated to 2022.

Project Description: Open Space

Staff Reports (and the media) describe "25 acres of publicly accessible open space," but elsewhere, "Approximately 25 acres of landscaped, publicly-accessible open space, including a large central open space between the office/R&D buildings"

In the second description, buried deeper in the Staff Report, the two adjectives *landscaped*, and *publicly-accessible* now modify the noun "open space." Is "landscaped" open-space really open space? As we now say, is that even a thing? Can the public really walk into and on the privately owned landscaping? Is the large central open space between offices publicly accessible for active uses?

The EIR should clarify all references to "open space" in the project description including the meaning of "25 acres of publicly accessible open space.". Can the public really "access" the "landscaped" area to play frisbee or walk their dogs? Will all "publicly accessible" space, including the landscaped areas, be publicly dedicated through easements? What uses will be available on what portions of the site? The EIR project description should distinguish between areas of the site that are privately owned and publicly owned. It should detail areas that will be

landscaped and not practically accessible or usable by the public. It should detail areas that will be lawn, and describe public access and uses available on lawn space. It should detail hard pack and hard space areas. It should describe how "public access" will be dedicated and in which areas.

Basically, it would be helpful to have a visual map and a table of non-impervious surface areas describing the size of the area, who owns it, if the public can use it, and how. A sample table is shown below.

The EIR should describe how the description of the areas in the table will be maintained when parcels of land are sold to 3rd parties.

Map Area	Size	Description	Ownership	Access	Uses Allowed	Dedication
1	5.2 acres	Landscaping	Private	Impractical	None	None
2	3 acres	playing field	????	Public	Active Uses	?????
3	4 acres	Hardpack	Private	????	Seating/eating	?????
4	5.3 acres	Paths	Private	Public	Bike/Walk	dedicated
5	2.6 acres	Lawn	Private	Public	Non-active access	???? private
6	1 acre	Playground	Private	Residents only	Active playground	commons

The table is also needed to describe how public use can be made to persist across divestment of SRI parcels. The mechanisms for persisting "public accessibility" should be a part of the Developer's Agreement.

Project Description: Project Goals.

SRI is converting much of its campus from lab to office whose future occupancy is opaque, presumably because, unlike Meta, SRI does not intend to occupy its campus but rather intends to rent or sell much of the former land, to increase revenues, to remodel retained footprint or fund research activities. How much office SRI realistically needs for its own future use is material.

The public has a right to understand the true scope and intentions. They impact EIR alternative calculus. They help the EIR determine whether alternatives are "feasible" and "reasonable." Is a "reduced" office or increased housing alternative infeasible simply because the goal of the project is to maximize site revenue, and higher housing alternatives might not substantially attain that goal?

If the Staff and preparer have the authority to include "policy" alternatives as described in the Planning Commission report, then those alternatives studied by Menlo Park in the LUCS and by the SRI Task force and those recommended by the SRI Task force surely are "reasonable" candidates that reflect real public policy that is the product of staff and the public.

Project Description: Locate the "affordable housing" site.

Staff documentation has been ambiguous about the proposed location of the 100 units of affordable housing, and the Parkline document provided by developer does not show it.

- The EIR needs to explicitly locate where on the site the affordable units will be built.
- The requested egress/ingress map needs to show its traffic as an "origin" on the traffic assignment map.
- Its parking needs to be located.
- If the 100 affordable units are to replace the playing field the EIR should discuss this explicitly.
- If the EIR does not locate the 100 units, perhaps because the applicant opts for some kind of in-lieu alternative, the EIR should say so explicitly, because the applicant and staff reports have allowed the belief to persist in the minds of decision makers and the public.

EIR: Land Use Compatibility and Embedded Policy changes.

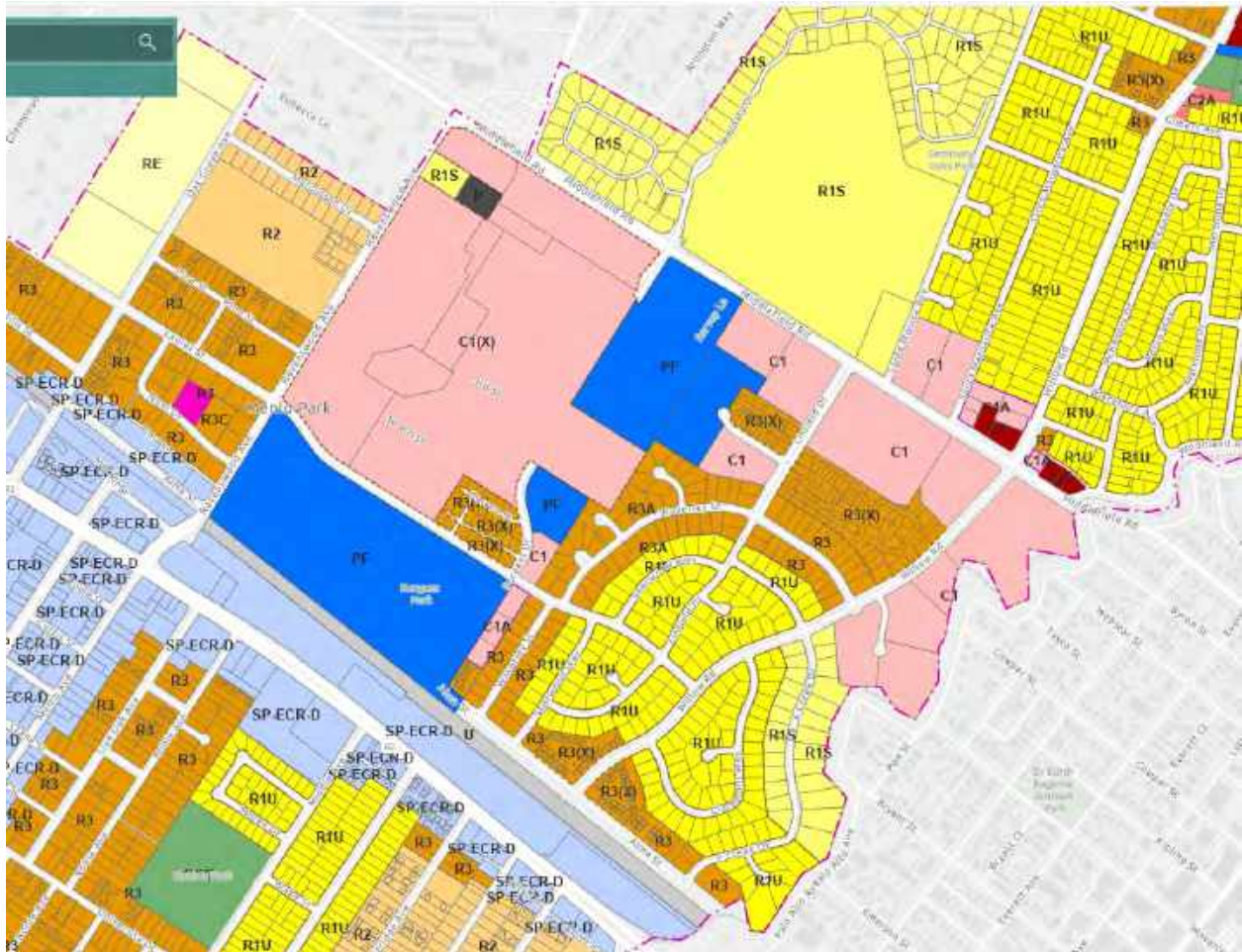
The zoning map below makes clear that commercial use of the SRI site is one of many commercial uses referred to in the LUCS as the "Middlefield Commercial Corridor." Together, SRI, the Linfield residential neighborhood, the Middlefield Commercial Corridor, USGS, and Burgess constitute the "internal" neighborhood which abuts additional uses outside the neighborhood.

The zoning map shows that all commercial sites in the corridor are zoned C1 (30% FAR), except the USGS site which is otherwise federally exempted from local zoning.

In its analysis, the EIR should describe the "neighborhood" by explicitly noting the prevalence of C1 commercial zoning everywhere else in the neighborhood.

Besides describing compatibility conflicts between the project and nearby uses, the EIR needs to discuss how the current CDP allows denser-than-C1 FAR, SRI lab buildings/uses but effectively precludes denser-than-C1 FAR, non-SRI office buildings/uses. If this is unclear, review the employee counts shown above in Section 1. There is no CDP-capped scenario in which non-SRI office uses require more than 500K sf of office footprint.

The proposed project is not consistent with either existing General Plan policy -- it requires a General Plan change-- or zoning conversion policy implicit in CDP employee caps and 2:1 counting rules, and policy as stated clearly and explicitly in the LUCS alternatives and SRI Task priority documents. To be clear: non-SRI office at 60% FAR is historically inconsistent with any policy future ever contemplated by the City of Menlo Park for the SRI campus. The EIR needs to discuss this.



Council may create new land-use policy for Menlo Park embedded in project approvals, but it does not have the power to alter the historical policy record used in the EIR analysis. If Menlo Park has conducted city-initiated policy outreach and process for the SRI site since the 2000 SRI Task force then the EIR should cite documents from that outreach as the policy base. But if there is no such public outreach specific to SRI futures, then the 2000 Task force documentation, the LUCS, the zoning, and the CDP constitute the policy documentation of record for compatibility analysis.

The EIR should describe the existing policy history and compare CDP-restricted non-SRI office intensities described by historical policy with new policies embedded in the project approvals.

The EIR should say explicitly whether or not more recently public policy documents pertaining to the SRI site exist since 2000 era modification of the CDP and the SRI Task force.

EIR: Removal of the CDP is growth inducing

In CEQA jargon, eliminating the CDP employment restrictions removes a regulatory obstacle to growth on the site and is therefore growth inducing.

While SRI and Staff Reports wish to say this project grandfathers existing commercial footprint, the project expands non-SRI site *use* beyond restrictions set in the CDP, and it allows the creation of office buildings on separable, alienable parcels at densities not previously allowed in the Middlefield corridor.

The project does not grandfather either building or employment *intensity*. By divesting land for housing, SRI is further intensifying lab FAR on the remaining site and it is intensifying the entire historical pre-project campus, as it did with McAndless and Classics of Menlo.

Density inflation of the remaining lab FAR is the policy equivalent of building more, particularly when that increased FAR is positioned for conversion and divestment. It is a form of site intensification that needs to be described.

By converting high density SRI lab to non-SRI office 1:1, the project is intensifying employment, particularly non-SRI employment to densities up to four times that allowed under the base C1 zoning and CDP. The EIR analysis should describe historical site lab FAR inflation and describe the use inflation that occurs when converting lab to office without the CDP.

Put succinctly, the site now employs 1100. 1M sf of office could add 4000 or more non-SRI employees in addition to those SRI employees sited in the remaining lab. *That would be an site employment intensification of more than 4:1, and an even greater intensification of non-SRI site employment.*

By converting from SRI lab to non-SRI office the project intensifies non-SRI office footprint to densities twice that that allowed under the base C1 zoning and CDP. The project would allow up to approximately .5M sf of non-SRI office effectively precluded by the existing CDP in the exact same location.

In recounting historical policy and evaluating project compatibility with nearby uses whose intensities have not changed, the EIR should also compare potential divesting practices of this project with the historical divestment practice used for McAndless office park. Divesting land first, and then rezoning results in C1 30% FAR, but converting lab to office, 1:1 on a reduced campus at an intensified 60% FAR, and *then* divesting allows 3rd party office at 60% FAR.

To be clear: the EIR discussion of growth inducing changes should include the removal of regulatory obstacles to growth, the CDP, and call out the change in historical precedent in allowing SRI to build and eventually divest offices whose FAR exceeds C1 FAR, in the face of all historical practice, policy documents, LUCS study alternatives, and public record to do otherwise.

Finally, although CEQA probably doesn't allow a discussion of impacts of project precedents on future projects, Menlo Park has a good history of proving that increased entitlements in one location create similar expectations nearby. In, particular the remaining offices and land values in the Middlefield Commercial Corridor are likely to reflect the expectation of similar future upzoning of office on those parcels.

EIR: Growth inducing impacts.

The project requires General Plan amendments and unprecedented height limits that may apply beyond the project site. These should be described. If these changes create precedents for growth inducement by removing regulatory obstacles elsewhere in the community they should also be described.

Section 3.) Housing needs assessment

The Housing Needs Assessment ("HNA") made for the Willow Village project, Appendix 3.13, *HOUSING NEEDS ASSESSMENT WILLOW VILLAGE MASTER PLAN PROJECT*, by Keysar Marston Associates Inc., dated April 2022 is a very useful document and I applaud its inclusion in the EIR process. Thank you, East Palo Alto. Shame on those who wrongly argue that CEQA lawsuits are abusive.

The SRI/Parkline HNA should duplicate that effort for this project.

In particular it should contain sections similar to 6 and 7 of the Keysar Marsten HNA describing project impact on (net) housing availability and displacement. It should compute the net housing deficit/surplus of the proposed project and local and regional displacement as did the Keysar Marsten HNA.

I would also recommend the following changes.

Update the market analysis to reflect downtown Menlo Park apartment and office rents.

Downtown ECR rents in Menlo Park as shown by the Springline (Greenheart) project are different and higher than those elsewhere in Menlo Park. The market analysis sections of the HNA should be updated to reflect this, and, if warranted, include Palo Alto rent comparables, not Redwood City rents in the market analysis sections.

Create a section that computes RHNA housing cycle impacts of the proposed projects using a current, globally harmonized counting method.

The HNA should include analysis of the impact of project alternatives on the City's RHNA housing obligation on relevant cycles current and future.

The analysis should harmonize the myriad of conflicting and incomprehensible land-bases found in the Housing Element, the ConnectMenlo SEIR, ABAG, etc. It should propose and deployed a trusted counting methodology which would answer the simple question, "If we approve this project (or alternative) what will the impact be on Menlo Park's RHNA obligation in every impacted housing cycle?"

How can decision makers possibly know how much housing they must build if the city does not keep a current running total of its housing obligation?

Section 4.) Financial Impact Analysis.

Besides describing the impact on city coffers the analysis should also describe the marginal impact on SRI coffers of the requested approvals. The project is a quid pro quo. What is the quid and what is the quo?

Relative to EIR alternatives, SRI/Lane will no doubt declare all reduced intensity alternatives as "infeasible" saying it needs maximal development to meet the "goals of the project" without telling us exactly what those goals are besides maximizing revenues/profit.

The FIA should compute and compare SRI land sale or rent revenues under the proposed project, here-proposed project alternatives, and the no-project alternative so that decision makers can judge for themselves. Revenue analysis should include the housing component as well.

Residents have a right to know how much revenue the approvals gift to SRI/Lane Partners, and whether the housing component is profitable on its own.

The methods should be clear so that citizens can deconstruct and re-use them to understand how they might apply to alternative site configurations not studied or analyzed.

Paul Collacchi SRI EIR Comments Appendix 1

SRI Task Force - List of Issues April 25, 2000

1. Any SRI project should not have any greater traffic impacts or impacts on sewer, water, or other municipal services than would a comparable office project developed in accordance with the underlying C-1 zoning regulations. The Floor Area Ratio (FAR) for the site shall be established as a baseline of 25% to 30% (as established for the C-1 zoning district as a result of the Land Use and Circulation Study prior to approval of the SRI proposal). Additional FAR may be allowed, if conditions are imposed to guarantee that traffic and other impacts won't exceed an office project complying with the C-1 zoning regulations, subject to the requirements that the number of parking spaces does not exceed 1,932 to 2,319 spaces and the number of on-site employees, contract workers, and non-SRI tenants (calculated at a ratio of 2 to 1) does not exceed 1,932 to 2,319 persons. The maximum FAR allowed for the property should be 35% to 45%. (Some members of the task force feel that the maximum FAR should be 35% while other members feel that 45% may be appropriate if it is demonstrated that the project will not exceed the impacts of an office project complying with the C-1 zoning regulations.
2. Regulations shall be imposed that provide protections from potential conversion of building space to a higher worker density. If on-site employees, contract workers, and non-SRI tenants are used as a maximum limit for development, then , creative, effective and enforceable ways of monitoring and limiting the number of on-site employees, contract workers, and non-SRI tenants must be developed. SRI shall be responsible for all costs associated with the monitoring program.
3. Require the development of a Transportation Demand Management (TDM) Program for encouraging use of commute alternatives, including consequences for non-performance. The TDM program shall include provisions for bicycle and shuttle service for lunch time use, financial contribution to the City's shuttle program, on-site facilities such as a cafeteria, exercise facilities and showers that reduce trips, and other types of TDM measures.
4. Implement the widening of Ravenswood Avenue to four lanes from west of Alma Street to Middlefield Road. Require SRI to dedicate land adjacent to Ravenswood Avenue for the road widening. This may involve the relocation of the Gatehouse as well as changes to the church facilities located on Ravenswood Avenue. Any widening of Ravenswood Avenue must also include traffic realignment and other roadway improvements for improved safety and efficiency within the roadway segment formed by Middlefield Road, Ravenswood and Ringwood Avenues, including access to the high school. Require SRI to pay the costs associated with the widening of Ravenswood Avenue and to participate in the Ravenswood/Middlefield/Ringwood intersection modifications.

5. Require provisions for the review, analysis, regulation and monitoring of hazardous materials and waste on the property, including reporting all hazardous and biological materials and waste to the City and Menlo Park Fire Protection District (including non-regulated and non-reportable quantities). Prohibit bio-safety level (BSL) 4 (and possibly BSL 3 research per the request of some members). Develop emergency safety notice and evacuation plans for the surrounding area. Determine what level of hazardous materials use is appropriate.
6. Prohibit biological or chemical weapons and weapons detection research and testing.
7. Require detailed, comprehensive and cohesive architectural design.
8. Require SRI to develop methods to address the potential housing impacts related to an increase in the number of on-site employees, contract workers, and non-SRI tenants working at SRI. This may include rezoning a portion of the site for housing and provision of housing on-site, provision of housing offsite, and/or the payment of Below Market Rate (BMR) Program fees for the new employees. Impacts of new housing to city services, including but not limited to schools, recreation facilities, sanitary sewer service, etc., should be considered.
9. A maximum number of allowable trips to and from the site should be incorporated into the approval of the proposal. Creative, effective and enforceable methods of monitoring and limiting the number of trips should be developed. SRI shall be responsible for all costs associated with the monitoring program. Both peak period and twenty-four hour trips should be included.
10. Implement site and roadway designs and elements to minimize or eliminate cut-through traffic in the adjacent neighborhoods, specifically prohibiting SRI-related ingress and egress on Laurel Avenue and Burgess Drive. Other designs or elements may include the use of one-way streets or no-through traffic on certain streets and installation of features such as speed bumps, speed tables, and/or traffic circles in residential neighborhoods. Require SRI to pay the costs associated with site and/or roadway design changes.
11. Some members of the task force feel strongly that with the unknown impact of the Civic Center area redevelopment and possible closure of Alma Street to through traffic, the City Council should re-establish the Burgess plan line to preserve the City's ability to extend Burgess Drive if needed to relieve traffic. Other members feel that a successful design of the SRI site could be significantly impacted by the re-establishment of the plan line, see no benefit to the re-establishment of the plan line and feel the plan line should not be preserved.
12. Encourage the preservation and discourage the removal of the existing trees.

13. Require relocation of the trash and utility area adjacent to the Classic Communities development and replacement with quiet uses and activities. This should be completed as part of an early phase of the project development.
14. Require centralized underground parking to increase landscaping and open space on the site.
15. Development standards should be established that limits maximum lot coverage to encourage open space, that provides larger setbacks than the C-1 zoning district, and that allows maximum building heights to exceed 35 feet in the center of the site, but in no event shall building heights exceed 50 feet.
16. Require provisions for child care to be included in the project. Participation in the City's new child care center should be addressed, including an evaluation of non-resident participation in the program.
17. Require regulations to mitigate construction impacts on the surrounding neighborhoods. This should include requirements that all construction-related vehicles park on-site during construction and that travel routes for construction vehicles be limited to Middlefield Road and Ravenswood Avenue.
18. The task force supports the use of the property by SRI assuming that a mutually acceptable development can be achieved.
19. What benefits should Menlo Park be looking for if the proposal is approved?
20. Require provisions for monitoring, controlling, and mitigating the use of City facilities (swimming pool, gym, child care center) by SRI employees. Require facility use fees to support the expansion of hours, etc., to compensate the city for heavy use by SRI employees.

CITY OF MENLO PARK

**Public Meeting of the SRI Task Force
March 13, 2000**

General Information and Draft List of Issues

Background Information for the SRI Campus

The SRI Campus is located in the center of Menlo Park and is bounded by Laurel Street to the west, Ravenswood Avenue to the north, and Middlefield Road to the east. The Campus is currently comprised of approximately 62 acres and houses a variety of office and research and development functions.

History of Planning Approvals

The City's earliest records of development activity on the SRI campus begin in 1959. From 1959 through 1975, the City processed approximately 30 requests for a variety of projects on the campus. The most substantial projects during this time were for several new buildings, including the construction of the International Building. During this time the campus was zoned C-1 (Administrative and Professional District, Restrictive) and C-1-B (Administrative and Professional District). (The City no longer has a C-1-B zoning designation.) Both of these districts allowed for the development of office and research uses subject to the granting of permits by the City. The only restriction on the maximum development potential was a 40% limit on lot coverage. At the time, this would have equated to approximately 1.35 million square feet of development that could have been developed on a first floor level. However, development of additional square footage on additional floors was not restricted.

Conditional Development Permit – 1975

In the early 1970s, SRI approached the City with a request to rezone the campus from the C-1 and C-1-B designations to a C-1-X designation and a request for approval of a Conditional Development Permit that would establish parameters for the future development of the campus. The rezoning and Conditional Development Permit allows for flexibility from the standard development regulations of the C-1- and C-1-B zoning regulations for purposes of developing a cohesive campus plan.

The rezoning, Conditional Development Permit and an EIR were approved by the City in 1975. The Conditional Development Permit states a campus size of 76 acres. The permit also specifies setbacks of 60 feet on all sides of the property, a maximum lot coverage of 40% (1.35 million square feet), and a maximum height of 50 feet. The Permit did not establish a maximum development potential, meaning the maximum amount of building

square footage. The only reference to a development potential can be found in the EIR, which assumes a maximum of 3,500 employees.

Conditional Development Permit – 1978

In 1978, an amendment to the Conditional Development Permit was approved in order to remove approximately 10.3 acres from SRI's campus for the development of the McCandless office complex on Middlefield Road, near the corner of Ravenswood Avenue. The amended Conditional Development Permit established parameters for the McCandless buildings and, other than a reduction in the size of the SRI campus, did not alter the 1975 Conditional Development Permit.

Conditional Development Permit – 1997

In 1997, as a direct result of the Classic Communities development, SRI's Conditional Development Permit was again amended. The amendment included a further reduction in the size of the campus to reflect the property being sold to Classic Communities and to establish, for the first time, a maximum development potential. The 1997 Conditional Development Permit establishes the campus as 62.1 acres and limits the site to 1,494,774 square feet of building (equivalent to a Floor Area Ratio (FAR) of 55.3%) and 3,308 employees. For non-SRI uses, the allowable number of persons working on the site is calculated at a 2:1 ratio.

Existing SRI Development

The total amount of building square footage currently on the site is 1,321,189 square feet for an FAR of 48.8%. This is 173,585 square feet below the maximum building square footage allowed in the 1997 Conditional Development Permit.

As of January, 2000, SRI reports 1,432 SRI-related employees and 94 employees of non-related tenant organizations for a total of 1,526 employees. Using the employee equivalent methodology which counts SRI related staff at a 1:1 ratio and non-related staff at a 2:1 ratio under the provision of the 1997 Conditional Development Permit, the total number of employees on the site is 1,620 where 3,308 employees are currently allowed.

Proposed Master Site Plan

SRI has identified a need to modernize and rebuild its campus. SRI is currently proposing the redevelopment of the campus through a new master plan and a Development Agreement with the City of Menlo Park. The new master plan proposes the construction of nine new buildings and the demolition of twenty-nine old buildings, resulting in a total of 1,545,000 square feet of development (equivalent to an FAR of 57%). The proposal would also establish a maximum of 3,000 employees on the campus.

Comparison of Existing Site Development with Current C-1 Zoning Regulations, the 1997 Conditional development Permit and the Proposed Development

Although the 1997 Conditional Development Permit currently establishes the development parameters for the SRI campus, it is instructive to compare the parameters of the existing site with the underlying C-1 district regulations, the 1997 Conditional Development Permit and the proposed master plan development. The following table provides the comparison.

	C-1 District Regulations	Existing Site	1997 Conditional Development Permit	Proposed Master Plan
Minimum Lot Area	2 acres	62.1 acres	62.1 acres	62.1 acres
Minimum Lot Dimensions	150 feet width and depth	Irregular (approximately 2,000 feet width by 1,400 feet depth)	Irregular (approximately 2,000 feet width by 1,400 feet depth)	Irregular (approximately 2,000 feet width by 1,400 feet depth)
Minimum Setbacks	Front: 30 feet Rear: 20 feet Sides: 20 feet	Unknown	All sides: 60 feet	Unstated
Maximum Lot Coverage	40%	23%	40%	Unstated
Maximum Height	35 feet	Unknown	50 feet	Unstated
Maximum FAR	30%	48.8%	55.3%	57%
	811,523 sq. ft.	1,316,289 sq. ft.	1,494,774 sq. ft.	1,545,000 sq. ft.
Maximum Employees	No regulation	1,526 employees	3,308 employees	3,000 employees
Employee Density*	Not Applicable	863 sq. ft. per employee	452 sq. ft. per employee	515 sq. ft. per employee
Parking	5 per 1,000 sq. ft. of building area (assuming full buildout – 4,058 spaces)	3,150 spaces	Not specified	Unstated

* Average employee density in recent office projects in the city is approximately 350 square feet per employee.

Draft List of Issues

Following is a draft list of issue that the SRI Task Force believes should be considered by the City when reviewing the proposal by SRI to redevelop its property. At this time, the task force welcomes all comments and questions from the public on the list of issues. In addition, the task force would appreciate any suggests for additions to the list of issues.

Use and Density of the Site

1. What is the best use of this land for the city? The task force supports the use of the property by SRI assuming that a mutually acceptable development can be achieved.
2. Should the Floor Area Ratio (FAR) for the site be reduced from or exceed the 30% maximum FAR of the underlying C-1 (Administrative and Professional, Restrictive) zoning district. If so, by how much?
3. Consider possible exclusion from the maximum allowed FAR of amenities such as private cafeterias, etc., that would serve to reduce trips. If a benefit such as an exception from the FAR for traffic-mitigating facilities is incorporated into the project, there needs to be documentation and consequences to ensure that the traffic mitigation for the project is effective.
4. Consider methods to address the potential housing and traffic impacts related to an increase in the number of employees working at SRI, i.e., rezoning of a portion of the site for housing and the provision of housing on site, provision of housing off site, telecommuting, and/or satellite offices. Impacts to city services, including but not limited to schools, recreation facilities, sanitary sewer service, etc., should be considered.
5. Given that the number of workers and visitors is a concern for the project's potential impacts, consider a maximum number of workers, visitors and/or issues related to the density of building space per worker. Regulations must be considered that provide protections from potential conversion of building space to a higher worker density. If workers and visitors are used as a maximum limit, creative, effective and enforceable ways of monitoring and limiting the number of workers and visitors must be developed.

Transportation

6. Given that the number of trips to the site is a concern for the project's potential impacts, consider a maximum number of allowable trips to and from the site. If trips are used as a maximum limit, creative, effective and enforceable ways of monitoring and limiting the number of trips must be developed. Both peak period and twenty-four hour trips should be included.
7. Consider site and roadway designs intended to minimize or eliminate cut-through traffic in the adjacent neighborhoods. Examples might include: (1) widening Ravenswood Avenue to four lanes from west of Alma Street to Middlefield Road, (2) prohibiting SRI's ingress and egress on Laurel Avenue and Burgess Drive, (3) prohibiting right turns onto Laurel Street from eastbound Ravenswood Avenue during peak pm commute periods, (4) consideration of one-way streets or no through traffic on certain streets, and (5) installation of features such as speed bumps, speed tables and/or traffic circles in residential neighborhoods.
8. Consider dedication of land adjacent to Ravenswood Avenue for future road widening. This may involve the relocation of the Gatehouse at the corner of Ravenswood Avenue and Laurel Avenue.
9. Consider the relocation of facilities and buildings as necessary for possible future extension of Burgess Drive through to Middlefield Road.
10. Consider the development of a Transportation Demand Management (TDM) Program for encouraging use of commute alternatives, including consequences for non-performance.
11. Consider possible traffic realignment and other roadway improvements for improved safety and efficiency within the roadway segment formed by Middlefield Road, Ravenswood Avenue and Ringwood Avenue, including access to the high school.

Site Design

12. Consider centralized underground parking to increase landscaping and open space on the site.
13. Encourage the preservation and discourage the removal of the existing trees.
14. Require relocation of the trash and utility area adjacent to the Classic Communities development and replacement with quiet uses and activities. Consider this relocation as part of an early phase of the project development.

15. Should the development standards of the underlying C-1 zoning district, including a maximum lot coverage of 40%, minimum setbacks of 30 feet in the front and 20 feet in the rear and on the sides, and the maximum height of 35 feet be exceeded and, if so, by how much? (See comparison chart on page 3)
16. Consider a comprehensive and cohesive architectural design.

Facility Operations

17. Consider provisions for the review, analysis, regulation and monitoring of hazardous materials and waste on the property. Develop emergency safety notice and evacuation plans for the surrounding area. Determine what level of hazardous materials use is appropriate.
18. Consider provisions for monitoring and/or controlling the use of City facilities (swimming pool, gym, child care center) by SRI employees. Consider facility use fees to support of expansion of hours, etc., to compensate the city for heavy use by non-city residents.
19. Consider provision for child care to be included in the project. Participation in the City's new child care center should be addressed, including an evaluation of non-resident participation in the program.

Construction-related Impacts

20. Consider regulations to mitigate construction impacts on the surrounding neighborhoods. This should include requirements that all construction-related vehicles park on-site during construction and that travel routes for construction vehicles be limited to Middlefield Road and Ravenswood Avenue.

Other Considerations

21. What benefits should Menlo Park be looking for if the proposal is approved?



DEVELOPMENT SERVICES PLANNING DIVISION STAFF REPORT

AGENDA ITEM # E-1

City Council Meeting of
February 22, 2000

TO: Mayor & City Council

FROM: Department of Development Services, Planning and Transportation Divisions

AGENDA ITEM: **REGULAR BUSINESS: Review of Additional Information of Task One- Existing Development and Theoretical Build-Out Analysis of the Land Use and Circulation Study; Direction on Alternative Development Scenarios for Study Areas.**

ISSUE

Planning staff and the transportation consultants have prepared additional information on the impact of existing development and theoretical build out scenarios for City Council review of Task One of the Land Use and Circulation Study. The City Council should give direction to staff and the consultants to refine the alternative development scenarios for the three study areas: North El Camino Real, Middlefield Commercial Corridor, and SRI International Campus for completion of two and three.

BACKGROUND

Planning staff and the transportation consultants presented the preliminary findings of Task One of the Land Use and Circulation Study to City Council on January 25, 2000. At that meeting, the City Council requested additional traffic information and clarification of land use data. The revisions to the land use data and the additional traffic information have significantly changed the traffic impacts in several areas, particularly residential areas, of Menlo Park. A detailed description and explanation of the changes to the traffic impacts are found in a memo from Michael Aronson, CCS Planning and Engineering, Inc. to Tracy Cramer, Associate Planner (Attachment A).

Land Use Data Revisions and Clarifications

The City Council requested several clarifications to the theoretical build out data that was presented in the January 25, 2000 Staff Report. In addition, staff and the consultants identified other clarifications and revisions to the land use data for further refinement, addition of omitted information, and corrections. The following indicates the changes that have been forwarded to the transportation consultant for use in the traffic model.

Existing Land Use Data: After the results of the traffic model were reported for the January 25, 2000 City Council staff report, the transportation consultant and planning staff identified several areas where the reported traffic impacts did not appear to meet anticipated or known traffic conditions. As a result, staff identified changes to the inventory of existing land use data that were reported incorrectly or omitted in the preliminary report of the findings of the traffic model. The majority of the changes in the inventory

are concentrated in the M-2 area of the City. The changes to the land use inventory are reported in Attachment B.

Housing Numbers: The housing numbers have been changed to reflect several projects that were overlooked in the January 25, 2000 staff report to the City Council. The revised total number of housing units produced between 1988 and 1999 is 316 units; the revised total number of existing residential units (1999) is 12,329 units (Table 1). The majority of the units produced since 1988 are single family (195 units). However the bulk of these units are large single family housing developments such as the Vintage Oaks project (145 units) and the Classic Communities (33 units). There were 121 multiple family units produced since 1988 (Attachment C).

Theoretical Maximum Build Out: Based on the assumptions initially developed for theoretical maximum build out, the number calculated for the Middlefield Commercial Corridor Study Area was lower than the existing development reported in the inventory. This was because the assumption was based on the current FAR for the area, but many of the properties were developed before the current FAR's were adopted. The City Council felt that this was not an effective measurement for potential future traffic impacts. The revised theoretical maximum build out assumes that existing structures in the Middlefield Corridor that are developed at or above the allowable FAR, will remain, and that parcels where the existing development is lower than allowed will be developed as the current maximum allows. This new theoretical build out number for the Middlefield corridor study area added 776,000 square feet of development to the 709,000 square feet reported earlier. The total theoretical maximum development in the Middlefield corridor is 1,485,000 square feet. (Attachments D and E).

Table 1. Revised Total Commercial (in Square Feet) and Residential (in Units) Development

	<i>Gross Commercial Development</i>	<i>Office Development</i>	<i>Retail Development</i>	<i>Industrial Development</i>	<i>Warehouse Development</i>	<i>Single Family</i>	<i>Multiple Family</i>
1988	12,570,938	6,103,703	1,232,598	2,044,218	2,816,266	6,508	5,505
1997	14,635,936	7,812,021	1,244,733	2,246,574	2,869,197	6,698	5,608
1999	15,139,846	8,321,538	1,244,480	2,100,929	3,018,860	6,703	5,626

Transportation Revisions and Clarifications

The revised traffic forecast model findings for existing development and the theoretical maximum build out scenario are included in a supplement to the report from CCS Engineering and Planning, Inc. that appeared as an attachment to the January 25, 2000 staff report (Attachment F). The revised traffic forecast model findings are appended herewith as Attachment A.

The principal differences in the supplemental traffic forecast relates to changes in existing and theoretical maximum land use scenarios as described above. In addition, minor refinements have been made to the representation of the street system in the model. Moreover, traffic volumes have been reported for additional indicator locations as requested by the Council at the January 25, 2000 meeting (including Middlefield Road between Marsh Avenue and Glenwood Avenue, Valpariso Avenue, Ringwood Avenue, Middle Avenue between Olive Street and University Avenue).

Planning staff received a letter from Elza Keet on February 3, 2000 (Attachment G) regarding the data reported on the Daily Traffic Volume map in the January 25, 2000 staff report. Ms. Keet questioned whether the Daily Traffic Volume map was a cumulative representation of citywide traffic volumes. The Daily Traffic Volumes map only shows the traffic volumes at specific roadway segments. It is not

possible to literally add up the cumulative traffic impact from this graphic to represent citywide traffic volumes for two reasons. First, the graphic is a representation of traffic that passes certain selected indicator points in the network and is not the total traffic on all street segments. Second, the differences between the scenarios represents less than the totality of new trips added because trips that are added often displace some existing traffic. Therefore, the comparison of the sum of the differences between the scenarios and the changes to trip generation is not one that should be expected to yield an equivalence.

In addition, Ms. Keet's letter asks for more information on the impact of traffic on El Camino Real and Valpariso Avenue. Following the discussion with City Council on January 25, 2000, staff and the consultant were directed to revise the traffic model to reflect several assumptions that are critical to traffic impacts in Menlo Park, particularly at Sand Hill Road/Santa Cruz Avenue and along El Camino Real. In response to Ms. Keet's letter, the revisions to the model described in this staff report and Attachment A reflect changes to the volumes of traffic along local streets as Sand Hill Road and El Camino Real reach maximum capacity.

Conventional wisdom in Menlo Park has been that regardless of land use development decisions in Menlo Park, future traffic related to regional growth would overwhelm major portions of the transportation system. The Land Use and Circulation Study forecast confirms that regional growth could have significant adverse effects on the circulation system in Menlo Park and consequent effects on the quality of life in the community. However, the forecasts also indicate a number of considerations that may not necessarily be consistent with prior conventional wisdom. These considerations include:

- "Theoretical build-out" of the General Plan land uses in Menlo Park in itself could have impacts on the local circulation system comparable to those of regional growth.
- The combined effect of "theoretical build-out" of the Menlo Park General Plan together with regional growth would be about the same as either regional growth or General Plan "theoretical build-out" taken alone. This suggests that under either scenario, traffic demand will be approaching or exceeding full saturation of capacity of the area street system.
- Under any of the scenarios tested, regional growth alone, "theoretical build-out" alone or regional growth plus "theoretical build-out" combined, the most noteworthy traffic changes are not on major streets. Major streets like El Camino Real, Sand Hill Road, Santa Cruz Avenue near Sand Hill Road, and Willow Road east of Middlefield Road are shown to experience some traffic increases but the increases are unremarkable. The streets that experience dramatic traffic changes are streets like Valpariso, Glenwood, Encinal, Oak Grove, Ringwood and Middle. On such streets the effects of traffic changes are likely to be perceived as especially impactful. The increased concentration of traffic on such streets appears to be indicative of reaching a saturated condition on the major streets, such that locally knowledgeable drivers, particularly ones making short trips, will increasingly avoid the major streets in favor of secondary ones.

The above findings suggest the need to develop a combination of planning responses that could include:

- Focusing land use development on mixes, densities and locational patterns of uses that maintain community vitality and character while limiting local development's impacts on the Menlo Park circulation system.
- Engaging in a dialogue with other cities for consideration of the reduction of development potential in their communities to effect a regional decrease in congestion.
- Considering traffic improvements that draw and hold the traffic that will be in the community onto the major roadways without making these roadways so attractive that additional regional traffic will be drawn to them.
- Considering street and highway improvements that divert regional traffic around, rather than through, the Menlo Park street system.
- Improving transit services in ways that decrease local and regional traffic pressure.

- Continuing to make improvements that enhance Menlo Park as a walkable and bikeable community.

CITY COUNCIL DISCUSSION

In order to advance to the next tasks in the Land Use and Circulation Study, City Council must determine the desired alternative development scenarios for staff and the transportation consultants to analyze. At least three alternative development scenarios are expected to be prepared for each study area, for a total of nine development scenarios.

Land Use Alternative Development Scenarios

As City Council considers alternative development densities for the study areas, one area in Menlo Park that may serve as a starting point for discussion is Sand Hill Road. Sand Hill Road is zoned C-1-C, Administrative, Professional and Research District. The maximum allowable Floor Area Ratio (FAR) for office development in this district is 25%. This is the lowest commercial FAR in the Menlo Park Zoning Ordinance.

The following are suggestions for City Council consideration of alternative development scenarios:

- A. **North El Camino Real:** The current FAR is 75% with approval of a use permit. Office development is limited to 40% of the total development of the site. This study area has the potential to see significant redevelopment of older structures that are not fully developed to the current allowable FAR. Because of this the following alternatives could be explored:
 1. Assume existing allowable maximum FAR for general commercial uses and residential uses; Reduce the allowable FAR for office development to 25% FAR in zoning districts that allow office as a permitted or conditional use;
 2. Reduce the maximum allowable FAR for all development by 10% or more; Reduce allowable FAR for office development to 25% FAR in zoning districts that allow office as a permitted or conditional use; and
 3. Eliminate office as a permitted or conditional use; maximize residential development (assume multiple family residential development).

- B. **Middlefield Commercial Corridor:** The current allowable FAR in the Middlefield corridor ranges from 30% FAR for the C-1, Administrative and Professional Districts, and 40% FAR for C-4, General Commercial Districts (other than El Camino Real). In general, many parcels in the Middlefield corridor are built out. It is also less likely that there will be substantial redevelopment activity because the building stock is relatively new and in good condition. However, because of this area's proximity to downtown and to transit alternatives, it may be a good location for new housing. And, because the development in this area is maximized, a reduction of FAR for future redevelopment may be considered. Because of this, the following alternatives could be explored:
 1. Eliminate new office uses; Allow sites that are not developed to maximum FAR to be developed with infill residential (compare impact of multiple family and single family); and
 2. Reduce the allowable FAR for office development to 25% FAR in the study area that allow office as a permitted or conditional use.

- C. **SRI:** The SRI International Campus has been developed through an approved conditional development permit. The 1997 approved Conditional Development permit limits development of this site to 1,494,774 square feet, or 55% FAR. The existing development of the site is 50% FAR, with the recent approval of an addition to Building B. The alternative scenarios for discussion could be:
1. Proposed master plan development (1,545,000 s.f.).
 2. Reduce development to currently allowed 30% FAR for zoning district.
 3. Maintain existing development.
 4. Maintain existing development or reduce development to currently allowed 30% or 25% FAR for zoning district, but allow residential development at a higher FAR.
 5. Rezone to all residential.

Circulation Scenarios

Circulation scenarios that could be considered by the Council for testing in subsequent rounds of evaluation include:

1. The six traffic mitigation improvements that were identified in the Menlo Park General Plan but not committed for implementation.
2. Examining the consequences of allowing direct movements between Sand Hill Road and Alma Street.
3. Examining the consequences of providing a direct connection between West Campus Drive and Alpine Road in the immediate vicinity of its interchange with I-280.
4. Examine the consequences of a direct connection between the Dumbarton Bridge and U.S. 101 to the south (southern extension of Bayfront Expressway).
5. Examining the consequences of other possible modifications or mitigations to the street network within Menlo Park that the Council would like considered.

NEXT STEPS IN THE WORK PLAN

Once alternative development scenarios have been identified by the City Council, City staff will prepare the land use data based on the scenarios and provide information to CCS for a transportation analysis (Tasks Two and Three). These tasks are anticipated to be completed by April/May, 2000. A working paper will be prepared to report the findings of the transportation analysis on the scenarios.

Following the completion of Tasks One to Three of the Work Plan, a final summary report on the results of the Future Land Use and Circulation Study will be completed by staff, CCS, and Dan Smith. A City Council public meeting will be scheduled in May/June, 2000, to report the results. At this meeting, City Council should direct staff to develop recommendations for changes to the Zoning Ordinance and General Plan amendments (if required). A final report recommending zoning changes and general plan amendments (if required) will be complete by June 30, 2000.

CITY COUNCIL REVIEW PROCEDURE

1. Brief presentation by staff and Michael Aronson, Principal, CCS Planning and Engineering, Inc..
2. Receive public comments.
3. City Council discussion and direction to staff.

Tracy Cramer
Associate Planner

Arlinda Heineck
Chief Planner

Report Author

Dan Smith
Transportation Consultant
Report Author

PUBLIC NOTICE

Public notification was achieved by posting the agenda, at least 72 hours prior to the meeting, with this agenda item being listed. In addition, flyers were sent to property owners and tenants of properties in the study areas identified in the report.

ATTACHMENTS

- A. Memorandum from Michael Aronson to Tracy Cramer, dated February 16, 2000, Summary of Transportation Analysis
- B. Revised Land Use Inventory
- C. Revised Housing Inventory
- D. Revised Summary of Theoretical Maximum Build Out (assuming maximum office development)
- E. Revised Comparison of Projected Commercial Development and Existing Commercial Development in Study Areas
- F. Staff Report to City Council, January 25, 2000, Review of Task One of Land Use and Circulation Study.
- G. Correspondence:
 - Elza Keet, Letter dated February 3, 2000
 - John Beltramo, Letter dated January 26, 2000
 - Letter from Housing Commission to City Council, dated February 17, 2000.
 - Louwilla L. Gounas, dated February 16, 2000
- H. SRI International -Site Plan and Inventory of Development
- I. Middlefield Commerical Corridor Study Area- Existing Development and FAR
- J. North El Camino Real Study Area- Existing Development and FAR

From: [Peter C](#)
To: [Sandmeier, Corinna D](#)
Subject: Why more Units at SRI?
Date: Sunday, January 8, 2023 4:36:39 PM

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To the City Planning Department and City Council,

The proposed scope of the EIR is the antithesis of what we here at the Burgess Classics community had supported.

- 1) The increased 50 units up to 650 units is 63% higher than the original 400 units proposed. This will negatively impact the community along Laurel Street where we advocated less traffic flow.
- 2) The project does not seem to get to a net positive impact on the housing needs. This encourages office use but does not resolve the housing, which means overall it won't make a dent in our housing needs.
- 3) The higher density housing does not conform to the surrounding uses, which is 1-2 story housing in mostly SFRs or townhouses or garden style multifamily.

The scope should also include a downsized study on reduced office and consequently fewer units.

I was initially supportive of the original plans, but as the Planning department and City Council steered towards more units this raises even more concern about the quality of the neighborhood and the increased traffic.

Please address these concerns. Thank you

Peter C

From: [Sue Connelly](#)
To: [Sandmeier, Corinna D](#)
Cc: [Planning Commission](#)
Subject: Request for studying a smaller scope option for the SRI/ParkLine EIR
Date: Tuesday, January 10, 2023 8:58:48 AM

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Attention:
Corrina Sandmeier -- Acting Principal Planner
and the Menlo Park Planning Commission

Dear Corrina and Planning Commission,

As a resident and HOA boardmember of The Classics at Burgess, we are requesting a third level in the EIR scope to review a lower-impact, smaller development option -- especially since the proposed plan **INCREASES the affordable housing deficit.**

In this smaller-scope project, we request the EIR to measure the following:

1. The SRI/ParkLine project should net out to provide the state-mandated housing that the amount of office planned will require Menlo Park to build.
 - o Reduce the amount of office to comply with the current C1 zoning. The planned office use will actually **NEGATIVELY** impact the affordable housing deficit and result in increasing the deficit due to the proposed office use. The risk of the projected lab use FAR being changed to higher employee densities per 1000 square feet will further increase the affordable housing deficit. In short, the office size and density is creating a bigger housing problem.
 - o Keep the housing at 400 apartments, but have 25% of them be BMR (Below Market Rate) units, so the separate one-acre donation being considered for an affordable housing development will not be required.
2. Study the option of removing the apartment complex driveway onto Laurel to preserve bike safety for school children and pedestrians and to reduce the existing gridlock on Laurel Street. The smaller driveway for the townhome residents can remain as indicated in the current plan.
3. Measure the use of the (currently gated) SRI driveway onto Middlefield to redirect traffic flow as a viable alternative to the removal of the Laurel Street for the apartment buildings. The office traffic can be significantly reduced on the Ravenswood driveways if the Middlefield driveway opens (it will reduce Ravenswood gridlock to/from Middlefield and El Camino) and direct commuter traffic closer to Willow and Highway 101.
4. Increase parking for renters and employees since inadequate parking forces apartment renters, visitors and employees to clog residential streets with traffic while looking for parking and for taking up limited residential parking
(Note: In the 12/12 Planning Commission meeting on the SRI EIR, some commissioners wanted to reduce the proposed parking to force renters/employees to use public transit. But the representative from the firm that will conduct the EIR said that studies showed that reducing parking spaces did NOT reduce cars or numbers of car trips. It just pushed drivers to surrounding residential areas to take street parking, which added traffic as well. There were no reductions in Greenhouse Emissions or in number of car trips.)
5. Provide underground parking for the housing units and for the offices to reduce the overall height of the project (notably to reduce the height of the 3-story parking garage behind the Barron Street

homes) and the potential of five six-story apartment buildings if the project is approved for the 600 total housing unit option being reviewed.

6. Include the emergency water storage tank since there is no emergency water for residents and workers west of El Camino (per the latest water report) which said the emergency well in the city yard is not online yet. The risk of toxic contamination of the city yard emergency well makes it a problem since the city's gas tanks and city yard with other toxic substances (oil, pesticides, etc.) are above it could leak into the groundwater, especially in the expected large earthquake event at some point in the future.

Thank you for your help in getting this lower-impact option included in the EIR so we have a solid comparative analysis of the other two scenarios, especially the much larger scope option, that are being proposed in the EIR scope.

Sue Connelly
Boardmember
The Classics at Burgess Homeowners Association

From: [Verle Aebi](#)
To: [Sandmeier, Corinna D](#)
Subject: Parkline/SRI project scoping study requests
Date: Monday, January 9, 2023 5:39:35 PM

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Hi,

I am a resident of the Linfield Oaks neighborhood and I am writing to request that the EIR study traffic impacts in the entire Linfield Oaks neighborhood from the Parkline project. This would include Laurel Street from its intersection with Willow Road to Encinal Ave. It should also study Willow Road from Alma to Middlefield, Alma, Waverley, Linfield and Sherwood traffic impacts. The study should look at impacts based on number of housing units (200, 400, and 600 units) and square feet of commercial space. The study should also examine increase in congestion on Ravenswood and include in the study the upcoming increase in number of trains with electrification of Caltrain and increased gate down time at Ravenswood and Glenwood Ave.

The traffic study should also look at alternative vehicle entry points to the Parkline development. In particular it should examine the case where no vehicular entries (except for emergency vehicles) are on Laurel Street. In this case the impact of combining the traffic from the housing units with the traffic to the commercial areas of the development should be studied with access at one or more points on Ravenswood and Middlefield Road. Consideration should be given to aligning Ravenswood with Ringwood avenue to eliminate a traffic signal and reduce congestion on Middlefield Road.

Best Regards,
Verle Aebi

California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov



January 9, 2023

SCH #: 2022120058
GTS #: 04-SM-2022-00485
GTS ID: 28368
Co/Rt/Pm: SM/82/0.66

Corinna Sandmeier, Acting Principal Planner
City of Menlo Park
333 Ravenswood Ave
Menlo Park, CA, 94025

Re: Parkline Master Plan Project – Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)

Dear Corinna Sandmeier,

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Parkline Master Plan Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the December 2022 NOP.

Project Understanding

The proposed project would redevelop SRI International's research campus by creating a new office and research and development (R&D), transit-oriented campus with no net increase in commercial square footage, up to 550 new rental housing units at a range of affordability levels, new bicycle and pedestrian connections, and 25 acres of publicly accessible open space. It would result in a total of approximately 1,898,931 gross square feet (gsf), including approximately 1,380,332 gsf of office and R&D uses and approximately 518,599 gsf of residential uses. The proposed project is near State Route (SR) 82, or El Camino Real.

Travel Demand Analysis

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Transportation Impact Studies, please review Caltrans' Transportation Impact Study Guide ([link](#)).

Corinna Sandmeier, Acting Principal Planner

January 9, 2023

Page 2

If the project meets the screening criteria established in the City's adopted Vehicle Miles Traveled (VMT) policy to be presumed to have a less-than-significant VMT impact and exempt from detailed VMT analysis, please provide justification to support the exempt status in alignment with the City's VMT policy. Projects that do not meet the screening criteria should include a detailed VMT analysis in the DEIR, which should include the following:

- VMT analysis pursuant to the City's guidelines. Projects that result in automobile VMT per capita above the threshold of significance for existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City;
- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential traffic safety issues to the State Transportation Network (STN) may be assessed by Caltrans via the Interim Safety Guidance ([link](#));
- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.

Lead Agency

As the Lead Agency, the City of Menlo Park is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D4@dot.ca.gov.

Sincerely,



MARK LEONG
District Branch Chief
Local Development Review

c: State Clearinghouse



NATIVE AMERICAN HERITAGE COMMISSION

December 5, 2022

Corinna D. Sandmeier
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: 2022120058, Parkline Master Plan Project, San Mateo County

Dear Ms. Sandmeier:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code § 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines § 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.AB 52

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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen-Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (f) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

cc: State Clearinghouse



Harold M. Freiman
Attorney at Law

E-mail: hfreiman@lozanosmith.com

January 9, 2023

By Email and U.S. Mail: cdsandmeier@menlopark.org

Corinna Sandmeier
Acting Principal Planner
Community Development
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Response of Sequoia Union High School District to Notice of Preparation of the Environmental Impact Report for the Parkline Master Plan Project

Dear Ms. Sandmeier:

This office represents Sequoia Union High School District (“District”). The District appreciates the opportunity to provide comments and input regarding the Notice of Preparation of the Environmental Impact Report (“EIR”) for the Parkline Master Plan Project (“Project”).

As should by now be abundantly clear from the District’s scoping and comment letters recently submitted to the City regarding other projects, the District is very concerned about the numerous large residential and commercial development projects proposed in the City. The District’s Menlo-Atherton High School is located approximately half a mile west of the Project, while the District’s TIDE Academy and Sequoia High School are located approximately four miles from the Project. These Project is anticipated to result in extensive impacts on student safety, among other impacts. **As in the District’s prior letters, the District requests that all direct and indirect impacts related to the Project’s proximity to District schools, especially Menlo-Atherton High School, be thoroughly reviewed, analyzed, and mitigated.**

The Project application was submitted by Lane Partners, LLC, on behalf of SRI International. The 63.2-acre Project site is proposed to be located at 333 Ravenswood Avenue, 301 Ravenswood Avenue, 555 Middlefield Road, and 565 Middlefield Road. The Project site currently includes SRI International’s research campus. The proposed Project would redevelop the research campus by creating a new office/R&D, transit-oriented campus with no net increase in commercial square footage, up to 550 new rental housing units at a range of affordability levels, new bicycle and pedestrian connections, and 25 acres of publicly accessible open space. The Proposed Project would organize land uses generally into two land use districts within the Project site, including 1) an approximately 10-acre residential district in the southwestern portion of the Project site; and 2) an approximately 53-acre office/R&D district that would comprise the remainder of the Project site. The Proposed Project would also establish a separate parcel of

Limited Liability Partnership

land that is proposed to be leased to an affordable housing developer for the future construction of a 100% affordable housing or special needs project which would be separately rezoned as part of the proposed Project for up to 100 residential units. As explained further below, this Project has the potential to cause severe detriment to the District and its students.

The Notice of Preparation (“NOP”) prepared for the Project concludes that the Project may have numerous impacts on the environment, including potential impacts on Public Services, Population and Housing, Transportation, Noise and Vibration, Air Quality and Utilities. The NOP thus correctly concludes that a subsequent full-scope EIR is required.

Preliminarily, the District notes that it is willing to participate in meetings or study sessions with City Staff and the applicant to discuss the proposed Project. The District is hopeful that opening the door to these discussions will yield solutions that benefit the District, the City, and the community as a whole.

The District requests that the following topics be analyzed and considered in the Draft EIR for the Project.

A. Transportation/Circulation/Traffic Analysis

- 1. Describe the existing and the anticipated vehicular traffic and student pedestrian movement patterns to and from school sites, including movement patterns to and from Menlo-Atherton High School, TIDE Academy, and Sequoia High School, and including consideration of bus routes.**
- 2. Assess the impact(s) of increased vehicular movement and volumes caused by the Project, including but not limited to potential conflicts with school pedestrian movement, school transportation, and busing activities to and from Menlo-Atherton High School, TIDE Academy, and Sequoia High School.**
- 3. Estimate travel demand and trip generation, trip distribution, and trip assignment by including consideration of school sites and home-to-school travel.**
- 4. Assess cumulative impacts on schools and the community in general resulting from increased vehicular movement and volumes expected from additional development already approved or pending in the City.**
- 5. Discuss the direct, indirect, and cumulative impacts on the circulation, and traffic patterns in the community as a result of traffic generated by the transportation needs of students to and from the Project and schools throughout the District during and after the Project build-out.**
- 6. Assess the impacts on the routes and safety of students traveling to school by vehicle, bus, walking, and bicycles.**

The District has significant concerns about the traffic, transportation, and circulation impacts that the Project may have on the District, including the District's staff, parents, and students that attend Menlo-Atherton High School. The foregoing categories of information are critical for determining the extent of those impacts.

(a) The City Must Consider All Traffic and Related Impacts, Including Impacts of Traffic on Student Safety, Caused by the Project.

Any environmental analysis related to the Project must address potential effects related to traffic, noise, air quality, and any other issues affecting schools. (Pub. Resources Code, §§ 21000, *et seq.*; Cal. Code Regs., tit. 14, §§ 15000, *et seq.*; *Chawanakee Unified School District v. County of Madera, et al.*, (2011) 196 Cal.App.4th 1016.) Additionally, specifically regarding traffic, there must be an analysis of safety issues related to traffic impacts, such as reduced pedestrian safety, particularly as to students walking or bicycling to and from Menlo-Atherton High School; potentially reduced response times for emergency services and first responders traveling to these schools; and increased potential for accidents due to gridlock during school drop-off and pick-up hours. (See, Journal of Planning Education and Research, "Planning for Safe Schools: Impacts of School Siting and Surrounding Environments on Traffic Safety," November 2015, Chia-Yuan Yu and Xuemei Zhu, pg. 8 [Study of traffic accidents near Austin, Texas schools found that "[a] higher percentage of commercial uses was associated with more motorist and pedestrian crashes" around schools].)

The State Office of Planning and Research has developed new CEQA Guidelines which set forth new criteria for the assessment of traffic impacts, and now encourages the use of metrics such as vehicle miles traveled ("VMT"), rather than level-of-service ("LOS"), to analyze project impacts on traffic. (14 Cal. Code Regs. § 15064.3.) However, local agencies may still consider impacts on traffic congestion at intersections where appropriate, and must do so where, as here, such traffic congestion will cause significant impacts on air quality, noise, and safety issues caused by traffic. (Pub. Res. Code § 21099(b)(3).)

The City has experienced a drastic increase in traffic over the last ten to fifteen years as the City has continued to approve newer corporate campuses and mixed biotechnology, commercial, office, and residential land uses. **The construction resulting from and traffic generated by the Project will severely exacerbate the already stifling traffic in the area, and the safety issues posed thereby. These impacts will severely inhibit the District's ability to operate its educational programs, including at Menlo-Atherton High School.**

The proposed Project is anticipated to impede circulation in the Project area, and clog the access roads to, from, and around the District's Menlo-Atherton High School, including along Middlefield Road. (See, 5 Cal. Code Regs. § 14010(k), which requires that school facilities be easily accessible from arterial roads.) The District's Menlo-Atherton High School is located approximately half a mile west of the Project. Both Menlo-Atherton High School and the proposed Project would be accessed by the same roads, including those mentioned above. In addition to drawing a large number of new residents to the area, the proposed Project will draw thousands of daily office commuters, visitors, and emergency access vehicles from around the Bay Area. The immediate roads surrounding Menlo-Atherton High School, will bear the burden of the increased traffic patterns. Such increases to traffic in the area will not only make it much

more difficult for students and staff to travel to and from Menlo-Atherton High School, but will also **drastically increase the risk of vehicular accidents to District families, students, and staff traveling to and from school.**

In addition to increased risks of vehicular accidents, the traffic and parking impacts posed by the Project may severely impact the safety and convenience of Menlo-Atherton High School students who walk or bike to school. Title 5 of the California Code of Regulations requires that school sites be located within a proposed attendance area that encourages student walking and avoids extensive bussing. (5 Cal. Code Regs. § 14010(1).)

The EIR must analyze and mitigate all of the above traffic and related impacts, including those impacts related to student safety and ability to get to school, the District's ability to implement its transportation and safety mitigation measures for Menlo-Atherton High School, and the District's ability to promote alternative modes of transportation to and from Menlo-Atherton High School. It is important that these traffic impacts are not only assessed through a VMT analysis, but also through a LOS analysis, as traffic congestion surrounding the District's Menlo-Atherton High School caused by the proposed Project will in turn cause significant issues related to safety, noise, and air quality. It is anticipated that these impacts will extend far beyond the Project area. Rather, the District requests that all intersections that could be impacted by the Project, including those within and outside of the Project area, be analyzed for LOS and related safety impacts.

(b) City Must Consider Cumulative Traffic and Related Impacts.

Environmental impact reports must address cumulative impacts of a project when the project's effects on the environment, viewed in conjunction with impacts of other past, present, or reasonably foreseeable future projects, is cumulatively considerable. (14 CCR 15130(a).) (See *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 CA4th 713, 720, finding that piecemeal approval of several projects with related impacts could lead to severe environmental harm.) While a lead agency may incorporate information from previously-prepared program EIRs into the agency's analysis of a project's cumulative impacts, the lead agency must address all cumulative impacts that were not previously addressed in the program EIR. (Pub. Res. Code § 21083.3(c); 14 CCR 14183(b)(3).)

The Project's above- and below-discussed anticipated impacts on the District, combined with the anticipated impacts of the vast number of development projects that have recently been approved and are being considered for approval in the City are cumulatively considerable. All of these impacts are exacerbated by the volume of projects that the City is considering and approving, as the District will be unable to accommodate the influx of students through facilities, infrastructure, and related improvements. When considered together, the collective impacts on traffic, safety, and air quality in the neighborhood will be devastating. **These cumulative impacts on the District's Menlo-Atherton High School, TIDE Academy, and Sequoia High School must be analyzed and mitigated.**

B. Air Quality

- 7. Identify and assess the direct and indirect air quality impacts of the Project on sensitive receptors, such as the District's Menlo-Atherton High School.**
- 8. Identify and assess cumulative air quality impacts on schools and the community in general resulting from increased vehicular movement and volumes expected from additional development already approved or pending in the area.**

The Bay Area Air Quality Management District's ("BAAQMD") CEQA Guidelines (May 2017) impose numerous limitations on the exposure of "sensitive receptors," such as schools, to odors, toxics, and pollutants, including pollutants from vehicular exhaust.

It is anticipated that the Project will have a significant impact on the air quality of the neighborhood surrounding Menlo-Atherton High School due to extensive construction activities and increases in vehicular traffic. Even more pressing, the proposed Project is anticipated to result in significant impacts to sensitive receptors as an increased number of vehicles enter and exit the Project area, creating increased levels of air toxins and particulate matter that could negatively impact student health. These impacts, as they relate to the District's students at Menlo-Atherton High School, must be analyzed in the Draft EIR. This analysis also dovetails with the discussion above regarding the necessity of LOS analysis. Decreased levels of service at intersections generally mean lengthier amounts of time for cars to idle, including near schools, resulting in decreased air quality and the potential for substantial impacts on students.

C. Noise

- 9. Identify any noise sources and volumes which may affect school facilities, classrooms and outdoor school areas.**

It is expected that noise from construction stemming from the implementation of the proposed Project will cause impacts on the District's educational programs at Menlo-Atherton High School. Request No. 9 is intended to clarify that the EIR's consideration of noise issues take into account all of the various ways in which noise may impact schools, including increases in noise levels in the immediate vicinity of Menlo-Atherton High School.

D. Population

- 10. Describe historical, current, and future population projections for the District.**
- 11. Assess the impacts of population growth within the District on the District's ability to provide its educational program.**

In addition to 450 anticipated residential units, it is anticipated that the proposed Project's 1,500,000 gsf of Office/R&D District will draw thousands of residents into the area on a permanent, or at least a daily basis. Using the District's previously identified student generation

rate of 0.2, 450 anticipated residential units are likely to generate approximately 90 new high school students to the District. Menlo-Atherton High School is currently already over capacity.

The District, therefore, specifically demands that historic, current, and future population projections for the District be addressed in the EIR. Population growth or shrinkage is a primary consideration in determining the impact that development may have on a school district, as a booming population can directly impact the District and its provision of educational services, largely because of resulting school overcrowding, while a district with declining enrollment may depend on new development to avoid school closure or program cuts. Overcrowding can constitute a significant impact within the meaning of CEQA. (See, 14 Cal. Code Regs. §§15064(e).) This is particularly true where the overcrowding results in unsafe conditions, decreased quality of education, the need for new bus routes, and a need for new school construction. The same can hold true for potential school closures or program cuts resulting from a declining population.

E. Housing

12. Describe the type and number of anticipated dwelling units indirectly resulting from the Project.

13. Describe the average square footage for anticipated dwelling units, broken down by type of unit, indirectly resulting from the Project.

14. Estimate the amount of development fees to be generated by development in accordance with implementation of the Project.

The foregoing categories of information are critical for determining the extent of both physical and fiscal impacts on the District caused by increased population growth.

California school districts are dependent on developer fees authorized by the provisions of Government Code sections 65995, *et seq.*, and Education Code sections 17620, *et seq.*, for financing new school facilities and maintenance of existing facilities. The developer fees mandated by Section 65995 provide the District a significant portion of its local share of financing for facilities needs related to development.

The adequacy of the statutory development fees to offset the impact of new development on local school districts can be determined only if the types of housing and average square footage can be taken into consideration. For instance, larger homes often generate approximately the same number of students as smaller homes. At the same time, however, a larger home will generate a greater statutory development fee, better providing for facilities to house the student being generated. It is for these reasons that the Government Code now requires a school district to seek – and presumably to receive – such square footage information from local planning departments. (Gov. Code § 65995.5(c)(3).)

While the foregoing funding considerations raise fiscal issues, they also translate directly into physical, environmental impacts, in that inadequate funding for new school construction results in overcrowding of existing facilities. Without funding to build new facilities or land on which

to expand, students may need to attend schools outside their attendance boundaries, creating significant traffic impacts, among others. Furthermore, fiscal and social considerations are relevant to an EIR, particularly when they either contribute to or result from physical impacts. (Pub. Resources Code § 21001(g); 14 Cal. Code Regs. §§ 15021(b), 15131(a)-(c), 15142 & 15382.)

Phasing of development is also a crucial consideration in determining the extent of impacts on schools, which is especially relevant considering the volume of development occurring in the downtown area. The timing of the development will determine when new students are expected to be generated, and therefore is an important consideration particularly when considering the cumulative impact of a project in conjunction with other approved or pending development.

F. Public Services

- 15. Describe existing and future conditions within the District, on a school-by-school basis, including size, location and capacity of facilities.**
- 16. Describe the adequacy of both existing infrastructure serving schools and anticipated infrastructure needed to serve future schools.**
- 17. Describe the District's past and present enrollment trends.**
- 18. Describe the District's current uses of its facilities.**
- 19. Describe projected teacher/staffing requirements based on anticipated population growth and existing State and District policies.**
- 20. Describe any impacts on curriculum as a result of anticipated population growth.**
- 21. Identify the cost of providing capital facilities to properly accommodate students on a per-student basis, by the District (including land costs).**
- 22. Identify the expected shortfall or excess between the estimated development fees to be generated by the Project and the cost for provision of capital facilities.**
- 23. Assess the District's present and projected capital facility, operations, maintenance, and personnel costs.**
- 24. Assess financing and funding sources available to the District, including but not limited to those mitigation measures set forth in section 65996 of the Government Code.**
- 25. Identify any expected fiscal impacts on the District, including an assessment of projected cost of land acquisition, school construction, and other facilities needs.**

- 26. Assess cumulative impacts on schools resulting from additional development already approved, pending, or anticipated.**
- 27. Identify how the District will accommodate students from the Project who are not accommodated at current District schools, including the effects on the overall operation and administration of the District, the students and employees.**

CEQA Guidelines, Appendix G, states that a project may have public services impacts on schools if the project would “result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives” for the provision of school services.

There are a myriad of ways in which large residential and commercial development projects can impact a school district’s need for new or physically altered facilities in order to maintain performance objectives. The Draft EIR’s examination of the Project should analyze all potential impacts under this standard, including but not limited to: (1) whether the influx of students would require “physically altered” school facilities unrelated to the accommodation of additional enrollment; (2) whether other impacts of the Project, such as increased traffic, noise, or air pollutants in the neighborhood surrounding Menlo-Atherton High School, could impact the District’s need for new or physically altered school facilities; and (3) whether other impacts of the Project could otherwise interfere with the District’s ability to accomplish its own performance objectives. Consideration of the above-listed categories of information is essential to properly making these determinations.

Lead agencies often cite to SB 50 (specifically, Government Code sections 65995(h) and 65996(a)), for the proposition that the payment of school impact fees (commonly referred to as “developer fees”) excuses them from their obligations to analyze and mitigate impacts posed on school districts by development. This, however, is a misstatement of the law related to developer fees and CEQA. While SB 50 does declare that the payment of the developer fees authorized by Education Code section 17620 constitutes “full and complete mitigation of the impacts of any legislative or adjudicative act on the provision of adequate school facilities,” (Gov. Code § 65995(h)), SB 50 does not excuse lead agencies from analyzing such impacts on school facilities in the first place. Further, **California courts have since acknowledged that developer fees do not constitute full and complete mitigation for school-related impacts other than school overcrowding.** (*Chawanakee Unified Sch. Dist. v. County of Madera* (2011) 196 Cal.App.4th 1016.) Thus, the payment of fees does not constitute full mitigation for all impacts caused by development related to traffic, noise, biological, pedestrian safety, and all other types of impacts related to the District and its educational program. The District expects the City to analyze and mitigate all such impacts in the EIR for the Project.

Conclusion

The District does not oppose development within District boundaries, and recognizes the importance of housing on the health and welfare of the community. However, the District maintains that the community can only thrive if the District's educational program and its facilities are viable and sufficient, and District staff, families, and students are safe. Accordingly, the needs of the District must be appropriately considered in the environmental review process for all proposed new development that will impact the District, such as the very large project under consideration.

We request that all notices and copies of documentation with regard to the Project be mailed both to the District directly, and also to our attention as follows:

Crystal Leach, Associate Superintendent, Administrative Services
Sequoia Union High School District
480 James Avenue
Redwood City, CA 94062

Harold M. Freiman, Esq.
Lozano Smith
2001 North Main Street, Suite 500
Walnut Creek, CA 94596

Please feel free to contact us directly if we can be of any assistance in reviewing the above issues. Thank you.

Sincerely,

LOZANO SMITH



Harold M. Freiman

HMF/df

cc: Crystal Leach, Associate Superintendent, Administrative Services (cleach@seq.org)