REGULAR MEETING AGENDA – AMENDED

Date: 9/12/2022
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 871 4022 8110

This amended agenda includes an updated staff report for item F2.

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE
Consistent with Government Code section 54953(e), and in light of the declared state of emergency, and maximize public safety while still maintaining transparency and public access, members of the public can listen to the meeting and participate using the following methods.

How to participate in the meeting

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

  *Written comments are accepted up to 1 hour before the meeting start time. Written messages are provided to the Planning Commission at the appropriate time in their meeting.

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

Regular Meeting

A. Call To Order

B. Roll Call

C. Reports and Announcements

D. Public Comment

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

E. Consent Calendar

None

F. Public Hearing

F1. ~~Architectural Control, Use Permit and Variance/David Neubauer/135 El Camino Real: Request for a~~ Adopt a resolution to approve architectural control, a use permit, and a variance for exterior and interior modifications to an existing commercial building at 135 El Camino Real in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. Modifications include a new front façade, a small second-story addition and roof deck, and modifications to the landscaping. The request also includes ~~a use permit for~~ a change of use from a restricted personal service to a mixed-use office and residential building with one residential unit on a property that is substandard with regard to parking~~. Additionally, the applicant is requesting a variance~~, and a variance request to reduce the required front setback by 3.5 feet. (Staff Report #22-049-PC)

F2. ~~Use Permit, Architectural Control, Heritage Tree Removals, and Environmental Review/Tarlton Properties, Inc./1350 Adams Court: Request for a use permit, architectural control, heritage tree removal permits, and environmental review~~ Adopt resolutions to certify the Final Environmental Impact Report (FEIR) and approve a use permit and architectural control to develop a five-story research and development (R&D) building with up to 260,400 square feet of gross floor area (GFA), as part of the 1350 Adams Court Project in the LS-B (Life Sciences, Bonus) zoning district. The project site consists of an existing two-story approximately 188,100-square-foot life sciences building, addressed 1305 O'Brien Drive, and an undeveloped northern portion of the site anticipated to be addressed 1350 Adams Court. The proposed R&D building would be located on the vacant site area and the existing building would remain. Parking for the proposed new R&D building would be located in a partially-below-grade podium level with three additional levels of parking provided above grade and integrated into the building. The total gross floor area at the project site with the proposed and existing buildings would be approximately 448,500 square feet, with a total proposed floor area ratio (FAR) of approximately 92 percent for the site. The proposal includes a request for an increase in height and FAR under the bonus level development allowance in exchange for

community amenities. The applicant is proposing payment of a community amenities in-lieu fee. The project also includes upgrades of water lines beneath Adams Court, along the interior of the project site, and beneath O'Brien Drive from the southwest corner of the project site frontage to the intersection with Willow Road. The project also includes a request to use and store hazardous materials ~~use permit request~~ to allow a diesel generator to operate the facilities in the event of a power outage or emergency. The Final Environmental Impact Report (EIR) pursuant to CEQA was released on September 1, 2022. The Final EIR for the proposed project does not identify any significant and unavoidable environmental impacts that would result from the implementation of the proposed project. The Final EIR identifies potentially significant environmental impacts that can be mitigated to a less than significant level (LTS/M) in the following categories: Air Quality, Greenhouse Gas Emissions, Noise and Transportation. The Final EIR identifies less than significant (LTS) environmental impacts in the following categories: Population and Housing and Utilities and Energy. The City previously prepared an initial study for the proposed project that determined the following topic areas would have no impacts, less-than-significant impacts, or less than-significant impacts with mitigation measures (including applicable mitigation measures from the ConnectMenlo EIR): Aesthetics, Agriculture and Forestry Resources, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Public Services, Recreation, Tribal Cultural Resources and Wildfire. The Draft EIR was circulated for a 45-day public review from April 2, 2022 through May 19, 2022 and the Planning Commission held a public hearing on the Draft EIR at its meeting on May 2, 2022. The Final EIR includes responses to all substantive comments received on the Draft EIR. The project location does not contain a toxic site pursuant to Section 6596.2 of the Government Code. (Staff Report #22-050-PC)

G. Informational Items

G1. Future Planning Commission Meeting Schedule – The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.

- Regular Meeting: September 19, 2022
- Regular Meeting: October 3, 2022

H. Adjournment

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

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

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

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

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the “Notify Me” service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 09/07/2022)

STAFF REPORT

Planning Commission
Meeting Date: **9/12/2022**
Staff Report Number: **22-049-PC**

Public Hearing: **Architectural Control, Use Permit and Variance/David Neubauer/135 El Camino Real**

Recommendation

Staff recommends that the Planning Commission approve a request for architectural control for exterior and interior modifications to an existing commercial building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. Modifications include a new front façade, a small second-story addition and roof deck, and modifications to the landscaping. The request also includes a use permit for a change of use from a restricted personal service to a mixed-use office and residential building with one residential unit on a property that is substandard with regard to parking. Additionally, the applicant is requesting a variance to reduce the required front setback by 3.5 feet. A draft resolution, including the recommended conditions of approval, is included as Attachment A.

Policy Issues

The proposed project requires the Planning Commission to consider the merits of the project. The Planning Commission should consider whether the required architectural control, use permit and variance findings can be made for the proposal.

Background

Site location

The project site is located at 135 El Camino Real, between Harvard Avenue and Cambridge Avenue, on the edge of the Allied Arts neighborhood. The site adjoins Alto Lane, a narrow public service road at the rear. Properties along the west side of El Camino Real and the parcels on the opposite side of Alto Lane are part of the SP-ECR/D zoning district and the ECR SW (El Camino Real South-West) sub-district. These properties are occupied by a variety of commercial uses, including offices, as well as multi-family residences. The Stanford Park Hotel and the Middle Plaza at 500 El Camino Real mixed-use projects site are located on the opposite side of El Camino Real. These parcels are also part of the SP-ECR/D zoning district and are located in the ECR SE (El Camino Real South-East) sub-district.

Farther down Harvard Avenue and Cambridge Avenue, parcels are located in the R-2 (Low Density Apartment) zoning district and are occupied by one and two-story single-family residences and duplex/multi-unit developments. A location map is included as Attachment B.

Analysis

Project description

The applicant is proposing exterior and interior modifications to an existing single-story, commercial building. The existing building is non-conforming with regard to the front and side setbacks, with a portion of the building extending beyond the front property line along El Camino Real. Proposed modifications include a new front façade, a small second-story addition and roof deck, and modifications to the landscaping. The applicant is also proposing a change of use from a restricted personal service to a mixed-use office and residential building, which requires a use permit as the parcel is substandard with regard to parking. Additionally, the applicant is requesting a variance to reduce the required front setback from seven feet to three feet, six inches.

The proposal would meet the Specific Plan's Base level standards, which were established to achieve inherent public benefits, such as the redevelopment of underutilized properties, the creation of more vitality and activity, and the promotion of healthy living and sustainability.

The existing building has a Gross Floor Area (GFA) of 2,712 square feet, where the maximum permitted base Floor Area Ratio (FAR) for the ECR SW sub-district is 1.1, which would be 3,099 square feet for the subject parcel. The useable area of the basement, which counts towards GFA, would be reduced by 366.4 square feet (from 1,314 square feet to 947.6 square feet) as the office portion of the first floor would be lowered to street level to meet accessibility requirements. The first floor would also be reduced by approximately 19.3 square feet (from 1,398 square feet to 1,378.7 square feet) as the portions of the building that currently intrude beyond the requested 3-foot, 6-inch front setback would be removed. Additionally, the applicant is proposing to add 172 square feet on the second floor, resulting in a total GFA of 2,498.1 square feet.

Proposed changes to the front façade include removal of the existing red fabric awning and the addition of steel bar grate awnings. The awnings would extend beyond the requested front setback by approximately three feet and would have a vertical clearance of eight feet, three inches from the street level as is permitted by Specific Plan Standard E.3.3.07:

> *Architectural projections like canopies, awnings and signage shall not project beyond a maximum of 6 feet horizontally from the building face at the property line or at the minimum setback line. There shall be a minimum of 8-foot vertical clearance above the sidewalk, public right-of way or public space.*

The project also includes a larger doorway than is existing on the first floor to comply with current Building Code access requirements. Due to the extent of the changes to the front façade to meet accessibility requirements, the façade would be rebuilt and required to meet Specific Plan Standard E.3.5.02:

> *Ground floor commercial buildings shall have a minimum of 50% transparency (i.e., clear-glass windows) for retail uses, office uses and lobbies to enhance the visual experience from the sidewalk and street. Heavily tinted or mirrored glass shall not be permitted.*

The proposed design would exceed this requirement and provide 57 percent transparency along the front façade. As noted above, to comply with building code requirements for accessibility, the expansion of the

doorway and lowering of the floor level to the street level would result in a new front façade. Rebuilding of the front facade in the existing non-conforming location is not possible as portions are located at or beyond the front property line; however, the applicant is requesting a variance to reduced the required front setback from seven feet to three feet, six inches, to allow for the necessary renovations without reducing much of the square footage of the existing first floor.

The existing cornice and tile roofing are proposed for removal to accommodate a roof deck and small second-story "stair cabin". The roof deck would be covered by a 11-foot, 4-inch tall wooden arbor and would only be accessible from the residential unit, where a new staircase is proposed to access both the existing basement and the new roof deck. The building would have flat rooflines with parapets. The maximum building height from existing grade to the top of the flat roof would be approximately 12 feet, 7 inches, with an approximately three-foot, 11-inch tall parapet surrounding the entire building and a nine-foot, seven-inch tall second-floor "stair cabin". The parapets would provide screening for proposed mechanical equipment.

Aside from the legal non-conforming side setbacks and substandard parking, the development would meet the development regulations in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The applicant's project plans are included as Attachment D and the applicant's project description letter and variance letter are included as Attachment E and F respectively.

Design and materials

The existing building features white stucco and reddish brown tile roofing. The materials of the new front façade and second-story addition would be smooth texture stucco walls in white, with black aluminum metal window and door frames. Steel bar grate awnings are proposed over windows and the entry doorway on the front facade and a window on the rear. A new wooden roof arbor, which would meet the setback requirements, is also proposed. Additionally, a new wooden carport is proposed along Alto Lane, which would be setback seven feet as it faces a right-of-way.

Staff believes the proposed eclectic architectural style of the project would be consistent with the diverse aesthetic of the surrounding neighborhood.

Parking and circulation

The subject site provides only two parking spaces, located along the rear of the subject property and accessed via Alto Lane. The Specific Plan requires 1.85 parking spaces per residential unit in ECR SW sub-district, meaning 1.85 parking spaces are required for the proposed one residential unit. This sub-district also requires four parking spaces per 1,000 square feet of commercial space, resulting in a requirement of 1.46 parking spaces for the proposal, which is considered adequate for retail, personal service or non-medical office uses. Because the site can only accommodate the two existing parking spaces, it is considered substandard with regard to parking, and any change of use from the previously approved restricted personal service requires approval of a use permit. Pedestrian access to the residential unit would be through a building entry facing Alto Lane, and pedestrian access to the commercial (office) suite would be off El Camino Real.

The applicant has provided a trip generation analysis (Attachment G) to determine whether the proposed change of use would result in an increase in trips to and from the subject site. The trip generation analysis

report determined that there would be no net new vehicular trips to the subject site and so the proposed change of use does not require a transportation demand management (TDM) plan.

In this area, the Specific Plan specifies that sidewalks should have a 12-foot total width, made up of a four-foot furnishings zone and an eight-foot clear walking zone. The sidewalk is currently about 7 feet wide and with the requested variance, the new front façade would be slightly less than 10 feet, six inches, from the back of curb. As a condition of approval, the applicant would be required to submit revised plans showing a 10-foot wide sidewalk along the property frontage. For the portions of the sidewalk that extend onto the subject property, a Public Service Easement (PSE) would need to be recorded and this requirement is included as a condition of approval. Alto Lane, as a service road, does not require any new sidewalks.

Open space, trees and landscaping

The applicant has submitted an arborist report (Attachment H) detailing the species, size, and conditions of existing trees on and around the site. The report discusses the impacts of the proposed improvements and provides recommendations for tree maintenance, based on their health. As part of the project review process, the arborist report was reviewed by the City Arborist. All recommendations identified in the arborist report shall be implemented and will be ensured through the conditions of approval.

There are no trees located on the subject property but there are two existing London plane street trees in front of the property. The two existing street trees along El Camino Real would be retained at the planting strip on the outer portion of the sidewalk. Three new swan hill trees would be provided along the left-side rear to create privacy between 115 and 135 El Camino Real.

The project would exceed the ECR SW open space requirement of 30 percent of the lot, with approximately 51.1 percent (1,442.21 square feet) proposed. Landscaped areas along the Alto Lane frontage would provide approximately 816.6 square feet of open space. The roof-top terrace accessed by the residential unit would also provide approximately 382 square feet of private open space, which counts towards the total open space requirement for the parcel and also greatly exceeds a related requirement of 80 square feet of private open space for a residential unit.

Variance findings

The applicant is requesting a variance to reduce the required front setback of seven feet by 50 percent to three feet, six inches. The applicant has provided a variance request letter that is included as Attachment F. The required variance findings are evaluated below in succession:

1. *That a hardship peculiar to the property and not created by any act of the owner exists. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not hardships justifying a variance. Further, a previous variance can never have set a precedent, for each case must be considered only on its individual merits.*

The applicant states that the hardship pertains to the unique shape of the parcel. The combination of the existing non-conforming building and the 25-foot width of the subject parcel, create a uniquely small area for the permitted building footprint. This hardship is unique to the property, and has not been created by an act of the owner. Staff concurs with the applicant's discussion of this finding.

2. *That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors.*

The applicant states that the requested variance is necessary to rebuild the front façade without decreasing too much of the existing FAR. The variance would allow the applicant to position the front façade without loosing a lot of floor area and allow the building to comply with accessibility and transparency requirements. The applicant has also stated that this variance would not constitute a special privilege, as the variance request is merely allowing the applicant to rebuild as close to the existing condition as possible. Staff concurs with the applicant's discuss of this finding.

3. *That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property.*

The applicant states that the variance would benefit the public in that it facilitates a mixed-use housing development and would allow the creation of viable commercial space in an attractive building supporting the overall streetscape here. The applicant also states that the variance would improves access to light and air, by increasing the front setback. Staff believes that the proposed office and residential use would not be detrimental to the public health, safety, and welfare, or impair an adequate supply of light and air to the adjacent properties, given that the existing building is single-story and the proposed second-story addition would be well inset. In addition, the building's encroachment into the required front setback would be reduced.

4. *That the conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification.*

The applicant states that the unique shape of the subject property and non-conforming existing building is generally not applicable to many of the lots located within the neighborhood and zoning district. Although there are other narrow parcels in the area and existing buildings which may not comply with the required setbacks, staff agrees that the subject parcel is uniquely narrow. As such, the conditions on which the variance is based would not be generally applicable to other property in the same zoning classification.

5. *That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process.*

The applicant states this lot is uniquely shaped and was not anticipated during the Specific Plan process. Staff agrees that this unique situation, a 25-foot wide lot with an existing non-conforming building, was not anticipated or discussed in detail during the Specific Plan process.

Approval of a variance requires that all five findings be made. Per the above discussion, staff recommends approval of the variance, and findings to this effect are included in Attachment A.

Correspondence

Staff has received one item of correspondence from the neighbors at 115 El Camino Real (Attachment I). The neighbors mentions in their letter the non-conforming setbacks of 135 El Camino Real and that they

would prefer that the requirements be met. Additionally, the neighbors expressed concerns about windows and doors facing their property. It should be noted, no new windows or doors are proposed adjacent to 115 El Camino Real and the non-conforming side setbacks are existing conditions.

Conclusion

Approval of the architectural control, variance and use permit would allow the development of an additional residential unit along El Camino Real, as well as a new office suite. The proposal would meet the Specific Plan's Base level standards, which were established to achieve inherent public benefits, such as the redevelopment of underutilized properties, the creation of more vitality and activity, and the promotion of healthy living and sustainability. The development would also provide a positive pedestrian experience as three additional feet of sidewalk would be added and the existing building would be renovated and exceed the required 50 percent transparency along the first floor of the front façade. Staff recommends that the Planning Commission approve the proposed project.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

The proposed project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines, and as such, no additional environmental analysis is required.

Specific plan maximum allowable development

Per Section G.3, the Specific Plan establishes the maximum allowable net new development as follows:

Residential uses: 680 units; and
Non-residential uses, including retail, office and hotel: 474,000 square feet.

These totals are intended to reflect likely development throughout the Specific Plan area. As noted in the Plan, development in excess of these thresholds will require amending the Specific Plan and conducting additional environmental review.

If the project is approved and implemented, the Specific Plan Maximum Allowable Development would be revised to account for the net changes as follows:

Table 1: Specific Plan Totals	Dwelling Units	Commercial Square Footage
Existing	0	2,712
Proposed	1	364.7
Net Change	1	-2,347.3
% of Maximum Allowable Development	0.001	n/a
Available Units & Commercial SF in SP if Project is Approved	153	65,506
Available Units & Commercial SF in SP if all Pending Projects in SP are Approved	153	47,989

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

Attachments

A. Draft Planning Commission Resolution of Approval Adopting Findings for project Architectural Control, Use Permit and Variance including project Conditions of Approval
   Exhibits to Attachment A
      A. Project Plans (See Attachment D to this (September 12, 2022) Planning Commission Staff Report)
      B. Project Description Letter (See Attachment E to this (September 12, 2022) Planning Commission Staff Report)
      C. Variance Letter (See Attachment F to this (September 12, 2022) Planning Commission Staff Report)
      D. Conditions of Approval
B. Location Map
C. Data Table
D. Project Plans
E. Project Description Letter
F. Variance Letter
G. Trip Generation Analysis
H. Arborist Report
I. Correspondence

J. Specific Plan Standards and Guidelines Compliance Worksheet
K. MMRP

Disclaimer

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

Exhibits to Be Provided at Meeting

None

Report prepared by:
Fahteen Khan, Associate Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner

PLANNING COMMISSION RESOLUTION NO. 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING (1) ARCHITECTURAL CONTROL REVIEW FOR EXTERIOR AND INTERIOR MODIFICATIONS TO AN EXISTING COMMERCIAL BUILDING IN THE SP-ECR/D (EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN) ZONING DISTRICT, MODIFICATIONS INCLUDE A NEW FRONT FAÇADE, A SMALL SECOND-STORY ADDITION AND ROOF DECK, AND MODIFICATIONS TO THE LANDSCAPING, (2) A USE PERMIT FOR A CHANGE OF USE FROM A RESTRICTED PERSONAL SERVICE TO A MIXED-USE OFFICE AND RESIDENTIAL BUILDING WITH ONE RESIDENTIAL UNIT ON A PROPERTY THAT IS SUBSTANDARD WITH REGARD TO PARKING, AND (3) A VARIANCE TO REDUCE THE REQUIRED FRONT SETBACK BY 3.5 FEET.

WHEREAS, the City of Menlo Park ("City") received an application requesting architectural control review for exterior and interior modifications to an existing commercial building, including a new front façade, a second-story addition and a new roof deck, and modifications to landscaping. The request also includes a use permit for change of use from restricted personal services to mixed-use office and residential building with one residential unit on a property that is substandard with regard to parking. Additionally, the applicant is requested a variance to reduce the required front setback by 3.5 feet in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district (collectively, the "Project") from Ross Levy ("Applicant"), on behalf of the property owner David Neubaeur ("Owner"), located at 135 El Camino Real (APN 071-433-140) ("Property"). The Architectural Control, Use Permit and Variance are depicted in and subject to the development plans and documents which are attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the Property is located in the El Camino Real/Downtown Specific Plan (SP-ECR/D) zoning district, and the El Camino Real South-West (SW) sub-district, which supports a variety of uses including personal services, business and professional offices and residential uses; and

WHEREAS, the proposed Project complies with all objective standards of the SP-ECR/D district and the SW sub-district with the approval of the use permit and variance; and

WHEREAS, the findings and conditions for the architectural control, use permit and variance would ensure that all City requirements are applied consistently and correctly as part of the project's implementation; and

WHEREAS, the proposed Project was reviewed by the Engineering Division and found to be in compliance with City standards; and

WHEREAS, the Applicant submitted an arborist report prepared by Bo Firestone Consulting & Design which was reviewed by the City Arborist and found to be in compliance with the Heritage Tree Ordinance and proposes mitigation measures to adequately protect heritage trees in the vicinity of the project; and

WHEREAS, the Project, requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act ("CEQA," Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require analysis and a determination regarding the Project's environmental impacts; and

WHEREAS, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the Project; and

WHEREAS, the Project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, all required public notices and public hearings were duly given and held according to law; and

WHEREAS, at a duly and properly noticed public hearing held on September 12, 2022, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, documents and plans, prior to taking action regarding the architectural control permit, use permit and variance .

NOW, THEREFORE, THE MENLO PARK PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

Section 1. Recitals. The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, public testimony, and other materials and evidence submitted or provided, and the Planning Commission finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

Section 2. Architectural Control Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the architectural control for the modifications to the exterior of an existing building and modifications to the landscaping is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.68.020:

1. That the general appearance of the structure is in keeping with the character of the neighborhood; in that, the Project is designed in an eclectic architectural style consistent with the diverse aesthetic of the surrounding neighborhood. With the granting of the variance for the front setback, the materials and exterior modifications will comply with the SP-ECR/D zoning district objective standards, and will provide visual interest along the streetscape.

2. That the development will not be detrimental to the harmonious and orderly growth of the city; in that, the project is a remodel project. The proposed Project is designed in a manner that is consistent with all applicable requirements of the City of Menlo Park Municipal Code and the Specific Plan, and the Project land uses would represent a balanced project.

3. That the development will not impair the desirability of investment or occupation in the neighborhood; in that, the Project consists of exterior and interior modifications consistent with the Municipal Code. The proposed materials and colors used for the front façade will be compatible with the appearance of the existing neighboring buildings. Therefore, the Project would not impair the desirability of investment or occupation in the neighborhood.

4. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking; in that, the existing development is considered legal, non-conforming with regard to parking, and with the issuance of a use permit, is permitted to change the use from a restricted person service to a mixed-use building.

5. That the project is consistent with applicable specific plan regulations and guidelines, as verified in detail in the Standards and Guidelines Compliance Worksheet attached to the September 12th, 2022, Planning Commission staff report.

Section 3. Conditional Use Permit Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings:

The approval of the use permit to change the use from a restricted personal service to a mixed-use office and residential building with one residential unit on a property that is substandard with regard to parking is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

1. That the establishment, maintenance, or operation of the use applied for will, under the circumstance of the particular case, not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing in the neighborhood of such proposed use, or injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city because:
    a. Consideration and due regard were given to the nature and condition of all adjacent uses and structures, and to general plans for the area in question and surrounding areas, and impact of the application hereon; in that, the proposed use permit is consistent with the El Camino Real/Downtown Specific Plan (SP-ECR/D) zoning district, and the El Camino Real South-

West (SW) sub-district and the General Plan because the change of use on a substandard lot subject to granting of a use permit is permitted.

b. The proposed Project is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code, with the granting of the variance, and the Commission concludes that the Project would not be detrimental to the health, safety, and welfare of the surrounding community.

Section 3. Variance Findings. The Planning Commission of the City of Menlo Park does hereby make the following Findings per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of a variance:

1. That a hardship peculiar to the property and not created by any act of the owner exists; in that, the combination of the existing non-conforming building and the 25-foot width of the subject parcel create a uniquely small area for the building footprint.

2. That the variance is necessary for the preservation and enjoyment or substantial property rights posses by other conforming properties in the vicinity and that the variance, if granted, will not constitute a special privilege of the recipient not enjoyed by his/her neighbors; in that, the narrow width of the parcel and the existing building is not applicable to neighboring properties.

3. That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property; in that the variance will facilitate the addition of a needed housing unit and improve access to light and air as the building's encroachment into the required front setback will be reduced.

4. That the conditions upon which the requested variance is based would not be applicable, generally, to property within the same zoning classification; in that, other parcels in the same zoning classification are generally much wider than 25 feet and are not developed with existing buildings that are non-conforming with regard to both side setbacks as well as the front setback.

5. That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process; in that, the subject parcel is uniquely narrow with just 25 feet of width, and this type of a parcel, developed with a non-conforming building, was not discussed in detail during the Specific Plan process.

Section 4. Architectural Control Permit, Conditional Use Permit and Variance. The Planning Commission hereby approves the Architectural Control Permit, Use Permit and Variance No. PLN2021-00031, which Architectural Control, Use Permit and Variance are depicted in and subject to the development plans and project description letter, which are attached hereto and incorporated herein by this reference as Exhibit A and Exhibit C, respectively. The Architectural Control, Use Permit and variance are conditioned in

conformance with the conditions attached hereto and incorporated herein by this reference as Exhibit D.

Section 5. ENVIRONMENTAL REVIEW. The Planning Commission makes the following findings, based on its independent judgment after considering the Project, and having reviewed and taken into consideration all written and oral information submitted in this matter:

A. The Project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

Section 6. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I, Corinna Sandmeier, Acting Principal Planner and Planning Commission Liaison of the City of Menlo Park, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on September 12, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this 12th day of September, 2022

_____
Corinna Sandmeier
Acting Principal Planner and Planning Commission Liaison
City of Menlo Park

Exhibits

A. Project Plans
B. Project Description Letter
C. Variance Letter
D. Conditions of Approval

LOCATION: 135 El Camino Real	**PROJECT NUMBER:** PLN2021-00031	**APPLICANT:** Patrick Donato	**OWNER:** David Neubauer

PROJECT CONDITIONS:

1. The architectural control permit, use permit, and variance shall be subject to the following standard conditions**:**

    a. The use permit shall expire and be of no further force and effect one year from the date of approval (by September 12, 2023) unless, prior to that date, the applicant submits a complete building permit application for the Project.

    b. Development of the project shall be substantially in conformance with the plans prepared by Levy Art + Architecture, consisting of 19 plan sheets, dated received August 25, 2022 and approved by the Planning Commission on September 12, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

    c. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.

    d. The applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project and in effect at the time of building permit issuance.

    e. Applicant shall keep the property in a clean and sanitary condition at all times, and maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the City of Menlo Park Municipal Code.

    f. The Project shall adhere to all ordinances, plans, regulations, and specifications of the City of Menlo Park and all applicable local, State, and Federal laws and regulations.

    g. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

    h. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.

    i. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.

    j. Heritage trees in the vicinity of the construction project shall be retained and/or protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Bo Firestone Consulting & Design, dated received December 21, 2021.

    k. Prior to building permit issuance, the Applicant shall submit plans for construction parking management, construction staging, material storage and Traffic Control Handling Plan to be reviewed and approved by the City. The applicant shall secure adequate parking for any and all construction trades.

LOCATION: 135 El Camino Real	**PROJECT NUMBER:** PLN2021-00031	**APPLICANT:** Patrick Donato	**OWNER:** David Neubauer

PROJECT CONDITIONS:

l. Prior to building permit issuance, the applicant shall pay all fees incurred through staff time spent reviewing the application.

m. The applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit, or land use approval; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

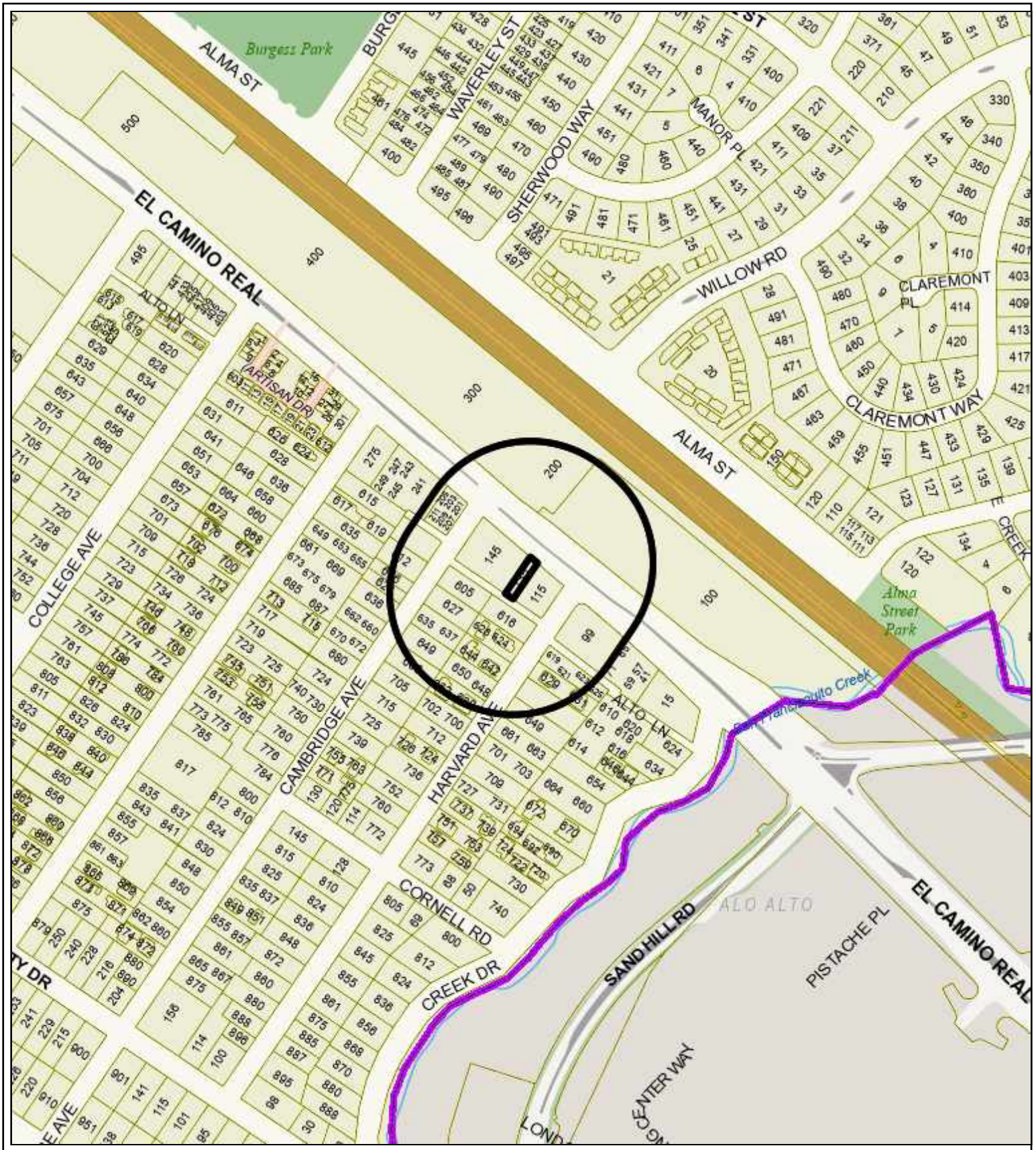
2. The architectural control, use permit, and variance shall be subject to the following *project-specific* conditions:

a. The applicant shall adhere to and/or implement all mitigation measures which apply to this Project and were adopted as a part of the Mitigation Monitoring and Reporting Programs (MMRPs) for the ConnectMenlo General Plan and the Downtown Specific Plan. These mitigation measures are set forth in Attachment K, attached hereto and incorporated herein by this reference. Failure to meet these requirements may result in delays to the building permit issuance, stop work orders during construction, and/or fines.

b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans showing a 10-foot wide sidewalk along the El Camino Real frontage.

c. The applicant shall submit a draft Public Service Easement (PSE) along the property frontage to accommodate a 10-foot wide sidewalk (as measured from back of curb) along the frontage of 135 El Camino Real. Said PSE dedication shall be subject to review and approval of the Engineering and Transportation Divisions, and recorded with the San Mateo County Recorder's Office prior to building permit final inspection.

d. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans to include a note on the floor plans and elevations, indicating "nonconforming wall is not to be demolished, and if demolished it cannot be rebuilt in its current location."



City of Menlo Park

Location Map

135 El Camino Real

Scale: 1:4,000 | Drawn By: FNK | Checked By: CDS | Date: 9/12/2022 | Sheet: 1

135 El Camino Real – Attachment C: Data Table

	PROPOSED PROJECT	EXISTING DEVELOPMENT	ZONING ORDINANCE
Lot area	2,817.3 sf	2,817.3 sf	n/a sf min.
Setbacks			
Front (ECR)	3.5 ft.	0.0 ft.	7.0-12.0 ft. min.-max. (with space for 12-foot sidewalk)
Side (Alto)	46.5 ft.	40.0 ft.	7.0-12.0 ft. min.-max.
Right Side (interior)	0.2 ft.	0.2 ft.	5.0-25.0 ft. min.-max.
Left Side (interior)	2.2 ft.	2.2 ft.	5.0-25.0 ft. min.-max.
Density	1.0 du 15.6 du/acre	0 du n/a du/acre	1.6 du max. 25.0 du/acre max.
FAR (Floor Area Ratio)	2,498.1 sf 88.7 %	2,712 sf 96.3 %	3,099 sf max. 110.0 % max.
Square footage by floor			
Basement	947.6 sf	1,314 sf	
First Floor	1,378.7 sf	1,398 sf	
Second Floor	171.8 sf	n/a sf	
Square footage by use			
Residential	2,133.4 sf	n/a sf	
Commercial	364.7 sf	2,712 sf	
Open Space	4,902.3 sf 47.7 %	n/a sf n/a %	2,798.7 sf min. 30.0 % min.
Building height	23.9 ft.	16.4 ft.	38.0 ft. max.
Parking			
Residential	2 total	2 total	1.85 space per du min. = 1.85 spaces
Commercial			4 spaces per 1,000 sf (retail, personal service or non-medical office) = 1.5 spaces

Trees					
Heritage trees	0	Non-Heritage trees	2*	New Trees	3
Heritage trees proposed for removal	0	Non-Heritage trees proposed for removal	0	Total Number of Trees	5
* Street trees.					

ABBREVIATIONS

@	AT
	CENTERLINE
#	NUMBER
°	DEGREE(S)
ø	DIAMETER
±	PLUS or MINUS
(N)	NEW
A.F.F.	ABOVE FINISH FLOOR
A/C	AIR CONDITIONING
ABV	ABOVE
ACOUS.	ACOUSTICAL
AD	AREA DRAIN
ADJ	ADJACENT
ADJUS.	ADJUSTABLE
ALT.	ALTERNATE
APPROX.	APPROXIMATE
ARCH.	ARCHITECT
B.U.	BUILT UP
BD	BOARD
BET.	BETWEEN
BLDG	BUILDING
BLK	BLOCK
BLKG	BLOCKING
BM	BEAM
BOT.	BOTTOM
CAB.	CABINET
CER.	CERAMIC
CIRC.	CIRCLE
CLG	CEILING
CLOS.	CLOSET
CLR.	CLEAR(ANCE)
CNTR	COUNTER
COL.	COLUMN
CONC.	CONCRETE
CONST.	CONSTRUCTION
CONT.	CONTINUOUS
CONTR.	CONTRACTOR
CPT	CARPET
CTR	CENTER
DBL	DOUBLE
DEMO.	DEMOLITION
DET.	DETAIL
DF	DOUGLAS FIR
DIA.	DIAMETER
DIM.	DIMENSION
DN	DOWN
DR	DOOR
DS	DOWNSPOUT
DW	DISHWASHER
DWG	DRAWING
DWR	DRAWER
EA.	EACH
EL.	ELEVATOR
ELEC.	ELECTRICAL
ELEV.	ELEVATION
ENCL.	ENCLOSE(URE)
EQ.	EQUAL
EQUIP.	EQUIPMENT
EST.	ESTIMATE
EXH.	EXHAUST
EXIST. or (E)	EXISTING
EXP.	EXPANSION
EXT.	EXTERIOR
F.F.	FINISH FLOOR
F.O.C.	FACE OF CONCRETE
F.O.F.	FACE OF FINISH
F.O.S.	FACE OF STUD(S)
FAU	FORCED AIR UNIT
FIN.	FINISH(ED)
FLR.	FLOOR
FLUOR.	FLUORESCENT
FP	FIREPLACE
FT	FOOT/FEET
FTG	FOOTING
FURR.	FURRED/FURRING
FUT.	FUTURE
G.C.	GENERAL CONTRACTOR
G.F.I.	GROUND FAULT INTERRUPT
GA.	GAGE
GEN.	GENERAL
GL.	GLASS/GLAZING
GYP.	GYPSUM
H.C.	HOLLOW CORE
H.V.A.C.	HEATING VENTILATING
HD	HEAD
HDR	HEADER
HDWR	HARDWARE
HGT	HEIGHT
HORIZ.	HORIZONTAL
INSUL.	INSULATION
INT.	INTERIOR
JST	JOIST
JT	JOINT
KIT.	KITCHEN
KPL.	KICKPLATE
LAM.	LAMINATED
LVR.	LOUVER
MAX.	MAXIMUM
MECH.	MECHANICAL
MEMB.	MEMBRANE
MET.	METAL
MFR	MANUFACTURER
MIN.	MINIMUM
MISC.	MISCELLANEOUS
MTD	MOUNTED
MULL.	MULLION
N.I.C.	NOT IN CONTRACT
N.T.S.	NOT TO SCALE
NO.	NUMBER
O.A.	OVERALL
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
OPP.	OPPOSITE
P.LAM	PLASTIC LAMINATE
P.BD	PARTICLE BOARD
PLY WD	PLYWOOD
PNL	PANEL
R.O.	ROUGH OPENING
R.T.W.	RETAINING WALL
REF.	REFERENCE
REFL.	REFLECTED
REFR	REFRIGERATOR
REG.	REGISTER
REINF.	REINFORCING
REQ.	REQUIRED
REV.	REVISION
RM	ROOM
S.C.	SOLID CORE
S.E.	STRUCTURAL ENGINEERING
S.U.D.	SPECIAL USE DISTRICT
SECT.	SECTION
SF	SQUARE FOOT
SHT	SHEET
SIM.	SIMILAR
SKYLT	SKYLIGHT
SPEC.	SPECIFICATION
SQ.	SQUARE
ST.	STEEL
STD	STANDARD
STOR.	STORAGE
STRUCT.	STRUCTURAL
SUSP.	SUSPENDED
T&G	TONGUE & GROOVE
T.B.D.	TO BE DETERMINED
T.O.	TOP OF
T.V.	TELEVISION
TEL.	TELEPHONE
TEMP.	TEMPERED
THK.	THICKNESS
THRESH.	THRESHOLD
TYP.	TYPICAL
U.O.N.	UNLESS OTHERWISE NOTED
UNFIN.	UNFINISHED
V.I.F.	VERIFY IN FIELD
VCT	VINYL COMPOSITE TILE
VEN.	VENEER
VERT.	VERTICAL
W.C.	WATER CLOSET
W.P.	WATERPROOF
W/	WITH
W/H	WATER HEATER
WD	WOOD
WR	WATER RESISTANT
WT	WEIGHT

LEGEND

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- PROPOSED WALL
- FIRE RATED WALL (1-HOUR U.O.N.)
- DOOR TAG (XX)
- WINDOW TAG (11)
- REVISION (R1)
- REFERENCE GRID LINE (0)
- SECTION REFERENCE SHEET NUMBER (1 / A101)
- DETAIL REFERENCE SHEET NUMBER (1 / A101)

PROJECT DATA

OWNER: DAVID NEUBAUER
135 EL CAMINO REAL
MENLO PARK, CA 94025

ARCHITECT: LEVY ART + ARCHITECTURE
1501 MARIPOSA ST
SAN FRANCISCO, CA 94107
415.641.7320
ross@levyaa.com

PROJECT ADDRESS: 135 EL CAMINO REAL
MENLO PARK, CA 94025

PARCEL NUMBER: 071433140

ZONING: EL CAMINO REAL/DOWNTOWN SPECIFIC PLAN

OCCUPANCY: B- PER CBC CH. 3 (3)

CONSTRUCTION TYPE: VB

PROPOSED STORIES: 1 STORIES
BASEMENT: Y/N

NO. OF UNITS: 1 RESIDENTIAL UNIT;
1 COMMERCIAL OFFICE UNIT.

BUILDING SPRINKLERS: NONE

PROJECT DESCRIPTION

NEW MIXED USE COMMERCIAL OFFICE AND RESIDENCE.

1. NEW PRIVATE OFFICE UNIT WHICH WILL BE BY APPOINTMENT ONLY.
2. NEW 1 BEDROOM RESIDENTIAL UNIT.
3. NEW ROOF DECK AND NEW ROOFTOP ARBOR, ACCESSED BY NEW STAIR.
4. STRUCTURAL, ELECTRICAL, AND PLUMBING UPGRADES AS REQUIRED BY LOCAL, STATE, AND NATIONAL CODES.
5. PLANT NEW 'OLEA EUROPAEA 'SWAN HILL' (FRUITLESS OLIVE) TREES IN THE REAR YARD FOR SCREENING FROM DEVELOPMENT AT 115 ECR
6. NEW CARPORT TO RE-ESTABLISH ORIGINAL GARAGE.
7. INFILL EXISTING REAR PATIO TO ESTABLISH SPACE AS PERMITTED IN 1995 PERMIT ON FILE WITH MENLO PARK. ABANDON BULKHEAD ACCESS TO BASEMENT STAIR.
8. PROVIDE NEW BASEMENT ACCESS STAIR. (3)

BUILDING AREA

	EXISTING GROSS AREA	PROPOSED GROSS AREA
BASEMENT:	1,314 SF	947.57 SF
FIRST FLOOR:	1,398 SF	1,378.65 SF
STAIR CABIN	0 SF	171.78 SF
ROOF DECK:	0 SF	382 SF*EXCLUDED
TOTAL:	2,712 SF	2,498 SF

LOT AREA

LOT AREA:	2,817.28 SF
BUILDING COVERAGE	1,378.65 SF
BASE FAR FOR ECR-SW	1.10 (ECR SPECIFIC PLAN WITHOUT PUBLIC BENEFIT BONUS
EXISTING FAR	.49
PROPOSED FAR	.49

(3) (4)

PARKING

EXISTING PARKING	2 SPACES
PROPOSED PARKING	NO CHANGE
ACCESSIBLE PARKING	NO CHANGE: NOT PROVIDED.

SHEET INDEX

NUMBER	TITLE
A0.1	PROJECT DATA & NOTES
A0.2	AREA PLAN
A0.3	PHOTOS
A0.4	STREETSCAPE
A0.5	EXISTING SITE PLAN
A0.6	PROPOSED SITE PLAN
A0.7	CONSTRUCTION PHASE
A0.8	MATERIAL SAMPLES
A1.1	BASEMENT FLOOR PLANS
A1.2	FIRST FLOOR PLANS
A1.3	ROOF PLANS
A1.4	NORTH & SOUTH ELEVATIONS
A1.5	EAST ELEVATIONS
A1.6	WEST ELEVATIONS
A1.7	GENERAL SECTIONS
A1.8	TRANSPARENCY DIAGRAM
A1.9	LINE OF SIGHT DIAGRAMS
A2.1	GFA DIAGRAMS
C-1	TOPOGRAPHIC AND BOUNDARY SURVEY

(3)

CONSULTANTS

ARBORIST: BO RIESTONE CONSULTING AND DESIGN
2150 LACEY DRIVE
MILPITAS, CA 94035
408-497-7158
BUSARA@BORRESTONE.COM

TRAFFIC: HEXAGON TRANSPORTATION CONSULTANTS INC.
4 NORTH 2ND ST, SUITE 400
SAN JOSE, CA 95113
408-971-6100
KRIUTTA@HEXTRANS.COM

HISTORIC RESOURCE: ARCHEOLOGICAL RESOURCE MANAGEMENT
496 NORTH 5TH ST
SAN JOSE, CA 95112
408-295-1473
ARMCARTIER@INETSCAPE.NET

SURVEY: TS/CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
408-452-9300
TERENCE J. SZEWCZYK
TERRY@TSCIVIL.COM

VICINITY MAP

NOT TO SCALE

N

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV	PDD
3	PLANNING (FK, EMAIL)	PDD

LEVY
ART + ARCHITECTURE

1501 MARIPOSA STREET
SAN FRANCISCO, CA 94107
415.641.7320
levyaa.com

REGISTERED ARCHITECT ROSS H. LEVY C-25660 07 31 2023 STATE OF CALIFORNIA

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	PROJECT DATA & NOTES
Date	08.25.22
Scale	1/2" = 1'-0"
Drawn	MCV/PDD
Job	135 ECR
Sheet	A0.1

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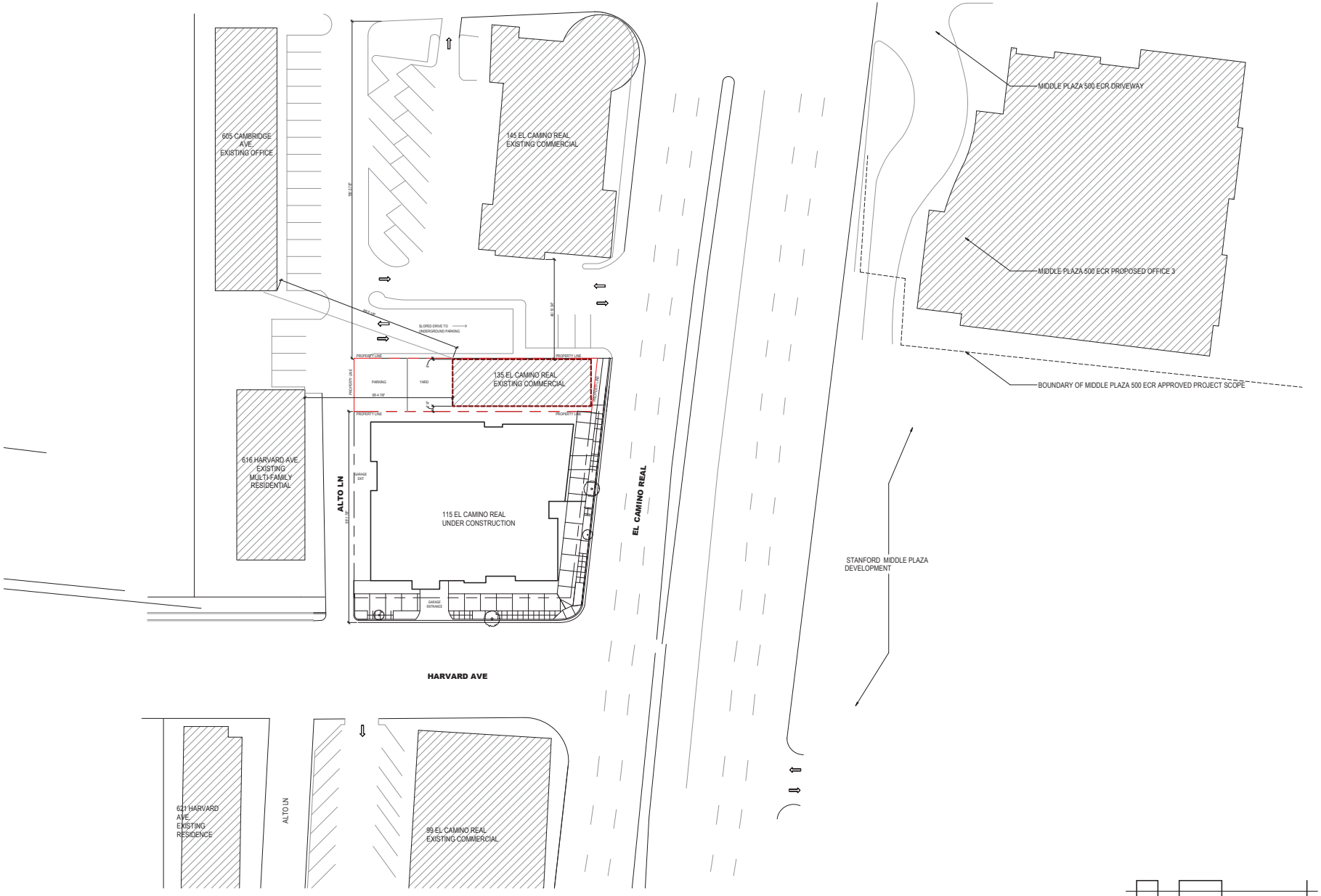

1 AREA PLAN
SCALE: 1" = 20'-0"

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#	REVISIONS	BY
1		
2		
3		

LEVY
ART + ARCHITECTURE

1501 MARIPOSA STREET
SAN FRANCISCO, CA 94107
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135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	AREA PLAN
Date	08.25.22
Scale	1" = 20'-0"
Drawn	MCV/PDD
Job	135 ECR
Sheet	A0.2

ELEVATION FACING EL CAMINO REAL

ELEVATION FACING ALTO LN.

ELEVATION FACING 145 ECR FROM ALTO LN.

ELEVATION FACING 145 ECR FROM EL CAMINO REAL

ELEVATION FACING 115 ECR FROM ALTO LN.

ELEVATION FACING 115 ECR FROM EL CAMINO REAL

#	REVISIONS	BY
1		
2		
3		

LEVY
ART + ARCHITECTURE

1501 MARIPOSA STREET
SAN FRANCISCO, CA 94107
415.641.7320
levyaa.com

LICENSED ARCHITECT
C-25660
07.31.2023
STATE OF CALIFORNIA

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	PHOTOS
Date	08.25.22
Scale	
Drawn	MCV/PDD
Job	135 ECR
Sheet	A0.3

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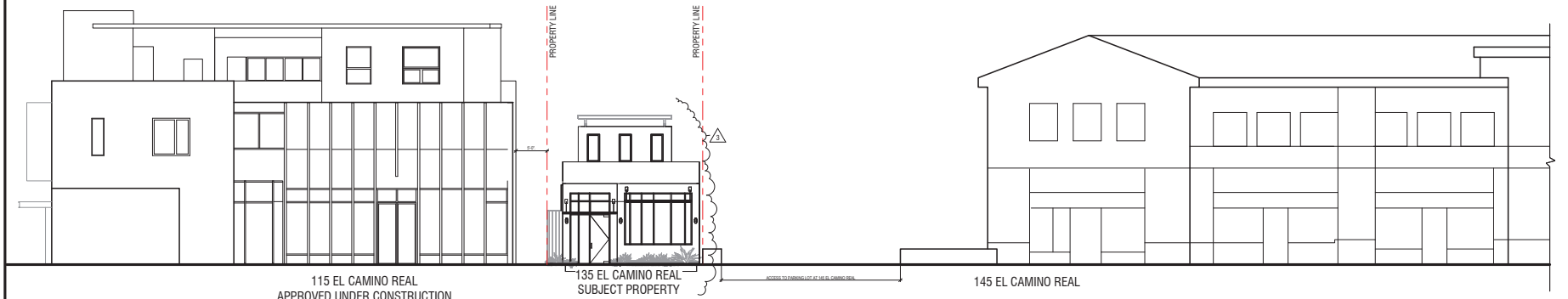
2	PLANNING/OWNER REV	PDD
3	PLANNING (FK, EMAIL)	PDD



SEE ELEVATIONS: SHEETS A1.4-A1.6

1 STREETSCAPE
SCALE: 1/8" = 1'-0"

0' 4' 8' 16' 32'

LEVY
ART + ARCHITECTURE

1501 MARIPOSA STREET
SAN FRANCISCO, CA 94107
415.641.7320
levyaa.com

LICENSED ARCHITECT
C-25660
07.31.2023
STATE OF CALIFORNIA

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	STREETSCAPE
Date	08.25.22
Scale	1/8" = 1'-0"
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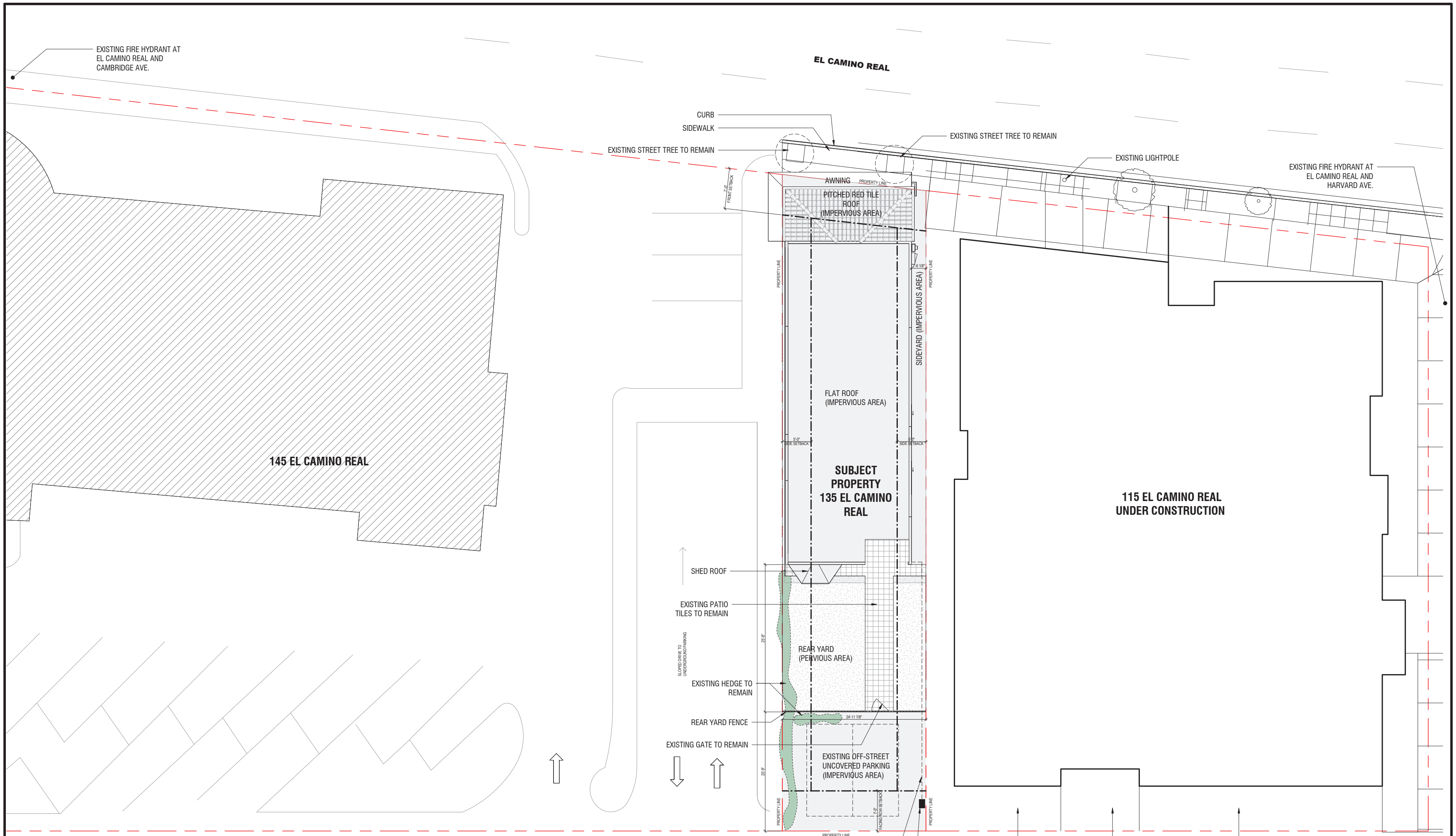
4	PLANNING (FK, EMAIL)	PDD



PROPERTY INFORMATION:

LOT AREA:	**2,817.28 SF**
EXISTING PERVIOUS AREA	**579 SF**
EXISTING IMPERVIOUS AREA	**2,242.4 SF**
PERCENTAGE OF IMPERVIOUS AREA: 2,242.4/2,823.44=	**79%**
EXISTING FIRST FL.	**1,398 SF**
EXISTING BASEMENT	**1,434 SF**
PERCENTAGE OF LOT COVERED BY BUILDING 1,434/2,823.44 =	**50.7 %**
PARKING SPACES:	**2 OFF-STREET UNCOVERED PARKING SPOTS**

1 EXISTING SITE PLAN

SCALE: 1/8" = 1'-0"

0' 4' 8' 16' 32'

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LEVY
ART + ARCHITECTURE

1501 MARIPOSA STREET
SAN FRANCISCO, CA 94107
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levyaa.com

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	EXISTING SITE PLAN
Date	08.25.22
Scale	1/8" = 1'-0"
Drawn	MCV/PDD
Job	135 ECR
Sheet	**A0.5**

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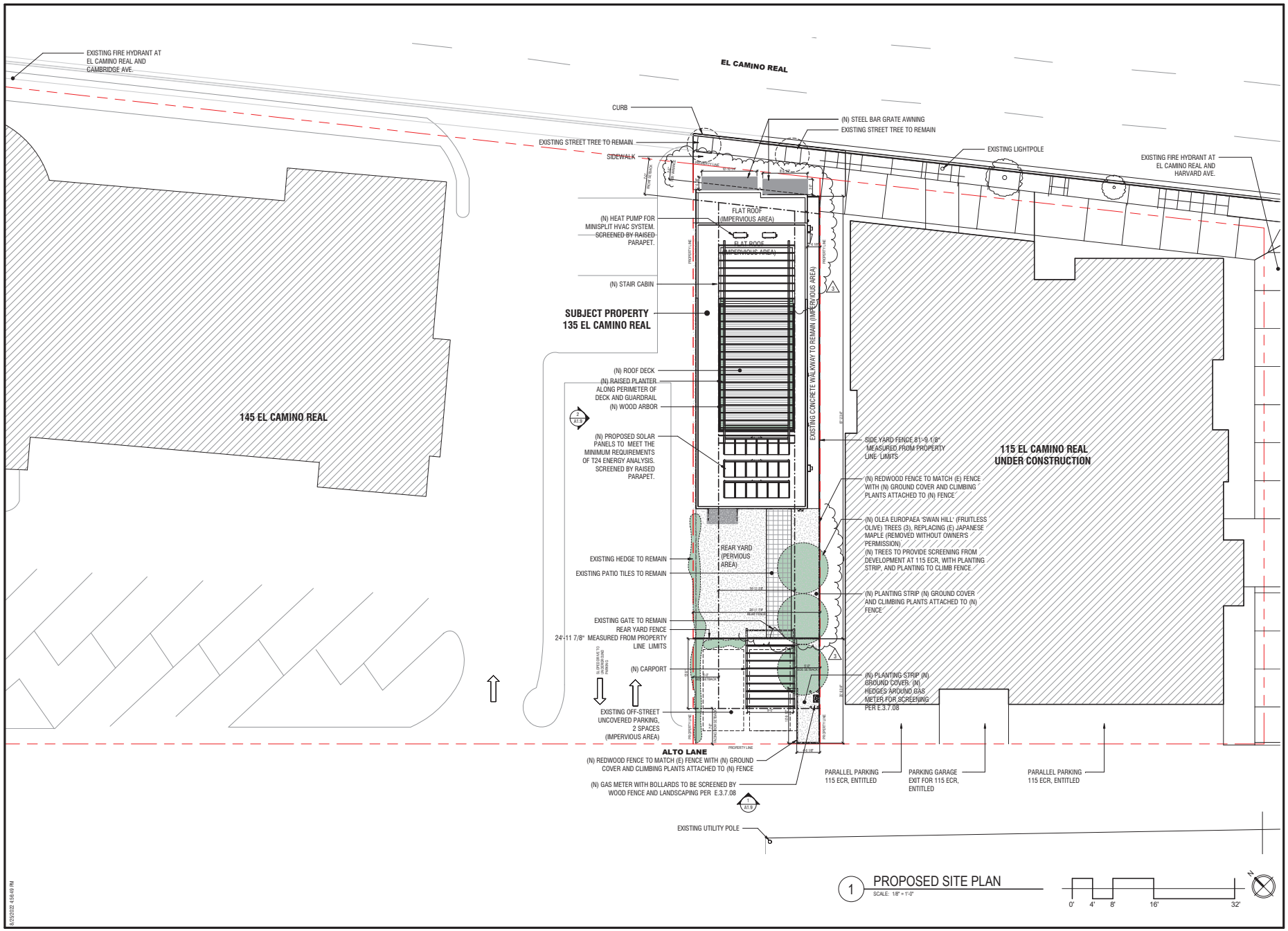

1 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

0' 4' 8' 16' 32'

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV.	PDD
3	PLANNING/OWNER REV.	PDD

LEVY
ART + ARCHITECTURE
1501 MARIPOSA STREET
SAN FRANCISCO, CA 94107
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C-25660
REGISTERED ARCHITECT
DAVID H. LEVY
STATE OF CALIFORNIA

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	PROPOSED SITE PLAN
Date	08.25.22
Scale	1/8" = 1'-0"
Drawn	MCV/PDD
Job	135 ECR
Sheet	A0.6

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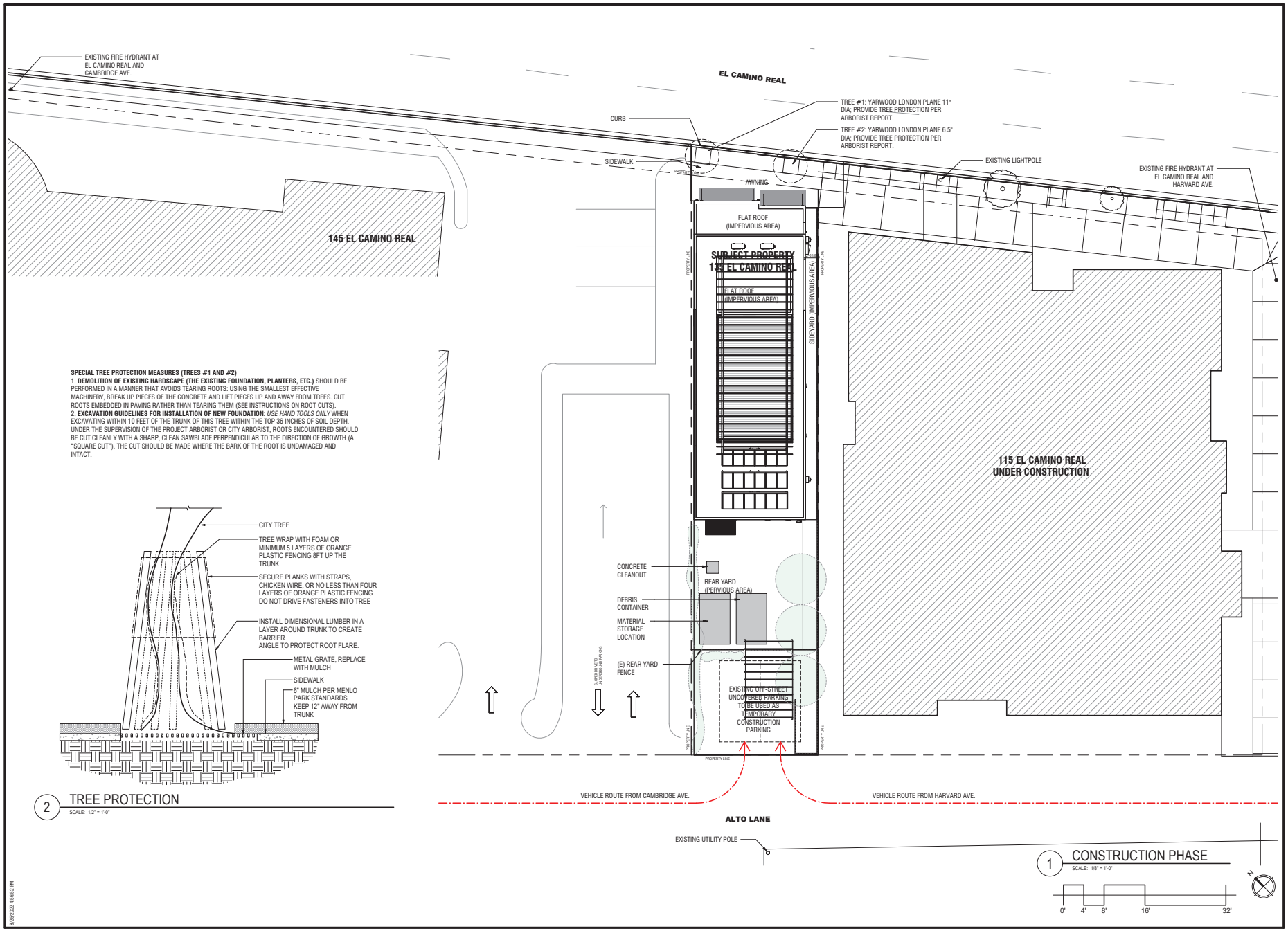
D6



SPECIAL TREE PROTECTION MEASURES (TREES #1 AND #2)

1. **DEMOLITION OF EXISTING HARDSCAPE (THE EXISTING FOUNDATION, PLANTERS, ETC.)** SHOULD BE PERFORMED IN A MANNER THAT AVOIDS TEARING ROOTS: USING THE SMALLEST EFFECTIVE MACHINERY, BREAK UP PIECES OF THE CONCRETE AND LIFT PIECES UP AND AWAY FROM TREES. CUT ROOTS EMBEDDED IN PAVING RATHER THAN TEARING THEM (SEE INSTRUCTIONS ON ROOT CUTS).
2. **EXCAVATION GUIDELINES FOR INSTALLATION OF NEW FOUNDATION:** *USE HAND TOOLS ONLY* WHEN EXCAVATING WITHIN 10 FEET OF THE TRUNK OF THIS TREE WITHIN THE TOP 36 INCHES OF SOIL DEPTH. UNDER THE SUPERVISION OF THE PROJECT ARBORIST OR CITY ARBORIST, ROOTS ENCOUNTERED SHOULD BE CUT CLEANLY WITH A SHARP, CLEAN SAWBLADE PERPENDICULAR TO THE DIRECTION OF GROWTH (A "SQUARE CUT"). THE CUT SHOULD BE MADE WHERE THE BARK OF THE ROOT IS UNDAMAGED AND INTACT.

2 TREE PROTECTION
SCALE: 1/2" = 1'-0"

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV	PDD
3		

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C-25660
07.31.2023
REGISTERED ARCHITECT
STATE OF CALIFORNIA

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	CONSTRUCTION PHASE
Date	08.25.22
Scale	As indicated
Drawn	PDD
Job	135 ECR
Sheet	A0.7

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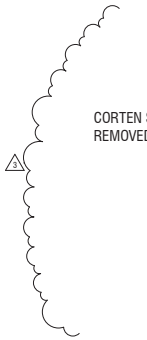
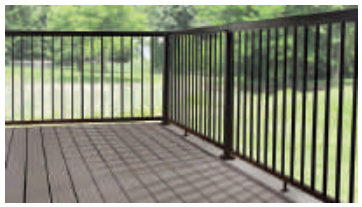


CORTEN STEEL RAISED PLANTER
REMOVED



NEW STEEL GUARDRAIL AT ROOF DECK TO BE PAINTED BLACK OR GRAY.

EXISTING SPANISH COLONIAL ROOF TILES TO BE REMOVED

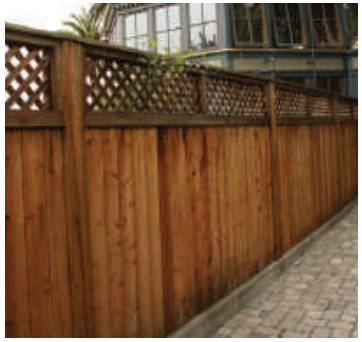
EXISTING SPANISH COLONIAL ROOF TILES TO BE REMOVED

EXTERIOR SCONCE

SPIRAL STAIR REMOVED

AWNING REMOVED

STEEL BAR GRATE AWNING (SIMILAR)



NEW FENCE TO MATCH EXISTING WOOD FENCE

EXISTING WHITE SKIP TROWLED STUCCO. NEW STUCCO TO MATCH EXISTING.

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV.	PDD
3	PLANNING/OWNER REV.	PDD

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135 EL CAMINO REAL

Description	MATERIAL SAMPLES
Date	08.25.22
Scale	
Drawn	A1.8
Job	135 ECR
Sheet	

A0.8

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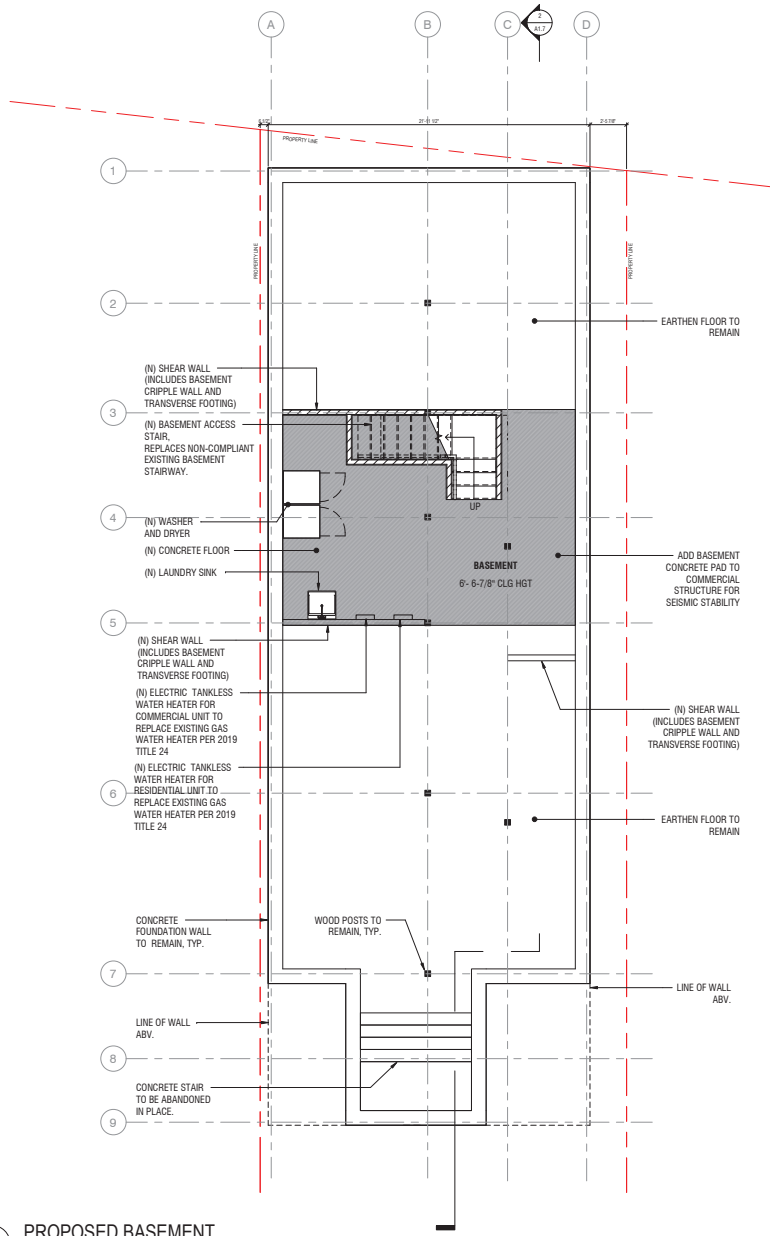
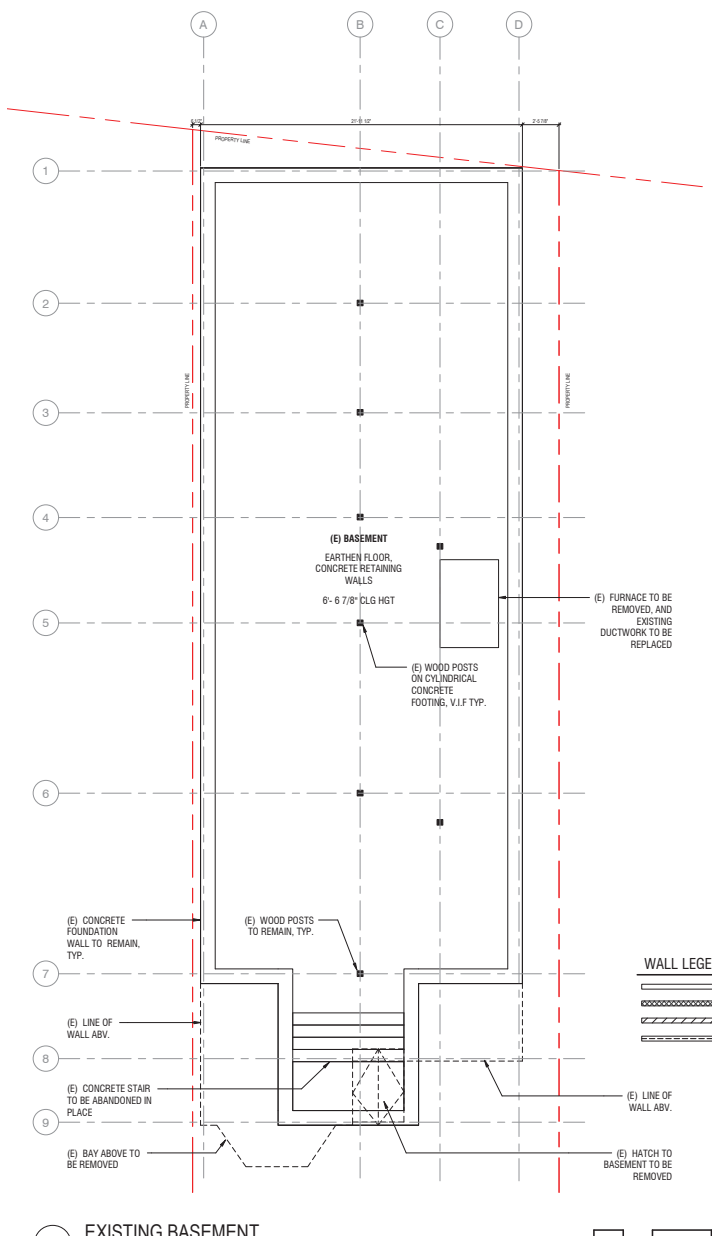


2 PROPOSED BASEMENT
SCALE: 1/4" = 1'-0"



1 EXISTING BASEMENT
SCALE: 1/4" = 1'-0"

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV	PDD

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135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	BASEMENT FLOOR PLANS
Date	08.25.22
Scale	As indicated
Drawn	MCV/PDD
Job	135 ECR
Sheet	A1.1

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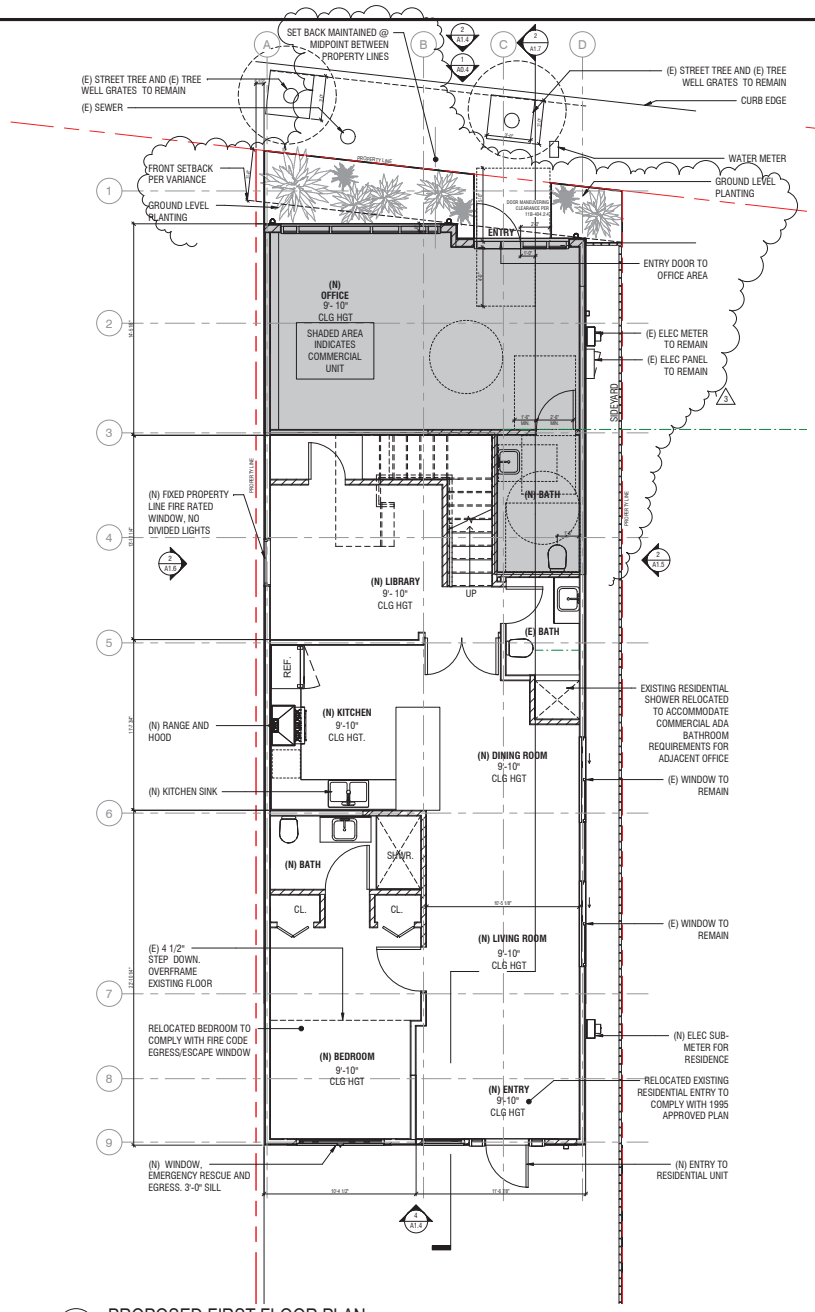
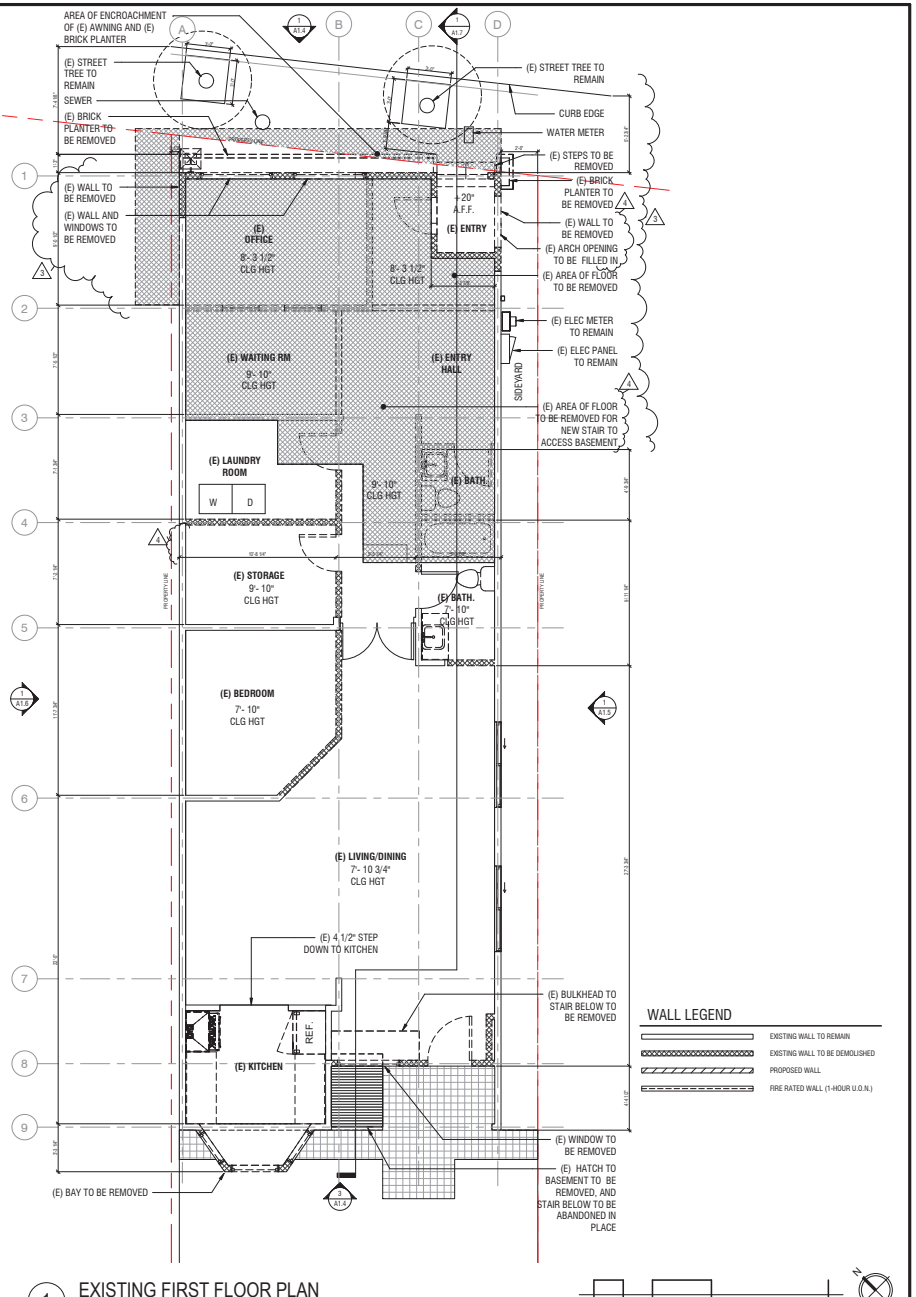


2 PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



1 EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

WALL LEGEND
- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- PROPOSED WALL
- FIRE RATED WALL (1-HOUR U.O.N.)

0' 2' 4' 8' 16'

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV.	PDD
3	PLANNING/OWNER REV.	PDD
4	PLANNING (FK. EMAIL)	PDD

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REGISTERED ARCHITECT
STATE OF CALIFORNIA

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	FIRST FLOOR PLANS
Date	08.25.22
Scale	As indicated
Drawn	MCV/PDD
Job	135 ECR
Sheet	A1.2

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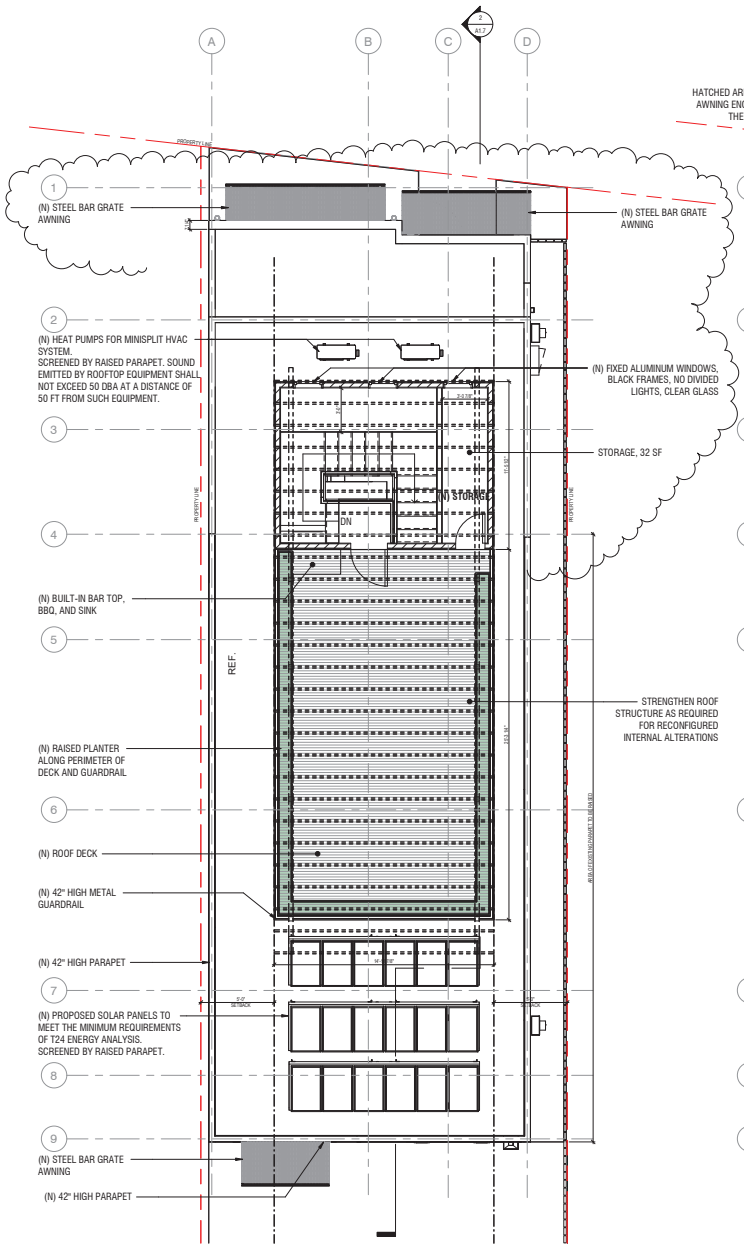
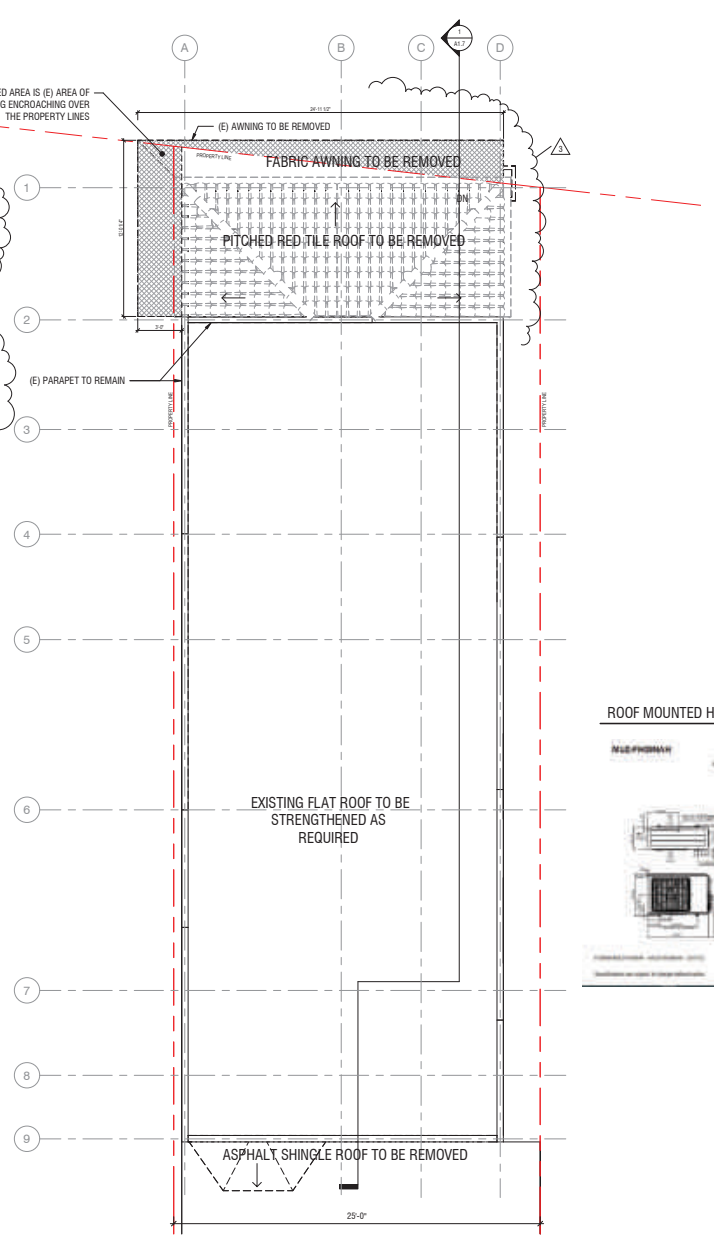
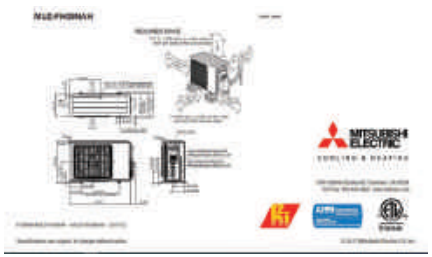


2 PROPOSED ROOF PLAN
SCALE: 1/4" = 1'-0"



1 EXISTING ROOF PLAN
SCALE: 1/4" = 1'-0"

ROOF MOUNTED HEAT PUMP SPECIFICATIONS



WALL LEGEND

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- PROPOSED WALL
- FIRE RATED WALL (1-HOUR U.O.N.)

0' 2' 4' 8' 16'

N

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV.	PDD
3	PLANNING/OWNER REV.	PDD

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135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	ROOF PLANS
Date	08.25.22
Scale	As indicated
Drawn	PDD
Job	135 ECR
Sheet	A1.3

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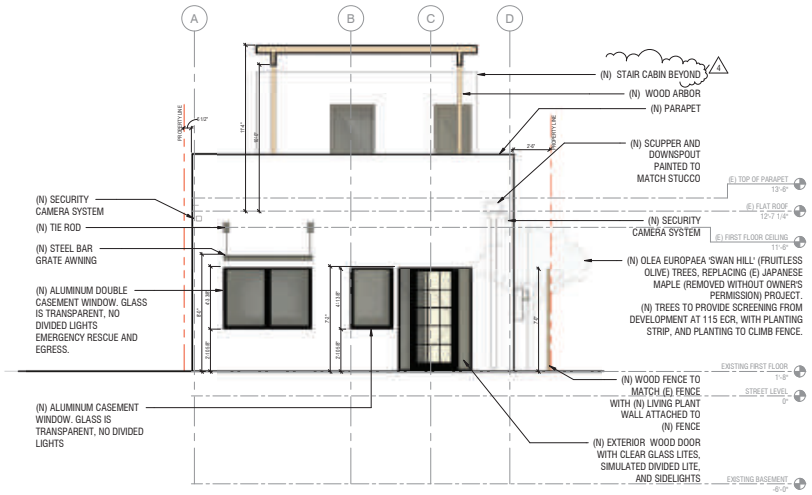
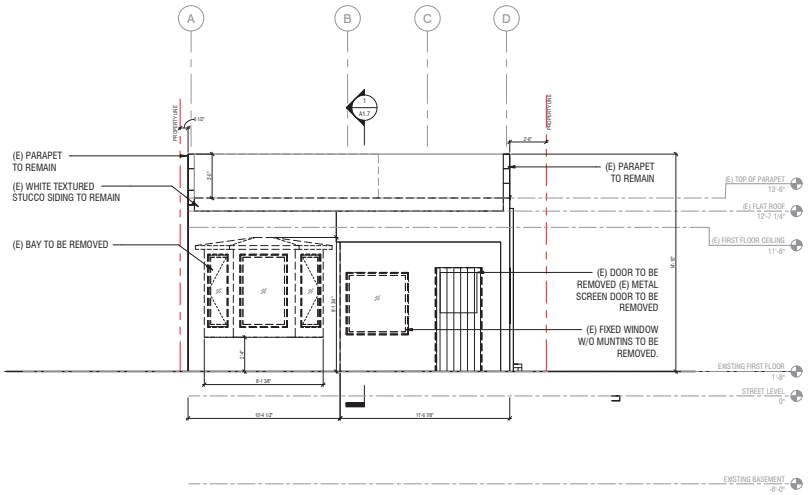
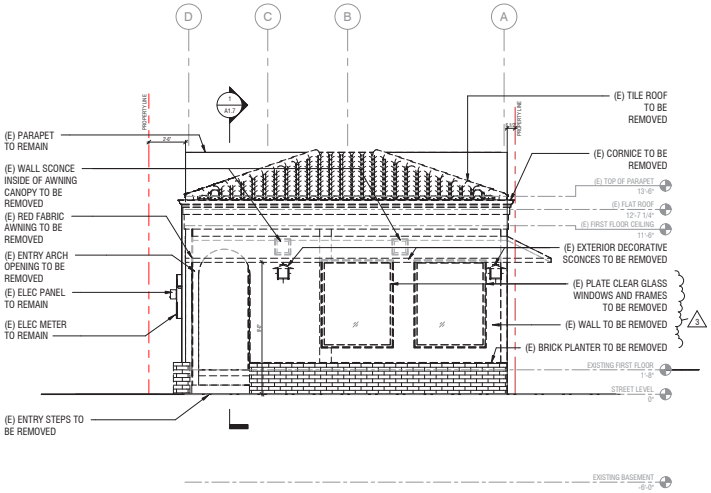


4 PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



3 EXISTING SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

2 PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"



1 EXISTING NORTH ELEVATION
SCALE: 1/4" = 1'-0"

0' 2' 4' 8' 16'

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV.	PDD
3	PLANNING/OWNER REV.	PDD
4	PLANNING (FK. EMAIL)	PDD

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135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	NORTH & SOUTH ELEVATIONS
Date	08.25.22
Scale	1/4" = 1'-0"
Drawn	MCV/PDD
Job	135 ECR
Sheet	A1.4

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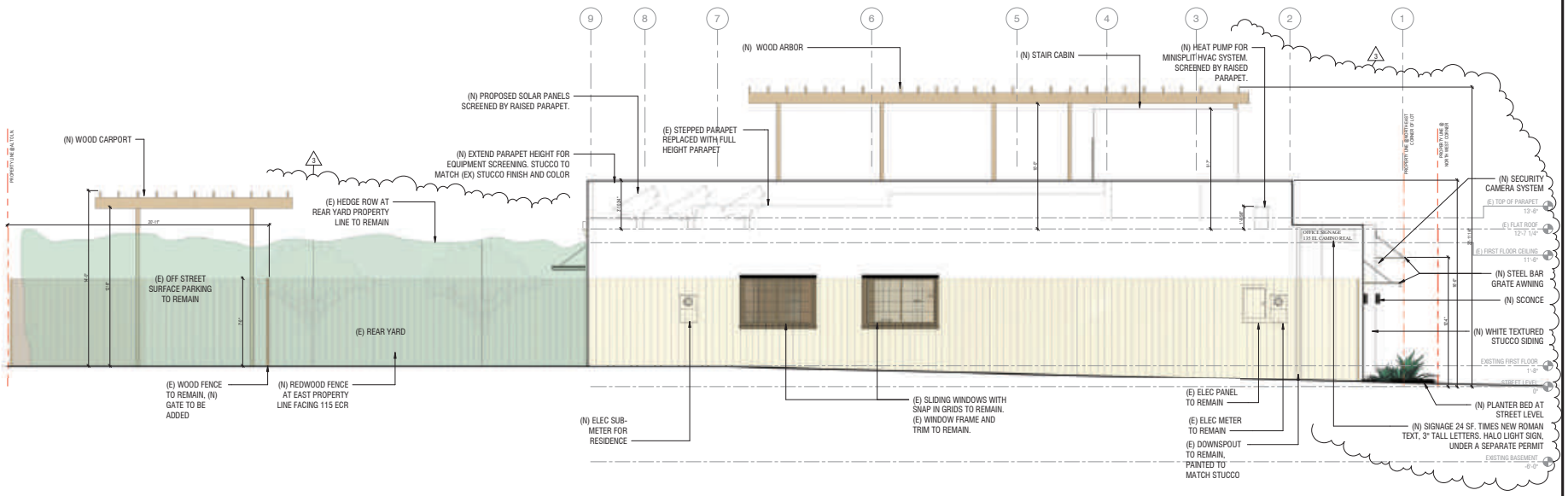
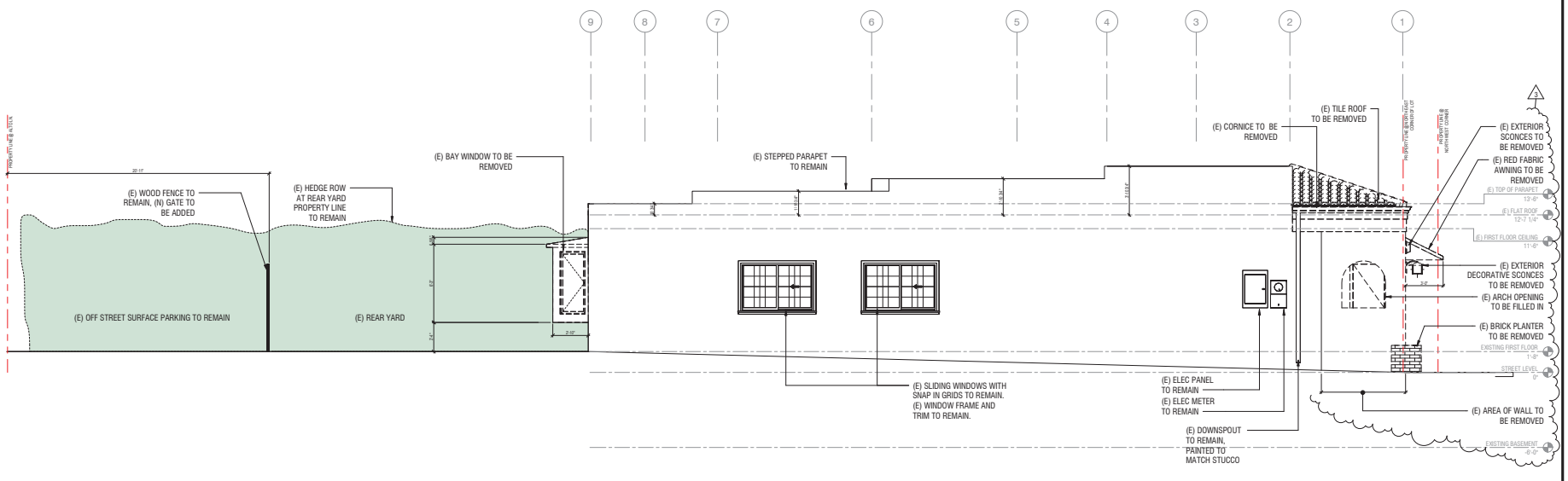


2 PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"



1 EXISTING EAST ELEVATION
SCALE: 1/4" = 1'-0"

0' 2' 4' 8' 16'

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV.	PDD
3	PLANNING/OWNER REV.	PDD

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LICENSED ARCHITECT
STATE OF CALIFORNIA

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	EAST ELEVATIONS
Date	08.25.22
Scale	1/4" = 1'-0"
Drawn	MCV/PDD
Job	135 ECR
Sheet	A1.5

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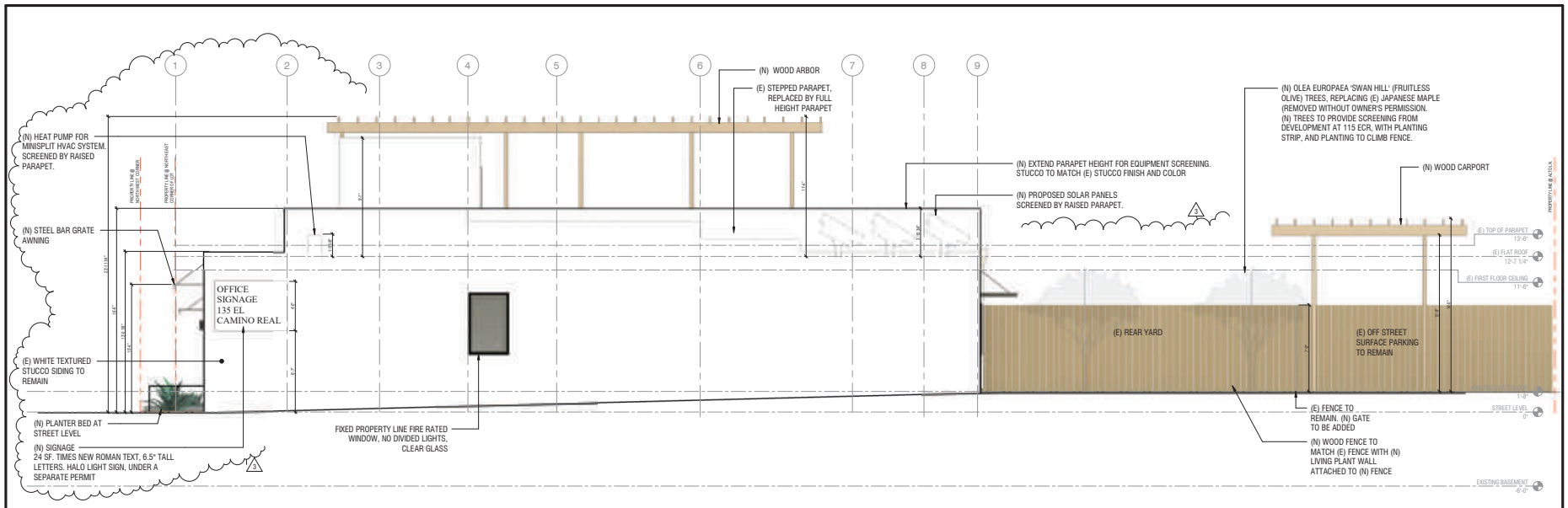
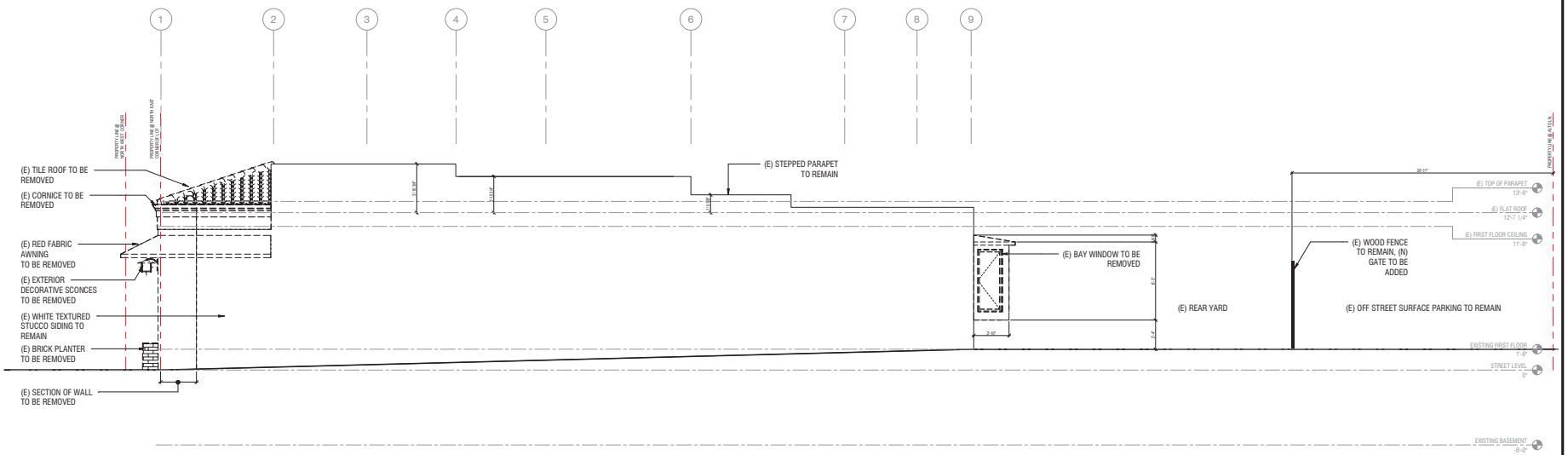


2 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"



1 EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"

0' 2' 4' 8' 16'

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV.	PDD
3	PLANNING/OWNER REV.	PDD

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07 31 2023
LICENSED ARCHITECT
STATE OF CALIFORNIA

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	WEST ELEVATIONS
Date	08.25.22
Scale	1/4" = 1'-0"
Drawn	MCV/PDD
Job	135 ECR
Sheet	A1.6

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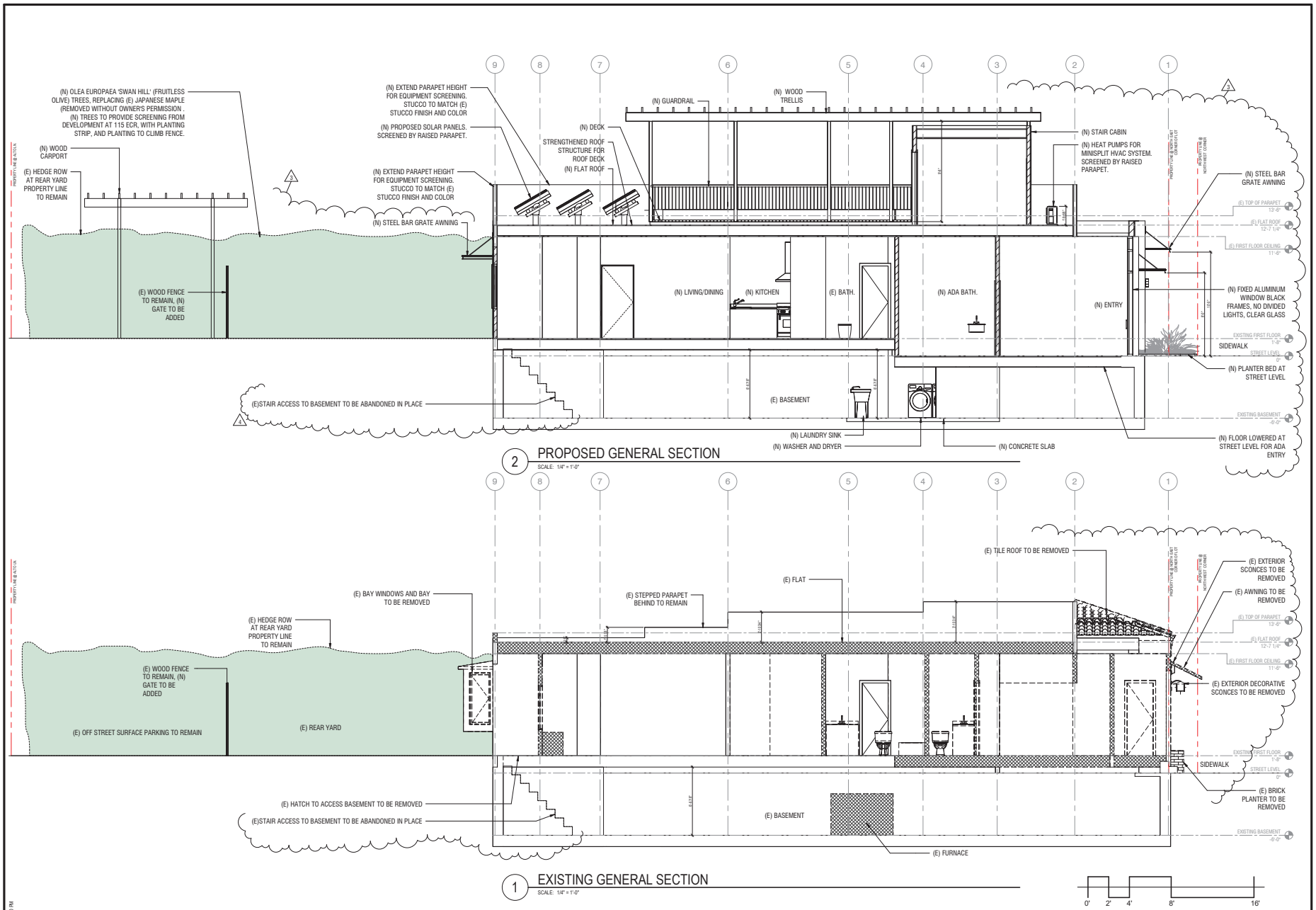

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV.	PDD
3	PLANNING/OWNER REV.	PDD
4	PLANNING (FK. EMAIL)	PDD

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07.31.2023
LICENSED ARCHITECT
STATE OF CALIFORNIA

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	GENERAL SECTIONS
Date	08.25.22
Scale	1/4" = 1'-0"
Drawn	MCV/PDD
Job	135 ECR
Sheet	A1.7

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#	REVISIONS	BY
1	PLANNING	PDD
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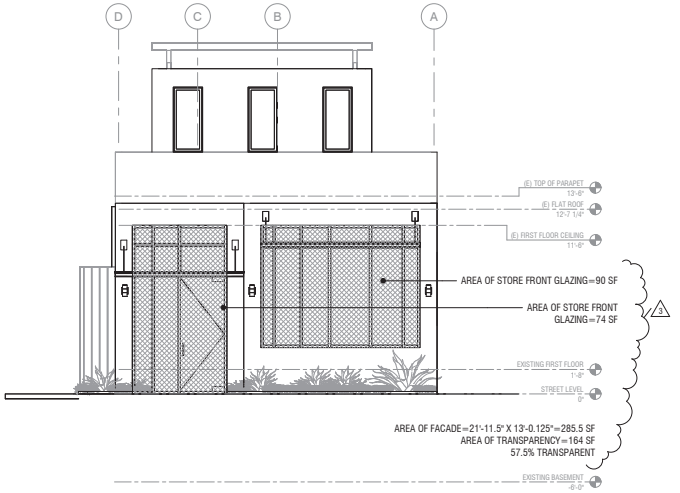
3	PLANNING/OWNER REV	PDD



1 NORTH ELEVATION TRANSPARENCY DIAGRAM
SCALE: 1/4" = 1'-0"

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PARCEL #: 071433140

Description	TRANSPARENCY DIAGRAM
Date	08.25.22
Scale	1/4" = 1'-0"
Drawn	PDD
Job	135 ECR
Sheet	A1.8

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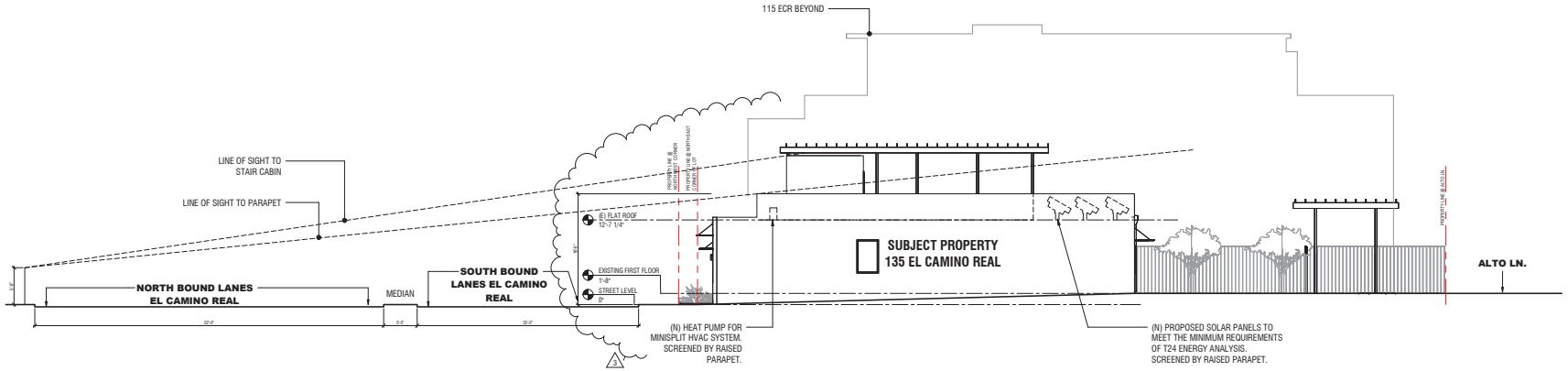
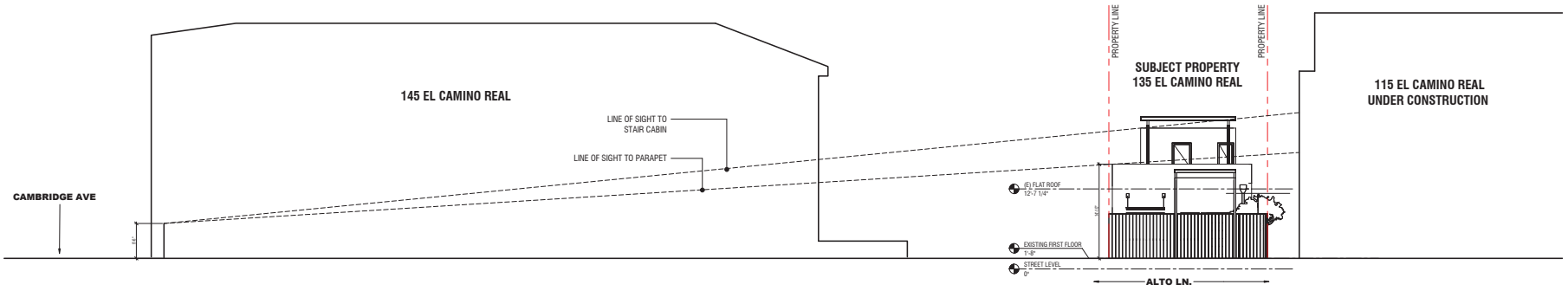
#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV	PDD
3	PLANNING/OWNER REV	PDD



2 LINE OF SIGHT DIAGRAM EL CAMINO REAL
SCALE: 1/8" = 1'-0"



1 LINE OF SIGHT DIAGRAM ALTO LN
SCALE: 1/8" = 1'-0"

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MENLO PARK, CA 94025
PARCEL #: 071433140

Description	LINE OF SIGHT DIAGRAMS
Date	08.25.22
Scale	1/8" = 1'-0"
Drawn	PDD
Job	135 ECR
Sheet	A1.9

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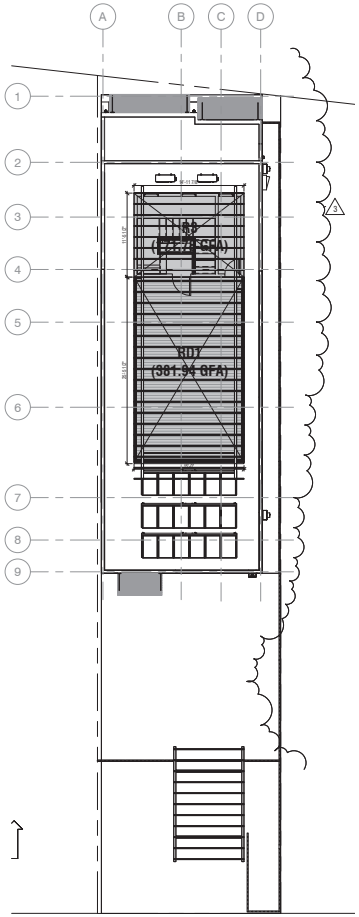
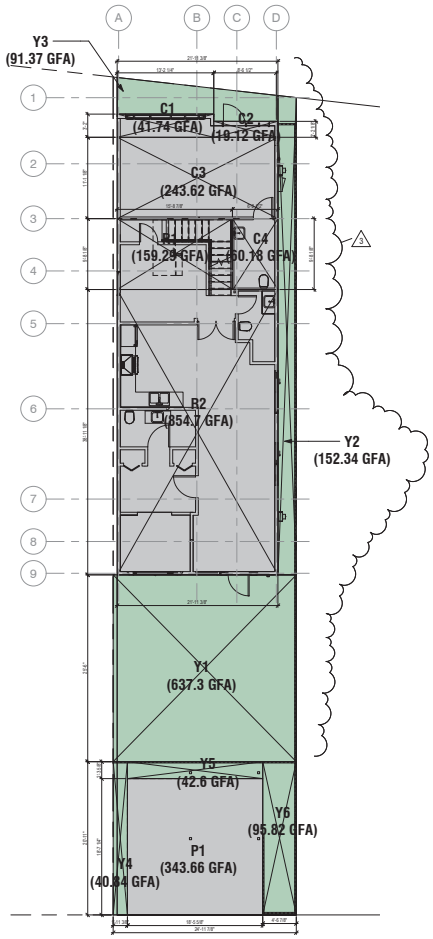
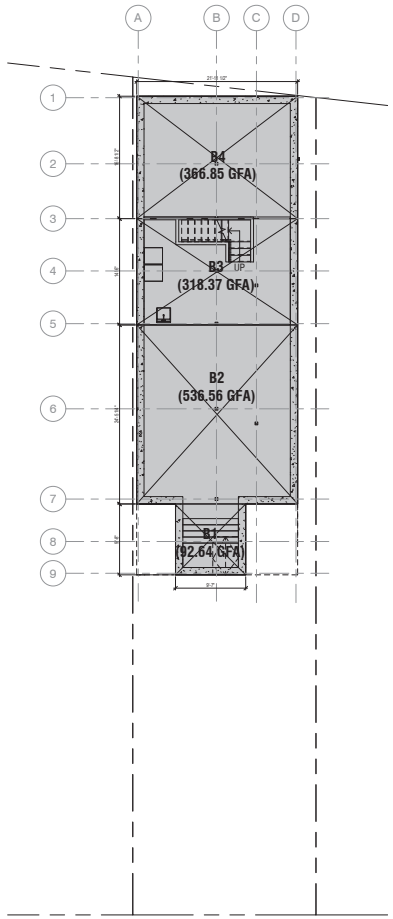


3 PROPOSED ROOF PLAN
SCALE: 1/8" = 1'-0"



2 PROPOSED FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



1 PROPOSED BASEMENT GFA
SCALE: 1/8" = 1'-0"

AREA	DIMENSION	GFA
B1	9'-7" X 9'-8"	92.64
B2	21'-11.5" X 24'-5.25"	536.56
B3	21'-11.5" X 14'-6"	318.37
B4 *low clng. hgt.	21'-11.5" X 16'-8.5"	366.85
TOTAL BASEMENT		1,314.42
EXCLUDE B4 TOTAL		947.57
C1	13'-2.25" X 3'-2"	41.74
C2	8'-9.125" X 2'-2.125"	19.12
C3	21'-11.375" X 11'-1.125"	243.62
C4	6'-2 1/2" X 9'-8.125"	60.18
TOTAL COMMERCIAL		364.66
R1	15'-8.875" X 9'-8.125"	159.29
R2	21'-11.375" X 38'-11.125"	854.7
R3 (STAIR CABIN)	14'-11.875" X 11'-5.5"	171.78
TOTAL RESIDENTIAL		1,185.86
TOTAL GFA BASEMENT FIRST FLOOR OF BUILDING AND STAIR CABIN TO ROOF DECK		2,498.09
BUILDING FOOTPRINT		1,371.03

AREAS EXCLUDED FROM GFA CALCULATIONS

Y1	24'-11.875" X 25'-6"	637.3
Y2	2'-5.875" X 60'-9.125"	152.34
Y3	24'-11.875" x varies	91.37
Y4	1'-11.375" X 20'-11"	40.84
Y5	18'-5.625" X 2'-3.625"	42.6
Y6	4'-6.875" X 20'-11"	95.82
P1	18'-5.625" X 18'-7.25"	343.66
RD1	15'-0" X 22'-5.5"	381.94
B4 *low clng. hgt.	21'-11.5" X 16'-8.5"	366.85

OPEN SPACE CALCULATION

Y1	637.3
Y2	152.34
Y3	91.37
Y4	40.84
Y5	42.6
Y6	95.82
RD1	381.94

TOTAL OPEN SPACE= 1,452.21 SF
30% OPEN SPACE REQUIRED
LOT AREA =2,823.44 SF
1,452.21/2,823.44 =51% OPEN SPACE AREA

0' 4' 8' 16' 32'

#	REVISIONS	BY
1	PLANNING	PDD
2	PLANNING/OWNER REV.	PDD
3	PLANNING/OWNER REV.	PDD
4	PLANNING (FK. EMAIL)	PDD

LEVY
ART + ARCHITECTURE
1501 MARIPOSA STREET
SAN FRANCISCO, CA 94107
415.641.7320
levyaa.com

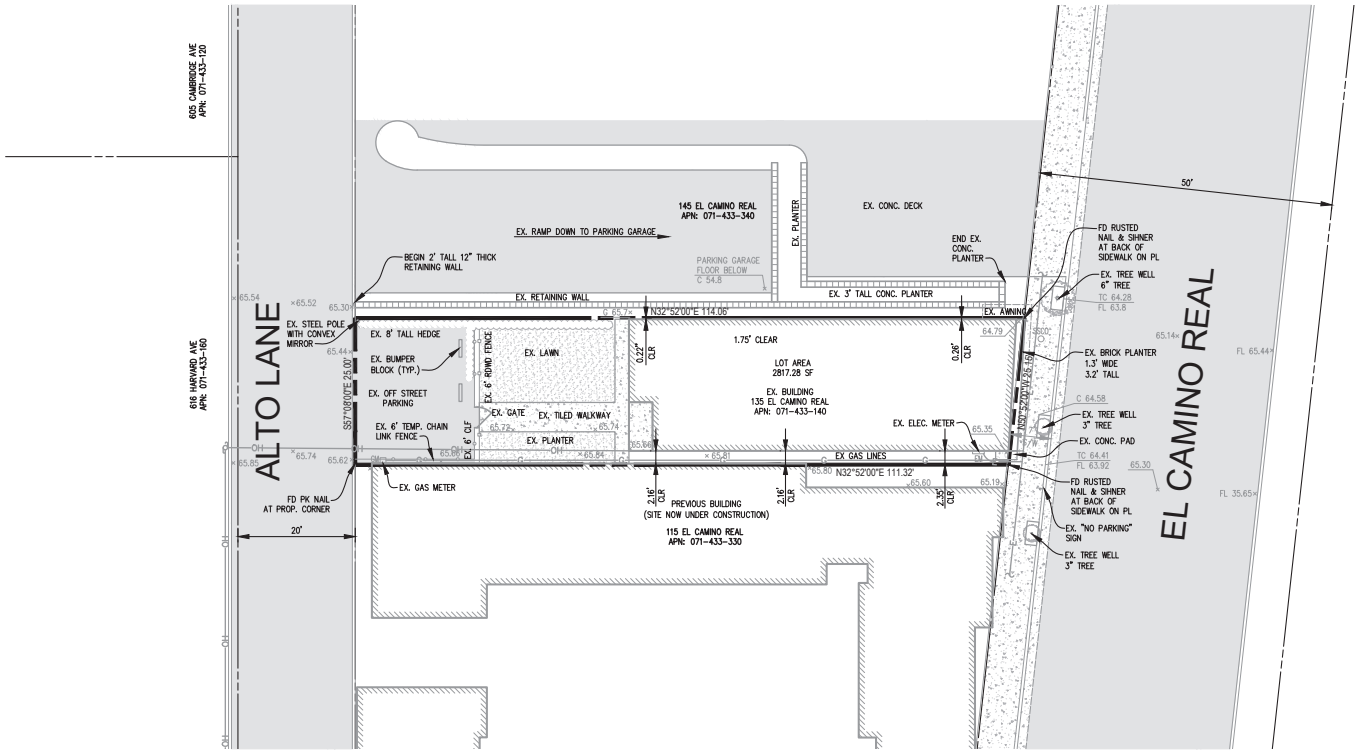
C-25660
07.31.2023

135 ECR
135 EL CAMINO REAL
MENLO PARK, CA 94025
PARCEL #: 071433140

Description	GFA DIAGRAMS
Date	08.25.22
Scale	1/8" = 1'-0"
Drawn	MCV/PDD
Job	135 ECR
Sheet	A2.1

8/23/2022 4:59:48 PM

P:\135 El Camino Real\Revit\2022.07.07 135 El Camino Real_permit revise setbacks variance.rvt



LEGAL DESCRIPTION:

THE LAND REFFERED TO HEREIN BELOW IS SITUATED IN THE CITY OF MENLO PARK, COUNTY OF SAN MATEO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 1, BLOCK 8, AS DESIGNATED ON THAT CERTAIN MAP ENTITLED, "MAP NO. 2, STANFORD PARK, MENLO PARK, SAN MATEO COUNTY, CALIFORNIA", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA ON APRIL 2, 1913 IN BOOK 8 OF MAPS, AT PAGE 46.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED DATED DECEMBER 17, 1929, AND RECORDED FEBRUARY 11, 1930, IN BOOK 456 OF OFFICIAL RECORDS, AT PAGE 222, SAN MATEO COUNTY RECORDS.

I CERTIFY THAT THIS PARCEL'S BOUNDARY WAS ESTABLISHED BY ME OR UNDER MY SUPERVISION AND IS BASED ON A FIELD SURVEY IN CONFORMANCE WITH THE LAND SURVEYOR'S ACT. ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DESIGNED UNDER THE SUPERVISION OF:

TERENCE J. SZEWCZYK, P.L.S. NO. 35527
EXPIRATION DATE: 09/30/23

4-30-22

GRAPHIC SCALE
10 0 5 10 20
(IN FEET)
1" = 10'

TS/CIVIL ENGINEERING, INC.
1178 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

TS CIVIL ENGINEERING

TOPOGRAPHIC AND BOUNDARY SURVEY
135 EL CAMINO REAL
MELNO PARK CA 94025
PARCEL # 071433140

NO.	BY	REVISIONS	DATE
1		ADDED FD CONTROL POINTS	7-27-22

DATE: 4-30-22
SCALE: 1"=10'
DRAWN BY: STB
SURVEYED BY:
PROJ ENGR: TJS
CHECK BY: TJS
SHEET NO. C-1 OF 1 SHEET
JOB NO. 22-268

07/22/2022 9:16am – D:\A. Estimating\3.0 Upwork Clients\3.0 Terence Szewczyk\1.0 Projects\23.0 135 Neubauer – El Camino Real 22-268\22-268\DWG\22-268 C1 EXISTING CONDITIONS.dwg – C1

LEVY
ART + ARCHITECTURE

1501 Bryant Street, Suite 316
San Francisco, CA 94107

July 18, 2022(revised: August 25, 2022)
RE:
135 El Camino Real
BLD2021-00204 Architectural control and use permit application.

In July 2020 the building was the target of an extensive theft rendering it unusable and blighted. Several months later the building was illegally occupied, and additional damage occurred due forced entry and subsequent flooding.

In pursuing permissions for these repairs, certain aspects of The Building Code and Planning Code, specifically the El Camino Real Special Use District have come into play in a sequential order. This cascading set of requirements has led to the "project" as it is currently scoped.

The building was an office previously occupied by a psychic offering services in that capacity. This is considered a "blighted use" and is to be rectified as a portion of this application. The proposal is for a Mixed-Use facility, a street facing office and a rear facing one bedroom residence. This is consistent with the SP-ECR-D (SW) zoning and the recently published Housing Element.

The site layout will remain as it is currently, except for a new front setback. A new entry and storefront accommodate ADA accessibility and provide the required 50% transparency for the ECR SUD. Given the constraints of the existing structure and site, the setback is proposed at half of what is typically required, permitted by Variance. The new façade cleans up the architectural style of the street face, materials, colors and forms being designed to mesh with the existing structure which is largely retained. There is no proposed expansion of the building or added building area, except for a stair cabin and roof deck. A new trellis is proposed at the parking area. As only two parking spaces exist, one is allocated to the office, with ADA dimensions, the other to the residence. We are not proposing modifications to the existing parking. We are asking relief from the parking requirement imposed on the site as it is impossible to meet the parking requirements on this site. We are asking the existing non-conforming parking be permitted to remain and serve the proposed project.

Other improvements are limited to repairs and upgrades on the interior to comply with Code and address damage. There are no existing trees on the site. An arborist report has been provided in reference to protecting street trees. An historic report details the origins of the structure and certifies that there is nothing of unique value that needs to be preserved. Finally, a traffic study certifies that the proposed use will not result in increased vehicle loads.

Neighborhood outreach has been conducted, limited to immediately adjacent properties as we continue to update the scheme as new requirements present themselves. We

have advised these neighbors that the building will be improved from its current blighted state with only minor changes to its appearance.

Scope of work includes the following:

- Upgrades and repairs to structure and systems as required by local and state and national Code in the service of rehabilitating the building due to extensive loss due to theft and vandalism.
- ADA upgrades for accessibility to office and restroom facilities.
- New front façade facing ECR to meet transparency requirement of Special Use District. Including new storefront, and store front entry.
- Location of new front walls contingent of variance request to reduce the required variance from 7’-0” to 3’-6”. (NOTE: The existing building does not comply with the required setbacks put in place after its construction.)
- New private office (by appointment only) Replaces “blighted” psychic use
- Legalized and remodeled 1-bedroom residential unit, per historical use
- Infill of existing rear patio to establish space as permitted in 1995 permit on file with Menlo Park. Abandon existing bulkhead access to existing basement stair.
- New interior basement stair
- New concrete slab at utility space in basement.
- Replacement of HVAC system including all equipment and duct work.
- Replacement of stolen landscape tress from the rear yard with new landscape trees.
- Remove bay window at rear wall.
- New awnings at front and rear facades.
- New landscaping to screen rear yard from neighbor at 115 ECR.
- New interior access to utility space in the basement.
- New roof deck and new rooftop arbor, accessed by new stair cabin.
- New carport at the parking area.
- 1 parking space for the office with ADA aisle, 1 parking space for the residence.

Respectfully,
Ross Levy, Architect
Cc

LEVY
ART + ARCHITECTURE

1501 Mariposa Street #316
San Francisco, CA 94107

1. That a hardship peculiar to the property and not created by any act of the owner exists. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not hardships justifying a variance. Further, a previous variance can never have set a precedent, for each case must be considered only on its individual merits;

There are a series of cascading Building and Planning Code requirements that create hardships for this property that are both unique to the circumstances surrounding this application and unrelated to any act of the owner. 135 ECR is an existing non-conforming, 100 year old structure currently designated a "blighted use." It has been severely damaged by criminal activity including theft, vandalism and a homeless invasion during the initial onset of the Covid-19 Pandemic. As a result, the building is unoccupiable and remains vacant. In the process of applying for Permits to refurbish and repair damage, certain aspects of the Building Code have come into play, specifically, requirements relative to mandatory ADA upgrades. Complying with the ADA requirements forces us first, to alter the front façade and second, to dedicate a substantial portion of the commercial space towards ADA restroom facilities.

Once the façade is altered, a 50% transparency requirement for first floor commercial frontages is triggered by The El Camino Real Specific Plan. To provide sufficient glass area to comply with the 50 % transparency requirement, we must structurally alter the front façade. Currently the front façade is immediately along the front lot line, without setback. Once we alter it, we have been advised that it is considered a "new" structure and the façade loses its grandfathered status at the lot line. A Variance is needed to construct a code compliant facade with a reduced setback of 50% (3'-6") of the generally required seven feet (7'-0"). This allows for a minimum amount of functional commercial space to be provided along with the required ADA access, sanitary facilities, and transparency while at the same time creating a much needed housing unit.

2. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors;

This Variance, if granted, will allow for the repair and improvement of this structure, increasing its front setback and improving its street presence. It preserves a functional amount of commercial office space, coupled with residential development at the rear in support of the Regional Housing Needs Assessment. This pattern is typical in The ECR District for structures that are generally larger and taller than the subject building. Granting the Variance will provide for comparable rights on this smaller property as those enjoyed by larger, neighboring properties.

Even with the Variance, we are reducing the commercial space by approximately 20%. Without it, by 40%.

The Variance is not optional; it is critical to allow for rehabilitation of this structure and to provide functional commercial space with additional housing unit. 135 ECR has been identified as one of 70 sites across Menlo Park that has the potential for housing development located within an area that the Community Housing Director identified as part of the land use strategy to meet the City of Menlo Park's share of the Regional Housing Need.

3. That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property;

The Variance benefits the public in that it facilitates mixed use housing development. It will allow the creation of viable commercial space in an attractive building supporting the overall streetscape here. This will add to the vitality of the area and that will be to the general benefit of the neighboring structures. (Note that the north neighbor is a driveway bordered by 3-foot tall concrete planters) It improves access to light and air, by increasing the front setback and eliminating an encroaching awning.

4. That the conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification.

Other properties in this Specific Plan Area are generally larger parcels. The Specific Plan has been written in anticipation of new structures on these larger lots and, as such, includes a larger front setback. As this Variance request is for an anomalous, 100-year old structure on a challenging and

constrained lot with significantly compounding Building and Planning Code requirements (ADA, Seismic, Title 24, Green Energy, Transparency, Structural Integrity) that are the cumulative results of an unforeseeable series of events, it will not be generally applicable to other properties within the same zoning classification.

5. That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process.

The conditions that require us to request this Variance are unique to this property and its history. As described above, the challenge is related to our attempt to refurbish and rehabilitate 135 ECR after it being damaged by criminal activity. It is an existing non-conforming structure on a small lot. The last two years of planning to bring the building into compliance with the ECR Specific Plan and to create housing in concert with Menlo Park's Housing Element is best understood as a series of falling dominoes in a sequential chain of Code Compliance Mandates (ADA, Transparency, Green Energy, Structural Integrity). The building as it is now being presented with all of the compliance cannot be refurbished and achieve the aesthetics and functionality of a contemporary mixed-use building without being granted a Variance. This situation as it has unfolded is by all accounts unique, an unbelievable tale of misfortune befallen on a historical building that began its life as a studio apartment and store front in the 1920s, and was at different times; a bar in the 1940s, a dental office in the 1980s and most recently a palm reader in the 1990s. There is no potential that this scenario could have been anticipated in the creation of the Specific Plan and no potential that this exact situation will arise again within the Plan District.

HEXAGON TRANSPORTATION CONSULTANTS, INC.

Memorandum

Date: December 3, 2021

To: Mr. Ross Levy, Levy Art + Architecture

From: Gary Black, Katie Riutta

Subject: Trip Generation Study for the Proposed Development at 135 El Camino Real in Menlo Park, California

Introduction

Hexagon Transportation Consultants, Inc. has prepared this memo to describe the results of the trip generation study conducted for the proposed development at 135 El Camino Real in Menlo Park, California. The project proposes to repair the existing 2,832 square foot (s.f.) building and proposes a change of use from a psychic office (general retail space) to office and residential. The project proposes 440 s.f. of office space and one residential unit. An existing surface parking area is accessible from Alto Lane.

The trip generation analysis determined whether the change of use would result in an increase in trips to and from the project site. Trip generation estimates were calculated for the weekday morning (7-9 AM) and evening (4-6 PM) peak hours of traffic. It is during these periods that the most congested traffic conditions occur on an average day. Peak hour trip generation rates for both AM and PM peak hours were calculated based on the Institute of Transportation Engineers (ITE), *Trip Generation Manual, 11th Edition*.

Trip Generation Estimates

Trips generated by any new development can be estimated based on counts of existing development of the same land use type. ITE has compiled count data of existing developments that have been collected over the years to derive a list of trip generation rates for the most common land uses. These recommended rates are detailed in the *Trip Generation Manual, 11th Edition*. Therefore, the magnitude of traffic generated by the proposed project was estimated by multiplying the ITE trip generation rates by the size of the development for both the AM and PM peak hours.

Project trip generation was estimated by applying to the size and uses of the development the appropriate trip generation rates obtained from the ITE *Trip Generation Manual, 11th Edition*. Based on average trip generation rates for single-family housing (Land Use 210) and office space (Land Use 712), the proposed development would generate a total of 15 daily trips, with 2 trips (1 inbound and 1 outbound) occurring during the AM peak hour and 2 trips (1 inbound and 1 outbound) occurring during the PM peak hour (see Table 1).

The existing retail building's trip generation can be credited against the proposed mixed-use development. The retail building's trip generation was estimated based on average trip generation rates for retail space (Land Use 822). Based on ITE rates, the existing retail building is generating,

or could be generating, a total of 154 daily trips with 7 trips occurring during the AM peak hour and 19 trips occurring in the PM peak hour.

After subtracting the existing use trip credit, the project is estimated to produce a net decrease of 139 daily trips, with a decrease of 5 trips (3 inbound and 2 outbound) during the AM peak hour and a decrease of 17 trips (9 inbound and 8 outbound) during the PM peak hour.

Table 1
Trip Generation Estimates for the 135 El Camino Real Mixed-Use Development

			Daily		AM Peak Hour					PM Peak Hour				
Land Use	**Size**	**Unit**	**Rate**	**Trips**	**Rate**	**In %**	**In**	**Out**	**Total**	**Rate**	**In %**	**In**	**Out**	**Total**
Proposed Use														
Residential[1]	1	du	9.43	9	0.70	26%	0	1	1	0.94	63%	1	0	1
Office[2]	0.440	ksf	14.39	6	1.67	82%	1	0	1	2.16	34%	0	1	1
Net Proposed Trips				*15*			*1*	*1*	*2*			*1*	*1*	*2*
Existing Use														
Retail[3]	2.832	ksf	54.45	154	2.36	60%	4	3	7	6.59	50%	10	9	19
Total Project Trips				**-139**			**-3**	**-2**	**-5**			**-9**	**-8**	**-17**

Notes:

Trip rates are from the ITE Trip Generation Manual, 11th Edition, 2021.

1. Single-Family Detached Housing (Land Use 210) daily and average rates expressed in trips per dwelling unit (du) are used.

2. Small Office Building (General Urban/Suburban) (Land Use 712) daily and average rates expressed in trips per 1,000 square feet (ksf) are used.

3. Strip Retail Plaza (<40k) (Land Use 822) daily and average rates expressed in trips per 1,000 square feet (ksf) are used.

Conclusions

The proposed mixed-use development is estimated to generate -5 net trips in the AM peak hour and -17 net trips in the PM peak hour. Since the project would not be expected to generate any net new vehicle trips, the project would not be required to prepare a Transportation Demand Management Plan.

ARBORIST REPORT

DECEMBER 3, 2021

PREPARED FOR LEVY ART + ARCHITECTURE
PROPERTY OWNER: DAVID NEUBAUER

SITE ADDRESS:
135 EL CAMINO REAL • MENLO PARK, CA 94025

BO FIRESTONE CONSULTING & DESIGN
BUSARA FIRESTONE, CERTIFIED ARBORIST #WE-8525A
2150 LACEY DR., MILPITAS, CA 95035
E: BUSARA@BOFIRESTONE.COM P: (408) 497-7158
WWW.BOFIRESTONE.COM

Contents

Introduction

ARBORIST ASSIGNMENT

As Project Arborist, I visited the site of the proposed renovation project at 135 El Camino Real, Menlo Park on November 16th, 2021. After review of the survey (SU-1) and Existing and Proposed Site Plans and Elevations by Levy Art + Architecture (A01. – A4.1 9/22/21), it was my understanding that the building would undergo interior and exterior remodel. This included replacing a portion of the façade at the El Camino Real side of the building. Excavation for a new foundation and seismic upgrades would also be required.

According to the project architect, improvements at the rear of the building would be likely to include "lateral strengthening for seismic" as well as new landscape and hardscape elements. Utility upgrades may require trenching along the south side of the rear yard.

My inventory included two (2) Street Trees: both London plane trees (*Platanus x hispanica)*. There were no neighboring trees or other trees on the parcel.

USES OF THIS REPORT

According to City Ordinance, any person who conducts grading, excavation, demolition, or construction activity on a property to do so in a manner that does not threaten the health or viability or cause the removal of any Heritage Tree. **Any work performed within an area 10 times the diameter of the tree (i.e., the tree protection zone) requires the submittal of a tree protection plan for approval by the City before issuance of any permit for grading or construction.**

This report was written by Busara Firestone, Project Arborist, to serve as a resource for the property owner, designer, and builder. I have provided instructions for retaining, protecting and working around trees during construction, as well as information on City requirements. *The*

owner, contractor and architect are responsible for knowing the information included in this arborist report and adhering to the conditions provided.

City Tree Protection Requirements

Heritage Tree Definition

A "Heritage Tree" is a tree that has protected status by the City of Menlo Park. The City can classify trees with Heritage status for their remarkable size, age, or unique value. However, in general, native oaks of 10 inches or more, and any tree having a trunk with a diameter of 15 inches or more has Heritage status (measured at 54 inches above natural grade, or at the branching point for multi-trunk trees).

Construction-Related Tree Removals

According to the City of Menlo Park, applicants are required to submit a site plan with the Heritage Tree Removal Application Permit even if they have submitted a site plan to the City for a planning or building permit. The site plan facilitates the review by the City Arborist.

For removals of two or more trees, applicants shall be required to submit a planting plan indicating the species, size and location of the proposed replacement trees on a site plan. Heritage Tree Permits related to Construction will also be charged for City-retained arborist expenses.

Violation Penalties

Any person who violates the tree protection ordinance, including property owners, occupants, tree companies and gardeners, could be held liable for violation of the ordinance. The ordinance prohibits removal or pruning of over one-fourth of the tree, vandalizing, mutilating, destruction and unbalancing of a heritage tree without a permit.

If a violation occurs during construction, the City may issue a stop-work order suspending and prohibiting further activity on the property until a mitigation plan has been approved, including protection measures for remaining trees on the property. Civil penalties may be assessed against any person who commits, allows or maintains a violation of any provision of the ordinance. The fine will be an amount not to exceed $5,000 per violation, or an amount equivalent to the replacement value of the tree, whichever is higher.

Impacts on Protected Trees

SITE DESCRIPTION

The property was a narrow rectangular lot fronting the busy thoroughfare of El Camino Real and flanking a broad commercial driveway and parking lot on one side. The only significant trees adjacent to the site were two London plane trees growing out of small cutouts in the sidewalk. They were relatively close to the building with the upper trunk of one of the trees leaning against the fabric awning. The trees were leaning considerably from lack of proper support and/or windy conditions along the street during establishment.

TREE INVENTORY

This tree preservation plan includes an attached inventory of all trees on the property regardless of species, that were at least 12 feet tall and 6-inch DSH. This inventory also includes as necessary, any neighboring Heritage Trees with work proposed within 10 times their diameter (DSH). Any street trees within the public right-of-way were also included, regardless of size, as required by the City.

The Inventory includes each tree's number (as shown on the TPZ map), measurements, condition, level of impact (due to proximity to work), tolerance to construction, overall suitability for conservation, and prescription (remove/retain). The inventory also includes the appraised value of each tree using the Trunk Formula Method (10th Edition).

PROJECT DESCRIPTION

After review of Proposed Site Plans and Elevations by Levy Art + Architecture (A01. – A4.1 9/22/21), it was my understanding that the building would undergo interior and exterior remodel. This included replacing a portion of the façade at the El Camino Real side of the building. The existing walls on this side of the building, stairs and planters along the sidewalk would be demolished and a new façade built. Excavation for a new foundation and seismic upgrades would also be required.

According to the project architect, improvements at the rear of the building would be likely to include "lateral strengthening for seismic as well as excavation in the rear yard for new landscape and hardscape elements. Utility upgrades may require trenching at the rear yard and along the south side of the subject property."

HOW CONSTRUCTION CAN DAMAGE TREES

Damage to Roots

Where are the Roots?

The most common types of injury to trees that occur during property improvements are related to root cutting or damage. **Tree roots extend farther out than people realize, and the majority are located within the upper 24 inches of soil.** The thickest roots are found close to the trunk, and taper and branch into ropey roots. These ropey roots taper and branch into an intricate system of fine fibrous roots, which are connected to an even finer system of fungal filaments. This vast below-ground network is tasked with absorbing water and nutrients, as well as anchoring the tree in the ground, storage, and communication.

Damage from Excavation

Any type of excavation will impact adjacent trees by severing roots and thus cutting off the attached network. Severing larger roots, or trenching across the root plate, destroys large networks. Even work that appears to be far from a tree (like on the far side of the yard), will impact the fibrous root system where excavation is taking place. Placing impervious surface over the ground, or installing below ground structures, such as a pool, or basement wall, will remove rooting area permanently from a site.

Damage from Fill

Adding fill can smother roots, making it difficult for them to access air and water. The roots and other soil life need time to colonize the new upper layers of soil.

Changes to Drainage and Available Water

Changes to the hydrology of the site, caused for instance by new septic fields, changes to grade, and drainage systems, can also cause big changes in available water for trees. Trees can die from lack of water or disease if their water supply dries up or gets much wetter than they are used to.

Soil Compaction and Contamination

In addition, compaction of soil, or contamination of soil with wash-water, paint, fuel, or other chemicals used in the building process, can cause damage to the rooting environment that can last many years. Tree protection fencing creates a barrier to protect as many roots as possible from this damage, which can be caused by travelling vehicles, equipment storage, and other construction activities that may occur even outside the construction envelope.

Mechanical Injury

Injury from the impact of vehicles or equipment can occur to the root crown, trunk, and lower branches of a tree. The bark protects a tree – creating a skin-like barrier from disease-causing organisms. The stem issues are in charge of supporting the weight of the plant, and conducting the flow of water, sugars, and other important compounds throughout the tree. When the bark and wood is injured, the structure and health of the tree is compromised.

IMPACTS TO HERITAGE TREES

Trees #1 and #2 were Street Trees that would be expected to incur some damage to roots or disturbance to the rooting environment (<25%) since excavation was planned in the front of the building. I rated impact as “moderate” which also reflects risk of damage to the above-ground portions of the tree. Work in the back of the property, including landscaping and utilities would not impact trees since there were no tree located in this area of the property or on adjacent parcels. **No trees of any kind were proposed for removal as part of this project.**

My evaluation of the impacts of the proposed construction work for all affected trees was summarized in the Tree Inventory. These included impacts of grading, excavation for utility installation, retaining walls, drainage or any other aspect of the project that could impact the service life of the tree. Anticipated impacts to trees were summarized using a rating system of “severe,” “high,” “moderate,” “low,” or “very low.”

General species tolerance to construction, and condition of the trees (health and structural integrity), was also noted on the Inventory. These major factors, as well as tree age, soil characteristics, and species desirability, all factored into an individual tree’s suitability rating, as summarized on the Inventory. Suitability of trees to be retained was rated as “high,”

"moderate," "low." Trees with low suitability would be appropriate candidates for removal. **Please see Glossary for definitions of ratings. No Heritage Trees were proposed for removal as part of this project.**

Tree Protection Recommendations

PRE-CONSTRUCTION

Establish Tree Protection Zones (TPZ)

The Tree Protection Zone (TPZ) shall be a fenced-off area where work and material storage is not allowed. They are established and inspected prior to the start of work. This barrier protects the critical root zone and trunk from compaction, mechanical damage, and chemical spills. However, since standard TPZ fencing would not practical throughout the entire project due to the proximity to work and lack of bare ground around the trees (small cutouts and narrow planting strip) , I recommend TPZ trunk wrap instead of fencing. Recommended protection for trees is as follows:

- **Trees #1 – #4**: I recommended TPZ Wrap as an alternative to protect these trees where standard fencing would not be feasible due to both site constraints and proximity to proposed work. **See attached specifications for "TPZ Trunk Wrap."**

Pruning Branches

Branches must be pruned to allow clearance for proposed structures and the passage of workers, vehicles, and machines. Any large dead branches should be pruned out for the safety of people working on the site.

I recommend that each tree that designated to remain shall be pruned as necessary to provide clearance for development, while maintaining a natural appearance. All tree pruning (or removal) activities shall be performed prior to the beginning of any demolition or development.

Pruning should be specified in writing adhering to ANSI A300 Pruning Standards and performed according to Best Management Practices endorsed by the International Society of Arboriculture. Pruning should be performed by a licensed and insured tree contractor and supervised by an ISA-certified arborist or an ASCA-Registered Consulting Arborist.

Any property owner must have permission from the City to prune these Street Trees.

Arborist Inspection

The City requires that tree protection fencing be installed before any equipment comes on-site and inspected by the Project Arborist, who shall submit a verification letter to the City before issuance of permits. Tree protection fencing to be inspected by City Arborist before demo and/or building permit issuance.

DURING CONSTRUCTION

Special Tree Protection Measures (Trees #1 and #2)

1. **Demolition of existing hardscape (the existing foundation, planters, etc.)** should be performed in a manner that avoids tearing roots: Using the smallest effective machinery, break up pieces of the concrete and lift pieces up and away from trees. Cut roots embedded in paving rather than tearing them (see instructions on root cuts).

2. **Excavation guidelines for installation of new foundation:** *Use hand tools only* when excavating within 10 feet of the trunk of this tree within the top 36 inches of soil depth.

Under the supervision of the Project Arborist or City Arborist, roots encountered should be cut cleanly with a sharp, clean sawblade perpendicular to the direction of growth (a "square cut"). The cut should be made where the bark of the root is undamaged and intact.

Root Pruning

Roots often extend farther beyond the tree than people realize. Even outside of the fencing protecting the critical root zone, there are roots that are important to the wellbeing of the tree. Builders may notice torn roots after digging or trenching. If this happens, exposed ends should be cut cleanly.

However, the best way to cut roots is to cut them cleanly *before* they are torn by excavating equipment. Roots may be exposed by gentle excavation methods and then cut selectively. Alternatively, a tool specifically designed to cut roots may be used to cut through the soil on the tree-side of the excavation line prior to digging so that roots are not torn. **Any root pruning must be supervised by the Project Arborist**.

Irrigation

Water moderately and highly impacted trees during the construction phase (in this case, no supplemental watering is needed unless during drought conditions or a heat wave). As a rule of thumb, provide one to two inches per month. Water slowly so that it penetrates 18 inches into the soil, to the depth of tree roots. Do not water native oaks during the warm dry season (June – September) as this activates oak root fungus. Instead, make sure that the soil is sufficiently insulated with mulch (where possible). Remember that unsevered tree roots typically extend three to five times the distance of the canopy.

Project Arborist Supervision

I recommend the Project Arborist meet with the builder on-site:

- Soon after excavation
- During any root pruning

- As requested by the property owner or builder to document tree condition and on-going compliance with tree protection plan (I suggest every 6 weeks).

Any time development-related work is recommended to be supervised by a Project Arborist, a follow-up letter shall be provided, documenting the mitigation has been completed to specification.

POST-CONSTRUCTION

Ensure any mitigation measures to ensure long-term survival including but not limited to:

Continued Tree Care

Provide adequate and appropriate irrigation. As a rule of thumb, provide 1- 2 inches of water per month. Water slowly so that it penetrates 18 inches into the soil, to the depth of the tree roots. Native oaks usually should not be provided supplemental water during the warm, dry season (June – September) as this activates oak root fungus. Therefore, native oaks should only be watered October – May when rain has been scarce.

Mulch insulates the soil, reduces weeds, reduces compaction, and promotes myriad benefits to soil life and tree health. Apply four inches of wood chips (or other mulch) to the surface of the soil around trees, extending at least to the dripline when possible. Do not pile mulch against the trunk.

Do not fertilize unless a specific nutrient deficiency has been identified and a specific plan prescribed by the project arborist (or a consulting arborist).

Post-Construction Monitoring

Monitor trees for changes in condition. Check trees at least once per month for the first year post-construction. Expert monitoring should be done at least every 6 months or if trees show

signs of stress. Signs stress include unseasonably sparse canopy, leaf drop, early fall color, browning of needles, and shoot die-back. Stressed trees are also more vulnerable to certain disease and pest infestations. Call the Project Arborist, or a consulting arborist if these, or other concerning changes occur in tree health.

City Arborist Inspection

A final inspection by the City Arborist is required at the end of the project. This is to be done before Tree Protection Fencing is taken down. Replacement trees should be planted by this time as well (if required).

Conclusion

The renovation project planned at 135 El Camino Real appeared to be a valuable upgrade to the property and neighborhood. If the recommendations and protection measures in this report are followed, all trees identified for preservation are expected to survive.

If any of the parties involved have questions on this report, or require Project Arborist supervision or technical support, please do not hesitate to contact me at (408) 497-7158 or busara@bofirestone.com.

Signed,

Busara (Bo) Firestone | ISA Certified Arborist WE-#8525A | ISA Qualified Tree Risk Assessor | ASCA Tree and Plant Appraisal Qualification | Member – American Society of Consulting Arborists

Supporting Information

GLOSSARY

Terms appear in the order they appear from left to right on the inventory column headings.

DBH / DSH: Diameter at 4.5' above grade. Trees which split into multiple stems at 4.5' are measured at the narrowest point below 4.5'.

Mathematic DBH / DSH: diameter of multitrunked tree, mathematically derived from the combined area of all trunks.

SPREAD: Diameter of canopy between farthest branch tips

TREE STATUS: A "Heritage Tree" is a tree that has protected status by the City of Menlo Park. The City can classify trees with Heritage status for their remarkable size, age, or unique value. However, in general, native oaks of 10 inches or more, and any tree having a trunk with a diameter of 15 inches or more has Heritage status (measured at 54 inches above natural grade, or at the branching point for multi-trunk trees).

CONDITION-Ground based visual assessment of structural and physiological well-being:

"Excellent" = 81 - 100%; Good health and structure with significant size, location or quality.

"Good" = 61-80%; Normal vigor, full canopy, no observable significant structural defects, many years of service life remaining.

"Fair" = 41-60%; Reduced vigor, significant structural defect(s), and/or other significant signs of stress

"Poor" = 21- 40%; In potentially irreversible decline, structure an aesthetics severely compromised

"Very Poor" = 6-20%; Nearly dead, or high risk of failure, negative contribution to the landscape

"Dead/Unstable" = 0 - 5%; No live canopy/buds or failure imminent

IDEAL TPZ RADIUS: Minimum recommended tree protection radius to ensure healthy, sound trees. Based on species tolerance, age, and size (total combined stem area). Compromising the radius in a specific area may be acceptable as per arborist approval.

AGE: Relative to tree lifespan; “Young” <1/3; “Mature" 1/3 - 2/3; "Overmature" >2/3

IMPACT: Anticipated impact to an individual tree including……

> **SEVERE** - In direct conflict, removal necessary if plans proceed (distance to root cuts/fill within 3X dbh)
>
> **HIGH** - Ideal TPZ significantly encroached upon but could still be retained with monitoring or alternative building methods. Health and structure may worsen even if conditions for retainment are met. May recommend alternative TPZ method due to proximity to work.
>
> **MODERATE** - Ideal TPZ encroached upon in limited areas. Special building guidelines may be provided by Project Arborist. Although some symptoms of stress are possible, tree is not likely to decline due to construction related activities. May recommend alternative TPZ method due to proximity to work.
>
> **LOW** - Minor or no encroachment on ideal TPZ. Longevity uncompromised with standard protection.
>
> **VERY LOW** - Ideal TPZ well exceeded. Potential impact only by ingress/egress. Longevity uncompromised.
>
> **NONE** - Negligible anticipated impact.

TOLERANCE: General species tolerance to construction (HIGH, MODERATE, or LOW) as given in Managing Trees During Construction, Second Edition, by International Society of Arboriculture

SUITABILITY ASSESSMENT: An individual tree's suitability for preservation considering impacts, condition, maturity, species tolerance, site characteristics, and species desirability. (HIGH, MODERATE, or LOW)

APPRAISAL RESULT: The reproduction cost of tree replacement as calculated by the Trunk Formula Technique.

BIBLIOGRAPHY

Fite, Kelby, and E. Thomas Smiley. *Managing trees during construction,* second edition. Champaign, IL: International Society of Arboriculture, 2016. Print.

ISA. *Guide for Plant Appraisal,* 10th edition, second printing. Atlanta, GA: International Society of Arboriculture, 2019. Print.

ISA. Species Classification and Group Assignment, 2004 Western Chapter Regional Supplement. Western Chapter ISA.

Smiley, E. Thomas, Nelda Matheny, and Sharon Lilly. *Best Management Practices: Tree Risk Assessmen*t: International Society of Arboriculture, 2011. Print.

CERTIFICATE OF APPRAISAL

I, Busara Rea Firestone, CERTIFY to the best of my knowledge and belief:

1. That the statements of fact contained in this plant appraisal are true and correct.
2. That the appraisal analysis, opinions, and conclusion are limited only by the reported assumption and limiting conditions, and that they are my personal, unbiased professional analysis, opinions, and conclusions.
3. That I have no present or prospective interest in the plants that are the subject of this appraisal, and that I have no personal interest or bias with respect to the parties involved.
4. That my compensation is not contingent upon a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. That my analysis, opinions, and conclusions are developed, and this appraisal has been prepared, in conformity with the *Guide for Plant Appraisal (10th edition, 2000)* authored by the Council of Tree and Landscape Appraisers.
6. That the methods found in this appraisal are based on a request to determine the value of the plants considering reasonable factors of plant appraisal.
7. That my appraisal is based on the information known to me at this time. If more information is disclosed, I may have further opinions.

Signed,

Busara (Bo) Firestone

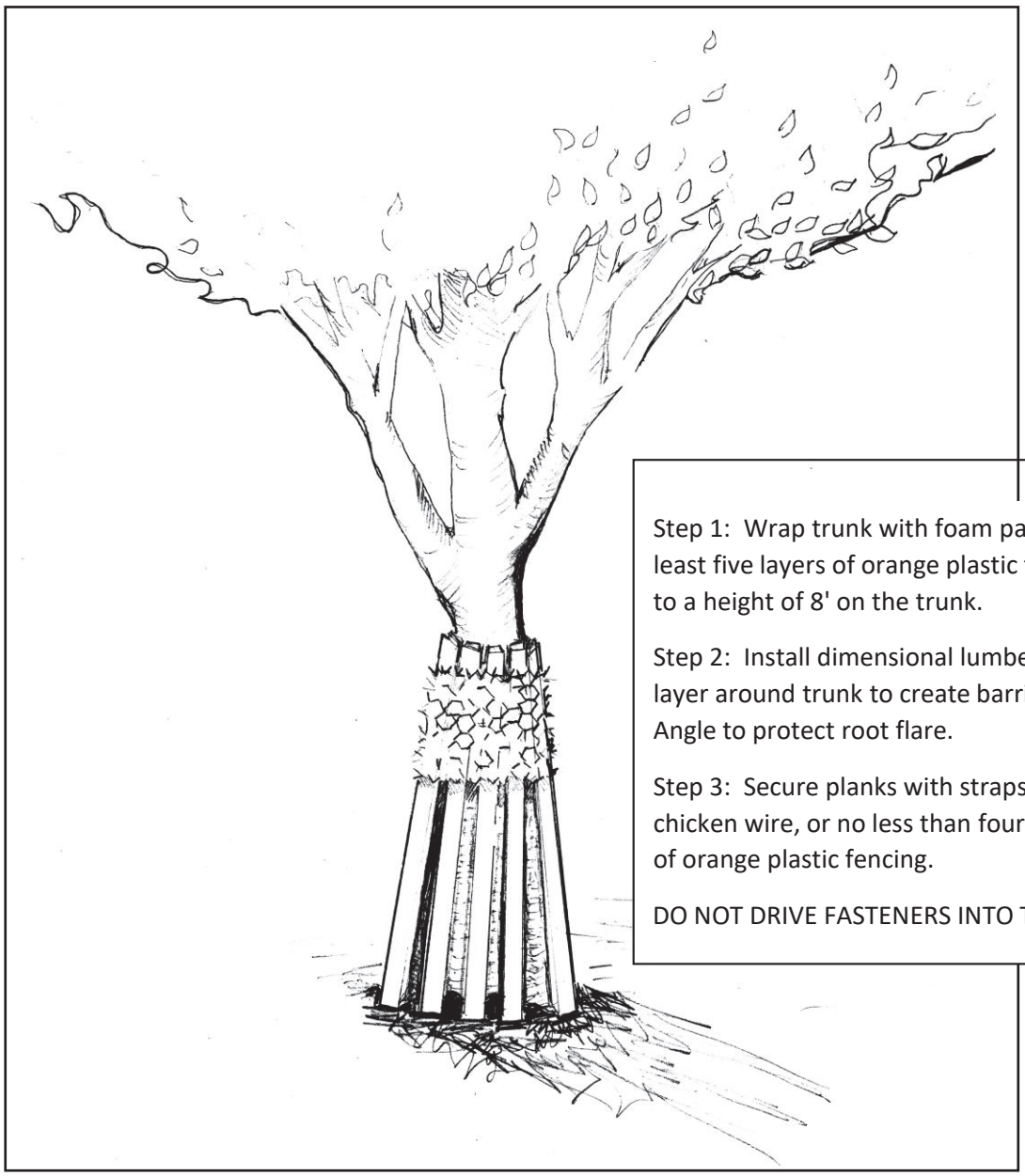
ISA Certified Arborist WE-#8525A

12/2/2021

BO FIRESTONE CONSULTING & DESIGN
BUSARA FIRESTONE, CERTIFIED ARBORIST #WE-8525A
2150 LACEY DR., MILPITAS, CA 95035
E: BUSARA@BOFIRESTONE.COM P: (408) 497-7158
WWW.BOFIRESTONE.COM

TPZ II – Alternative Method of Tree Protection

May be used to protect trunk from damage during construction activities when standard TPZ fencing is not practical. Install prior to construction activities. Adjust to allow for diameter growth as needed.



Step 1: Wrap trunk with foam pad OR at least five layers of orange plastic fencing to a height of 8' on the trunk.

Step 2: Install dimensional lumber in a layer around trunk to create barrier. Angle to protect root flare.

Step 3: Secure planks with straps, chicken wire, or no less than four layers of orange plastic fencing.

DO NOT DRIVE FASTENERS INTO TREE

TREE INVENTORY - 135 El Camino Real, Menlo Park, CA, 94025

Rev. 12.3.21

							TREE IMPACT ASSESSMENT											
#	Common Name	Botanical Name	Protected Status	DBH (inches)	math. DBH (inches)	Height (feet)	Spread (feet)	Condition	Age	Species Tolerance	6X DSH* (feet)	Estimated Root Loss**	TPZ mult. Factor	Ideal TPZ Radius (ft)	Impact Level ***	Suitability Rating	Prescription	Appraisal Result
1	Yarwood London Plane	*Platanus x acerifolia 'Yarwood'*	STREET TREE	11	11	35	30	FAIR (50%)	MATURE	MODERATE	6	< 25%	12	11	MODERATE	MODERATE	PRESERVE	$910
2	Yarwood London Plane	*Platanus x acerifolia 'Yarwood'*	STREET TREE	6.5	7	30	15	FAIR (50%)	MATURE	MODERATE	3	< 25%	12	7	MODERATE	MODERATE	PRESERVE	$370
KEY:																		
#	**on neighboring parcel**																	
	proposed removal																	

SEE GLOSSARY FOR DEFINITION OF TERMS

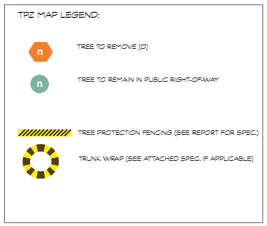
*** 6X DBH is recongnized by tree care industry best practices as the distance from trunkface to a cut across the root plate that would result in a loss of approximately 25% of the root mass. Cuts closer than this may result in tree decline or instability.**
****Based on approximate distance to excavation and extent of excavation (as shown on plans).**
****Impact level assumming all basic and special tree protection measures are followed.**

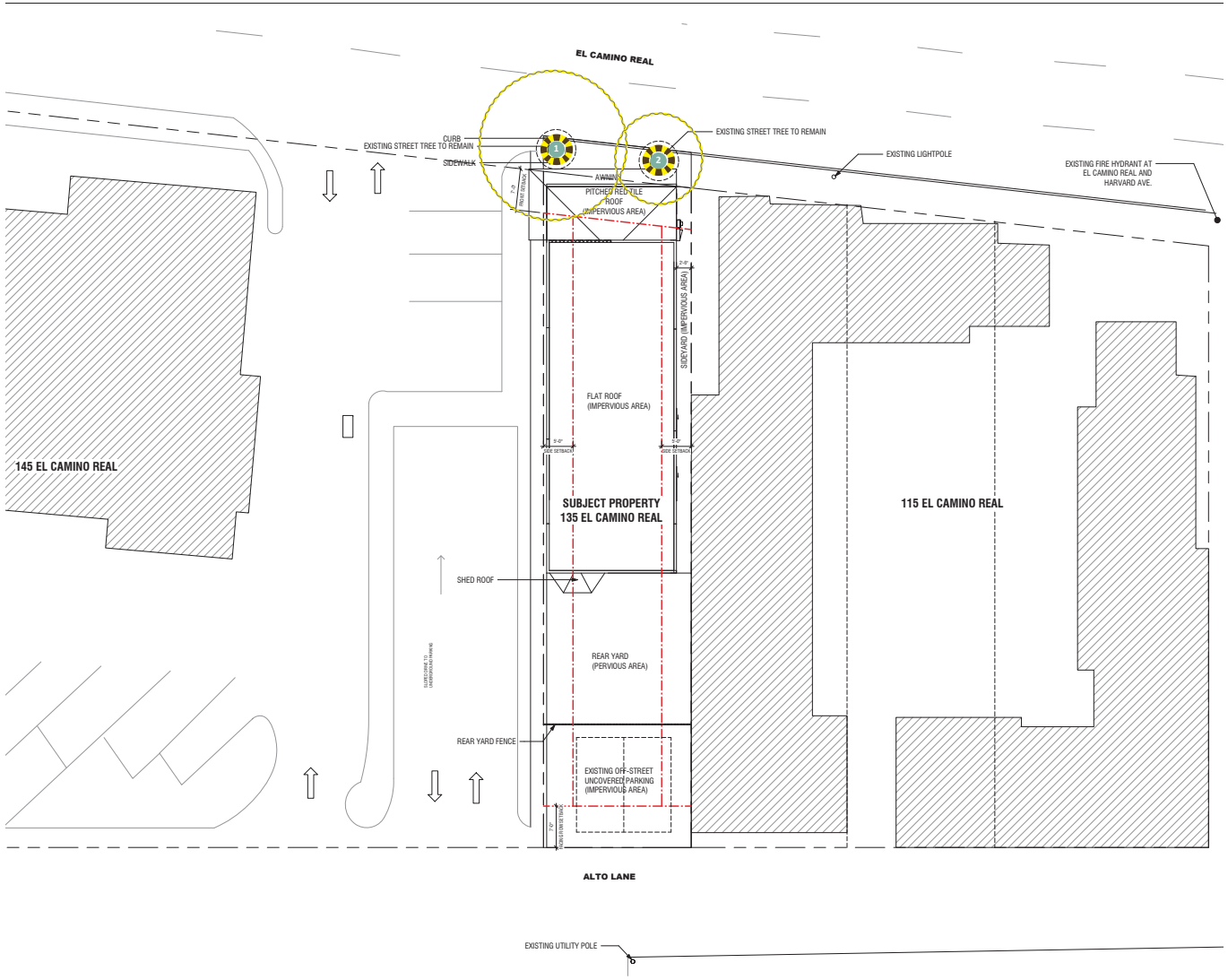
Appraisal calculations summary available apon request.

Prepared by Busara Firestone
ISA Certified Arborist #WE-8525A

TREE PROTECTION ZONE MAP

135 EL CAMINO REAL, MENLO PARK, CA





1 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

DATE:
12/03/21

TPZ ELEMENTS DRAWN:
B. FIRESTONE
ISA-CERTIFIED ARBORIST
#WE-8525A

BASE MAP: SITE PLAN A.4
by LEVY ART + ARCHITECTURE
(09/22/2021)

REPORT
pg. 18

Dr. Ranjeet Pancholy

8 Sandpiper Street, Irvine, CA 92604

408 930 2336, ranjeetpancholy@gmail.com

June 3, 2022

Assistant Planner Fahteen Khan

Planning department, City of Menlo Park, CA 94026.

Subject: Meeting on June 13 for review of 135 ECR plans

Dear Sir,

I am the Owner/resident of property adjoining this property to the South side at 115 El Camino Real and have been trying to reconstruct my property as Mixed use building since 2007. The city has required me to change my plans several times, have changed rules impacting my property with new ECR corridor rules etc., which I was obligated to comply before any permits were issued till 2020.

I like to discuss 2 issues related to reconstruction of the property at 135 ECR.

1. The open space between the property line and any structure / building on its own property is supposed to be minimum of 5 feet, making a total of 10 feet between two adjacent properties. I have complied with my side of the property rules and like to make sure that 135 ECR follows it as it seems that the structures may be encroached over these 5 feet space on his side of property line. Please assure that all current rules, amended over time, are **also** applied to 135 ECR property for update or new construction.
2. As rebuilt plans of 115 ECR, my property, have been with City of Menlo Park for over 2 years, I like to make sure that any new construction done on 135 ECR does not have any windows / doors, corridors etc. overlooking my side of the property for privacy issues.

Thanks, and regards.

Ranjeet and Jaya Pancholy

Owners of 115 ECR. Menlo Park, CA 94025

Menlo Park El Camino Real/Downtown Specific Plan
Standards and Guidelines: 135 El Camino Real Compliance Worksheet

Section	Standard or Guideline	Requirement	Evaluation
E.3.1 Development Intensity			
E.3.1.01	Standard	Business and Professional office (inclusive of medical and dental office) shall not exceed one half of the base FAR or public benefit bonus FAR, whichever is applicable.	**Complies:** The base FAR is 1.1 (3,098.98 sf). Half of base is 1549.5. The proposed office area is 346.66 sf which is 0.11 of base FAR.
E.3.1.02	Standard	Medical and Dental office shall not exceed one third of the base FAR or public benefit bonus FAR, whichever is applicable.	**Not applicable:** No medical or dental office proposed at this time.
E.3.2 Height			
E.3.2.01	Standard	Roof-mounted mechanical equipment, solar panels, and similar equipment may exceed the maximum building height, but shall be screened from view from publicly-accessible spaces.	**Complies**: Roof top mechanical equipment proposed, the roof parapet height will be increased to screen proposed equipment.
E.3.2.02	Standard	Vertical building projections such as parapets and balcony railings may extend up to 4 feet beyond the maximum façade height or the maximum building height, and shall be integrated into the design of the building.	**Complies**: The proposed parapet height extension will be between 42”-48” above the roof surface.
E.3.2.03	Standard	Rooftop elements that may need to exceed the maximum building height due to their function, such as stair and elevator towers, shall not exceed 14 feet beyond the maximum building height. Such rooftop elements shall be integrated into the design of the building.	**Complies:** The new staircase to access the roof top access will be 9’-7” in height.
E.3.3 Setbacks and Projections within Setbacks			
E.3.3.01	Standard	Front setback areas shall be developed with sidewalks, plazas, and/or landscaping as appropriate.	**Complies**: Variance requested to encroach into the front setback. The proposed alterations to the front façade require a variance for relief of required setback from 7 feet to 3.5 feet. Front setback will be developed with sidewalk.
E.3.3.02	Standard	Parking shall not be permitted in front setback areas.	**Complies**: Parking is not proposed in the front setback.
E.3.3.03	Standard	In areas where no or a minimal setback is required, limited setback for store or lobby entry recesses shall not exceed a maximum of 4-foot depth and a maximum of 6-foot width.	**Not Applicable:** The building is not in a no or limited setback area.
E.3.3.04	Standard	In areas where no or a minimal setback is required, building projections, such as balconies, bay windows and dormer windows, shall not project beyond a maximum of 3 feet from the building face into the sidewalk clear walking zone, public right-of-way or public spaces, provided they have a minimum 8-foot vertical clearance above the sidewalk clear walking zone, public right-of-way or public space.	**Complies:** Building projections such as balconies, bay windows and dormer windows are not proposed.

Section	Standard or Guideline	Requirement	Evaluation
E.3.3.05	Standard	In areas where setbacks are required, building projections, such as balconies, bay windows and dormer windows, at or above the second habitable floor shall not project beyond a maximum of 5 feet from the building face into the setback area.	**Complies:** Building projections such as balconies, bay windows and dormer windows are not proposed.
E.3.3.06	Standard	The total area of all building projections shall not exceed 35% of the primary building façade area. Primary building façade is the façade built at the property or setback line.	**Complies:** Building projections are not proposed.
E.3.3.07	Standard	Architectural projections like canopies, awnings and signage shall not project beyond a maximum of 6 feet horizontally from the building face at the property line or at the minimum setback line. There shall be a minimum of 8-foot vertical clearance above the sidewalk, public right-of-way or public space.	**Complies:** The new awning will extend approximately 2'-5" from the proposed new front façade and will be 8'-3" from the street level.
E.3.3.08	Standard	No development activities may take place within the San Francisquito Creek bed, below the creek bank, or in the riparian corridor.	**Complies:** No development activities are proposed within the San Francisquito Creek bed, below the creek bank, or in the riparian corridor.
E.3.4 Massing and Modulation			
E.3.4.1 Building Breaks			
E.3.4.1.01	Standard	The total of all building breaks shall not exceed 25 percent of the primary façade plane in a development.	**Not Applicable:** The guideline applies to new buildings. This is an existing building.
E.3.4.1.02	Standard	Building breaks shall be located at ground level and extend the entire building height.	**Not Applicable:** The guideline applies to new buildings. This is an existing building.
E.3.4.1.03	Standard	In all districts except the ECR-SE zoning district, recesses that function as building breaks shall have minimum dimensions of 20 feet in width and depth and a maximum dimension of 50 feet in width. For the ECR-SE zoning district, recesses that function as building breaks shall have a minimum dimension of 60 feet in width and 40 feet in depth.	**Not Applicable:** The subject property is in the zoning district: ECR-SW and it is an existing building that does not require building breaks as it is less than 25 ft wide.
E.3.4.1.04	Standard	Building breaks shall be accompanied with a major change in fenestration pattern, material and color to have a distinct treatment for each volume.	**Not Applicable:** The subject property is in the zoning district: ECR-SW. The building is existing.
E.3.4.1.05	Standard	In all districts except the ECR-SE zoning district, building breaks shall be required as shown in Table E3.	**Not Applicable:** The subject property is in the zoning district: ECR-SW. The building is existing.

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.1.06	Standard	In the ECR-SE zoning district, and consistent with Table E4 the building breaks shall: • Comply with Figure E9; • Be a minimum of 60 feet in width, except where noted on Figure E9; • Be a minimum of 120 feet in width at Middle Avenue; • Align with intersecting streets, except for the area between Roble Avenue and Middle Avenue; • Be provided at least every 350 feet in the area between Roble Avenue and Middle Avenue; where properties under different ownership coincide with this measurement, the standard side setbacks (10 to 25 feet) shall be applied, resulting in an effective break of between 20 to 50 feet. • Extend through the entire building height and depth at Live Oak Avenue, Roble Avenue, Middle Avenue, Partridge Avenue and Harvard Avenue; and • Include two publicly-accessible building breaks at Middle Avenue and Roble Avenue.	**Not Applicable:** The subject property is in the zoning district: ECR-SW. The building is existing.
E.3.4.1.07	Standard	In the ECR-SE zoning district, the Middle Avenue break shall include vehicular access; publicly-accessible open space with seating, landscaping and shade; retail and restaurant uses activating the open space; and a pedestrian/bicycle connection to Alma Street and Burgess Park. The Roble Avenue break shall include publicly-accessible open space with seating, landscaping and shade.	**Not Applicable:** The subject property is in the zoning district: ECR-SW. The building is existing.
E.3.4.1.08	Guideline	In the ECR-SE zoning district, the breaks at Live Oak, Roble, Middle, Partridge and Harvard Avenues may provide vehicular access.	**Not Applicable:** The subject property is in the zoning district: ECR-SW
E.3.4.2 Façade Modulation and Treatment			
E.3.4.2.01	Standard	Building façades facing public rights-of-way or public open spaces shall not exceed 50 feet in length without a minor building façade modulation. At a minimum of every 50' façade length, the **minor vertical façade modulation** shall be a minimum 2 feet deep by 5 feet wide recess or a minimum 2 foot setback of the building plane from the primary building façade.	**Not Applicable:** The existing building is 16'-6" tall, and is a single story. The width of the building is 21'-11 ½".

Section	Standard or Guideline	Requirement	Evaluation
E.3.4.2.02	Standard	Building façades facing public rights-of-way or public open spaces shall not exceed 100 feet in length without a major building modulation. At a minimum of every 100 feet of façade length, a **major vertical façade modulation** shall be a minimum of 6 feet deep by 20 feet wide recess or a minimum of 6 feet setback of building plane from primary building façade for the full height of the building. This standard applies to all districts except ECR NE-L and ECR SW since those two districts are required to provide a building break at every 100 feet.	**Not Applicable:** The existing building is only 21'-11 ½" wide.
E.3.4.2.03	Standard	In addition, the major building façade modulation shall be accompanied with a 4-foot minimum height modulation and a major change in fenestration pattern, material and/or color.	**Not Applicable:** The guideline applies to new buildings. This is an existing building.
E.3.4.2.04	Guideline	Minor façade modulation may be accompanied with a change in fenestration pattern, and/or material, and/or color, and/or height.	**Not Applicable:** The guideline applies to new buildings. This is an existing building.
E.3.4.2.05	Guideline	Buildings should consider sun shading mechanisms, like overhangs, *bris soleils* and clerestory lighting, as façade articulation strategies.	**Complies:** New awnings are proposed on the front façade to provide some sun protections at the entrance and window.
E.3.4.3 Building Profile			
E.3.4.3.01	Standard	The 45-degree building profile shall be set at the minimum setback line to allow for flexibility and variation in building façade height within a district.	The proposed remodel meets the requirement.
E.3.4.3.02	Standard	Horizontal building and architectural projections, like balconies, bay windows, dormer windows, canopies, awnings, and signage, beyond the 45-degree building profile shall comply with the standards for Building Setbacks & Projection within Setbacks (E.3.3.04 to E.3.3.07) and shall be integrated into the design of the building.	The proposed remodel meets the requirement.
E.3.4.3.03	Standard	Vertical building projections like parapets and balcony railings shall not extend 4 feet beyond the 45-degree building profile and shall be integrated into the design of the building.	The proposed remodel meets the requirement.
E.3.4.3.04	Standard	Rooftop elements that may need to extend beyond the 45-degree building profile due to their function, such as stair and elevator towers, shall be integrated into the design of the building.	The existing building and proposed remodel meets the requirement.
E.3.4.4 Upper Story Façade Length			
E.3.4.4.01	Standard	Building stories above the 38-foot façade height shall have a maximum allowable façade length of 175 feet along a public right-of-way or public open space.	The proposed remodel meets the requirement.
E.3.5 Ground Floor Treatment, Entry and Commercial Frontage			
Ground Floor Treatment			

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.01	Standard	The retail or commercial ground floor shall be a minimum 15-foot floor-to-floor height to allow natural light into the space**.**	**Not Applicable** – No changes are proposed to the first floor height.
E.3.5.02	Standard	Ground floor commercial buildings shall have a minimum of 50% transparency (i.e., clear-glass windows) for retail uses, office uses and lobbies to enhance the visual experience from the sidewalk and street. Heavily tinted or mirrored glass shall not be permitted.	**Complies**: The proposed front façade meets the 50% transparency requirements. The proposed transparency is 57.5%
E.3.5.03	Guideline	Buildings should orient ground-floor retail uses, entries and direct-access residential units to the street.	**Complies:** Access to the office unit is directly from the sidewalk facing the street. Residential access from Alto lane.
E.3.5.04	Guideline	Buildings should activate the street by providing visually interesting and active uses, such as retail and personal service uses, in ground floors that face the street. If office and residential uses are provided, they should be enhanced with landscaping and interesting building design and materials.	**Complies:** The proposed façade includes: compliance with 50% relief with the front setback (pending variance), and glass.
E.3.5.05	Guideline	For buildings where ground floor retail, commercial or residential uses are not desired or viable, other project-related uses, such as a community room, fitness center, daycare facility or sales center, should be located at the ground floor to activate the street.	**Not Applicable:** Proposed ground floor commercial space (office use) is facing the street.
E.3.5.06	Guideline	Blank walls at ground floor are discouraged and should be minimized. When unavoidable, continuous lengths of blank wall at the street should use other appropriate measures such as landscaping or artistic intervention, such as murals.	**Complies:** Front (north) and rear (south) facades are articulated such that they are not blank. One window will be added to the west façade.
E.3.5.07	Guideline	Residential units located at ground level should have their floors elevated a minimum of 2 feet to a maximum of 4 feet above the finished grade sidewalk for better transition and privacy, provided that accessibility codes are met.	**Complies**: The building is existing and residential unit entry is located at the rear of the building at grade level.
E.3.5.08	Guideline	Architectural projections like canopies and awnings should be integrated with the ground floor and overall building design to break up building mass, to add visual interest to the building and provide shelter and shade.	**Complies:** The proposed awning which also acts as sunshades, provide visual interest and break up the building mass.
Building Entries			
E.3.5.09	Standard	Building entries shall be oriented to a public street or other public space. For larger residential buildings with shared entries, the main entry shall be through prominent entry lobbies or central courtyards facing the street. From the street, these entries and courtyards provide additional visual interest, orientation and a sense of invitation.	**Complies:** The entry for the office unit faces an arterial street: El Camino Real and sidewalk. The entry for the residential unit faces the parking in the back of the lot and Alto Ln.

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.10	Guideline	Entries should be prominent and visually distinctive from the rest of the façade with creative use of scale, materials, glazing, projecting or recessed forms, architectural details, color, and/or awnings.	**Complies:** The entry to the office space facing the street is setback further than the principal façade. The entry is fully glazed, and has an awning.
E.3.5.11	Guideline	Multiple entries at street level are encouraged where appropriate.	The existing building façade is only 22'-11" wide, multiple entries do not occur on the same side of the building.
E.3.5.12	Guideline	Ground floor residential units are encouraged to have their entrance from the street.	**Complies:** The ground floor residential unit facing Alto lane is at ground level and accessed via a gate from the parking area to the yard.
E.3.5.13	Guideline	Stoops and entry steps from the street are encouraged for individual unit entries when compliant with applicable accessibility codes. Stoops associated with landscaping create inviting, usable and visually attractive transitions from private spaces to the street.	**Not Applicable:** Stoops are not being proposed.
E.3.5.14	Guideline	Building entries are allowed to be recessed from the primary building façade.	**Complies:** The building entrance facing El Camino Real is considered as the primary façade and is recessed.
Commercial Frontage			
E.3.5.15	Standard	Commercial windows/storefronts shall be recessed from the primary building façade a minimum of 6 inches	**Complies:** The proposed storefront windows are setback 6".
E.3.5.16	Standard	Retail frontage, whether ground floor or upper floor, shall have a minimum 50% of the façade area transparent with clear vision glass, not heavily tinted or highly mirrored glass.	The proposed building meets the 50% transparency requirement. No retail is being proposed.
E.3.5.17	Guideline	Storefront design should be consistent with the building's overall design and contribute to establishing a well-defined ground floor for the façade along streets.	**Complies:** The proposed storefront windows facilitate meeting the transparency requirement, and fit into the overall design which is an update from the existing façade. Mullions are used to proportion the size of glass panes to fit with the building scale.
E.3.5.18	Guideline	The distinction between individual storefronts, entire building façades and adjacent properties should be maintained.	**Complies:** The existing building is unique and has clear distinction with adjacent properties.
E.3.5.19	Guideline	Storefront elements such as windows, entrances and signage should provide clarity and lend interest to the façade.	**Complies:** The proposed storefront windows facilitate meeting the transparency requirement and fit into the overall design which is an update from the existing façade. Mullions are used to proportion the size of glass panes to fit with the building scale.

Section	Standard or Guideline	Requirement	Evaluation
E.3.5.20	Guideline	Individual storefronts should have clearly defined bays. These bays should be no greater than 20 feet in length. Architectural elements, such as piers, recesses and projections help articulate bays.	**Complies:** The proposed remodel meets the requirement.
E.3.5.21	Guideline	All individual retail uses should have direct access from the public sidewalk. For larger retail tenants, entries should occur at lengths at a maximum at every 50 feet, consistent with the typical lot size in downtown.	**Not Applicable:** Retail use is not being proposed.
E.3.5.22	Guideline	Recessed doorways for retail uses should be a minimum of two feet in depth. Recessed doorways provide cover or shade, help identify the location of store entrances, provide a clear area for out-swinging doors and offer the opportunity for interesting paving patterns, signage and displays.	**Complies.** Retail use is not being proposed.
E.3.5.23	Guideline	Storefronts should remain un-shuttered at night and provide clear views of interior spaces lit from within. If storefronts must be shuttered for security reasons, the shutters should be located on the inside of the store windows and allow for maximum visibility of the interior.	**Complies:** Shutters are not being proposed.
E.3.5.24	Guideline	Storefronts should not be completely obscured with display cases that prevent customers and pedestrians from seeing inside.	**Complies:** Proposed storefront windows will not be obscured by any objects.
E.3.5.25	Guideline	Signage should not be attached to storefront windows.	**Complies:** Signage attached to the storefront is not being proposed.
E.3.6 Open Space			
E.3.6.01	Standard	Residential developments or Mixed Use developments with residential use shall have a minimum of 100 square feet of open space per unit created as common open space or a minimum of 80 square feet of open space per unit created as private open space, where private open space shall have a minimum dimension of 6 feet by 6 feet. In case of a mix of private and common open space, such common open space shall be provided at a ratio equal to 1.25 square feet for each one square foot of private open space that is not provided.	**Complies:** The rear yard serves as open space to the residential unit. The rear yard is 638 square feet. This exceeds the minimum required. The proposed roof deck provides 381.84 sf of private open space, making the total open space 1,019.84 sf of open space.
E.3.6.02	Standard	Residential open space (whether in common or private areas) and accessible open space above parking podiums up to 16 feet high shall count towards the minimum open space requirement for the development.	**Complies:** The proposed remodel meets the requirement.
E.3.6.03	Guideline	Private and/or common open spaces are encouraged in all developments as part of building modulation and articulation to enhance building façade.	**Complies:** The proposed building meets the requirement.

Section	Standard or Guideline	Requirement	Evaluation
E.3.6.04	Guideline	Private development should provide accessible and usable common open space for building occupants and/or the general public.	**Complies:** Private open space provided.
E.3.6.05	Guideline	For residential developments, private open space should be designed as an extension of the indoor living area, providing an area that is usable and has some degree of privacy.	**Complies:** The residential unit is adjoined to a private yard and roof deck.
E.3.6.06	Guideline	Landscaping in setback areas should define and enhance pedestrian and open space areas. It should provide visual interest to streets and sidewalks, particularly where building façades are long.	**Not applicable –** Sidewalk would occupy front setback.
E.3.6.07	Guideline	Landscaping of private open spaces should be attractive, durable and drought-resistant.	**Complies.** The private open space will be landscaped as follows: Existing hedge at west (facing 145 ECR) property line to remain; proposed Olea Europaea 'swan hill' (fruitless olive) tree at south property (facing 115 ECR). All other proposed landscape will be drought resistant.
E.3.7 Parking, Service and Utilities			
General Parking and Service Access			
E.3.7.01	Guideline	The location, number and width of parking and service entrances should be limited to minimize breaks in building design, sidewalk curb cuts and potential conflicts with streetscape elements.	**Not applicable:** Service entrances and parking is not proposed.
E.3.7.02	Guideline	In order to minimize curb cuts, shared entrances for both retail and residential use are encouraged. In shared entrance conditions, secure access for residential parking should be provided.	**Not applicable:** Curb cuts are not being proposed.
E.3.7.03	Guideline	When feasible, service access and loading docks should be located on secondary streets or alleys and to the rear of the building.	**Not applicable:** Loading docks are not proposed or needed.
E.3.7.04	Guideline	The size and pattern of loading dock entrances and doors should be integrated with the overall building design.	**Not applicable:** Loading docks are not proposed or needed.
E.3.7.05	Guideline	Loading docks should be screened from public ways and adjacent properties to the greatest extent possible. In particular, buildings that directly adjoin residential properties should limit the potential for loading-related impacts, such as noise. Where possible, loading docks should be internal to the building envelope and equipped with closable doors. For all locations, loading areas should be kept clean.	**Not applicable:** Loading docks are not proposed or needed.

Section	Standard or Guideline	Requirement	Evaluation
E.3.7.06	Guideline	Surface parking should be visually attractive, address security and safety concerns, retain existing mature trees and incorporate canopy trees for shade. See Section D.5 for more compete guidelines regarding landscaping in parking areas.	The proposed remodel meets the requirement.
Utilities			
E.3.7.07	Guideline	All utilities in conjunction with new residential and commercial development should be placed underground.	The building is currently served by an overhead electric line at Alto Ln. This service line will remain. All other utilities are underground.
E.3.7.08	Guideline	Above ground meters, boxes and other utility equipment should be screened from public view through use of landscaping or by integrating into the overall building design.	The proposed remodel meets the requirement. The gas meter is located in the parking area facing Alto Ln. The electric meter is located on the side of the building. The existing electric meter will remain. New ground cover landscape will be added in the side yard. The new electric meter to serve the residential unit will be located in the side yard and screened by a fence. The new gas meters will be located in the parking area, will be screened by plants, a wood fence, and have bollards to protect against vehicle impact.
Parking Garages			
E.3.7.09	Standard	To promote the use of bicycles, secure bicycle parking shall be provided at the street level of public parking garages. Bicycle parking is also discussed in more detail in Section F.5 “Bicycle Storage Standards and Guidelines.”	**Not applicable:** A parking garage is not proposed.
E.3.7.10	Guideline	Parking garages on downtown parking plazas should avoid monolithic massing by employing change in façade rhythm, materials and/or color.	**Not applicable:** A parking garage is not proposed.
E.3.7.11	Guideline	To minimize or eliminate their visibility and impact from the street and other significant public spaces, parking garages should be underground, wrapped by other uses (i.e. parking podium within a development) and/or screened from view through architectural and/or landscape treatment.	**Not applicable:** A parking garage is not proposed.
E.3.7.12	Guideline	Whether free-standing or incorporated into overall building design, garage façades should be designed with a modulated system of vertical openings and pilasters, with design attention to an overall building façade that fits comfortably and compatibly into the pattern, articulation, scale and massing of surrounding building character.	**Not applicable:** A parking garage is not proposed.
E.3.7.13	Guideline	Shared parking is encouraged where feasible to minimize space needs, and it is effectively codified through the plan’s off-street parking standards and allowance for shared parking studies.	**Not applicable:** A parking garage is not proposed.

Section	Standard or Guideline	Requirement	Evaluation
E.3.7.14	Guideline	A parking garage roof should be approached as a usable surface and an opportunity for sustainable strategies, such as installment of a green roof, solar panels or other measures that minimize the heat island effect.	**Not applicable:** A parking garage is not proposed.
E.3.8 Sustainable Practices			
Overall Standards			
E.3.8.01	Standard	Unless the Specific Plan area is explicitly exempted, all citywide sustainability codes or requirements shall apply.	The proposed remodel will comply with city codes where applicable.
Overall Guidelines			
E.3.8.02	Guideline	Because green building standards are constantly evolving, the requirements in this section should be reviewed and updated on a regular basis of at least every two years.	The proposed remodel will comply with city codes where applicable.
Leadership in Energy and Environmental Design (LEED) Standards			

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.03	Standard	Development shall achieve LEED certification, at Silver level or higher, or a LEED Silver equivalent standard for the project types listed below. For LEED certification, the applicable standards include LEED New Construction; LEED Core and Shell; LEED New Homes; LEED Schools; and LEED Commercial Interiors. Attainment shall be achieved through LEED certification or through a City-approved outside auditor for those projects pursing a LEED equivalent standard. The requirements, process and applicable fees for an outside auditor program shall be established by the City and shall be reviewed and updated on a regular basis. LEED certification or equivalent standard, at a Silver lever or higher, shall be required for: • Newly constructed residential buildings of Group R (single-family, duplex and multi-family); • Newly constructed commercial buildings of Group B (occupancies including among others office, professional and service type transactions) and Group M (occupancies including among others display or sale of merchandise such as department stores, retail stores, wholesale stores, markets and sales rooms) that are 5,000 gross square feet or more; • New first-time build-outs of commercial interiors that are 20,000 gross square feet or more in buildings of Group B and M occupancies; and • Major alterations that are 20,000 gross square feet or more in existing buildings of Group B, M and R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed. All residential and/or mixed use developments of sufficient size to require LEED certification or equivalent standard under the Specific Plan shall install one dedicated electric vehicle/plug-in hybrid electric vehicle recharging station for every 20 residential parking spaces provided. Per the Climate Action Plan the complying applicant could receive incentives, such as streamlined permit processing, fee discounts, or design templates.	**Not applicable:** Proposed project is not among the project types requiring LEED.

Section	Standard or Guideline	Requirement	Evaluation
Leadership in Energy and Environmental Design (LEED) Guidelines			
E.3.8.04	Guideline	The development of larger projects allows for more comprehensive sustainability planning and design, such as efficiency in water use, stormwater management, renewable energy sources and carbon reduction features. A larger development project is defined as one with two or more buildings on a lot one acre or larger in size. Such development projects should have sustainability requirements and GHG reduction targets that address neighborhood planning, in addition to the sustainability requirements for individual buildings (See Standard E.3.8.03 above). These should include being certified or equivalently verified at a LEED-ND (neighborhood development), Silver level or higher, and mandating a phased reduction of GHG emissions over a period of time as prescribed in the 2030 Challenge. The sustainable guidelines listed below are also relevant to the project area. They relate to but do not replace LEED certification or equivalent standard rating requirements.	**Not applicable:** The proposed project does not meet the definition of a larger development project.
Building Design Guidelines			
E.3.8.05	Guideline	Buildings should incorporate narrow floor plates to allow natural light deeper into the interior.	**Complies:** The narrow width of the existing floor plate shall remain.
E.3.8.06	Guideline	Buildings should reduce use of daytime artificial lighting through design elements, such as bigger wall openings, light shelves, clerestory lighting, skylights, and translucent wall materials.	**Complies:** The new storefront glazing at the front façade will allow more daylight into the building.
E.3.8.07	Guideline	Buildings should allow for flexibility to regulate the amount of direct sunlight into the interiors. Louvered wall openings or shading devices like *bris soleils* help control solar gain and check overheating. *Bris soleils*, which are permanent sun-shading elements, extend from the sun-facing façade of a building, in the form of horizontal or vertical projections depending on sun orientation, to cut out the sun's direct rays, help protect windows from excessive solar light and heat and reduce glare within.	**Complies:** The awnings at the front façade provide shade and relief from solar heat gain. An awning is proposed at the rear bedroom window which also mitigates solar heat gain.
E.3.8.08	Guideline	Where appropriate, buildings should incorporate arcades, trellis and appropriate tree planting to screen and mitigate south and west sun exposure during summer. This guideline would not apply to downtown, the station area and the west side of El Camino Real where buildings have a narrower setback and street trees provide shade.	**Not applicable:** This project is on the west side of El Camino Real

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.09	Guideline	Operable windows are encouraged in new buildings for natural ventilation.	**Complies:** The new windows facing the rear yard are operable to allow for natural ventilation.
E.3.8.10	Guideline	To maximize use of solar energy, buildings should consider integrating photovoltaic panels on roofs.	**Complies:** Solar panels are proposed on the roof.
E.3.8.11	Guideline	Inclusion of recycling centers in kitchen facilities of commercial and residential buildings shall be encouraged. The minimum size of recycling centers in commercial buildings should be 20 cubic feet (48 inches wide x 30 inches deep x 24 inches high) to provide for garbage and recyclable materials.	**Complies.** Recycling is provided via bins for residential and commercial unit.
Stormwater and Wastewater Management Guidelines			
E.3.8.12	Guideline	Buildings should incorporate intensive or extensive green roofs in their design. Green roofs harvest rain water that can be recycled for plant irrigation or for some domestic uses. Green roofs are also effective in cutting-back on the cooling load of the air-conditioning system of the building and reducing the heat island effect from the roof surface.	The proposed remodel does not meets the requirement.
E.3.8.13	Guideline	Projects should use porous material on driveways and parking lots to minimize stormwater run-off from paved surfaces.	The proposed remodel meets the requirement.
Landscaping Guidelines			
E.3.8.14	Guideline	Planting plans should support passive heating and cooling of buildings and outdoor spaces.	**Complies:** Proposed Olea europaea 'Swan Hill' (Fruitless Olive) trees in the rear yard will provide shade for the rear yard.
E.3.8.15	Guideline	Regional native and drought resistant plant species are encouraged as planting material.	**Complies:** New trees were selected based on the recommendation of the arborist who prepared the report for the project.
E.3.8.16	Guideline	Provision of efficient irrigation system is recommended, consistent with the City's Municipal Code Chapter 12.44 "Water-Efficient Landscaping".	The proposed remodel meets the requirement.
Lighting Standards			
E.3.8.17	Standard	Exterior lighting fixtures shall use fixtures with low cut-off angles, appropriately positioned, to minimize glare into dwelling units and light pollution into the night sky.	The proposed remodel meets the requirement.
E.3.8.18	Standard	Lighting in parking garages shall be screened and controlled so as not to disturb surrounding properties, but shall ensure adequate public security.	**Not Applicable:** A parking garage is not proposed.
Lighting Guidelines			
E.3.8.19	Guideline	Energy-efficient and color-balanced outdoor lighting, at the lowest lighting levels possible, are encouraged to provide for safe pedestrian and auto circulation.	The proposed remodel meets the requirement.
E.3.8.20	Guideline	Improvements should use ENERGY STAR-qualified fixtures to reduce a building's energy consumption.	The proposed remodel meets the requirement.

Section	Standard or Guideline	Requirement	Evaluation
E.3.8.21	Guideline	Installation of high-efficiency lighting systems with advanced lighting control, including motion sensors tied to dimmable lighting controls or lighting controlled by timers set to turn off at the earliest practicable hour, are recommended.	The proposed remodel meets the requirement. High-efficiency lighting systems with advanced lighting control will be specified where applicable.
Green Building Material Guidelines			
E.3.8.22	Guideline	The reuse and recycle of construction and demolition materials is recommended. The use of demolition materials as a base course for a parking lot keeps materials out of landfills and reduces costs.	The proposed remodel meets the requirement. The reuse and recycle of construction and demolition materials will be maintained as applicable. The project renovates rather than demolishing, and therefore reducing the amount of waste sent to a landfill.
E.3.8.23	Guideline	The use of products with identifiable recycled content, including post-industrial content with a preference for post-consumer content, are encouraged.	The proposed remodel meets the requirement. The use of products with identifiable recycled content will be specified where feasible.
E.3.8.24	Guideline	Building materials, components, and systems found locally or regionally should be used, thereby saving energy and resources in transportation.	The proposed remodel meets the requirement. Building materials, components, and systems found locally or regionally will be used where feasible.
E.3.8.25	Guideline	A design with adequate space to facilitate recycling collection and to incorporate a solid waste management program, preventing waste generation, is recommended.	The proposed remodel meets the requirement. Recycling and compost bins will be provided, in addition to waste.
E.3.8.26	Guideline	The use of material from renewable sources is encouraged.	The proposed remodel meets the requirement. Material from renewable sources will be used where feasible.

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
AIR QUALITY				
Specific Plan Impact AIR-1: Implementation of the Specific Plan would result in increased long-term emissions of criteria pollutants associated with construction activities that could contribute substantially to an air quality violation. (Significant)				
Mitigation Measure AIR-1a : During construction of individual projects under the Specific Plan, project applicants shall require the construction contractor(s) to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) basic dust control procedures required for construction sites. For projects for which construction emissions exceed one or more of the applicable BAAQMD thresholds, additional measures shall be required as indicated in the list following the Basic Controls.		Measures shown on plans, construction documents and on-going during demolition, excavation and construction.	Project sponsor(s) and contractor(s)	PW/CDD
Basic Controls that Apply to All Construction Sites				
1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.	Exposed surfaces shall be watered twice daily.			
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.	Trucks carrying demolition debris shall be covered.			
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.	Dirt carried from construction areas shall be cleaned daily.			
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.	Speed limit on unpaved roads shall be 15 mph.			
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	Roadways, driveways, sidewalks and building pads shall be laid as soon as possible after grading.			
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.	Idling times shall be minimized to 5 minutes or less; Signage posted at all access points.			
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.	Construction equipment shall be properly tuned and maintained.			
8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.	Signage will be posted with the appropriate contact information regarding dust complaints.			
9. Minimizing the idling time of diesel powered construction equipment to two minutes.	Idling time of diesel powered equipment will not exceed two minutes.			

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
10. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent nitrogen oxides reduction and 45 percent particulate matter reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.	Plan developed that demonstrates emissions from use of off-road equipment during construction will be reduced as specified.			
11. Use low volatile organic compound (VOC) (i.e., reactive organic gases) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).	Low VOC coatings shall be used.			
12. Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of nitrogen oxides and particulate matter.	Require Best Available Control Technology for all construction equipment, diesel trucks, and generators.			
13. Requiring all contractors use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy duty diesel engines.	Equipment shall meet standards for off-road heavy duty diesel engines.			
Specific Plan Impact AIR-5: Implementation of the Specific Plan would locate sensitive receptors in an area of elevated concentrations of toxic air contaminants associated with roadway traffic which may lead to considerable adverse health effects. (Potentially Significant)				
Mitigation Measure AIR-5: The Mitigation Monitoring and Reporting Program shall require that all developments that include sensitive receptors such as residential units that would be located within 200 feet of the edge of El Camino Real or within 100 feet of the edge of Ravenswood Avenue, Oak Grove Avenue east of El Camino Real, or Santa Cruz Avenue west of University	A health risk analysis shall be prepared. If one or more thresholds are exceeded, a filtration system shall be installed; Certified engineer to provide report documenting that system reduces health risks	Simultaneous with submittal for a building permit.	Project sponsor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Avenue shall undergo, prior to project approval, a screening-level health risk analysis to determine if cancer risk, hazard index, and/or $PM_{2.5}$ concentration would exceed BAAQMD thresholds. If one or more thresholds would be exceeded at the site of the subsequent project, the project (or portion of the project containing sensitive receptors, in the case of a mixed-use project) shall be equipped with filtration systems with a Minimum Efficiency Reporting Value (MERV) rating of 14 or higher. The ventilation system shall be designed by an engineer certified by the American Society of Heating, Refrigeration and Air-Conditioning Engineers, who shall provide a written report documenting that the system reduces interior health risks to less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD or the City for health risks. The project sponsor shall present a plan to ensure ongoing maintenance of ventilation and filtration systems and shall ensure the disclosure to buyers and/or renters regarding the findings of the analysis and inform occupants as to proper use of any installed air filtration. Alternatively, if the project applicant can prove at the time of development that health risks at new residences due to DPM (and other TACs, if applicable) would be less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD for health risks, or that alternative mitigation measures reduce health risks below any other City-adopted threshold of significance, such filtration shall not be required.	Plan developed for ongoing maintenance and disclosure to buyers and/renters.			
Specific Plan EIR Impact AIR-6: Implementation of the Specific Plan would locate new sensitive receptors in an area of elevated concentrations of $PM_{2.5}$ associated with roadway traffic which may lead to considerable adverse health effects. (Potentially Significant)				
Mitigation Measure AIR-5 associated with Impact AIR-5 regarding DPM exposure would also reduce $PM_{2.5}$ exposure impacts along El Camino Real and other high volume streets to a less than significant level.	See Mitigation Measure AIR-5.			
Specific Plan EIR Impact AIR-7: Implementation of the Specific Plan would expose sensitive receptors to elevated concentrations of Toxic Air Contaminants (TACs) associated with Caltrain operations which may lead to considerable adverse health effects. (Potentially Significant)				
Mitigation Measure AIR-7: The Mitigation Monitoring and Reporting Program shall require that all developments that include sensitive receptors such as residential units that would be located within approximately 1,095 feet of the edge of the Caltrain right-of-way shall undergo, prior to project approval, a screening-level health risk analysis to determine if cancer risk, hazard index,	A health risk analysis shall be prepared. If one or more thresholds are exceeded, a filtration system shall be installed; Certified engineer to provide report documenting that system reduces health risks	Simultaneous with submittal for a building permit.	Project sponsor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
and/or $PM_{2.5}$ concentration would exceed BAAQMD thresholds. If one or more thresholds would be exceeded at the site of the subsequent project, the project (or portion of the project containing sensitive receptors, in the case of a mixed-use project) shall be equipped with filtration systems with a Minimum Efficiency Reporting Value (MERV) rating of 14 or higher. The ventilation system shall be designed by an engineer certified by the American Society of Heating, Refrigeration and Air-Conditioning Engineers, who shall provide a written report documenting that the system reduces interior health risks to less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD or the City for health risks. The project sponsor shall present a plan to ensure ongoing maintenance of ventilation and filtration systems and shall ensure the disclosure to buyers and/or renters regarding the findings of the analysis and inform occupants as to proper use of any installed air filtration. Alternatively, if the project applicant can prove at the time of development that health risks at new residences due to DPM (and other TACs, if applicable) would be less than 10 in one million, or less than any other threshold of significance adopted by BAAQMD for health risks, or that alternative mitigation measures reduce health risks below any other City-adopted threshold of significance, such filtration shall not be required.	Plan developed for ongoing maintenance and disclosure to buyers and/renters.			
General Plan EIR Impact AQ-3: Implementation of the proposed project would expose sensitive receptors to substantial concentrations of air pollutions). (Potentially Significant)				

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure AQ-3b: As part of the discretionary review process, applicants for all residential and other sensitive land use projects (e.g., hospitals, nursing homes, day care centers) anywhere in the City within 1,000 feet of a major sources of toxic air contaminants (TACs) (e.g., warehouses, industrial areas, freeways, and roadways with traffic volumes over 10,000 vehicle per day), as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the City's Planning Division. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHHA) and the Bay Area Air Quality Management District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children ages 0 to 16 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM2.5 concentrations exceed 0.3 µg/m3, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to: -Air intakes located away from high volume roadways and/or truck loading zones. -Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized maximum efficiency rating value (MERV) filters.	A health risk analysis shall be prepared.	Simultaneous with submittal for a building permit.	Project applicant	CDD
Measures identified in the HRA shall be incorporated into the site development plan as a component of the proposed project subject to the review and approval of the Community Development Department. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City, subject to the review and approval of the Community Development Department.				
BIOLOGICAL RESOURCES				
Specific Plan EIR Impact BIO-1: The Specific Plan could result in the take of special-status birds or their nests. (Potentially Significant)				

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure BIO-1a: Pre-Construction Special-Status Avian Surveys. No more than two weeks in advance of any tree or shrub pruning, removal, or ground-disturbing activity that will commence during the breeding season (February 1 through August 31), a qualified wildlife biologist will conduct pre-construction surveys of all potential special-status bird nesting habitat in the vicinity of the planned activity. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered. ***If pre-construction surveys indicate that no nests of special-status birds are present or that nests are inactive or potential habitat is unoccupied:*** no further mitigation is required. ***If active nests of special-status birds are found during the surveys:*** implement Mitigation Measure BIO-1b.	A nesting bird survey shall be prepared if tree or shrub pruning, removal or ground-disturbing activity will commence between February 1 through August 31.	Prior to tree or shrub pruning or removal, any ground disturbing activity and/or issuance of demolition, grading or building permits.	Qualified wildlife biologist retained by project sponsor(s)	CDD
Mitigation Measure BIO-1b: Avoidance of active nests. If active nests of special-status birds or other birds are found during surveys, the results of the surveys would be discussed with the California Department of Fish and Game and avoidance procedures will be adopted, if necessary, on a case-by- case basis. In the event that a special-status bird or protected nest is found, construction would be stopped until either the bird leaves the area or avoidance measures are adopted. Avoidance measures can include construction buffer areas (up to several hundred feet in the case of raptors), relocation of birds, or seasonal avoidance. If buffers are created, a no disturbance zone will be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted will take into account factors such as the following: 1. Noise and human disturbance levels at the Plan area and the nesting site at the time of the survey and the noise and disturbance expected during the construction activity; 2. Distance and amount of vegetation or other screening between the Plan area and the nest; and 3. Sensitivity of individual nesting species and behaviors of the nesting birds.	If active nests are found during survey, the results will be discussed with the California Department of Fish and Game and avoidance procedures adopted. Halt construction if a special-status bird or protected nest is found until the bird leaves the area or avoidance measures are adopted.	Prior to tree or shrub pruning or removal, any ground-disturbing activities and/or issuance of demolition, grading or building permits.	Project sponsor(s) and contractor(s)	CDD
Specific Plan EIR Impact BIO-3: Impacts to migratory or breeding special-status birds and other special-status species due to lighting conditions. (Potentially Significant)				

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure BIO-3a: Reduce building lighting from exterior sources. a. Minimize amount and visual impact of perimeter lighting and façade up-lighting and avoid uplighting of rooftop antennae and other tall equipment, as well as of any decorative features; b. Installing motion-sensor lighting, or lighting controlled by timers set to turn off at the earliest practicable hour; c. Utilize minimum wattage fixtures to achieve required lighting levels; d. Comply with federal aviation safety regulations for large buildings by installing minimum intensity white strobe lighting with a three-second flash interval instead of continuous flood lighting, rotating lights, or red lighting e. Use cutoff shields on streetlight and external lights to prevent upwards lighting.	Reduce building lighting from exterior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD
Mitigation Measure BIO-3b: Reduce building lighting from interior sources. a. Dim lights in lobbies, perimeter circulation areas, and atria; b. Turn off all unnecessary lighting by 11pm thorough sunrise, especially during peak migration periods (mid-March to early June and late August through late October); c. Use gradual or staggered switching to progressively turn on building lights at sunrise. d. Utilize automatic controls (motion sensors, photosensors, etc.) to shut off lights in the evening when no one is present; e. Encourage the use of localized task lighting to reduce the need for more extensive overhead lighting; f. Schedule nightly maintenance to conclude by 11 p.m.; g. Educate building users about the dangers of night lighting to birds.	Reduce building lighting from interior sources.	Prior to building permit issuance and ongoing.	Project sponsor(s) and contractor(s)	CDD
Specific Plan Impact BIO-5: The Specific Plan could result in the take of special-status bat species. (Potentially Significant)				

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure BIO-5a: Preconstruction surveys. Potential direct and indirect disturbances to special-status bats will be identified by locating colonies and instituting protective measures prior to construction of any subsequent development project. No more than two weeks in advance of tree removal or structural alterations to buildings with closed areas such as attics, a qualified bat biologist (e.g., a biologist holding a California Department of Fish and Game collection permit and a Memorandum of Understanding with the California Department of Fish and Game allowing the biologist to handle and collect bats) shall conduct pre-construction surveys for potential bats in the vicinity of the planned activity. A qualified biologist will survey buildings and trees (over 12 inches in diameter at 4.5-foot height) scheduled for demolition to assess whether these structures are occupied by bats. No activities that would result in disturbance to active roosts will proceed prior to the completed surveys. If bats are discovered during construction, any and all construction activities that threaten individuals, roosts, or hibernacula will be stopped until surveys can be completed by a qualified bat biologist and proper mitigation measures implemented. ***If no active roosts present:*** no further action is warranted. ***If roosts or hibernacula are present:*** implement Mitigation Measures BIO-5b and 5c.	Retain a qualified bat biologist to conduct pre-construction survey for bats and potential roosting sites in vicinity of planned activity. Halt construction if bats are discovered during construction until surveys can be completed and proper mitigation measures implemented.	Prior to tree pruning or removal or issuance of demolition, grading or building permits.	Qualified bat biologist retained by project sponsor(s)	CDD
Mitigation Measure BIO-5b: Avoidance. If any active nursery or maternity roosts or hibernacula of special-status bats are located, the subsequent development project may be redesigned to avoid impacts. Demolition of that tree or structure will commence after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) or before maternity colonies forms the following year (i.e., prior to March 1). For hibernacula, any subsequent development project shall only commence after bats have left the hibernacula. No-disturbance buffer zones acceptable to the California Department of Fish and Game will be observed during the maternity roost season (March 1 through July 31) and during the winter for hibernacula (October 15 through February 15). Also, a no-disturbance buffer acceptable in size to the California Department of Fish and Game will be created around any roosts in the Project vicinity (roosts that will not be destroyed by the Project but are within the Plan area) during the breeding season (April 15 through August 15), and around hibernacula during winter (October 15 through February 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the “take” of individuals is prohibited.	If any active nursery or maternity roosts or hibernacula are located, no disturbance buffer zones shall be established during the maternity roost and breeding seasons and hibernacula.	Prior to tree removal or pruning or issuance of demolition, grading or building permits	Qualified bat biologist retained by project sponsor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Mitigation Measure BIO-5c: Safely evict non-breeding roosts. Non-breeding roosts of special-status bats shall be evicted under the direction of a qualified bat biologist. This will be done by opening the roosting area to allow airflow through the cavity. Demolition will then follow no sooner or later than the following day. There should not be less than one night between initial disturbance with airflow and demolition. This action should allow bats to leave during dark hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees with roosts that need to be removed should first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours. However, the "take" of individuals is prohibited.	A qualified bat biologist shall direct the eviction of non-breeding roosts.	Prior to tree removal or pruning or issuance of demolition, grading or building permits.	Qualified bat biologist retained by project sponsor(s)	CDD
Specific Plan Impact BIO-6a: The Specific Plan could result in impacts to special-status amphibians and reptiles; California red-legged frog, California tiger salamander, and western pond turtle. (Potentially Significant)				
Mitigation Measure BIO 6a: The following measures shall be implemented to mitigate the effects of the project on special-status amphibians and reptiles: Staging areas, and all fueling and maintenance of vehicles and other equipment and staging areas shall be at least 100 feet from the riparian corridor of San Francisquito Creek. For any construction that takes place within 100 feet of the riparian corridor of San Francisquito Creek:	Buffer areas of at least 100 feet shall be created for the riparian corridor of San Francisquito Creek.	Prior to issuance of a grading permit and ongoing during construction	Project sponsor(s)	CDD
The project sponsor shall install exclusionary fencing, such as silt fences, along San Francisquito Creek and around all construction areas that are within 100 feet of or adjacent to potential California red-legged frog, California tiger salamander, or western pond turtle habitat, which includes San Francisquito Creek and its riparian corridor. Once fencing is in place, it shall be maintained by the project sponsor until completion of construction within or adjacent to the enclosure.	Install fencing along San Francisquito Creek and around all construction areas within 100 feet of or adjacent to potential California red- legged frog, California tiger salamander, or western pond turtle habitat.		Qualified biologist retained by the project sponsor(s)	
Prior to commencement of any earthmoving activities, the project sponsor shall retain a qualified monitoring biologist to train all construction personnel and work crews on the sensitivity and identification of the California red-legged frog, California tiger salamander, and western pond turtle and the penalties for the "take" of these species. In addition, species identification cards shall be provided to all construction personnel. Training sessions shall be conducted for all new employees before they access the Plan area and periodically throughout project construction.	Retain a qualified biologist to train all construction personnel.			
During project construction the qualified monitoring biologist who is familiar with the identification and life history of California red-legged frog, California tiger salamander, and western pond turtle, and with the appropriate agency authorization, shall be designated to periodically inspect onsite compliance with all mitigation measures, consistent with the training sessions.	Inspection of onsite compliance shall be conducted by a qualified monitoring biologist.			

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
The qualified monitoring biologist shall perform a daily survey of the San Francisquito Creek and its riparian corridor within 100 feet of the project site during initial ground-breaking activities and during the rainy season. During these surveys, the qualified monitoring biologist shall inspect the exclusion fencing for individuals trapped within the fence and determine the need for fence repair. After ground-breaking activities and during the non-rainy season, the qualified monitoring biologist shall continue to perform daily fence surveys and compliance reviews at the project site. If a California red-legged frog or California tiger salamander is identified in the project work area, all work in the immediate area shall cease and the U.S. Fish and Wildlife Service shall be contacted. Work shall not begin again until so authorized by the U.S. Fish and Wildlife Service.	Retain a qualified monitoring biologist to perform a daily survey of riparian corridors within 100 feet of the project site. Halt all work in the immediate area if a special-status amphibian is identified and contact the U.S. Fish and Wildlife Service.			
CULTURAL RESOURCES				
Impact CUL-1: The proposed Specific Plan could have a significant impact on historic architectural resources. (Potentially Significant)				
Mitigation Measure CUL-1: Site Specific Evaluations and Treatment in Accordance with the Secretary of the Interior's Standards: ***Site-Specific Evaluations:*** In order to adequately address the level of potential impacts for an individual project and thereby design appropriate mitigation measures, the City shall require project sponsors to complete site-specific evaluations at the time that individual projects are proposed at or adjacent to buildings that are at least 50 years old. The project sponsor shall be required to complete a site-specific historic resources study performed by a qualified architectural historian meeting the Secretary of the Interior's Standards for Architecture or Architectural History. At a minimum, the evaluation shall consist of a records search, an intensive-level pedestrian field survey, an evaluation of significance using standard National Register Historic Preservation and California Register Historic Preservation evaluation criteria, and recordation of all identified historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms. The evaluation shall describe the historic context and setting, methods used in the investigation, results of the evaluation, and recommendations for management of identified resources. If federal or state funds are involved, certain agencies, such as the Federal Highway Administration and California Department of Transportation (Caltrans), have specific requirements for inventory areas and documentation format.	A qualified architectural historian has completed a site-specific historic resources study. The existing structure has not been found to be historic, specify treating conforming to Secretary of the Interior's standards, as applicable.	Submitted by applicant. Prepared by Archaeological Resource Management. Dated: December 7, 2021	Qualified architectural historian retained by the Project sponsor(s).	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
Treatment in Accordance with the Secretary of the Interior's Standards. Any future proposed project in the Plan Area that would affect previously recorded historic resources, or those identified as a result of site-specific surveys and evaluations, shall conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995). The Standards require the preservation of character defining features which convey a building's historical significance, and offers guidance about appropriate and compatible alterations to such structures.				
HAZARDOUS MATERIALS				
Mitigation Measure HAZ-1: Prior to issuance of any building permit for sites where ground breaking activities would occur, all proposed development sites shall have a Phase I site assessment performed by a qualified environmental consulting firm in accordance with the industry required standard known as ASTM E 1527-05. The City may waive the requirement for a Phase I site assessment for sites under current and recent regulatory oversight with respect to hazardous materials contamination. If the Phase I assessment shows the potential for hazardous releases, then Phase II site assessments or other appropriate analyses shall be conducted to determine the extent of the contamination and the process for remediation. All proposed development in the Plan area where previous hazardous materials releases have occurred shall require remediation and cleanup to levels established by the overseeing regulatory agency (San Mateo County Environmental Health (SMCEH), Regional Water Quality Control Board (RWQCB) or Department of Toxic Substances Control (DTSC) appropriate for the proposed new use of the site. All proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a licensed professional in accordance with Cal/OHSA regulations (contained in Title 8 of the California Code of Regulations) and approved by SMCEH prior to the commencement of groundbreaking.	Prepare a Phase I site assessment. If assessment shows potential for hazardous releases, then a Phase II site assessment shall be conducted. Remediation shall be conducted according to standards of overseeing regulatory agency where previous hazardous releases have occurred. Groundbreaking activities where there is identified or suspected contamination shall be conducted according to a site-specific health and safety plan.	Prior to issuance of any grading or building permit for sites with groundbreaking activity.	Qualified environmental consulting firm and licensed professionals hired by project sponsor(s)	CDD
Impact HAZ-3: Hazardous materials used on any individual site during construction activities (i.e., fuels, lubricants, solvents) could be released to the environment through improper handling or storage. (Potentially Significant)				
Mitigation Measure HAZ-3: All development and redevelopment shall require the use of construction Best Management Practices (BMPs) to control handling of hazardous materials during construction to minimize the potential negative effects from accidental release to groundwater and soils. For projects that disturb less than one acre, a list of BMPs to be implemented shall be part of building specifications and approved of by the City Building Department prior to issuance of a building permit.	Implement best management practices to reduce the release of hazardous materials during construction.	Prior to building permit issuance for sites disturbing less than one acre and on-going during construction for all project sites	Project sponsor(s) and contractor(s)	CDD
LAND USE				

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
LU-2: As part of the discretionary review process for development projects, all proposed development anywhere in Menlo Park is required to demonstrate consistency with the applicable goals, policies, and programs in the General Plan and the supporting Zoning standards to the satisfaction of the City of Menlo Park's Community Development Department. A future project is consistent with the General Plan and Zoning standards if, considering all its aspects, it will further the goals, policies and programs of the General Plan and supporting Zoning standards and not obstruct their attainment.	Project Applicant	During the building permit and site development review process and prior to permit issuance	City of Menlo Park Planning Division	CDD
NOISE				
Specific Plan Impact NOI-1: Construction activities associated with implementation of the Specific Plan would result in substantial temporary or periodic increases in ambient noise				
Mitigation Measure NOI-1a: Construction contractors for subsequent development projects within the Specific Plan area shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acousticallyattenuating shields or shrouds, etc.) when within 400 feet of sensitive receptor locations. Prior to demolition, grading or building permit issuance, a construction noise control plan that identifies the best available noise control techniques to be implemented, shall be prepared by the construction contractor and submitted to the City for review and approval. The plan shall include, but not be limited to, the following noise control elements: * Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler shall achieve lower noise levels from the exhaust by approximately 10 dBA. External jackets on the tools themselves shall be used where feasible in order to achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible; * Stationary noise sources shall be located as far from adjacent receptors as possible and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible; and	A construction noise control plan shall be prepared and submitted to the City for review. Implement noise control techniques to reduce ambient noise levels.	Prior to demolition, grading or building permit issuance Measures shown on plans, construction documents and specification and ongoing through construction	Project sponsor(s) and contractor(s)	CDD

Mitigation Monitoring and Reporting Program				
Mitigation Measure	**Action**	**Timing**	**Implementing Party**	**Monitoring Party**
* When construction occurs near residents, affected parties within 400 feet of the construction area shall be notified of the construction schedule prior to demolition, grading or building permit issuance. Notices sent to residents shall include a project hotline where residents would be able to call and issue complaints. A Project Construction Complaint and Enforcement Manager shall be designated to receive complaints and notify the appropriate City staff of such complaints. Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and day and evening contact numbers, both for the construction contractor and City representative(s), in the event of problems.				
Mitigation Measure NOI-1b: Noise Control Measures for Pile Driving: Should pile-driving be necessary for a subsequently proposed development project, the project sponsor would require that the project contractor predrill holes (if feasible based on soils) for piles to the maximum feasible depth to minimize noise and vibration from pile driving. Should pile-driving be necessary for the proposed project, the project sponsor would require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring uses.	If pile-driving is necessary for project, predrill holes to minimize noise and vibration and limit activity to result in the least disturbance to neighboring uses.	Measures shown on plans, construction documents and specifications and ongoing during construction	Project sponsor(s) and contractor(s)	CDD
Mitigation Measure NOI-1c: The City shall condition approval of projects near receptors sensitive to construction noise, such as residences and schools, such that, in the event of a justified complaint regarding construction noise, the City would have the ability to require changes in the construction control noise plan to address complaints.	Condition projects such that if justified complaints from adjacent sensitive receptors are received, City may require changes in construction noise control plan.	Condition shown on plans, construction documents and specifications. When justified complaint received by City.	Project sponsor(s) and contractor(s) for revisions to construction noise control plan.	CDD
Specific Plan Impact NOI-3: The Specific Plan would introduce sensitive receptors to a noise environment with noise levels in excess of standards considered acceptable under the City of Menlo Park Municipal Code. (Potentially Significant)				
Mitigation Measure NOI-3: Interior noise exposure within homes proposed for the Specific Plan area shall be assessed by a qualified acoustical engineer to determine if sound rated walls and windows would be required to meet the Title 24 interior noise level standard of 45 dBA, Ldn. The results of each study shall be submitted to the City showing conceptual window and wall assemblies with Sound Transmission Class (STC) ratings necessary to achieve the noise reductions for the project to satisfy the interior noise criteria within the noise environment of the Plan area.	Interior noise exposure assessed by qualified acoustical engineer and results submitted to City showing conceptual window and wall assemblies necessary to meet City standards.	Simultaneous with submittal for a building permit.	Project sponsors(s) and contractor(s)	CDD

CITY OF MENLO PARK

STAFF REPORT

Planning Commission
Meeting Date: **9/12/2022**
Staff Report Number: **22-050-PC**

Public Hearing ~~and Study Session:~~

Final Actions on Environmental Review, Use Permit, Architectural Control, and Community Amenities Proposal for the proposed 1350 Adams Court life sciences/research and development (R&D) project

Recommendation

Staff recommends that the Planning Commission take the following actions on the proposed project:

1. **Adopt a resolution making the required findings per the California Environmental Quality Act (CEQA) and certify the final environmental impact report (Final EIR)** that analyzes the potential environmental impacts of the proposed project and adopt an associated Mitigation, Monitoring, and Reporting Program (MMRP) (Attachment A);
2. **Adopt a resolution (Attachment B) to:**
    a. **Approve the use permit** to construct a new research and development (R&D) building of up to 260,400 square feet. The use permit includes a request for bonus level development potential, which would allow increases in floor area ratio (FAR), density, and height in exchange for providing community amenities. The use permit also includes a request for the use and storage of hazardous materials for a diesel generator;
    b. **Approve the architectural control permit** for the design of the new R&D building and associated site improvements; and,
    c. **Approve the community amenities proposal** to pay an in-lieu community amenities fee in exchange for bonus level development potential, in compliance with the City's community amenities requirement.

The proposed project also includes a request for heritage tree removal permits to remove 12 heritage trees that conflict with development of the proposed project and plant heritage tree replacements per the City's municipal code requirements. The City Arborist has approved removal of nine heritage trees on the basis of development and three trees based on tree health rating.

Policy Issues

The proposed project requires the Planning Commission to consider the merits of the project, including the project's consistency with the City's General Plan, LS-B zoning district standards, BMR housing program, community amenities requirements for bonus level development, and other adopted policies and programs.

As part of the project review, the Planning Commission will need to consider the environmental review and determine whether to certify the Final EIR, make findings regarding the Project's environmental effects pursuant to the California Environmental Quality Act (CEQA), and adopt the MMRP. Additionally, the Commission will need to consider the use permit, architectural control, and community amenities proposal for the proposed project. All requested entitlements would be reviewed and acted upon by the Planning Commission and are final, unless appealed to the City Council.

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

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

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

Background

Site location

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

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

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

Analysis

Project description

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

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

- The existing 10-inch lines would be upgraded to 12-inch lines under Adams Court and along the interior of the 1350 Adams Court property, connecting to existing lines at the adjacent Menlo Science and Technology Park, and
- Portions of the existing 10-inch line would be upgraded to a 12-inch line under O'Brien Drive, beginning at the southwest corner of the 1305 O'Brien Drive frontage to the intersection of O'Brien Drive and Willow Road.

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

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

Table 1: Project Data

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

* Maximum height and average height do not include roof-mounted equipment, utilities, or parapets used to screen mechanical equipment.
** Under the conditions of approval for the existing building at 1305 O'Brien Drive when it was modified and expanded, 373 parking spaces must be provided for that building. This total represents 373 spaces plus the minimum and maximum amount of parking permitted for the proposed building under the LS-B zoning regulations.
*** The existing development was constructed under the M-2 zoning regulations that previously applied to the site, which did not include requirements for open space and public open space.

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

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

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

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

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

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

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

Site parking

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

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

For bicycles, there would be 48 Class I secure bicycle lockers for long-term parking within the parking structure, and there would be 12 Class II bicycle racks for short-term parking located near the entry plaza on the north side of the building. The 60 bicycle spaces would meet the bicycle parking requirements of the Zoning Ordinance.

Open space

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

Private open space

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

Publicly accessible open space
The proposed project would utilize the areas primarily around the perimeter of the site as publicly accessible open space. The site is bounded on three sides by the public right of way, and the open space proposal includes landscaped areas adjacent to the proposed frontage improvements (new sidewalks) along these rights of way. Beginning at the 1430 O'Brien Drive property (opposite O'Brien Drive from the 1305 O'Brien Drive building), a series of innovative scientist sculptures would be located along the Adams Drive frontage of the project site among a landscaped meandering path. The intent of these sculptures is to provide visual interest within the open space adjacent to Adams Drive and to attract the public to a larger plaza area at the northeast corner of the project site, near the intersection of Adams Court and Adams Drive, where the final sculptures of the series would be located. The publicly accessible open space plaza would include additional landscaping, pathways, site furnishings, and public art. The meandering path would connect to a new sidewalk along Adams Court and lead to another meandering path along the interior property line, adjacent to a proposed paseo that would run adjacent to the interior of the project site if constructed as part of the Willow Village. The path would include landscaping, seating, and a potential point of access to the paseo. More information about the paseo proposal is provided below. Condition 2.t would require the applicant to enter into an open space agreement to ensure that the publicly accessible open space remains open to the public for the life of the project.

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

Staff has worked with the applicant for this project (Tarlton Properties) to identify a mechanism to ensure the development of 10 feet of paseo along the entire edge of the project site if the paseo is not fully developed on the Willow Village project site for any reason. If all or a portion of the paseo is not approved and constructed entirely on the Willow Village property, a public access easement would ensure coordinated development of the proposed project's 10-foot-wide share of the 20-foot width of the paseo. The applicant would need to construct its portion of the required paseo and still maintain the necessary amount of parking for the existing 1305 O'Brien Drive building by restriping existing parking spaces along the western property line. A proposed contingent paseo diagram is provided in the project plans on sheet A5e. Condition 2.u would require the applicant to continue to work with staff to finalize an agreement for implementation of the contingent paseo plan, if necessary, prior to issuance of a building permit.

Trees and landscaping
There are currently 208 trees on the entire project site, 83 of which are located on the northern portion of the lot where the proposed building would be constructed and along the Adams Drive frontage. Of those 83 trees, 15 would be removed; 12 of the removed trees are heritage trees. The City Arborist on August 18, 2022 reviewed and approved heritage tree removal (HTR) permits for 12 trees. Nine of the trees have been approved for removal on the basis of development. Following approval, there was a 15-day appeal period in which any member of the public could appeal the decision to the Environmental Quality Commission (EQC),

which expired on September 9, 2022. No appeals were received. The remaining three trees were approved for removal based tree health rating and were not subject to an appeal period. The applicant would be responsible to plant heritage tree replacements in an amount equal to the appraised value of the removed heritage trees, subject to approval by the City Arborist.

The majority of the landscaping would be located along the perimeter of the project site and would consist of a variety of native and drought-resistant plants. A total of 39 new trees are proposed to replace the heritage trees that were approved for removal.

Design standards

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

Architectural style and building design

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

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

With regard to the overall project design/style and the application of LS-B district standards, staff believes that the design would be in compliance. In terms of the proposed building design and parking and circulation plans, the project has not changed substantially from the study session conducted on May 2,

2022.

Green and sustainable building regulations

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

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

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

Hazardous Materials

As part of the project, the applicant proposes to include a diesel-powered backup generator. The use and storage of hazardous materials, including diesel for backup generators, is an administratively permitted use in the LS-B district. The applicant submitted documentation on the specifications of the generator, which was reviewed by the San Mateo County Health Department, West Bay Sanitary District, Menlo Park Fire Protection District, and the Building Division, and found to be in compliance with applicable standards. After completion of the project, individual tenants proposing to use hazardous materials for their operations would be required to apply for subsequent administrative permits which would be reviewed and acted on by City staff.

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

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

Near-term (2022) plus project conditions
Staff has evaluated the following improvement measures and has concluded that each of the improvements is feasible (including intersections in East Palo Alto):

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

For improvements that are located outside the city of Menlo Park, namely the new traffic signal at the intersection of University Avenue and Adams Drive and TIF payments and fair share contributions to City of East Palo Alto improvement plans, the City will continue to coordinate with the City of East Palo Alto on the implementation of those projects.

Cumulative (2040) plus project conditions
The proposed project would not cause any additional intersections to be potentially non-compliant with respect to local policies during either the a.m. or p.m. peak hours under cumulative plus project conditions compared to near-term plus project conditions. The proposed improvements listed above would be sufficient to address any potential cumulative non-compliance issues.

Below market rate (BMR) ordinance
The City's BMR Housing Program requires commercial development projects to provide BMR housing on site (if allowed by the zoning district) or off site. If it is not feasible to provide BMR units, the developer must pay an in-lieu fee prior to issuance of a building permit for the proposed project. The applicant submitted a preliminary BMR housing term sheet that was reviewed by Planning and Housing staff. Because the LS-B zoning district does not allow residential uses and the applicant does not own property zoned for residential land uses elsewhere in the city, the applicant has requested to pay the applicable in-lieu fee for the proposed project.

On June 1, 2022, the Housing Commission reviewed and recommended approval of applicant's proposed BMR term sheet. At the time, the rate for office and R&D uses was $20.46 per square foot of gross floor area, which equated to approximately $5,229,616 at the time the Housing Commission reviewed the proposal (based on actual proposed GFA of 255,602 square feet). In-lieu fee rates are adjusted annually on July 1. As of July, 1 2022, the in-lieu fee rate was increased to $21.12 per square foot of gross floor area. Therefore, the applicant would be responsible to contribute approximately $5,398,314.24 to the City's BMR housing fund.

Community amenities

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

The method for determining the required value of the community amenities begins with an appraisal. The applicant provides, at their expense, an appraisal performed by a licensed appraisal firm consistent with the City's appraisal instructions. The Zoning Ordinance requires the form and content of the appraisal to be approved by the Community Development Director. To provide the Community Development Director with sufficient information to determine if the form and content is adequate, the City commissions a peer review or peer appraisal at the applicant's cost. Once the Community Development Director approves the appraisal based on the peer review or peer appraisal identifying the required community amenity value, the applicant will then provide the City with a proposal identifying the proposed community amenity and providing an explanation of the amenity value. The applicant's initial appraisal for the proposed project concluded that the community amenities value would be $11,700,000.

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

In response to this determination, the applicant's appraiser provided a rebuttal to the peer-appraisal and identified a different community amenities valuation of $12,850,000 (hyperlink Attachment J). Fabbro, Moore & Associates responded to the rebuttal confirming that the project's community amenities obligation remained the amount approved by the Community Development Director. The applicant submitted a revised community amenity proposal (Attachment K) indicating payment of an in-lieu fee in the approved amount of $16,115,000, which would be 110% of the value of the community amenity as determined by Fabbro, Moore & Associates, Inc.

Environmental review

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

As stated in the CEQA Guidelines, an EIR is an informational document that is intended to provide the City, responsible and trustee agencies, other public agencies, and community members with detailed information about the potential environmental effects that could result from implementing the proposed project, examine and implement mitigation measures to reduce or avoid potentially significant physical environmental impacts if the proposed project is approved, and consider feasible alternatives to the proposed project, including a

required No Project Alternative. Members of the Planning Commission were previously provided a copy of the Draft EIR for the proposed project, which was released on April 4, 2022, with a public comment period that ended 45 days later on May 23, 2022. The Draft EIR is available through the hyperlink in Attachment L.

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

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

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

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

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

Since the release of the IS, the project has been modified to include the construction of upgraded water lines and to incorporate new assumptions regarding construction of the proposed building. As a result, construction noise and vibration topics, as well as topics related to utilities and service systems were also evaluated in the focused Draft EIR.
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Consistent with the findings of the IS and Settlement Agreement, which requires preparation of an EIR, including a housing needs assessment (HNA) and transportation impact analysis (TIA) for proposed bonus level development, a focused Draft EIR was prepared to address potential physical environmental effects of the proposed project in the following areas:

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

Impact analysis

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

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

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

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

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

Project alternatives

Although the Draft EIR concluded that implementation of the proposed project would not create any significant and unavoidable impacts, CEQA Guidelines require study of a reasonable range of alternatives

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

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

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

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

1. **No Project Alternative**: Under this alternative, no additional construction would occur at the project site. The project site would remain undeveloped and vacant, and the existing building at 1305 O’Brien Drive and its associated parking areas would be maintained under current conditions. The applicant would not construct the new building, establish new publicly accessible open space, nor install infrastructure.

2. **Base Level Alternative:** Under this alternative, the proposed project would be developed in accordance with the base level requirements for the LS zoning district. The site plan would likely be similar to the proposed project, but with reduced building square footage and height and possibly a reduced building footprint. Open space and parking requirements would be reduced, and landscape and circulation features similar to those of the proposed project would be installed, but to a lesser extent. The Base Level Alternative would achieve LEED Silver certification or equivalent, and would implement a TDM program at a smaller scale. The Base Level Alternative would continue to include construction of water lines, which would be necessary for any development in the area to occur. Table 2 below summarizes the intensity of the Base Level Development Alternative compared to the proposed project (inclusive of the existing building on the site at 1305 O’Brien Drive unless otherwise noted).

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

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

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

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

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

Final EIR

During the May 2, 2022 Planning Commission meeting, the Commission reviewed the Draft EIR and solicited comments on the document from members of the community. Public comments were received regarding the accuracy of the air quality analysis, given the project was largely reviewed during the COVID-19 pandemic, and whether the potential for liquefaction resulting from an earthquake was studied. The Planning Commission also had questions regarding the air quality analysis with regard to the timing of the measurements taken from the monitoring stations and whether construction activities are included in the analysis. Commissioners posed questions on the number of parking spaces for the site and across the applicant's portfolio, number of anticipated employees, and various questions related to VMT. Excerpt minutes of the May 2, 2022 meeting are provided as Attachment R.

Additionally, staff received three written comments during the public comment period for the project. All three letters were from public agencies: the California Department of Transportation (Caltrans), Menlo Park Fire Protection District, and West Bay Sanitary District. The written comments suggested modifications to the project, such as upgrades to the proposed bike lanes and "fair-share" contributions to multi-modal regional transit improvements, that would further mitigate environmental impacts of the project. However, comments did not challenge the adequacy of the Draft EIR.

In accordance with CEQA, staff prepared a response to all substantive comments received and made editorial changes to the Draft EIR as necessary and prepared what is referred to as a "Response to Comments" document or Final EIR (included as hyperlink in Attachment A, Exhibit B). The Final EIR was released on September 1, 2022, for an 11-day public review period, which exceeds the 10-day minimum period pursuant to CEQA and accounts for the Labor Day holiday. All comments received during the Draft EIR public comment period were included in the Final EIR and responses were provided. The Final EIR concluded that no new analysis or changes to the existing analysis in the Draft EIR were necessary in response to any comments received. No additional mitigation measures or impacts were identified based on any comments received on the Draft EIR.

The Final EIR also includes a list of revisions to the Draft EIR by errata. The revisions are intended to clarify or correct minor aspects of the Draft EIR, and do not introduce new information that would affect analysis of the project. The Final EIR includes the following corrections:

1. The project description was updated to reflect the correct number of short-term bicycle parking spaces in the proposed project. The number of short-term bicycle parking spaces was corrected to be 12 spaces instead of 10 spaces.
2. The regulatory framework in the noise section of the Draft EIR was updated to reflect current California Green Building Standards Code regarding control of interior noise levels resulting from exterior noise sources.
3. Executive Summary table ES-2 was updated to include the correct noise impacts and mitigation measures.

Staff finds that the text revisions would not change any conclusions or findings of the Draft EIR.

As part of its consideration staff requests that the Planning Commission review and consider the Mitigation Monitoring and Reporting Program (MMRP) (Attachment A, Exhibit D). The MMRP includes all feasible mitigation measures identified in the Final EIR and ensures that full implementation of the mitigation measures would reduce the environmental impacts to a less than significant level. The MMRP identifies monitoring and reporting of the environmental mitigation measures and is included as part of the conditions of approval for the project. The Mitigation Monitoring and Reporting Program (MMRP) is designed to aid the City of Menlo Park, the applicant, and other identified public agencies in the implementation and monitoring of measures adopted from the certified EIR.

CEQA Guidelines Section 15352(b) requires the City to comply with CEQA at the “earliest commitment” to the project’s approval. Because the Planning Commission is the final decision making body on the bulk of the entitlements, the Planning Commission is required to certify the Final EIR, make findings, and adopt the MMRP before it takes action to approve the project.

Correspondence
As of the writing of this report, staff has not received any items of correspondence on the project.

Impact on City Resources

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

Public Notice

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

Attachments

A. Draft Planning Commission Resolution Certifying a Final Environmental Impact Report (EIR), Adopting Findings Required by the California Environmental Quality Act, and Adopting a Mitigation, Monitoring, and Reporting Program
    Exhibits to Attachment A:
    A. Hyperlink: Project plans - https://beta.menlopark.org/files/sharedassets/public/community-

development/documents/projects/under-review/1350-adams-court/20220318-1350-adams-court-plan-set.pdf
   B. Hyperlink: 1350 Adams Court Final EIR – https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adams-court-final-environmental-impact-report-feir.pdf
   C. Statement of Findings and Facts pursuant to CEQA
   D. Mitigation Monitoring and Reporting Program (MMRP)

B. Draft Planning Commission Resolution Approving project Use Permit, Architectural Control, and Community Amenities Proposal including project Conditions of Approval
   Exhibits to Attachment B:
   A. Hyperlink: Project plans - https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/20220318-1350-adams-court-plan-set.pdf
   B. Hyperlink: 1350 Adams Court Final EIR – https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adams-court-final-environmental-impact-report-feir.pdf
   C. Statement of Findings and Facts pursuant to CEQA (See Attachment A, Exhibit C)
   D. Mitigation Monitoring and Reporting Program (MMRP) (See Attachment A, Exhibit D)
   E. Conditions of approval
C. Housing Needs Assessment (HNA)
D. Hyperlink: Fiscal Impact Analysis (FIA) – https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adams-ct_fiscal-impact-analysis.pdf
E. Hyperlink: February 12, 2021, City-sponsored peer-appraisal to establish community amenities value: https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adam-ct_community-amenities-appraisal.pdf
F. Hyperlink: August 2, 2021, Preliminary community amenities proposal: https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adams-ct_community-amenities-proposal.pdf
G. Location Map
H. Non-CEQA LOS section from Draft EIR (excerpt)
I. Hyperlink: City's Supplemental Community Amenities Appraisal – https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adam-ct_community-amenities-appraisal.pdf
J. Hyperlink: Applicant's Community Amenities Appraisal - https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adams-ct_community-amenities-proposal.pdf
K. May 6, 2022, Updated Community Amenity Proposal
L. Hyperlink: Draft EIR: https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adams-court-draft-environmental-impact-report.pdf
M. Hyperlink: Notice of Preparation: https://beta.menlopark.org/files/sharedassets/public/community-development/documents/1350-adams-nop_final_signed.pdf
N. Hyperlink: Initial Study: https://beta.menlopark.org/files/sharedassets/public/community-development/documents/1350-adams-court_final-is.pdf
O. Summary of Draft EIR impacts – Table ES-2 from Draft EIR
P. Updated Noise Impacts – Table ES-1 from Draft EIR

Q. Comparison of alternatives from Draft EIR (excerpt)
R. Minutes of the May 2, 2022 meeting (excerpt)

Disclaimer

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

Report prepared by:
Chris Turner, Associate Planner

Report reviewed by:
Corinna Sandmeier, Acting Principal Planner
Ed Shaffer, Assistant City Attorney

September 12, 2022

PLANNING COMMISSION RESOLUTION NO. 2022-__

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) FOR A DEVELOPMENT PROJECT

WHEREAS, the City of Menlo Park ("City") received an application requesting environmental review, use permit, architectural control, below market rate (BMR) housing agreement, and heritage tree removal permits from Tarlton Properties, LLC ("Applicant"), to develop a portion of the property located at 1350 Adams Court (APN 055-472-030) ("Property"), with a bonus level development project consisting of up to 260,400 square feet of research and development (R&D) space, which development is more particularly described in the Draft EIR to the Project which was prepared pursuant to the California Environmental Quality Act (hereinafter the "**Project**"). The Project is depicted in and subject to the development plans which are available by the internet link included in Exhibit A and incorporated herein by this reference; and

WHEREAS, the proposed Project is located in the LS-B (Life Science-Bonus) zoning district. The LS-B zoning district allows a mixture of land uses with the purposes of attracting research and development and light industrial uses, particularly those that support bioscience and biomedical product development and manufacturing and/or are potentially revenue generating businesses, allowing administrative and professional office uses and other services that support light industrial and research and development sites nearby, providing opportunities for quality employment and development of emerging technology, entrepreneurship, and innovation, and facilitating the creation of a thriving business environment with goods and services that support adjacent neighborhoods as well as the employment base.

WHEREAS, the bonus level provisions identified in the City's Zoning Ordinance allow a development to seek an increase in floor area ratio (FAR) and/or height subject to approval of a use permit and the provision of community amenities equal to a minimum of 50 percent of the fair market value of the increased development potential and the applicant has submitted a community amenities proposal in compliance with the required minimum value; and

WHEREAS, pursuant to the City's Below Market Rate (BMR) Housing Program (Chapter 16.96.040), the applicant would pay an in-lieu fee of approximately $5,499,648, to be paid prior to issuance of building permits; and

WHEREAS, the proposed Project would be developed with an increase in FAR and height pursuant to City's bonus level development allowances; and

WHEREAS, pursuant to City's General Plan goals and policies, the proposed Project is required to provide a minimum 10 foot wide publically accessible paseo along the western property line connecting O'Brien Drive and Adams Drive; and

WHEREAS, Signature Development Group intends to develop the full 20-foot-wide paseo as part of their proposed Willow Village Project adjacent to the Property; and

WHEREAS, the Applicant would be required to enter into a deferred paseo development agreement with the City to develop their portion of the paseo in the event that Signature Development Group does not construct the full width of the paseo for any reason; and

WHEREAS, the proposed Project complies with all applicable objective standards of the City's Zoning Ordinance, including design standards, green and sustainable building standards, and is consistent with the City's General Plan goals, policies, and programs; and

WHEREAS, Section 16.44.070 of the City of Menlo Park Municipal Code requires that bonus level projects that are developed at a greater level of intensity with an increase in density, FAR, and/or height shall provide one or more community amenities to address the needs that result from the effect of the increased development. The value of the community amenities to be provided shall be equal to 50 percent of the fair market value of the additional gross floor area of the bonus level development; and

WHEREAS, pursuant to the requirements of Section 16.44.070 of the City of Menlo Park Municipal Code, the City commissioned Fabbro Moore & Associates, Inc. to perform an independent appraisal to determine the value of the Project's community amenities contribution. The appraisal determined the Project's community amenities obligation would amount to $14,650,000. The Community Development Director determined that the appraisal was created pursuant to the City's guidelines and approved the appraisal; and

WHEREAS, on May 26, 2022, the applicant submitted the community amenities proposal that provides a one time in-lieu fee to the City of approximately $16,115,000 (including the required administrative fees); and

WHEREAS, the City evaluated the community amenities proposal and determined that the value of the proposal, at $16,115,000 (inclusive of the administrative fee for the in-lieu payment) is consistent with the Zoning Ordinance; and

WHEREAS, providing the in-lieu fee would allow the City to develop community amenities that reflect the community's priority of benefits within the Bayfront area through the community outreach and engagement process; and

WHEREAS, for these reasons, staff recommends that the Planning Commission approve the payment of in-lieu fee; and

WHEREAS, at a duly noticed public meeting on June 1, 2022, the Housing Commission considered the applicant's BMR proposal and draft BMR Housing Agreement Term Sheet, inclusive of payment of an in-lieu fee of $5,327,784; and

WHEREAS, the Project requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act ("CEQA," Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require analysis and a determination regarding the Project's environmental impacts; and

WHEREAS, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the Project; and

WHEREAS, the Project would be developed at the bonus level allowances of the Zoning Ordinance, and therefore, is subject to the settlement agreement between the City of Menlo Park and City of East Palo Alto ("Settlement Agreement"), which requires project-specific environmental impact reports ("EIRs") for certain future projects. Pursuant to the Settlement Agreement, the project-specific EIR may tier from the certified program level ConnectMenlo Final EIR ("ConnectMenlo EIR") which was certified by the City Council on November 29, 2016, as part of an update to the Land Use and Circulation Elements of the General Plan and related zoning changes, commonly referred to as ConnectMenlo, and the project-level EIR shall include a project specific transportation impact analysis. The City shall also prepare a housing needs assessment ("HNA") to inform the population and housing topic area of the project-level EIR; and

WHEREAS, the City released a Notice of Preparation ("NOP") and Initial Study for the Project on December 10, 2018 for an extended 45-day public review period ending on January 24, 2019. The City held a public EIR scoping meeting on January 14, 2019 before the City Planning Commission to receive comments on the NOP prior to the close of the public review period. Comments received by the City on the NOP and at the public EIR scoping meeting were considered during preparation of the Draft EIR. The initial study disclosed relevant impacts and mitigation measures already covered in the program-level ConnectMenlo EIR; and

WHEREAS, on January 14, 2019, concurrently with the public NOP scoping meeting, the Planning Commission conducted a study session to review and provide comments on the Project's conceptual design; and

WHEREAS, pursuant to the requirements of the Settlement Agreement and CEQA, the City prepared, or caused to be prepared, a project level EIR and conducted a HNA for the Project; and

WHEREAS, the Draft EIR was released on April 4, 2022 for a 45-day review period that ended on May 23, 2022. The public review period included one duly noticed public meeting on May 2, 2022 to received oral and written comments on the Draft EIR; and

WHEREAS, On May 2, 2022, as part of the duly noticed public hearing to review the Draft EIR, the Planning Commission also conducted a study session and provided an opportunity for members of the public to provide comments on the proposed project design, BMR proposal, and community amenities proposal; and

WHEREAS, the Draft EIR was filed with the California Office of Planning and Research and copies of the Draft EIR were made available at the Community Development Department, on the City's website and at the Menlo Park Library; and

WHEREAS, on September 1, 2022, the City published a Response to Comments Document that contains all of the comments received during the public comment period, including a transcript of the public hearing, and written responses to those comments, and any text changes to the Draft EIR, prepared in accordance with CEQA and the CEQA Guidelines. The Draft EIR and Response to Comments Document constitute the Final EIR, a copy of which is available by the internet link included in Exhibit B and incorporated herein by this reference; and

WHEREAS, the City prepared or caused to be prepared Findings of Fact in accordance with CEQA and CEQA Guidelines Section 15091 which are included in Exhibit C and incorporated herein by this reference; and

WHEREAS, the City prepared or caused to be prepared a Mitigation Monitoring and Reporting Program ("MMRP"), which is part of the Final EIR and included in Exhibit D incorporated herein by this reference, which will ensure all mitigation measures relied upon in the findings are fully implemented and that all environmental impacts are reduced to a less than significant level; and

WHEREAS, all required public notices and public hearings were duly given and held according to law; and

WHEREAS, after notice having been lawfully given, a duly noticed public hearing was held before the City Planning Commission on September 12, 2022 at which all persons interested had the opportunity to appear and comment; and

WHEREAS, after closing the public hearing, the Planning Commission considered all public and written comments, pertinent information, documents and plans and all other evidence in the public record on the Project; and

WHEREAS, the Planning Commission fully reviewed, considered, evaluated, and certified the Final EIR, along with all public and written comments, pertinent information, documents and plans and all other evidence prior to taking action to approve the use

permit, architectural control, BMR Housing agreement, and community amenities agreement.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Menlo Park finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Menlo Park hereby resolves as follows:

1. The Final EIR has been prepared, published, circulated, and reviewed in compliance with the California Environmental Quality Act and the CEQA Guidelines.

2. The Final EIR constitutes an adequate, accurate, objective, and complete analysis addressing all issues relevant to the approval of the proposed Project including the issuance of a use permit and architectural control permit, and approval of the BMR Housing agreement for the Project.

3. The Planning Commission has been presented with, reviewed and considered the information contained in the above recitals and within the Final EIR prior to acting on the proposed Project, and the Final EIR reflects the independent judgement and analysis of the City pursuant to section 21082.1(c)(3) of the California Environmental Quality Act.

4. Notice of the Planning Commission's hearings on the Draft EIR and Final EIR have been given as required by law and the actions were conducted pursuant to the State Planning and Zoning Law, CEQA, and the State CEQA Guidelines. Additionally, all individuals, groups and agencies desiring to comment were given adequate opportunity to submit oral and written comments on the Final EIR which met or exceeded the requirements of State Planning and Zoning Law and CEQA. All comments submitted during the public review and comment period on the Draft EIR were responded to adequately in the Final EIR. The City's responses to all comments were made available for review by the public and commenters upon publication of the Response to Comments document on September 1, 2022, more than ten days before the Commission's hearing on September 12, 2022, in compliance with the requirements of CEQA and the CEQA Guidelines.

5. As set forth in the attached Findings of Fact, the Final EIR identifies all potential significant adverse environmental impacts and feasible mitigation measures or standard conditions of approval that would reduce these impacts to a less than significant level. All of the mitigation measures identified in the Final EIR, including those in the Mitigation Monitoring and Reporting Program, will be adopted and implemented as Conditions of Approval for the use permit and architectural control approval.

6. The monitoring and reporting of CEQA mitigation measures in connection with the Project will be conducted in accordance with the attached MMRP, and incorporated into the Conditions of Approval of the use permit and architectural control for the Project. All proposed mitigation measures are capable of being fully implemented by the efforts of the City, the Applicant, or other identified public agencies of responsibility, and will reduce the environmental impacts to a less-than significant level.

7. Pursuant to CEQA Guidelines Section 15091 and CEQA Section 21081.6, and in support of its approval of the Project, the Planning Commission adopts the attached Findings of Fact and MMRP as set forth in Exhibits C and D of this Resolution.

8. The Planning Commission hereby certifies the Final EIR based upon consideration of the Finding of Facts, together with the staff report (copies of which are on file in the Planning Division), public testimony presented at the hearing, and all other oral and written evidence received by the City on this Project.

SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I, _____, Acting Principal Planner and Planning Commission Liaison of the City of Menlo Park, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on the 12th day of September, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Exhibits

A. Hyperlink: Project Plans including materials and color board - https://beta.menlopark.org/files/sharedassets/public/community-

development/documents/projects/under-review/1350-adams-court/20220318-1350-adams-court-plan-set.pdf

B. Hyperlink: 1350 Adams Court Final EIR – https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adams-court-final-environmental-impact-report-feir.pdf
C. CEQA Findings of Fact
D. Mitigation Monitoring and Reporting Program (MMRP)

Exhibit C
Statement of Findings and Facts Pursuant to the California Environmental Quality Act in Support of Certifying the Final Environmental Impact Report for the 1350 Adams Court Project and Adopting the Project

I. RECORD OF PROCEEDINGS

For purposes of CEQA and these findings, the record of proceedings consists of the following documents and testimony:

(a) The NOP and all other public notices issued by the City in conjunction with the Proposed Project;

(b) All applications for approvals and development entitlements related to the Proposed Project and submitted to the City;

(c) The Draft EIR for the Proposed Project, dated April 2022;

(d) All comments submitted by agencies or members of the public during the public comment period on the Draft EIR;

(e) The Final EIR for the Proposed Project, including comments received on the Draft EIR, responses to those comments, and the technical appendices, dated September 2022;

(f) The MMRP for the Proposed Project;

(h) All reports, studies, memoranda, maps, staff reports, or other planning documents related to the Proposed Project prepared by the City, or consultants to the City, with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Proposed Project;

(i) All documents submitted to the City, including the Planning Commission and City Council, by other public agencies or members of the public in connection with the Proposed Project, up to the date the Planning Commission makes a decision to approve or deny the Project;

(j) Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Proposed Project;

(k) All matters of common knowledge to the Planning Commission and City Council, including, but not limited to:

(i) The City's General Plan and other applicable policies;

(ii) The City's Zoning Ordinance and other applicable ordinances;

(iii) Information regarding the City's fiscal status; and

(iv) Applicable City policies and regulations;

(l) Any other materials required for the record of proceedings by Public Resources Code Section 21167.6(e).

The documents described above, which compose the record of the proceedings, are located at the Community Development Department, City of Menlo Park, 701 Laurel Street, Menlo Park, California 94025. The custodian of these documents is the Community Development Department director or his/her designee.

II. FINDINGS OF FACT

The following findings, including impact statements, mitigation measures, findings, and facts in support of findings, are based on the full administrative record, including, but not limited to, the Final EIR, which contains a greater discussion of each issue. Pursuant to CEQA Guidelines Section 15091(a)(1), the mitigation measures will be required for the Proposed Project to avoid or substantially lessen the significant environmental effects identified in the Final EIR, as described herein. In addition to the finding of fact, the City remakes each of the findings included in Resolution Nos. _____ and _____, which are incorporated by reference as though fully restated in these findings.

A. Findings Regarding Impacts that Remain Less than Significant

The Initial Study and EIR identified 11 topics that would result in no impact or less-than-significant impacts. The City finds that, based on substantial evidence in the record, the following areas would result in impacts that were determined to be less than significant in the Initial Study and the Final EIR. Therefore, no mitigation measures would be required for any of the following areas:

1. Aesthetics

   The topic of aesthetics was analyzed in Section 3.1 of the Initial Study, which found that the Proposed Project would result in less-than-significant impacts. The Project site is within a portion of the city known as the Bayfront Area. Because of the relatively flat topography of the Project site and vicinity, as well as the prevalence of buildings and vegetation, views from at-grade locations are largely restricted. The Proposed Project would have an average height of 50.6 feet across the entire Project site; the maximum height of the proposed building would be approximately 90.7 feet. Although the maximum average height permitted is 35 feet, bonus-level development within the Life Science Bonus (LS-B) zoning district would allow a maximum height of 110 feet in exchange for community amenities. The Proposed Project would be required to comply with the City's architectural control process, in accordance with Section 16.8.020 of the zoning ordinance, which would ensure that the Proposed Project would comply with existing design standards, including standards related to light and glare. Specifically, this process would ensure that the proposed design, construction materials, and lighting would be consistent with area practices and that proposed lighting would be directed downward so as not to spill over on

adjacent properties. Therefore, the Proposed Project's impacts related to scenic vistas, scenic resources, and light and glare would be less than significant.

2. Agriculture and Forestry Resources

   The topic of agriculture and forestry resources was analyzed in Section 3.2 of the Initial Study, which found that the Proposed Project would result in no impact. The Project site and vicinity are within an urban area of the city that is characterized by light industrial and office uses. The Project site is not on or adjacent to farmland. The site is considered "Urban and Built-Up Land" by the State Department of Conservation. It is not used for agricultural production, nor does it support forestry resources. Therefore, implementation of the Proposed Project would have no impact on agricultural and forestry resources.

3. Energy

   The topic of energy was analyzed in Section 3.6 of the Draft EIR, which found that the Proposed Project would result in less-than-significant impacts. The Proposed Project would incorporate energy-saving measures and result in less-than-significant impacts on the existing electricity and natural gas supply as well as associated infrastructure. In addition, the Proposed Project would be served by Pacific Gas and Electric Company (PG&E) and Peninsula Clean Energy and would not require the construction of new facilities. Furthermore, energy demand would be within City forecasts. The Proposed Project would have a less-than-significant impact on energy demand.

4. Geology and Soils

   The topic of geology and soils was analyzed in Section 3.6 of the Initial Study, which found that the Proposed Project would result in less-than-significant impacts. No known fault crosses the Project site, and the Project site is not within an Alquist-Priolo Earthquake Fault Zone. Similar to the General Plan and M-2 Area Zoning Update (ConnectMenlo) EIR, the Initial Study determined that compliance with existing regulations, including Menlo Park General Plan policies, such as S-1.13, and the California Building Code would ensure that potential impacts related to strong seismic ground shaking and seismically related ground failure, including liquefaction or landslides, would be less than significant. In addition, per City General Plan Programs S-1D and S-1H, the Proposed Project would be required to incorporate recommendations made in the site-specific geotechnical investigation, which would ensure that potential impacts related to soil erosion and unstable soils would be less than significant. Furthermore, a Stormwater Pollution Prevention Plan (SWPPP) and best management practices (BMPs) would be implemented during construction and operation of the Proposed Project to minimize erosion. Therefore, the Proposed Project would have less-than-significant impacts related to geology and soils.

5. Hazards and Hazardous Materials

   The topic of hazards and hazardous materials was analyzed in Section 3.8 of the Initial Study, which found that the Proposed Project would result in less-than-

significant impacts. A review of regulatory databases did not reveal a history of hazardous waste releases or documented environmental contamination at the Project site, nor was the Project site on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. A Phase I Environmental Site Assessment (ESA) was prepared for the Project site. The soil and groundwater samples that were tested for contaminants did not indicate any restriction regarding potential offsite export and/or reuse. It is anticipated that the Proposed Project would use, store, generate, and dispose of hazardous materials during construction and operation; however, none of these products would be expected to be generated or stored in large quantities, and any transport of these materials would be subject to California Department of Transportation regulations. In addition, the Proposed Project would be required to adhere to the San Mateo County Environmental Health Department's Certified Unified Program Agency regulations and related Unified Program as well as the Project-specific SWPPP. This would ensure that all hazardous materials would be used, stored, and disposed of properly within the vicinity of schools and airports. Compliance with existing regulations, including the California Building Standards Code, California Fire Code, and Menlo Park Fire Protection District (MPFPD) Fire Code, would ensure that the Proposed Project would not impair nearby evacuation routes, nor would it expose people to loss, injury, or death involving wildland fires. Therefore, impacts related to hazards and hazardous materials would be less than significant.

6. Land Use and Planning

   The topic of land use and planning was analyzed in Section 3.10 of the Initial Study, which found that the Proposed Project would result in less-than-significant impacts. The Project site is within the LS-B zoning district, which allows for life science and research-and-development (R&D) uses. The Proposed Project would be consistent with the mix and intensity of development contemplated and approved by ConnectMenlo, which includes bonus-level life sciences development with community amenities. As noted throughout the Initial Study and this Draft EIR, in general, the Proposed Project would not conflict with local, regional, or state land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, impacts related to land use and planning for CEQA purposes would be less than significant.

7. Mineral Resources

   The topic of mineral resources was analyzed in Section 3.11 of the Initial Study, which found that the Proposed Project would result in no impact. The Project site is not delineated as a locally important mineral resource by the California Geological Survey or indicated as such on any County of San Mateo or City land use plan. The mineral resources map from the County of San Mateo General Plan does not indicate that the Project site contains any significant mineral resources. Therefore, construction and operations associated with the Proposed Project would have no impact on mineral resources.

8. Population and Housing

The topic of population and housing was analyzed in Section 3.5 of the Draft EIR, which found that the Proposed Project would result in less-than-significant impacts. The Proposed Project would not include housing. However, there would be a population increase from the new employment during operation compared with existing conditions. Approximately 650 new employees would be employed at the Project site. The increase in employment would result in a demand for new housing units and an indirect increase in the residential population. As such, the Proposed Project could result in approximately 53 new residents in Menlo Park. The percentage of regional housing demand resulting from the Proposed Project would be relatively small compared with projected housing growth in the region. Accordingly, the impact of the Proposed Project on indirect population growth or the displacement of housing or people would be less than significant.

9. Public Services

   The topic of public services was analyzed in Section 3.14 of the Initial Study, which found that the Proposed Project would result in less-than-significant impacts. The ConnectMenlo EIR determined that adherence to state and City requirements as well as the MPFPD permitting process would ensure that the Proposed Project would not result in the need for remodeled or expanded MPFPD facilities. The Menlo Park Police Department also indicated that direct and indirect growth under ConnectMenlo would not require the expansion or addition of facilities. Similarly, the ConnectMenlo EIR concluded that indirect and direct growth associated with buildout of ConnectMenlo would not result in the need for additional or expanded library facilities. Section 65996 of the Government Code states that the payment of the school impact fees established by Senate Bill (SB) 50, which may be required from a developer by any state or local agency, is deemed to constitute full and complete mitigation for school impacts from development. Therefore, with payment of the development impact fees, any impacts on schools as a result of the Proposed Project would be considered fully and completed mitigated. Furthermore, the Proposed Project would include private and public open space and contribute development impact fees to address infrastructure and service needs. It would not result in substantial deterioration at parks or other public facilities. Therefore, the Proposed Project's impacts on public services would be less than significant.

10. Recreation

    The topic of recreation was analyzed in Section 3.15 of the Initial Study, which found that the Proposed Project would result in less-than-significant impacts. The ConnectMenlo EIR determined that full buildout under ConnectMenlo would result in a ratio of 5.2 acres of parkland per 1,000 residents, which would exceed the City-adopted general plan policy that calls for maintaining a ratio of 5 acres of developed parkland per 1,000 residents (Policy OSC-2.4). In addition to the existing parkland in the city, which is provided at a ratio of 7.35 acres of parkland per 1,000 residents, the Proposed Project would include a total of 48,800 square feet (sf) of public open space and 60,220 sf of private open space, for a total of 109,020 sf open space. Private open space would be provided in the form of a

patio and large outdoor deck on the second floor of the building, and public open space would be provided in the form of benches and landscaped areas along the street frontages and a landscaped pathway along the interior property line (with a 10-foot-wide paseo if the adjacent Willow Village project does not build a full paseo). The City's Zoning Ordinance requires a minimum of 10 percent (48,790 sf) of the site to be publicly accessible open space. Approximately 10 percent, or 48,800 sf, of the Project site would consist of publicly accessible open space. In addition, the Proposed Project would not require the construction or expansion of existing public recreational facilities. Therefore, the Proposed Project's impacts on recreational facilities would be less than significant.

11. Utilities and Service Systems

    The topic of utilities and service systems was analyzed in Section 3.18 of the Initial Study and Section 3.6 of the Draft EIR, which found that the Proposed Project would result in less-than-significant impacts. The Proposed Project would implement a Stormwater Management Program, incorporate low-impact development (LID) treatment measures, and comply with all existing local and state stormwater requirements. The Proposed Project would not require or result in the construction of new stormwater drainage facilities or the expansion of existing facilities. The Proposed Project would have a waste diversion program in place during construction to divert 95 percent, or more, of the waste away from landfills. In addition, per Assembly Bill 34 and Assembly Bill 939, the Proposed Project would recycle and divert 50 percent of the solid waste from landfills. As part of the City's project approval process, the Proposed Project would be required to comply with existing regulations, including policies and zoning regulations that promote water conservation and green building best practices and minimize wastewater generation. The Proposed Project would also seek Leadership in Energy and Environmental Design (LEED) Gold Building Design and Construction certification. It would also include upgrading the existing waterlines under Adams Court, along the interior of the 1350 Adams Court property, and under a portion of O'Brien Drive, which would connect to existing Menlo Park Municipal Water District infrastructure, to provide adequate water supplies to the Project site. Therefore, impacts related to water demand, wastewater, stormwater, and solid waste would be less than significant.

B. Findings and Recommendations Regarding Potentially Significant Impacts that Are Avoided or Reduced to Less than Significant by Mitigation

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines, the City finds that, for each of the following significant effects identified in the Final EIR, changes or alterations have been incorporated into the Proposed Project through mitigation measures to avoid the identified significant effects on the environment and reduce them to less-than-significant levels. These findings are explained below and supported by substantial evidence in the record of the proceedings.

The Initial Study and the EIR identified 21 significant impacts that, with mitigation, can be reduced. Based on the findings in the Initial Study and the Final EIR, as well as the evidence in the record, these impacts can be mitigated to a less-than-significant level, as discussed below.

1. TRANSPORTATION

Transportation was analyzed in Section 3.1 of the Draft EIR, which found that the Proposed Project would not conflict with an applicable plan, ordinance, or policy concerning components of the circulation system. In addition, although the Proposed Project would result in an increase of traffic, it would not result in inadequate emergency access. The Proposed Project would be constructed under appropriate permits and review from the City's Public Works Department, Planning Division, and Building Division, as well as MPFPD, and comply with applicable codes. Therefore, the Proposed Project would not substantially increase hazards due to a design feature, resulting in less-than-significant impacts.

The Draft EIR determined that the Proposed Project could result in the significant transportation impact discussed below.

Impact TRA-2: Exceedance of an Applicable Threshold of Significance for Vehicle Miles Traveled (VMT). Current daily VMT per employee for office uses within the Project site's transportation analysis zone (TAZ) is estimated to be 16.1, which is higher than citywide daily VMT of 14.9 and above the threshold of significance of 12.7. The estimated VMT for the Proposed Project does not factor in the Transportation Demand Management (TDM) plan requirement of the zoning ordinance, which would require the applicant to create a program to reduce vehicle trips by at least 20 percent compared with typical project land uses. Without TDM measures, the Proposed Project would result in a substantial increase in VMT, which would be above the City's adopted threshold, and result in a potentially significant impact.

Project Mitigation Measure TRA-1. Implement TDM Plan: The Proposed Project shall be required to implement the TDM plan, included in Appendix 3.1 of the Draft EIR. Annual monitoring and reporting, pursuant to Menlo Park Municipal Code Section 16.44.090(2)(B), will be required to ensure a minimum reduction in VMT of 21.1 percent for the life of the Proposed Project.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect, as identified in the EIR. The City finds that the TDM plan is feasible. This would reduce VMT impacts to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to VMT would not be significant.

Impact C-TRA-2: Exceedance of an Applicable VMT Threshold of Significance under

Cumulative Conditions. The Proposed Project in combination with past, present, and reasonably foreseeable future projects would result in an exceedance of the City's applicable VMT threshold of significance, resulting in a potentially significant impact.

Mitigation Measure: Implement Mitigation Measure TRA-1.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect, as identified in the EIR. The City finds that the TDM plan is feasible. This would reduce VMT impacts to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to VMT would not be significant.

2. AIR QUALITY

The topic of air quality was analyzed in Section 3.2 of the Draft EIR. Operation of the Proposed Project would not generate levels of reactive organic gases, nitrogen oxides, or particulate matter that would exceed the recommended mass emission thresholds of the Bay Area Air Quality Management District (BAAQMD). Therefore, operation of the Proposed Project would not result in a cumulatively considerable net increase in any criteria air pollutant for which the San Francisco Bay Area Air Basin is designated as a nonattainment area with respect to the federal or state ambient air quality standards. Cumulative operational emissions would be less than significant. In addition, the Proposed Project would not result in, or contribute to, a localized concentration of carbon monoxide or asbestos emissions. The Draft EIR found that the Proposed Project would not result in emissions such as those leading to odors that would adversely affect a substantial number of people. Because the Proposed Project would not result in a new substantial or long-term source of carbon monoxide, asbestos, or odors, this impact would be less than significant.

The Draft EIR found that the Proposed Project could result in the significant impacts discussed below.

Impact AQ-1: Conflict with or Obstruct Implementation of the Applicable Air Quality Plan. Proposed development under the Proposed Project would not conflict with existing land use designations. The Proposed Project would support the goals of the Clean Air Plan and would not exceed Association of Bay Area Governments projections. The Proposed Project would be consistent with the applicable stationary-source control measures, energy control measures, building control measures, and waste control measures included in the Clean Air Plan. However, the Proposed Project would exceed BAAQMD's cancer risk threshold under Scenario 1, which includes construction and operations, with construction being the primary contributor to the cancer risk.

Project Mitigation Measure AQ-1.1. Use Clean Diesel-powered Equipment during Construction to Control Construction-related Emissions: The Project Sponsor shall ensure that all off-road diesel-powered equipment greater than 200 horsepower used

during construction is equipped with U.S. Environmental Protection Agency– (EPA-) approved Tier 4 Interim engines to reduce emissions of diesel particulate matter (DPM). The construction contractor shall submit evidence of the use of EPA-approved Tier 4 Interim engines, or cleaner, to the City prior to the commencement of Project construction activities.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect, as identified in the EIR. The City finds that the use of clean diesel-powered equipment during construction is feasible. This would ensure that construction activities would not conflict with BAAQMD's Clean Air Plan. The impact would remain at a less-than-significant level.

Remaining Impacts: Any remaining impacts related to conflicts or obstruction of implementation of an applicable air quality plan would not be significant.

Impact AQ-2: Cumulatively Considerable Net Increase in Criteria Pollutants. Construction activities associated with the Proposed Project would generate criteria pollutant emissions from off-road equipment exhaust, construction workers' vehicles and heavy-duty trucks traveling to and from the Project site and waterline installation areas, the application of architectural coatings, and paving activities. Fugitive dust from particulate matter less than 10 microns in aerodynamic diameter (PM10) and particulate matter less than 2.5 microns in aerodynamic diameter (PM2.5) would also be generated during soil movement and disturbance. The amount of emissions generated on a daily basis would vary, depending on the intensity and types of construction activities occurring simultaneously. BAAQMD's CEQA Guidelines consider fugitive dust impacts to be less than significant with application of BMPs. If BMPs are not implemented, then dust impacts would be potentially significant. Therefore, BMPs would be required and implemented to reduce impacts from construction-related fugitive dust emissions.

ConnectMenlo Mitigation Measure AQ-2b1: As part of the City's development approval process, the City shall require applicants for future development projects to comply with current BAAQMD basic control measures for reducing construction emissions of PM10 (Table 8-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of BAAQMD's CEQA Guidelines).

ConnectMenlo Mitigation Measure AQ-2b2: Prior to issuance of building permits, development project applicants that are subject to CEQA and determined to exceed the screening sizes in BAAQMD's CEQA Guidelines shall prepare and submit to the City of Menlo Park a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology for assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance,

as identified in the BAAQMD CEQA Guidelines, the City of Menlo Park shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to a level below the thresholds (e.g., Table 8-2, Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions above the Threshold of the BAAQMD CEQA Guidelines, or applicable construction mitigation measures subsequently approved by BAAQMD). These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Building Division and/or Planning Division.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect, as identified in the EIR. The City finds that implementing BAAQMD's BMPs is feasible. This would ensure that fugitive dust emissions during Project construction would remain at a less-than-significant level.

Remaining Impacts: Any remaining impacts related to construction fugitive dust emissions would not be significant.

Impact AQ-3: Expose Sensitive Receptors to Substantial Pollutant Concentrations. The Proposed Project could result in the generation of criteria pollutant emissions that would result in an exceedance of a cancer risk threshold. Project-related construction activities would generate DPM (PM2.5 exhaust) from off-road equipment and heavy-duty trucks. PM2.5 exhaust and fugitive dust emissions would be generated from off-road equipment, onsite soil movement, and on-road travel of heavy-duty trucks and workers' vehicles. Operational activities would generate DPM from delivery trucks and the emergency generator. PM2.5 exhaust and fugitive dust emissions would be generated from on-road travel of employees' vehicles and delivery trucks as well as the emergency generator. For operations only, unmitigated operational emissions would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant. For the construction-plus-operations scenario (Scenario 1), unmitigated health risk results would not exceed BAAQMD's recommended health risk thresholds for the non-cancer hazard index and annual PM2.5 concentrations; however, the Proposed Project would exceed the cancer risk threshold. Therefore, unmitigated construction and operational emissions would expose sensitive receptors to substantial pollutant concentrations and associated health risks.

Mitigation Measure: Implement Project Mitigation Measure AQ-1.1.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that that the use of clean diesel-powered equipment during construction is feasible. This would ensure that the

impact of air emissions on sensitive receptors during construction would remain at a less-than-significant level.

Remaining Impacts: Any remaining impacts related to construction air emissions on sensitive receptors would not be significant.

3. GREENHOUSE GAS EMISSIONS

The topic of greenhouse gas (GHG) emissions was analyzed in Section 3.3 of the Draft EIR. The level of GHG emissions associated with the operation of the Proposed Project would not have a significant impact on the environment. Because the Proposed Project's GHG emissions would not exceed the BAAQMD service population–based GHG threshold for the opening year 2024 and 2030, which are aligned with the statewide targets for 2030 mandated by SB 32, the Proposed Project's operational GHG emissions would not constitute a cumulatively considerable contribution to climate change. Therefore, this impact would be less than significant.

The Draft EIR determined that the Proposed Project could result in the significant impacts related to GHGs discussed below.

Impact GHG-1a: Generation of Greenhouse Gas Emissions during Construction. Construction of the Proposed Project could generate GHG emissions that could have a significant impact on the environment. Demolition and construction activities for the Proposed Project would result in the temporary generation of GHG emissions. Emissions would originate from the exhaust of both mobile and stationary construction equipment as well as exhaust from employees' vehicles and haul trucks. Construction-related GHG emissions from each specific source would vary substantially, depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel. If a project fails to implement feasible BMPs identified by BAAQMD, its GHG emissions could conflict with statewide emission goals and represent a cumulatively considerable contribution to climate change, which would be a potentially significant impact.

Mitigation Measure: Implement ConnectMenlo Mitigation Measure AQ-2b1.

Project Mitigation Measure GHG-1a. Require Implementation of BAAQMD-Recommended Construction Best Management Practices: The Project Sponsor shall require its contractors, as a condition of Project approval by the City, to implement measures to minimize the level of GHG emissions associated with Project construction. These shall include, but shall not be limited to, the measures listed below, which are recommended in Appendix B of the 2017 Scoping Plan.

- Instead of using fossil fuel–based generators for temporary jobsite power, grid-sourced electricity from PG&E or Peninsula Clean Energy shall be used to power tools (e.g., drills, saws, nail guns, welders) as well as any temporary office buildings used by construction contractors. This measure shall be required during all construction phases, except site grubbing, site grading,

and the installation of electric, water, and wastewater infrastructure. This measure shall be implemented during building demolition, the framing and erection of new buildings, all interior work, and the application of architectural coatings. Electrical outlets shall be designed according to PG&E's Greenbook standards and placed in accessible locations throughout the construction site. The Project Sponsor, or its primary construction contractor, shall coordinate with the utility to activate a temporary service account prior to proceeding with construction. Implementation of this measure shall be required in the contract the Project Sponsor establishes with its construction contractors.

- Use local building materials for at least 10 percent of all building materials used (i.e., sourced from within 100 miles of the planning area);[1] and
- Recycle at least 50 percent of construction waste and demolition material.

The Project Sponsor shall submit evidence of compliance to the City prior to issuance of each construction permit and every year thereafter during Project construction.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that BAAQMD basic control measures and construction BMPs are feasible. These would reduce potential GHG impacts to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to GHG emissions during construction would not be significant.

Impact GHG-2: Conflicts with Applicable Plans and Policies. The quantitative efficiency of operations associated with the Proposed Project would be aligned with the statewide GHG target for 2030 mandated by SB 32, as would Menlo Park Municipal Codes that require the use of 100 percent renewable electricity, the purchase of qualified carbon credits to offset GHG emissions generated by onsite combustion of natural gas, and the provision of parking stalls for passenger vehicles that are electric-vehicle ready (i.e., a minimum of 10 percent). Also, the Proposed Project would be consistent with Plan Bay Area 2040, which is the regional plan to reduce per-service-population VMT in the San Francisco Bay Area. However, without implementation of the construction-related GHG emissions reduction measures recommended by BAAQMD, construction of the Proposed Project would not be consistent with the 2017 Scoping Plan. For these reasons, construction of the Proposed Project would conflict with the California Air Resources Board's 2017 Scoping Plan for achieving statewide GHG targets.

Mitigation Measures: Implement ConnectMenlo Mitigation Measure AQ-2b1, Project Mitigation Measure TRA-1, and Project Mitigation Measure GHG-1a.

FINDINGS: Based on the entire record before the City, the City Council finds that:

[1] The 10 percent threshold is based on the total weight of the building material.

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect, as identified in the EIR. The City finds that BAAQMD BMPs and construction BMPs, as well as the TDM plan, are feasible. These would reduce potential GHG impacts to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to GHG emissions would not be significant.

4. NOISE

Noise was analyzed in Section 3.12 of the Initial Study and Section 3.4 of the Draft EIR. The Proposed Project would result in less-than-significant impacts related to traffic noise and ground-borne vibration during construction. The largest Project-related traffic noise increase was estimated to be 0.7 decibel (dB), which is below the barely perceptible 3 dB level. The Proposed Project would not result in a noticeable increase in traffic noise. The operation of heavy construction equipment could generate localized ground-borne vibration at buildings adjacent to the Project construction site and the O'Brien waterline route; however, the Proposed Project would not require pile driving, and any vibration effects associated with construction would be less than significant. Therefore, construction of the O'Brien waterline would have a less-than significant noise impact from operation of individual pieces of equipment, and would not cause a significant impact increase in ambient noise.

The Draft EIR determined that the Proposed Project could result in the significant impacts related to noise discussed below.

Impact NOI-1: Substantial Temporary or Permanent Increase in Noise. Construction and operation of the Proposed Project could expose persons to or generate noise levels in excess of standards established in the general plan, noise ordinance, or applicable standards of other agencies. As discussed in the Draft EIR, construction of the Proposed Project would require the use of heavy equipment that would temporarily increase noise levels at properties near the work sites. In addition, construction is expected to occur outside the City's exempt daytime hours for construction. Because the potential exists for noise levels to exceed the applicable Menlo Park Municipal Code criteria at the nearest residences and a nearby school from work occurring during non-daytime hours, or a 10 dB increase over ambient to occur at the nearby school during these hours, impacts related to construction noise generated at the Project site between 6:00 a.m. and 8:00 a.m. would be potentially significant. As discussed in the Initial Study, operation of the Proposed Project would include the use of noise-generating equipment such as heating, ventilation, and air-conditioning units, emergency generators, and other mechanical equipment. According to the impact analysis presented in the Initial Study, noise from operational equipment could result in noise levels in excess of thresholds at nearby sensitive land uses.

ConnectMenlo Mitigation Measure NOI-1b: Stationary noise sources, as well as landscaping and maintenance activities, shall comply with Chapter 8.06, Noise, of the Menlo Park Municipal Code.

Modified ConnectMenlo Mitigation Measure NOI-1c: Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction-related activity through CEQA review, conditions of approval, and/or enforcement of the City's Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans, indicating that during ongoing grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:

- All internal-combustion engines on construction equipment and trucks shall be fitted with properly maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than those originally equipped by the manufacturer.
- Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.
- Stockpiles shall be located as far as feasible from nearby noise-sensitive receptors.
- Unnecessary engine idling shall be limited to the extent feasible.
- The use of public address systems shall be limited.
- Construction traffic shall be limited to the haul routes established by the City.

Project Mitigation Measure NOI-1. Implement Noise Control Plan to Reduce Construction Noise from Development of Lot 3 North: The Project Sponsor shall develop a noise control plan for construction at the Project site. The plan shall require compliance with Section 8.06 of the Menlo Park Municipal Code and include measures to ensure compliance with the limit of 60 A-weighted decibels (dBA), equivalent sound level (L_{eq}), during the hour of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hour of 6:00 a.m. to 7:00 a.m. In addition, the plan shall include measures to ensure that construction noise will not result in a 10 dB increase over the ambient noise level at nearby sensitive receptors, which is unlikely to occur at most nearby sensitive uses but may occur at the nearby school where existing ambient noise levels from 6:00 a.m. to 8:00 a.m. were not recorded.

The plan shall specify the noise-reducing construction practices that will be employed to reduce noise from construction activities and demonstrate that compliance with the standards is achievable. If construction activities cannot comply with the standards outside the daytime hours of 8:00 a.m. to 6:00 p.m., the activities (e.g., pavement breaking with jackhammers and concrete saws) will be required to occur only during daytime hours. The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to issuance of building permits. The noise control plan shall:

- Demonstrate that noise levels during construction on the Project site will meet the standards of this mitigation measure at sensitive receptors while the receptors are in use.

- Demonstrate that any construction activities taking place outside daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday shall comply with the 60 dBA L_{eq} limit during the hour of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hour of 6:00 a.m. to 7:00 a.m. In addition, the plan shall demonstrate that individual equipment proposed for use will not exceed the limit of 85 dBA L_{eq} at 50 feet for powered equipment noise and that combined construction noise will not result in a 10 dBA increase over the ambient noise level at nearby sensitive receptors. Activities that would produce noise above applicable daytime or nighttime limits shall be scheduled only during normal construction hours. If the noise control plan concludes that a particular piece of equipment will not meet the requirements of this mitigation measure, that equipment shall not be used outside the daytime construction hours.
- Verify that construction activities are conducted at adequate distances, or otherwise shielded with sound barriers, as determined through analysis, from noise-sensitive receptors when working outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday; verify compliance with the Menlo Park Municipal Code though measurement.
- Verify the effectiveness of noise attenuation measures by taking representative noise level measurements at the nearest sensitive receptors (limited to receptors within 1,000 feet of the Project site) during construction activities that occur outside the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday to verify compliance with the 50 and 60 dBA L_{eq} City noise standards. The final noise monitoring requirements and locations shall be defined in the noise control plan, based on predicted equipment use and noise.
- Verify the effectiveness of noise attenuation measures by taking noise level measurements at nearest noise-sensitive land uses (limited to receptors within 1,000 feet of the Project site) during construction to verify compliance with the 10 dB-over-ambient threshold. The final noise monitoring requirements and locations shall be defined in the noise control plan, based on predicted equipment use and noise.

Measures used to control construction noise may include:

- Upgrading mufflers (e.g., improving mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields, shrouds) on equipment and trucks used for Project construction.
- Developing equipment staging plans (e.g., locating stationary equipment at appropriate distances).
- Limiting equipment and truck idling.
- Shielding sensitive receptors with sound barriers to comply with the Menlo Park Municipal Code.

As determined in the noise control plan, temporary noise barriers may be required around construction on the Project site to reduce construction noise from equipment used outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. on weekdays. Noise barriers shall be constructed of material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are

not limited to, ¾-inch Plexiglas, ⅝-inch plywood, ⅝-inch oriented strand board, or straw bales. If sound blankets are used, the sound blankets will be required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70.

Project Mitigation Measure NOI-2. Compliance with Chapter 8.52 of the City of East Palo Alto Municipal Code: Stationary noise sources that may affect receptors within East Palo Alto shall comply with Chapter 8.52 of the East Palo Alto Municipal Code. With respect to noise from generator testing, measures to ensure compliance with the applicable standards include:

- Limiting generator testing to daytime hours,
- Testing for shorter periods of time,
- Enclosing the generator, or
- Implementing other forms of shielding, such a localized barriers, around the equipment.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the Initial Study and EIR. The City finds that the noise control measures, as well as compliance with the East Palo Alto Municipal Code, are feasible. These would reduce potential impacts from construction equipment noise and operational activities to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to construction equipment noise and operational noise would not be significant.

Impact C-NOI-1: Cumulative Substantial Temporary or Permanent Increase in Noise. The Proposed Project in combination with other foreseeable projects would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Proposed Project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies. However, because construction noise from cumulative projects during daytime or nighttime hours could combine and expose individual receptors to greater overall noise levels (potentially in excess of thresholds), cumulative construction-related noise impacts during daytime and non-daytime hours would be considered significant. The Proposed Project's contribution would be cumulatively significant.

Mitigation Measures: Implement Modified ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant

environmental effect identified in the EIR. The City finds that the noise control measures and noise control plan are feasible. These would reduce potential construction equipment noise impacts to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to construction equipment noise would not be significant.

5. CULTURAL RESOURCES

The topic of cultural resources was analyzed in Section 3.5 of the Initial Study. The majority of the buildings at the Menlo Park Labs Campus (Campus) were constructed in three phases between approximately 1984 and 1989. The building on the southern portion of the Project site, at 1305 O'Brien Drive, was constructed in 1988. The undeveloped portion of the Project site (Lot 3 North) was previously graded; it has been vacant since at least 1939. Because the buildings are not more than 50 years old, a site-specific evaluation was not prepared. The Proposed Project would not affect historic resources, resulting in less-than-significant impacts.

The Initial Study determined that the Proposed Project could result in the significant impacts related to cultural resources discussed below and recommended the mitigation measures below.

Impact CULb: Impacts on Archaeological Resources. Although there are no known cultural resources on the Project site or along the O'Brien waterline route, it is possible that cultural resources could be discovered. Therefore, the Proposed Project has the potential to encounter and damage or destroy previously unknown subsurface archaeological resources during construction.

ConnectMenlo Mitigation Measure CULT-2a: If a potentially significant subsurface cultural resource is encountered during ground-disturbing activities, all construction activities within a 100-foot radius of the find shall cease until a qualified archeologist determines whether the resource requires further study. All developers in the study area shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction activities shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance by a qualified archeologist in terms of the CEQA criteria. If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analyses; prepare a comprehensive report complete with methods, results, and recommendations; and provide for the permanent curation of the recovered resources. The report shall be submitted to the City of Menlo Park, Northwest Information Center (NWIC), and State Historic Preservation Office, if required.

Project Mitigation Measure CR-1. Worker Environmental Training: Because of the potential for discovery of unknown buried cultural and paleontological resources, prior

to the commencement of the first phase, the general contractor and those engaged in ground-disturbing activities shall be given environmental training regarding cultural and paleontological resource protection, resource identification and protection, and the laws and penalties governing such protection. This training may be administered by the Project archaeologist and/or paleontologist as stand-alone training or included as part of the overall environmental awareness training required by the Proposed Project. The training shall include, at minimum, the following:

- The types of cultural resources that are likely to be encountered.
- The procedures to be taken in the event of an inadvertent cultural resource discovery.
- The penalties for disturbing or destroying cultural resources.
- The types of fossils that could occur at the Project site.
- The types of lithologies in which the fossils could be preserved.
- The procedures that should be taken in the event of a fossil discovery.
- The penalties for disturbing paleontological resources.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that worker environmental training, evaluation, and mitigation of archaeological features is feasible. This would reduce potential impacts on archaeological features to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to archaeological features would not be significant.

Impact CULc: Impacts on Paleontological Resources. Project excavation would extend through the Holocene fine-grained alluvium deposit and into the Holocene and Pleistocene alluvial and basin deposits, undivided. The Holocene and Pleistocene alluvial and basin deposits, undivided, are sensitive for paleontological resources. Where excavation would disturb deposits that are sensitive for paleontological resources, the potential exists for disturbance, damage, or loss of paleontological resources. Therefore, the Proposed Project could destroy a unique paleontological resource or site or unique geologic feature.

ConnectMenlo Mitigation Measure CULT-3: In the event that fossils or fossil bearing deposits are discovered during ground-disturbing activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance shall cease until a City-approved qualified paleontologist determines whether the resource requires further study. The paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology standards [Society of Vertebrate Paleontology 1995]), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist

shall notify the appropriate agencies to determine the procedures to be followed before construction activities are allowed to resume at the location of the find. If avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the City of Menlo Park for review and approval prior to implementation, and all construction activity shall adhere to the recommendations in the excavation plan.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that the protocol and procedures for encountering paleontological resources are feasible. These would reduce potential impacts on paleontological features to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to paleontological features would not be significant.

Impact CULd: Impacts on Human Remains. The Proposed Project has the potential to encounter or discover human remains during excavation or construction. Although no archaeological or Native American resources were identified within the Project area during the literature review at the NWIC or in consultation with California Native American tribes, the potential always exists for previously undiscovered human remains to be encountered during Project demolition or construction. Buried deposits may be eligible for listing in the California Register of Historical Resources (CRHR).

ConnectMenlo Mitigation Measure CULT-4: Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and California Code of Regulations Section 15064.5(e) (CEQA). According to the provisions in CEQA, if human remains are encountered at the site, all work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. The San Mateo County Coroner shall be notified immediately. The coroner shall then determine whether the remains are Native American. If the coroner determines the remains are Native American, the coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours, which, in turn, will notify the person the NAHC identifies as the Most Likely Descendant (MLD) of any human remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD will have 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that the state regulations for the discovery of human remains during construction are feasible. These would reduce potential impacts on human remains to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to human remains would not be significant.

6. BIOLOGICAL RESOURCES

The topic of biological resources was analyzed in Section 3.4 of the Initial Study. The Project site has been modified for human use and does not support any natural plant communities, nor is it located near any sensitive habitats. The Proposed Project would be required to comply with the bird-safe design measures (e.g., required use of tinted glazing), preconstruction/pre-disturbance surveys, active nest buffers, and nesting bird avoidance measures included in the building regulations for the Bayfront Area. The Project site does not contain any riparian habitat, federally protected wetlands, or wildlife corridors. The Project site is not within a geographic area covered by an adopted habitat conservation plan or natural community conservation plan. Therefore, the Proposed Project's impacts related to riparian habitats, wetlands, and wildlife corridors or conflicts with local plans, policies, ordinances, or habitat conservation plans would be less than significant.

The Initial Study determined that the Proposed Project could result in the significant impacts related to biological resources discussed below and recommended the mitigation measures that follow.

Impact BIOa: Indirect or Direct Impacts on Special-Status Species. With the exception of white-tailed kite and tree-nesting raptors, no special-status species are expected to occur at the Project site. The Project site's urban setting and lack of natural communities do not provide adequate habitat for special-status species. However, because of existing ornamental trees that provide suitable nest sites, the white-tailed kite has low potential to nest onsite. The trees also provide nesting habitat for tree-nesting raptors such as Cooper's hawk and red-shouldered hawk. Therefore, the Proposed Project could result in the direct mortality of adult or young birds, the destruction of active nests, and/or disturbance of nesting adults, causing nest abandonment and/or loss of reproductive effort if the Proposed Project is implemented during the nesting bird season.

Project Mitigation Measure BR-1. Nesting Bird Avoidance: To the extent feasible, construction activities (or at least the commencement of such activities) shall be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts on nesting birds protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code shall be avoided. The nesting season for most birds in San Mateo County extends from February 1 through August 31.

Project Mitigation Measure BR-2. Preconstruction/Pre-disturbance Surveys: If it is not possible to schedule construction activities between September 1 and January 31, preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of construction activities. During this survey, the ornithologist shall inspect all trees and other potential nesting substrates (e.g., trees, shrubs, ruderal grasslands, buildings) in and immediately adjacent to the impact areas for nests.

Project Mitigation Measure BR-3. Active Nest Buffers: If an active nest is found close to work areas that are to be disturbed by construction activities, the qualified ornithologist shall determine the extent of the construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species) to ensure that no nests of species that are protected by the MBTA and California Fish and Game Code are disturbed during Project implementation.

Project Mitigation Measure BR-4. Inhibition of Nesting: If construction will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, other vegetation) that are scheduled to be removed by the Proposed Project shall be removed prior to the start of the nesting season (i.e., before February 1). This will preclude the initiation of nests in such vegetation and prevent the potential delay of the Proposed Project because of the presence of active nests in these substrates.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that avoiding the nesting bird season (to the extent feasible), conducting preconstruction/pre-disturbance nesting bird surveys, establishing active nest buffers, and removing all potential nesting substrates are feasible actions. These would reduce potential impacts on special-status species to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to special-status species would not be significant.

Impact BIOd: Impacts on Wildlife Movement, Wildlife Corridors, or Native Wildlife Nursery Sites. The Project site is not within or adjacent to any wildlife corridors. However, existing trees on the Project site provide nesting habitat for native resident and migratory birds that are protected under the MBTA and the California Fish and Game Code. If the Proposed Project is implemented during the nesting bird season (February 1 to September 14), the removal of buildings, trees, shrubs, or woody vegetation and the installation of new buildings could affect native migratory birds.

Mitigation Measures: Implement Project Mitigation Measures BR-1 through BR-4.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that avoiding the nesting bird season (to the extent feasible), conducting preconstruction/pre-disturbance nesting bird surveys, establishing active nest buffers, and removing all potential nesting substrates are feasible actions. These would reduce potential impacts on nesting birds to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to nesting birds would not be significant.

7. HYDROLOGY AND WATER QUALITY

The topic of hydrology and water quality was analyzed in Section 3.9 of the Initial Study. The Proposed Project would add approximately 77,000 sf of net new impervious surfaces on the Project site, totaling approximately 82 percent of Lot 3 North. However, the Proposed Project would be regulated by Provision C.3 of the Municipal Regional Permit and required to treat runoff from all impervious areas. The Proposed Project would maintain pre-Project drainage conditions through compliance with existing National Pollutant Discharge Elimination System permits, the Menlo Park Municipal Code for stormwater management, and City drainage guidelines. Implementation of a Stormwater Management Program would ensure that the existing drainage pattern of the site and surrounding area would not be substantially altered and substantial erosion or flooding would not occur. The Project site is within a designated flood zone. Therefore, the ground level would be raised to meet Federal Emergency Management Agency requirements. Impacts would be less than significant.

The Initial Study determined that the Proposed Project could result in the significant impacts related to hydrology and water quality discussed below and recommended the mitigation measures that follow.

Impact WQa: Violation of Water Quality Standards or Waste Discharge Requirements. Project construction would have the potential to temporarily increase sediment loads to the Lower San Francisco Bay and affect surface water quality. Construction dewatering in areas with shallow groundwater could be required during excavation and trenching for construction of the parking garage. Because contaminated sites are within 0.5 mile of the Project site, groundwater may have been contaminated by other properties. Therefore, the Proposed Project could violate water quality standards or waste discharge requirements.

Project Mitigation Measure WQ-1. Implement Construction Dewatering Treatment (if necessary): Dewatering treatment would be necessary if groundwater is encountered during excavation activities, if dewatering is necessary to complete the Proposed Project, or if the water produced during dewatering is discharged to any storm drain or surface water body. If dewatering activities require discharges into the storm drain system or other water bodies, the water shall be pumped to a tank and tested for water quality using grab samples and sent to a certified laboratory for analysis. If it is found that the water does not meet water quality standards, it should either be treated as necessary prior to discharge so that all applicable water quality objectives (as noted in the San Francisco Bay Basin (Region 2) Water Quality Control Plan [Basin Plan]) are met or hauled offsite instead for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water. Water treatment methods shall be selected that remove the maximum amount of contaminants from the groundwater and represent the best available technology that is economically achievable. Implemented methods may include the retention of dewatering effluent until particulate matter has settled before it is discharged, the use of infiltration areas, filtration, or other means. The contractor shall perform routine inspections of the construction area to verify that the water quality control measures are properly implemented and maintained, conduct visual observations of the water (i.e., check for odors, discoloration, or an oily

sheen on groundwater), and perform other sampling and reporting activities prior to discharge. The final selection of water quality control measures shall be submitted in a report to the San Francisco Bay Regional Water Quality Control Board for approval prior to construction. If the results from the groundwater laboratory do not meet water quality standards and the identified water treatment measures cannot ensure that treatment meets all standards for receiving water quality, then the water shall be hauled offsite instead for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that construction dewatering treatment is feasible. This would reduce potential impacts related to water quality standards or waste discharge requirements to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to water quality standards or waste discharge requirements would not be significant.

Impact WQd: Alteration of Drainage Pattern. The 54-inch storm drain in Adams Drive would not have the capacity to convey all runoff during a 10-year storm event and maintain a water level below the rim of the catch basin or manhole. As a result, a portion of the flow would be conveyed in Adams Drive to a low point on the street midway along the eastern Project boundary. The Proposed Project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite of offsite.

Project Mitigation Measure WQ-2. Provide Adequate Stormflow Conveyance Capacity at the Project Site: Prior to or, at a minimum, concurrent with the issuance of the first construction activity permit at the Project site, the Project Sponsor shall provide current documentation in the form of a technical report to ensure that, as a result of Project design features, the storm drain system's existing conveyance capacity is not constricted by stormflows at the outlets, including offsite pump stations, as a result of the Project design.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that providing adequate stormflow conveyance capacity is feasible. This would reduce potential impacts from flooding to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to flooding would not be significant.

Impact WQe: Runoff Water and Stormwater Drainage Systems. Neither the existing nor the proposed storm drain system would convey the design flow or meet the City's guidelines. Both the east and west onsite storm drain connection points are currently operating at capacity and not capable of providing convenance in a 10-year storm event. Therefore, the Proposed Project could create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff

Mitigation Measure: Implement Project Mitigation Measure WQ-2.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that providing adequate stormflow conveyance capacity is feasible. This would reduce potential impacts from flooding to a less-than-significant level.

Remaining Impacts: Any remaining cumulative impacts related to stormwater drainage systems would not be significant.

8. TRIBAL CULTURAL RESOURCES

The topic of tribal and cultural resources was analyzed in Section 3.16 of the Initial Study. It was determined that the Proposed Project could result in the significant impacts related to tribal cultural resources discussed below and recommended the mitigation measures that follow.

Impact TCRa: Impacts on Tribal Historical Resources. A search of the Sacred Lands File did not identify any tribal cultural resources in the Project area. In addition, no tribal cultural resources were identified as a result of consultation with the NAHC. However, the Proposed Project could encounter previously undiscovered resources that are listed or eligible for listing in the CRHR or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k), during ground-disturbing activities.

Mitigation Measures: Implement ConnectMenlo Mitigation Measure CULT-2a, ConnectMenlo Mitigation Measure CULT-4, and Project Mitigation Measure CR-1.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that compliance with state regulations pertaining to the discovery of human remains during construction, the procedures for archaeological resource encounters, and requirements for worker

environmental training is feasible. This would reduce potential impacts on tribal historical resources to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to tribal historical resources would not be significant.

Impact TCRb: Impacts on Tribal Historical Resources. No tribal cultural resources were identified within the Project site during consultation with California Native American tribes or during the cultural resources review. However, the Proposed Project could, as determined by the lead agency, in its discretion and supported by substantial evidence, encounter previously undiscovered significant resources, pursuant to the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, during ground-disturbing activities.

Mitigation Measures: Implement ConnectMenlo Mitigation Measure CULT-2a, ConnectMenlo Mitigation Measure CULT-4, and Project Mitigation Measure CR-1.

FINDINGS: Based on the entire record before the City, the City Council finds that:

Effects of Mitigation: Changes or alterations have been required in, or incorporated into, the Proposed Project that avoid or substantially lessen the significant environmental effect identified in the EIR. The City finds that compliance with state regulations pertaining to the discovery of human remains during construction, the procedures for archaeological resource encounters, and requirements for worker environmental training is feasible. This would reduce potential impacts on tribal historical resources to a less-than-significant level.

Remaining Impacts: Any remaining impacts related to tribal cultural resources would not be significant.

C. Alternatives

1. Alternatives Considered and Rejected during the Scoping/Project Planning Process

During the NOP comment period, the City received verbal and written suggestions regarding the identification and evaluation of alternatives to the Proposed Project. The following items describe the various potential alternatives that were identified and considered, along with the reasons why they were ultimately not selected for further evaluation in this EIR.

- Alternative Locations. Alternative locations for the Proposed Project were considered infeasible, particularly because the Project Sponsor owns this site, which is compatible with existing zoning. In fact, the Project Sponsor proposed an alternative location that it also owns, but that location was rejected because it would require an amendment to the City General Plan and City Zoning Ordinance to allow a use similar to the Proposed Project. An alternate location for R&D uses would require land acquisition, which is not

included in the Project Sponsor's plans or objectives. In addition, the Project site is within the existing Menlo Park Labs Campus; the Proposed Project would expand the Campus. An offsite alternative would not allow the Project Sponsor to develop in the same geographic area as the existing Campus, expand the current employee base relative to the rest of the Campus, or develop a highly connected Campus because other locations may not already be connected to an existing campus, particularly the Campus where the Project Sponsor is already involved. The plans and objectives cannot be realized at an alternative site.

- Alternative Development Scenario. Alternatives that would consist of permanent uses other than R&D uses were not considered because they would not be consistent with applicable zoning and City General Plan land use designations and policies for this property. In addition, uses other than life sciences would not be consistent with uses on the rest of the Campus or with Project objectives. Because the Proposed Project would not require amendments to the City General Plan or City Zoning Ordinance, the City's land use and development policies are not in question, and it is not necessary or appropriate under CEQA for the EIR to consider alternative uses that would require such amendments. Therefore, this alternative was rejected because of its inability to meet basic Project objectives.
- Maximum Bonus Alternative. Under the Maximum Bonus Alternative, the Proposed Project would be developed at the maximum bonus level of development allowed in the LS-B zoning district. As such, the approximately 11.2-acre site would be developed with a floor area ratio (FAR) of 125 percent and a maximum building height of 110 feet. The increase in building size and height would accommodate a larger number of employees at the Project site, and with a greater FAR, the buildings would cover a larger portion of the Project site. Increasing the footprint would decrease the pedestrian-friendly campus atmosphere, reduce the amount of landscaping, increase the number of trees to be removed, and increase impervious coverage, thereby increasing environmental impacts relative to hydrology. This would reduce the ability of the Project Sponsor to achieve sustainability as well as building design goals and increase community amenities, such as open spaces, serving surrounding neighborhoods. This alternative was rejected because impacts resulting from the increase in population and building size would occur without commensurate improvements in work-environmental connectivity, sustainability, landscaping, or hydrology.

Findings: The Planning Commission hereby finds the above alternatives undesirable and rejects them for the reasons given as well as specific economic, legal, social, technological, or other considerations, including consistency with the applicant's Project objectives, which makes each alternative infeasible. Furthermore, some of the rejected alternatives would not be consistent with specific City General Plan goals, policies, or programs for which the Proposed Project would be consistent. The City finds that any of these grounds are independently adequate to support rejection of the alternatives.

2. Alternatives Selected for Analysis

Section 15126.6(a) of the CEQA Guidelines requires the discussion of "a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the proposed project but would avoid or substantially lessen any of the significant effects of the proposed project and evaluate the comparative merits of the alternatives." The EIR identified and considered the following reasonable range of feasible alternatives to the Proposed Project that would be capable, to varying degrees, of reducing identified impacts:

- No Project Alternative
- Base Level Alternative
- Mixed-Use Alternative

These alternatives were evaluated for their ability to avoid or substantially lessen the impacts of the Proposed Project identified in the Draft EIR as well as their ability to meet most of the basic objectives of the Proposed Project.

No Project Alternative

With implementation of the No Project Alternative, no additional construction would occur at the Project site. Specifically, under the No Project Alternative, Lot 3 North would remain undeveloped and vacant, and 1305 O'Brien Drive (the Pacific Biosciences-California [PacBio] building), including the associated parking area, would remain in its existing state. In addition, the O'Brien waterline would not be upgraded by the developer as part of the project.

The No Project Alternative would avoid all of the less-than-significant impacts of the Proposed Project. Compared to the other alternatives selected for analysis, the No Project Alternative would result in the fewest impacts and would be the environmentally superior alternative. However, under CEQA, if the No Project Alternative is the environmentally superior alternative, the EIR must identify an environmentally superior alternative from among the other alternatives (CEQA Guidelines Section 15126.6[e][2]). Although the No Project Alternative would be environmentally superior in the technical sense, in that a contribution to the aforementioned impacts would not occur, it would fail to achieve any of the Project's objectives. The No Project Alternative would not meet the primary objectives of the Proposed Project—specifically, expanding the Menlo Park Labs Campus to create a socioeconomically diverse and flexible workspace for a single

life sciences tenant or multiple tenants and developing a sustainable workspace that is highly interconnected to the Belle Haven neighborhood and surrounding areas and capable of generating new revenue for the City. In addition, the No Project Alternative would not create jobs. Instead of the approximately 650 jobs created under the Proposed Project, the No Project Alternative would result in no new jobs at the Project site (existing jobs at 1305 O'Brien Drive would remain). Tax revenues for the City would stay the same rather than increase with implementation of the Proposed Project. The No Project Alternative would not provide community amenities consistent with ConnectMenlo goals and policies, and it would not create open space or promote alternative transportation. As such, the No Project Alternative would not meet the primary objectives of the Proposed Project.

Findings

The Planning Commission hereby finds the No Project Alternative undesirable and rejects it because it fails to satisfy the Proposed Project's underlying purpose as well as most of the Project objectives. In addition, specific economic, legal, social, technological, or other considerations, including considerations regarding the provision of a new cutting-edge life science facility, community amenities, and employment opportunities, make the alternative infeasible. The Planning Commission finds that any of these grounds are independently adequate to support rejection of this alternative.

Base Level Alternative

The Base Level Alternative would develop the proposed building in accordance with the base-level requirements for the LS zoning district, resulting in a reduction in the FAR (i.e., approximately 55 percent instead of the approximately 90.7 percent under the Proposed Project). Consequently, there would be a reduction in the amount of floor area for life sciences purposes as well as the number of life sciences employees. This would equate to approximately 80,250 gross square feet (gsf) of occupiable space within the life sciences building. Including the existing building at 1305 O'Brien Drive, the Base Level Alternative would result in approximately 268,350 gsf of occupiable space. The Base Level Alternative would accommodate approximately 200 employees. As with the Proposed Project, the Base Level Alternative would include life sciences uses. The Base Level Alternative would result in a decrease in the total amount of open space provided onsite (i.e., 97,580 sf compared with 109,020 sf under the Proposed Project).

The Base Level Alternative would not achieve many of the Project objectives because the reduction in life sciences space would limit opportunities to develop a project that would attract and accommodate future tenants and allow them to operate at a desired level of productivity compared with operations under the Proposed Project. The Campus would be developed at a lower development density than under the Proposed Project, which would have a FAR of approximately 90.7 percent. Therefore, the Base Level Alternative would generate less new tax revenue for the City and other public entities. Furthermore, the Base Level Alternative would not provide community amenities consistent with ConnectMenlo goals and policies.

Findings

The Planning Commission hereby finds the Base Level Alternative undesirable and rejects it. Although it would meet most Project objectives, the Project objectives would not be met to the same extent as under the Proposed Project. In addition, specific economic, legal, social, technological, or other considerations make the alternative infeasible. The City finds that any of these grounds are independently adequate to support rejection of this alternative.

Mixed-Use Alternative

The Mixed-Use Alternative would develop the Project site with the same building that would be developed under the Proposed Project, with approximately 260,400 gsf in area, but would replace the ground floor (Level 1) of life sciences space with approximately 38,995 gsf of commercial space for use by the general public. The Mixed-Use Alternative would reduce the amount of floor area for life sciences uses as well as the number of life sciences employees compared with the Proposed Project, resulting in approximately 221,405 gsf for life sciences uses. However, there would be slightly more total onsite employees under this alternative because of the commercial space. Including the existing building at 1305 O'Brien Drive, the Mixed-Use Alternative would result in approximately 442,722 gsf of occupiable space at the Project site. The Mixed-Use Alternative would accommodate approximately 654 employees, with 557 employees associated with the proposed life sciences uses and 97 employees associated with the commercial space. Because the proposed building under the Mixed-Use Alternative would be the same size as the building under the Proposed Project, approximately 109,020 sf of open space would be provided on the site.

The Mixed-Use Alternative would achieve some of the Project objectives but to a reduced degree. The Mixed-Use Alternative would develop the Campus with the same building as under the Proposed Project but with a reduction in life sciences uses. The Mixed-Use Alternative would not achieve the Project objective of providing a facility that can accommodate a single or multiple life science tenants. With the incorporation of the commercial uses under this alternative, the proposed building could not be solely occupied by a single life science tenant. Furthermore, large life science companies that wish to occupy an R&D facility as a sole tenant may reject sharing a facility with commercial uses because allowing the public into the building could compromise security for a tenant desiring control of an entire building. Because of the reduced amount of life sciences space and increase in commercial space, the Mixed-Use Alternative would translate into approximately 654 employees instead of 650 in total, but would not meet the Project Sponsor's needs related to growth the provision of life sciences space.

Findings

The Planning Commission hereby finds the Mixed-Use Alternative undesirable and rejects it. Although it would meet most Project objectives, it would increase the severity of identified impacts. Furthermore, specific economic, legal, social, technological, or

other considerations make the alternative infeasible. The City finds that any of these grounds are independently adequate to support rejection of this alternative.

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
Air Quality				
IMPACT BEING ADDRESSED: The Project would not conflict with or obstruct implementation of the applicable air quality plan. (AQ-1)				
Project Mitigation Measure AQ-1.1: Use Clean Diesel-Powered Equipment during Construction to Control Construction-related Emissions The Project Sponsor shall ensure that all off-road diesel-powered equipment greater than 200 horsepower used during construction is equipped with EPA-approved Tier 4 Interim engines to reduce DPM emissions. The construction contractor shall submit evidence of the use of EPA-approved Tier 4 Interim engines, or cleaner, to the City prior to the commencement of Project construction activities.	Construction contractor to incorporate Tier 4 engine specifications into contract specifications for review and approval by the City	Once prior to issuance of grading permit	Project Sponsor	City of Menlo Park Community Development Department (CDD)
IMPACT BEING ADDRESSED: The Project would not result in a cumulative net increase in any criteria pollutant for which the Project region is classified as a nonattainment area under an applicable federal or state ambient air quality standard (AQ-2).				
ConnectMenlo Mitigation Measure AQ-2b1 As part of the City's development approval process, the City shall require applicants for future development projects to comply with the current Bay Area Air Quality Management District's basic control measures for reducing construction emissions of PM10 (Table 8-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of BAAQMD's CEQA Guidelines).	Plan review and approval	During the building permit and site development review process and prior to permit issuance	Project Sponsor	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
ConnectMenlo Mitigation Measure AQ-2b2 Prior to issuance of building permits, development projects in the City that are subject to CEQA and exceed the screening sizes in BAAQMD's CEQA Guidelines shall prepare and submit to the City of Menlo Park a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology for assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in the BAAQMD CEQA Guidelines, the City of Menlo Park shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below the thresholds (e.g., Table 8-2, Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions above the Threshold of the BAAQMD CEQA Guidelines, or applicable construction mitigation measures subsequently approved by BAAQMD). These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Building Division and/or Planning Division.	Preparation of the construction-related air quality technical assessment	During the building permit and site development review process and prior to permit issuance This has been completed	Project Sponsor	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
IMPACT BEING ADDRESSED: The Project would not expose sensitive receptors to substantial pollutant concentrations with mitigation incorporated (AQ-3).				
Implement *Project Mitigation Measure AQ-1.1*, above.	See above	See above	See above	See above
Biological Resources				
IMPACT BEING ADDRESSED: The Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (Impact BIOa from the Initial Study).				
Project Mitigation Measure BR-1: Nesting Bird Avoidance To the extent feasible, construction activities (or at least the commencement of such activities) shall be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code shall be avoided. The nesting season for most birds in San Mateo County extends from February 1 through August 31.	Project Sponsor to provide City applicable construction contract provisions, including schedule. If construction will occur in the nesting season, Project Sponsor to implement Mitigation Measures BR-2 through BR-4, as needed.	Once prior to issuance of demolition permit.	Project Sponsor	CDD
Project Mitigation Measure BR-2: Preconstruction/Pre-disturbance Surveys If it is not possible to schedule construction activities between September 1 and January 31, preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of construction activities. During this survey, the ornithologist shall	If construction will occur in the nesting season, Project Sponsor to submit to City pre-construction/pre-disturbance surveys for review and approval.	Once prior to issuance of demolition permit.	Project Sponsor and Qualified Ornithologist	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
inspect all trees and other potential nesting substrates (e.g., trees, shrubs, ruderal grasslands, buildings) in and immediately adjacent to the impact areas for nests.				
Project Mitigation Measure BR-3: Active Nest Buffers If an active nest is found close to work areas that are to be disturbed by construction activities, the qualified ornithologist shall determine the extent of the construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species) to ensure that no nests of species that are protected by the MBTA and California Fish and Game Code are disturbed during project implementation.	If an active nest is found close to work areas, Ornithologist to establish buffer zones. Project sponsor to provide documentation to City (i.e., images) to ensure compliance with active nest buffers.	Once prior to start of construction activities	Project Sponsor and Qualified Ornithologist	CDD
Project Mitigation Measure BR-4: Inhibition of Nesting If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, other vegetation) that are scheduled to be removed by the project shall be removed prior to the start of the nesting season (i.e., before February 1). This will preclude the initiation of nests in such vegetation and prevent the potential delay of the Project because of the presence of actives nests in these substrates.	Project Sponsor to remove all potential nesting substrates	Once prior to issuance of demolition permit	Project Sponsor	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
IMPACT BEING ADDRESSED: The Project could interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. (Impact BIOd from the Initial Study)				
Implement *Project Mitigation Measures BR-1 through BR-4* above.	See above	See above	See above	See above
Cultural Resources				
IMPACT BEING ADDRESSED: The Project could cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5 (Impact CULb from the Initial Study).				
ConnectMenlo Mitigation Measure CULT-2a If a potentially significant subsurface cultural resource is encountered during ground disturbing activities, all construction activities within a 100-foot radius of the find shall cease until a qualified archeologist determines whether the resource requires further study. All developers in the study area shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction activities shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of the California Environmental Quality Act (CEQA) criteria by a qualified archeologist. If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant. The archaeologist shall	Initiated after a find is made during construction	During construction, and regularly scheduled site inspections that would be initiated after a find is made during construction	Qualified Archaeologist approved by the City of Menlo Park Planning Division and Project Sponsor	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
also perform appropriate technical analyses; prepare a comprehensive report complete with methods, results, and recommendations; and provide for the permanent curation of the recovered resources. The report shall be submitted to the City of Menlo Park, Northwest Information Center (NWIC), and State Historic Preservation Office (SHPO), if required.				
P*roject Mitigation Measure CR-1: Worker Environmental Training* Because of the potential for discovery of unknown buried cultural and paleontological resources, prior to the commencement of the first phase, the general contractor and those engaged in ground-disturbing activities shall be given environmental training regarding cultural and paleontological resource protection, resource identification and protection, and the laws and penalties governing such protection. This training may be administered by the Project archaeologist and/or paleontologist as stand-alone training or include as part of the overall environmental awareness training required by the Project. The training shall include, at minimum, the following: ● The types of cultural resources that are likely to be encountered. ● The procedures to be taken in the event of an inadvertent cultural resource discovery.	Qualified archaeologist to conduct training	Once prior to the start of issuance of grading permit As needed during duration of soil-disturbing or excavating activities and throughout ground-disturbing activities	Qualified archaeologist and/or Paleontologist (retained by the Project Sponsor)	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
• The penalties for disturbing or destroying cultural resources. • The types of fossils that could occur at the Project site. • The types of lithologies in which the fossils could be preserved. • The procedures that should be taken in the event of a fossil discovery. • The penalties for disturbing paleontological resources.				
IMPACT BEING ADDRESSED: The Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (Impact CULc from the Initial Study).				
ConnectMenlo Mitigation Measure CULT-3 In the event that fossils or fossil bearing deposits are discovered during ground disturbing activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a City-approved qualified paleontologist determines whether the resource requires further study. The paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology standards [Society of Vertebrate Paleontology 1995]), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to	Initiated after a find is made during construction	During construction, and regularly scheduled site inspections that would be initiated after a find is made during construction	Qualified Archaeologist approved by the City of Menlo Park Planning Division and Project Sponsor	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
resume at the location of the find. If avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the City of Menlo Park for review and approval prior to implementation, and all construction activity shall adhere to the recommendations in the excavation plan.				
IMPACT BEING ADDRESSED: The Project could disturb any human remains, including those interred outside of formal cemeteries (Impact CULd from the Initial Study).				
ConnectMenlo Mitigation Measure CULT-4 Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e) (CEQA). According to the provisions in CEQA, if human remains are encountered at the site, all work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. The San Mateo County Coroner shall be notified immediately. The Coroner shall then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner shall notify the NAHC within 24 hours, who will, in turn, notify the person the NAHC identifies as the Most Likely Descendant (MLD) of any human remains.	Initiated after a find is made during construction	During construction, and regularly scheduled site inspections that would be initiated after a find is made during construction	San Mateo County Coroner and Project Sponsor	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.				
Greenhouse Gas Emissions				
IMPACT BEING ADDRESSED: Generation of GHG Emissions during Construction. Construction of the Proposed Project would not generate GHG emissions that could have a significant impact on the environment (GHG-1a).				
Implement *ConnectMenlo Mitigation Measure AQ-2b1*, above.	See above	See above	See above	See above
Project Mitigation Measure GHG-1a: Require Implementation of BAAQMD-Recommended Construction Best Management Practices The Project Sponsor shall require its contractors, as a condition of Project approval by the City, to implement measures to minimize the level of GHG emissions associated with Project construction. These shall include, but shall not be limited to, the measures listed below, which are recommended in Appendix B of the 2017 Scoping Plan.	Project Sponsor to submit to City applicable provisions of construction contracts requiring the use of BAAQMD-recommended construction best management practices to reduce GHG emissions	During the building permit and site development review process and prior to permit issuance	Project Sponsor	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
● Instead of using fossil fuel–based generators for temporary jobsite power, grid-sourced electricity from PG&E or Peninsula Clean Energy shall be used to power tools (e.g., drills, saws, nail guns, welders) as well as any temporary office buildings used by construction contractors. This measure shall be required during all construction phases, except site grubbing, site grading, and the installation of electric, water, and wastewater infrastructure. This measure shall be implemented during building demolition, the framing and erection of new buildings, all interior work, and the application of architectural coatings. Electrical outlets shall be designed according to PG&E's Greenbook standards and placed in accessible locations throughout the construction site. The Project Sponsor, or its primary construction contractor, shall coordinate with the utility to activate a temporary service account prior to proceeding with construction. Implementation of this measure shall be required in the contract the Project Sponsor establishes with its construction contractors.				

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
• Use local building materials for at least 10 percent of all building materials used (i.e., sourced from within 100 miles of the planning area);[1] and • Recycle at least 50 percent of construction waste and demolition material. The Project Sponsor shall submit evidence of compliance to the City prior to issuance of each construction permit and every year thereafter during Project construction.				
IMPACT BEING ADDRESSED: The Proposed Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of GHGs (GHG-2).				
Implement *ConnectMenlo Mitigation Measure AQ-2b1 and Project Mitigation Measures TRA-1 and GHG-1a*, above.	See above	See above	See above	See above
Hydrology and Water Quality				
IMPACT BEING ADDRESSED: The Project could violate water quality standards or waste discharge requirements (Impact WQa from the Initial Study).				
Project Mitigation Measure WQ-1: Implement Construction Dewatering Treatment (if necessary) Dewatering treatment would be necessary if groundwater is encountered during excavation activities, if dewatering is necessary to complete the Project, or if the water produced during dewatering is discharged to any storm drain or surface water body.	Implement construction dewatering treatment if groundwater is encountered	As needed during duration of soil-disturbing or excavating activities and throughout ground-disturbing activities	Project Sponsor/ Contractor(s)	CDD

[1] The 10 percent threshold is based on the total weight of the building material.

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
If dewatering activities require discharges into the storm drain system or other water bodies, the water shall be pumped to a tank and tested for water quality using grab samples and sent to a certified laboratory for analysis. If it is found that the water does not meet water quality standards, it should either be treated as necessary prior to discharge so that all applicable water quality objectives (as noted in the San Francisco Bay Basin (Region 2) Water Quality Control Plan [Basin Plan]) are met or hauled offsite instead for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water. Water treatment methods shall be selected that remove the maximum amount of contaminants from the groundwater and represent the best available technology that is economically achievable. Implemented methods may include the retention of dewatering effluent until particulate matter has settled before it is discharged, the use of infiltration areas, filtration, or other means. The contractor shall perform routine inspections of the construction area to verify that the water quality control measures are properly implemented and maintained, conduct visual observations of the water (i.e., check for odors, discoloration, or an oily sheen on groundwater), and perform other sampling and reporting activities prior to discharge. The final selection of water				

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
quality control measures shall be submitted in a report to the San Francisco Bay RWQCB for approval prior to construction. If the results from the groundwater laboratory do not meet water quality standards and the identified water treatment measures cannot ensure that treatment meets all standards for receiving water quality, then the water shall be hauled offsite instead for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water.				
IMPACT BEING ADDRESSED: The Project could substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite (Impact WQd from the Initial Study).				
Project Mitigation Measure WQ-2: Provide Adequate Stormflow Conveyance Capacity at the Project Site Prior to or, at a minimum, concurrent with the issuance of the first construction activity permit at the Project site, the Project Sponsor shall provide current documentation in the form of a technical report to ensure that, as a result of Project design features, the storm drain system's existing conveyance capacity is not constricted by stormflows at the outlets, including offsite pump stations, as a result of the Project design.	Project Sponsor to provide stormwater technical report to the City for review and approval	Prior to, or at the same time of, issuance of first construction activity permit	Project Sponsor	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
IMPACT BEING ADDRESSED: The Project could create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (Impact WQe from the Initial Study).				
Implement *Project Mitigation Measures WQ-2* above.	See above	See above	See above	See above
Noise[2]				
IMPACT BEING ADDRESSED: The Project could expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies (Impact NOIa from the Initial Study).				
ConnectMenlo Mitigation Measure NOISE-1b Stationary noise sources, and landscaping and maintenance activities shall comply with Chapter 8.06, Noise, of the Menlo Park Municipal Code.	Plan review and approval	Prior to issuance of construction permits, and throughout the duration of construction activities	Project Sponsor	CDD
Modified ConnectMenlo Mitigation Measure NOISE-1c	See below	See below	See below	See below
Project Mitigation Measure NOI-1: Implement Noise Control Plan to Reduce Construction Noise from Development of Lot 3 North	See below	See below	See below	See below
Project Mitigation Measure NOI-2: Compliance with Chapter 8.52 of the City of East Palo Alto Municipal Code Project stationary noise sources that may affect receptors within East Palo Alto shall comply with Chapter 8.52 of the City of East Palo Alto Municipal Code. With respect to noise from generator testing, measures to ensure compliance with the applicable standards include:	Plan review and approval	Prior to issuance of construction permits, and throughout the duration of construction activities	Project Sponsor	CDD

[2] The noise analysis and mitigation measures in the Draft EIR—specifically, Project Mitigation Measure NOI-1—supersede the noise analysis and mitigation measures for Impacts NOIa and NOId in the Initial Study.

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
● Limiting generator testing to daytime hours, ● Testing for shorter periods of time, ● Enclosing the generator, or ● Implementing other forms of shielding, such a localized barriers, around the equipment.				
IMPACT BEING ADDRESSED: The Project could result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity, above levels existing without the Project (Impact NOId from the Initial Study).				
Implement *Modified ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1,* below.	See below	See below	See below	See below
IMPACT BEING ADDRESSED: The Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies (Impact NOI-1).				
Modified ConnectMenlo Mitigation Measures NOISE-1c Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction-related activity through CEQA review, conditions of approval, and/or enforcement of the City's Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans, indicating that during ongoing grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise: ● All internal-combustion engines on construction equipment and trucks shall be fitted with properly	Plan review and approval	Prior to issuance of construction permits, and throughout the duration of construction activities	Project Sponsor	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than those originally equipped by the manufacturer. ● Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses. ● Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors. ● Unnecessary engine idling shall be limited to the extent feasible. ● Limit the use of public address systems. ● Construction traffic shall be limited to the haul routes established by the City.				
Project Mitigation Measure NOI-1*: Implement Noise Control Plan to Reduce Construction Noise from development of Lot 3 North* The Project Sponsor shall develop a noise control plan for construction at the Project site. The plan shall require compliance with Section 8.06 of the Menlo Park Municipal Code and include measures to ensure compliance with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall include measures to ensure that construction noise will not result in a 10 dB increase over the ambient	Project Sponsor to develop noise control plan for review and approval by the City	Prior to issuance of building permits, and throughout the duration of construction activities, as applicable	Project Sponsor and Contractor(s)	CDD

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
noise level at nearby sensitive receptors, which is unlikely to occur at most nearby sensitive uses from Project construction but may occur at the nearest school where existing ambient noise levels from 6:00 a.m. to 8:00 a.m. were not recorded. The plan shall specify the noise-reducing construction practices that will be employed to reduce noise from construction activities, and shall demonstrate that compliance with these standards will be achievable. If the noise control plan cannot comply with the standards outside the daytime 8:00 a.m. to 6:00 p.m. hours, those activities will be required to occur only during the daytime hours (e.g., pavement breaking with jackhammers and concrete saws). The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to issuance of building permits. The noise control plan shall: ● Demonstrate that noise levels during construction on the Project site will meet the standards of this mitigation measure at sensitive receptors while those receptors are in use. ● Demonstrate that any construction activities taking place outside daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday shall comply with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during				

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall demonstrate that individual equipment proposed for use would not exceed the 85 dBA L_{eq} at 50 feet limit for powered equipment noise, and that combined construction noise would not result in a 10 dBA increase over the ambient noise level at nearby sensitive receptors. Activities that would produce noise above applicable daytime or nighttime limits shall be scheduled only during normal construction hours. If the noise control plan concludes that a particular piece of equipment will not meet the requirements of this mitigation measure, that equipment shall not be used outside the daytime construction hours. ● Verify construction activities are conducted at adequate distances, or otherwise shielded with sound barriers, as determined through analysis, from noise-sensitive receptors when working outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, and verify compliance with the Menlo Park Municipal Code though measurement. ● Verify the effectiveness of noise attenuation measures by taking representative noise level				

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
measurements at the nearest sensitive receptors (limited to receptors within 1,000 feet of the Project site) during construction activities that occur outside the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, to verify compliance with the 50 and 60 dBA L_{eq} City noise standards. The final noise monitoring requirements and locations shall be defined in the noise control plan based on predicted equipment use and noise. ● Verify the effectiveness of noise attenuation measures by taking noise level measurements at nearest noise-sensitive land uses (limited to receptors within 1,000 feet of the Project site) during construction to verify compliance with the 10 dB-over-ambient threshold. The final noise monitoring requirements and locations shall be defined in the noise control plan based on predicted equipment use and noise. Measures used to control construction noise may include: ● Upgraded construction equipment mufflers (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields, shrouds) on equipment and trucks used for Project construction.				

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
• Equipment staging plans, e.g., locating stationary equipment at adequate distances. • Limitations on equipment and truck idling. • Shielding sensitive receptors with sound barriers sufficient to comply with the Menlo Park Municipal Code. As determined in the noise control plan, temporary noise barriers may be required around construction on the Project site to reduce construction noise from equipment used outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. on weekdays. Noise barriers shall be constructed of material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 3/4-inch Plexiglas, 5/8-inch plywood, 5/8-inch oriented strand board, or straw bales. If Sound blankets are used, the sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70.				
IMPACT BEING ADDRESSED: The Proposed Project in combination with other foreseeable projects would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies (Impact C-NOI-1).				
Implement *ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1* above.	See above	See above	See above	See above

LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measures	**Action Required**	**Monitoring Timing**	**Implementing Party**	**Monitoring Party**
Transportation				
IMPACT BEING ADDRESSED: The Proposed Project could exceed an applicable VMT threshold of significance (Impact TRA-2).				
Project Mitigation Measure TRA-1: Implement TDM Plan The Proposed Project shall be required to implement the TDM plan included in Appendix 3.1of this EIR. Annual monitoring and reporting, pursuant to Menlo Park Municipal Code Section 16.44.090(2)(B), will be required to ensure a minimum reduction in VMT of 21.1 percent for the life of the Project.	Project Sponsor to implement TDM plan once Project is operational TDM monitoring and reporting to be conducted annually for review by the City to ensure compliance with established VMT reduction	Reporting to be provided every year the Project is operational	Project Sponsor	CDD
IMPACT BEING ADDRESSED: The Proposed Project in combination with other foreseeable projects could exceed an applicable VMT threshold of significance (Impact C-TRA-2).				
Implement *Project Mitigation Measure TRA-1* above	See above	See above	See above	See above
Tribal Cultural Resources				
IMPACT BEING ADDRESSED: The Project could have resources that are listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources, as defined in the Public Resources Code Section 5020.1 (k) (Impact TCRa from the Initial Study).				
Implement *ConnectMenlo Mitigation Measure CULT-2a and CULT-4, and Project Mitigation Measure CR-1*, above.	See above	See above	See above	See above
IMPACT BEING ADDRESSED: The Project could, as determined by the lead agency, in its discretion and supported by substantial evidence, be significant pursuance to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 (Impact TCRb from the Initial Study).				
Implement *ConnectMenlo Mitigation Measure CULT-2a and CULT-4, and Project Mitigation Measure CR-1*, above.	See above	See above	See above	See above

September 12, 2022

PLANNING COMMISSION RESOLUTION NO. 2022-__

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENLO PARK APPROVING THE USE PERMIT, ARCHITECTURAL CONTROL, USE AND STORAGE OF HAZARDOUS MATERIALS, AND APPROVAL OF THE COMMUNITY AMENITIES PROPOSAL FOR THE PROPOSED 1350 ADAMS COURT PROJECT CONSISTING OF UP TO 260,400 SQUARE FEET OF RESEARCH AND DEVELOPMENT SPACE AT 1350 ADAMS COURT (APN 055-472-030).

WHEREAS, the City of Menlo Park ("City") received an application requesting environmental review, use permit, architectural control, and heritage tree removal permits from Tarlton Properties, LLC ("Applicant"), to develop a portion of the property located at 1350 Adams Court (APN 055-472-030) ("Property"), with a bonus level development project consisting of up to 260,400 square feet of research and development (R&D) space, which development is more particularly described in the Draft EIR to the Project which was prepared pursuant to the California Environmental Quality Act (hereinafter the "**Project**"). The Project is depicted in and subject to the development plans which are available by the internet link included in Exhibit A and incorporated herein by this reference; and

WHEREAS, the proposed Project is located in the LS-B (Life Science-Bonus) zoning district. The LS-B zoning district allows a mixture of land uses with the purposes of attracting research and development and light industrial uses, particularly those that support bioscience and biomedical product development and manufacturing and/or are potentially revenue generating businesses, allowing administrative and professional office uses and other services that support light industrial and research and development sites nearby, providing opportunities for quality employment and development of emerging technology, entrepreneurship, and innovation, and facilitating the creation of a thriving business environment with goods and services that support adjacent neighborhoods as well as the employment base.

WHEREAS, the bonus level provisions identified in the City's Zoning Ordinance allow a development to seek an increase in floor area ratio (FAR) and/or height subject to approval of a use permit and the provision of community amenities equal to a minimum of 50 percent of the fair market value of the increased development potential and the applicant has submitted a community amenities proposal in compliance with the required minimum value; and

WHEREAS, pursuant to the City's Below Market Rate (BMR) Housing Program (Chapter 16.96.040), the applicant would pay an in-lieu fee of approximately $5,499,648, to be paid prior to issuance of building permits; and

WHEREAS, the proposed Project would be developed with an increase in FAR and height pursuant to City's bonus level development allowances; and

WHEREAS, pursuant to City's General Plan goals and policies, the proposed Project is required to provide a minimum 10 foot wide publically accessible paseo along the western property line connecting O'Brien Drive and Adams Drive; and

WHEREAS, Signature Development Group intends to develop the full 20-foot-wide paseo as part of their proposed Willow Village Project adjacent to the Property; and

WHEREAS, the Applicant would be required to enter into a deferred paseo development agreement with the City to develop their portion of the paseo in the event that Signature Development Group does not construct the full width of the paseo for any reason; and

WHEREAS, the proposed Project complies with all applicable objective standards of the City's Zoning Ordinance, including design standards, green and sustainable building standards, and is consistent with the City's General Plan goals, policies, and programs; and

WHEREAS, Section 16.44.070 of the City of Menlo Park Municipal Code requires that bonus level projects that are developed at a greater level of intensity with an increase in density, FAR, and/or height shall provide one or more community amenities to address the needs that result from the effect of the increased development. The value of the community amenities to be provided shall be equal to 50 percent of the fair market value of the additional gross floor area of the bonus level development; and

WHEREAS, pursuant to the requirements of Section 16.44.070 of the City of Menlo Park Municipal Code, the City commissioned Fabbro Moore & Associates, Inc. to perform an independent appraisal to determine the value of the Project's community amenities contribution. The appraisal determined the Project's community amenities obligation would amount to $14,650,000. The Community Development Director determined that the appraisal was created pursuant to the City's guidelines and approved the appraisal; and

WHEREAS, on May 26, 2022, the applicant submitted the community amenities proposal that provides a one time in-lieu fee to the City of approximately $16,115,000 (including the required administrative fees); and

WHEREAS, the City evaluated the community amenities proposal and determined that the value of the proposal, at $16,115,000 (inclusive of the administrative fee for the in-lieu payment) is consistent with the Zoning Ordinance; and

WHEREAS, providing the in-lieu fee would allow the City to develop community amenities that reflect the community's priority of benefits within the Bayfront area through the community outreach and engagement process; and

WHEREAS, for these reasons, staff recommends that the Planning Commission approve the payment of in-lieu fee; and

WHEREAS, at a duly noticed public meeting on June 1, 2022, the Housing Commission considered the applicant's BMR proposal and draft BMR Housing Agreement Term Sheet, inclusive of payment of an in-lieu fee of $5,327,784; and

WHEREAS, the proposed Project includes the removal of 12 heritage-size trees that have been evaluated by the City Arborist and on August 19, 2022, the City Arborist conditionally approved the heritage tree removal permit. The conditional action was posted on the site and mailed notices were sent out stating the action; and

WHEREAS, the proposed Project would include minimum replacement of the value of the removed heritage trees per the replacement requirements of the Heritage Tree Ordinance; and

WHEREAS, the use and storage of hazardous materials is an administratively permitted use in the LS-B zoning district; and

WHEREAS, the proposed project includes storage and use diesel fuel for a backup generator to be used in the event of an emergency; and

WHEREAS, the use of hazardous materials and diesel generator were reviewed by the West Bay Sanitary District, Menlo Park Fire District, San Mateo County Health Department, and the City of Menlo Park Building Division, and were found to be compatible with the neighboring land uses, that the quantities and types of hazardous materials are permissible by the current California Fire Code, and the building is designed appropriately for the type and quantity of hazardous materials; and

WHEREAS, the Project requires discretionary actions by the City as summarized above, and therefore the California Environmental Quality Act ("CEQA," Public Resources Code Section §21000 et seq.) and CEQA Guidelines (Cal. Code of Regulations, Title 14, §15000 et seq.) require analysis and a determination regarding the Project's environmental impacts; and

WHEREAS, the City is the lead agency, as defined by CEQA and the CEQA Guidelines, and is therefore responsible for the preparation, consideration, certification, and approval of environmental documents for the Project; and

WHEREAS, the Project would be developed at the bonus level allowances of the Zoning Ordinance, and therefore, is subject to the settlement agreement between the City of Menlo Park and City of East Palo Alto ("Settlement Agreement"), which requires project-specific environmental impact reports ("EIRs") for certain future projects. Pursuant to the Settlement Agreement, the project-specific EIR may tier from the certified program level ConnectMenlo Final EIR ("ConnectMenlo EIR") which was certified by the City Council on November 29, 2016, as part of an update to the Land Use and Circulation

Elements of the General Plan and related zoning changes, commonly referred to as ConnectMenlo, and the project-level EIR shall include a project specific transportation impact analysis. The City shall also prepare a housing needs assessment ("HNA") to inform the population and housing topic area of the project-level EIR; and

WHEREAS, the City released a Notice of Preparation ("NOP") and Initial Study for the Project on December 10, 2018 for an extended 45-day public review period ending on January 24, 2019. The City held a public EIR scoping meeting on January 14, 2019 before the City Planning Commission to receive comments on the NOP prior to the close of the public review period. Comments received by the City on the NOP and at the public EIR scoping meeting were considered during preparation of the Draft EIR. The initial study disclosed relevant impacts and mitigation measures already covered in the program-level ConnectMenlo EIR; and

WHEREAS, on January 14, 2019, concurrently with the public NOP scoping meeting, the Planning Commission conducted a study session to review and provide comments on the Project's conceptual design; and

WHEREAS, pursuant to the requirements of the Settlement Agreement and CEQA, the City prepared, or caused to be prepared, a project level EIR and conducted a HNA for the Project; and

WHEREAS, the Draft EIR was released on April 4, 2022 for a 45-day review period that ended on May 23, 2022. The public review period included one duly noticed public meeting on May 2, 2022 to received oral and written comments on the Draft EIR; and

WHEREAS, On May 2, 2022, as part of the duly noticed public hearing to review the Draft EIR, the Planning Commission also conducted a study session and provided an opportunity for members of the public to provide comments on the proposed project design, BMR proposal, and community amenities proposal; and

WHEREAS, the Draft EIR was filed with the California Office of Planning and Research and copies of the Draft EIR were made available at the Community Development Department, on the City's website and at the Menlo Park Library; and

WHEREAS, on September 1, 2022, the City published a Response to Comments Document that contains all of the comments received during the public comment period, including a transcript of the public hearing, and written responses to those comments, and any text changes to the Draft EIR, prepared in accordance with CEQA and the CEQA Guidelines. The Draft EIR and Response to Comments Document constitute the Final EIR, a copy of which is available by the internet link included in Exhibit B and incorporated by this reference; and

WHEREAS, all required public notices and public hearings were duly given and held according to law; and

WHEREAS, after notice having been lawfully given, a duly noticed public hearing was held before the City Planning Commission on September 12, 2022 at which all persons interested had the opportunity to appear and comment; and

WHEREAS, after closing the public hearing, the Planning Commission considered all public and written comments, pertinent information, documents and plans an all other evidence in the public record on the Project; and

WHEREAS, on September 12, 2022, the Planning Commission fully reviewed, considered, and evaluated the whole of the record including all public and written comments, pertinent information, document and plans, and certified the Final EIR for the Project, adopted findings of fact in accordance with CEQA, and adopted a Mitigation Monitoring and Reporting Program prior to taking action to approve the use permit, architectural control, and community amenities proposal for the 1350 Adams Court project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Menlo Park finds the foregoing recitals are true and correct, and they are hereby incorporated by reference into this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Menlo Park ("City") hereby approves a use permit for the Project, subject to conditions attached hereto as Exhibit G incorporated herein by this reference. The approval is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.82.030:

1. That the Commission has given consideration and due regard to the nature and condition of all adjacent uses and structures, and to general and specific plans for the area in question and surrounding areas, and impact of the application hereon; in that, the Project Final EIR determined that the proposed Project with mitigation incorporated would cause less than significant impacts on the environment or less than significant impacts on the environment with mitigation incorporated. The proposed Project is designed in a manner consistent with the goals, policies, and objectives of ConnectMenlo and applicable Zoning Ordinance requirements. Specifically, the proposed Project would be an infill project that would be compatible with the surrounding uses. The building would develop a vacant portion of the site with a new research and development building and the development would be undertaken at the bonus level of development in exchange for funding for community amenities. The proposed Project includes on-site open space and parking, and the proposed building adheres to the design standards set forth by the Zoning Ordinance and therefore, the Project would be consistent with ConnectMenlo. Compliance with the Zoning Ordinance and consistency with ConnectMenlo would ensure that the Project would not be detrimental to the health, safety, and welfare of the surrounding community. The Project is subject to mitigation measures and conditions of approval that ensure that all

existing adjoining structures are appropriately protected during and after construction and the heritage tree removals would be replaced by the value of the removed trees on the site, in compliance with the Heritage Tree Ordinance. Moreover, the proposed Project is designed with appropriate ingress and egress and sufficient on-site bicycle and vehicular parking; and therefore, will not have a detrimental impact on the surrounding areas.

2. That the Commission has considered whether or not the establishment, maintenance, or operation of the use applied for will, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city; in that, the proposed Project is designed as a research and development project, which is a permitted use pursuant to Chapter 16.44.020 of the City of Menlo Park Municipal Code. The proposed Project is designed to meet all the applicable codes and ordinances of the City of Menlo Park Municipal Code and staff believes the proposed Project would not be detrimental to the health, safety, and welfare of the surrounding community due to the architectural design of the building and the compliance with the Zoning Ordinance design standards and the architectural review process. The proposed Project is consistent with the goals and policies established by the Connect/Menlo General Plan and would result in a project that embodies the live/work/play vision of ConnectMenlo and the LS-B zoning district. Specifically, the proposed Project would be a research and development building designed to be compatible with surrounding uses, and the commercial building design addresses potential compatibility issues such as traffic, parking, light spillover, dust, odors, and transportation and use of potentially hazardous materials. The proposed Project is designed with sufficient off-site vehicular and bicycle parking, as well as public, common, and private open spaces. The western paseo and other public open space to be provided by the Project meet the requirements of publically accessible open space and paseos outlined in the Zoning Ordinance including to provide pedestrian access across the site connecting two public rights-of-way. The proposed Project is designed with furnished, landscaped, publicly-accessible open space fronting the two adjacent rights-of-way and western paseo to further the goals and policies of the land use, circulation, and open space design provision within project sites. The Project is designed with appropriate ingress and egress and off-site improvements such as landscaping, street lighting, sidewalks, and green infrastructure. The Project-level Final EIR determined that the Project would have less than significant impacts on the environment after implementation of mitigation measures. Further the Initial Study prepared for the Project found that Project would result in less than significant impacts on the environment after implementation of mitigation measures from the program-level EIR prepared for the ConnectMenlo General Plan Update. Therefore, the proposed Project would not be detrimental to the health, safety, morals,

comfort, and general welfare of the persons residing or working in the neighborhood.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Menlo Park ("City") hereby approves an architectural control permit for the Project, subject to conditions attached hereto as Exhibit G and incorporated herein by this reference. The approval is granted based on the following findings which are made pursuant to Menlo Park Municipal Code Section 16.68.020:

1. That the general appearance of the structures is in keeping with character of the neighborhood; in that, the proposed Project is designed in a contemporary architectural style incorporating both solid elements and glass paneling along the majority of the primary street façades. The materials and forms of the proposed buildings would provide modulations and articulations along the façades of the buildings. The materials and modulations would comply with the City's Zoning Ordinance design standards and would provide visually interesting building facades. The facades would predominantly consist of metal clad windows and glass fiber reinforced concrete. The proposed windows would consist of high efficiency glass with aluminum mullions. The Project incorporates complementary colors. The Project would comply with the base height, building projections, and modulations along with ground floor transparency, entrances, and garage entrance requirements. Compliance with the Zoning Ordinance would further the goals and policies of ConnectMenlo for life science design and compatible buildings with surrounding land uses.

2. That the development will not be detrimental to the harmonious and orderly growth of the city; in that, the Project is a life science building with up to 260,400 square feet of research and development space. The Project's design is generally consistent with all applicable requirements of the City of Menlo Park Municipal Code. The proposed Project does not include any modifications to the design standards of the LS-B zoning district to modify the design standards. The proposed Project is consistent with the new development and population growth envisioned by ConnectMenlo. Moreover, the proposed Project is designed in a manner that is consistent with the existing and future development in the area. The Project is designed with appropriate ingress and egress and appropriate number of vehicular and bicycle parking on site to serve the commercial space. The Project would provide publicly-accessible open space along the Adams Drive and Adams Court frontages, and would be required to provide half of a publically accessible paseo if the full paseo is not constructed as part of the Willow Village project consistent with the land use and circulation element goals and policies of ConnectMenlo. Therefore, the Project will not be detrimental to the harmonious and orderly growth of the city.

3. That the development will not impair the desirability of investment or occupation in the neighborhood; in that, the proposed Project consists of a life science building with up to 260,400 square feet of research and development space, which is a use that is consistent with the applicable standards of the Zoning Ordinance for the project site. The proposed Project is designed in a manner consistent with all applicable codes and ordinances, as well as the ConnectMenlo goals and policies. The proposed Project contributes to the available research and development space in the area and provides a community amenities in-lieu fee that can be used by the City to benefit the adjoining neighborhood and businesses. The proposed Project would develop an underutilized portion of a site. The proposed Project would provide publicly accessible pedestrian and bicycle connectivity within the vicinity of the project site as well as additional ground level open space to enhance the pedestrian experience in the area. Therefore, the proposed Project would not impair the desirability of investment or occupation in the neighborhood.

4. That the development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking; in that, the proposed Project provides a total of 961 vehicular parking spaces to serve the existing and proposed buildings, where a minimum number of 764 and maximum number of 1,024 parking spaces are required pursuant to the Zoning Ordinance requirements. The proposed Project is required pursuant to the Zoning Ordinance to reduce vehicle trips from the site by 20 percent from the typical land uses within the site, through the implementation of a transportation demand management program. Lastly, consistent with the Zoning Ordinance requirements, the Project provides 48 long-term bicycle parking spaces, and 12 short-term bicycle parking spaces to serve all the uses on site. Therefore, the proposed development provides sufficient on-site parking for both vehicles and bicycles.

5. That the development is consistent with any applicable specific plan; in that, the Project is located in the Bayfront Area which is not subject to any specific plan. However, the Project is consistent with all the applicable goals, policies, and programs of ConnectMenlo and is consistent with all applicable codes, ordinances, and requirements outlined in the City of Menlo Park Municipal Code.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Menlo Park ("City") hereby approves the community amenities proposal for the Project, subject to conditions attached hereto as Exhibit G and incorporated herein by this reference. The Planning Commission hereby resolves:

1. Pursuant to Chapter 16.44, Section 16.44.070 of the City's Municipal Code and with Menlo Park City Council Resolution No. 6360 (the City Council adopted Community Amenities List), public interest and convenience requires that

projects which are developed at a greater level of intensity with an increase in FAR and/or height shall provide one or more community amenities to address the needs that result from the effect of the increased development. The value of the community amenities to be provided shall be equal to 50 percent of the fair market value of the additional gross floor area of the bonus level development, which has been determined to be $14,650,000 for the proposed Project.

2. The City of Menlo Park hereby approves the Applicant's community amenities proposal to pay an in-lieu fee of $16,115,000 (including the required administrative fees).

SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I, _____, Acting Principal Planner and Planning Commission Liaison of the City of Menlo Park, do hereby certify that the above and foregoing Planning Commission Resolution was duly and regularly passed and adopted at a meeting by said Planning Commission on the 12th day of September, 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Exhibits

A. Hyperlink: Project Plans including materials and color board - https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/20220318-1350-adams-court-plan-set.pdf
B. Hyperlink: 1350 Adams Court Final EIR – https://beta.menlopark.org/files/sharedassets/public/community-development/documents/projects/under-review/1350-adams-court/1350-adams-court-final-environmental-impact-report-feir.pdf
C. Statement of Findings of Facts pursuant to CEQA (See Attachment A, Exhibit C)
D. Mitigation Monitoring and Reporting Program (MMRP) (See Attachment A, Exhibit D)
E. Conditions of Approval

LOCATION: 1350 Adams Court	**PROJECT NUMBER:** PLN20217-00120	**APPLICANT:** Tarlton Properties, Inc.	**OWNER:** Menlo Park Portfolio II, LLC

PROJECT CONDITIONS:

1. The architectural control permit and use permit shall be subject to the following ***standard*** conditions:

General Conditions

a. Development of the project shall be substantially in conformance with the plans prepared by DES Architects, attached to the September 12, 2022 Planning Commission staff report as Exhibit A to Attachment A, and consisting of 61 plan sheets, dated received on March 18, 2022 (hereinafter the "Plans"). The Plans are incorporated by reference herein. The Plans may only be modified by the conditions contained herein (conditions 1d. and 1e.), subject to review and approval of the Community Development Director or their designee.

b. The Project shall be subject to the California Environmental Quality Act Environmental Impact Report prepared for and certified prior to approval of the Project and the associated Mitigation Monitoring and Reporting Program (MMRP), CEQA Clearinghouse No. 2018122017. The project shall comply with all mitigation measures of the MMRP, which is attached to Menlo Park Planning Commission Resolution No 2022-___ and incorporated herein by this reference.

c. All outstanding and applicable fees associated with the processing of this Project shall be paid prior to the issuance of any building permit for the Project.

d. Substantially consistent and minor modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be approved in writing by the Community Development Director or designee, based on the determination that the proposed modification is consistent with other building and design elements of the approved architectural control permit and will not have an adverse impact on the character and aesthetics of the site. Substantially consistent modifications are modifications to the development that do not increase the intensity of the project or the allowed uses. The Director may refer any request for revisions to the plans to the Planning Commission. If the Director refers the plans to the Planning Commission, the Director shall provide written documentation of the Director's determination that the modification is substantially consistent and a member of the Planning Commission may request to discuss these modifications on the next agenda within 72 hours of notification of the modifications by the Community Development Director. Further environmental review and analysis may be required if such changes necessitate further review and analysis pursuant to the California Environmental Quality Act.

e. Major modifications to the development plan which involve material expansion or intensification of development, modifications to the permitted uses, or modifications to the architectural design, including materials and colors may be allowed subject to obtaining architectural control and use permit revisions from the Planning Commission.

f. Applicant shall keep the property in a clean and sanitary condition at all times, maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the City of Menlo Park Municipal Code.

g. The Project shall adhere to all ordinances, plans, regulations and specifications of the City of Menlo Park and all applicable local, State, and Federal laws and regulations.

LOCATION: 1350 Adams Court	**PROJECT NUMBER:** PLN20217-00120	**APPLICANT:** Tarlton Properties, Inc.	**OWNER:** Menlo Park Portfolio II, LLC

PROJECT CONDITIONS:

h. Prior to issuance of any building permit, the Applicant shall comply with all requirements of and conditions imposed by the Building Division, Planning Division, Engineering Division, and Transportation Division that are directly applicable to the project and the type of building permit issued.

i. Prior to issuance of foundation permit, the Applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.

j. Prior to issuance of any foundation permit for the Project, Applicant shall clearly indicate compliance with all conditions of approval on the plans and/or provide written explanations to the Director of Community Development regarding any inability to satisfy all conditions of approval.

k. The Applicant or permittee shall defend, indemnify, and hold harmless the City of Menlo Park or its agents, officers, and employees from any claim, action, or proceeding against the City of Menlo Park or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit or land use approval; provided, however, that the Applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the Applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the Applicant's or permittee's defense of said claims, actions, or proceedings.

Building Division Conditions

l. The Applicant shall be required to submit a complete building permit application for the project as delineated on Plans within one year from the date of approval (September 12, 2023) for the use permit to remain in effect as to the respective components of the project in accordance with Section 16.82.170 of the Menlo Park Municipal Code. The Community Development Director or their designee may extend the time to use the approval prior to its expiration upon written request of the Applicant for up to one year, if the Director or their designee finds that there is a good cause for the extension based upon unusual circumstances and/or conditions not of the making of the Applicant. Prior to the expiration of the use permit, the Applicant may (1) apply to the Community Development Director to obtain an extension of time upon a showing of good cause to the Director's reasonable satisfaction and/or (2) apply for a revised Use Permit and Architectural Control Approval to revise the project approvals to remove or modify unbuilt project elements. If (1) or (2) do not occur, it shall be deemed a violation of these Conditions of Approval, and the Use Permit and Architectural Control approval for any portion of the project for which a building permit has not been submitted shall expire. Any project modifications shall be assessed for compliance with the 1350 Adams Court Final EIR, and subsequent environmental review may be required if necessary to comply with CEQA Guidelines Section 15162.

m. No later than upon the submittal of a complete building permit application, the Applicant shall submit plans to the Building Division verifying that the project

LOCATION: 1350 Adams Court	**PROJECT NUMBER:** PLN20217-00120	**APPLICANT:** Tarlton Properties, Inc.	**OWNER:** Menlo Park Portfolio II, LLC

PROJECT CONDITIONS:

complies with all applicable Municipal Code Title 12 (Buildings and Construction) provisions for review and approval.

n. The project is subject to the California Building Code, the California Building Standards Code and any adopted Reach Codes and/or local building code ordinances in effect at the time of complete building permit application submittal.

o. Prior to submittal of a complete building permit application for the superstructure, the Applicant shall apply for an exception to use natural gas for space heating in lab spaces. If an exception is not granted by the Community Development Department, the plans shall be revised to remove all natural gas improvements.

p. No later than upon the submittal of a complete building permit application, the Applicant shall submit information as reasonably required by the Community Development Director or their designee to demonstrate that the new building will be all-electric, with the exception of natural gas space heating for lab areas (if an exception is approved pursuant to Condition No. 1.o), and produce a minimum of five kilowatt photovoltaic system of on-site solar.

q. The project is subject to the California Green Building Standards Code (CalGreen) and any local amendments to the Code in effect at the time of submittal of the complete building permit application. Other forms of green building checklists will not be acceptable in-lieu of the CalGreen requirements.

r. A list of all deferred submittals shall be approved by the Building Official or their designee prior to submittal of the complete building permit application.

s. Detached structures require their own permit, have an occupancy category and are required to meet all Building Code requirements associated with their occupancy and location on the site.

t. The complete building permit application shall include information on all imported fill. The imported fill must meet the City of Menlo Park's requirements. Documentation demonstrating that the fill meets the City's requirements must be submitted to and approved by the Building Official or their designee prior to fill being brought on site. Fill requirements are outlined in CBC appendix J section J107 as adopted in MPMC Section 12.06.020.

u. No later than upon the submittal of a complete building permit application, prior to issuance of the foundation permit, approved soil management plans and work plans by the agency with jurisdiction over any remediation work is required to be submitted to the City for reference purposes. Any excavation related to soils remediation shall require issuance of a building permit from the City.

v. All approved vapor mitigation systems are to be included in building plans and submitted to the City for reference purposes prior to issuance of the foundation permit.

w. Each occupancy set forth in the Plans shall have the required fire protection systems, allowable building height and separations per Table 508.4 of the 2019 California Building Code (CBC) or whichever CBC is in effect at the time of building permit submittal. No later than upon the submittal of a complete building

LOCATION: 1350 Adams Court	**PROJECT NUMBER:** PLN20217-00120	**APPLICANT:** Tarlton Properties, Inc.	**OWNER:** Menlo Park Portfolio II, LLC

PROJECT CONDITIONS:

permit application, the Applicant shall include documentation the Plans have been reviewed and approved by the Menlo Park Fire District.

x. The complete building permit application shall include construction documents needed to identify the location of electric vehicle (EV) spaces as per 2016 Cal Green Code Chapter 5 and Menlo Park City Ordinance 12.18.0808-110. Construction documents need to show specific requirements outlined in 5.106.5.3.2. If an electric vehicle parking is supplied, then it will have to conform with the requirements of CBC 406.9, as well as accessibility (CBC 11B-228.3) of the CBC.

y. Prior to issuance of the demolition permit, the building permit application shall include pedestrian protection along the public right-of-way with sidewalks, as required per Section 3306 of the 2019 CBC or the CBC in effect at the time of submittal of a complete building permit application.

z. Prior the issuance of the demolition permit, the building permit application shall include details regarding protection of adjoining property, as required per Section 3307 of the 2019 CBC or the CBC in effect at the time of submittal of a complete building permit application.

aa. No later than upon the submittal of a complete building permit application, the Applicant shall submit and get approval of a construction waste management plan per City's ordinance 12.18.010. The construction waste management plan is subject to approval by the Building Official or their designee.

bb. The complete building permit application shall include details demonstrating that all sanitary sewer lines have a slope of at least 2% unless otherwise approved by the Building Official or their designee. The complete building permit application shall also demonstrate that all sewer lines are gravity feed to the sewer mains in the public right-of-way unless otherwise approved by the Building Official or their designee.

cc. The complete building permit application shall include details demonstrating that all slopes away from the building shall comply with Section 1804.4 of the 2019 CBC or the current CBC in effect at the time of submittal of a complete building permit application.

dd. As part of the complete building permit application the project shall show that accessible routes comply with the requirements of 11B-402.

ee. As part of the complete building permit application, the project shall demonstrate compliance that all low-emitting, fuel efficient and/or carpool/van pool vehicle parking meet the Cal Green 5.106.5.2 requirements.

ff. As part of the complete building permit application, the applicant shall include specific occupant loads and egress requirements for all courtyard and other outdoor use areas.

gg. The building is located in a flood zone and is required to meet all the applicable floor design criteria and final certification.

LOCATION: 1350 Adams Court	**PROJECT NUMBER:** PLN20217-00120	**APPLICANT:** Tarlton Properties, Inc.	**OWNER:** Menlo Park Portfolio II, LLC

PROJECT CONDITIONS:

hh. No later than upon the submittal of a complete building permit application, the Applicant shall submit plans for: 1) construction safety fences around the periphery of the construction area, 2) dust control, 3) air pollution control, 4) erosion and sedimentation control, 5) tree protection fencing, and 6) construction vehicle parking. The plans shall be subject to review by the Engineering, Planning, and Building Divisions and the City's Building Official or their designee shall approve the Plans subject to input by City staff. The safety fences, dust and air pollution control measures, erosion and sedimentation control measures, and tree protection measures shall be installed according to the approved plan prior to commencing construction and implemented throughout the duration of construction at the project site.

ii. No later than upon the submittal of a complete building permit application, the Applicant shall submit plans that include proposed measures to prevent erosion and polluted runoff from all site conditions, subject to review and approval of the Building Division. During construction, if construction is not complete by the start of the wet season (October 1 through April 30), the Applicant shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of soil onto public right-of-way; and covering/tarping stored construction materials, fuels, and other chemicals. A site specific winterization plan implemented during construction would be subject to review by the Engineering, Building, and Planning Divisions and subject to approval by the Building Official or their designee with input from City staff. The winterization plan would be in addition to the erosion control plan required in condition 1.hh.

Engineering Division Conditions

jj. Prior to building permit issuance, Applicant shall coordinate with Menlo Park Municipal Water (MPMW) to confirm the existing water mains and service laterals meet the domestic and fire flow requirements of the project. If the existing water main and service laterals are not sufficient as determined by MPMW, Applicant may, as part of the project, be required to construct and install new water mains and service laterals sufficient to meet such requirements.

i. If MPMW determines that the existing water main and service laterals are insufficient to meet the demand generated by the project, the Applicant shall enter into an Agreement for Completion of Development Improvements and provide a performance bond for the completion of the water main and associated improvements, as shown on the O'Brien Drive – Street Improvement Plan prepared by DES Engineers, dated August 3, 2021.

kk. Prior to building permit issuance, Applicant shall coordinate with West Bay Sanitary District to confirm the existing sanitary sewer mains and service laterals have sufficient capacity for the project. If the existing sanitary sewer mains and service laterals are not sufficient as determined by West Bay Sanitary District, Applicant may, as part of the project, be required to construct and install new sanitary sewer

LOCATION: 1350 Adams Court	**PROJECT NUMBER:** PLN20217-00120	**APPLICANT:** Tarlton Properties, Inc.	**OWNER:** Menlo Park Portfolio II, LLC

PROJECT CONDITIONS:

mains and service laterals sufficient to meet such requirements.

ll. All public right-of-way improvements shall be completed to the satisfaction of the Engineering Division prior to building permit final inspection.

mm. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit plans indicating that the Applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for the review and approval of the Engineering Division.

nn. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit plans indicating that the Applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for the review and approval of the Engineering Division.

oo. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit a “Stormwater Treatment Measures Operations and Maintenance (O&M) Agreement” for review and approval by the Engineering Division. With the executed agreement, the property owner is responsible for the operation and maintenance of stormwater treatment measures for the project. The agreement shall run with the land and shall be recorded with the San Mateo County Recorder’s Office prior to building permit final inspection.

pp. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit all applicable engineering plans for Engineering review and approval. The plans shall include, but are not limited to:

i. Existing Topography (NAVD 88’)
ii. Demolition Plan
iii. Site Plan (including easement dedications)
iv. Construction Parking Plan
v. Grading and Drainage Plan
vi. Utility Plan
vii. Erosion Control Plan / Tree Protection Plan
viii. Planting and Irrigation Plan
ix. Off-site Improvement Plan
x. Construction Details (including references to City Standards)

qq. During the design phase of the construction drawings, all potential utility conflicts shall be potholed and actual depths shall be recorded on the improvement plans.

rr. Simultaneous with the submittal of a complete building permit application, the Applicant's design professional shall evaluate the Project's impact to the City's storm drainage system and prepare a Hydrology Report to the satisfaction of the City Engineer. Post-construction runoff into the storm drain shall not exceed pre-construction runoff levels.

ss. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Storm Water Management Report that meets the requirements of the San Mateo County’s C.3 Stormwater Technical Guidance Manual.

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PROJECT CONDITIONS:

tt. The Project Stormwater Management Plan shall incorporate trash capture measures such as screens, filters or CDS/Vortex units to address the requirements of Provision C.10 of the Regional Water Quality Control Board (RWQCB) Municipal Regional Permit (MRP). The Stormwater Management Plan shall be reviewed and approved by the Engineering Division prior to building permit issuance (grading and utilities phase).

uu. Simultaneous with the submittal of a complete building permit application, the Applicant shall provide documentation indicating the amount of irrigated landscaping. If the project proposes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Submittal of a detailed landscape plan would be required concurrently with the submittal of a complete building permit application.

vv. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

ww. If construction is not complete by the start of the wet season (October 1 through April 30), the Applicant shall implement a winterization program to minimize the potential for erosion and sedimentation. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions shall be submitted for review and approval of the Engineering Division prior to beginning construction.

xx. Prior to issuance of the first building permit, the applicant shall submit plans for construction related parking management, construction staging, material storage and Traffic Control Handling Plan (TCHP) to be reviewed and approved by the Transportation, Engineering, Planning, and Building Divisions. The applicant shall secure adequate parking for any and all construction trades, until the parking podium is available on the project site. The plan shall include construction phasing and anticipated method of traffic handling for each phase. The plan shall include construction phasing and anticipated method of traffic handling for each phase. The existing sidewalk and bike lanes or an acceptable pedestrian and bicycle pathways along project's frontage shall be provided during all construction phases except when the new sidewalk is being constructed.

yy. All Public Works fees are due prior to issuance of building permit. Refer to City of Menlo Park Master Fee Schedule.

zz. Simultaneous with the submittal of a complete building permit application, the applicant shall submit engineered Off-site Improvement Plans for approval by the City Engineer, showing the infrastructure necessary to serve the Project. The Off-Site Improvements Plan shall include all improvements within public right-of-way including curb, gutter, sidewalks, street trees, street lights, and undergrounding of overhead electric distribution lines, water and sanitary sewer.

LOCATION: 1350 Adams Court	**PROJECT NUMBER:** PLN20217-00120	**APPLICANT:** Tarlton Properties, Inc.	**OWNER:** Menlo Park Portfolio II, LLC

PROJECT CONDITIONS:

aaa. If existing utilities are in conflict with required frontage improvements, the utilities must be relocated at the Applicant's expense.

bbb. Prior to Building Permit issuance, the Applicant shall enter into an Agreement for Completion of Development Improvements and provide a performance bond for the completion of the off-site improvements as shown on the approved Off-site Improvement Plans. The Applicant shall obtain an encroachment permit, from the appropriate reviewing jurisdiction, prior to commencing any work within the right-of-way or public easements.

ccc. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit a heritage tree preservation plan, detailing the location of and methods for all tree protection measures.

ddd. The project is in Flood Zone AE and must be designed and constructed in compliance with current FEMA regulations, the City's Flood Damage Prevention Ordinance, and the MPMC 16.45.130(4) (Hazard mitigation and sea level rise resiliency).

eee. Concurrent with the building permit submittal, the Applicant shall submit a FEMA Condition Letter of Map Revision-Fill (CLOMR-F) application to the Public Works Department for review and approval. In accordance with the National Flood Insurance Program (NFIP), Section 65.5, the Applicant shall prepare supporting data, including relevant hydraulic and hydrologic analyses, delineation of floodplain boundaries and all other information required by FEMA to review and evaluate the request for a CLOMR-F. Upon receiving City approval, the Applicant shall submit the CLOMR-F application to FEMA.

fff. Prior to issuance of the building permit the Applicant shall obtain a CLOMR-F from FEMA.

ggg. The Applicant shall submit an elevation certificate to the Engineering Division prior to final signoff of the foundation inspection.

hhh. When construction is complete, appropriate as-built data must be supplied to FEMA for a permanent LOMR-F to be issued.

iii. For construction activity resulting in a land disturbance of one acre or more, Applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board under the Construction Activities Storm Water General Permit (General Permit). The NOI indicates the Applicant's intent to comply with the San Mateo Countywide Stormwater Pollution Prevention Program, including a Stormwater Pollution Prevention Plan (SWPPP).

jjj. Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality, in accordance with the approved Stormwater Pollution Prevention Plan (SWPPP). BMP plan sheets are available electronically for inserting into Project plans.

kkk. Prior to construction, the Applicant shall file and obtain a VOC and Fuel Discharge Permit with the San Francisco Bay Regional Water Quality Control Board as necessary for groundwater discharge. All groundwater discharge to the City storm

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drain during construction shall be approved to the satisfaction of the Public Works Department prior to commencement of work. The City may request, at the behest of the Public Works Department, additional narratives, reports, or engineering plans to establish compliance with state and local regulations prior to approval. Similarly, any discharge to the City's Sanitary Sewer system shall be approved to the satisfaction of West Bay Sanitary District, with proof of acceptance, prior to commencement of work.

lll. The project frontage along Adams Court and Adams Drive shall receive an asphalt concrete overlay at the completion of improvements. Existing striping, markings, and legends shall be replaced in kind, or as modified by the City Engineer.

mmm. Prior to final occupancy of the building, any frontage improvements which are damaged as a result of construction will be required to be replaced.

nnn. The Applicant shall retain a civil engineer to prepare "as-built" or "record" drawings of public improvements, and the drawings shall be submitted in AutoCAD and Adobe PDF formats to the Engineering Division.

2. The architectural control and use permit shall be subject to the following ***project-specific*** conditions:

Planning Division Conditions

a. No later than upon the submittal of a complete building permit application, the Applicant shall enroll in EPA Energy Star Building Portfolio Manager. Prior to issuance of a final certificate of occupancy, the Applicant shall submit documentation showing compliance to the satisfaction of the Planning and Building Divisions.

b. No later than upon the submittal of a complete building permit application, the applicant shall submit an updated LEED Checklist, subject to review and approval of the Planning Division. The Checklist shall be prepared by a LEED Accredited Professional (LEED AP). The LEED AP shall submit a cover letter stating their qualifications, and confirm that they have prepared the Checklist and that the information presented is accurate. Confirmation that the project conceptually achieves LEED Gold certification shall be required before issuance of the superstructure building permit. Prior to final inspection of the building permit or as early as the project can be certified by Green Business Certification, Inc. on behalf of the United States Green Building Council, the project shall submit verification that the development has achieved final LEED Gold certification. Occupancy and/or final inspection can be granted with an agreed upon timeline for final certification between the City and the Applicant.

c. No later than upon the submittal of a complete building permit application and prior to issuance of the demolition permit, the Applicant shall submit a zero-waste management plan to the City, which will cover how the Applicant plans to minimize waste to landfill and incineration in accordance with all applicable state and local regulations, including compliance with the requirements of Chapter 16.45.130(5)(A) of the Zoning Ordinance. Applicants shall show in their zero-waste

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plan how they will reduce, recycle and compost wastes from occupancy phases of the building. Zero Waste plan elements shall include the property owner's assessment of the types of waste to be generated during occupancy, and a plan to collect, sort and transport materials to uses other than landfill and incineration. The plan shall be subject to the satisfaction of the Sustainability Manager or their designee.

d. Prior to issuance of superstructure building permit, the Applicant shall submit plans and supporting documentation to the Building and Planning Divisions documenting that the project meets one hundred percent of its energy demand (electricity and natural gas if natural gas use is approved), as required by Chapter 16.45.130(2) of the Zoning Ordinance, through the combination of the following measures and to the satisfaction of the Building and Planning Divisions:

i. On-site energy generation;

ii. Purchase of 100% renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the project;

iii. Purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the project;

iv. Purchase of certified renewable energy credits and/or certified renewable energy off-sets annually in an amount equal to the annual energy demand of the project.

If a local amendment to the California Energy Code is approved by the California Energy Commission (CEC), the following provision becomes mandatory:

The project will meet one hundred percent (100%) of energy demand (electricity and natural gas if natural gas use is approved) through a minimum of 30% of the maximum feasible on-site energy generation, as determined by an On-Site Renewable Energy Feasibility Study and any combination of measures ii to iv above. The On-Site Renewable Energy Feasibility Study shall demonstrate the following cases at a minimum: 1. Maximum on-site generation potential. 2. Solar feasibility for roof and parking areas (excluding roof mounted HVAC equipment). 3. Maximum solar generation potential solely on the roof area.

e. Following issuance of the certificate of occupancy, the Applicant shall submit an annual report on 1st January of every year demonstrating that tenants and occupants of the building on site purchased or used 100% renewable energy to the Community Development Director of their designee for their review. Should there be a case where not 100% of tenants are using renewable energy, then the Applicant shall identify what non-renewable energy usage was offset with renewable energy in the community or with credits in the annual report.

f. No later than upon the submittal of a complete building permit application and prior to issuance of the superstructure building permit, the project design shall incorporate

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dual plumbing for internal use of future recycled water to the satisfaction of the Building Division.

g. No later than upon the submittal of a complete building permit application and issuance of the superstructure building permit, the Applicant shall submit updated water budgets and accompanying calculations following the methodology approved by the City and consistent with submitted building permit plans. The water budget and calculations shall be reviewed and approved by the City's Public Works Director prior to certification of occupancy. On January 1 of the year following the first full calendar year after the date of occupancy, the building owner shall submit data and information sufficient to allow the city to compare the actual water use to the allocation in the approved water budget. In the event that actual water consumption exceeds the water budget, a water conservation program, as approved by the city's Public Works Director, shall be implemented. Twelve (12) months after City approval of the water conservation program, the building owner shall submit data and information sufficient to allow the city to determine compliance with the conservation program. If water consumption exceeds the budgeted amount, the city's Public Works Director may prohibit the use of water for irrigation or enforce compliance as an infraction pursuant to Chapter 1.12 until compliance with the water budget is achieved.

h. During all phases of construction, potable water shall not be used for dust control.

i. Prior to final inspection, occupancy sensors or other switch control devices shall be installed on nonemergency lights and shall be programmed to shut off during non-work hours and between ten (10) p.m. and sunrise, as required by Section 16.44.130(6)(C) of the Zoning Ordinance.

j. Prior to issuance of the certificate of occupancy, the Applicant shall construct the publicly accessible open space for the project to the satisfaction of the Building, Engineering, Planning, and Transportation Divisions.

k. During all phases of construction and after final inspection for the life of the project, rodenticides shall not be used on the property in accordance with Section 16.44.130(6)(G) of the Zoning Ordinance.

l. The applicant shall diligently pursue the project's construction through to completion, and, if at any point after building permits have been issued, the applicant abandons construction and the building permits expire, the applicant shall demolish the uncompleted portions of the project and restore the site to rough grade condition and shall take reasonable measures to protect public health and safety, protect the building structure from the elements, screen unsightly elements from view (such as fencing, painting or attractive screens or coverings), and maintain temporary landscaping, to the satisfaction of the Planning Division.

m. If the applicant leaves any work of construction in an unfinished state for more than seven (7) consecutive days, applicant shall keep the construction site clean and properly secured per best management standards and to the satisfaction of the Building and Engineering Divisions.

n. If the applicant leaves any work of construction in an unfinished state for more than one hundred and twenty (120) consecutive days, applicant shall take reasonable

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measures to protect public health and safety, protect the building structure from the elements, screen unsightly elements from view (such as fencing, painting or attractive screens or coverings), and maintain temporary landscaping, to the satisfaction of the Planning Division.

o. Utility equipment shall meet the requirements of Chapter 16.44.120(6)(B) of the Menlo Park Zoning Ordinance. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping, subject to review and approval of the Planning, Engineering, and Building Divisions.

p. Heritage trees to remain in the vicinity of the construction project shall be protected during the entire construction phase, pursuant to the Heritage Tree Ordinance and the arborist report prepared by Arbor Resources, dated March 5, 2021. Tree protection zone shall be established and perimeter fence shall be erected prior to commencement of any construction activity on site including but not limited to demolition, rough grading, etc.

q. Heritage tree replacements, required as part of the approval of heritage tree permit HTR2021-00064, shall be planted on the project site to the satisfaction of the City Arborist and Planning Division prior to final building permit inspection.

r. Prior to issuance of the superstructure building permit, the applicant shall enter into a Payment In-Lieu of Taxes Agreement ("PILOT Agreement") with the City of Menlo Park and shall record the executed PILOT Agreement in the San Mateo County Recorder's office. The PILOT Agreement shall require that in the event Owner or any of its operators or lessees or its and their successors or assigns applies for and is granted a "welfare exemption" pursuant to Section 214 of the California Revenue and Taxation Code, or any successor provision, or any other exemption from the payment of real or personal property taxes of any nature, Owner shall pay annually to the City a payment in lieu of taxes in an amount equal to the portion of the real and personal property tax levy the City would have received but for the exemption as determined by the City and as increased annually by the amount permitted under the provisions of Article XIIIA, Section 2, of the California Constitution. The PILOT Agreement shall run with the land.

s. Prior to the issuance of the building permit for the superstructure, the Applicant shall pay a community amenities in-lieu fee in the amount of $16,115,000.

t. No later than upon the submittal of a complete building permit application and prior to issuance of the foundation building permit, the Applicant shall submit a plat and legal description and proposed form of irrevocable easement agreement for public utilization of the Publicly Accessible Open Space to the satisfaction of the Public Works Director and City Attorney. The form of irrevocable easement shall ensure, to the satisfaction of the City, that the Applicant has reasonable control over the Publicly Accessible Open Space and that the Publicly Accessible Open Space is accessible to the general public, in perpetuity during reasonable hours of each day of the week, which may be determined by the Applicant provided that the Publicly Accessible Open Space shall be open to the public at least between sunrise and thirty minutes past sunset.

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u. Prior to the issuance of the building permit for the superstructure, the Applicant shall enter into an agreement with the City for the deferred construction of a 10-foot-wide portion of a paseo along the western property line in the event that the full 20-foot-wide paseo is not constructed as part of the Willow Village project. The agreement shall be reviewed and approved by the Planning Division and City Attorney.

v. Prior to the issuance of the building permit for the foundation, the Applicant shall pay the Below Market Rate Housing in-lieu fee in the amount of $5,398,314.24.

Transportation Division Conditions

w. All public right-of-way improvements, including frontage improvements, shall be completed to the satisfaction of the Engineering Division and Transportation Division prior to the granting of occupancy. The Applicant shall notify the Transportation Division prior to commencing design for each intersection, to avoid duplicating efforts started by the City and/or other development projects.

x. Prior to issuance of any building permit, the Applicant shall pay the transportation impact fee (TIF). Such fee includes:

The TIF is estimated to be $2,423,200.00. This was calculated by multiplying the fee of $9.32 per square feet (s.f.) of research and development space by 260,000 s.f.. Fees are due prior to issuance of the first building permit and subject to adjustment on July 1st of each year based on the ENR Construction Cost Index % for San Francisco.

y. For intersection improvements requiring Caltrans' approval, simultaneous with the building permit submittal, the Applicant shall provide complete plans to install improvements, including all work in the Caltrans right-of-way. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The plans are subject to review by the City. After receiving approval for the improvements plans, the Applicant shall submit the improvement plans to Caltrans and request encroachment permit approvals.

z. The Applicant shall submit complete plans for construction of improvements to the City prior to issuance of building permit. The Applicant shall construct all improvements prior to occupancy, upon obtaining final approval from the City and Caltrans.

aa. In order to overcome shortfalls in level of service created by the Project, the Applicant shall perform, construct and complete, at the Applicant's own expense, certain transportation improvements, prior to issuance of certificate of occupancy for the Project. The Applicant shall submit documented costs, including design, engineering, and permitting costs, to the Director of Public Works or designee of said transportation improvements and the Applicant shall be entitled to credit and/or reimbursement for said transportation improvements pursuant to MPMC 13.26.80, should the final expenses for improvements included in the TIF program

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exceed the Project TIF payment. If the final expenses to the Applicant for the required intersection improvements included in the City's TIF program exceed the Project's TIF payment, the City and the Applicant shall enter into a reimbursement agreement, which will provide for the Applicant to be reimbursed by the City from available TIF revenues.

bb. The transportation improvements shall include all near term intersection improvements and cumulative intersection fair share contributions identified below. Applicant shall enter into an improvement agreement with the City memorializing the terms for performance, construction, and completion of the transportation improvements.

i. Under the Near Term Scenario, the proposed intersection improvement at the intersection of University Avenue and Adams Drive is to install a traffic signal This improvement is included in the City's TIF program and located within the City of East Palo Alto. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit complete plans to the City of East Palo Alto and Caltrans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to striping modifications and a detailed cost estimate. The plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the Applicant shall construct the improvements prior to the granting of occupancy. If East Palo Alto and/or Caltrans approval has not been obtained or intersection improvements have not been completed prior to occupancy of the first building, but the applicant demonstrates that it has worked diligently to pursue agency approvals and completion of construction to the satisfaction of the Director of Public Works or designee, the applicant shall continue to pursue approval and construction for a period of five years from the date of issuance of the first building permit. If the applicant continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval or been able to construct the improvement, then the applicant shall be relieved of responsibility to construct the improvement and the bond shall be released by the City of Menlo Park.

ii. Under the Near Term scenario, the proposed intersection improvement at the intersection of Willow Road and Newbridge Street is to modify signal timing to a protected left-turn phasing operation on Newbridge Street. Provide a leading left-turn phase on southbound Newbridge Street and a lagging left-turn phase on northbound Newbridge Street and optimize the signal timing. This improvement was studied and is included in the City's TIF program. The proposed improvement would require Caltrans and City of East Palo Alto approval. Signal and other electrical utilities and equipment will also require modification. Note this improvement has been initiated. The applicant shall consult with the City for direction prior to proceeding to the next step. Simultaneous with the submittal of a complete building permit application, the applicant shall submit complete plans for this improvement. Complete plans shall include all necessary requirements to construct the improvements, including but not limited to, grading and drainage improvements, utility relocations, tree protection requirements, striping modifications, and a detailed cost estimate. The

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plans are subject to review by the City. Upon obtaining approval from the Director of Public Works or designee, the applicant shall construct the improvements prior to occupancy of the first building. If East Palo Alto and/or Caltrans approval has not been obtained or intersection improvements have not been completed prior to occupancy of the first building, but the applicant demonstrates that it has worked diligently to pursue agency approvals and completion of construction to the satisfaction of the Director of Public Works or designee, the applicant shall continue to pursue approval and construction for a period of five years from the date of issuance of the first building permit. If the applicant continues to work diligently to the satisfaction of the Director of Public Works or designee, but has not yet obtained approval or been able to construct the improvement, then the applicant shall be relieved of responsibility to construct the improvement and the bond shall be released by the City of Menlo Park.

iii. Under the Near Term scenario, the intersections of US 101 Northbound Off-Ramp/University Plaza Driveway and Donohoe Street, US 101 Northbound On-Ramp and Donohoe Street, and University Avenue and Woodland Avenue is expected to operate unacceptably according to the thresholds established by the City of East Palo Alto. The City of East Palo Alto has identified improvements along Donohoe Street as part of a planned coordinated signal system that includes intersections at University Avenue/Donohoe Street, the US 101 northbound off-ramp/Donohoe Street, Cooley Avenue/Donohoe Street, University Avenue/the US 101 southbound off-ramp, and University Avenue/Woodland Avenue. These improvements would reduce the project's adverse effect on traffic operations. The fair share contribution for these intersection improvements are calculated as 1.8% for University Avenue and Donohoe Street and 0.3% for US 101 Northbound On-Ramp and Donohoe Street. The fair share contributions shall be paid to the City of Menlo Park prior to the issuance of a building permit. If these funds are not used within a 5-year period, the Applicant may request the funds be returned from East Palo Alto.

cc. Prior to issuance of any project-related building permit and within each construction phase, the Applicant shall submit plans for construction related parking management, construction staging, material storage and Traffic Control Handling Plan (TCHP) to be reviewed and approved by the City. The Applicant shall secure adequate parking for any and all construction trades. The plan shall include construction phasing and anticipated method of traffic handling for each phase. Acceptable pedestrian and bicycle pathways along the project's frontage shall be provided during all construction phases except when the new sidewalk is being constructed.

dd. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit a Transportation Demand Management (TDM) plan consistent with the plan outlined in the Final Environmental Impact Report. Any changes to the plan are subject to review and approval by the City prior to occupancy. On January 1 of the year following the first full calendar year after the date of occupancy, or as otherwise designated in the Zoning Ordinance, the

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Applicant shall submit an Annual Monitoring Report to determine that implementation of the TDM plan is effective in reaching the trip reduction requirements established in the Zoning Ordinance and incorporated into the approved TDM plan. The monitoring report shall be submitted annually to the City's Transportation Division. If the subject site is not in compliance with the anticipated trip reductions from the TDM program, the Applicant shall submit a detailed mitigation and monitoring plan identifying steps to be taken to bring the project site into compliance with the maximum Daily, AM and PM trips identified in the trip generation analysis and TDM program.

KEYSER MARSTON ASSOCIATES

HOUSING NEEDS ASSESSMENT
1350 ADAMS COURT PROJECT

Prepared for:
City of Menlo Park

Prepared by:
Keyser Marston Associates, Inc.

July 2021

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APPENDICES

1.0 EXECUTIVE SUMMARY

This Housing Needs Assessment (HNA) provides an analysis of the housing needs associated with the proposed 1350 Adams Court Project (Project) in the City of Menlo Park (City). The HNA provides an estimate of increased demand for housing from the proposed Project and evaluates the potential that the proposed Project could contribute to displacement of existing residents within the City of East Palo Alto (East Palo Alto) and the Belle Haven neighborhood of Menlo Park (Belle Haven), two proximate communities identified as having risk factors for displacement. The HNA is part of a range of analyses provided to decision makers and the community to inform and assist in the decision-making and entitlement process for the proposed Project. Preparation of this HNA is required under the terms of a 2017 Settlement Agreement between the cities of Menlo Park and East Palo Alto, but is not required by the California Environmental Quality Act (CEQA)[1].

The proposed Project would include a new 260,400 gross square foot (gsf) building for life science research and development (R&D) on the Project site adding an estimated 650 new jobs. No changes are proposed to the existing building also located on the Project site. A summary of the proposed Project is provided in Table 1-1, below.

Table 1-1. Project Summary

Existing Building (1305 O'Brien Drive)	188,100	gsf
New Building (1350 Adams Court)	260,400	gsf
Total building area (existing + new)	448,500	gsf
Added Employment at 1350 Adams Court	650	employees

Source: 1350 Adams Court Project, Draft EIR Project Description
Note: building area excludes proposed parking structure

Jobs / Housing Analysis / Demand for Housing

New jobs associated with the proposed Project would result in new worker households who would need housing somewhere within commuting distance to Menlo Park. Using the average number of workers per worker household[2] in San Mateo County ("County"), which is 1.91, the

[1] In 2016, the City updated its General Plan, specifically the land use and circulation elements, commonly referred to as ConnectMenlo. The City completed and certified a program level EIR for ConnectMenlo, which determined that there would be a less than significant impact on population and housing, except cumulative impacts projected to be reduced to less than significant following an update of ABAG regional forecasts. Pursuant to the terms of the 2017 City of East Palo Alto v. City of Menlo Park Settlement Agreement, which settled the lawsuit regarding the ConnectMenlo EIR, preparation of this HNA is required.

[2] Households that have at least one member of the workforce are considered worker households.

number of new worker households associated with the proposed Project is estimated at 341, which represents a need for 341 additional housing units.

Table 1-2. Increase in Employees and Households	
Increase in Employees	650
Increase in Employee Households (at 1.91 workers per household)	341

Keyser Marston Associates (KMA) estimated how many of the 341 additional housing units would be needed at each of six housing affordability or income levels, using a combination of data sources including U.S. Bureau of Labor Statistics occupation and wage data and U.S. Census data.

The following six affordability or income tiers are addressed, each expressed in relation to local Area Median Income (AMI):

- Extremely Low Income – households up to 30% of AMI;
- Very Low Income – households over 30% up to 50% of AMI;
- Low Income – households over 50% up to 80% of AMI;
- Moderate Income – households over 80% up to 120% of AMI;
- Above Moderate Income – households over 120% up to 150% of AMI; and
- Over 150% of AMI – households above 150% of AMI.

According to the California Department of Housing and Community Development (HCD), the AMI for a family of four in San Mateo County, is $149,600 as of 2021. Section 3 provides income limits applicable to each of the identified income categories. The affordability categories from 0% through 120% AMI reflect those addressed by statewide housing programs such as the Regional Housing Needs Allocation (RHNA) process. In addition, the Above Moderate Income tier is included in the analysis for consistency with HNAs prepared for prior projects in Menlo Park and to provide decision makers with information regarding a broad spectrum of housing affordability levels. Above Moderate Income households also face affordable housing challenges in Menlo Park as well as in the broader Bay Area. In fact, due to the high cost of housing, housing affordability challenges also extend to households earning over 150% of AMI[3], particularly in the for-sale housing market. The Over 150% of AMI category captures households with incomes that exceed 150% AMI and includes all households not included within one of the other income categories.

[3] An income of approximately 221% of AMI, is estimated to be needed to afford the median priced home in Menlo Park. The median priced home in Menlo Park is $2.35 million based on home sales from December 2019 through December 2020 from real estate data service provider CoreLogic. Estimates assume a down payment of 30% based on the median down payment for home purchases with a mortgage in Menlo Park estimated from CoreLogic data during this period, 35% of income spent on housing, and a mortgage interest rate of 3.1% based on the average 30-year fixed mortgage rate from January through December 2020 from Freddie Mac Primary Mortgage Market Survey.

The analysis uses national data on worker occupations by industry paired with local compensation data applicable to San Mateo County. Worker occupations are specific to the industry codes for life sciences research and development[4] as well as building services such as maintenance and janitorial. Census data is used extensively. Table 1-3 presents the results of the analysis of the number of employee households at each housing affordability level who would require housing within commuting distance of Menlo Park.

Table 1-3. Estimated Total Housing Needs Within Commuting Distance

	Total	Percent
Extremely Low Income	8	2.3%
Very Low Income	24	7.0%
Low Income	68	19.9%
Moderate Income	61	17.9%
Subtotal: 0% to 120% AMI	161	47.2%
Above Moderate Income	69	20.2%
Subtotal: 0% to 150% AMI	230	67.4%
Over 150% AMI	111	32.6%
Total Employee Households	**341**	100.0%

Of the 341 total employee households, approximately 2.3% of households are estimated to fall into the Extremely Low Income tier (under 30% AMI), 7% into the Very Low Income tier (30% to 50% AMI), 19.9% into the Low Income tier (50% to 80% AMI) and 17.9% into the Moderate Income tier (80% to 120% AMI). Combined, 161 units of need are projected for Extremely Low, Very Low, Low and Moderate Income households. Because the AMI for a family of four is $149,600, families of four earning 120% of AMI would earn $179,500 per year. Therefore, four-person households earning $179,500 per year or less will be included in one of the Extremely Low, Very Low, Low, or Moderate-Income categories based on the most recent income criteria available from the California Department of Housing and Community Development (HCD)[5]. Many of the workers within the research and development sector have compensation levels of $179,500 per year or below based on compensation data for San Mateo County summarized in Appendix A Table 2. These include maintenance, security, janitorial, research technicians, administrative, engineering, life sciences and others with the exception of some management-level positions. Based on this compensation data it is estimated that approximately 47% of workers would fall into one of the income categories from 0% to 120% of AMI, primarily workers in households that do not have multiple earners, as is the case for approximately 43% of working households living in San Mateo County[6]. Of these one-worker households, approximately one third consist of single-person households and two thirds have other non-

[4] North American Industrial Classification System (NAICS) industry codes used in the analysis are: NAICS code 541710: Research and Development in the Physical, Engineering, and Life Sciences; NAICS code 561700: Services to Buildings and Dwellings, and NAICS code 561600: Investigation and Security Services.

[5] See Table 3-1 for more information about the income criteria used in the analysis.

[6] KMA analysis of 2015 to 2019 U.S. Census American Community Survey data for San Mateo County.

working household members such as a partner and/or children[7]. See Table 3-5 for more information regarding the distribution of worker household sizes by number of workers in the household.

Approximately 53% of all employee households are estimated to exceed 120% of AMI, which reflects the generally higher compensation levels characteristic of employees working in research and development and the fact that over half are estimated to live in households with multiple earners. For employee households earning over 120% of median, an estimated 69 units of need are estimated in the Above Moderate Income category (120% to 150% AMI), representing approximately 20.2% of the total, and 111 units of need are estimated in the Over 150% AMI tier. The Over 150% AMI Income tier is estimated to be the largest income category representing approximately 33% of total housing need.

Menlo Park Share of Total Housing Need

According to the U.S. Census 2015-2019 American Community Survey (ACS), 5.9% of those who currently work in the City of Menlo Park also live in the City of Menlo Park. This has declined since the 2000 Census which showed that 7.2% of those who work in Menlo Park live in the City. This share is low compared to most other cities in the Bay Area,[8] attributable to a range of factors such as affordability constraints that already limit workers' ability to find housing within the City and the large number of jobs in Menlo Park relative to the size of the housing stock. Another contributing factor is the location and boundary configuration of the City making many other jurisdictions within a short commute distance.

The Project site is located within the existing Menlo Park Labs campus that is occupied by other R&D tenants. The share of current Menlo Park Labs workers who live in Menlo Park is estimated at 3.8%[9], significantly below the overall average of 5.9% of Menlo Park workers that both live and work in the City per the U.S. Census. This variance in commute patterns between Menlo Park Labs workers and other Menlo Park workers probably reflects its location accessible to the Dumbarton Bridge and U.S. Highway 101 with shuttle services to San Francisco, Caltrain and BART, which make it more accessible to the regional labor pool and more conducive to commuting. Further, many factors influence how people select where to live, including, but not limited to, weather, family, community and cultural factors, housing affordability, quality of schools, access to employment and unit type.

To estimate Menlo Park's share of the total housing need from the proposed Project, the analysis considers three scenarios, a lower estimate, a higher estimate, and a goal-based estimate of the percent of workers likely to seek and find housing within the City:

[7] KMA analysis of 2015 to 2019 U.S. Census American Community Survey data for San Mateo County.
[8] See Appendix A Table 5 for comparable information for other cities.
[9] Estimated based on data provided by Project Sponsor for three existing tenants.

1. ***Lower Estimate of Commute Share at 3.8%*** *(based on Project Sponsor data):* The lower estimate reflects commute patterns for three existing tenants at the Menlo Park Labs campus. Using this approach, approximately 3.8% of workers at the proposed Project are estimated to reside within the City of Menlo Park.

2. ***Higher Estimate of Commute Share at 5.9%*** *(based on City-wide average):* The higher estimate is based on U.S. Census data, which indicates that the existing City-wide average share of Menlo Park's workforce that lives in the City is approximately 5.9%. The rationale for including the higher estimate is that the City-wide average may be more representative depending on the tenant that occupies the building. There may also be a potential for a higher share of Project workers to live locally given the planned development of additional housing options in the vicinity.

3. ***Goal-Based Commute Share Estimate at 20%*** *(based on 2000 Nexus Study):* The City Council has expressed an interest in improving the jobs housing balance and obtaining data to inform the goal of increasing the number of workers who live and work in Menlo Park. Therefore, for informational purposes, the report provides an additional goal-based estimate of housing units in Menlo Park based on a 20% commute share, which was a goal identified in the City's 2000 Commercial Linkage Fee Nexus Study. The possibility that availability and affordability of housing have contributed to a downward trend in Menlo Park's commute share is a primary reason for including this additional goal-based commute share estimate.

The percent of workers residing locally with the lower, higher, and goal-based commute share estimates were applied to the total housing need to calculate the number of workers in the proposed Project that are estimated to seek and find housing in Menlo Park (e.g., 341 total demand X 3.8% = 13 units in Menlo Park). By this method, Menlo Park's share of the total housing need ranges from 13 units with the lower estimate, 20 units with the higher estimate and 68 units with the goal-based commute share estimate. Table 1-4, below, summarizes the estimated number of new workers in the proposed Project who would seek and find housing in Menlo Park by income tier.

Table 1-4. Estimated Menlo Park Share of Total Housing Needs*			
	Lower Estimate of Commute Share (3.8%)	**Higher Estimate of Commute Share (5.9%)**	**Goal-Based Commute Share Estimate (20%)**
Extremely Low Income	0	0	1
Very Low Income	1	1	5
Low Income	3	4	14
Moderate Income	2	4	12
Subtotal: 0% to 120% AMI	6	9	32
Above Moderate Income	3	4	14
Subtotal: 0% to 150% AMI	9	13	46
Over 150% AMI	4	7	22
Total Employee Households	**13**	**20**	**68**

* Assumes distribution by income consistent with total housing need per Table 1-3.

With the lower estimate, of the 13 units of need projected, 6 units are estimated to fall within the Very Low, Low and Moderate Income tiers and 3 units are projected for the Above Moderate tier. The remaining 4 units are projected within the Over 150% AMI tier. No units are estimated within the Extremely Low Income tier because application of the commute shares to the estimated regional housing demand within the Extremely Low tier results in a fraction of a unit which rounds down to zero.

With the higher estimate, of the 20 units of need projected, 9 units fall within the affordable income tiers through 120% of AMI and an additional 4 units are projected in the Above Moderate tier, through 150% of AMI. The remaining 7 units are projected within the Over 150% AMI tier.

With the goal-based commute share estimate, of the 68 units of need projected, 32 units fall within the affordable income tiers through 120% of AMI and an additional 14 units are projected in the Above Moderate tier, through 150% of AMI. The remaining 22 units are projected within the Over 150% AMI tier.

The percentage factors used to estimate the Menlo Park share of housing need are applied uniformly across each of the income tiers. The actual distribution by income tier in Menlo Park would likely vary from these estimates based on factors such as the existing housing stock, limited availability of affordable units, and the future production of market rate and affordable units in Menlo Park.

The projected Menlo Park share of the total housing need of between of 13 and 68 units is well within the 2,946 total units proposed to be assigned to Menlo Park under the Draft Regional

Housing Needs Allocation (RHNA) process for the upcoming 2023 to 2031 planning period[10]. The projected Menlo Park share is also well within the 655 total units assigned to Menlo Park for the current RHNA cycle covering the 2014 to 2023 planning period; the City had already issued permits for 1,416 units as of 2020, which is 761 units more than the RHNA target, and had met approximately 47% of production targets for Very Low, Low, and Moderate Income, with 239 units permitted of the 505-unit total RHNA allocation for these three income categories[11]. In addition, several housing developments are currently going through the entitlement process or were recently approved in the vicinity of the proposed Project including the Menlo Uptown Project with 483 units, Menlo Portal Project with 335 units, 111 Independence Drive with 105 units, Menlo Flats with 158 units, 123 Independence with 383 units, and Willow Village with 1,729 units, for a combined total of over 3,000 new units in the vicinity. All the proposed new residential development projects include on-site Below Market Rate (BMR) units in compliance with the City's 15% BMR affordable housing requirement. Therefore, it is anticipated that the additional housing need of 13 to 68 units in Menlo Park would be absorbed through future housing construction in the City.

Displacement Analysis

Displacement occurs when housing or neighborhood conditions force existing residents to move or households feel like their move is involuntary. Displacement can be caused by a range of physical, economic and social factors including but not limited to foreclosure, condominium conversion, building deterioration or condemnation, increased taxes, natural disasters, eminent domain and increases in housing costs[12, 13, 14]. The HNA is focused on economic drivers of displacement, specifically the potential for the proposed Project to affect the local housing market and contribute to increasing housing costs, although these economic drivers may also be associated with physical or social factors.

While displacement is not an impact for the purposes of the California Environmental Quality Act (CEQA), displacement has become an increasing regional concern in the Bay Area. A map produced by the Urban Displacement Project, a research and action initiative of UC Berkeley that aims to understand and describe the nature of gentrification and displacement, identifies

[10] Draft Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031, May 2021. Association of Bay Area Governments.

[11] Menlo Park 2020 Housing Element Annual Progress Report.

[12] Center for Community Innovation (2020). Investment and Disinvestment as Neighbors, A Study of Baseline Housing Conditions in the Bay Area Peninsula.

[13] Zuk, M. et. al. 2017. Gentrification, Displacement, and the Role of Public Investment. Journal of Planning Literature. Journal of Planning Literature 1-14.

[14] Bradshaw, K. (2019). Uneven Ground: How unequal land use harms communities in southern San Mateo County. Palo Alto Online. https://paloaltoonline.atavist.com/uneven-ground.

numerous communities as undergoing displacement or at risk of displacement that extend from San Francisco down the Peninsula to many neighborhoods in San Jose and the East Bay.

The displacement analysis addresses the potential for the proposed Project to contribute to displacement of existing residents in two nearby communities, East Palo Alto and Belle Haven. These communities have risk factors for displacement based on their relatively lower-income existing population that includes a high percentage of households who spend 35% or more of their income on housing. They are identified by the Urban Displacement Project[15] as experiencing on-going gentrification and/or displacement or being at risk of displacement. Another recent study of baseline housing conditions in Belle Haven, East Palo Alto, and North Fair Oaks neighborhood, prepared by the UC Berkeley Center for Community Innovation and its Y-PLAN initiative, identified similar conclusions[16].

The cost of housing in East Palo Alto and Belle Haven has been increasing rapidly, consistent with trends for the County and the greater Bay Area, which contribute to displacement pressures. These increases in housing costs partly reflect recovery from a decrease in housing prices during the housing market downturn and foreclosure crises during roughly the 2007 to 2012 period. However, during the subsequent economic expansion, the housing market moved well past its prior peak in 2006, although rental housing market conditions have weakened somewhat over the past year due to the economic recession caused by the global pandemic. The displacement analysis component of the HNA evaluates the potential for the proposed Project to be a contributing factor to displacement pressures in East Palo Alto and Belle Haven by evaluating:

1) Housing demand in the two communities from Project workers; and
2) Potential indirect influence on housing prices and rents.

Potential displacement due to increases in housing costs is not required to be analyzed under the California Environmental Quality Act (CEQA) as displacement is a socio-economic consideration, not a physical change to the environment.

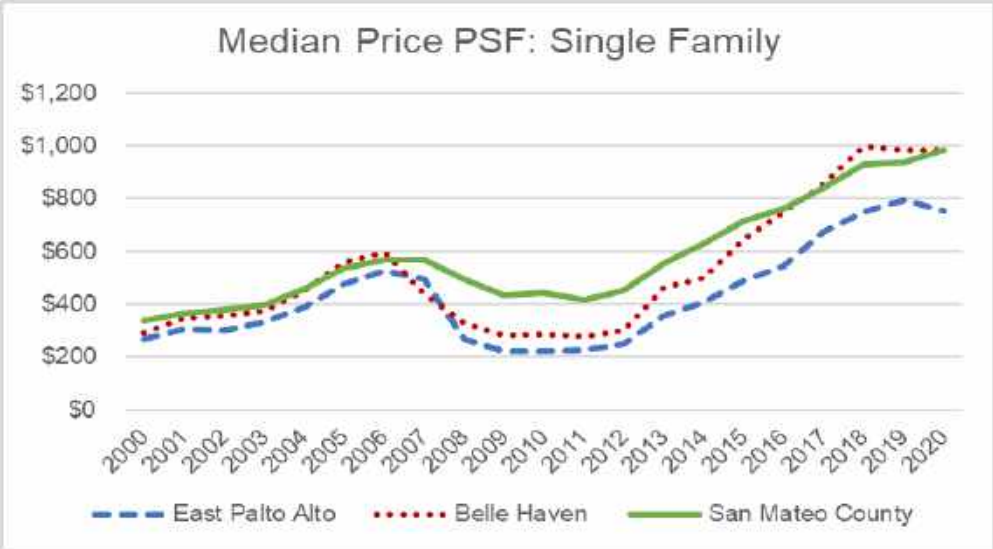
Home Price Trends

Home prices in East Palo Alto and Belle Haven have generally tracked broader trends in the County housing market, which has experienced significant escalation in prices. During the housing market downturn from 2007 to 2012, prices in the two communities fell further than the County overall, but have outpaced the County in the subsequent recovery. This pattern likely reflects the impacts of the foreclosure crises during the housing market downturn, which is

[15]Zuk, M., & Chapple, K. (2019). Urban Displacement Project. http://www.urbandisplacement.org/

[16] Center for Community Innovation (2020). Investment and Disinvestment as Neighbors, A Study of Baseline Housing Conditions in the Bay Area Peninsula.

reported to have heavily impacted East Palo Alto[17]. Over the entire period from 2000 to 2020 shown in the chart below, escalation in housing prices in East Palo Alto matches that of the County while Belle Haven outpaced the County by an annualized rate of approximately 1% per year. Median home prices per square foot (PSF) in 2020 are now nearly 3 times what they were in 2000 in both East Palo Alto and the County overall and are more than 3 times the 2000 price level in Belle Haven.



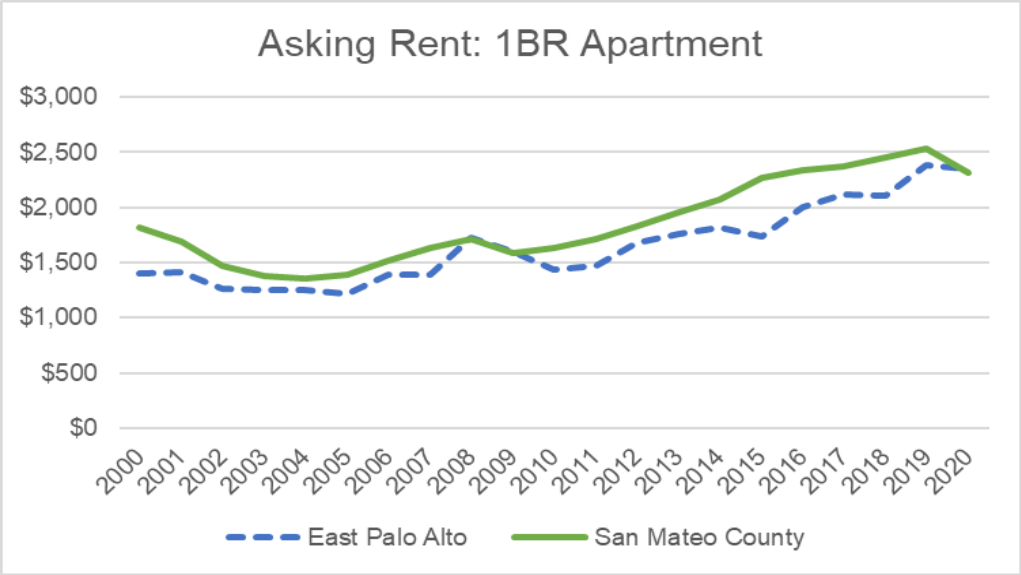
Source: CoreLogic

Rental Market Trends

Trends in asking rents for available apartments in East Palo Alto were compared to the San Mateo County average for the period from 2000 to 2020. Belle Haven is not presented in the chart due to limited rental market data[18]. Rents increased significantly over the time period consistent with regional trends. According to CoStar, a commercial provider of multifamily market data, asking rents in East Palo Alto have increased over the period by approximately 70% versus 30% for the County. As indicated in the chart below, rents in East Palo Alto are now similar to the County average.

[17] Urban Displacement Project. 2015. East Palo Alto: An Island of Affordability in a Sea of Wealth.

[18] Only approximately 160 (20%) of the 795-unit Belle Haven rental housing stock built before 2017 per the U.S. Census is covered by the historic CoStar data used in the trends analysis. Most rental housing has historically consisted of single-family or small multifamily structures with fewer than five units which is less likely to report rents regularly for purposes of the commercially available data source used in this analysis. Since 2017, two new apartment projects have added approximately 340 units to the rental housing stock, but rents of new apartments tend to command a premium relative to the existing supply and cannot be used for purposes of historic trends. Appendix C Table 13 provides the historic data that is available.



Source: CoStar.

Direct Housing Demand from Project

Direct influence on housing market conditions in East Palo Alto and Belle Haven from the proposed Project is anticipated to be negligible based on the minor share of overall housing demand that proposed Project employees are estimated to represent. Based on the lower and higher commute share scenarios described above, approximately 1% to 3% of Project workers are projected to live in East Palo Alto and approximately 0.5% to 0.7% are projected to live in Belle Haven. The third goal-based commute share scenario described above is not included for purposes of estimating direct housing demand in East Palo Alto and Belle Haven because it reflects a citywide goal for Menlo Park that is not specific to Belle Haven or East Palo Alto. The lower and higher commute share scenarios translate into a demand for four to 11 units in East Palo Alto and two units in Belle Haven. This level of demand represents 0.05% to 0.13% of the existing housing stock in East Palo Alto and 0.12% in Belle Haven and is equivalent to approximately 1% to 2% of the units estimated to come available through normal turnover each year. Since this represents a minor level of demand, it is anticipated to represent a negligible influence on the overall local housing market.

Indirect Housing Market Effects

Job growth, especially high-income job growth, exerts upward pressure on prices and rents throughout the region. Potential indirect housing market effects of the proposed Project are analyzed by using a simple linear regression analysis to identify how real estate conditions in San Mateo County and job growth have been correlated over the period from 2000 through

2019.[19] The regression analysis findings are then applied to the proposed Project's 650 new jobs to estimate the potential range of effects on the local housing market. Key findings of this analysis are that:

- Rents are highly correlated with job growth; and
- Home prices do correlate with job growth, but the correlation is weaker than for rental housing. Other factors such as interest rates, credit availability, and other economic trends appear to have been more influential for home prices over the 2000 to 2019 period.

The potential influence of the proposed Project on housing costs for newly vacated units is estimated to range from a 0.04% increase at the lower end up to a 0.45% increase at the upper end. These findings reflect a range of approaches to the regression analysis designed to provide an estimate of the upper and lower bounds of potential market influence from the proposed Project within East Palo Alto and Belle Haven.

Table 1-5. Analysis of Indirect Housing Market Effects
Potential Percentage Influence on Rents and Sales Prices

	Lower Estimate (3-County Analysis)	**Upper Estimate** (Single County Analysis)
Correlation with All Job Growth		
Rents	0.04%	0.26%
Sales Prices	0.04%	0.23%
Correlation with High-Wage Job Growth		
[to capture potential multiplier effect]		
Rents	0.07%	0.45%
Sales Prices	*relationship not statistically significant*	0.38%

The upper estimate of potential influence on housing costs is based on a "single-county" regression analysis which attributes variation in local rents and home prices to job growth within San Mateo County. The reality is that the San Mateo County economy and housing market are heavily integrated with that of the larger Bay Area. Approximately 38% of workers who live in San Mateo County work in San Francisco or Santa Clara counties. Therefore, the upper estimate that attributes changes only to San Mateo County job growth likely overstates the impacts.

[19] Selection of 2000 as the earliest date analyzed was based on availability of rental data from CoStar for 2000 onward. The analysis period ends in 2019 because the Quarterly Census of Employment and Wages has yet to publish employment data for the second half of 2020.

The lower estimate is based on a "three-county" analysis that includes San Francisco and Santa Clara counties. A combined 95% of all workers who live in San Mateo work in one of the three selected counties as shown in Table 5-4. Most San Mateo County workers either work within the County or commute to San Francisco or Santa Clara counties. Job growth in these three counties was anticipated to be most influential on local housing prices and rents. Alameda County was not included because just 3% of workers that live in San Mateo County commute east to jobs in Alameda County. Despite its proximity and accessibility, job growth occurring in Alameda County was assumed to be less influential on the housing market in San Mateo County because few San Mateo County residents commute to jobs located in Alameda County. The three-county analysis may understate the influence of local job growth and overstate the influence of job growth in other counties by treating jobs added anywhere within the three counties as having an equal influence on housing costs in San Mateo County. Since the majority of San Mateo County residents work within the County (57%), job growth within San Mateo County likely has somewhat more of an influence than job growth in Santa Clara County or San Francisco.

The analysis tests how housing costs are correlated with all categories of job growth as well as a separate test of the correlation with high-wage job growth. Technology, bio-tech, and other high-wage sectors help to drive growth in other sectors of the local economy such as retail, food, and transportation supported by spending by these businesses and their workforce. Employment and economic growth generated through subsequent business and employee spending is commonly referred to as the "multiplier effect". The high-wage jobs analysis is an approach to capturing potential "multiplier effects." To the extent multiplier effects associated with the high-wage jobs are an influence on local home prices and rents, the effects would be captured in the correlation between high-wage job growth and housing costs. Consistent with this, estimated market effects of the proposed Project are higher for the scenario specifically analyzing high-wage jobs. The high-wage analysis assumes, but does not prove, that high wage jobs are the primary influence on the housing market and that lower wage jobs either have less of an influence on the market or are an indirect result of the high-wage jobs by virtue of the associated multiplier effects.

The analysis of indirect housing market effects has the potential to overstate impacts by not distinguishing the effects of other important contributing factors that are correlated with job growth. Following are examples of factors that are correlated with job growth for which the effects may be ascribed to job growth, overstating the influence of job growth on the housing market:

- *Rising Incomes* – Rising incomes of existing Bay Area households, especially those of higher-income households, enable these households to compete for limited housing supply in the most desirable locations in the Bay Area, contributing to rising housing costs.

- *New Units Coming Online* – Some communities in San Mateo County, such as Redwood City, have seen construction of a significant number of new rental units that offer superior amenities and command premium rental rates. Inclusion of these new units could bring up averages even if rents for existing units are not increasing, or not increasing at the same pace. Therefore, one contributing factor to rising rents within the County overall may simply be the addition of newer units that can command higher rents.

For rental housing, the midpoint of the upper and lower percentage impact estimates presented in Table 1-5 are 0.15% based on all jobs and 0.26% based on high-wage jobs. With for-sale housing, the midpoints are 0.13% based on all jobs and 0.19% based on high-wage jobs[20]. The percentage findings presented in Table 1-5 may be converted to a potential dollar influence on housing costs. Multiplying the percentages applicable to rental housing by the average effective East Palo Alto rent of $2,791 per month (per CoStar for the year 2020), yields an estimated potential impact in the range of $4 to $7. For for-sale housing, a comparable analysis applying the percentages to current median home prices and mortgage rates translates to a potential monthly mortgage payment increase for potential purchasers of homes available for sale in East Palo Alto and Belle Haven of between $4 and $7 per month.

Menlo Park has already issued building permits for 1,416 housing units during the current RHNA planning cycle for 2015 to 2023 and East Palo Alto has issued building permits for 222 units for a combined 1,638 units[21]. Menlo Park has a proposed RHNA allocation for the 2023 to 2031 planning period of 2,946 units and East Palo Alto has a proposed allocation of 829 units for a combined 3,775 units. Menlo Park has over 3,000 additional housing units in the development pipeline in the vicinity of the proposed Project while East Palo Alto has a pipeline of nearly 1,000 new units,[22] resulting in a combined total of approximately 4,000 pipeline units in Menlo Park and East Palo Alto, including approximately 900 below market rate (BMR) affordable units[23]. Estimates of potential impact on rents and home prices are before considering any offsetting effects of new housing construction that is expected to absorb additional housing demand and moderate or offset the potential effects that are estimated.

[20] For purposes of calculating the mid-point in the high-wage scenario, the insignificant result with the Three-County analysis is treated as zero.

[21] 2020 Housing Element Annual Progress Reports for Menlo Park and East Palo Alto.

[22] October 6, 2020 City of East Palo Alto Staff Report to the City Council RE: Follow-Up on Study Session Related to the Affordable Housing Component of the Euclid Improvements (Woodland Park) Project, Attachment 1. East Palo Alto Housing Breakdown, which indicates approved, planned, proposed or under construction housing units totaling 969 units, not including rebuilt units.

[23] Pipeline total of 900-unit BMR units summarized from prior HNA's prepared by KMA for projects in the Bayfront Area, applicant proposals for 123 Independence and Willow Village, the City of Menlo Park summary of pipeline projects in the Bayfront Area and the staff report referenced in the prior footnote with respect to East Palo Alto pipeline projects.

Potential for Project to Contribute to Displacement in East Palo Alto and Belle Haven

The proposed Project is not estimated to be a significant contributor to displacement in East Palo Alto or Belle Haven. Even if the potential impact on rents and home prices cited above were realized, it is not significant enough to materially influence residential location decisions. The proposed Project adds only nominally to housing demand in East Palo Alto and Belle Haven, estimated at four to 11 units in East Palo Alto and two units in Belle Haven. Since this represents a minor level of demand that could be absorbed through normal market turnover, it is anticipated to represent a nominal influence on the overall local housing market. Additionally, this new demand may be absorbed through recent and planned additions to housing supply in Menlo Park and East Palo Alto, which have a combined development pipeline of approximately 4,000 housing units. The proposed Project would also contribute to creation of additional Extremely Low, Very Low and Low Income housing units through payment of approximately $5.1 million[24] in affordable housing impact fees. Therefore, the proposed Project would not be a significant contributor to pre-existing displacement pressures in East Palo Alto and Belle Haven.

[24] Estimate based on FY 20-21 fee level of $19.61 per square foot applied to the net square footage added by the proposed Project.

2.0 INTRODUCTION

This Housing Needs Assessment (HNA) provides an analysis of the proposed Project's potential impact on the need for housing in the City of Menlo Park and evaluates its potential to contribute to displacement of existing residents of the City of East Palo Alto (East Palo Alto) and the Belle Haven neighborhood of Menlo Park (Belle Haven), two proximate communities identified as having risk factors for displacement. The report has been prepared by Keyser Marston Associates (KMA) for the City of Menlo Park under a subcontract agreement with ICF International, the prime consultant responsible for preparation of the Environmental Impact Report (EIR).

In 2016, the City updated its General Plan, specifically the land use and circulation elements, and its Zoning Ordinance (commonly referred to as ConnectMenlo). The City completed and certified a program level EIR for ConnectMenlo, which determined that there would be a less than significant impact on population and housing, except cumulative impacts projected to be reduced to less than significant following an update of ABAG regional forecasts. Pursuant to the terms of the 2017 City of East Palo Alto v. City of Menlo Park Settlement Agreement, which settled the lawsuit regarding the ConnectMenlo EIR, preparation of this HNA is required. This HNA has been prepared consistent with the terms of that Settlement Agreement.

The following major housing-related topics are addressed in this HNA:

1) Demand for housing within commuting distance of Menlo Park generated by on-site employment at the proposed Project;
2) Estimated geographic distribution of housing need by jurisdiction; and
3) Potential for the proposed Project to contribute to rising housing costs and displacement of existing residents in East Palo Alto and Belle Haven, including, to the extent possible, as a result of indirect and induced employment or "multiplier effects."

These housing-related impacts are not required to be analyzed under the California Environmental Quality Act (CEQA) since economic or social changes are not considered significant effects on the environment. Nevertheless, this information is required by the Settlement Agreement and may be of interest to decision-makers and/or the public in evaluating the merits of the proposed Project.

Project Description and Total Employment Increase

Tarlton Properties (Project Sponsor) is proposing to construct a new 260,400 gross square foot (sf) building for life science research and development at 1350 Adams Court in Menlo Park. The new building would be constructed adjacent to an existing 188,100 square foot building on the Project site. The new building is being designed to accommodate either a single tenant or multiple tenants. According to the Draft EIR for the proposed Project, upon completion and lease-up, approximately 650 employees are estimated to occupy the proposed new building.

Table 2-1. Project Summary		
Existing Building (1305 O'Brien Drive)	188,100	gsf
New Building (1350 Adams Court)	260,400	gsf
Total building area (existing + new)	448,500	gsf
Added Employment at 1350 Adams Court	650	Employees

Source: 1350 Adams Court Project, Draft EIR Project Description
Note: Building area excludes parking garage

The Project site is an undeveloped 4.4-acre portion of an approximately 11.2-acre site located at 1350 Adams Court and 1305 O'Brien Drive. The Project site is planned and zoned for the uses proposed under the Project and is located within the existing Menlo Park Labs campus which includes 1.4 million gsf of space that houses a range of life sciences and biotechnology tenants.

Report Organization

This report is organized into five sections and three appendices:

- Section 1.0 provides an Executive Summary;
- Section 2.0 provides an Introduction;
- Section 3.0 presents the analysis of housing demand by affordability level, step by step including a documentation of sources;
- Section 4.0 presents information on total worker households and the share that currently lives in Menlo Park;
- Section 5.0 contains the analysis of the potential for the Project to contribute to displacement of existing residents in East Palo Alto and Belle Haven;
- Appendix A provides supporting tables on worker occupation and incomes;
- Appendix B includes a summary of U.S. Census data for East Palo Alto and Belle Haven; and
- Appendix C provides supporting technical tables for the displacement analysis.

Data Sources and Qualifications

This report has been prepared using the best and most recent data available at the time the analyses were prepared. Local data was used wherever possible. Other sources, such as the U.S. Census Bureau, U.S. Bureau of Labor Statistics, and the California Employment Development Department were used extensively. While KMA believes all sources utilized are sufficiently accurate for the purposes of the analysis, KMA cannot guarantee their accuracy. KMA assumes no liability for information from these or other sources.

3.0 THE JOBS HOUSING ANALYSIS

This section summarizes the analysis of housing needs associated with on-site employment attributable to the proposed Project. A brief overview of the methodology and structure of the analysis is provided, followed by a walk-through of the analysis steps to the output and conclusions.

Methodology

To estimate the linkages between added employment, worker households, and housing needs by affordability levels, KMA employed the same methodology used for nexus studies in support of jobs housing linkage programs. The KMA jobs housing nexus methodology was developed for analyses supporting housing linkage programs, such as Menlo Park's. The methodology has also been refined and modified for use in quantifying the housing impacts of specific large projects. The analysis inputs are all local data, to the extent possible, and are fully documented.

The basic methodology is to establish the income or compensation of employees, distribute employees into households of various size and establish household income using ratios derived from U.S. Census data. Estimated household income is then compared to affordability levels established by the California Housing and Community Development Department (HCD) to determine the number of employee households by income category.

HCD Income Definitions

The income levels or tiers used in the analysis are expressed in relation to local Area Median Income (AMI). For example, Extremely Low Income is defined as households earning up to 30% of AMI. The AMI for each county or group of counties is issued annually by the U.S. Department of Housing and Urban Development (HUD), and released by the California Department of Housing and Community Development (HCD). Most housing programs and policies in California and its jurisdictions utilize these income definitions. The City of Menlo Park is located in San Mateo County and is covered by and utilizes the AMI information provided for San Mateo County.

Per HCD and statewide programs, the analysis includes households earning less than 120% AMI. In addition, an Above Moderate Income tier covering 120% to 150% AMI is presented in this analysis because this income tier also faces affordable housing challenges in Menlo Park and the greater Bay Area. In fact, due to the high cost of housing in Menlo Park, housing affordability challenges even extend to households earning more than 150% of AMI[25], especially

[25] An income of approximately 221% of AMI, is estimated to be needed to afford the median priced home in Menlo Park. The median priced home in Menlo Park is $2.35 million based on home sales from December 2019 through December 2020 from real estate data service provider CoreLogic. Estimates assume a down payment of 30% based on the median down payment for home purchases with a mortgage in Menlo Park estimated from CoreLogic data during this period, 35% of income spent on housing, and a mortgage interest rate of 3.1% based on the average 30-year fixed mortgage rate from January through December 2020 from Freddie Mac Primary Mortgage Market Survey.

in the for-sale housing market. As with HNAs prepared for prior projects in Menlo Park, the Above Moderate Income tier was included to provide decision makers more information on the housing needs of a broad spectrum of housing affordability levels.

In summary, the income tiers used in the analysis are:

- Extremely Low Income – households up to 30% of AMI;
- Very Low Income – households over 30% up to 50% of AMI;
- Low Income – households over 50% up to 80% of AMI;
- Moderate Income – households over 80% up to 120% of AMI;
- Above Moderate Income – households over 120% up to 150% of AMI; and
- Over 150% of AMI – households above 150% of AMI.

The 2021 income limits for San Mateo County by household size are presented below in Table 3-1.

Table 3-1. 2021 Household Income Limits

		Income Limit by Household Size					
Income Category	**Percent of AMI**	1-person	2-person	3-person	4-person	5-person	6-person
Extremely Low	30% of AMI	$38,400	$43,850	$49,350	$54,800	$59,200	$63,600
Very Low Income	50% of AMI	$63,950	$73,100	$82,250	$91,350	$98,700	$106,000
Low Income	80% of AMI	$102,450	$117,100	$131,750	$146,350	$158,100	$169,800
Moderate Income	120% of AMI	$125,650	$143,600	$161,550	$179,500	$193,850	$208,200
Above Moderate	150% of AMI	$157,050	$179,550	$202,000	$224,400	$242,350	$260,350
Median Income	100% of AMI	$104,700	$119,700	$134,650	$149,600	$161,550	$173,550

AMI = Area Median Income
Source: California Department of Housing and Community Development

Analysis Step 1 – Estimate of Added Employment

An estimated 650 on-site employees would be added by the proposed Project according to the Draft EIR Project Description. The employment estimate reflects an employment density of approximately 1 employee for each 400 square feet of building area, which is representative for the proposed Project's life science R&D use.

Table 3-2 provides a breakdown of the proposed Project's 650 employees between the direct employees of the R&D tenant(s) and building services staff such as maintenance, janitorial, and security. The number of building services staff is estimated at 26 based on staffing ratios derived from International Facility Management Association (IFMA) data based on a national survey of facility management professionals[26]. Building services workers are evaluated separately because these services are often provided by separate contractors and are therefore

[26] The proposed Project is located within the existing Menlo Park Labs life science campus, which could allow for staffing efficiencies for security, janitorial, and buildings and ground maintenance services compared to national IFMA data; however, staffing data specific to Menlo Park Labs has not been reviewed.

not fully reflected in the occupation profile for the Life Sciences R&D industry that is used in Step 3, below.

Table 3-2. Project Employment

	Net Added Building Area	SF Per Employee	Employees
Life Sciences / R&D Tenant	260,400	417	624
Building Services [(1)]	260,400	10,000	26
Total Added Employment	260,400	400	**650**

Sources: 1350 Adams Court Project Draft EIR Project Description. International Facility Management Association (IFMA), Operations and Maintenance Benchmarks Research Report #33 for staffing ratio for building services.

[(1)] Includes facility staff such as maintenance, janitorial, grounds and security not directly employed by the tenant. Staffing ratio of 1 per 10,000 square feet estimated from IFMA data on number of facilities staff for buildings in the 250,000-500,000 and 500,000 to 1,000,000 square feet size categories.

Step 2 – Adjustment from Employees to Employee Households

Table 3-3 summarizes Step 2 to convert the number of employees to the number of employee households that will work at or in the building type being analyzed. This step recognizes that there is, on average, more than one worker per household, and thus the number of housing units in demand for new workers must be reduced. The workers per worker household ratio eliminates from the equation all non-working households, such as households comprised of retired persons or students.

KMA derived the worker per worker household figure from U.S Census American Community Survey (ACS) data. The ACS data provide estimates of the total number of workers living in San Mateo County (405,474), and the total number of households with at least one working household member (212,545). The ratio between these two figures for San Mateo County is 1.91 workers per worker household. The ratio for households that have at least one working member is used because the new workers added by the proposed Project will live in households of this type. The San Mateo County figure is used in the analysis because workers would be more similar to the County as a whole than the smaller City of Menlo Park profile.

Table 3-3. Estimated Number of Employee Households			
	Life Sciences / R&D	Building Services	Total Project
Number of Employees	624	26	650
Ratio: Workers Per Worker Household (1)	1.91	1.91	1.91
Number of Households	327	14	341

(1) Derived from 2015-2019 U.S. Census American Community Survey data for San Mateo County

The adjustment from the number of employees to the number of households in Table 3-3 recognizes that if an added employee lives in a household with one or more other workers (i.e., a multiple-earner household), that added employee is not responsible for creating demand for an entire housing unit, only a portion of a unit. There is no implicit assumption that Project employees would live with one another. Multiple-earner households are a factor that must be recognized, irrespective of where the other working member(s) of the household is employed. Were the adjustment for multiple-earner households to be limited to the special case of Project employees living with one another in the same unit, housing needs of Project employees would be overstated by allotting an entire housing unit to one worker, even if that worker shares a housing unit with another worker who is employed elsewhere. The following two examples provide further illustrations as to why an adjustment to account for multiple-earner households is necessary regardless of where the other working member(s) of the household is employed:

- Example #1 – Consider a worker added by the proposed Project who lives with a worker who has taken a job within a separate, newly developed, building. If it were assumed that each new worker (added by two separate developments) would require their own housing unit, the total housing demand would be overstated as a result of double counting the one unit that is shared by the two workers.

- Example #2 – Consider two workers added by the proposed Project as well as two workers at long-established local employers. Say the two workers at long-established employers live with one another and the two workers at the proposed Project live with one another. There would be a need for two housing units in total. Now, instead say that each of the two workers in the proposed Project are in separate units, each with one of the workers at a long-established employer. There is still a need for two housing units in total. There is no difference in housing demand whether the two Project workers live with one another or live separately with a worker who holds a job elsewhere.

Step 3 – Occupational Distribution of Employees

Occupational distribution for employees added within the proposed Project is based on data from a national survey by the Bureau of Labor Statistics (BLS). Occupation refers to job description, such as management, sales clerk, cashier, etc. The survey provides the occupational distribution for various employment "industries." The following industry categories were identified to be most representative for the proposed Project:

- NAICS code 541710, Research and Development in the Physical, Engineering, and Life Sciences, is used to represent R&D / Life-Sciences tenancies expected at the proposed Project.

- NAICS 561700, Services to Buildings and Dwellings, and NAICS 561600, Investigation and Security Services, were used to represent occupations associated with janitorial, maintenance, security and other building services.

Protective service and building and grounds cleaning and maintenance occupations were removed from the Research and Development occupation profile because these workers are separately accounted for.

National statistics are used because local data are not generally available, and for many industries, national data are a good reflection of the occupational distribution that can be expected locally.

Table 3-4 provides a summary of worker occupations by major category. Appendix A, Tables 2 and 4 provide further breakdown of worker occupations by Standard Occupational Classification (SOC) System codes.

Table 3-4. Worker Occupations

Occupation Category	Life Sciences / R&D		Building Services		Combined Total	
	percent	*number*	*percent*	*number*	*percent*	*number*
Management Occupations	15.5%	50.6	2%	0.3	15%	50.9
Business and Financial Operations	10.2%	33.3	1%	0.1	10%	33.4
Computer and Mathematical	12.8%	41.9	0%	0.0	12%	41.9
Architecture and Engineering	16.1%	52.6	0%	0.0	15%	52.6
Life, Physical, and Social Science	26.1%	85.3	0%	0.0	25%	85.3
Community and Social Services	0.2%	0.7	0%	0.0	0%	0.7
Legal	0.6%	1.8	0%	0.0	1%	1.8
Education, Training, and Library	0.3%	1.0	0%	0.0	0%	1.0
Arts, Design, Entertainment, Sports	1.2%	3.8	0%	0.0	1%	3.8
Healthcare Practitioners and Technical	2.5%	8.2	0%	0.0	2%	8.2
Healthcare Support	0.9%	3.0	0%	0.0	1%	3.0
Protective Service	0.0%	0.0	39%	5.5	2%	5.5
Food Preparation and Serving Related	0.0%	0.2	0%	0.0	0%	0.2
Building and Grounds	0.0%	0.0	41%	5.8	2%	5.8
Personal Care and Service	0.2%	0.7	0%	0.0	0%	0.8
Sales and Related	1.5%	4.8	2%	0.3	1%	5.1
Office and Administrative Support	7.8%	25.5	6%	0.8	8%	26.3
Farming, Fishing, and Forestry	0.2%	0.6	0%	0.0	0%	0.6
Construction and Extraction	0.3%	1.1	1%	0.1	0%	1.2
Installation, Maintenance, and Repair	1.2%	4.0	5%	0.6	1%	4.6
Production	2.0%	6.4	0%	0.1	2%	6.5
Transportation and Material Moving	0.6%	1.8	1%	0.1	1%	2.0
Totals	100.0%	327	100%	14	100%	341

Source: Bureau of Labor Statistics Occupational Employment Survey, 2019.
See Appendix A Tables 1-4 for more detailed breakdown of occupation categories.

Step 4 – Estimate of Employee Wage and Salary Distribution

The employee wage and salary distribution is based on the occupational distribution from Step 3 in combination with recent San Mateo County wage and salary information for each occupation from the California Employment Development Department (EDD) for the first quarter of 2020. In addition to the average compensation levels, the analysis also utilizes EDD data regarding the percentile distribution of wages within individual occupation categories in estimating the distribution of worker compensation levels. The data on employee wages and salaries utilized in the analysis is presented in Appendix Tables 2 and 4.

Step 5 – Household Size Distribution

In this step, the household size distribution of workers is estimated using U.S. Census 2015-2019 ACS data for San Mateo County. Data for the County is used since workers are more representative of the larger area in which workers live (the County) than the City of Menlo Park. In addition to the distribution in household sizes, the data also accounts for a range in the number of workers in households of various sizes. Table 3-5 indicates the percentage distribution utilized in the analysis.

Table 3-5. Percent of Households by Size and No. of Workers		
No. of Persons in Household	**No. of Workers in Household**	**Percent of Total Households**
1	1	14.7%
2	1	13.1%
	2	17.4%
3	1	7.3%
	2	10.1%
	3+	3.9%
4	1	4.9%
	2	8.9%
	3+	6.4%
5	1	1.9%
	2	3.4%
	3+	2.5%
6	1	1.3%
	2	2.4%
	3+	1.7%
Total		100.0%

Source: 2015-2019 American Community Survey data for San Mateo County.

Step 6 – Estimate of Households that meet HCD Size and Income Criteria

This step in the analysis calculates the number of employee households that fall into each income category for each size household. This calculation is based on the employee wage and salary income distribution (Step 4), the worker household distribution (Step 5) and the 2021 HCD income limits for San Mateo County, as described above.

Household incomes are estimated based upon ratios between individual employee income and household income derived from U.S. Census data shown in Table 3-6. The ratios adjust employee incomes upward even for households with only one worker in consideration of non-wage/salary income sources such as child support, disability, social security, investment income and others.

Table 3-6. Ratio of Household Income to Individual Worker Income			
Individual Worker Income	One Worker Households	Two Worker Households	Three or More Workers
$25,000 to $50,000	1.31	2.86	3.50
$50,000 to $75,000	1.15	2.21	2.55
$75,000 to $100,000	1.09	1.97	2.12
$100,000 to $150,000	1.06	1.77	1.84
$150,000 to $200,000	1.04	1.60	1.63
$200,000 to $250,000	1.04	1.54	1.54
$250,000 to $300,000	1.02	1.47	1.47
$300,000 to $500,000	1.04	1.32	1.32
$500,000 and above	1.02	1.25	1.25

Source: KMA analysis of 2015 to 2019 American Community Survey PUMS data for San Francisco Bay Area.

Estimated household incomes are compared to HCD income criteria to determine the percentage that qualify within each income category. The comparison is made for each potential household size/number of workers combination. The result is multiplied by the percentage distribution of household sizes and number of workers per household from Step 5 to calculate the distribution of worker households by income.

Table 3-7 presents the estimated number of households in each income tier by worker occupation category. It represents the results of the analysis after completing Step 4 (employee compensation levels), Step 5 (household size distribution of worker households), and Step 6 which uses this information to calculate the number of households that fall into each income category.

TABLE 3.7
EMPLOYEE HOUSEHOLDS BY OCCUPATION AND INCOME (STEPS 4, 5, AND 6)
1350 ADAMS COURT PROJECT
HOUSING NEEDS ASSESSMENT
MENLO PARK, CA

	Life Sciences / R&D							Building Services						
	Extr. Low	Very Low	Low	Moderate	Above Moderate	Over 150% AMI	Total	Extr. Low	Very Low	Low	Moderate	Above Moderate	Over 150% AMI	Total
Step 4, 5, & 6 - Employee Households within Major Occupation Categories[1]														
Management	0.0	0.5	3.0	4.5	8.0	34.5	51	0.0	0.0	0.0	0.0	0.0	0.0	0
Business and Financial Operations	0.2	3.1	7.8	7.8	8.5	5.8	33	0.0	0.0	0.0	0.0	0.0	0.0	0
Computer and Mathematical	0.0	0.8	5.9	5.7	10.0	19.4	42	0.0	0.0	0.0	0.0	0.0	0.0	0
Architecture and Engineering	0.1	2.4	9.1	9.4	13.4	18.2	53	0.0	0.0	0.0	0.0	0.0	0.0	0
Life, Physical and Social Science	2.2	7.8	18.6	18.4	18.3	20.0	85	0.0	0.0	0.0	0.0	0.0	0.0	0
Community and Social Services	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Legal	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Education Training and Library	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Arts, Design, Entertainment, Sports, & Media	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Healthcare Practitioners and Technical	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Healthcare Support	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Protective Service	0.0	0.0	0.0	0.0	0.0	0.0	0	1.2	0.9	2.5	0.8	0.1	0.0	6
Food Preparation and Serving Related	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Building Grounds and Maintenance	0.0	0.0	0.0	0.0	0.0	0.0	0	1.2	1.0	2.8	0.6	0.1	0.0	6
Personal Care and Service	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Sales and Related	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Office and Admin	2.2	4.8	9.1	6.2	2.9	0.3	25	0.1	0.2	0.3	0.2	0.1	0.0	1
Farm, Fishing, and Forestry	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Construction and Extraction	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Installation Maintenance and Repair	0.0	0.0	0.0	0.0	0.0	0.0	0	0.1	0.1	0.2	0.2	0.1	0.0	1
Production	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Transportation and Material Moving	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	0
Households: Major Occupations	4.7	19.4	53.5	52.0	61.2	98.2	289	2.6	2.3	5.8	1.7	0.4	0.0	13
Households: all other occupations[2]	0.6	2.5	7.0	6.8	8.0	12.9	38	0.2	0.2	0.5	0.2	0.0	0.0	1
Total Households	**5.3**	**21.9**	**60.6**	**58.8**	**69.3**	**111.2**	**327.0**	**2.9**	**2.5**	**6.4**	**1.9**	**0.4**	**0.0**	**14.0**
Rounded	**5.0**	**22.0**	**61.0**	**59.0**	**69.0**	**111.0**	**327.0**	**3.0**	**2.0**	**7.0**	**2.0**	**0.0**	**0.0**	**14.0**

Notes:

[1] See Appendix Tables 2 and 4 for additional information on Major Occupation Categories.

[2] Represents occupation categories which have a minor amount of employment and for which detailed compensation analysis was not completed. These worker households are assumed to have a similar income distribution to other employees in the same industry. See Appendix Tables 1 - 4 for information on major and detailed occupation categories identified for detailed compensation analysis.

Summary by Income Level

Table 3-8 presents the total projected housing demand within commuting distance of Menlo Park, or the number of housing units by affordability level where a member of the household works in the proposed Project.

Table 3-8. Estimated Number of Employee Households by Income

	Life Sciences / R&D	Building Services	Total Project	Percent of Total
	from Table 3-7	*from Table 3-7*		
Extremely Low Income	5	3	8	2.3%
Very Low Income	22	2	24	7.0%
Low Income	61	7	68	19.9%
Moderate Income	59	2	61	17.9%
Subtotal: 0% to 120% AMI	147	14	161	47.2%
Above Moderate Income	69	0	69	20.2%
Subtotal: 0% to 150% AMI	216	14	230	67.4%
Over 150% AMI	111	0	111	32.6%
Total Employee Households	327	14	341	100%

The analysis finds that 341 new housing units somewhere in the region are required to meet the housing needs generated by the proposed Project. Of this new housing demand, 161 units are for households earning Extremely Low, Very Low, Low and Moderate incomes. Housing demand for building services employees is concentrated in the lower income tiers from 0% through 120% of AMI; however, these workers represent a relatively small share of the total estimated employment for the proposed Project. The Above Moderate income (120% to 150% of AMI) category represents a new housing demand of another 69 units.

The greatest single share of proposed Project employees (33%) is in the Over 150% AMI tier. This finding is consistent with the many well-compensated jobs found within the industry category applicable to life sciences research and development.

4.0 MENLO PARK SHARE AND COMMUTING

The conclusions regarding the housing needs associated with the proposed Project, as presented at the end of Section 3.0 are for total housing need, irrespective of location or geography, somewhere within commuting distance of the proposed Project. Section 4.0 presents information for understanding existing conditions with respect to where people who work in Menlo Park now live, where workers at existing tenants within the Menlo Park Labs campus live, and an approach to assessing the share of new workers estimated to live in Menlo Park.

Commute Relationships for the City of Menlo Park

According to the U.S. Census 2015-2019 American Community Survey (ACS), 5.9% of those who currently work in the City of Menlo Park also live in the City of Menlo Park. The remaining 94.1% of the workforce commutes in from outside of the City. The existing percentage of workers commuting in from other jurisdictions is attributable to a number of factors including the supply of housing relative to the number of jobs and the high cost of housing in Menlo Park. Nevertheless, 5.9% does provide a benchmark for the propensity of Menlo Park workers to seek and find housing within the City.

The percentage of workers in Menlo Park who also live in the City has been generally decreasing over the decades with 10% of workers living in the City as of the 1990 Census, decreasing to 7.2% with the 2000 Census to 5.9% in the most recent ACS data. Workers most everywhere tend to commute more in recent years than in the past and, in addition, Menlo Park has become less affordable over time. Large employers that are newer to an area, or have a high turnover, typically have a smaller percent of workers living locally than employers who have been established locally for a long time. The relationship between job growth in Menlo Park relative to the amount and affordability level of housing that has been added over time is likely a significant factor in this trend. However, in any metropolitan region such as the Bay Area, there are numerous individual factors that influence how workers, in general, select their neighborhoods or communities to live in beyond basic housing supply, price/rent, and proximity to work considerations. Examples listed below are by no means exhaustive and no hierarchy is implied by the order:

- Type of unit; people tend to be looking for a specific kind of housing – an apartment, a condo, a detached home. These choices are tied to stage of life as well as affordability and other factors.
- Commute to work – a notable study found that people are willing to commute for a half hour to 45 minutes, but obviously this varies by metropolitan area and options. In many households, more than one household member works, so a residential location may be a compromise to make commuting in multiple directions acceptable.
- Proximity to social, ethnic and religious communities.

- Accessibility to recreational resources. This can be general like proximity to parks and playgrounds, or specific to certain recreational interests ranging from jogging trails, to golf, to just about any recreational pursuit.
- Quality of schools – either indicated by specific measures or purely perception. This is mainly a factor of concern for those with children or seeking housing with future children in mind.
- Accessibility to culture and entertainment.
- Public safety – like schools either based on hard data or simply perceptions and reputation which may not be supported by hard data.
- Air quality is a commonly cited factor in the Los Angeles basin, but far less so in the Bay Area.
- Weather and microclimates in the Bay Area dictate communities of choice for many. People tend to either hate the cool fog near the ocean or love it.

Although many factors influence housing decisions, because the number of workers that both live and work in Menlo Park is so low and the cost of housing is so high, it is possible that the 5.9% existing commute share does not reflect the proportion of workers who would live in Menlo Park if they could find housing and could afford it. The possibility that availability and affordability of housing have contributed to a downward trend in Menlo Park's commute share is a primary reason for including a separate goal-based commute share scenario, as described below.

Commute Relationships for Existing Menlo Park Labs Campus

The applicant provided data on commute patterns for three unidentified tenants within the Menlo Park Labs campus representing a total of 629 employees who live in Northern California[27]. The data indicates that approximately 3.8% of employees live in Menlo Park, significantly lower than the percentage for Menlo Park workers overall based on the ACS data. The location of the Campus provides access to the Dumbarton Bridge and US 101. The Campus also provides shuttles to the Union City BART station, San Francisco and the Palo Alto Caltrain station. These are factors that could potentially facilitate a greater level of commuting to other jurisdictions.

[27] In addition to these 629 employees, data was provided for employees that reside outside of Northern California deemed to be outside of regular commute range including 24 employees living in San Diego, Los Angeles, Ventura, Orange, San Bernardino, and San Luis Obispo counties and 146 employees living in other states. Employees living outside of commute range would be less applicable for purposes of estimating commute relationships because they may work primarily at other facilities, telecommute or be present on-site on an occasional basis; therefore, these workers would not be representative of employees who regularly work at the Project site.

Commute Scenarios for Subject Project

To estimate Menlo Park's share of the total housing need from the proposed Project, the analysis uses three commute scenarios, reflecting a lower estimate and higher estimate of the share of workers likely to seek and find housing within the City based on existing commute data plus a third goal-based scenario that assumes a larger share of the workforce is housed locally. The scenarios are intended to bracket the potential range of outcomes for the share of total housing need to be met within the City:

1. ***Lower Estimate of Menlo Park Share at 3.8%*** *(Menlo Park Labs existing average):* The lower estimate reflects commute patterns specific to the existing Menlo Park Labs campus. Using this approach, approximately 3.8% of workers at the proposed Project are estimated to reside within the City of Menlo Park.

2. ***Higher Estimate of Menlo Park Share at 5.9%*** *(current City-wide average):* The higher estimate is based on the existing City-wide average share of Menlo Park's workforce that lives in the City of approximately 5.9%, based on the U.S. Census. The higher estimate is to represent a scenario in which the share of workers within the proposed Project who seek and find housing locally is more similar to existing City averages than the current Menlo Park Labs pattern.

3. ***Goal-Based Commute Share at 20%*** *(goal from 2000 Nexus Study)*: the goal-based commute share estimate assumes 20% of new workers are housed within the City consistent with an assumption used in the City's 2000 commercial linkage fee nexus study[28] (2000 Nexus Study). The 20% commute share assumption from the 2000 Nexus Study reflects a goal of housing a larger share of the City's workforce. This scenario is included for informational purposes in response to interest expressed by the City Council in improving the jobs housing balance and obtaining data to inform the goal of increasing the number of workers who live and work in Menlo Park.

The lower estimate reflects the commute pattern of the existing Menlo Park Labs campus. The following observations suggest that the lower estimate likely provides a good indicator of the share of workers who would live in Menlo Park:

1. The existing commute pattern for the Menlo Park Labs campus is probably a better indicator of the pattern for new R&D workers at the proposed Project site than City-wide averages that do not reflect the specific location of the Project site or the income / occupation profile of R&D workers.

[28] Commercial Linkage Fee Nexus Study prepared for the City of Menlo Park by Vernazza Wolfe Associates, Inc. dated September 2000.

2. Census data for Menlo Park since 1990 do not show a correlation between job growth and number of Menlo Park workers residing locally. The number of jobs in Menlo Park increased by 17,478 or 67% from the 1990 Census to the 2015 - 2019 ACS. During the same period, the number who both live and work in Menlo Park, excluding those who work out of their homes, decreased from 2,662 to 2,589 (a 3% decrease). An analysis of compensation levels for jobs added since 1990 was not prepared; however, anecdotally one can observe that the employment growth during this period probably included a number of highly compensated jobs. Despite the addition of over 17,000 jobs during this period, of which at least a portion were likely highly compensated, the number of workers who both live and work in Menlo Park declined.

3. Large employers that are new to an area, or employers that have a high employee turnover, typically have a smaller percent of workers living locally than employers who have been established locally for a long time. One explanation for this is that employees of long-established firms are more likely to have entered the housing market years ago when it was more affordable. Another factor may be the expanding size of the Bay Area's job and housing markets combined with an increase in multiple-earner households. This has created more options for where to live and work and more households who must take locations of multiple jobs into account in selecting a residential location.

4. The proposed Project is very accessible to freeways including US-101 and SR-84 / the Dumbarton Bridge. It is arguably one of the most conducive locations in Menlo Park for commuting from other jurisdictions. The shuttle services that are provided to San Francisco, Palo Alto Caltrain and Union City BART also help facilitate longer distance commuting.

5. Menlo Park is viewed as a highly desirable place to live. Workers in the proposed Project who wish to live in Menlo Park would be competing for a limited amount of available housing with many other households in the Peninsula / Silicon Valley housing market who may also be seeking to live in Menlo Park.

The higher estimate reflects the City-wide average commute share, which exceeds that of the existing Menlo Park Labs campus. The rationale for including the higher estimate is to provide a more conservative estimate of the number of housing units that may be needed to house new employees should the employee housing pattern differ from that of existing Menlo Park Labs tenants.

The goal-based commute share estimate is based on the City's 2000 Nexus Study which incorporated a commute share assumption of 20%. This 20% commute share assumption reflects a goal to house a larger share of the City's workforce locally that was approximately

double the 10% commute share for Menlo Park as of the time the Nexus Study was prepared[29]. As stated in the 2000 Nexus Study:

> *Using a relatively higher number provides a goal for the City to achieve. Although inflated housing prices in the 1990's have resulted in a decrease in the percentage of Menlo Park workers who can afford to live in Menlo Park, the City's goal is to encourage local workers to live in Menlo Park in order to achieve a better jobs/housing balance.*

This goal-based commute share estimate provides additional information regarding how analysis findings would vary were the City to seek to house 20% of the added workforce locally consistent with the goal identified in the 2000 Nexus Study.

Estimate of Menlo Park's Share of New Housing Demand

Per the discussion above, three scenarios are provided based on 3.8%, 5.9% and 20% of workers at the proposed Project residing within the City of Menlo Park. The three factors are applied to the total housing need to estimate the number of new workers in the proposed Project who would seek and find housing in Menlo Park. In other words, between 3.8% and 20% of the housing needs concluded at the end of Section 3 is the estimated Menlo Park "share."

The factors are applied uniformly across each of the household income tiers to arrive at estimates of Menlo Park's "share" for each income tier. The actual distribution by income tier in Menlo Park would likely vary from these estimates based on factors, such as the existing housing stock in Menlo Park, limited availability of affordable units, and the future production of market rate and affordable units in Menlo Park.

[29] Per the 1990 Census, Menlo Park's commute share was 10% based on a total number working in Menlo Park of 26,048 of which 2,662 lived in Menlo Park. Figures do not include those who work out of their homes rather than commute to a separate workplace. The 1990 Census was the most recent data available at the time the 2000 Nexus Study was prepared as the 2000 Census data was not yet released. The 2000 Nexus Study references a separate factor of 23%, also as of 1990, which is not comparable to the 10% commute share in 1990. This 23% factor represents the share of Menlo Park *employed residents* (residents who are employed) who work in Menlo Park versus commute out of Menlo Park to a job located in another city.

Table 4-1. Estimated Menlo Park Share of Total Housing Needs			
	Lower Estimate Commute Share (3.8%)	**Higher Estimate Commute Share (5.9%)**	**Goal-Based Commute Share Estimate (20%)**
Extremely Low Income	0	0	1
Very Low Income	1	1	5
Low Income	3	4	14
Moderate Income	2	4	12
Subtotal: 0% to 120% AMI	6	9	32
Above Moderate Income	3	4	14
Subtotal: 0% to 150% AMI	9	13	46
Over 150% AMI	4	7	22
Total Employee Households	**13**	**20**	**68**

Estimated Commute Shed for Proposed Project

It is anticipated that workers at the proposed Project would commute to the Project site from throughout the region. Table 4-2 presents data on commuting by jurisdiction. Two different versions are provided, one based on commute patterns specific to the existing Menlo Park Labs campus and one based on averages derived from the U.S. Census. The estimates reflect the same data sources as used for the lower and higher Menlo Park share of housing needs described above. Based on the data in Table 4-2, it is anticipated that between 67% and 69% of workers would live in Santa Clara and San Mateo counties. Remaining workers are estimated to commute primarily from San Francisco and Alameda counties. Around 7% are estimated to commute from other counties.

The third goal-based commute share scenario is not presented in Table 4-2 because the 20% goal is focused on Menlo Park's commute share and does not identify targets for any other specific jurisdiction. Progress toward the 20% commute share goal would tend to reduce commuting from other jurisdictions relative to levels indicated in Table 4-2 by increasing the share of workers that live in Menlo Park.

TABLE 4-2
ESTIMATED COMMUTE SHED SCENARIOS FOR PROJECT
1350 ADAMS COURT PROJECT
HOUSING NEEDS ASSESSMENT
MENLO PARK, CA

	Estimated Commute Shed for Project	
	Share	**Share**
Place of Residence:	Based on Project-specific data[1]	Based on 2012-2016 ACS [3]

San Mateo County	**27.6%**	**38.7%**
Atherton	0.5%	0.9%
Belmont	1.9%	0.9%
Broadmoor	0.0%	0.1%
Burlingame	1.1%	0.7%
Colma	0.0%	0.0%
Daly City	1.1%	1.5%
East Palo Alto	1.1%	3.1%
El Granada	0.0%	0.3%
Emerald Lake Hills	0.0%	0.2%
Foster City	0.0%	1.2%
Half Moon Bay	0.5%	0.5%
Highlands-Baywood Park	0.0%	0.2%
Hillsborough	0.3%	0.5%
La Honda CDP, California	0.0%	0.1%
Ladera CDP, California	0.0%	0.1%
Menlo Park	3.8%	5.9%
Millbrae	0.6%	0.4%
North Fair Oaks	0.0%	1.3%
Pacifica	0.5%	0.6%
Portola Valley	0.5%	0.5%
Redwood City	5.1%	9.1%
San Bruno	0.6%	1.1%
San Carlos	1.0%	1.6%
San Mateo	5.7%	3.7%
South San Francisco	1.3%	1.0%
West Menlo Park	0.0%	0.5%
Woodside	0.0%	0.5%
Balance of County [2]	2.1%	2.1%

TABLE 4-2
ESTIMATED COMMUTE SHED SCENARIOS FOR PROJECT
1350 ADAMS COURT PROJECT
HOUSING NEEDS ASSESSMENT
MENLO PARK, CA

	Estimated Commute Shed for Project	
	Share	**Share**
Place of Residence:	Based on Project-specific data[1]	Based on 2012-2016 ACS [3]

Santa Clara County	**39.1%**	**30.4%**
Alum Rock	0.0%	0.0%
Cambrian Park	0.0%	0.0%
Campbell	0.6%	0.7%
Cupertino	1.4%	1.1%
Gilroy	0.0%	0.2%
Lexington Hills	0.0%	0.0%
Los Altos	2.1%	1.1%
Los Altos Hills	0.0%	0.4%
Los Gatos	1.1%	0.3%
Loyola	0.0%	0.1%
Milpitas	2.4%	0.4%
Monte Sereno	0.0%	0.0%
Morgan Hill	0.3%	0.1%
Mountain View	3.8%	4.9%
Palo Alto	2.7%	4.0%
San Jose	17.7%	8.8%
San Martin	0.2%	0.1%
Santa Clara	2.4%	1.7%
Saratoga	0.3%	0.5%
Stanford	0.2%	0.3%
Sunnyvale	4.0%	5.3%
Balance of County [2]	0.0%	0.4%

TABLE 4-2
ESTIMATED COMMUTE SHED SCENARIOS FOR PROJECT
1350 ADAMS COURT PROJECT
HOUSING NEEDS ASSESSMENT
MENLO PARK, CA

	Estimated Commute Shed for Project	
	Share	**Share**
Place of Residence:	Based on Project-specific data[1]	Based on 2012-2016 ACS [3]

Alameda County	**17.0%**	**12.2%**
Alameda	0.3%	0.2%
Albany	0.0%	0.1%
Ashland	0.0%	0.4%
Berkeley	1.0%	0.3%
Castro Valley	1.0%	0.5%
Cherryland	0.0%	0.1%
Dublin	0.5%	0.5%
Emeryville	0.5%	0.1%
Fairview	0.0%	0.1%
Fremont	5.2%	3.8%
Hayward	2.1%	1.6%
Livermore	0.5%	0.3%
Newark	1.9%	1.0%
Oakland	1.7%	1.3%
Pleasanton	0.8%	0.5%
San Leandro	0.3%	0.4%
San Lorenzo	0.2%	0.2%
Union City	1.1%	0.9%
Balance of County [2]	0.0%	0.0%
San Francisco	**11.6%**	**12.0%**
Contra Costa County	**2.1%**	**2.1%**
Santa Cruz County	**0.6%**	**0.5%**
Marin, Napa, Sonoma	**0.6%**	**0.7%**
Other Counties [1]	**1.3%**	**3.5%**
	100.0%	100.0%

Notes:

[1] Based on data provided by project Applicant for three existing tenants within the same business park as the Project. Commute distribution reflects employees living in Northern California, not including applicant-provided data on workers living in Southern California or in other states.

[2] Includes workers residing in jurisdictions for which the relevant commute data has been suppressed by the U.S. Census.

[3] Data is derived from the 2012-2016 American Community Survey, the most recent available complete commute distribution data at the jurisdiction level. The share of Menlo Park's worker-force living in Menlo Park is an exception for which more recent data is available from the 2015-2019 American Community Survey. A reconciliation adjustment to the Balance of San Mateo County was made to account for the 0.6% reduction in the Menlo Park Share since the prior data.

Sources: U.S. Census Bureau, American Community Survey 2012-2016 Five-year estimates. Special Tabulation: Census Transportation Planning; American Community Survey 2015-2019; Applicant.

5.0 DISPLACEMENT ANALYSIS

This section provides an evaluation of the potential for the proposed Project to contribute to displacement of existing residents and neighborhood change in two proximate communities known to be vulnerable to displacement, the City of East Palo Alto (East Palo Alto) and the Belle Haven neighborhood of Menlo Park (Belle Haven). As noted above, displacement is not an environmental impact for purposes of CEQA, but this analysis is provided for informational purposes and consistent with the requirements of the 2017 Settlement Agreement.

Displacement occurs when housing or neighborhood conditions force existing residents to move or households feel like their move is involuntary. Displacement can be caused by a range of physical, economic and social factors including but not limited to foreclosure, condominium conversion, building deterioration or condemnation, increased taxes, natural disasters, eminent domain, and increases in housing costs[30, 31, 32]. The HNA is focused on economic drivers of displacement, specifically the potential for the proposed Project to affect the local housing market and housing costs.

Lower income communities in the Bay Area have become increasingly vulnerable to displacement of existing residents. Employment growth, constrained housing production, and rising income inequality are among the factors that have contributed to increased displacement pressures, especially within lower income communities in locations accessible to employment centers where many households are housing-cost burdened.

Location of Proposed Project Relative to Belle Haven and East Palo Alto

The aerial image below shows the location of the proposed Project relative to Belle Haven and East Palo Alto. The Project site is located on Adams Court within the Menlo Park Labs campus. Belle Haven is a residential neighborhood located west of the Project site generally bounded by U.S. 101, Willow Road and a railroad right-of-way, outlined in red on the aerial image below. East Palo Alto is located east and south of the Project site, outlined in green on the aerial image below.

[30] Zuk, M. et. al. 2017. Gentrification, Displacement, and the Role of Public Investment. Journal of Planning Literature. Journal of Planning Literature 1-14.

[31] Center for Community Innovation (2020). Investment and Disinvestment as Neighbors, A Study of Baseline Housing Conditions in the Bay Area Peninsula.

[32] Bradshaw, K. (2019). Uneven Ground: How unequal land use harms communities in southern San Mateo County. Palo Alto Online. https://paloaltoonline.atavist.com/uneven-ground

Proposed Project, Belle Haven and East Palo Alto Location

Source: Google Maps

Analysis Approach

Given the complex array of factors that influence housing markets and neighborhood change, precise estimates or projections of outcomes are not feasible; rather, the analysis provides information and context that will be useful in gauging the potential range of impacts. The following analyses were completed to provide this context:

1. *Comparative review of real estate trends* – Real estate market trends in East Palo Alto and Belle Haven since 2000 were analyzed in comparison to Countywide trends. The purpose is to help understand how localized trends relate to the broader County housing market.

2. *Review of employment trends* – Employment trends were reviewed for San Mateo County and adjacent counties. Employment data is delineated by compensation level so that growth in higher-income and lower-income jobs can be separately understood.

3. *Estimated direct housing demand in East Palo Alto and Belle Haven* – Commute shed data is used to estimate the number of new workers from the proposed Project likely to seek and find housing in East Palo Alto and Belle Haven. This is useful for understanding the likely magnitude of influence the proposed Project could have on the housing market.

4. *Historic Relationship Between Job Growth and Housing Costs* – The extent to which employment growth and housing costs have been correlated with one another was

analyzed using linear regression. Findings are used to identify the potential range of impacts on housing costs that could be experienced as a result of the proposed Project.

The above analyses all contribute to understanding the potential for the proposed Project to contribute to increases in home prices, rents and displacement pressures in East Palo Alto and Belle Haven.

Data Sources for Displacement Analysis

The displacement analysis was prepared using data from sources including the American Community Survey (ACS) of the U.S. Census, the Quarterly Census of Employment and Wages, commercial data providers CoStar, CoreLogic, ESRI Business Analyst, as well as the applicant for data on where employees of existing tenants in Menlo Park Labs live. Other sources are noted in the text and footnotes. While we believe all sources are sufficiently accurate for purposes of the analysis, we cannot guarantee their accuracy. KMA assumes no liability for information from these and other sources.

Risk of Displacement

East Palo Alto and Belle Haven both have risk factors for displacement. Both have a relatively lower-income existing population that includes a high percentage of households who spend 35% or more of their income on housing. A review of demographics and displacement risk factors specific to the two communities is provided in Appendix B. East Palo Alto's rent control and just cause eviction ordinance provides significant protection to existing renters within multi-family buildings built prior to 1988 but does not preclude the potential for longer-term neighborhood change. The Urban Displacement Project,[33] an initiative of UC Berkeley "aimed at understanding the nature of gentrification and displacement in the Bay Area" has identified the Belle Haven census tract and census tracts within East Palo Alto as areas experiencing "ongoing gentrification and/or displacement" or "at risk of displacement." A separate analysis by the Urban Displacement Project[34] indicates that, despite risk factors for displacement, East Palo Alto had not experienced significant gentrification during the 2000 to 2013 period, potentially due to policies aimed at preventing displacement including rent control and just cause eviction protections. For additional background, see also the Urban Displacement Project report, "East Palo Alto: An Island of Affordability in a Sea of Wealth"[35].

A recent study by UC Berkeley's Center for Community Innovation and its Y-PLAN initiative, titled *Investment and Disinvestment as Neighbors: A Study of Baseline Housing Conditions in*

[33] Zuk, M., & Chapple, K. (2019). Urban Displacement Project. http://www.urbandisplacement.org/

[34] Crispell, M, Harris L.R., and Cespedes S. March 2016. San Mateo County's East Palo Alto. Urban Displacement Project.

[35] Zuk, M., & Chapple, K. (2015). East Palo Alto: An Island of Affordability in a Sea of Wealth. Urban Displacement Project.

the Bay Area Peninsula, provided an assessment of the baseline housing conditions in Belle Haven, East Palo Alto, and North Fair Oaks neighborhood (unincorporated San Mateo County). The study found indications of recent changes including increased population turnover, declining school age population, and an increase in homelessness. The study also identified a high incidence of rent burdened households and disproportionate pressure on the local housing market compared to the rest of San Mateo County. The study found more signs of disinvestment in East Palo Alto and more indications of real estate speculation in Belle Haven[36].

East Palo Alto has been described as an "island" of affordability within the higher-priced Silicon Valley / Peninsula housing market. Belle Haven is also historically affordable relative to other neighborhoods in Menlo Park as well as many high-priced communities in San Mateo County and Silicon Valley. However, over the past two decades, home prices in East Palo Alto have increased at the same rapid pace as the County median, while home prices in Belle Haven are now slightly greater than the County median on a per square foot basis. Market rents for available one-bedroom apartments in East Palo Alto average approximately $2,355 per month which is approximately the same as the County average of around $2,310. While many existing residents in East Palo Alto are shielded from escalating housing costs through rent control or having purchased homes when prices were lower, the comparatively high cost of entering East Palo Alto's housing market relative to other more affordable locations in the Bay Area suggests that longer-term neighborhood change is likely.

The City of East Palo Alto has adopted policies focused on protecting affordability in the face of displacement pressures, including a rent control and just cause eviction policy described below.

East Palo Alto's Rent Control Ordinance

The City of East Palo Alto regulates rent increases and eviction procedures through the Rent Stabilization and Just Cause for Eviction Ordinance (East Palo Alto Municipal Code Chapter 14.04). The ordinance limits annual rent increases to 80% of the increase in the Consumer Price Index over the prior year. Just cause provisions of the ordinance require landlords to present a valid reason for terminating a tenancy. Tenants are also protected from retaliation and harassment. Rent control applies to all rental units except: single family homes, units in owner-occupied properties of three units or less, new units built after 1988 (other than replacement units), and certain non-profit / group-quarters living arrangements. As required by state law, rents are free to reset to market rate upon turnover. The rent control ordinance shields existing renters from increases in market rents and economic displacement. Because rents reset to market upon vacancy, the ordinance does not preclude neighborhood change over the longer term.

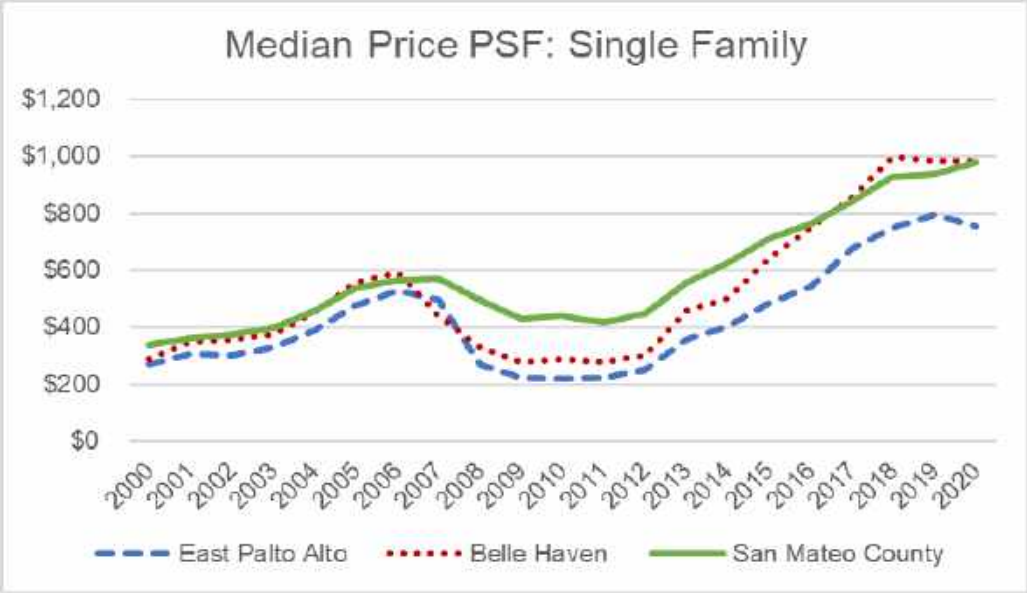
[36] Center for Community Innovation. (2020). Investment and Disinvestment as Neighbors, A Study of Baseline Housing Conditions in the Bay Area Peninsula.

Real Estate Trends

This section reviews data on real estate market trends for East Palo Alto, Belle Haven, and San Mateo County since 2000.

1. Home Prices

The chart below shows trends in median home price over the period from 2000 to 2020. In 2000, the median sales price per square foot in East Palo Alto of $270/SF represented approximately 80% of the County median of $338/SF, while the median price in Belle Haven of $291 per square foot represented 86% of the County median. In both East Palo Alto and Belle Haven, home prices decreased significantly during the housing market downturn and foreclosure crisis, reaching a low of 50% and 65% of the County median, respectively, in 2010. However, prices in both communities have escalated more rapidly than the County median over the subsequent decade. As of 2020, the median sales price in East Palo Alto of $754 per square foot is once again roughly 80% of the County median of $983 per square foot, while the price per square foot in Belle Haven has matched or exceeded the County median for the past four years.



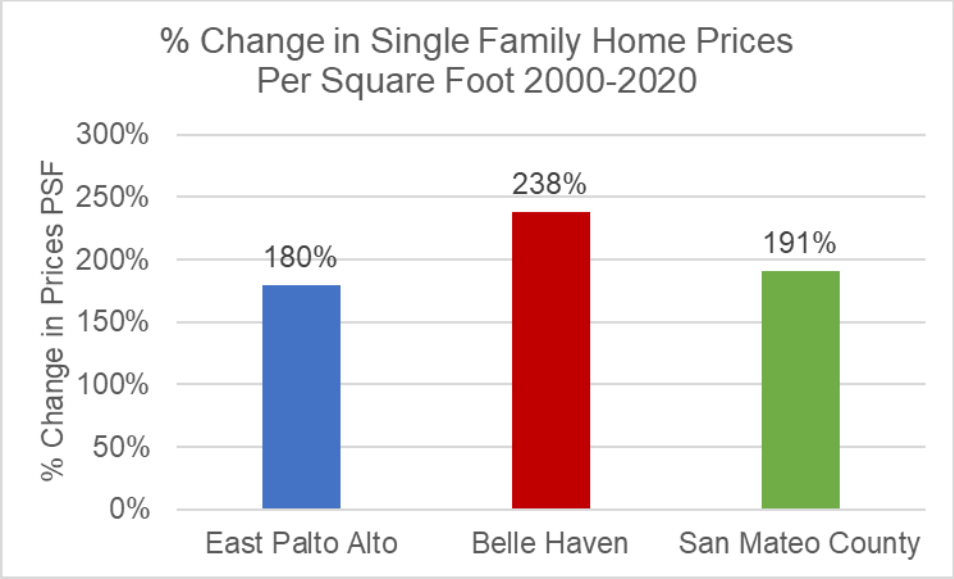
Source: CoreLogic

Table 5-1 shows how single family home prices per square foot in East Palo Alto and Belle Haven have changed over time relative to the County median.

Table 5-1. East Palo Alto and Belle Haven Median Price PSF as Percent of County		
	East Palo Alto as % of County Median Price PSF*	Belle Haven as % of County Median Price PSF*
2000	80%	86%
2001	84%	96%
2002	80%	94%
2003	83%	94%
2004	85%	99%
2005	89%	104%
2006	93%	105%
2007	87%	77%
2008	54%	66%
2009	52%	65%
2010	50%	65%
2011	54%	67%
2012	55%	67%
2013	64%	83%
2014	65%	80%
2015	68%	90%
2016	71%	98%
2017	80%	102%
2018	81%	108%
2019	85%	105%
2020	77%	100%

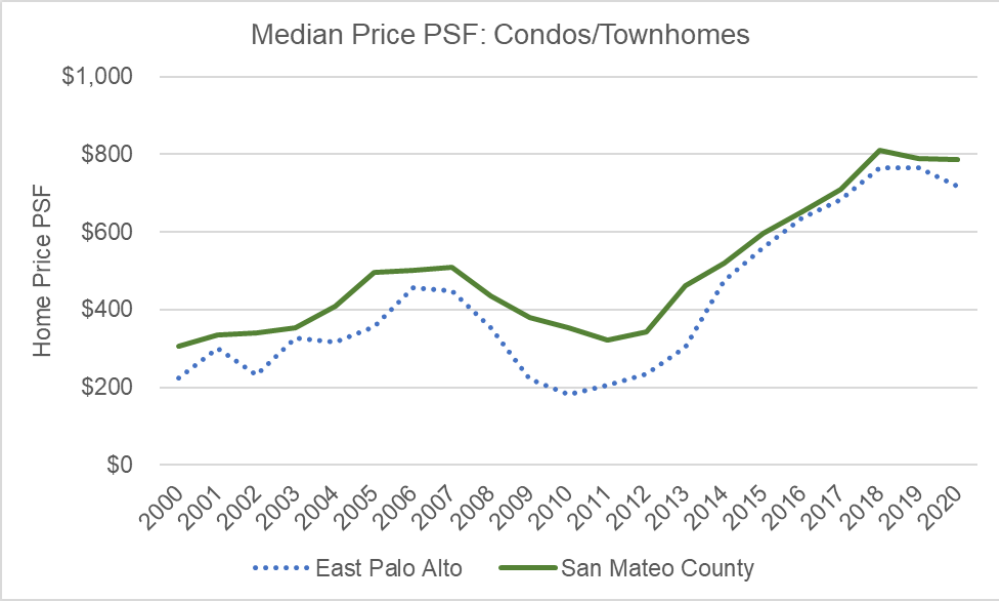
*for single family detached units

Overall, single family median home prices in East Palo Alto have increased by approximately 180% since 2000, approaching the cumulative percent increase in the County median home price of 190% over the same time period. Median single family home prices in Belle Haven increased 238%, outpacing the County. Some of the factors that likely contributed to rising home prices over the period include strong economic growth and housing demand, limited construction of new housing, favorable interest rates and credit terms, and confidence in the Bay Area economy and housing market.



Source: CoreLogic

For condos and townhomes, the median price per square foot in East Palo Alto grew from 74% of the County median in 2000 to nearly match the County median over the past seven years. Condos and townhomes represent a smaller share of the market in East Palo Alto than do single family units (20 condo/townhome sales per year on average as compared to an average of approximately 200 single family sales per year). No condo/townhome sales were recorded in Belle Haven.



Source: CoreLogic

Home prices in East Palo Alto and Belle Haven have experienced more rapid escalation in the period from 2010 to 2020, in part, due to a recovery from the housing / foreclosure crisis. Belle

Haven and East Palo Alto have both experienced a steep decline in the *number* of home sales from 2010. The number of sales in East Palo Alto fell from 260 units in 2010 to 160 units in 2019. In Belle Haven, the number of sales fell from 70 units in 2010 to 29 units in 2019. In contrast, the total number of home sales Countywide is roughly unchanged between 2010 and 2019.[37] This trend is consistent with a higher incidence of distressed sales activity in 2010 as reportedly occurred in East Palo Alto.[38] Distressed and foreclosure sales were prevalent nationally during this period and disproportionately impacted lower-income communities. Homeowners unable to sustain mortgage payments would fall into foreclosure, forcing a foreclosure sale, in some cases after an extended foreclosure process where the property was not being properly maintained. Distressed sales would drive home values in the area down and had the effect of inducing additional homeowners to go "underwater" (market value less than the mortgage debt) and let homes go to foreclosure, further exacerbating the condition, driving up the number of sales and driving down values. In some cases, homes were purchased out of foreclosure by investors who converted them to rental units. With recovery from the foreclosure crisis, the number of sales has now been reduced from the elevated levels that occurred during the foreclosure crises. Additional details on home price and sale trends are included in Appendix C Table 12.

While it could be interpreted that existing homeowners will benefit from home price increases, in communities such as East Palo Alto and Belle Haven where more than a third of single-family homes are renter-occupied, rapid growth in home prices may present a heightened risk of renter displacement to the extent it encourages the sale of single family rental properties to new owner-occupants.

2. Apartment Rents

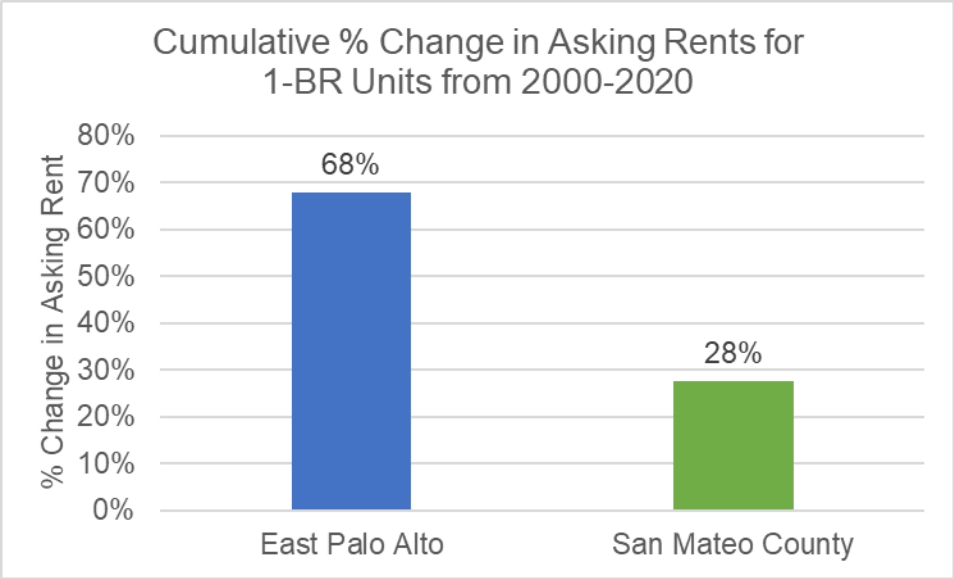
According to data from CoStar Group, which surveys multifamily buildings, apartment rents in San Mateo County increased by approximately 28% from 2000 to 2020. Rent growth in East Palo Alto outpaced the County with a 68% increase. These trends are presented in the charts below with additional details provided in Appendix Table 13. These rental rates reflect asking rents for one-bedroom units that have been vacated and are available for rent. For communities that have rent control, existing tenants in multifamily buildings are shielded from increases in market rents in excess of a predetermined rate (80% of CPI, in the case of East Palo Alto) as long as they remain in their current unit.

Rental market data for Belle Haven is not presented in the chart below as the data appears too limited to be reliable. CoStar data for Belle Haven is limited because three-quarters of rental units built before 2017 are for buildings with 10 or fewer units, less likely to be covered by

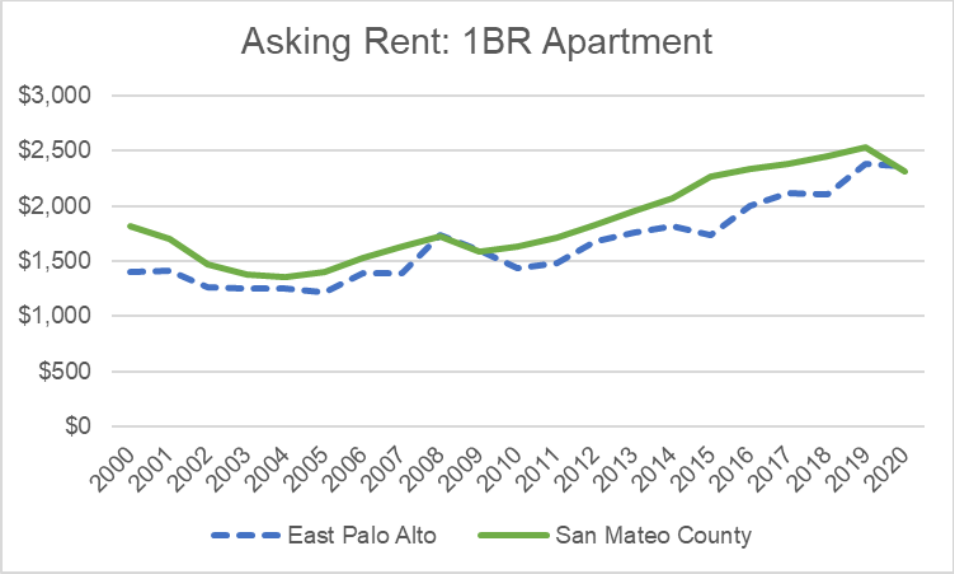
[37] All communities experienced a significant drop in sales volumes in 2020, likely a result of the coronavirus pandemic.

[38] KQED News. 2013. Can East Palo Alto Weather the Tech Boom and Increasing Gentrification? http://ww2.kqed.org/news/2013/07/18/104008/. The article indicates that from 2008 to 2013, 1,422 of approximately 4,000 single family homes in East Palo Alto had entered some stage of the foreclosure process.

published market surveys. Only approximately 160 (20%) of the 795-unit Belle Haven rental housing stock built before 2017 per the U.S. Census is covered by the historic CoStar data used in the trends analysis. While Costar data also covers two large apartment projects completed since 2017, rents at these projects reflect a premium for new construction which does not apply to the broader rental market in Belle Haven. Appendix C Table 13 provides the historical data that is available, excluding these recently built projects.



Source: CoStar.



Source: CoStar.

Following a period of robust job growth and limited housing production, home prices and rents have been rising throughout the Bay Area. The historically affordable communities of East Palo Alto and Belle Haven have either kept pace with or exceeded the significant increases that have been occurring in the County as a whole.

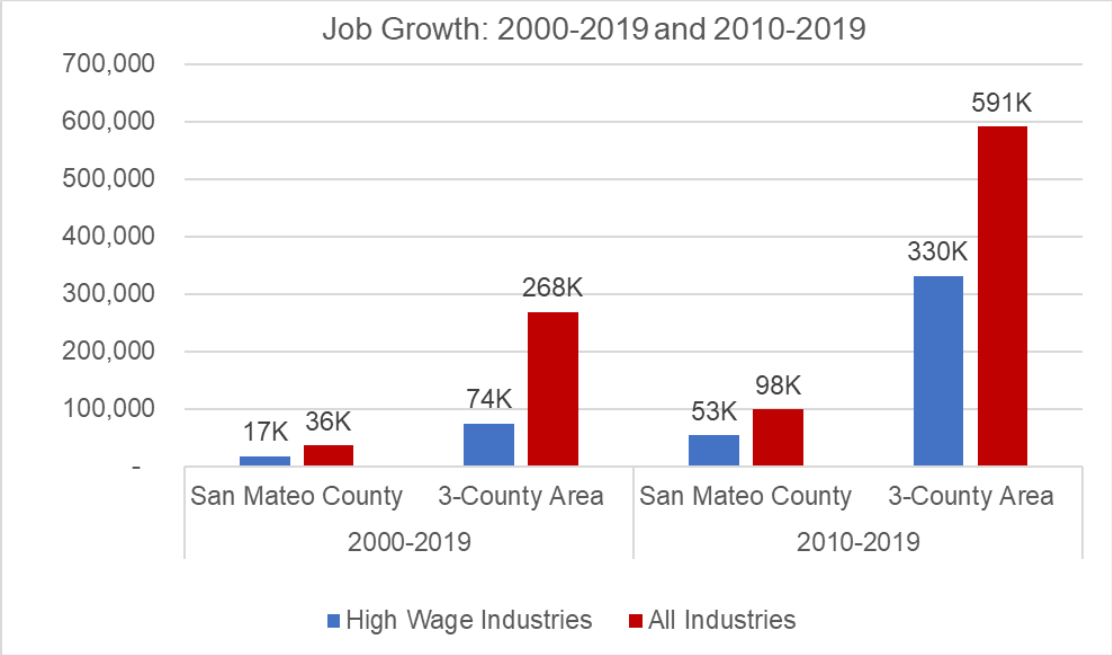
Employment Trends

Employment growth is an important driver of housing demand both at the local level and regionally. Employment growth over the past several years has likely contributed to significant upward pressure on the housing market as evidenced in the rent and price increases documented above. This section assembles data on historical employment trends since 2000 for San Mateo as well as Santa Clara and San Francisco counties. Approximately 95% of workers living in San Mateo County commute to jobs located in one of these three counties based on U.S. Census data.

According to the Quarterly Census of Employment and Wages, over the period from 2010 to 2019, a total of approximately 591,000 jobs were added in San Mateo, Santa Clara, and San Francisco counties (referred to in the chart below as the "three-county area").[39] More than half of the total job growth occurred in high-wage sectors. For purposes of this analysis, high-wage industry sectors are defined as those with average annual employee compensation above $100,000 as of 2016. Over the past decade, high-wage industries posted annual job growth of 4.6% versus 3.4% annual growth for all industries. Job growth for the longer period from the peak of a previous boom cycle in 2000 to 2019 is less due to significant job losses from 2000 to 2004, offsetting more recent job growth.

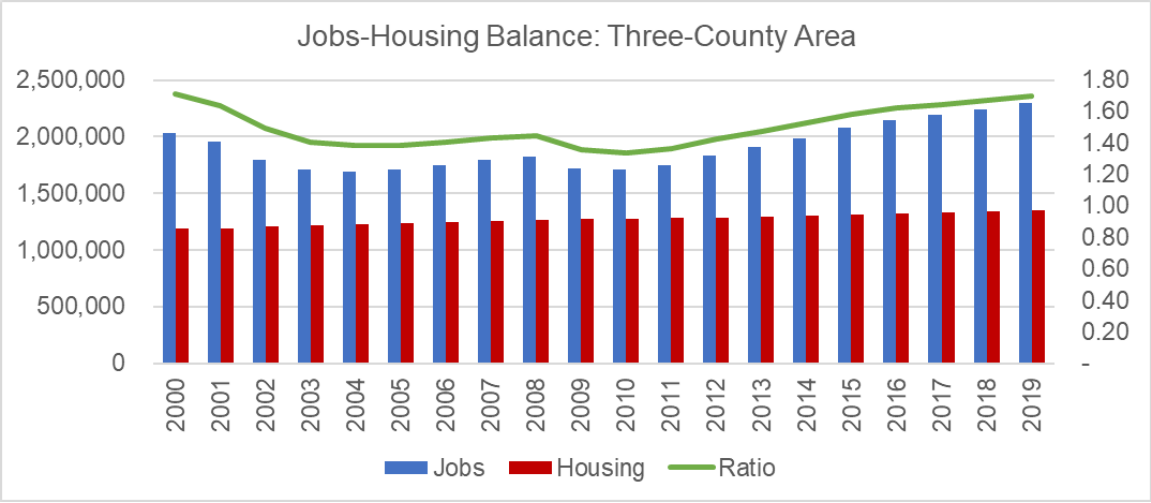
The 2020 economic recession caused by the coronavirus pandemic eliminated a portion of the jobs added over the past decade. While data for the full year of 2020 is not available from the Quarterly Census of Employment and Wages, data for the first half of 2020 shows a significant decline in total employment in the three-county area. In the second quarter of 2020, total employment in the three-county area declined by 12% in all sectors and by 3% in high-wage sectors compared to the prior quarter.

[39] Employment data for the second half of 2020 was not yet available from the Quarterly Census of Employment and Wages as of early 2021 when this analysis was prepared.



Source: Quarterly Census of Employment and Wages

Housing production has not kept pace with job growth in San Mateo County and adjacent counties. As illustrated in the chart below, the ratio of jobs to housing units has steadily increased in San Mateo, Santa Clara and San Francisco counties since 2010. The jobs-housing ratio in 2019 neared the peak of the previous boom cycle, an imbalance that has undoubtedly contributed to increasing prices and rents.



Sources: Quarterly Census of Employment and Wages and California Department of Finance

Estimated Direct Housing Demand in East Palo Alto and Belle Haven

This section describes the estimated share of new workers likely to seek and find housing in East Palo Alto and Belle Haven. The proposed Project's potential to directly impact housing conditions in East Palo Alto and Belle Haven or cause displacement of existing residents is driven by the extent to which workers at the proposed Project are likely to seek housing in either community. Direct displacement impacts will be minimal if a very limited number of workers seek housing in East Palo Alto or Belle Haven; conversely, if many proposed Project workers seek housing in East Palo Alto and Belle Haven, impacts would be greater unless new housing production keeps pace with the increased demand.

The following section summarizes data on the existing share of workers who live in East Palo Alto and Belle Haven. This data is then combined with the estimate of total housing demand from the Housing Needs Analysis (Section 3), to estimate the proposed Project's direct impact on housing demand in the two communities.

Commute Data

Similar to the analysis is Section 4, commute patterns are used to estimate the share of total regional housing demand within East Palo Alto and Belle Haven. Consistent with the Section 4 analysis, a lower estimate is provided based on data specific to the existing Menlo Park Labs campus and a higher estimate is provided based on average commute shares from the U.S. Census. The third goal-based commute share scenario addressed in Section 4 is not included for purposes of estimating direct housing demand in East Palo Alto and Belle Haven because it reflects a citywide goal for Menlo Park that is not specific to Belle Haven or East Palo Alto.

The lower estimate is based on applicant provided data on commute patterns for three tenants of existing buildings at the Menlo Park Labs campus representing a total of nearly 800 employees, of whom 629 reside in Northern California. Approximately 1.1% of Northern California employees are estimated to reside in East Palo Alto (seven workers), while another 0.5% (three workers) reside in Belle Haven. These figures reflect an allocation of the total number of workers commuting from the zip codes applicable to each community. East Palo Alto's zip code includes a portion of Palo Alto while Belle Haven is in the same zip code as the rest of Menlo Park. The share of workers within each community was estimated based on its housing stock as a share of the total for the applicable zip code. See Appendix C Table 16 for details.

The higher estimate is based on U.S. Census data on the overall share of those who work in Menlo Park that commute from East Palo Alto. For Belle Haven, the higher estimate reflects an allocation of the citywide commute share for Menlo Park from the U.S. Census in proportion to the number of occupied housing units, as data specific to Belle Haven is not available.

Table 5-2. Percent of Workers Residing in East Palo Alto and Belle Haven		
	Lower Estimate based on Existing Menlo Park Lab Workers[1]	**Higher Estimate** based on Census Average [2]
Live in East Palo Alto	1.1%	3.1%
Live in Belle Haven	0.5%	0.7%
Live Elsewhere	98.4%	96.2%
Total	100%	100%

[1] Zip code-level data allocated to geographies in proportion to share of existing housing stock. Excludes approximately 170 employees with addresses listed outside of Northern California. See Appendix C Table 16 for additional information.

[2] Data for East Palo Alto per U.S. Census Bureau, American Community Survey 2012-2016 Five-year estimates. Special Tabulation: Census Transportation Planning. Figure for Belle Haven based on American Community Survey 2015-2019 for City of Menlo Park allocated to Belle Haven in proportionate to the number of occupied housing units.

Since it is difficult to predict the extent to which commute shares may evolve over the long term, for purposes of the estimates below, existing shares are applied.

Estimated Direct Housing Demand in East Palo Alto and Belle Haven

The lower and higher commute shares described above are used to estimate the East Palo Alto and Belle Haven shares of total housing demand from the proposed Project.

The total housing demand within commuting distance to the proposed Project estimated in Section 3 is 341 units. Based on current commute shares, the portion of this aggregate housing demand in East Palo Alto is estimated to range from four units with the lower estimate to 11 units with the higher estimate. For Belle Haven, the estimated housing demand is two units under both the lower and higher estimates. This estimate of direct Project-related housing demand in East Palo Alto and Belle Haven is estimated to represent in the range of 0.05% to 0.13% of the existing housing stock in East Palo Alto and 0.12% in Belle Haven.

Table 5-3. East Palo Alto and Belle Haven Shares of Housing Demand from Project Estimated Based on Existing Commute Shares					
		East Palo Alto Share of Housing Demand		**Belle Haven Share of Housing Demand**	
Housing Demand from Project	**Total** [(1)]	Lower Estimate	Higher Estimate	Lower Estimate	Higher Estimate
Total Direct Housing Demand [(1)]	341 Units				
Commute Share (Table 5-2)		1.1%	3.1%	0.5%	0.7%
Estimated Direct Housing Demand		4 Units	11 Units	2 Units	2 Units
Total Existing Housing Stock [(2)]		8,342 Units		1,670 Units	
Project Demand as % of Total Housing Stock		0.05%	0.13%	0.12%	0.12%

[(1)] See Section 3.

[(2)] ACS 2015-2019

Turnover of Existing Units

1. *Turnover of existing housing units in East Palo Alto* – The East Palo Alto housing stock is comprised of approximately 7,724 occupied housing units. KMA estimates East Palo Alto experiences an average turnover rate of approximately 8% of the occupied housing stock each year, based on U.S. Census 2015-2019 ACS data regarding the length of occupancy for housing units. This 8% turnover rate equates to approximately 620 units each year available through regular turnover. With the lower estimate, the estimated four units of direct housing demand from the proposed Project in East Palo Alto would represent roughly 0.6% of the units coming available in one year through regular turnover. The higher estimate of 11 units is estimated represent 1.8% of the units coming available through regular turnover.

2. *Turnover of existing housing units in Belle Haven* – Belle Haven housing stock is comprised of approximately 1,450 occupied housing units. KMA estimates that Belle Haven experiences an average turnover rate of approximately 7% of the occupied housing stock per year based on Census data regarding the length of occupancy for housing units. This 7% turnover rate equates to approximately 100 units per year available through regular turnover. The estimated two units of direct housing demand from the proposed Project in Belle Haven with both the lower and higher estimates represents approximately 2% of the units estimated to come available through regular turnover in one year.

Overall, the proposed Project is estimated to represent less than 2% of the market for units that come available through regular turnover in East Palo Alto and Belle Haven each year. This would mean that, as rental units come available through regular turnover, or as homeowners make the decision to sell, at the point in time that the proposed Project is initially occupied, workers could be competing for up to about 2% of the units that are available, along with others seeking housing within the two communities. This suggests a minimal direct impact on local housing market conditions.

Analysis of Historic Relationship Between Housing Costs and Job Growth

The following section analyzes the extent to which employment growth and real estate trends have been correlated with one another to provide context for understanding the degree of indirect influence the proposed Project may have on local home prices and rents. Simple linear regression is used to quantify the potential change in rents or home prices associated with a given change in jobs based on annual data from 2000 to 2019. Simple linear regression shows whether two variables are correlated with one another but does not prove that there is a causal relationship.

Geographic Scale

The regression analyses are performed for two geographic scales with respect to job growth:

a) San Mateo County ("single-county"); and

b) San Mateo, Santa Clara, and San Francisco counties combined ("three-county").

The single-county analysis likely provides an upper-end estimate of the indirect influence of employment growth on local real estate trends, since it attributes all variation in local rents and home prices to job growth within the County. In reality, job growth in other counties would also have an influence, along with separate factors that may be correlated with job growth such as growth in incomes. Therefore, the single-county analysis likely overstates the impacts.

The three-county analysis provides a lower estimate of the influence of employment growth on local real estate trends, at least for purposes of understanding the proposed Project's influence, since the analysis assumes that job growth across the three counties has a uniform influence on rents and home prices within San Mateo County. For workers who live in San Mateo County, 95% work in San Francisco, San Mateo, or Santa Clara counties as shown in Table 5-4. Comparatively few workers who live in San Mateo County commute east into Alameda County (3%). Therefore, job growth within the three selected counties is anticipated to have the greatest influence on housing prices and rents within San Mateo County. The three-county analysis may understate the influence of local job growth by treating jobs added anywhere within the three counties as having an equal influence on rents in San Mateo County. Since the majority of San Mateo County residents work within the county (57%), as shown in Table 5-4, job growth within San Mateo County likely has somewhat more of an influence than job growth in Santa Clara County or San Francisco.

Table 5-4. County of Work, Workers Residing in San Mateo County

Workplace	Number Workers	Percent
San Mateo County	222,355	57%
San Francisco	84,195	22%
Santa Clara County	61,165	16%
Subtotal	367,715	95%
Alameda County	12,940	3%
Other Counties	6,936	2%
Grand Total	387,591	100%

U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates, County-to-County Commuting Flows.

Approach to Capturing Multiplier Effects: High-Wage Jobs Analysis

The regression analysis evaluated the relationship of home prices and rents to both total job growth and high-wage job growth. High-wage job growth is defined for purposes of the analysis as employment within industries that have average pay above $100,000 per year as of 2016.

The high-wage analysis is an approach to capturing the impact of "multiplier effects." Technology, bio-tech, and other high-wage sectors help drive growth in other sectors of the local economy such as retail, food, and transportation through spending by these businesses and their workforce. Employment and economic growth stimulated through this spending is commonly referred to as the "multiplier effect". Examining the relationship between housing costs and jobs in high-wage industries, specifically, enables the impact that potential multiplier effects have on housing costs to be captured. To the extent high-wage jobs are responsible for additional job creation through multiplier effects, potential impacts would be captured in the market data on home prices and rents and reflected as part of the correlative relationship identified by the analysis.

Adjustments for Inflation and Added Housing

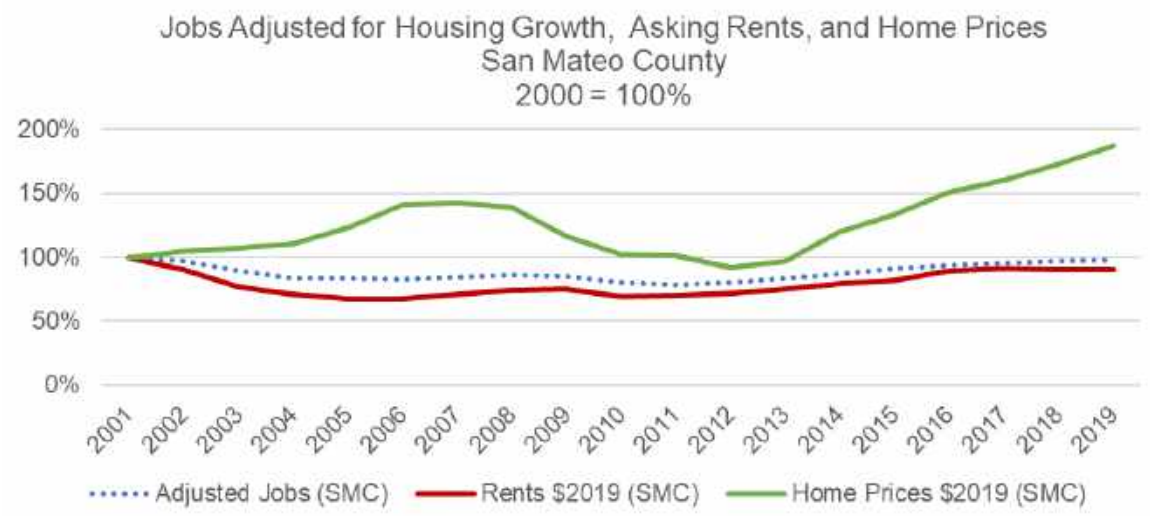
Two adjustments were made to the real estate and employment data used in the regression analysis:

1. *Inflation adjustment* – Rent and sales price data for San Mateo County is expressed in constant 2019 dollars, adjusting for inflation based upon the Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U).

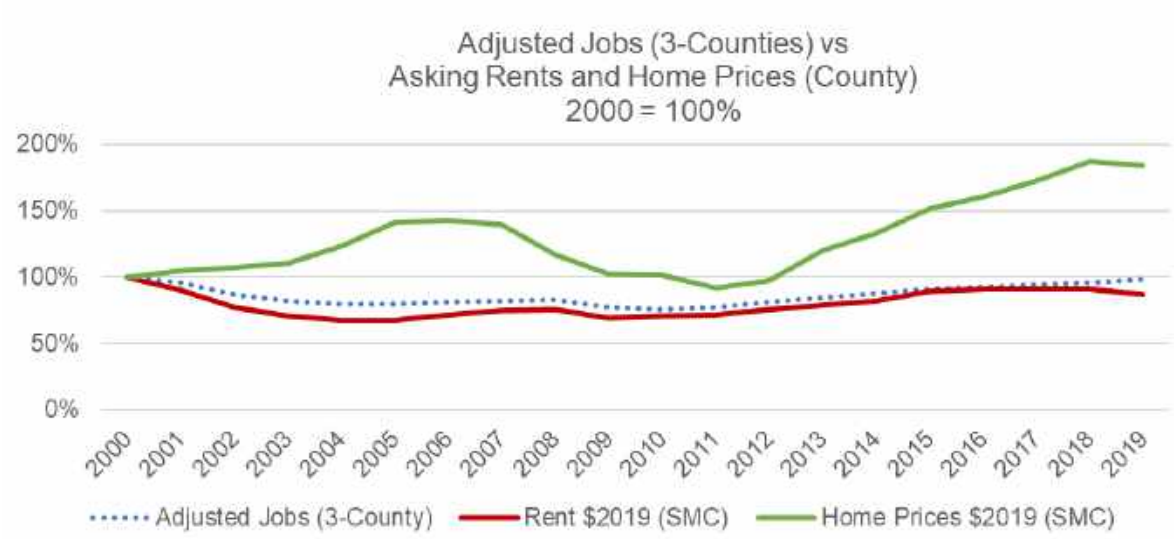
2. *Adjusted Jobs (net of housing growth)* – Employment data was adjusted to reflect the portion of job growth since 2000 that can be accommodated by housing construction since that time, using the same 1.91 workers per household factor applied in Section 3 as detailed in Appendix C Tables 10 and 11. For example, as of 2010, there were approximately 317,600 jobs in San Mateo County and 271,000 housing units, of which 10,400 units were built since 2000. The number of jobs accommodated by housing units built from 2000 to 2010 (10,400 housing units x 1.91 workers per household = approximately 19,900) is subtracted from total 2010 employment (317,600 jobs) to arrive at the adjusted estimate of 297,700 jobs as of 2010. In the case of the three-county analysis, employment within the three-county area is similarly adjusted by housing growth within the three-county area. Thus, the linear regression analyses estimate the relationship between inflation-adjusted rents and home prices and employment growth, net of the offsetting influence of housing growth.

Summary of the Data

The following two charts compare historical inflation-adjusted rents and home prices with changes in employment for San Mateo County and the three-county area including San Francisco and Santa Clara counties, respectively. The charts present the trends as an index relative to 2000 levels. Rents have generally trended down when the number of jobs was decreasing and up when jobs were added, suggesting a relatively strong correlation between rents and jobs. Rents decreased further than the number of jobs, in percentage terms, following the "dot com crash" around 2000 and were still below 2000 levels in inflation-adjusted terms as of 2019. Real home prices, on the other hand, grew from 2000 to 2006 by over 40% even as employment fell by approximately 15%. Jobs and home prices have been positively correlated during the current economic cycle; however, it is likely that interest rates and mortgage credit availability are as important, if not more important, than employment growth in explaining historical variation in home prices.



Sources: Quarterly Census of Employment and Wages, California Department of Finance, CoStar, CoreLogic, Bureau of Labor Statistics Consumer Price Index.



Regression Analysis Findings

Table 5-5 presents the results of the regression analysis for the eight separate scenarios tested. Additional supporting information is included in Appendix C. The primary findings of the analysis are:

- Rents have a positive, statistically significant correlation with job growth in all scenarios.
- Job growth was found to have a weak positive correlation to home prices in three of four scenarios tested and did not have a statistically significant relationship to home prices in a fourth scenario.
- Each 10,000 total jobs added to the County (net of offsetting housing growth) is correlated with a 4.0% increase in rents and 3.5% increase in home prices and each 10,000 jobs within the three-county area is correlated with a 0.7% increase in rents and a 1.1% increase in home prices. As discussed below, the single-county and three-county findings are used to bracket an upper and lower estimate of the impacts.
- Each 10,000 high-wage jobs (net of offsetting housing growth) added to the County is correlated with a 7.0% increase in rents and 5.8% increase in home prices and each 10,000 high-wage jobs within the three-county area is correlated with a 1.1% increase in rents but did not have a statistically significant correlation with home prices.

Table 5-5. Summary of Regression Analysis Results				
	Scenario	**Percent increase per 10,000 adjusted jobs**	**P-Value** (statistically significant values = <0.05)	**Adjusted R-Squared** (1= perfect correlation; 0= no correlation)
	Single County Analysis [Upper Estimate]			
1	**Correlation with All Job Growth**			
R	Rents	4.0%	<.05	0.88
S	Sales Prices	3.5%	<.05	0.30
2	**Correlation with High-Wage Job Growth** *[proxy for inclusion of multiplier-effect]*			
R	Rents	7.0%	<.05	0.82
S	Sales Prices	5.8%	<.05	0.25
	Three-County Analysis [Lower Estimate]			
3	**Correlation with All Job Growth**			
R	Rents	0.7%	<.05	0.89
S	Sales Prices	1.1%	<.05	0.23
4	**Correlation with High-Wage Job Growth** *[proxy for inclusion of multiplier-effect]*			
R	Rents	1.1%	<.05	0.83
S	Sales Prices	n/a -relationship not significant	0.08 (not significant)	0.12

Regression Analysis Metrics

The following provides additional information regarding the regression analysis metrics identified in Table 5-5:

Adjusted R-squared – The adjusted R-Squared is an indicator of the model's ability to explain historical variation in the dependent variable (rents or home prices) in relation to employment. An adjusted R-squared of 1 indicates a perfect correlation. An adjusted R-squared of 0 indicates no correlation. As would be expected based on the trends described above, the regression model explains most of the variation in rents but less than one third of the variation in home prices.

P-Value – The p-value indicates the probability of no relationship between the independent and dependent variables. P-values of 0.05 and less indicate there is less than a 5% chance that the observed relationship can be explained by random chance and is a common threshold used to identify statistical significance. P-values for all of the rental scenarios and three of the for-sale scenarios are below the .05 threshold and are thus identified as significant. The p-value of the fourth for-sale scenario exceeds the .05 threshold and therefore does not meet the criteria for a statistically significant correlative relationship.

Single-County Versus Three-County Results

The single-county analysis provides a higher estimate of the response of local housing costs to a given change in employment compared to the three-county analysis. The estimated change in asking rents per 10,000 jobs is approximately six times larger and the estimated change in sale prices is three times larger under the single-county analysis versus the three-county analysis. The three-county analysis assumes jobs created anywhere in the three-county area have an equal influence on rents as jobs within San Mateo County. While regional employment dynamics are important, jobs added within San Mateo County probably have a more pronounced influence on local real estate conditions within the County. Thus, the change in rents and sales prices for a given change in jobs is likely to fall somewhere in between the value suggested by the single-county and three-county analysis.

The single-county regression model appears to explain most of the variation in local rents; however, it is important to recognize that job growth within San Mateo County is highly correlated with regional job growth. The single-county analysis will not distinguish the effects of County versus regional job growth and, as a result, will tend to overstate the relationship between job growth in the County and rents.

Analysis Limitations and Potential to Overstate Influence of Job Growth

The analysis relies on a very simple statistical technique to test for correlation but does not prove that the identified relationship between job growth and housing costs is causal. The approach likely overstates the importance of job growth by not distinguishing the effects of other important contributing factors that are correlated with job growth. For example, rising incomes, especially those of higher-income households, enable these households to compete for limited housing supply in the most desirable locations, contributing to rising housing costs. Some communities in San Mateo County, such as Redwood City, have seen construction of a significant number of new rental units that offer superior amenities and command a premium in the market. The inclusion of these newer units in the data set will tend to bring up averages due to higher rents being charged for the new units; however, this does not necessarily mean costs for existing units are increasing. The analysis technique will tend to attribute effects of other factors that are correlated with job growth to the job growth itself, which results in overstating the influence of job growth.

Application of Findings to Estimate Potential Project-Related Impacts

This section examines the potential for the proposed Project to contribute to displacement through an indirect influence on housing market conditions in East Palo Alto and Belle Haven. To the extent the proposed Project generates upward pressure on the housing market, effects are also likely to be experienced locally within the subject communities.

Findings from the regression analysis were applied to the 650 jobs that would be added by the proposed Project to estimate the potential range of impacts. Findings are summarized in Table

5-6. As shown, a wide range of potential influence is found, from 0.04% increase in rents and sales prices based on the finding of the three-county analysis, up to a 0.45% and 0.38% increase in rents and sales prices, respectively, based on the single-county results for high-wage jobs. As discussed earlier, the high-wage jobs analysis is an approach to capturing potential multiplier effects in the analysis.

Table 5-6. Potential Percentage Influence on Rents and Sales Prices

	Lower Estimate (3-County Analysis)	Upper Estimate (SM County Analysis)
Correlation with All Job Growth		
Rents	0.04%	0.26%
Sales Prices	0.04%	0.23%
Correlation with High-Wage Job Growth		
[captures potential multiplier effect]		
Rents	0.07%	0.45%
Sales Prices	*relationship not statistically significant*	0.38%

Since the upper and lower percentage impact estimates presented in Table 5-6 likely bracket the range, for purposes of the rental analysis, the midpoints of 0.15% based on all jobs and 0.26% based on high-wage jobs are used. For purposes of the for-sale analysis, the midpoints are 0.13% based on all jobs and 0.19% based on high-wage jobs[40]. The percentage findings presented in Table 5-6 may be converted to a potential dollar influence on rents and home prices. Applying the percentages from the rental analysis to the $2,791 average effective monthly rent in East Palo Alto as of 2020 per CoStar yields an estimated dollar impact of $4 and $7, respectively. Applying the percentages from the for-sale analysis to the 2020 median home prices in East Palo Alto of $878,000[41] yields a potential dollar influence on home prices of $1,100 and $1,700, which translates to a monthly mortgage payment difference of $4 and $5 per month[42], respectively. For Belle Haven, based on the 2020 median home price of $1,088,000[43] and applying the same percentage factors, the impact to home prices is estimated between $1,400 and $2,100, which translates into an estimated monthly mortgage payment difference of between $5 and $7 per month[44]. These estimated dollar impacts on rents and sales prices are negligible in terms of their likely effect on residential location decisions and are likely overstated for the following reasons:

[40] For purposes of calculating the mid-point in the high-wage scenario, the insignificant result with the three-county analysis is treated as zero.

[41] Price based on CoreLogic home sales data for January 2020 through October 2020.

[42] This estimate is based on a mortgage interest rate of 2.65% as of January 2021 based on the average for 30-year mortgages per the Freddie Mac Primary Mortgage Market Survey and assumes a 20% down payment.

[43] Price based on CoreLogic home sales data for January 2020 through October 2020.

[44] This estimate is based on a mortgage interest rate of 2.65% as of January 2021 based on the average for 30-year mortgages per the Freddie Mac Primary Mortgage Market Survey and assumes a 20% down payment.

- **Analysis Approach Will Tend to Overstate Importance of Job Growth** – the analysis will tend to overstate the influence of job growth by omitting other important variables that also affect housing costs. Two such variables include rising household incomes, which can influence housing costs through increased price competition, and addition of new rental and for-sale housing with modern finishes and amenities and higher prices and rents, which can bring up averages but does not necessarily mean costs for existing units are increasing. Both factors are correlated with job growth. The analysis approach will tend to ascribe the impact of these factors to job growth alone, overstating the potential effects of the proposed Project.

- **Offsetting Effects of New Housing Not Reflected.** New housing construction can absorb new demand and moderate or offset the minor potential rent and home price effects estimated. The City has already issued building permits for 1,416 housing units during the current RHNA planning cycle and has over 3,000 additional housing units proposed in the vicinity of the proposed Project, within the Bayfront Area. East Palo Alto has issued building permits for 222 units during the current RHNA planning cycle[45] and has nearly 1,000 new housing units in the development pipeline[46]. Combined, there are approximately 4,000 housing units currently in the development pipeline in Menlo Park and East Palo Alto, including approximately 900 below market rate (BMR) affordable units[47], which would be expected to absorb a share of the additional housing demand from the proposed Project. The proposed Project would also contribute to creation of additional Extremely Low, Very Low and Low Income housing units through payment of approximately $5.1 million[48] in affordable housing impact fees. Absorption of new housing demand from the proposed Project by the over 4,000 new housing units currently in the development pipeline in East Palo Alto and Menlo Park, along with additional affordable units funded with affordable housing impact fees will tend to moderate or offset the potential rent and price effects described above. As these moderating effects are not taken into account in the analysis, estimates of potential rent and price effects are likely overstated.

[45] East Palo Alto 2020 Housing Element Annual Progress Report.

[46] October 6, 2020 City of East Palo Alto Staff Report to the City Council RE: Follow-Up on Study Session Related to the Affordable Housing Component of the Euclid Improvements (Woodland Park) Project, Attachment 1. East Palo Alto Housing Breakdown, which indicates approved, planned, proposed or under construction housing units totaling 969 units, not including 108 rebuilt units.

[47] Pipeline total of 900-unit BMR units summarized from prior HNA's prepared by KMA for projects in the Bayfront Area, applicant proposals for 123 Independence and Willow Village, the City of Menlo Park summary of pipeline projects in the Bayfront Area and the staff report referenced in the prior footnote with respect to East Palo Alto pipeline projects.

[48] Estimate based on FY 20-21 fee level of $19.61 per square foot applied to the net square footage added by the Project.

Displacement Analysis Conclusion

Belle Haven and all areas of East Palo Alto are identified by the Urban Displacement Project as either at risk of or undergoing displacement. East Palo Alto's rent control ordinance shields existing renters in eligible units from rent increases; however, protections do not extend to the more than one third of single-family homes in East Palo Alto that are renter-occupied or to rentals in Belle Haven. Escalating rents and home prices have made these communities far less affordable than they once were. This makes longer term neighborhood change likely as units come available through rental unit turnover or sale of owner-occupied housing because newcomers will generally need to have higher incomes than existing residents to afford it.

The proposed Project is estimated to represent a negligible influence on displacement in East Palo Alto and Belle Haven which would not materially contribute to the substantial pre-existing displacement pressures. This conclusion is based on consideration of the following:

- The proposed Project would not alter land use in a fundamental way, rather it is an incremental expansion of an existing use. Therefore, it appears unlikely the proposed Project would generate an outsized or catalytic effect on the local housing market.

- The proposed Project adds nominally to housing demand estimated at four to 11 units in East Palo Alto and two units in Belle Haven. The estimated direct housing demand from proposed Project workers is estimated to represent up to approximately 0.13% of the existing housing stock and up to approximately 2% of the units estimated to come available through normal turnover in one year. Since this represents a minor level of demand, it is anticipated to represent a nominal influence on the overall local housing market. In addition, there are over 4,000 housing units proposed within Menlo Park and East Palo Alto, including approximately 900 BMR affordable units, that are likely to help absorb the new housing demand.

- The analysis indicates that the potential impact on monthly housing costs for newly vacated units could range from $4 to $7 depending on the analysis approach. Were an impact of this magnitude to occur, it would be unlikely to have a material effect on residents' decisions regarding where to live. Residents of rent control housing and existing homeowners would be protected from any increase. Further, even though a minor amount, the estimated impact is likely overstated because it is based on a methodology that does not isolate the effects of job growth from other contributing factors or account for the offsetting effects of the significant pipeline of new housing proposed for development in the vicinity of the proposed Project.

APPENDIX A – WORKER OCCUPATIONS AND COMPENSATION LEVELS

APPENDIX A TABLE 1
2019 NATIONAL R&D WORKER DISTRIBUTION BY OCCUPATION
1350 ADAMS COURT PROJECT
HOUSING NEEDS ASSESSMENT
MENLO PARK, CA

Major Occupations (2.5% or more)	2019 National R&D Occupation Distribution	
Management Occupations	99,030	15.5%
Business and Financial Operations Occupations	65,190	*10.2%*
Computer and Mathematical Occupations	81,980	*12.8%*
Architecture and Engineering Occupations	102,920	*16.1%*
Life, Physical, and Social Science Occupations	167,030	*26.1%*
Office and Administrative Support Occupations	49,850	*7.8%*
All Other R&D Related Occupations	74,400	*11.6%*
INDUSTRY TOTAL	640,400	100.0%

Source: Bureau of Labor Statistics
Prepared by: Keyser Marston Associates, Inc.
Filename: \\SF-FS2\wp\12\12095\006\App A Tables 1 7-19-21.xlsx;Major Occupations Matrix; 7/20/2021

APPENDIX A TABLE 2
AVERAGE ANNUAL COMPENSATION, 2020
R&D WORKER OCCUPATIONS
1350 ADAMS COURT PROJECT
HOUSING NEEDS ASSESSMENT
MENLO PARK, CA

Occupation [1]	2020 Avg. Compensation [2]	% of Total Occupation Group [3]	% of Total R&D Workers
Page 1 of 2			
Management Occupations			
General and Operations Managers	$170,200	16.1%	2.5%
Marketing Managers	$187,500	4.5%	0.7%
Administrative Services and Facilities Managers	$138,200	3.6%	0.6%
Computer and Information Systems Managers	$209,500	8.4%	1.3%
Financial Managers	$195,300	6.6%	1.0%
Industrial Production Managers	$153,200	3.2%	0.5%
Architectural and Engineering Managers	$192,100	11.3%	1.8%
Medical and Health Services Managers	$159,500	4.4%	0.7%
Natural Sciences Managers	$219,900	19.6%	3.0%
Personal Service and Entertainment and Recreation Managers	$180,900	9.2%	1.4%
All Other Management Occupations (Avg. All Categories)	$172,000	13.0%	2.0%
Weighted Mean Annual Wage	***$187,200***	**100.0%**	**15.5%**
Business and Financial Operations Occupations			
Buyers and Purchasing Agents	$81,300	7.2%	0.7%
Compliance Officers	$96,300	10.5%	1.1%
Human Resources Specialists	$94,900	7.3%	0.7%
Logisticians	$79,300	4.4%	0.4%
Management Analysts	$118,500	9.1%	0.9%
Training and Development Specialists	$87,000	3.7%	0.4%
Market Research Analysts and Marketing Specialists	$99,900	8.3%	0.8%
Project Management and Business Operations Specialists	$99,300	27.3%	2.8%
Accountants and Auditors	$96,500	12.4%	1.3%
Financial, Investment, and Risk Specialists	$128,200	4.3%	0.4%
All Other Business and Financial Operations Occupations (Avg. All Categories)	$103,100	5.6%	0.6%
Weighted Mean Annual Wage	***$98,900***	**100.0%**	**10.2%**
Computer and Mathematical Occupations			
Computer Systems Analysts	$124,400	12.1%	1.5%
Information Security Analysts	$127,300	4.1%	0.5%
Computer and Information Research Scientists	$139,200	6.2%	0.8%
Computer User Support Specialists	$79,300	4.7%	0.6%
Computer Network Architects	$137,700	3.8%	0.5%
Network and Computer Systems Administrators	$104,000	6.0%	0.8%
Computer Programmers	$117,100	5.2%	0.7%
Software Developers and Software Quality Assurance Analysts	$153,800	35.3%	4.5%
Computer Occupations, All Other	$126,800	6.5%	0.8%
Statisticians	$132,900	7.1%	0.9%
All Other Computer and Mathematical Occupations (Avg. All Categories)	$132,500	9.0%	1.2%
Weighted Mean Annual Wage	***$134,100***	**100.0%**	**12.8%**

Sources: Bureau of Labor Statistics; California Employment Development Department Compensation Data.
Prepared by: Keyser Marston Associates, Inc.
Filename: App A Tables 1 7-19-21.xlsx;Compensation; 7/20/2021

Occupation [1]	2020 Avg. Compensation [2]	% of Total Occupation Group [3]	% of Total R&D Workers
Page 2 of 2			
Architecture and Engineering Occupations			
Aerospace Engineers	$154,900	4.7%	0.8%
Chemical Engineers	$105,500	3.0%	0.5%
Computer Hardware Engineers	$137,700	7.5%	1.2%
Electrical Engineers	$130,000	9.8%	1.6%
Electronics Engineers, Except Computer	$119,500	8.4%	1.4%
Industrial Engineers	$120,500	8.0%	1.3%
Mechanical Engineers	$128,300	16.8%	2.7%
Engineers, All Other	$120,600	10.2%	1.6%
Electrical and Electronic Engineering Technicians	$69,600	4.4%	0.7%
Calibration and Engineering Technologists and Technicians	$82,800	5.7%	0.9%
All Other Architecture and Engineering Occupations (Avg. All Categories)	$113,000	21.5%	3.4%
Weighted Mean Annual Wage	***$119,100***	**100.0%**	**16.1%**
Life, Physical, and Social Science Occupations			
Biological Scientists, All Other	$115,400	5.9%	1.5%
Medical Scientists, Except Epidemiologists	$124,500	27.8%	7.2%
Physicists	$170,600	3.2%	0.8%
Chemists	$93,500	7.1%	1.8%
Biological Technicians	$59,000	16.2%	4.2%
Chemical Technicians	$52,800	3.6%	0.9%
Social Science Research Assistants	$58,200	3.5%	0.9%
Life, Physical, and Social Science Technicians, All Other	$61,400	4.6%	1.2%
All Other Life, Physical, and Social Science Occupations (Avg. All Categories)	$107,900	28.1%	7.3%
Weighted Mean Annual Wage	***$100,200***	**100.0%**	**26.1%**
Office and Administrative Support Occupations			
First-Line Supervisors of Office and Admin. Support Workers	$75,800	7.6%	0.6%
Bookkeeping, Accounting, and Auditing Clerks	$59,100	6.5%	0.5%
Customer Service Representatives	$53,000	6.0%	0.5%
Production, Planning, and Expediting Clerks	$66,100	5.1%	0.4%
Shipping, Receiving, and Inventory Clerks	$44,700	3.0%	0.2%
Executive Secretaries and Executive Admin. Assistants	$88,300	16.1%	1.3%
Secretaries and Administrative Assistants	$55,900	22.1%	1.7%
Office Clerks, General	$49,700	17.9%	1.4%
All Other Office and Administrative Support Occupations (Avg. All Categories)	$57,200	15.7%	1.2%
Weighted Mean Annual Wage	***$61,900***	**100.0%**	**7.8%**
Weighted Average Annual Wage - All Occupations	***$120,000***		88.4%

[1] Including occupations representing 3% or more of the major occupation group.

[2] The methodology utilized by the California Employment Development Department (EDD) assumes that hourly paid employees are employed full-time. Annual compensation is calculated by EDD by multiplying hourly wages by 40 hours per work week by 52 weeks.

[3] Occupation percentages are based on the 2019 National Industry - Specific Occupational Employment survey compiled by the Bureau of Labor Statistics. Wages are based on the 2019 Occupational Employment Survey data applicable to San Francisco and San Mateo Counties updated by the California Employment Development Department to 2020 wage levels.

Sources: Bureau of Labor Statistics; California Employment Development Department Compensation Data.
Prepared by: Keyser Marston Associates, Inc.
Filename: App A Tables 1 7-19-21.xlsx;Compensation; 7/20/2021

APPENDIX A TABLE 3
2019 NATIONAL BUILDING SERVICES WORKER DISTRIBUTION BY OCCUPATION
1350 ADAMS COURT PROJECT - HOUSING NEEDS ASSESSMENT
MENLO PARK, CA

Major Occupations (3% or more)	2019 National Building Services Occupation Distribution	
Protective Service Occupations	1,239,080	*39.4%*
Building and Grounds Cleaning and Maintenance Occupations	1,304,940	*41.5%*
Office and Administrative Support Occupations	191,009	*6.1%*
Installation, Maintenance, and Repair Occupations	144,592	*4.6%*
All Other Building Services Related Occupations	266,467	*8.5%*
INDUSTRY TOTAL	3,146,087	100.0%

Note: Reflects occupations applicable to NAICS 561600 and 561700. Services to Buildings and Dwellings and Investigation and Security Services

Source: Bureau of Labor Statistics
Prepared by: Keyser Marston Associates, Inc.
Filename: APP A Table 3 4 Maint janit.xlsx; Major Occupations Matrix; 7/20/2021; dd

APPENDIX A TABLE 4
AVERAGE ANNUAL COMPENSATION, 2020
BUILDING SERVICES WORKER OCCUPATIONS
1350 ADAMS COURT PROJECT - HOUSING NEEDS ASSESSMENT
MENLO PARK, CA

Occupation [1]	2020 Avg. Compensation [2]	% of Total Occupation Group [3]	% of Total Building Services Workers
Protective Service Occupations			
Miscellaneous Supervisors, Protective Service Workers	$60,700	4.9%	1.9%
Security Guards	$40,400	91.7%	36.1%
All Other Protective Service Occupations (Avg. All Categories)	$68,900	3.3%	1.3%
Weighted Mean Annual Wage	***$42,300***	**100.0%**	**39.4%**
Building and Grounds Cleaning and Maintenance Occupations			
First-Line Supervisors of Housekeeping & Janitorial Workers	$57,700	3.0%	1.3%
Supervisors of Landscaping, Lawn, & Groundskeeping Workers	$71,700	3.8%	1.6%
Janitors and Cleaners	$38,900	48.8%	20.2%
Maids and Housekeeping Cleaners	$43,300	5.5%	2.3%
Pest Control Workers	$49,900	4.2%	1.7%
Landscaping and Groundskeeping Workers	$45,400	30.9%	12.8%
All Other Building and Grounds Cleaning and Maint. Occupations (Avg. All Categories	$41,900	3.9%	1.6%
Weighted Mean Annual Wage	***$43,500***	**100.0%**	**41.5%**
Office and Administrative Support Occupations			
First-Line Supervisors of Office and Admin. Support Workers	$75,800	6.2%	0.4%
Bookkeeping, Accounting, and Auditing Clerks	$59,100	9.8%	0.6%
Customer Service Representatives	$53,000	4.2%	0.3%
Dispatchers, Except Police, Fire, and Ambulance	$50,400	6.5%	0.4%
Secretaries and Administrative Assistants	$55,900	15.9%	1.0%
Office Clerks, General	$49,700	26.9%	1.6%
All Other Office and Administrative Support Occupations (Avg. All Categories)	$57,200	30.4%	1.8%
Weighted Mean Annual Wage	***$55,700***	**100.0%**	**6.1%**
Installation, Maintenance, and Repair Occupations			
Supervisors of Mechanics, Installers, and Repairers	$91,200	7.9%	0.4%
Security and Fire Alarm Systems Installers	$50,500	49.8%	2.3%
Maintenance and Repair Workers, General	$57,700	10.2%	0.5%
Locksmiths and Safe Repairers	$63,300	13.9%	0.6%
Installation, Maintenance, and Repair Workers, All Other	$61,000	8.9%	0.4%
All Other Installation, Maintenance, and Repair Occupations (Avg. All Categories)	$66,900	9.2%	0.4%
Weighted Mean Annual Wage	***$58,700***	**100.0%**	**4.6%**
Weighted Average Annual Wage - All Occupations	***$45,000***		91.5%

[1] Including occupations representing 3% or more of the major occupation group.

[2] The methodology utilized by the California Employment Development Department (EDD) assumes that hourly paid employees are employed full-time. Annual compensation is calculated by EDD by multiplying hourly wages by 40 hours per work week by 52 weeks.

[3] Occupation percentages are based on the 2019 National Industry - Specific Occupational Employment survey compiled by the Bureau of Labor Statistics. Wages are based on the 2019 Occupational Employment Survey data applicable to San Mateo County updated by the California Employment Development Department to 2020 wage levels.

Sources: Bureau of Labor Statistics; California Employment Development Department
Prepared by: Keyser Marston Associates, Inc.
Filename: APP A Table 3 4 Maint janit.xlsx; Compensation; 7/20/2021; dd

APPENDIX A TABLE 5
COMMUTE PATTERNS FOR OTHER SAN MATEO COUNTY JURISDICTIONS
1350 ADAMS COURT PROJECT
HOUSING NEEDS ASSESSMENT
MENLO PARK, CA

	Pct. of All Workers who Live & Work in City
	ACS 2015-19
San Mateo County [1]	
Burlingame	9.1%
Daly City	35.1%
Foster City	10.4%
Menlo Park	5.9%
Redwood City	17.7%
San Bruno	15.9%
San Carlos	12.7%
San Mateo	22.2%
South San Francisco	12.7%
Select Cities in Santa Clara County	
Mountain View	13.4%
Palo Alto	7.4%

Notes:
1. Percentages computed excluding those workers who worked from home.

Sources:
US Census Bureau, ACS 2015-2019 5yr estimate.

APPENDIX B – CENSUS DATA FOR EAST PALO ALTO AND BELLE HAVEN

The following Appendix section summarizes U.S. Census data on housing conditions and demographics for East Palo Alto and Belle Haven. In addition, data for San Mateo County as a whole is provided as a point of comparison. East Palo Alto and Belle Haven differ in several respects from San Mateo County averages including: a higher share of renter households, a concentration of households overspending on housing, a higher percentage living in overcrowded conditions, larger household sizes, a younger population, lower incomes, and an above average percentage of households below the poverty level.

1. Number of Housing Units and Tenure

East Palo Alto has an estimated 8,342 housing units. Approximately 60% of occupied units are rental and 40% are owner-occupied. Approximately 1,800 units of the rental units in East Palo Alto (39%) are part of the multi-building Woodland Park Apartments property acquired by Sand Hill Property Company in 2016 and located along the boundary with the City of Palo Alto on the West side of U.S. 101.

Belle Haven has approximately 1,670 housing units. Approximately 55% of the occupied units are rental and 45% are owner-occupied.

Housing Units by Tenure

	East Palo Alto		Belle Haven[(1)]		San Mateo County	
Housing Units by Tenure	Number	% of Occupied Units	Number	% of Occupied Units	Number	% of Occupied Units
Renter Occupied	4,648	60%	795	55%	105,000	40%
Owner Occupied	3,076	40%	656	45%	158,543	60%
Total Occupied Housing Units	*7,724*	100%	*1,451*	100%	*263,543*	100%
Vacant	618		219		14,230	
Total Housing Units	*8,342*		*1,670*		*277,773*	
Percent of County-wide Housing Stock	3.0%		0.6%			

(1) Reflects data for Census Tract 6117 which includes the Belle Haven neighborhood.

Source: 2015-2019 American Community Survey estimates, Table DP04

East Palo Alto represents about 3% of the total housing stock in San Mateo County and less than 1% of the more than 950,000 housing units in San Mateo and Santa Clara counties combined. Belle Haven represents approximately 0.6% of the total housing stock in San Mateo County and a fraction of the combined housing stock in the two counties.

2. Housing Units by Type

Approximately 58% of units in East Palo Alto are single family compared to 68% in Belle Haven and 65% County-wide. The balance of units are in multi-family and other structures.

Housing Units by Type

	East Palo Alto		Belle Haven[1]		San Mateo	
	Housing Units	% of Total	Housing Units	% of Total	Housing Units	% of Total
Single Family	4,848	58%	1,137	68%	179,731	65%
2- 4 unit buildings	250	3%	184	11%	19,743	7%
Five+ unit buildings	3,081	37%	331	20%	75,096	27%
Mobile Home, Boat, RV, etc.	163	2%	18	1%	3,203	1%
Total Housing Units	8,342	100%	1,670	100%	277,773	100%

(1) Reflects data for Census Tract 6117 corresponding to the Belle Haven neighborhood.
Source: 2015-2019 American Community Survey 5-Year Estimates.

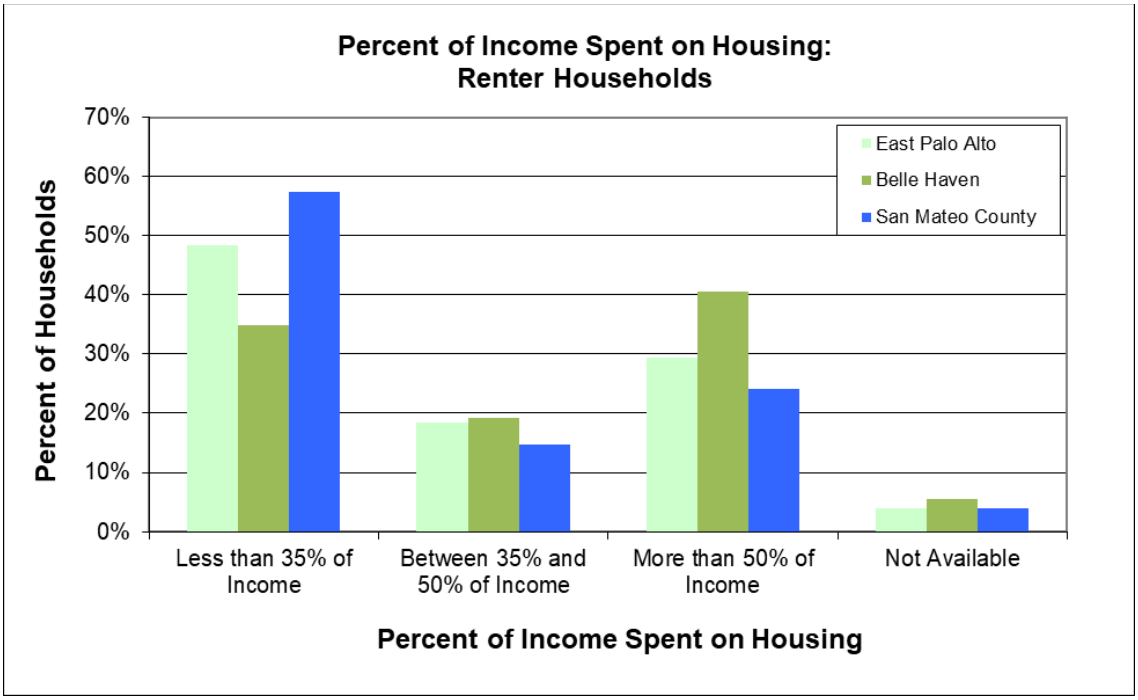
3. Percent of Income Spent on Housing

In East Palo Alto, approximately 48% of renter households and 35% of homeowner households spend more than 35% of their income on housing, a general criterion for overspending, particularly for renters. In Belle Haven, the share spending more than 35% of their income on housing is 60% for renter households and 27% for homeowners. The percent spending more than 35% of their income on housing exceeds County averages in both communities.

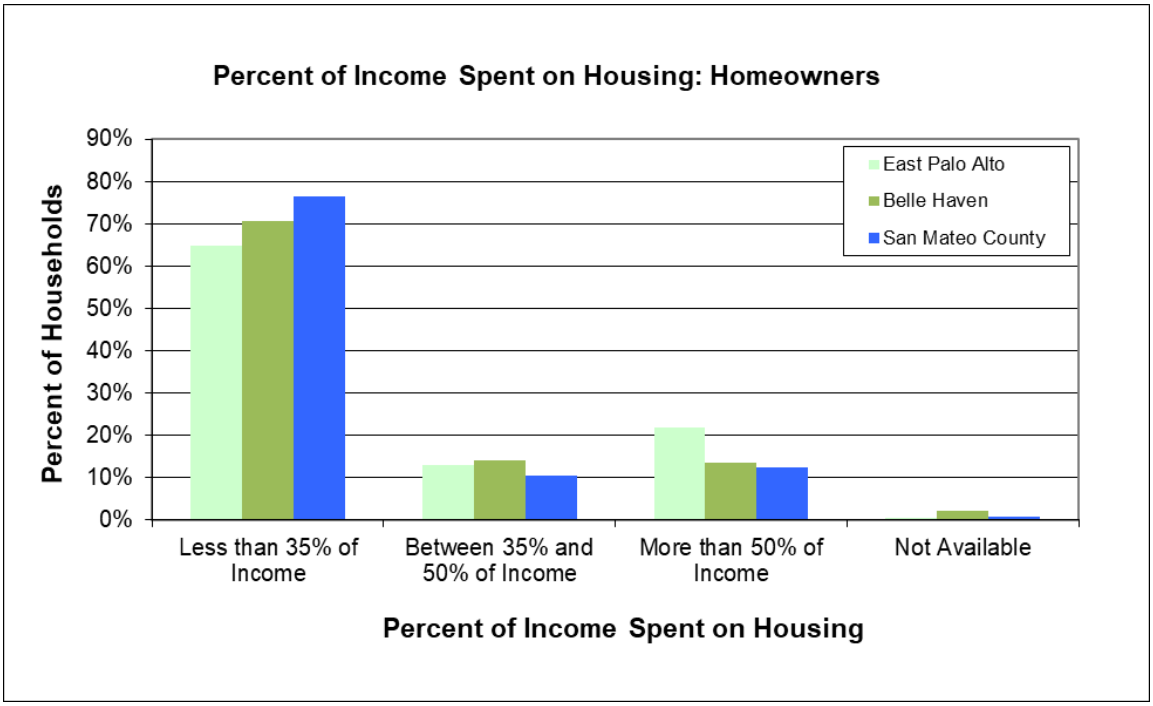
Percent of Income Spent on Housing

	East Palo Alto		Belle Haven[1]		San Mateo County	
	Renter	Homeowner	Renter	Homeowner	Renter	Homeowner
Less than 35% of Income	48%	65%	35%	71%	57%	76%
Between 35% and 50% of Income	18%	13%	19%	14%	15%	10%
More than 50% of Income	29%	22%	41%	13%	24%	12%
Subtotal Over 35% of Income	48%	35%	60%	27%	39%	23%
Not Available	4%	0%	6%	2%	4%	1%

(1) Reflects data for Census Tract 6117 corresponding to the Belle Haven neighborhood.
Source: 2015-2019 American Community Survey 5-Year Estimates.



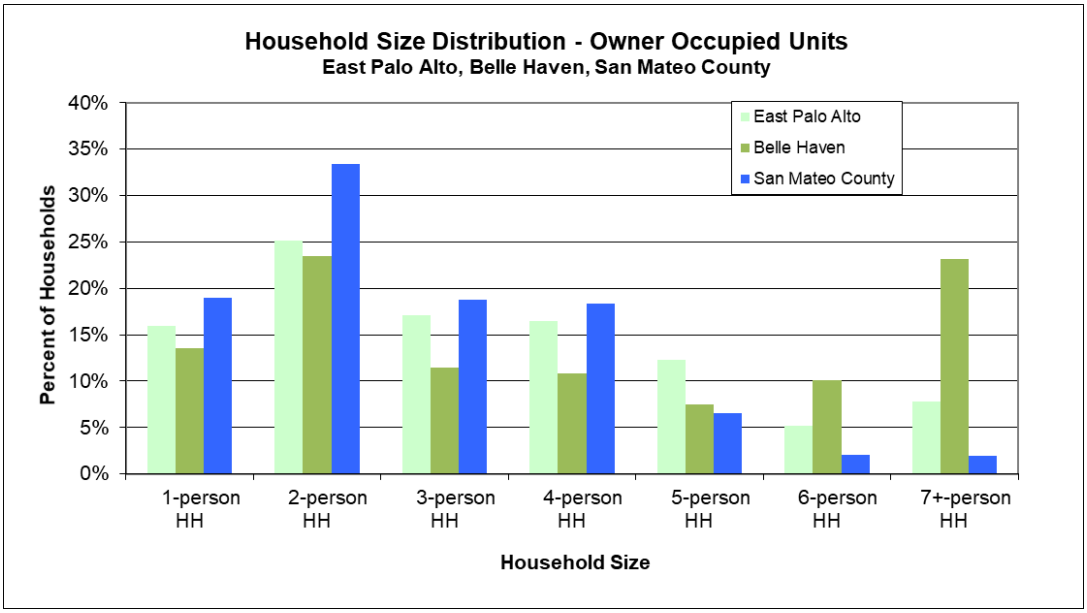
Source: 2015-2019 American Community Survey 5-Year Estimates.

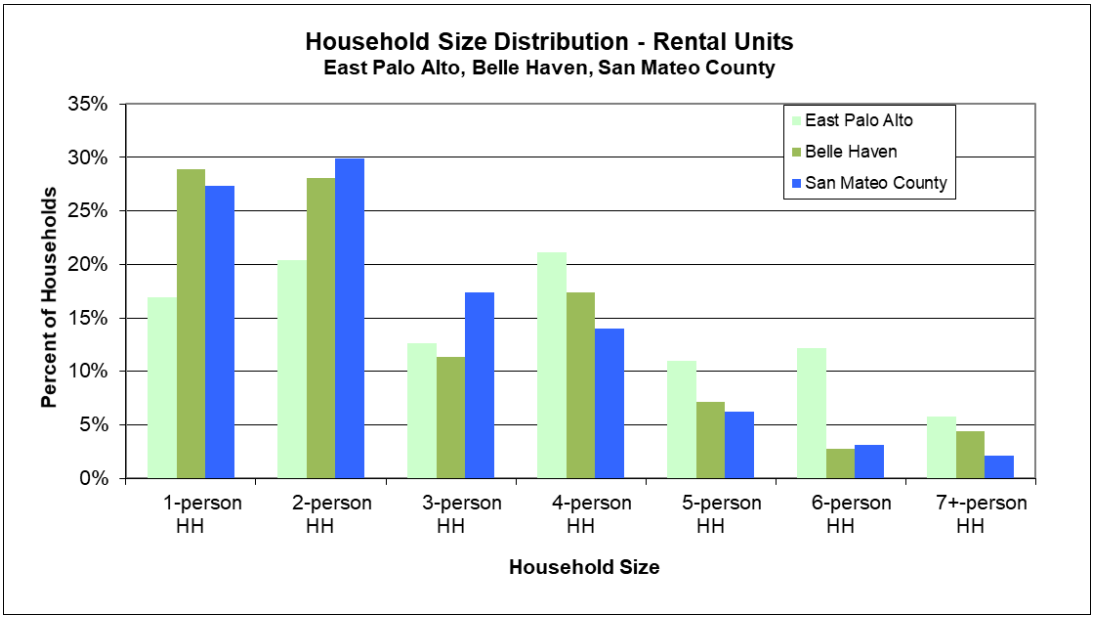


Source: 2015-2019 American Community Survey 5-Year Estimates.

4. Household Size

Household sizes in East Palo Alto and Belle Haven are larger than County averages as shown in the charts below:

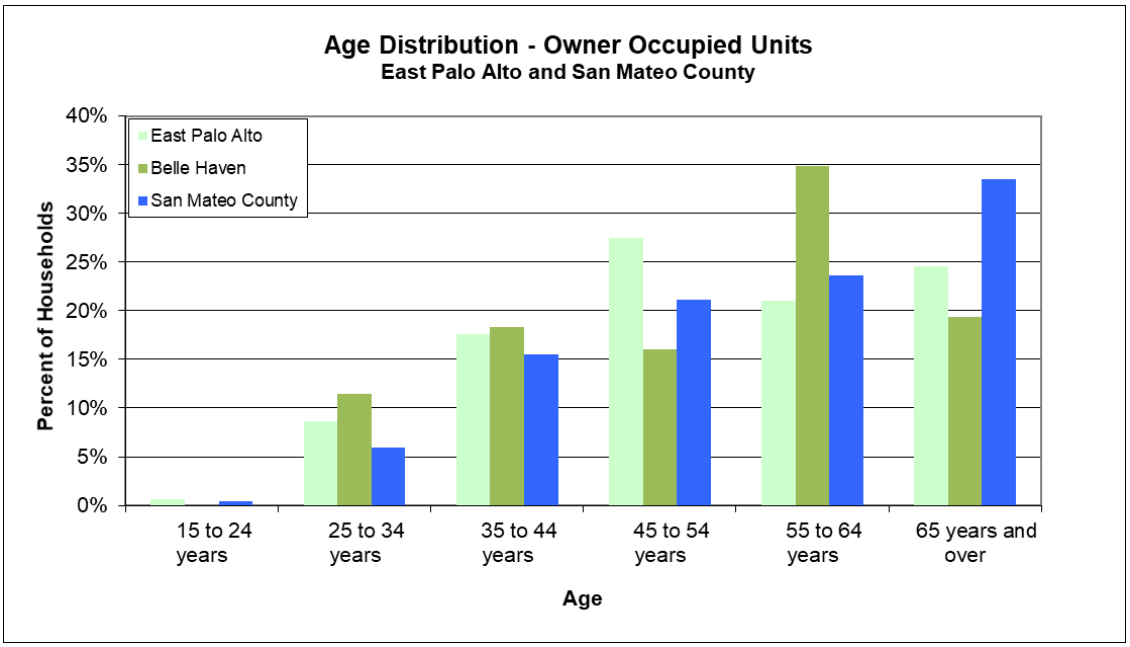


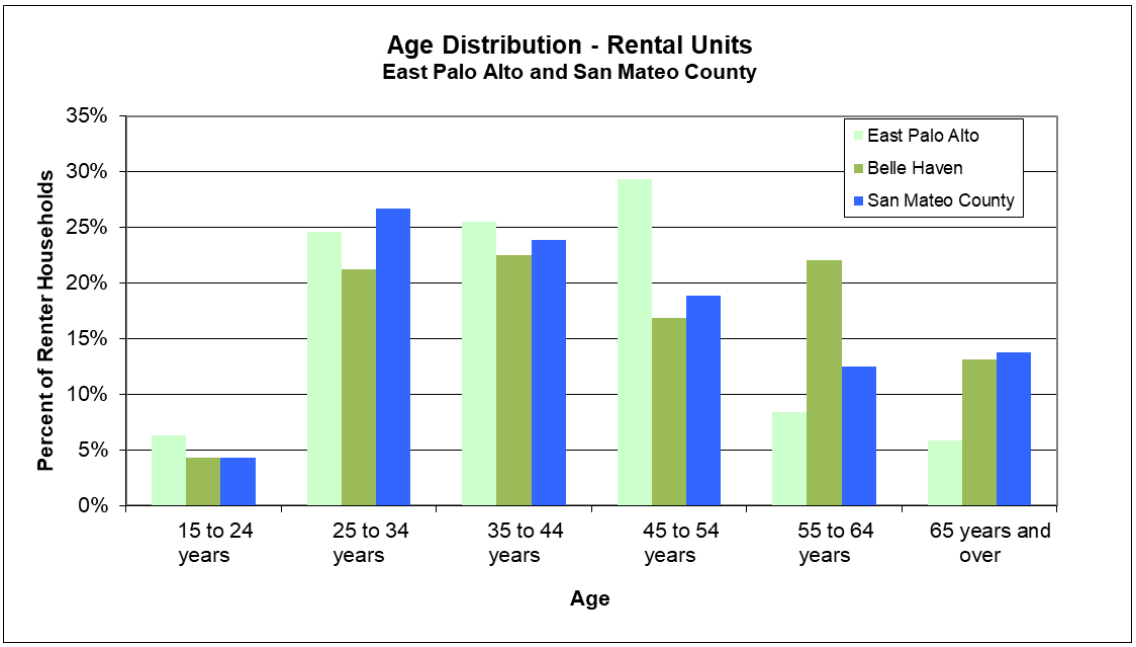


Source: American Community Survey, 2015-2019, Table B25009

5. Age

The population of East Palo Alto and Belle Haven is younger than for the County as a whole:

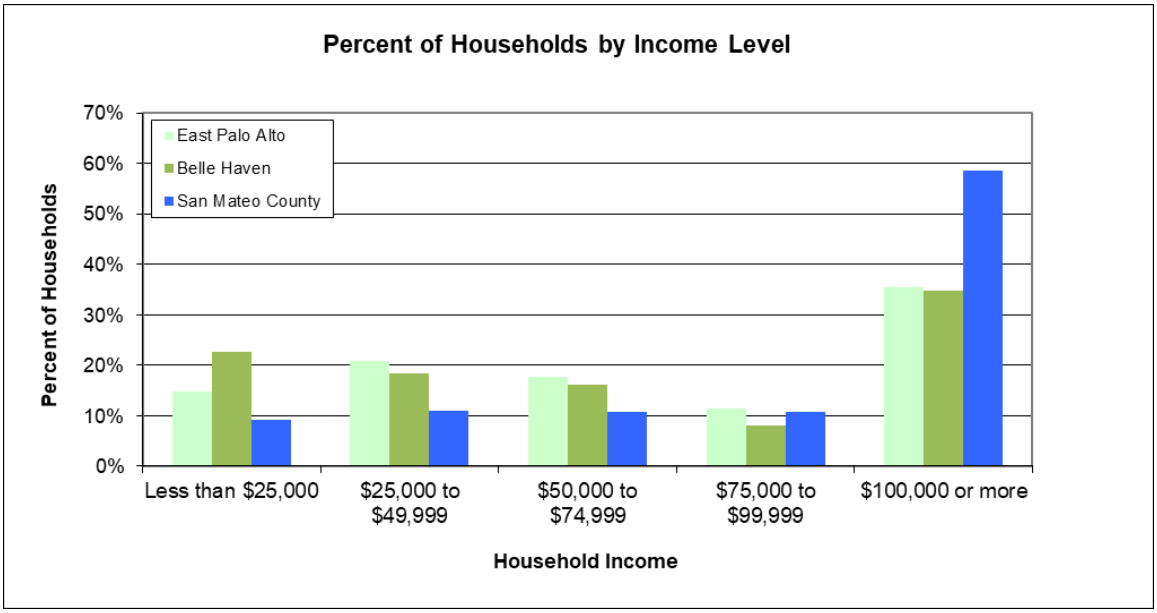




Source: American Community Survey, 2015-2019, Table B25007

6. Income and Employment status

East Palo Alto and Belle Haven households have lower incomes than County averages and a higher percentage of families below the poverty line. Unemployment levels in East Palo Alto and Belle Haven are similar to the County average.



Source: 2015-2019 American Community Survey 5-Year Estimates

Employment Status, Median Income, Poverty

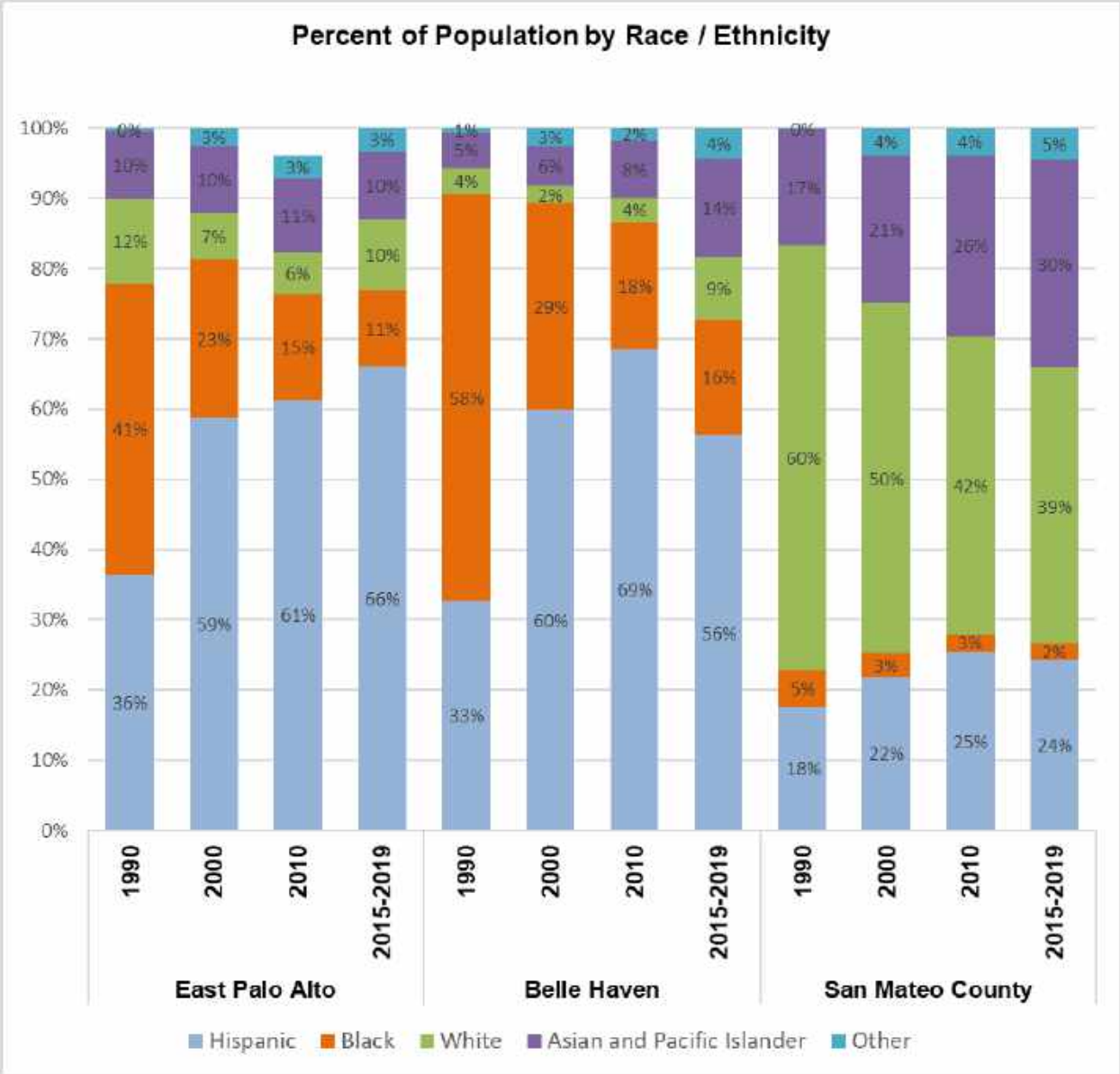
	East Palo Alto		Belle Haven		San Mateo County	
	Number	Percent	Number	Percent	Number	Percent
Employment Status						
Employed	15,507	69%	3,139	69%	414,747	66%
Unemployed	712	3%	145	3%	16,104	3%
Not in Labor Force	6,170	28%	1,252	28%	194,832	31%
Total Population Over 16 Years	22,413	100%	4,536	100%	625,917	100%
Median Household Income (2019 dollars)		$67,087		$65,613		$122,641
Percent of Families Below Poverty Level		10.60%		12.10%		4.00%

Source: 2015-2019 American Community Survey 5-Year Estimates

7. Race and Ethnicity

Approximately two-thirds of East Palo Alto and 56% of Belle Haven residents are Hispanic, compared to the County average of 24%. African American residents represent 11% and 16%

of the population in East Palo Alto and Belle Haven, respectively. The Hispanic population of both communities has increased since 1990 while the African American population has declined, as shown in the chart below. The most recent ACS data suggests a shift in longer-term trends within Belle Haven including a reversal of the trend toward increasing Hispanic population and an increase in the white and Asian populations.

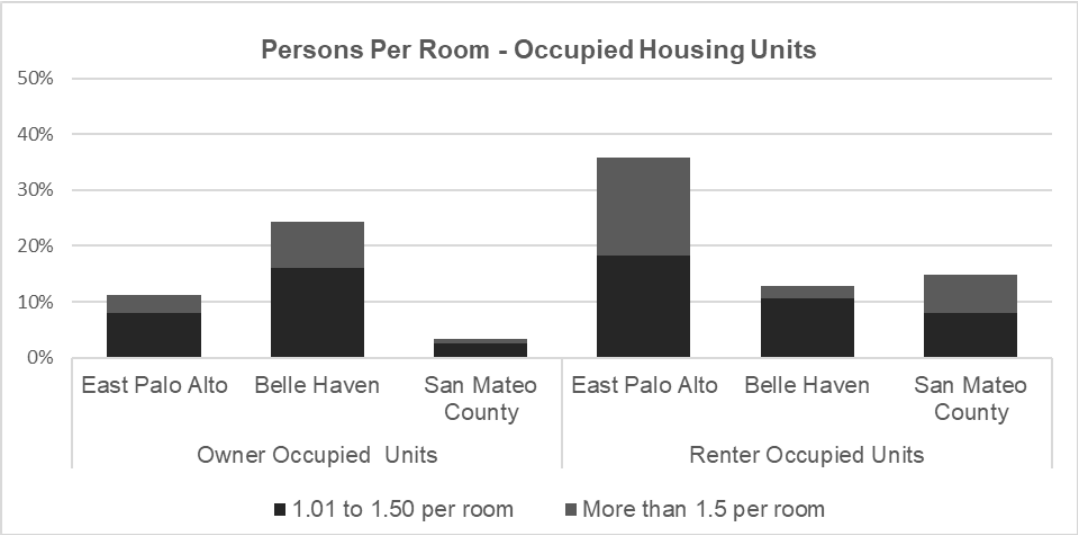


Sources: 1990, 2000, 2010 Census; 2015-2019 American Community Survey

8. Overcrowding

Overcrowding is generally defined as an occupancy level above one person per room. In East Palo Alto, about 11% of owner-occupied units and 36% of renter-occupied units have more than one person per room. The incidence of over-crowding in East Palo Alto is significantly greater

than San Mateo County as a whole, especially in the rental stock. In Belle Haven, overcrowding in owner occupied housing is also above the County average while crowding in the rental housing stock is similar to the County average.



Source: 2015-2019 American Community Survey 5-Year Estimates.

Occupants Per Room

Occupants Per Room	Owner Occupied			Renter Occupied		
	East Palo Alto	Belle Haven	San Mateo County	East Palo Alto	Belle Haven	San Mateo County
1 Person or fewer per room	89%	76%	97%	64%	87%	85%
1.01 to 1.50 per room	8%	16%	3%	18%	11%	8%
1.51 to 2.00 per room	2%	5%	1%	11%	2%	5%
2.01 or more per room	1%	3%	0%	6%	0%	2%
1.01 Per Room or more[(1)]	**11%**	**24%**	**3%**	**36%**	**13%**	**15%**
Total	100%	100%	100%	100%	100%	100%

(1) The Census has no official definition of over-crow ding but it is sometimes defined as more than one person per room.
Source: 2015-2019 American Community Survey 5-Year Estimates.

Both conditions of overspending and overcrowding are directly linked to the high cost of housing relative to residents' incomes. Households are forced to spend a high percentage of their income on housing if lower cost housing is not available. Overcrowding is a direct response to high housing costs, as households make do with smaller units or double up with other family members, roommates, etc.

APPENDIX C – DISPLACEMENT ANALYSIS SUPPORTING TABLES

APPENDIX C TABLE 1
REGRESSION ANALYSIS (SINGLE-COUNTY)
ESTIMATED PROJECT IMPACT ON LOCAL RENTS/ HOME PRICES
BASED ON RELATIONSHIP BETWEEN LOCAL JOBS AND LOCAL HOUSING MARKET
1350 ADAMS COURT PROJECT
MENLO PARK CA

San Mateo County Analysis	Total Jobs Analysis		High-Wage Jobs Analysis	
	Impact on Rents	Impact on Home Prices	Impact on Rents	Impact on Home Prices
Linear Regression				
X (Independent) Variable	Total Adjusted Jobs (1)		Adjusted High-Wage Jobs (1)	
Y (Dependent) Variable[2]	Asking Rent/ SF (One-Bedroom)	Home Price/SF	Asking Rent/ SF (One-Bedroom)	Home Price/SF
Correlation (Adjusted R-Square) (0 = no correlation, 1 = perfect correlation)	0.88 (strong)	0.30 (weak)	0.82 (strong)	0.25 (weak)
P-Value (<.05 = significant)	<.05 significant	<.05 significant	<.05 significant	<.05 significant
Estimated % Increase per 10,000 adjusted jobs[1]	4.0%	3.5%	7.0%	5.8%
Estimated Project Impact				
Additional Jobs	650	650	650	650
(less) Employees Housed	0	0	0	0
Adjusted Jobs[1]	650	650	650	650
Upper Estimate of Potential % Increase in County Rents / Sales Prices Due to Project	0.26%	0.23%	0.45%	0.38%

[1] Jobs figures reflect an adjustment for the number of jobs that can be accommodated by housing growth since 2000. See Appendix C Table 10 for calculation.

[2] Asking rents and home prices are adjusted for inflation in linear regression analysis. See Appendix C Table 9.

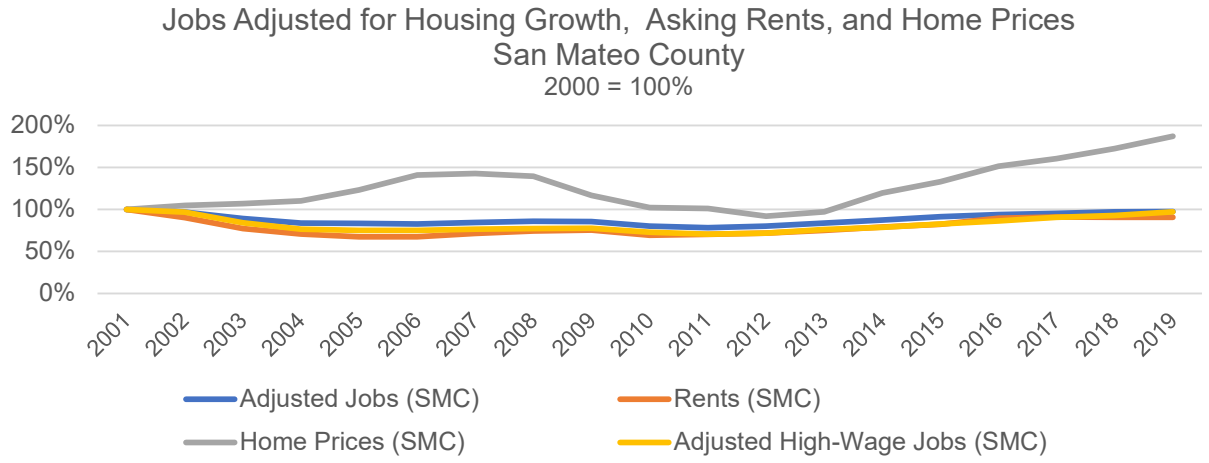
APPENDIX C TABLE 2
REGRESSION ANALYSIS (SINGLE-COUNTY)
REGRESSION ANALYSIS INPUTS
1350 ADAMS COURT PROJECT
MENLO PARK CA

	x-variables		y-variables (dependent)	
	Adjusted[1] Total Jobs San Mateo Cty.	Adjusted[1, 2] High-Wage Jobs San Mateo Cty.	Asking Rent/SF[3] San Mateo Cty.	Home Price/SF[3] San Mateo Cty.
2000	380,137	146,968	$4.05	$492
2001	367,626	142,197	$3.67	$516
2002	339,584	123,802	$3.13	$527
2003	318,566	112,328	$2.86	$543
2004	316,782	110,240	$2.73	$606
2005	314,000	110,632	$2.74	$694
2006	321,539	112,251	$2.89	$702
2007	326,479	113,526	$3.02	$686
2008	325,625	114,122	$3.06	$574
2009	304,788	107,415	$2.81	$503
2010	297,701	103,778	$2.85	$497
2011	305,337	105,362	$2.91	$453
2012	317,984	111,964	$3.05	$479
2013	332,191	115,938	$3.20	$589
2014	347,480	121,514	$3.34	$654
2015	356,895	126,783	$3.62	$744
2016	362,151	133,391	$3.70	$789
2017	368,822	136,599	$3.67	$849
2018	370,922	142,679	$3.68	$920
2019	380,382	149,793	$3.52	$907

[1] Adjusted jobs defined as total employment less the number of jobs that can be accommodated by housing growth since 2000, based on a factor of 1.91 workers per household. Housing growth adjustment for high-wage jobs reflects a lesser adjustment based on high-wage job share of overall jobs. See Appendix C Table 10 and 11 for calculations.

[2] High wage jobs defined as industries with $100k or more average annual wages in 2016.

[3] Asking rents and home prices are adjusted for inflation in linear regression analysis. See Appendix C Table 9.

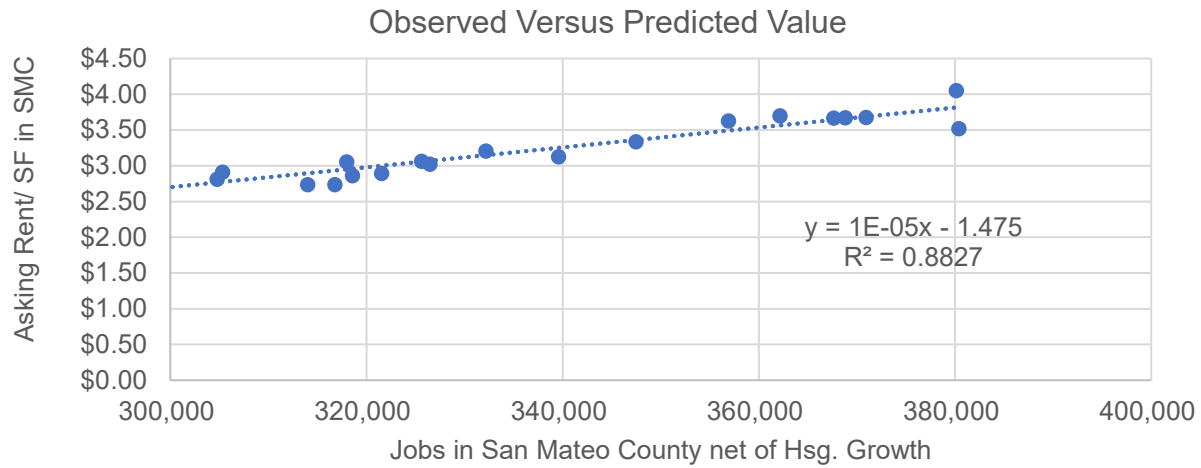


APPENDIX C TABLE 3A
REGRESSION ANALYSIS (SINGLE-COUNTY)
RELATIONSHIP OF MULTIFAMILY ASKING RENTS AND JOBS IN SAN MATEO COUNTY
1350 ADAMS COURT PROJECT
MENLO PARK CA

Variables	
Y Variable:	*Asking Rents/SF (San Mateo County)*
X Variable	*Adjusted Jobs (San Mateo County)*

Implied Impact	
2019 Rent/SF (One Bedroom)	$3.52
% Increase/ 10,000 Unhoused Jobs	4.0%

Regression Statistics	
Multiple R	0.93954
R Square	0.88274
Adjusted R Square	0.87623
Standard Error	0.13995
Observations	20



ANOVA

	df	*SS*	*MS*	*F*	*Significance F*
Regression	1	2.653984	2.65398	135.50772	8.21856E-10
Residual	18	0.352539	0.01959		
Total	19	3.006522			

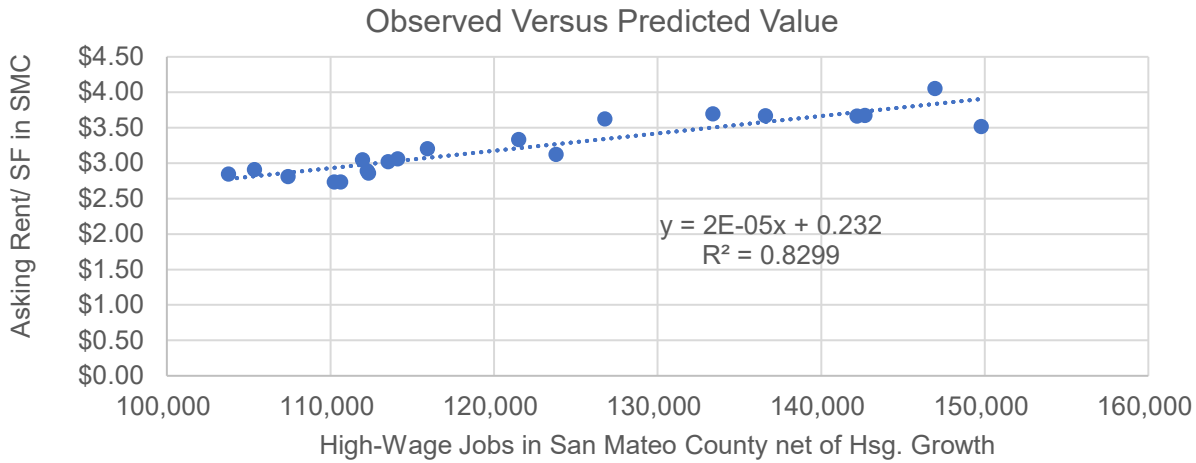
	Coefficients	*Standard Error*	*t Stat*	*P-value*	*Lower 95%*	*Upper 95%*
Intercept	-1.47504	0.40499	-3.64217	0.00186	-2.32589	-0.62419
X Variable 1	1.39165E-05	1.19549E-06	11.64077825	8.21856E-10	1.14048E-05	1.64281E-05

APPENDIX C TABLE 3B
REGRESSION ANALYSIS (SINGLE-COUNTY)
RELATIONSHIP OF MULTIFAMILY ASKING RENTS AND HIGH-WAGE JOBS IN SAN MATEO COUNTY
1350 ADAMS COURT PROJECT
MENLO PARK CA

Variables	
Y Variable:	*Asking Rents/SF (San Mateo County)*
X Variable	*Adjusted High-Wage Jobs (San Mateo County)*

Implied Impact	
2019 Rent/SF (One Bedroom)	$3.52
% Increase/ 10,000 Adj High-Wage Jobs	7.0%

Regression Statistics	
Multiple R	0.91102
R Square	0.82995
Adjusted R Square	0.82050
Standard Error	0.16853
Observations	20



ANOVA

	df	*SS*	*MS*	*F*	*Significance F*
Regression	1	2.49526	2.49526	87.85071	2.39666E-08
Residual	18	0.51126	0.02840		
Total	19	3.00652			

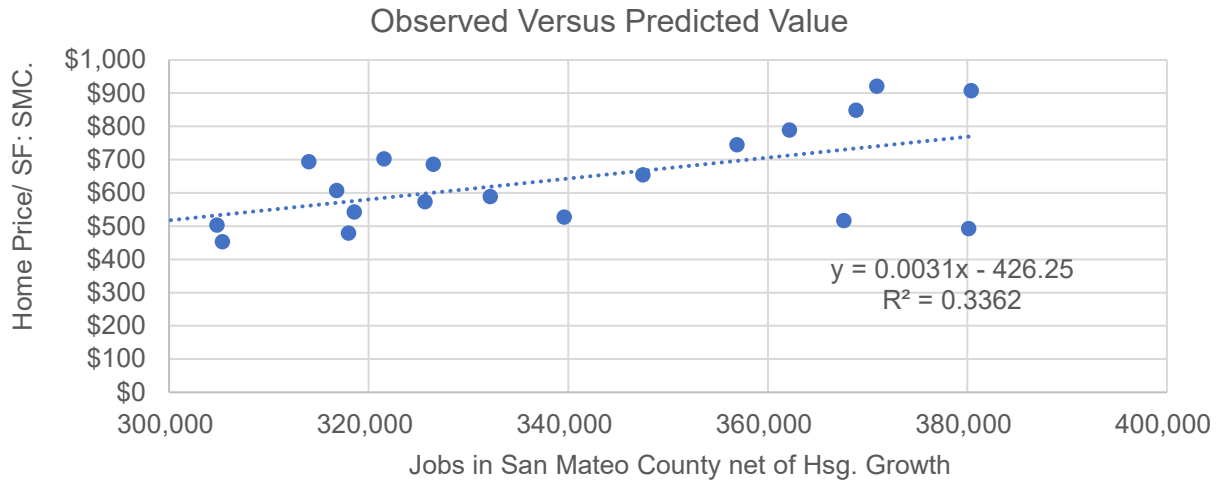
	Coefficients	*Standard Error*	*t Stat*	*P-value*	*Lower 95%*	*Upper 95%*
Intercept	0.23201	0.32157	0.72149	0.47988	-0.44358	0.90759
X Variable 1	2.452E-05	2.616E-06	9.373E+00	2.397E-08	1.903E-05	3.002E-05

APPENDIX C TABLE 4A
REGRESSION ANALYSIS (SINGLE-COUNTY)
RELATIONSHIP OF HOME PRICES AND JOBS IN SAN MATEO COUNTY
1350 ADAMS COURT PROJECT
MENLO PARK CA

Variables	
Y Variable:	*Sale Price/SF (San Mateo County)*
X Variable	*Adjusted Jobs (San Mateo County)*

Implied Impact	
2019 Price/SF	$907
% Increase/ 10,000 Adjusted Jobs	3.5%

Regression Statistics	
Multiple R	0.57983
R Square	0.33620
Adj R Square	0.29932
Standard Error	121.94693
Observations	20



ANOVA

	df	*SS*	*MS*	*F*	*Significance F*
Regression	1	135,575	135,575	9.1167	0.0074
Residual	18	267,679	14,871		
Total	19	403,254			

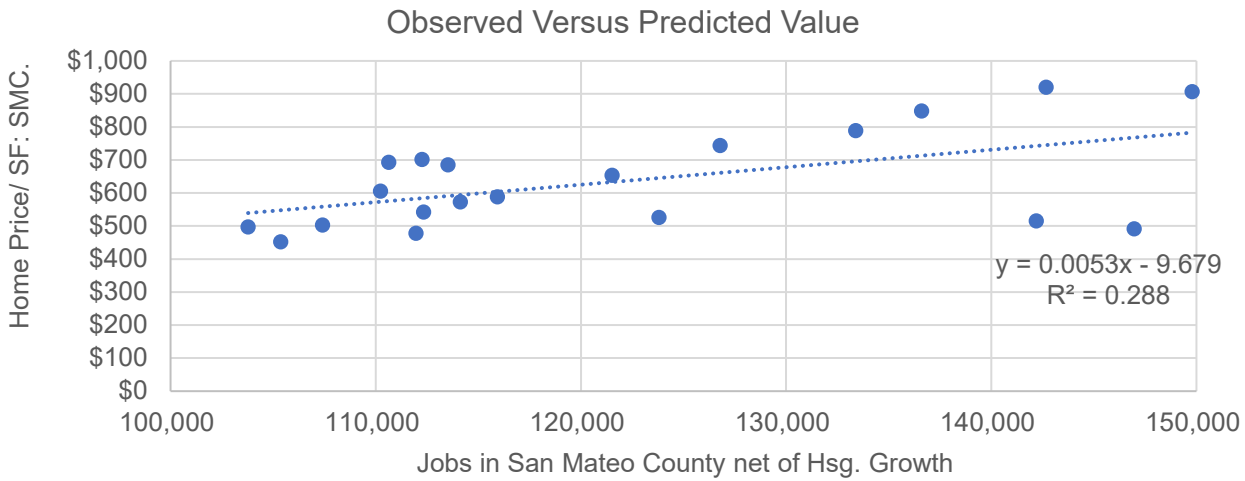
	Coefficients	*Standard Error*	*t Stat*	*P-value*	*Lower 95%*	*Upper 95%*
Intercept	-426.24729	352.89554	-1.20786	0.24273	-1167.65	315.16
X Variable 1	0.00315	0.00104	3.01938	0.00737	0.00096	0.00533

APPENDIX C TABLE 4B
REGRESSION ANALYSIS (SINGLE-COUNTY)
RELATIONSHIP OF HOME PRICES AND JOBS IN SAN MATEO COUNTY
1350 ADAMS COURT PROJECT
MENLO PARK CA

Variables	
Y Variable:	*Sale Price/SF (San Mateo County)*
X Variable	*Adjusted High Wage Jobs (San Mateo County)*

Implied Impact	
2019 Price/SF	$907
% Increase/ 10,000 Adjusted HW Jobs	5.8%

Regression Statistics	
Multiple R	0.53667
R Square	0.28801
Adj R Square	0.24846
Standard Error	126.29565
Observations	20



ANOVA

	df	*SS*	*MS*	*F*	*Significance F*
Regression	1	116,143	116,143	7.281419	0.01470
Residual	18	287,111	15,951		
Total	19	403,254			

	Coefficients	*Standard Error*	*t Stat*	*P-value*	*Lower 95%*	*Upper 95%*
Intercept	-9.6790	240.9766	-0.0402	0.9684	-515.9519	496.5940
X Variable 1	0.005290	0.001961	2.698410	0.01470	0.001171	0.009409

APPENDIX C TABLE 5
REGRESSION ANALYSIS (THREE-COUNTY)
ESTIMATED PROJECT IMPACT ON LOCAL RENTS / HOME PRICES
BASED ON RELATIONSHIP BETWEEN REGIONAL JOBS & LOCAL HOUSING MARKET
1350 ADAMS COURT PROJECT
MENLO PARK CA

Three-County Analysis[3]	Total Jobs Analysis		High-Wage Jobs Analysis	
	Impact on Rents	Impact on Home Prices	Impact on Rents	Impact on Home Prices
Linear Regression				
X (Independent) Variable	Total Adjusted Jobs(1)		Adjusted High-Wage Jobs (1)	
Y (Dependent) Variable[2]	Asking Rent/ SF (One-Bedroom)	Home Price/SF	Asking Rent/ SF (One-Bedroom)	Home Price/SF
Correlation (Adjusted R-Square) (0 = no correlation, 1 = perfect correlation)	0.89 (strong)	0.23 (weak)	0.83 (strong)	0.12 (very weak)
P-Value	<.05 significant	<.05 significant	<.05 significant	0.08 not significant
Estimated % Increase per 10,000 adjusted jobs[1]	0.7%	0.5%	1.1%	N/A
Estimated Project Impact				
Additional Jobs	650	650	650	650
(less) Employees Housed	0	0	0	0
Adjusted Jobs[1]	650	650	650	650
Lower Estimate of Potential % Increase in County Rents / Sales Prices Due to Project	0.04%	0.04%	0.07%	N/A

1 Adjusted jobs defined as total employment less the number of jobs that can be accommodated by housing growth since 2000, based on a factor of 1.91 workers per household. Housing growth adjustment for high-wage jobs reflects a lesser adjustment based on high-wage job share of overall jobs. See Appendix C Table 10 and 11 for calculations.

[2] Asking rents and home prices are for San Mateo County and are adjusted for inflation in linear regression analysis. See Appendix C Table 9.

[3] San Mateo, Santa Clara, and San Francisco counties.

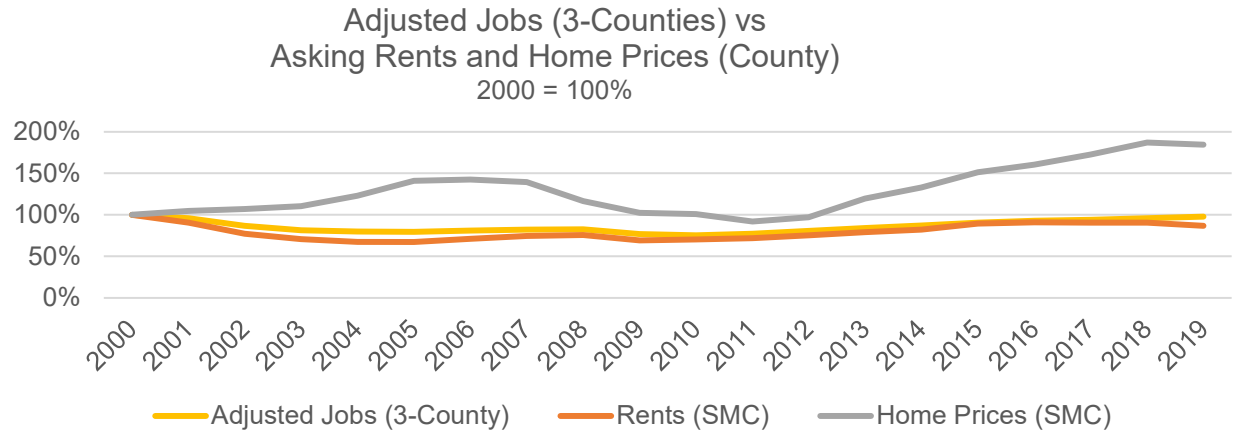
APPENDIX C TABLE 6
REGRESSION ANALYSIS (THREE-COUNTY)
REGRESSION ANALYSIS INPUTS
1350 ADAMS COURT PROJECT
MENLO PARK CA

	x-variable		y-variables (dependent)	
	Adjusted [1] Total Jobs 3-County Area[3]	Adjusted [1] High-Wage Jobs	Asking Rent/SF[2] San Mateo Cty.	Home Price/SF[2] San Mateo Cty.
2000	2,028,395	915,210	$4.05	$492
2001	1,943,792	871,789	$3.67	$516
2002	1,762,584	739,323	$3.13	$527
2003	1,655,461	666,344	$2.86	$543
2004	1,620,207	639,007	$2.73	$606
2005	1,615,110	637,263	$2.74	$694
2006	1,641,486	648,744	$2.89	$702
2007	1,669,794	657,641	$3.02	$686
2008	1,677,613	659,165	$3.06	$574
2009	1,560,325	606,861	$2.81	$503
2010	1,529,354	590,842	$2.85	$497
2011	1,569,715	616,987	$2.91	$453
2012	1,638,973	644,341	$3.05	$479
2013	1,706,534	673,336	$3.20	$589
2014	1,770,797	706,888	$3.34	$654
2015	1,837,223	741,905	$3.62	$744
2016	1,884,353	771,508	$3.70	$789
2017	1,911,783	790,030	$3.67	$849
2018	1,944,343	823,623	$3.68	$920
2019	1,984,264	854,658	$3.52	$907

[1] Adjusted jobs defined as total employment less the number of jobs that can be accommodated by housing growth since 2000, based on a factor of 1.91 workers per household. See Appendix 2 for calculation.

[2] Asking rents and home prices are adjusted for inflation in linear regression analysis. See Appendix 1.

[3] San Mateo, Santa Clara, and San Francisco counties.

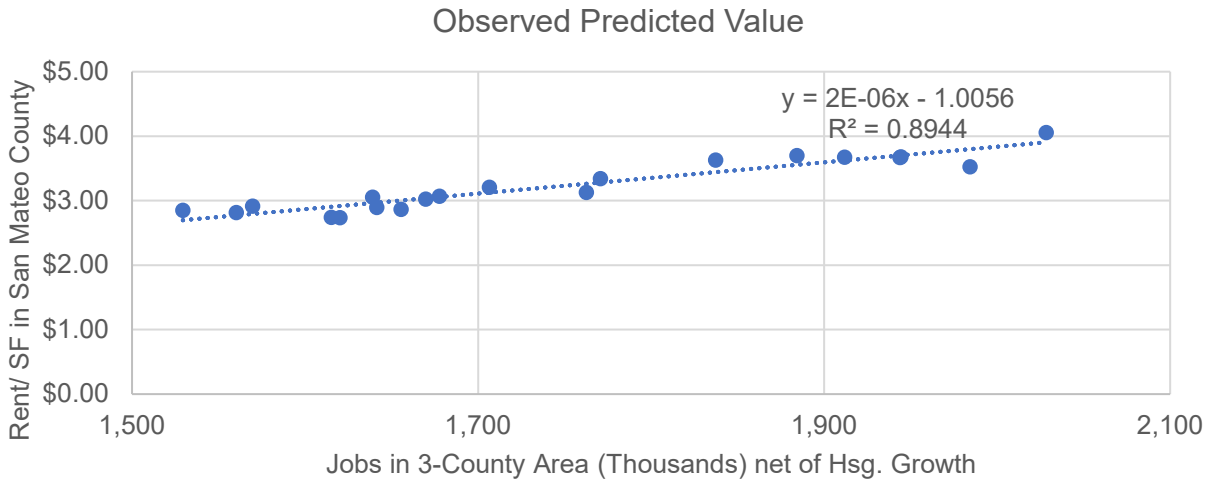


APPENDIX C TABLE 7A
REGRESSION ANALYSIS (THREE-COUNTY)
RELATIONSHIP OF MULTIFAMILY ASKING RENTS IN SAN MATEO COUNTY AND JOBS IN THREE-COUNTY AREA
1350 ADAMS COURT PROJECT
MENLO PARK CA

Variables	
Y Variable:	*Asking Rent/SF (San Mateo County)*
X Variable:	*Adjusted Jobs (Three-County Area)*

Implied Impact	
2019 Rent/SF (One Bedroom)	$3.52
% Increase/ 10,000 Adjusted Jobs	0.7%

Regression Statistics	
Multiple R	0.945751
R Square	0.894445
Adjusted R Square	0.888581
Standard Error	0
Observations	20



ANOVA

	df	*SS*	*MS*	*F*	*Significance F*
Regression	1	2.689169	2.689169	152.5270	3.17163E-10
Residual	18	0.317354	0.017631		
Total	19	3.006522			

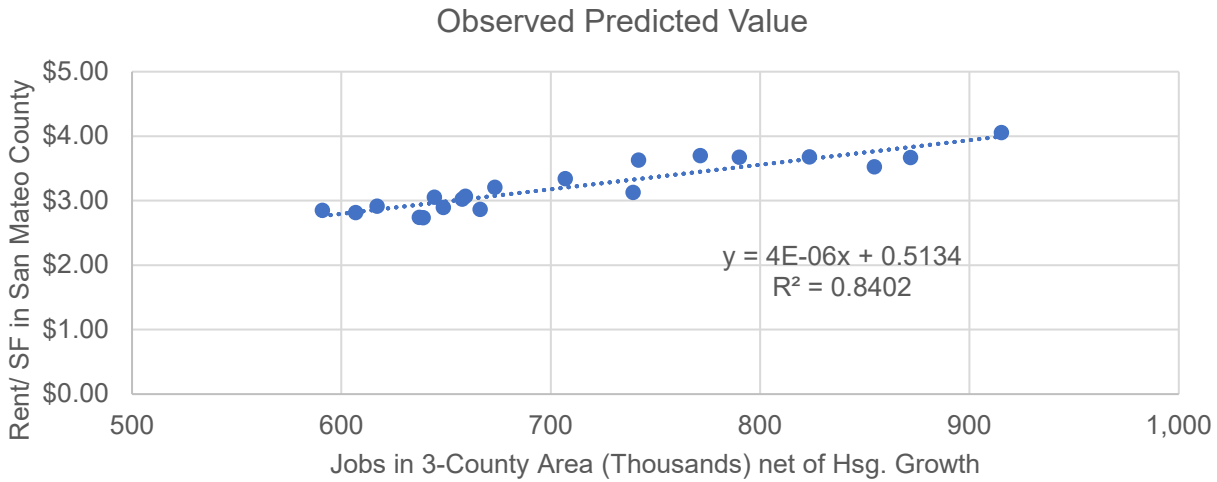
	Coefficients	*Standard Error*	*t Stat*	*P-value*	*Lower 95%*	*Upper 95%*
Intercept	-1.00562	0.34386	-2.92451	0.00905	-1.72804	-0.28320
X Variable 1	2.421E-06	1.960E-07	1.235E+01	3.172E-10	2.009E-06	2.833E-06

APPENDIX C TABLE 7B
REGRESSION ANALYSIS (THREE-COUNTY)
RELATIONSHIP OF MULTIFAMILY ASKING RENTS IN SAN MATEO COUNTY AND HIGH-WAGE JOBS IN THREE-COUNTY AREA
1350 ADAMS COURT PROJECT
MENLO PARK CA

Variables	
Y Variable:	*Asking Rent/SF (San Mateo County)*
X Variable:	*Adjusted High-Wage Jobs (Three-County Area)*

Implied Impact	
2019 Rent/SF (One Bedroom)	$3.52
% Increase/ 10,000 Adjusted HW Jobs	1.1%

Regression Statistics	
Multiple R	0.91660
R Square	0.84016
Adjusted R Square	0.83128
Standard Error	0.16340
Observations	20



ANOVA

	df	*SS*	*MS*	*F*	*Significance F*
Regression	1	2.52595	2.52595	94.61028	1.366E-08
Residual	18	0.48057	0.02670		
Total	19	3.00652			

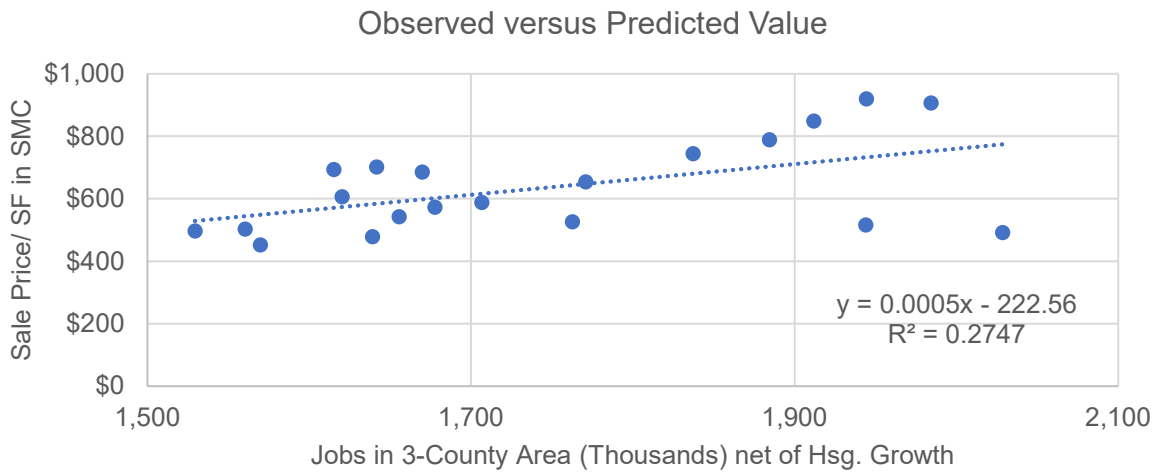
	Coefficients	*Standard Error*	*t Stat*	*P-value*	*Lower 95%*	*Upper 95%*
Intercept	0.51341	0.28118	1.82588	0.08450	-0.07734	1.10416
X Variable 1	3.8046E-06	3.9115E-07	9.7268E+00	1.3655E-08	2.9829E-06	4.6264E-06

APPENDIX C TABLE 8A
REGRESSION ANALYSIS (THREE-COUNTY)
RELATIONSHIP OF HOME PRICES IN SAN MATEO COUNTY AND JOBS IN THREE-COUNTY AREA
1350 ADAMS COURT PROJECT
MENLO PARK CA

Variables	
Y Variable:	*Sale Price/SF (San Mateo County)*
X Variable:	*Adjusted Jobs (Three-County Area)*

Implied Impact	
2019 Price/SF	$907
% Increase/ 10,000 Adjusted Jobs	0.5%

Regression Statistics	
Multiple R	0.524092
R Square	0.274672
Adjusted R Square	0.234376
Standard Error	127.473539
Observations	20



ANOVA

	df	*SS*	*MS*	*F*	*Significance F*
Regression	1	110,762.52	110,762.52	6.8163633	0.0176922
Residual	18	292,491.05	16,249.50		
Total	19	403,253.57			

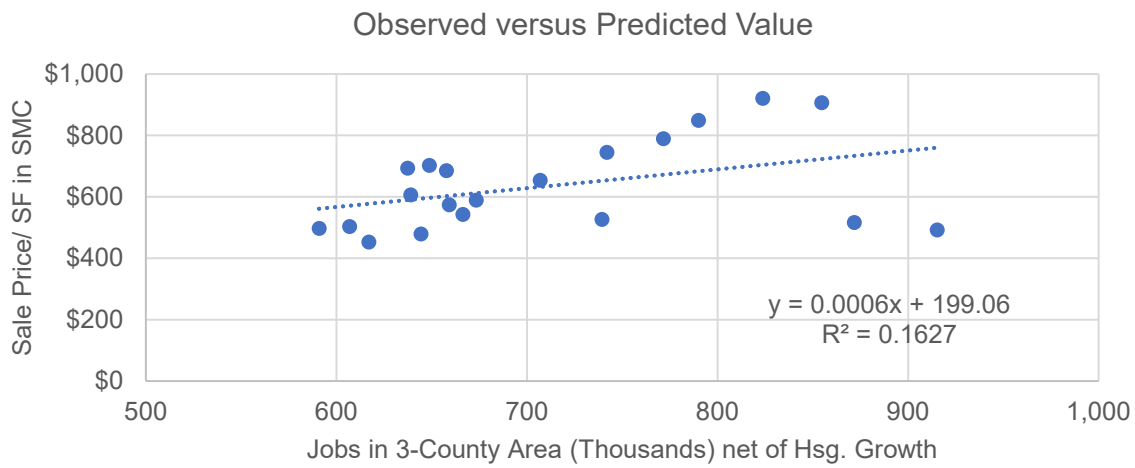
	Coefficients	*Standard Error*	*t Stat*	*P-value*	*Lower 95%*	*Upper 95%*
Intercept	-222.55688	330.11498	-0.67418	0.50876	-916.10273	470.98896
X Variable 1	0.000491	0.000188	2.61082	0.01769	0.00010	0.00089

APPENDIX C TABLE 8B
REGRESSION ANALYSIS (THREE-COUNTY)
RELATIONSHIP OF HOME PRICES IN SAN MATEO COUNTY AND HIGH-WAGE JOBS IN THREE-COUNTY AREA
1350 ADAMS COURT PROJECT
MENLO PARK CA

Variables	
Y Variable:	*Sale Price/SF (San Mateo County)*
X Variable:	*Adjusted High-Wage Jobs (Three-County Area)*

Implied Impact	
2019 Price/SF	$907
% Increase/ 10,000 Adjusted HW Jobs	*not significant*

Regression Statistics	
Multiple R	0.4033
R Square	0.1627
Adjusted R Square	0.1162
Standard Error	136.9613
Observations	20



ANOVA

	df	*SS*	*MS*	*F*	*Significance F*
Regression	1	65,602.65	65,602.65	3.49724	0.077825
Residual	18	337,650.92	18,758.38		
Total	19	403,253.57			

	Coefficients	*Standard Error*	*t Stat*	*P-value*	*Lower 95%*	*Upper 95%*
Intercept	199.063403	235.692829	0.844588	0.40943	-296.108856	694.235661
X Variable 1	0.0006131	0.0003279	1.8700921	0.07782	-0.0000757	0.0013020

APPENDIX C TABLE 9
BASELINE DATA
INFLATION-ADJUSTED RENTAL AND SALES PRICING
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: CoreLogic, Costar, Bureau of Labor Statistics

page 1 of 2

A. Inflation-Adjusted Sales Price Per Square Foot - San Mateo County 1BR

	Attached 21%	Detached 79%	Weighted Average	Inflation Adjust.*	Inflation Adjusted $
	Appendix 3	Appendix 3		BLS-CPI	
2000	$305	$338	$331	1.48	$492
2001	$335	$363	$357	1.44	$516
2002	$342	$378	$371	1.42	$527
2003	$355	$400	$391	1.39	$543
2004	$408	$458	$448	1.35	$606
2005	$497	$538	$530	1.31	$694
2006	$502	$567	$554	1.27	$702
2007	$508	$568	$556	1.23	$686
2008	$435	$496	$483	1.19	$574
2009	$381	$433	$422	1.19	$503
2010	$354	$442	$424	1.17	$497
2011	$321	$418	$398	1.14	$453
2012	$344	$452	$430	1.11	$479
2013	$463	$556	$536	1.10	$589
2014	$520	$628	$606	1.08	$654
2015	$597	$714	$690	1.08	$744
2016	$652	$764	$741	1.07	$789
2017	$711	$841	$814	1.04	$849
2018	$809	$929	$904	1.02	$920
2019	$789	$938	$907	1.00	$907

APPENDIX C TABLE 9
BASELINE DATA
INFLATION-ADJUSTED RENTAL AND SALES PRICING
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: CoreLogic, Costar, Bureau of Labor Statistics

B. Inflation-Adjusted Asking Rent Per Square Foot - San Mateo County 1BR

	Nominal Rent	CPI Factor	Adjusted $
	Appendix 3	BLS-CPI	
2000	$2.73	1.48	$4.05
2001	$2.54	1.44	$3.67
2002	$2.20	1.42	$3.13
2003	$2.06	1.39	$2.86
2004	$2.02	1.35	$2.73
2005	$2.09	1.31	$2.74
2006	$2.28	1.27	$2.89
2007	$2.45	1.23	$3.02
2008	$2.58	1.19	$3.06
2009	$2.36	1.19	$2.81
2010	$2.43	1.17	$2.85
2011	$2.56	1.14	$2.91
2012	$2.74	1.11	$3.05
2013	$2.92	1.10	$3.20
2014	$3.09	1.08	$3.34
2015	$3.36	1.08	$3.62
2016	$3.47	1.07	$3.70
2017	$3.52	1.04	$3.67
2018	$3.61	1.02	$3.68
2019	$3.52	1.00	$3.52

APPENDIX C TABLE 10
BASELINE DATA
JOBS ADJUSTED FOR HOUSNG GROWTH - ALL JOBS
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: Quarterly Census of Employment and Wages & California Department of Finance

A. San Mateo County

	Total Jobs	Housing Units	Hsg Growth Since 2000	Jobs Adjusted for Housing Growth
	Appendix 5	Appendix 6		1.91 jobs/unit
2000	380,137	260,578	0	380,137
2001	369,868	261,753	1,175	367,626
2002	345,137	263,489	2,911	339,584
2003	327,080	265,041	4,463	318,566
2004	327,152	266,014	5,436	316,782
2005	326,536	267,149	6,571	314,000
2006	334,910	267,587	7,009	321,539
2007	340,640	268,001	7,423	326,479
2008	342,361	269,351	8,773	325,625
2009	323,195	270,227	9,649	304,788
2010	317,576	270,996	10,418	297,701
2011	326,055	271,438	10,860	305,337
2012	340,075	272,158	11,580	317,984
2013	354,891	272,477	11,899	332,191
2014	372,192	273,532	12,954	347,480
2015	383,668	274,612	14,034	356,895
2016	391,640	276,036	15,458	362,151
2017	400,511	277,189	16,611	368,822
2018	404,242	278,044	17,466	370,922
2019	415,999	279,248	18,670	380,382

APPENDIX C TABLE 10
BASELINE DATA
JOBS ADJUSTED FOR HOUSNG GROWTH - ALL JOBS
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: Quarterly Census of Employment and Wages & California Department of Finance

B. San Mateo, Santa Clara, and San Francisco counties

	Total Jobs	Housing Units	Hsg Growth Since 2000	Jobs Adjusted for Housing Growth
	Appendix 5	Appendix 6		1.91 jobs/unit
2000	2,028,395	1,186,434	0	2,028,395
2001	1,958,590	1,194,191	7,757	1,943,792
2002	1,797,930	1,204,962	18,528	1,762,584
2003	1,712,501	1,216,334	29,900	1,655,461
2004	1,692,626	1,224,395	37,961	1,620,207
2005	1,706,403	1,234,289	47,855	1,615,110
2006	1,748,924	1,242,752	56,318	1,641,486
2007	1,793,726	1,251,398	64,964	1,669,794
2008	1,821,874	1,262,054	75,620	1,677,613
2009	1,721,849	1,271,103	84,669	1,560,325
2010	1,705,878	1,278,966	92,532	1,529,354
2011	1,751,586	1,281,769	95,335	1,569,715
2012	1,829,666	1,286,393	99,959	1,638,973
2013	1,905,422	1,290,689	104,255	1,706,534
2014	1,986,238	1,299,366	112,932	1,770,797
2015	2,075,385	1,311,276	124,842	1,837,223
2016	2,140,877	1,320,901	134,467	1,884,353
2017	2,188,876	1,331,683	145,249	1,911,783
2018	2,243,210	1,343,097	156,663	1,944,343
2019	2,296,413	1,350,059	163,625	1,984,264

APPENDIX C TABLE 11
BASELINE DATA
JOBS ADJUSTED FOR HOUSING GROWTH - HIGH WAGE JOBS
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: Quarterly Census of Employment and Wages & California Department of Finance

A. San Mateo County

	Total Jobs High-Wage	Housing Units	Hsg Growth Since 2000	Ratio: High Wage Jobs to Total Jobs	Jobs Adjusted for Housing Growth
	App C Tbl 14	App C Tbl 15			1.91 jobs/unit X HW/total job ratio
2000	146,968	260,578	0	0.387	146,968
2001	143,064	261,753	1,175	0.387	142,197
2002	125,827	263,489	2,911	0.365	123,802
2003	115,330	265,041	4,463	0.353	112,328
2004	113,849	266,014	5,436	0.348	110,240
2005	115,049	267,149	6,571	0.352	110,632
2006	116,919	267,587	7,009	0.349	112,251
2007	118,450	268,001	7,423	0.348	113,526
2008	119,988	269,351	8,773	0.350	114,122
2009	113,902	270,227	9,649	0.352	107,415
2010	110,706	270,996	10,418	0.349	103,778
2011	112,511	271,438	10,860	0.345	105,362
2012	119,743	272,158	11,580	0.352	111,964
2013	123,860	272,477	11,899	0.349	115,938
2014	130,156	273,532	12,954	0.350	121,514
2015	136,294	274,612	14,034	0.355	126,783
2016	144,253	276,036	15,458	0.368	133,391
2017	148,336	277,189	16,611	0.370	136,599
2018	155,496	278,044	17,466	0.385	142,679
2019	163,819	279,248	18,670	0.394	149,793

APPENDIX C TABLE 11
BASELINE DATA
JOBS ADJUSTED FOR HOUSING GROWTH - HIGH WAGE JOBS
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: Quarterly Census of Employment and Wages & California Department of Finance

B. San Mateo, Santa Clara, and San Francisco counties

	Total Jobs	Housing Units	Hsg Growth Since 2000	Ratio: High Wage Jobs to Total Jobs	Jobs Adjusted for Housing Growth
	App C Tbl 14	App C Tbl 15			1.91 jobs/unit X HW/total job ratio
2000	915,210	1,186,434	0	0.451	915,210
2001	878,426	1,194,191	7,757	0.448	871,789
2002	754,149	1,204,962	18,528	0.419	739,323
2003	689,304	1,216,334	29,900	0.403	666,344
2004	667,569	1,224,395	37,961	0.394	639,007
2005	673,284	1,234,289	47,855	0.395	637,263
2006	691,205	1,242,752	56,318	0.395	648,744
2007	706,451	1,251,398	64,964	0.394	657,641
2008	715,848	1,262,054	75,620	0.393	659,165
2009	669,683	1,271,103	84,669	0.389	606,861
2010	659,039	1,278,966	92,532	0.386	590,842
2011	688,473	1,281,769	95,335	0.393	616,987
2012	719,309	1,286,393	99,959	0.393	644,341
2013	751,810	1,290,689	104,255	0.395	673,336
2014	792,890	1,299,366	112,932	0.399	706,888
2015	838,079	1,311,276	124,842	0.404	741,905
2016	876,536	1,320,901	134,467	0.409	771,508
2017	904,536	1,331,683	145,249	0.413	790,030
2018	950,223	1,343,097	156,663	0.424	823,623
2019	989,106	1,350,059	163,625	0.431	854,658

APPENDIX C TABLE 12
BASELINE DATA
HOME SALES TRENDS IN SELECTED SUBMARKETS
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: CoreLogic

A. Home Sales

Attached

	East Palo Alto	Belle Haven	San Mateo Cnty	
2000	11		2,263	*No attached sales*
2001	5		1,719	*reported in Belle Haven*
2002	8		2,292	
2003	23		2,363	
2004	35		2,790	
2005	22		2,293	
2006	83		2,023	
2007	64		1,681	
2008	40		1,206	
2009	14		1,362	
2010	12		1,242	
2011	18		1,335	
2012	25		1,495	
2013	20		1,655	
2014	34		1,581	
2015	33		1,520	
2016	22		1,433	
2017	16		1,456	
2018	19		1,243	
2019	18		1,268	
YTD2020	19		929	

Detached

	East Palo Alto	Belle Haven	San Mateo Cnty
2000	343	47	8,894
2001	295	69	7,042
2002	271	44	8,787
2003	324	84	9,490
2004	395	67	9,750
2005	384	77	8,601
2006	306	66	7,120
2007	166	95	5,801
2008	231	39	5,059
2009	276	60	5,265
2010	248	71	5,442
2011	263	63	5,669
2012	221	52	6,484
2013	140	44	6,264
2014	170	51	5,905
2015	169	39	5,565
2016	207	47	5,371
2017	175	41	5,446
2018	161	42	5,108
2019	142	29	4,795
YTD2020	78	14	3,962

APPENDIX C TABLE 12
BASELINE DATA
HOME SALES TRENDS IN SELECTED SUBMARKETS
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: CoreLogic

B. Median Price PSF

Attached

	East Palo Alto	Belle Haven	San Mateo Cnty	
2000	$225		$305	*No attached sales*
2001	$302		$335	*reported in Belle Haven*
2002	$233		$342	
2003	$327		$355	
2004	$317		$408	
2005	$357		$497	
2006	$456		$502	
2007	$449		$508	
2008	$353		$435	
2009	$221		$381	
2010	$183		$354	
2011	$205		$321	
2012	$235		$344	
2013	$304		$463	
2014	$474		$520	
2015	$560		$597	
2016	$636		$652	
2017	$683		$711	
2018	$765		$809	
2019	$766		$789	
2020	$718		$785	
CAGR 00-19	6.7%		5.1%	
CAGR 00-20	6.0%		4.8%	

APPENDIX C TABLE 12
BASELINE DATA
HOME SALES TRENDS IN SELECTED SUBMARKETS
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: CoreLogic

B. Median Price PSF (continued)

Detached

	East Palo Alto	Belle Haven	San Mateo Cnty
2000	$270	$291	$338
2001	$306	$347	$363
2002	$302	$357	$378
2003	$332	$376	$400
2004	$391	$453	$458
2005	$477	$557	$538
2006	$529	$595	$567
2007	$495	$439	$568
2008	$268	$329	$496
2009	$224	$281	$433
2010	$221	$288	$442
2011	$225	$279	$418
2012	$250	$302	$452
2013	$356	$460	$556
2014	$406	$500	$628
2015	$488	$645	$714
2016	$545	$750	$764
2017	$675	$856	$841
2018	$750	$1,000	$929
2019	$794	$984	$938
2020	$754	$985	$983
CAGR 00-19	5.9%	7.0%	5.5%
CAGR 00-20	5.3%	6.3%	5.5%

APPENDIX C TABLE 13
BASELINE DATA
MULTIFAMILY RENTAL TRENDS IN SELECTED SUBMARKETS
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: Costar for market rate multifamily properties

A. Average Asking Rent (1BR)

	East Palo Alto	Belle Haven*	San Mateo Cnty
2000	$1,402	$1,033	$1,815
2001	$1,415	$1,044	$1,695
2002	$1,265	$928	$1,471
2003	$1,254	$849	$1,379
2004	$1,249	$839	$1,352
2005	$1,217	$862	$1,396
2006	$1,389	$947	$1,524
2007	$1,393	$1,009	$1,636
2008	$1,731	$1,037	$1,719
2009	$1,602	$991	$1,583
2010	$1,439	$1,002	$1,632
2011	$1,477	$1,005	$1,713
2012	$1,675	$1,027	$1,830
2013	$1,759	$1,074	$1,957
2014	$1,820	$1,088	$2,074
2015	$1,741	$1,131	$2,265
2016	$2,002	$1,157	$2,337
2017	$2,120	$1,177	$2,376
2018	$2,104	$1,191	$2,454
2019	$2,383	$1,234	$2,536
2020	$2,355	$1,239	$2,316
CAGR 00-19	2.8%	0.9%	1.8%
CAGR 00-20	2.7%	0.9%	1.7%

* Excluding additions to the inventory since 2016 which command higher rents vs. existing product.

B. Occupancy

Year	East Palo Alto	Belle Haven	San Mateo Cnty
2000	99.1%	94.3%	97.4%
2001	97.6%	92.3%	95.7%
2002	91.9%	90.6%	94.5%
2003	91.5%	89.9%	94.0%
2004	95.0%	91.2%	94.1%
2005	98.8%	93.0%	96.0%
2006	97.7%	93.1%	96.3%
2007	95.9%	92.4%	96.2%
2008	95.7%	91.9%	95.8%
2009	93.4%	90.6%	94.8%
2010	84.7%	88.2%	94.4%
2011	96.0%	91.2%	95.5%

APPENDIX C TABLE 13
BASELINE DATA
MULTIFAMILY RENTAL TRENDS IN SELECTED SUBMARKETS
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: Costar for market rate multifamily properties

Occupancy Continued

Year	East Palo Alto	Belle Haven	San Mateo Cnty
2012	95.1%	91.3%	95.1%
2013	94.3%	91.4%	95.2%
2014	96.3%	92.0%	95.7%
2015	97.6%	92.0%	95.4%
2016	95.5%	91.1%	94.4%
2017	93.9%	90.0%	94.9%
2018	92.7%	90.3%	95.3%
2019	93.2%	90.2%	94.4%
2020	89.5%	84.4%	90.8%

C. Inventory

Year	East Palo Alto	Belle Haven	San Mateo Cnty
2000	2,369	160	53,803
2001	2,369	160	53,803
2002	2,369	160	53,833
2003	2,322	160	54,379
2004	2,322	160	54,390
2005	2,322	160	54,395
2006	2,322	160	54,397
2007	2,322	160	54,447
2008	2,322	160	54,468
2009	2,322	160	54,468
2010	2,310	160	54,669
2011	2,310	160	54,521
2012	2,310	160	54,521
2013	2,310	160	54,481
2014	2,310	160	54,968
2015	2,310	160	55,373
2016	2,310	355	56,199
2017	2,310	501	56,712
2018	2,310	501	57,257
2019	2,310	501	57,622
2020	2,310	501	57,806

APPENDIX C TABLE 14
BASELINE DATA
JOBS AND EARNINGS IN SAN MATEO COUNTY AND ADJACENT COUNTIES
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: Quarterly Census of Employment and Wages

1/2

	Jobs in High-Wage[(1)] Industries				Jobs in All Industries			
	San Mateo	Santa Clara	San Francisco	Total	San Mateo	Santa Clara	San Francisco	Total
2000	146,968	506,070	262,172	915,210	380,137	1,036,582	611,676	2,028,395
2001	143,064	490,253	245,109	878,426	369,868	1,002,637	586,085	1,958,590
2002	125,827	415,977	212,345	754,149	345,137	905,489	547,304	1,797,930
2003	115,330	375,626	198,348	689,304	327,080	852,513	532,908	1,712,501
2004	113,849	366,703	187,017	667,569	327,152	845,040	520,434	1,692,626
2005	115,049	369,430	188,805	673,284	326,536	854,927	524,940	1,706,403
2006	116,919	379,296	194,990	691,205	334,910	877,710	536,304	1,748,924
2007	118,450	385,785	202,216	706,451	340,640	896,685	556,401	1,793,726
2008	119,988	390,464	205,396	715,848	342,361	906,502	573,011	1,821,874
2009	113,902	364,423	191,358	669,683	323,195	848,938	549,716	1,721,849
2010	110,706	361,704	186,629	659,039	317,576	842,581	545,721	1,705,878
2011	112,511	378,714	197,248	688,473	326,055	866,541	558,990	1,751,586
2012	119,743	387,238	212,328	719,309	340,075	903,053	586,538	1,829,666
2013	123,860	403,468	224,482	751,810	354,891	937,924	612,607	1,905,422
2014	130,156	421,188	241,546	792,890	372,192	973,668	640,378	1,986,238
2015	136,294	441,959	259,826	838,079	383,668	1,017,071	674,646	2,075,385
2016	144,253	450,064	282,219	876,536	391,640	1,046,049	703,188	2,140,877
2017	148,336	463,456	292,744	904,536	400,511	1,071,448	716,917	2,188,876
2018	155,496	484,241	310,486	950,223	404,242	1,098,089	740,879	2,243,210
2019	163,819	498,284	327,003	989,106	415,999	1,119,639	760,775	2,296,413
2020P	165,287	496,983	322,728	984,997	391,830	1,063,847	709,770	2,165,447
CAGR								
00-19	0.6%	-0.1%	1.2%	0.4%	0.5%	0.4%	1.2%	0.7%
10-19	4.5%	3.6%	6.4%	4.6%	3.0%	3.2%	3.8%	3.4%

[(1)] Defined as industries with an average wage above $100K as of 2016. Industries included varies by county.
[(2)] Average for 2 quarters of 2020.

APPENDIX C TABLE 14
BASELINE DATA
JOBS AND EARNINGS IN SAN MATEO COUNTY AND ADJACENT COUNTIES
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: Quarterly Census of Employment and Wages

2/2

	Earnings in High-Wage[(1)] Industries				Earnings in All Industries			
	San Mateo	Santa Clara	San Francisco	Total	San Mateo	Santa Clara	San Francisco	Total
2000	$16,727M	$59,775M	$21,988M	$98,490M	$25,501M	$79,147M	$35,308M	$139,956M
2001	$13,916M	$46,416M	$22,045M	$82,377M	$23,038M	$66,104M	$35,791M	$124,934M
2002	$10,795M	$38,046M	$18,364M	$67,205M	$19,759M	$57,096M	$32,023M	$108,878M
2003	$10,936M	$37,222M	$17,331M	$65,490M	$19,499M	$56,088M	$31,354M	$106,941M
2004	$11,538M	$39,829M	$18,065M	$69,431M	$20,438M	$59,435M	$32,459M	$112,332M
2005	$12,740M	$41,768M	$19,914M	$74,422M	$21,739M	$62,147M	$34,956M	$118,842M
2006	$12,995M	$45,960M	$21,840M	$80,795M	$22,773M	$67,912M	$37,932M	$128,617M
2007	$14,340M	$50,094M	$24,328M	$88,762M	$24,628M	$74,336M	$41,800M	$140,764M
2008	$14,193M	$48,170M	$24,569M	$86,931M	$24,686M	$73,247M	$43,270M	$141,203M
2009	$14,906M	$44,222M	$22,267M	$81,395M	$24,725M	$68,192M	$40,459M	$133,375M
2010	$13,567M	$50,764M	$23,039M	$87,370M	$23,581M	$75,328M	$41,672M	$140,581M
2011	$14,277M	$56,684M	$25,667M	$96,628M	$24,861M	$82,170M	$45,096M	$152,128M
2012	$23,930M	$59,222M	$28,459M	$111,611M	$35,110M	$86,622M	$48,948M	$170,681M
2013	$24,804M	$64,107M	$30,854M	$119,765M	$36,595M	$92,442M	$52,521M	$181,559M
2014	$24,934M	$72,206M	$36,206M	$133,346M	$37,770M	$102,607M	$58,836M	$199,213M
2015	$25,567M	$82,072M	$40,762M	$148,401M	$39,432M	$115,325M	$65,486M	$220,243M
2016	$27,611M	$88,157M	$45,649M	$161,417M	$42,089M	$123,484M	$71,483M	$237,057M
2017	$31,031M	$97,854M	$51,007M	$179,893M	$46,547M	$135,760M	$78,217M	$260,524M
2018	$35,664M	$108,909M	$58,784M	$203,357M	$51,100M	$147,873M	$87,751M	$286,725M
2019	$37,499M	$114,071M	$67,537M	$219,107M	$54,003M	$154,816M	$98,760M	$307,578M
2020P	$42,746M	$124,862M	$69,721M	$237,329M	$58,373M	$164,091M	$100,103M	$322,566M
CAGR								
00-19	4.3%	3.5%	6.1%	4.3%	4.0%	3.6%	5.6%	4.2%
10-19	12.0%	10.0%	12.4%	11.1%	10.1%	8.8%	9.8%	9.3%

[(1)] Defined as industries with an average wage above $100K as of 2016. Industries included varies by county.

[(2)] Assumes wages in second half of 2020 equal first half, which is unlikely due to the economic disruption caused by the coronavirus pandemic.

APPENDIX C TABLE 15
BASELINE DATA
HOUSING GROWTH BY COUNTY
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: California Department of Finance, E-5 and E-8 Housing Estimates

Year	San Mateo	San Francisco	Santa Clara	Total
2000	260,578	346,527	579,329	1,186,434
2001	261,753	348,119	584,319	1,194,191
2002	263,489	350,971	590,502	1,204,962
2003	265,041	354,811	596,482	1,216,334
2004	266,014	356,866	601,515	1,224,395
2005	267,149	359,090	608,050	1,234,289
2006	267,587	361,813	613,352	1,242,752
2007	268,001	364,789	618,608	1,251,398
2008	269,351	368,285	624,418	1,262,054
2009	270,227	372,397	628,479	1,271,103
2010 [1]	270,996	376,243	631,728	1,278,966
2011	271,438	377,188	633,143	1,281,769
2012	272,158	377,487	636,748	1,286,393
2013	272,477	378,766	639,446	1,290,689
2014	273,532	381,143	644,691	1,299,366
2015	274,612	384,657	652,007	1,311,276
2016	276,036	387,505	657,360	1,320,901
2017	277,189	392,619	661,875	1,331,683
2018	278,044	397,083	667,970	1,343,097
2019	279,248	399,372	671,439	1,350,059
2020	280,879	404,164	674,558	1,359,601
Total New Units				
2000-2019	18,670	52,845	92,110	163,625
2000-2020	20,301	57,637	95,229	173,167

[1] Average of 2000 and 2010 series estimates.

APPENDIX C TABLE 16
BASELINE DATA
COMMUTE PATTERNS OF CURRENT MENLO PARK LABS EMPLOYEES
1350 ADAMS COURT PROJECT
MENLO PARK CA

Source: Commute data provided by applicant

Menlo Park Labs Employees by County of Residence

County	Number	% of Total
Santa Clara	240	38%
San Mateo	167	27%
Alameda	107	17%
San Francisco	73	12%
Contra Costa	13	2%
Napa	2	0%
Solano	2	0%
Sonoma	2	0%
Marin	1	0%
Subtotal, Bay Area	607	97%
Elsewhere in Northern California	43	7%
Total [1]	629	100%

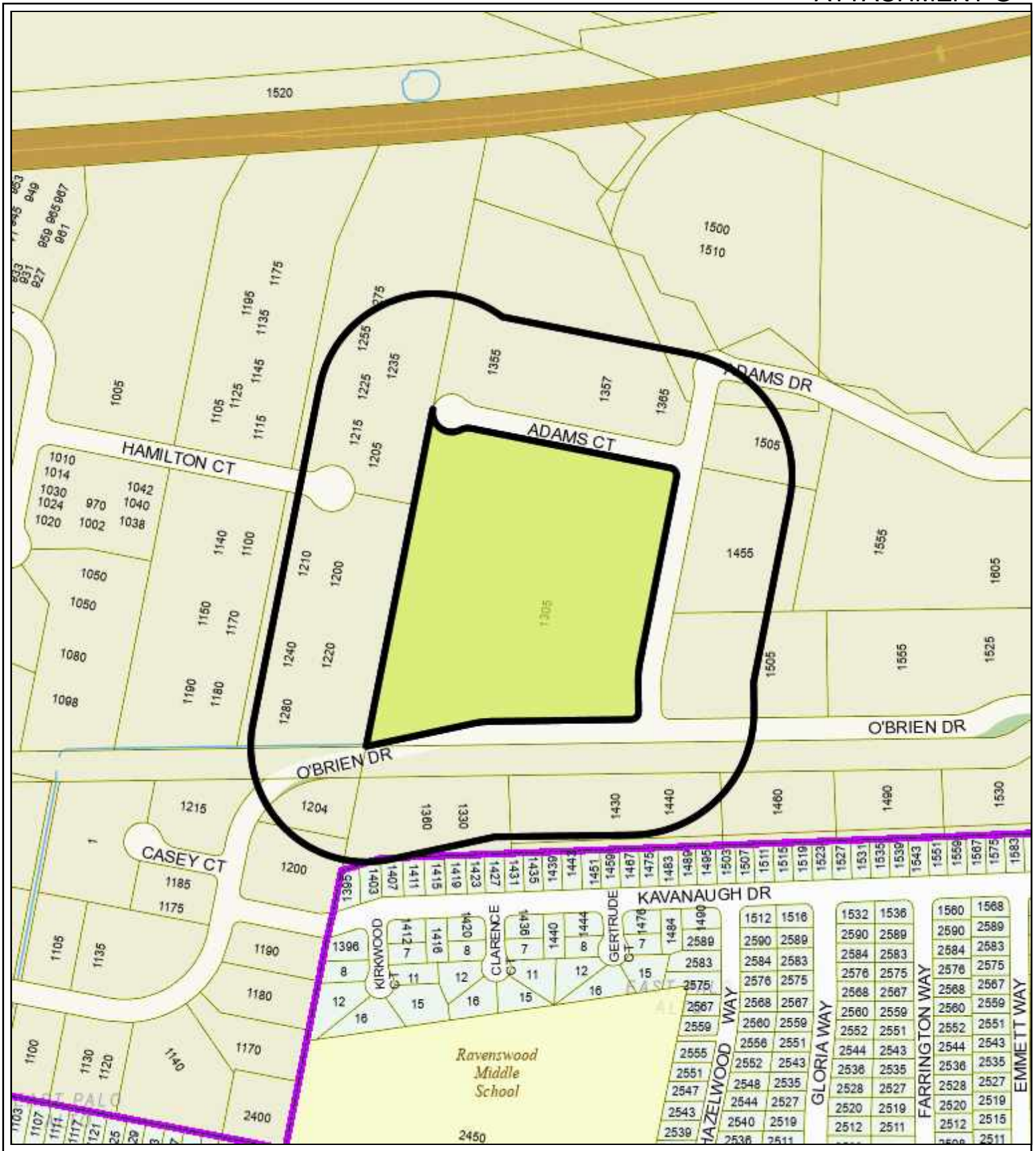
Employees Living in East Palo Alto and Belle Haven[2]

	Number	% of Total
East Palo Alto	7	1.11%
Belle Haven	3	0.48%
Elsewhere in Northern California	619	98.41%
Total Northern California[1]	629	100.00%

[1] Excludes approximately 170 employees with addresses in Southern California or outside of California.

[2] Zip-code level data, apportioned to each area based on the area's share of housing units within the zip code, as reported by the U.S. Census Bureau and ESRI Business Analyst:

	Zip Code	Zip Code Total	Area Share
East Palo Alto	94025	13	53%
Belle Haven	94303	24	11%



City of Menlo Park

Location Map

1350 ADAMS COURT

Scale: 1:4,000 | Drawn By: CRT | Checked By: CDS | Date: 9/12/2022 | Sheet: 1

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

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

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

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

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

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

Non-CEQA Analysis

Intersection Level-of-Service Analysis

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

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

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

Near-Term (2022) Plus-Project Conditions

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

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

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

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

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

#2 University Avenue (SR 109) and Adams Drive

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

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

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

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

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

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

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

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

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

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

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

#14 Willow Road (SR 104) and Newbridge Street

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

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

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

#21 Adams Drive and O'Brien Drive

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

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

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

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

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

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

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

#25 US 101 Northbound On-Ramp and Donohoe Street

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

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

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

#27 University Avenue (SR 109) and Woodland Avenue

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

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

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

Cumulative (2040) Conditions Intersection Level of Service

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

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

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

May 26, 2022

Tom Smith
Acting Principal Planner
Planning Division
Community Development Department
701 Laurel Street
Menlo Park, CA 94025

Community Amenities Proposal for 1350 Adams Court

Dear Mr. Smith:

This letter supplements Tarlton Properties' Aug. 2, 2021 letter RE Community Amenities Proposal for 1350 Adams Court, which is incorporated herein.

Per Staff Report # 22-024-PC, dated May 2, 2022, (May 2nd Staff Report), Tarlton Properties understands that the Community Development Director has determined that the 1350 Adams Court project's community amenities obligation is $14,650,000, which amount was determined by the Fabbro, Moore & Associates appraisal commissioned by the City. (Staff Report at 16.) Tarlton Properties further understands that "[p]rior to certification of the EIR and approval of the proposed project entitlements, the applicant will need to submit a revised proposal indicating payment of an in-lieu fee in the amount of $16,115,000, which is 110% of the value of the community amenity as determined by Fabbro, Moore & Associates." (Staff Report at 16.) Tarlton Properties therefore submits this letter to supplement and revise its Aug. 2nd Community Amenities Proposal to pay an in-lieu fee in the amount of $16,115,000.

We look forward to continuing to move the 1350 Adams Court project forward with the City.

Sincerely,

John Tarlton,
President and CEO
Tarlton Properties, Inc.

Tarlton Properties, Inc. 1530 O'Brien Drive, Suite C Menlo Park, CA 94025 Phone (650) 330-3600 Fax (650) 330-3636
www.tarlton.com

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

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

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

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

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

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

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

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
		proceeding with construction. Implementation of this measure shall be required in the contract the Project Sponsor establishes with its construction contractors. ● Use local building materials for at least 10 percent of all building materials used[5](i.e., sourced from within 100 miles of the planning area); and ● Recycle at least 50 percent of construction waste and demolition material. The Project Sponsor shall submit evidence of compliance to the City prior to issuance of each construction permit and every year thereafter during Project construction.	
GHG-1b. The level of GHG emissions associated with operation of the Proposed Project would not have a significant impact on the environment.	LTS	None required	LTS
GHG-2. The Proposed Project could conflict with an applicable, plan, policy, or regulation adopted for the purpose of reducing emissions of GHGs.	PS	Implement ***ConnectMenlo Mitigation Measure AQ-2b1 and Project Mitigation Measures TRA-1 and GHG-1a***, above.	LTS/M
3.4 Noise			
NOI-1. The Proposed Project could generate a substantial temporary construction-related increase in ambient noise levels in the vicinity of the project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies.	PS	***Modified ConnectMenlo Mitigation Measures NOISE-1c:*** Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction-related activity through CEQA review, conditions of approval, and/or enforcement of the City's Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans, indicating that during ongoing grading, demolition,	LTS/M

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

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

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
		and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise: ● All internal-combustion engines on construction equipment and trucks shall be fitted with properly maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than those originally equipped by the manufacturer. ● Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses. ● Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors. ● Unnecessary engine idling shall be limited to the extent feasible. ● Limit the use of public address systems. ● Construction traffic shall be limited to the haul routes established by the City. **Project Mitigation Measure NOI-1*: Implement Noise Control Plan to Reduce Construction Noise from development of Lot 3 North***. The Project Sponsor shall develop a noise control plan for construction at the Project site. The plan shall require compliance with Section 8.06 of the Menlo Park Municipal Code and include measures to ensure compliance with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall include measures to ensure that construction noise will not result in a 10-dB increase over the ambient noise level at nearby sensitive receptors, which is unlikely to occur at most nearby sensitive uses from Project construction but may occur at the nearest school where existing ambient noise levels from 6:00 a.m. to 8:00 a.m. were not recorded.	

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

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
		The plan shall specify the noise-reducing construction practices that will be employed to reduce noise from construction activities, and shall demonstrate that compliance with these standards will be achievable. If the noise control plan cannot comply with the standards outside the daytime 8:00 a.m. to 6:00 p.m. hours, those activities will be required to occur only during the daytime hours (e.g., pavement breaking with jackhammers and concrete saws). The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to issuance of building permits. The noise control plan shall: ● Demonstrate that noise levels during construction on the Project site will meet the standards of this mitigation measure at sensitive receptors while those receptors are in use. ● Demonstrate that any construction activities taking place outside daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday shall comply with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall demonstrate that individual equipment proposed for use would not exceed the 85 dBA L_{eq} at 50 feet limit for powered equipment noise, and that combined construction noise would not result in a 10 dBA increase over the ambient noise level at nearby sensitive receptors. Activities that would produce noise above applicable daytime or nighttime limits shall be scheduled only during normal construction hours. If the noise control plan concludes that a particular piece of equipment will not meet the requirements of this mitigation measure, that equipment shall not be used outside the daytime construction hours.	

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

Impacts	Impact Significance without Mitigation	Mitigation Measures	Impact Significance with Mitigation
		● Verify construction activities are conducted at adequate distances, or otherwise shielded with sound barriers, as determined through analysis, from noise-sensitive receptors when working outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, and verify compliance with the Menlo Park Municipal Code though measurement. ● Verify the effectiveness of noise attenuation measures by taking representative noise level measurements at the nearest sensitive receptors (limited to receptors within 1,000 feet of the Project site) during construction activities that occur outside the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, to verify compliance with the 50 and 60 dBA L_{eq} City noise standards. The final noise monitoring requirements and locations shall be defined in the noise control plan based on predicted equipment use and noise. ● Verify the effectiveness of noise attenuation measures by taking noise level measurements at nearest noise-sensitive land uses (limited to receptors within 1,000 feet of the Project site) during construction to verify compliance with the 10 dB-over-ambient threshold. The final noise monitoring requirements and locations shall be defined in the noise control plan based on predicted equipment use and noise. Measures used to control construction noise may include: ● Upgraded construction equipment mufflers (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields, shrouds) on equipment and trucks used for Project construction.	

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

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

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

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

Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study

3.12 Noise			
a. The Proposed Project could expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies.	PS	***ConnectMenlo Mitigation Measure NOISE-1b:*** Stationary noise sources and landscaping and maintenance activities shall comply with Chapter 8.06, Noise, of the Menlo Park Municipal Code. ***<u>Modified</u> ConnectMenlo Mitigation Measure NOISE-1c:*** Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction-related activity through CEQA review, conditions of approval, and/or enforcement of the City's Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans, indicating that, during ongoing grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise: ● ~~Construction activity is limited to the daytime hours between 8:00 a.m. to 6:00 p.m. on Monday through Friday, as prescribed in the City's municipal code.~~ ● All internal-combustion engines on construction equipment and trucks shall be fitted with properly maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than those originally equipped by the manufacturer. ● Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses. ● Stockpiles shall be located as far as feasible from nearby noise-sensitive receptors. ● Unnecessary engine idling shall be limited to the extent feasible. ● The use of public address systems shall be limited. ● Construction traffic shall be limited to the haul routes established by the City of Menlo Park.	LTS/M

3.12 Noise			
		Project Mitigation Measure NOI-1: Implement Noise Control Plan to Reduce Construction Noise from Development of Lot 3 North. The Project Sponsor shall develop a noise control plan for construction at the Project site. The plan shall require compliance with Section 8.06 of the Menlo Park Municipal Code and include measures to ensure compliance with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall include measures to ensure that construction noise will not result in a 10 dB increase over the ambient noise level at nearby sensitive receptors, which is unlikely to occur at most nearby sensitive uses from Project construction but may occur at the nearest school where existing ambient noise levels from 6:00 a.m. to 8:00 a.m. were not recorded. The plan shall specify the noise-reducing construction practices that will be employed to reduce noise from construction activities and shall demonstrate that compliance with these standards will be achievable. If the noise control plan cannot comply with the standards outside the daytime hours of 8:00 a.m. to 6:00 p.m., those activities will be required to occur only during daytime hours (e.g., pavement breaking with jackhammers and concrete saws). The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to issuance of building permits. The noise control plan shall: ● Demonstrate that noise levels during construction on the Project site will meet the standards of this mitigation measure at sensitive receptors while those receptors are in use. ● Demonstrate that any construction activities taking place outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday shall comply with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall demonstrate that individual equipment proposed for use shall not exceed the 85 dBA L_{eq} limit at 50 feet for noise from powered equipment and that combined construction noise shall not result	

3.12 Noise			
		in a 10 dBA increase over the ambient noise level at nearby sensitive receptors. Activities that would produce noise levels above applicable daytime or nighttime limits shall be scheduled only during normal construction hours. If the noise control plan concludes that a particular piece of equipment will not meet the requirements of this mitigation measure, that equipment shall not be used outside daytime construction hours. ● Verify construction activities are conducted at adequate distances, or otherwise shielded with sound barriers, as determined through analysis, from noise-sensitive receptors when working outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday and verify compliance with the Menlo Park Municipal Code though measurement. ● Verify the effectiveness of noise attenuation measures by taking representative noise level measurements at the nearest sensitive receptors (limited to receptors within 1,000 feet of the Project site) during construction activities that occur outside the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday to verify compliance with the 50 and 60 dBA L_{eq} City noise standards. The final noise monitoring requirements and locations shall be defined in the noise control plan, based on predicted equipment use and noise. ● Verify the effectiveness of noise attenuation measures by taking noise level measurements at the nearest noise-sensitive land uses (limited to receptors within 1,000 feet of the Project site) during construction to verify compliance with the 10 dB-over-ambient threshold. The final noise monitoring requirements and locations shall be defined in the noise control plan, based on predicted equipment use and noise. Measures used to control construction noise may include: ● Upgraded construction equipment mufflers (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields, shrouds) on equipment and trucks used for Project construction.	

3.12 Noise			
		• Equipment staging plans (e.g., locating stationary equipment at adequate distances). • Limitations on equipment and truck idling. • Shielding sensitive receptors with sound barriers sufficient to comply with the Menlo Park Municipal Code. As determined in the noise control plan, temporary noise barriers may be required around construction on the Project site to reduce construction noise from equipment used outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. on weekdays. Noise barriers shall be constructed of material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, ¾-inch Plexiglas, ⅝-inch plywood, ⅝-inch oriented strand board, or straw bales. If sound blankets are used, the sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70. ~~*Project Mitigation Measure NOI-1: Implement Noise Control Plan to Reduce Construction Noise during Non-ordinary Construction Hours.* The Project Sponsor shall develop a noise control plan for construction that would occur outside the normal construction hours in the City of 8:00 a.m. to 6:00 p.m. The plan would require compliance with Section 8.06 of the Menlo Park Municipal Code and would include measures to ensure compliance with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. Construction contractors shall specify noise-reducing construction practices that will be employed to reduce noise from construction activities during these hours. The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to the issuance of building permits. Measures to reduce noise outside of the normal construction hours of 8:00 a.m. to 6:00 p.m., Monday through Friday include, but are not limited to, the following:~~	

3.12 Noise			
		● ~~Conduct the quietest construction activities/restrict the use of loud construction equipment outside of the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday.~~ ● ~~Use best available noise control techniques (e.g., improved mufflers, redesigned equipment, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds) on equipment and trucks used for Project construction, as feasible.~~ ● ~~Locate equipment/conduct construction activities as far as possible from noise-sensitive receptors when conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday.~~ ● ~~Use "quiet" gasoline-powered compressors or electric compressors. Use electric rather than gasoline or diesel forklifts for small lifting, to the extent feasible (but especially for construction conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday).~~ ● ~~Locate stationary noise sources, such as temporary generators, as far from nearby receptors as possible. Stationary noise sources shall be muffled and within temporary enclosures or shielded by barriers or other measures to the extent feasible (especially for construction conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday).~~ ● ~~Install temporary noise barriers 8 feet in height around the construction site to reduce construction noise from equipment for construction occurring outside the normal construction hours of 8:00 a.m. to 6:00 p.m. on weekdays to reduce overall construction noise to less than 60 dBA L_{eq}, as measured at the applicable property lines of the adjacent uses. If the Project Sponsor can demonstrate, through a detailed acoustical analysis, that construction noise would not exceed 60 dBA L_{eq}, as measured at the applicable property lines of the adjacent uses, then a temporary noise barrier shall not be required.~~	

3.12 Noise			
		● ~~Prohibit trucks from idling along streets serving the construction site, especially for construction conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday.~~ ● ~~Monitor the effectiveness of noise attenuation measures by taking noise measurements during construction activities to ensure compliance with the 60 dBA L_{eq} standard that applies outside the normal daytime construction hours of 8:00 a.m. and 6:00 p.m. on weekdays.~~ ***Project Mitigation Measure NOI-2: Compliance with Chapter 8.52 of the City of East Palo Alto Municipal Code.*** Project stationary noise sources that may affect receptors within East Palo Alto shall comply with Chapter 8.52 of the City of East Palo Alto Municipal Code. With respect to noise from generator testing, measures to ensure compliance with the applicable standards include: ● Limiting generator testing to daytime hours, ● Testing for shorter periods of time, ● Enclosing the generator, or ● Implementing other forms of shielding, such a localized barriers, around the equipment.	
d. The Proposed Project could result in a substantial construction-related temporary or periodic increase in ambient noise levels in the Project vicinity, above levels existing without the Proposed Project.	PS	Implement ***Modified ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1***, above.	LTS/M

Table 6-8. Comparison of Impacts among Project Alternatives

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

Notes:

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

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

Q1

REGULAR MEETING AGENDA – EXCERPT MINUTES

Date: 5/2/2022
Time: 7:00 p.m.
Location: Zoom

Regular Meeting

A. Call To Order

Vice Chair Chris DeCardy called the meeting to order at 7:00 p.m. and provided an overview of the duties and functions of the Planning Commission.

B. Roll Call

Present: Andrew Barnes (arrived during item D), Chris DeCardy (Vice Chair), Linh Dan Do, Cynthia Harris, David Thomas, Henry Riggs

Absent: Michele Tate

Staff: Corinna Sandmeier, Acting Principal Planner; Tom Smith, Acting Principal Planner; Chris Turner, Assistant Planner

At Vice Chair DeCardy's request, Assistant Planner Chris Turner explained how applicants and the public would be able to participate in the virtual meeting.

C. Reports and Announcements

Acting Principal Planner Corinna Sandmeier said the City Council would hold a study session on the Parkline Project on May 10, 2022.

G. Public Hearing

G1 and H1 are associated items with a single staff report

G1. Draft Environmental Impact Report (Draft EIR) Public Hearing/Tarlton Properties, LLC/1350 Adams Court:
Public hearing to receive comments on the Draft EIR to develop a five-story research and development (R&D) building with up to 260,400 square feet of gross floor area (GFA), as part of the 1350 Adams Court Project in the LS-B (Life Sciences, Bonus) zoning district. The project site consists of an existing two-story approximately 188,100-square-foot life sciences building, addressed 1305 O'Brien Drive, and an undeveloped northern portion of the site. The proposed R&D building would be located on the vacant site area and the existing building would remain. Parking for the proposed new R&D building would be located in a partially-below-grade podium level with three additional levels of parking provided above grade and integrated into the building. The total gross floor area at the project site with the proposed and existing buildings would be approximately 448,500 square feet, with a total proposed floor area ratio (FAR) of approximately 92 percent for the

site. The proposal includes a request for an increase in height and FAR under the bonus level development allowance in exchange for community amenities. The applicant is proposing payment of a community amenities in-lieu fee. The project also includes upgrades of water lines beneath Adams Court, along the interior of the project site, and beneath O'Brien Drive from the southwest corner of the project site frontage to the intersection with Willow Road. The project also includes a hazardous materials use permit request to allow a diesel generator to operate the facilities in the event of a power outage or emergency. In accordance with CEQA, the certified program-level ConnectMenlo EIR served as the first-tier environmental analysis. Further, the Draft EIR was prepared in compliance with the terms of the Settlement Agreement between the City of East Palo Alto and the City of Menlo Park. The Draft EIR was prepared to address potential physical environmental effects of the proposed project in the following areas: population and housing, transportation, air quality, greenhouse gas emissions, noise (operation – traffic noise, construction noise and vibration), and utilities and energy. The draft environmental impact report does not identify any significant and unavoidable environmental impacts from the proposed project. The project site does not contain a toxic release site, per Section 6596.2 of the California Government Code. Written comments on the Draft EIR may be also submitted to the Community Development Department (701 Laurel Street, Menlo Park) no later than 5:00 p.m. on May 23, 2022. (Staff Report #22-024-PC)

This item was transcribed by a court reporter.

H. Study Session

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

Staff Comment: Planner Smith said this was the opportunity for the Commission to comment on the design, community amenities proposal, below market rate (BMR) agreement and other project aspects outside of environmental impacts, and to receive public comment on the same.

Chair DeCardy opened public comment.

Public Comment:

- Pamela Jones, Menlo Park, said since 2009 the housing impact analyses done had indicated no impact yet significant displacement had occurred that was shown in the 2020 census. She said the BMR requirement should be 20% for this project as the units would not be built on site. She said another quality-of-life concern was that air quality data was inadequate for her community as its climate was completely different from Redwood Station upon which the data was based upon. She requested mitigation for these quality-of-life concerns for her community and East Palo Alto residents that were adjacent to this area.

Chair DeCardy closed public comment.

Commission Comment: Commissioner Riggs confirmed with staff what the average project height referred to and indicated he had no issue with it given the location and the zoning district.

Commissioner Riggs asked if the city looked at expected water consumption for new projects but noted the proposed project's particular effort to conserve water. Planner Smith said this applicant had to reduce non-potable water usage by at least 30% on the site and were doing more than that. He said also an evaluation was done of water use for the building, and a water assessment report was prepared for the project. He said the City Council approved that report prior to the release of the draft EIR, as was required.

Replying further to Commissioner Riggs regarding water supply, Planner Smith said a water supply evaluation was done as part of ConnectMenlo that looked at all the potential development in the LS-O-RMU districts and found adequate water supply to serve all of that potential development combined with the water supply need of the rest of the city. He said individual projects under zoning requirements had water budgets and were required to report annually. He said the city would track this project and ensure it was using the water share allocated for it. He said building proposals of 100,000 square feet or more had to prepare a water budget and methodology as part of the review and approval of a project, and then annually provide water usage data. He said the city would be looking at each project's water budgets in combination to ensure compliance. Commissioner Riggs said he was thinking actually that the city should establish a citywide water budget over the next five years as they determined if the current extended drought was actually the new normal. Planner Smith said there was not a full analysis of now much water was allocated and used citywide for all existing structures and new development. He said that Council could pursue that analysis if interested.

Commissioner Riggs said regarding traffic when Bayfront Expressway was filled with cars not moving and Willow Road the same and barely moving that VMT was low. He said that was why city planning looked at level of service (LOS). He said potentially there would be 650 occupants for the new building with a diversion rate potentially up to 40%, but that was still around 400 new cars. He said he wanted to press the opportunity to potentially reduce the required parking for the building if there was a condition under which Mr. Tarlton could see his business model still be successful with less parking.

Replying to Commissioner Riggs, Mr. Tarlton said DES had been working with their property management company for over 40 years on life science projects and were continually evaluating what the ideal facility was for tenants regarding building design and layout, the uses and had

provided parking for now and in the future. He said they had been deliberate and hopefully thoughtful in terms of the parking proposed. He said they continued to push as to how much parking would be provided for a project. He said the original Menlo Business Park was designed with 3.3 per thousand parking and that was a reduction from the city's parking requirement. He said they would continue to assess parking need and push the ratio down over time. He said they saw this building and associated parking as part of an evolving ecosystem and would very likely over time dedicate some of this facility's parking to shared parking across other facilities. He said at this point the data did not support lowering the parking ratio for this facility.

Commissioner Riggs told his fellow commissioners that he had met with Mr. Tarlton to discuss aspects of his business park. He asked Mr. Tarlton to describe the shuttle service that Tarlton Properties provided to its buildings and might similarly provide for this project. Mr. Tarlton said they began their shuttle program some time ago with a shuttle that ran between the business park and the University Avenue Caltrain station in downtown Palo Alto. He said they then added another shuttle that ran from the park to the Union City Bart Station, and then one that ran from the park to the Millbrae Bart Station, and then another that went to two stops in San Francisco. He said they did an annual survey of all the employees of their tenants in the park by zip code to get feedback from the shuttle users and prospective shuttle users about changes they would like made. He said they modified the system regularly with the goal of getting as many people as possible to the park in an alternate mode of transportation. He said he also promoted as much as possible to their tenants to bicycle to the park. He said they had an electric bike share program on campus. He said each destination had dedicated shuttles that ran continuously during commute hours.

Commissioner Riggs said if the facility had 650 new employees that they would live somewhere else based on the finding that the project's impact to Menlo Park housing was low as under 20% of employees of existing Tarlton Properties facilities lived in Menlo Park.

Commissioner Riggs asked for further description of the roof screen as he noticed it was corrugated metal unlike the smooth finish of the building. Ms. Eschweiler said it was metal and would be painted a gray color complementary to the rest of the building. She said it was approximately 16 feet above the roof and was to screen large mechanical units specific to life sciences use from street view. Commissioner Riggs asked if they would consider a different material. Ms. Eschweiler said it was a lightweight system and also robust. She said flat panels would have less strength requiring more structure behind it and that added to the weight of the building. Commissioner Riggs asked if they had considered materials that were not solid like perforated assemble grid or trellis-like. Ms. Eschweiler said the equipment would be visible behind that type of screen. Commissioner Riggs suggested for a life science facility that was not necessarily bad.

Commissioner Barnes talked about the rationale for use of VMT and that LOS was tied to induced demand. He said VMT was the best way understand what an infill development would contribute to a specific community. He said he was appreciative of the tax base and employment this project would bring to the community. He said the proposed project was well done noting the design, layout and materials were appropriate for the area. He said he liked the integration of the garage. He said with the number of Tarlton projects and its TDM and potential shared parking it made sense to do parking structures. He said the art part of the proposal was wonderful. He said regarding in lieu fees the grand bargain for ConnectMenlo had been that the city would up zone portions of the city, which would create profit for developers and the city through those would gain enough benefits and community amenities to offset impacts. He said he was disappointed with the in-lieu fee proposal.

He said for the record that he believed the community amenities program was set up to accomplish improvements that the city could not do and that would serve impact communities.

Replying to Commissioner Barnes, Mr. Tarlton said they shared his disappointment. He said they applied four years before and were in discussion with the community about building a library with community amenity dollars from this project in conjunction with the Sobrato Organization also using some of the project benefit funds from their project. He said that library project then became part of the Meta project. He said they then proposed to the City Council to build the pool and aquatic facilities portion of the new community center in Belle Haven. He said there was opposition to them doing that and a clear message from Council that they wanted to revisit the community amenities list and that they, the developer, had to allow Council the time to coalesce around what that list would be. He said there was a penalty premium on paying the in-lieu fee and they would have preferred to have been halfway done with a library or aquatic center for the community.

Commissioner Barnes said in general that the in-lieu fee was not delivering material meaningful benefits to the community, the process was fundamentally broken and rife with capricious individual decisions that might or might not reflect what the community wanted. Mr. Tarlton said they were committed to using any influence they might have to ensure that the community amenities fund they paid into resulted into positive benefit for the community. He said they had sat on district committees in the past around public benefit and channeling redevelopment money and such, and they would be happy to participate in such a group or committee if it was created. He said they would be there for decades and it was important to them that the grand bargain noted by Commissioner Barnes be carried out for the benefit of Belle Haven.

Commissioner Do said she was appreciative that the community amenity issue was raised and for Mr. Tarlton's thoughtful response. She said she also appreciated the comments on how to reduce parking and what Tarlton Properties had implemented with shuttles and that they had requested reduced parking in the past below the city's requirements. She said when she visited the site that she saw about 10 people singly and in pairs walking. She said looking at the landscape design there would be two walk paths rather than one which she found a very thoughtful and generous design of public open space. She noted in reviewing the proposal she questioned the landscape area on the west side where the future paseo would be to amplify the public zone between Willow Village and this project, but found the diagram Ms. Eschweiler showed where it connected to 1440 helpful. She asked about a diagram showing the network of paseos planned, in progress or completed to provide more context on where the paseo on the western edge was connecting beyond the project site.

Ms. Eschweiler said last week the presentation on Willow Village project showed the 20-foot modal path going parallel to the property line but all on its side of the property line. She said they had had some discussions about whether or not that should split on the property line. She said in the drawing packet they had a contingency that if the full width paseo pair that ran the full length of their property and beyond was not approved and not built that they could continue their multi-modal publicly accessible open space path along that property line to build their half of the paseo if that should be needed.

Replying to Commissioner Do, Planner Smith said that a zoning map approved with ConnectMenlo showed all the proposed paseo locations throughout the Bayfront area. He said this one was envisioned to connect to the Dumbarton Rail Corridor and potential future transit connect there, and

then to run south and further west into the life sciences district connecting to the street network that would lead out towards Willow Road. He said he would send the link for that to Commissioner Do.

Replying to Commissioner Do, Mr. Tarlton said they had high school outreach programs and those students visit tenants' spaces to see what life sciences look like in action as well as some internship programs.

Commissioner Harris said although not a fan of parking she liked how the project parking structure was tucked in in the proposal. She said she liked the stairwell that encouraged taking stairs versus using the elevator. She said she liked the darker accent medium gray color with the light colors on the corners highlighting the setback and the dual plumbing preparing for the future. She said she really liked the scientist sculptures proposed. She noted the high school outreach and a nearby middle school and suggested docent tours for them. She said she appreciated the extra half acre of public space in their partnership with Meta to expand that sidewalk. She said she hoped this applicant with this project and others could continue to partner with Meta on anything that would be helpful for the area as Meta came online with Willow Village. She said she appreciated the shuttle services and suggested perhaps in the future there might be shared shuttles between several developers or several employers especially as Willow Village came online. She mentioned an idea raised to partner with Meta to install a road to on the other side of Willow Village to get to the Bayfront and suggested it would be welcome if Tarlton Properties were to work on that with Meta. She said she appreciated the applicant challenging the parking requirements and said she would welcome them to come to the Planning Commission and push to reduce parking for any of their projects. She said Stanford University charged for parking but provided a rebate for bicycling. She suggested the applicant might consider besides other TDM measures a monetary reward for bicycling to the site. She mentioned Commissioner Barnes' comments on community amenities. She said she understood that a new list was forthcoming and thought general opinion was in lieu fees were not the best solution to providing community amenities. She said getting that list done could lead to the applicant finding a desirable amenity to build for the community.

Chair DeCardy said in general the project was fine looking and fit in well with the life sciences area. He said he liked how the building was nested and the consideration of materials to fit into the area. He said that the height question was not particularly important to him. He said he supported art being part of the project. He noted the connectivity with students in the community and that Mr. Tarlton had indicated he wanted this to be a destination point not just for those working in life sciences but for the broader community. He suggested this might be an opportunity to talk about the background of innovation and science, and the multiple ways that had happened in the world's history, and a way to bring that together into a deeper connectivity to the community. He said it would be great for the life sciences and Belle Haven residents to be as connected as possible and this project looked like one such avenue to do that.

Chair DeCardy noted previous conversations about diesel generators, the types of work done in these buildings and the need for specific types of energy. He encouraged the applicant continue to look at innovation in that area and as the project came for approval, he would welcome an innovation for something other than a diesel generator.

Chair DeCardy referred to the access to Bayfront via paseos. He referred to the western part of the project, the Facebook side, and that no public member could get access to it from the Facebook project. He asked that they consider activation of it as it was a nice long stretch of space. He asked

about the map for paseos through the rest of the life sciences onto O'Brien Drive and how connectivity to Belle Haven and East Palo Alto residential areas was being ensured.

Planner Smith said the coordination between projects in the area was certainly an ongoing issue. He shared his screen and showed the project site and the portion of paseo intended on the Willow Village site. Chair DeCardy noted where Planner Smith's cursor was showed the unconnected part and that was where residents were. Planner Smith noted a number of proposed projects throughout the life sciences district and believed there was a plan for all of O'Brien Drive to provide the meandering pathways and connections throughout the entire length there and eventually make other connections. He noted different frontage improvement agreements and the city was partnering with applicants in this area on the eventual development of all of that open space along those project frontages so the link Chair DeCardy was asking about would potentially occur.

Mr. Tarlton said they were in the process of a public-private partnership with the city's Public Works Department to create the first continuous sidewalk from University Avenue to Willow Road along the south side of O'Brien Drive. He said they hoped to get that project underway soon. He said in terms of connectivity they were taking a holistic approach but would only be able to deliver pieces as they went through their development. He said on the south side of O'Brien Drive they would have a sidewalk adjacent to vehicular traffic on the north side and a meandering sidewalk physically separate from traffic and was part of a larger scope. He said they were in discussions with the city about making their own contribution to the connection to the neighborhood that was south of the wall there and as staff pointed out there were a number of other projects, one in the beginning stages of application to the city that might also provide a connection point.

Chair DeCardy said through all of the projects that if the access north and south was not redressed to look and feel as beautiful as what would be the east – west connection that the city would have failed the community. He said unless there was access to the grocery store in Willow Village for the communities it was supposed to serve that it would only be a community amenity for wealthier residents living in the immediate vicinity.

Chair DeCardy referred back to Ms. Jones' comment about BMR that people were leaving the area that they had lived in for years because they could not afford to live here now. He said this and other projects needed to look at what they could do to boost BMR. He said he agreed with other commissioners' comments on community amenities and wanted an updated list with those things that were deeply connected to the community that continued to be the most impacted. He observed also with current rising inflation that in lieu fees paid lost value.

Chair DeCardy acknowledged Mr. Tarlton's statements on parking and 40 years of data and experience, and what worked for their projects. He said as a city though they needed to have what worked for the full community and the impacts with large developments continued to be great. He said he continued to support reducing parking and that could be accomplished with incentives and disincentives and cross parking. He noted Mr. Tarlton's comments about community amenities and ability to get something built and suggested that utilizing the shuttles and buses for his tenants in a partnership with other companies using private buses and shuttles to create a private-public bus service might be an even greater amenity. He said his wish was that Tarlton Properties and other development leaders would work together and find creative ways toward a type of system that worked for people to do something alternatively than drive cars. He said he did not support another

access road going to the Bayfront Expressway and suspected it was unbuildable due to wetland protection. He said he would really like the parking on this project to be reduced a great deal more.

J. Adjournment

Chair DeCardy adjourned the meeting at 10:49 p.m.

Staff Liaison: Corinna Sandmeier, Acting Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on September 29, 2022.

CITY OF MENLO PARK

PLANNING COMMISSION

In re:

1350 Adams Court

_____/

CERTIFIED TRANSCRIPT

ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Monday, May 2, 2022

ATTENDEES

THE PLANNING COMMISSION:

Chris DeCardy - Chairperson
Cynthia Harris - Vice Chairperson
Henry Riggs
Andrew Barnes
Linh Dan Do
David Thomas

SUPPORT STAFF:

Chris Turner
Tom Smith

PROJECT PRESENTERS:

John Tarlton
Susan Eschweiler
Gordon Huether
Heidi Mekkelson, ICF

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on May 2, 2022, via ZOOM Videoconference, before me, AMBER ABREU-PEIXOTO, CSR 13546, State of California, there commenced a Planning Commission meeting under the provisions of the City of Menlo Park.

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MEETING AGENDA

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P R O C E E D I N G S

CHAIR DECARDY: We now turn to our public hearing, which is Item G on our Agenda. And as I do that, I promised Ms. Sandmeier that I would pause to check with you to make sure that I hadn't messed anything up.

MS. SANDMEIER: Um, no. All I have to add is, yeah, congratulations to you, Chair DeCardy, and Vice Chair Harris.

CHAIR DECARDY: Thank you very much.

All right. With that, we're going to turn to the main item tonight. On our Agenda, it is items G1 and H1, which are linked and associated with a single staff report.

We'll begin with item G1, which is the Draft Environmental Impact Report or Draft EIR public hearing for Tarlton Properties, LLC, regarding 1350 Adams Court in Menlo Park.

Public hearing is to receive comments on the Draft EIR to develop a five-story research and development (R&D) building with up to 26,400 square feet of gross floor area as part of the 1350 Adams Court project in the LSB, Life Sciences Bonus District.

The project site consists of an existing two-story, approximately 188,100 square-foot Life Sciences

Building, addressed 1305 O'Brien Drive, and an undeveloped northern portion of that site.

The proposed R&D building would be located on the vacant site area, and the existing building would remain.

Parking for the proposed new R&D building would be located in a partially below-grade podium level, with three additional levels of parking provided above grade and integrated into the building.

The total gross floor area at the project site, with the proposed and existing buildings, would be approximately 448,500 square feet, with a total proposed floor area ratio of approximately 92 percent for the site.

The proposal includes in exchange for community amenities -- excuse me. Yes. Proposal includes a request for an increase in height and FAR under the bonus level development allowance in exchange for community amenities. Apologies.

The Applicant is proposing payment of a community amenities in-lieu fee. The project also includes upgrades of water lines beneath Adams Court, along the interior of the project site and beneath O'Brien Drive, from the southwest corner of the project site frontage to the intersection with Willow Road.

The project also includes a hazardous materials use permit request to allow a diesel generator to operate

the facilities in the event of a power outage or emergency.

In accordance with CEQA, the certified program-level ConnectMenlo EIR served as the first tier environmental analysis. Further, the Draft EIR was prepared in compliance with the terms of the Settlement Agreement between the City of East Palo Alto and the City of Menlo Park.

The Draft EIR was prepared to address potential physical environmental effects of the proposed project in the following areas: Population and housing, transportation, air quality, greenhouse gas emissions, noise (operation - traffic noise, construction noise and vibration), and utilities and energy.

The Draft Environmental Impact Report does not identify any significant and unavoidable environmental impacts from the proposed project. The project site does not contain a toxic release site, per Section 6596.2 of the California Government Code.

Written comments on the Draft EIR may also be submitted to Community Development Department, 701 Laurel Street, Menlo Park, no later than 5:00 p.m., on May 23rd, 2022.

And with that, let me turn this over to Ms. Sandmeier -- is that where I'm going next?

Oh, I'm sorry. It's Mr. Smith. Apologies.

MR. SMITH: No problem.

Good evening, Planning Commissioners. Congratulations to the new Chair and Vice Chair, and welcome to the new Commission members.

So I will begin with a brief presentation. And if our staff could load that up, please.

All right. So as Chair DeCardy mentioned, this is the 1350 Adams Court project. This is a Draft Environmental Impact Report Public Hearing. The recommended meeting format for this evening is, first, the Draft EIR public hearing. There will be, after -- following my presentation, it will be recommended that there be a presentation by the Applicant, followed by a presentation by the EIR consultant, and then public comments received after that, followed by Commissioner questions and comments, and then closing out the Draft EIR public hearing.

And, again, this portion of the meeting format is really focused on the environmental impacts of the project and the discussion of the analyses that were performed as part of the Draft EIR.

The second portion of the meeting would be a study session on the design and requested entitlements for the project. There are no actions being taken this

evening, but this is an opportunity to gather public comments on the design at this point, and then any Commissioner questions that there may be on the project design and entitlements.

So this map -- this aerial map shows, at a high level, the project location. You can see it is actually on one parcel. There's a building addressed 1305 O'Brien Drive. That is south of the reddish-orange rectangle that you see there. And then the project site is currently vacant. There is some surface parking on either side, sort of at the shorter ends of that rectangle, but the center portion of it is vacant and undeveloped.

There's a few roads here that are highlighted. You can see Willow Road, O'Brien Drive, and University Avenue are sort of the major -- major roads in the vicinity. This project site is on the corner of Adams Drive, which runs sort of perpendicular to O'Brien Drive, where the label is. And then Adams Court is a cul-de-sac off of Adams Drive.

The project zoning is LSB, which stands for Life Sciences Bonus level. You can see here that the surrounding properties are a mix of office, additional Life Science Bonus level, and then Life Science properties, without the Bonus level distinction.

The four properties that have that "B"

designation, standing for "Bonus," they are able to develop at up to 125 percent floor area ratio, or FAR, plus an additional 10 percent FAR for commercial uses. They are allowed a height of -- a maximum height of up to 120 feet for this particular site. And it does require the provision of a community amenity.

At the base level, development in this district would be 55 percent FAR, plus 10 percent additional commercial FAR. And the max height would be 45 feet. And that would not require provision of a community amenity in exchange for the Bonus level of development.

So the meeting purpose, we described just a little bit already. But there are essentially two public meetings as part of this evening's item -- or items. The first is the Environmental Impact Report, which we call an EIR public hearing. And that's an opportunity to accept comments on the Draft EIR. And then the study session, which is to ask clarifying questions on the plans and design, the below-market rate housing proposal, and the community amenities proposal.

As I mentioned, no actions will be taken this evening. This is really an opportunity to gather public comment on the Draft EIR. And there is a public comment period that we are currently, sort of, near the middle of, which ends May 23rd of this year, at 5:00 p.m. And we

will be accepting written comments through that date.

Once we have any comments from this meeting and then any written comments that are submitted, staff and our environmental consultant will review and respond to all substantive comments in a Final EIR, which would be released. And then there would be a 10-day review period for that prior to hearings on the entitlements.

The Planning Commission will be the acting body on certification of the Final EIR for the project and the land use entitlements. So at a later date, once the Final EIR has been written and published, then we will return for those land use entitlements and certification.

And that concludes my staff presentation. As recommended, we would advise that you give the Applicant the opportunity to present at this time so you can get a full project overview, prior to diving into the details on the project EIR.

CHAIR DECARDY: Thank you, Mr. Smith, for the presentation and for the guidance.

I will plan to turn to the Applicant. If there are any pressing questions after that from the commissioners that are clarifying questions before public comment, we can do that. But we prefer to then move to public comment. And then we can come back, ask clarifying questions, and go from there.

So with that, let me turn to the Applicant for this project. Thank you for being here. And looking forward to your presentation and the discussion.

Is that what I was supposed to do? I was supposed to do the consultant? I apologize. I just screwed that up. And is that why I have now just messed people up?

Was I supposed to do the EIR first, Mr. Smith, and then -- Applicant first, and then EIR, or EIR and then Applicant? I apologize.

MR. SMITH: We would advise letting the Applicant present first, to get the project overview, and then --

CHAIR DECARDY: And then the EIR?

MR. SMITH: Yes.

CHAIR DECARDY: Thank you very much. Okay. Then I apologize.

So to the Applicant and the EIR.

MR. TARLTON: So this is John Tarlton. And I'm kicking off our presentation. And I'm happy to turn on my video, if the host will allow me to do so. There we go.

Good evening, Chair DeCardy and Planning Commissioners. I'm John Tarlton. And I'm grateful for the opportunity to speak tonight.

We are pleased to be moving this application forward with public comments to the EIR. Thank you staff

and EIR consultants for all your hard work. In an effort to be efficient, my comments this evening will be for both agenda items.

The proposed building, which received unanimously positive feedback from this body some three years ago, represents the first new public benefit or Bonus level building in the Life Science district. With our help, this corner of Menlo Park has been quitely churning out world-changing life science companies for 40 years. From our first life science company, PharMetrics, the inventor of the nicotine patch, to BillionToOne, which has supplanted amniocentesis, to GRAIL, with a commercially-available pan-cancer liquid biopsy, Menlo Park Labs has helped nurture dozens and dozens of innovations which have lowered the cost of health care and improved patient outcomes.

In addition to these life science -- life-saving innovations, excuse me, and in addition to the more typical commercial property tax generation, Menlo Park Labs has contributed 10s of millions of dollars directly to the City's general fund through business to business sales tax, having housed the number one and/or number two sales tax generator in the City for many of the last 35 years, and three of the top 25 sales tax generators for nearly all of the last 30 years.

These benefits have been generated by uses that are substantially lower traffic impact to similarly-sized office projects, due to a substantially lower employee density (approximately two employees per thousand square feet), and off-peak commute patterns for our scientists.

Finally, Menlo Park Labs has been a leader in sustainable practices, like switching to low water use landscape, executing deep energy retrofits on our buildings, and implementing effective shuttle programs long before they were required. All of this has been accomplished despite lacking the kind of building we propose to build in this project, which will allow a maturing life science company to accommodate a sufficiently large number of functions under one roof, with significantly more daylight, views, and other amenities.

In short, this new building will allow Menlo Park to more effectively compete with other life science hubs in the Bay Area, which have been taking high-octane tenants away from Menlo Park for years. As I have said in the past, we should stop allowing other Bay Area cities to take Menlo Park's lunch money.

This application is the result of over 20 years of planning and coordination with the City. As we indicated during the comprehensive plan outreach, which

took place over three years, between 2013 and 2016, we intend to update our portion of the Life Science District in a measured manner.

Towards that end, this was the first of three applications now into the City over the last four years; approximately one application every 16 months.

We hope that you will find that the new buildings each are individual, while maintaining a consistently high level of design and execution. This progressive update will enable us to continue delivering a unique collection of simultaneous positive benefits to the City, public benefit dollars directed to the Belle Haven neighborhood, a large and growing sales tax revenue, higher property tax revenue, low employee density in a sustainable environment, high quality jobs, with a broad socioeconomic base, a growing collection of public art that will inspire generations of residents to greater scientific heights, a continuously growing stream of life science -- life-saving innovations.

With that, I will turn over the presentation to Susan Eschweiler, an exceptionally talented architect who is uniquely qualified to help Menlo Park and Tarlton advance its Life Science District, having been an integral part of the design team for the original buildings and what was Menlo Business Park, and having since become one

of the Bay Area's preeminent life science architects, not to mention, a close friend of mine.

MS. ESCHWEILER: Thank you, John. That was a lovely introduction.

I am honored to be able to present to you the next generation of buildings. And this is the first of them at the former Menlo Business Park, but now the Menlo Park Labs. And it is really a district -- I'm sorry. There we go. Sorry. I double clicked. So it may be a problem.

But anyway, there we go. This is the Menlo Park Labs Life Sciences District. And John mentioned that there have been several applications made. Tonight we are talking about 1350 Adams. The other projects are shown in orange; 1125 O'Brien, and 1005 and 1320 Willow.

Tonight we're talking about the 1350 Adams, but you can see that we're really creating a district. All of the Tarlton Holdings' properties are in light yellow. And we have really created a place.

Our project -- the Life Sciences District is all about place-making for innovative science. And this is the first building to rise out of the ground, above the two-story tilt-ups that were done -- that we did back in the 1980s. The site is -- hang on. I'm having a little technical problem here. There we go.

The Menlo Park Labs has in it the Pacific BioSciences headquarters, which is part of the front part of this project, but it also has many amenities that we've developed that are -- for instance, over at 1440, we recently redeveloped this into a cafe and a conference center and a lovely fitness center, with a swimming pool, for all of the tenants to use. And so we're really working on creating that -- the place-making for science to occur, but not just for the buildings themselves, but really thinking of it as a campus.

Sorry. There's quite a bit of lag.

The project itself is on an 11-acre property that it shares with 1305 O'Brien, which is an AIA award-winning retrofit building that became the headquarters for Pacific BioSciences. They have about 188,000 square feet in that building. It's two stories, and it faces O'Brien Drive.

The rear portion of the site is vacant, and it faces Adams Court. The building itself -- the property itself is surrounded by heritage trees. And it is Tarlton and DES's goal to retain absolutely as many of those heritage trees as possible. We are only removing a few trees where new driveways would occur, coming off of Adams Court, and one spare nectarine tree that must have come from a seed that someone cast away. The top part of that is four acres.

And so when we first started the project, we looked at where the -- where does the sun move? How does the sun move around the site? Where does the wind direction come from? And, of course, how did people approach the site? And we looked at very much, how do we want to develop -- retain the heritage trees along the perimeter and give an array of experiences as people are arriving at the site?

We wanted to bring in public art so that people could experience that and experience many open spaces and have a -- create a pedestrian scale as people approach the project.

The main entry comes off of Adams Court, as you can see with the black arrow. And we let the site -- the building itself be sculpted by creating three modules of our 60,000-square-foot floor play so that it really will step back from the corner, that is our primary, publicly -- public open space and greenbelt, with a big stand of trees.

We had tucked our service zones in the rear of the project in the gray zone, and those are shared with Pacific BioSciences. And we create a circulation through the site so that people can get from Adams Court to Adams Drive through -- from the service zone.

The -- looking more closely at the site as it

started to develop, the public open space occurred at the corner of Adams and Adams and became really the connector, the connective tissue to get to the campus amenities' building that I explained before about -- at 1440 O'Brien Drive. That's where the blue circle at the bottom of the picture is, where the fitness center and the cafe and the swimming pool all are.

So our gray line is the connection -- the pedestrian and bicycle connection that would take us to the front door of the Adams Court project. And the public space -- the publically-accessible open space wraps around the project all along O'Brien Drive, Adams, Adams Court, and then also winds down on the west side of the property, along the west property line.

And that will be in parallel to a future paseo that is shown in the ConnectMenlo zoning. And that paseo will be by our neighboring property.

As the site develops, you can see that now the floor plan, the three modules are stepping back from the street and really giving a wide birth to the corner of Adams and Adams, where there's an existing stand of trees and a berm all the way along there. And those will all be preserved.

The tan path is our path for public access, and it has artistic sculptures that we will talk about later,

with innovation sciences that are on display along those -- the path.

The primary entry is at the front off of Adams Court. And there's a grand stairway that comes right where you see the word "court" -- comes down from Adams. And there's a crescent-shaped driveway for dropoff and arrival at the lobby space, which is in the center of the building, and a couple of visitor parking spaces and ADA parking.

The primary parking is all tucked away. It -- there is an underground parking -- what we're calling a parking podium that goes under the entire building and a little bit under the plazas. And then there -- in addition to that, there are three levels of parking garage tucked in where it's a little bit darker tan here. You can see, on the lower left, that those -- there's parking. But it's all tucked in, and you won't be able to see it from the street.

To access the underground parking, you can come in from Adams Drive on the right side, where it says, "Ramp Down to Podium Parking" on the right. And that leads you to the underground parking level. Or you can come on Adams Court and come in off the cul-de-sac and go down in the ramp, down to podium parking, or you can continue on further down the driveway to where it says,

"Upper Parking Entrance." And that leads you to the upper parking levels.

And note, please, the heritage trees on all perimeters are being preserved. Only where we are taking out the new driveways at Adams Court will we lose some trees.

The loading and service area is notched into the rear of the property and tucked in again so that you do not see it from the street. There it will be a service yard for the emergency generator and trash enclosure, all tucked into the service area. And this is where the emergency generators and transformers will be.

Fire department access and public access can come through this loading area so that it's well served, and it all connects up to the 1305 O'Brien parking areas below.

On the left-hand portion of the site, you can see that there's a path that winds down. And that is a publicly-accessible pathway with some seating areas. And there will be a sculpture at the end of it.

There's also bio-detention areas that are -- the green triangles that are occurring along the -- Adams Court, and in the development of the landscape.

Okay. So this is our view from Adams Drive intersection. And you can see, in this artist's rendition, the modularity that we've developed and the

architecture were the three large modules stepping back from the corner of the two streets. And as well, there's also modulation in the vertical height, with regards to the roof screens at the roof, as well as the second floor deck that occurs towards the -- towards the corner.

There's one little pop-out. There's also -- where you see the red umbrellas, there is a patio that is screened with aluminum panels to create -- that the tenants could use as -- if they have a break area inside the building.

All of our stairways are exposed. We want to be able to express those stairs and encourage people to take the stairs, instead of the elevators. And the main entrance is highlighted in the center of the rendering.

Looking from the other direction, coming -- if you were standing just at the property line, looking back at the cul-de-sac, this is how the building would step away from you, as it goes forward towards Adams Drive. And you can see a little bit of the ramp that goes down to the underground parking.

The expression of the western stair with its glass. In this case, you can see the three stories of parking garage towards the right of the screen, with the entrance -- driveway entrance into that portion, with a little canopy at the side.

The front elevation is glass, and there are -- some of the garage has the perforated panels along the front. And all the garage is -- the underground is mechanically ventilated. But the garage, above ground, is all open air expression.

So the front entrance is very grand because we're coming up the stairs and welcoming everyone through a portal and into a two-story lobby. The building, as John mentioned, is designed for a company that is maturing out of some of the other smaller buildings, perhaps, and really has growth plans. And so it's five stories of occupied R&D space, is what is planned.

The building itself is made out of GFRC. So the white and gray panels are all a concrete look, very refined concrete look. But the portal itself is a metal panel, kind of a charcoal gray metal panel that creates a set of portals as we're going -- creating the entry into the building.

The glass is a tinted blue glass, except at the main entry. So here we have material samples. A little bit hard to see on screen. Wish we were there in real life. I could show them to you in real life. But this is tinted blue glazing. And that is the same kind of blue glazing glass similar to what was used in the Pacific BioSciences building at the rear of the property, so that

everything works in concert.

We'll have a clear glass -- it looks kind of gray-green, when you put it against the white board, but it's clear glass at the entry. And our glass all has -- except at the primary entrance spots where it is clear, most of the glass is bird-safe glass throughout.

At the garage, we have -- along Adams Drive and the side, we're using a perforated metal panel that has a gridded look. And then, at the rear of the property, we have a wire mesh, just for security.

Here are the sample colors of the GFRC that would be the primary panels of the building: An eggshell color, a light gray color that is the underside -- that runs along the underside of the glazing itself. And then at the corners, where we're really accentuating the modulation and the stepping back and have full-height glass at the corners, we're using a darker accent, medium gray band around those corners.

The metal itself, the portal we mentioned, is kind of a charcoal gray. We're using a lighter metal at the stairways that is similar in color to the aluminum mullions.

And I should also mention that we have sun shades along the rear portion, in the south side of the building.

At the patio space, we're using a Bach laser-cut

panels to define that space as being part of the private space, rather than the publicly open space. And that has a wavy, very natural lens pattern to complement the landscape.

The roof screen itself is a corrugated metal and will be complimentary gray.

So let's talk a bit about the sustainable design features. We have -- in this case, we're going for gold. We're going for LEED 4.1 Gold equivalent target. We are -- we've planned to use dual plumbing in preparation for municipal recycled water. It's not yet available at the site, but we're planning that some day, it will be.

For our -- for Tarlton's project, they are committed to buying 100 percent renewable electricity from our Peninsula Clean Energy Group, plus purchasing carbon offsets. And we will be doing on-site solar power generation at the roof top, to be consistent with the City's Reach Code.

Our landscape is all designed to be water efficient, WELO compliant, and low water use. And in fact, we've reduced our water budget by 35 percent, through the design of our landscape irrigation systems, as well as, the mechanical systems on the roof will have some cooling towers. And we worked very hard to make sure that they were -- we were able to reduce the use of water in

those cooling towers so that we achieve that water budget reduction.

And one of the really great things is that we have -- we will have planned 72 charging EV stations, with 36 future, for a total of 108 EV parking spaces, which is a total of 15 percent of all of the parking on the site.

Now, talking about the public open space, we created this diagram to show our compliance with the requirements. And in fact, we exceed the requirements. So the private open space is the light green area. And that's 10 percent of the site.

And those are the site -- that's the portion of the building that's really closest to the front of the building itself. The public open space is the darker green. And that, as we've described, is really shown along the public way of O'Brien Drive, Adams Drive, and primarily at the corner of Adams and Adams. That's where you get the really large piece of it, but also complementing the 20-foot paseo that would be prepared by our neighbor to the west, that we would have a publicly open space path and a sculpture on that.

In this case, the red dots are indicative of scientist sculptures that will be done by our renowned artist, Gordon Huether. And he will speak a little bit later in detail about those.

The public open space requirement is 10 percent of the site. And we exceed that. But in addition, one of the things that's unique about this site is that beyond the property line, there is additional open space. And we are committing to doing a public sidewalk that is within the Adams Drive right of way. So the light blue is additional public open space. And so that gives us another 23,000 square feet. That's another half acre of public open space. So we exceed this by -- we probably have about 23 or 24 percent of the total site area in open space.

And how does this look when it gets developed in green space? What does this mean? That we have a really nice gathering space at the corner of Adams Court and Adams Drive at the top there, with meandering paths and public seating areas integrated into that pedestrian walkway.

We have our innovation science walk, which really creates a lovely path for people to explore, as they wander from either O'Brien Drive, up Adams Drive, around to the Adams Court corner, or in reverse. And it's our hope that we would have people exploring and looking at the individual sculptures and learning all about the past innovators of science.

So along in this green space, we would have two

pathways. One is the public sidewalk that I just mentioned in Adams Drive, and the other is the meandering innovator art walk. And on the western property, we are continuing that path for the publicly-accessible open pedestrian way, and a scientist sculpture at the terminus of that.

Oh, sorry. The -- so what is this section, cross section of that? You can see, in the upper right, there's a little key plan, with an arrow pointing where we've taken a section through the eastern property line, where -- through the building, and what is that relationship to the street at Adams Drive. So -- and Adams Drive, starting on the right-hand side, you can see that we would have a five-foot-wide bike lane.

There's also a two-foot buffer between the 11-foot-wide drive lane, and the new bike lane. And then we would have a five-foot-six sidewalk within that right of way. And that's a pretty standard flat sidewalk, with curb.

Then, up beyond that, rises a berm. And that's an existing berm with the heritage trees. And that's all to be preserved. There's a low wall there that will be removed, just so that it will be natural landscape. You won't have any segregation from the street to the property. So it will be nice and open.

And then, coming down the berm, you can see, then, there's a -- in this picture, a woman with a small child, walking on the innovation science walk. And that's the meandering path on-site. And there will be public seating along the way. We'll have our newer trees -- our younger trees are going to be planted after we do that installation of the sidewalk. And those trees have Silva cells to help with the storm water management.

Then you can see the underground parking podium. And there will be landscape brought up on top of that, until you get over to the building itself. The building is set -- the finished floor of the buildings is set at 114, which is three feet above the base flood elevation. So we are in good shape there. And the parking podium down below will be protected with flip-up gates at the two -- at the two ramps that I showed you earlier in the cycle.

Sorry. There's such a lag here.

Okay. On the eastern side, if we take that same cross section on the western side that -- we see the building on the right. And then adjacent to the building is a flow-through planter for part of the storm water management plan.

Then we have the driveway, small retaining wall. And then, in this case, we're working with an existing

property line and an existing fence. The fence may be removed over time, but the key thing that we have to be working with is that there's an existing 48-inch storm drain and a 10-inch water main. That water main is due to be replaced, as you heard earlier from Tom's report that that would be replaced with a 12-inch water main. But this is -- we're using -- there's a public utility easement for these -- for these pipes that are underneath there. And this will become our publicly-accessible open space on the western side. And there again, we would have the pathway and the seating and new landscape along the way, but preserving any trees that are along that property line.

The landscape itself, what -- we are using very nice furnishings, very durable furnishings so that people can feel very comfortable. Seating -- and there's lots of opportunities for seating and seeing the various sculptures.

We'll be putting in different kinds of concrete paving and lighting along the railings at the entryway into the lobby and bicycle racks, of course. We have multiple bicycle racks at the lobby. There are also, within the parking garage -- there are two lockable bike rooms for bicycle parking. Very dear to John's heart.

So this is a more-detailed plan. I think you

have it in your planning packet. Well, actually, you have it as a link to your planning packet. But it shows some of the details of the -- of the landscaping. And you can see more closely here the meandering paths on the right side at the public open space, the existing trees shown in the darker color along the property line, and some newer trees in the lighter color on the left side of the meandering path. We have the decorative fence around the patio, and that links up to the second floor deck up above.

We have mounds. We have just a really nice variety and array of different kinds of spaces and experiences where you can walk on the public street sidewalk. You can walk through the meandering sidewalk. We have landscaping that is, as I mentioned, low water use. We have -- our new trees would be Chinese Pistache, Western Redbud, and assemblage of shrubs and grasses. We have flow-through planters through the bio-detention areas. We have public sidewalk and, of course, the sculptures.

That's going the wrong way.

So talking about transportation demand management now. I mentioned that we have on-site bicycle storage. We have two rooms for that, and the 12 short-term spaces near the lobby entrance, for a total of 60 bicycles. We

have planned for, in the core -- restroom cores of the floors, we would plan for showers and changing rooms. And those would be built at the time of future tenant improvements.

As you know, we have an on-campus restaurant and fitness center down at 1440 O'Brien. And Tarltons have done a wonderful job of creating what we call Menlo Park Rides, where we have free campus-wide bike share for all the tenants so they can zip around the campus, particularly if there at different buildings. They can go from one building to another or to the amenities center.

We have -- they have an Enterprise car share for qualified tenants. And you heard me mention that we will have 72 EV stations and 36 prewired in this building. So that's 108 EV stations. But they already have over 150 charging stations located throughout the campus. So there again, leading the charge in electrical vehicle charging ability.

And one of the unique things that Tarlton started many years ago was the shuttle service to and from public transportation hubs, such as Union City and Fremont BART, the Palo Alto Caltrain, the Millbrae Caltrain, and a couple of locations in San Francisco, depending upon what works for the tenants.

So back to this diagram, we have -- this one

really was where we were showing the conceptual places of the publically-accessible open space. And you start to see now the red dots we've added where the sculptures will be of the innovative scientists. And we're creating history here.

So I'd like to introduce now Gordon Huether, who is our world-renowned artist, who will now speak about the innovative science art walk and the sculptures that will be added to make this just a really fun place to visit.

Gordon.

MR. HUETHER: Right on, Susan. Thank you.

Good evening, Mr. Chair and Commissioners. My name is Gordon Huether. And I'm not sure how renowned I are -- I am, but I've been around a long time. I'm up here in Napa, where, incidentally, I'm the chair of the Planning Commission here in the city. So I feel 'ya. I know -- I know these evenings that you get up to look at these things, but it's really important work that you do, and I like to think that we do up here.

My mission in life is to inspire the spirit of humanity by bringing beauty and meaning into the world through art. And we have big plans -- "we," being a part of team Tarlton; have been for several years.

Now we're -- I'm very excited about this project and other projects that will be coming before you in the

near future, I hope. I don't know.

Do I control the -- I don't.

MS. ESCHWEILER: I do. Yeah. I'm pushing.

MR. HUETHER: Pushing. Okay. Push it. Let's go.

So what I -- basically, the short version, if you caught me in an elevator or in the stairwell at this parking garage at Morgan Hill, and you asked me what I did for a living, I would share with you that I specialize in large scale, site-specific, permanent art installations in universities, libraries, airports. All kinds of crazy places all across the country. We probably have 25, 30 projects in eight states right now.

And, you know, the objectives of this art -- and, actually, for most projects, except for the science part here, but we really want to inspire people that are in Menlo Labs. We want to create this destination where we cannot just inspire, but educate. We want to celebrate science. We want to create a destination and a sense of place, and we're going to create conversation. And I'll get into that in another moment. So if we go to the next slide, please.

So the inspiration is life sciences. You're probably wondering what that dog has to do with it. But that is at an animal shelter that we recently installed.

But in any event, innovation, discovery, human achievement. It's just so awesome to be inspired from the past to help us see the future.

And we want to bring landscape, architecture, and art together in a beautiful, wholistic, awe-inspiring way. We really believe that public art is important because it brings a layer of education, inspiration, and an important layer of humanity. And it also becomes a really important public amenity.

Let's go onto the next one, please.

So we're -- really thought hard and long and, you know, we're open for collaboration. But these are the innovators from the past that we've selected that we're going to make into -- I'm going to say, life-sizes. They're actually going to be about 25 percent larger than life. And so we're going to -- you know, and some of these innovators from the past are not very well documented. So we're going to be using digital technology to create them in three dimension and have them cut with a special machine that's on a router kind of thing. It's pretty amazing technology that we've used recently in the recent past.

Let's go to the next one, please.

So we're going to take these figures. And these are just placeholders, but you can get a sense of the

size; right? So they're larger than life. Each one will have a kiosk that you can see in front of the gentleman, the young man with the red T-shirt. So there'll be a narrative about that innovator. There will be a QR code that will take you to a website that you can learn more about that particular innovator.

All of that still is to be designed. But we've worked for several years on this project, in terms of identifying perfect spots. We were out there with the whole team, practicing different poses. And, you know, since these innovators can't talk to you, they're going to be at least having nonverbal communication. So the gesture, the pose is going to be super important.

Then we go to the next frame, please.

There on the bottom left, you can see what Susan was talking about, the kind of the public seating areas. So there's an innovator there. So basically we're going -- you'll see we have an -- an animation to share with you to better understand how these innovators get you from Adams Court, all the way down Adams Drive, all the way to O'Brien.

Can we go to the next frame, please?

MS. ESCHWEILER: I think that's it for our frames.

MR. HUETHER: Okay. Sorry. So at some point you

might have some questions about the art, which I'm very happy to answer, but we're very excited to be a part of the team. And we just think that the art coming together with the landscape, with the architecture, we're really creating a destination.

Our hope is that we can recruit the students, vis a vis, through the teachers at Belle Haven, to bring these kids over with -- I don't know that they have to be yellow school buses, but that's what I wrote in -- these school buses, and bring these kids there. And it's an opportunity to educate these high school students, junior high school students; see that there are heros in the past that were innovators. And maybe one of them or two of them amongst them will be a future innovator or maybe an artist even.

So that's what I have to share. And there's an animation, as I mentioned. And once we look at that, I'm happy to take any questions.

Thank you, Mr. Chair.

MS. ESCHWEILER: So to the -- whoever -- to the clerk, or whoever is controlling this, can you please load up our animation. It's just a brief minute or so.

So this is starting at 1440 O'Brien, where the central cafe is. And then the first sculpture is there. Then we walk across O'Brien Drive. And this is at the

corner of O'Brien and Adams. And you can see now the public sidewalk along the street, and the meandering innovation art walk that we will tour you along.

It's a little -- then we have some public seating areas, and we'll have the sculptures that you'll discover. So there's really a story line, as you proceed along the pathway.

As you get to the corner of Adams and Adams, there are seating areas and some additional sculptures. And then, as you wind around to the front of the building, another sculpture, another path up to the main entrance of the building.

Thank you.

Thank you very much, Commissioners, for listening to our story about the building that we love so much and can't wait to get building.

MR. TARLTON: Thank you, Susan. We're looking forward to moving ahead with this first project in the LS district, as Susan said. We know the focus of this meeting is primarily on the EIR project, and that questions may be better directed to EIR consultants. However, I'm available for any questions you may have, as is our design team.

CHAIR DECARDY: Fabulous. Thank you, Mr. Tarlton, Ms. Eschweiler, Mr. Huether, for your

presentation.

We will have an opportunity -- and thank you for that transition, Mr. Tarlton. We will have an opportunity in the next portion to look at and ask more questions about all of the aspects of the project. But this is the first part, which is the environmental impact review. So with that is the overview.

Just to bread crumb this, we are now turning to our consultant. And I believe, from ICF. We'll do that and then come for any quick, clarifying questions. We'll go to public comment and then commissioner discussion.

And I apologize. Is it Ms. Mekkelson? Is that how I pronounce your name?

MS. MEKKELSON: Yes, that's it.

CHAIR DECARDY: Thank you for being here. And the floor is yours.

MS. MEKKELSON: Great. I think we have a presentation. So if the clerk could load that, I will kick us off.

And while we're loading the CEQA presentation, I will say, unfortunately, CEQA is nowhere near as exciting as design and architecture. That's a tough act to follow. It's really impressive stuff, but it is, nonetheless, the reason that we're here tonight. So I will give everyone just a quick walkthrough of the basics of CEQA, and the

findings of our EIR analysis.

MR. SMITH: And Chair Doran -- Chair DeCardy, if I may, we're loading that presentation. It's taking us just a couple seconds longer. So we appreciate everybody's patience.

CHAIR DECARDY: No worries. Just another reminder and thank you to staff and to the folks presenting. This is not an ideal environment, and we appreciate all you have done to try to navigate through that on our behalf. So thank you.

MS. MEKKELSON: Okay. I see the slides.

Do I have control of the presentation?

MS. ESCHWEILER: Yes. If you push the arrows on your computer. Don't use your mouse.

MR. SMITH: Yes. If you use the navigation arrows on your keyboard, it's generally easier. But you should have control of use of the mouse as well, if you want to enter into the full screen presentation mode.

MS. MEKKELSON: And you go to "View" to do that?

There we go. No. Oh. Here. Okay. I think I did it. Great.

All right. Well, I'm Heidi Mekkelson. Good evening, Chair, Vice Chair, Commissioners, and members of the public. I'm Heidi Mekkelson. We are the City's CEQA consultant. We did the preparation of the EIR. I am the

project director of the EIR.

Also with us tonight is Devan Atteberry, from ICF, who is the project manager for the EIR. We also -- sure -- I didn't want to get too far ahead there.

This is fine. Okay. Sorry. The slide advanced. I don't think I touched anything. But we have Devan Atteberry, who is the project manager of the EIR with ICF.

We also have the traffic consultant, Ling Jin and Gary Black, from Hexagon, who prepared the transportation part of the analysis, as well as our consultant, who prepared the housing needs assessment, which is the basis of the EIR's cost solution and housing analysis.

So just to give you a quick walkthrough of what I will be discussing tonight. I will give you an overview of the general purpose of the hearing, parts of CEQA, a really brief project overview because I think that's been quite thoroughly covered already.

I'll also walk you through the environmental review process; give you an overview of the Draft EIR, and the impact conclusions in the EIR.

We'll talk about the next steps in the CEQA process, and finally how to comment on the EIR.

The purpose of the hearing tonight is to summarize the proposed project and the conclusions on the Draft EIR, provide an overview of the CEQA process and the

next steps; receive public input on the analysis that is presented in the EIR. As folks previously mentioned, there will be a public comment period, as well as an opportunity for the commissioners to provide their questions and comments, and to discuss the next steps in the CEQA process.

So a really quick overview of the project. Again, I think this has been quite thoroughly covered already. The project proposes the construction of an approximately 255,000-square-foot life sciences building, with a max height of 92 feet, and approximately 706 parking spaces, as well as a series of connected private and public open spaces. I think the only feature here that really wasn't heard previously tonight is that the project is estimated to generate approximately 650 employees. And this is one of the assumptions that we used in the EIR analysis.

The EIR was prepared in accordance with CEQA, or the California Environmental Quality Act. The primary purpose -- purposes of CEQA are twofold. First, it provides agency decision makers and the public with information about significant environmental effects of a project. And it also identifies potential feasible mitigation measures and alternatives that would reduce those significant effects.

Under CEQA, the focus of an EIR analysis is on the physical impacts on the environment. So while there are certainly other issues that are relevant to a project, including social impact and economic impacts, for example, those are not under the purview of CEQA, and they're not covered under an EIR. But those are still considerations that agency decision makers will look at when ultimately deciding whether or not to recommend approval of a project, in the case of the Planning Commission, and approve a project.

So where we are in the CEQA process. I'll kind of start with where we started, and where we are now. The EIR process kicked off with the issuance of the NOP or the Notice of Preparation. This was in December of 2018. And the Notice of Preparation essentially informed -- alerts the members of the public, stakeholders, and other public agencies, jurisdiction over resources that could be affected by the project that a project is being proposed, and an EIR is prepared.

With the initial study -- or with the NOP was an initial study, which is essentially a checklist and final analysis that goes through all of the environmental impact categories in Appendix G of the CEQA checklist and does an analysis and essentially determines what topics should be evaluated in the EIR.

So that was included with the NOP. The public had a 30-day opportunity to -- and the public agencies had a 30-day opportunity to review that NOP and essentially provide their comments on what they wanted to see evaluated in the EIR, and this process of releasing the NOP and also holding a scoping meeting, this is what CEQA refers to as scoping. It is essentially a gathering of information from stakeholders, public agencies, and the public on what the focus of the EIR should be. And a scoping meeting was held during the NOP review period in January of 2019.

Following the scoping process, the lead agency reviewed the scoping comments and prepared the Draft EIR analysis. The Draft EIR was released for a 45-day public review period on April 4th. That public review period closes on May 23rd. So that will be the final day to provide comments. And I will talk at the end of my presentation on how exactly that's done.

Now, tonight we're at the public hearing where we receive comments on the Draft EIR analysis. And we'll talk about these final two next steps later on in the process.

Now, this EIR is what we call a focused EIR. It evaluates a subset of topics under the Appendix G checklist. The project is within the ConnectMenlo study

area, and it's consistent with the type and density of development envisioned in ConnectMenlo. So this EIR tiers from that EIR, and it's what we call a focused-tiered EIR. The concept of tiering refers to the coverage of general environmental matters in a broad program level EIR, with a focused environmental document prepared for a subsequent individual project under that broader program.

The CEQA guidelines encourage this type of analysis that is using tiered environmental documents to reduce delays and excessive paperwork. That's language from CEQA, back when we used to write things on paper. But the general concept holds true that this process of tiering generally eliminates repetitive analysis of issues that have already been adequately addressed in a prior EIR. And it allows you to simply reference those analyses and focus your analysis on any new significant impacts or issues that are unique to the individual project that is under consideration. CEQA refers to these as issues that are right for discussion. So that's what we've done here.

The focused EIR, of course, identifies the potential physical environmental impacts of the project, focusing on significant effects that have not been already covered, essentially, under the ConnectMenlo EIR. And it recommends ways to reduce those significant impacts in the form of both mitigation measures and alternatives.

The issues that are studied in this EIR include air quality, greenhouse gas emissions, noise, transportation, utilities and energy, and also population and housing, which is -- I apologize -- is not on this slide, but it is a section in the EIR. And then, of course, alternatives.

The EIR analysis found that the following impacts would be less than significant with the implementation of mitigation measures, which are outlined in the EIR and will be incorporated into what is called a mitigation monitoring and reporting program, which the City will then use, if the project is approved, to enforce and monitor the mitigation measures that are prescribed in the EIR. And this includes impacts related to transportation, specifically vehicle miles traveled, air quality, greenhouse gas emissions, and noise.

And I will say that all of the significant impacts that were identified in the EIR, that would be less than significant with mitigation, were related to construction impacts, with the exception of the VMT impact. The air quality, GHG, and noise impacts were all related to project construction.

Impacts on population and housing and utilities and energy were found to be less than significant. And for this EIR, no significant and unavoidable impacts were

identified. So everything was mitigated to a less-than-significant level, either through the implementation of applicable mitigation measures in the ConnectMenlo EIR, or new project-specific measures.

So the EIR -- even though there were no significant and unavoidable impacts that resulted from the analysis, you're still required, under CEQA, to look at project alternatives to see if there are other ways to reduce or avoid the significant impacts even further.

So this EIR included an alternatives' analysis that evaluated three different alternatives. The first is the No Project Alternative, which is essentially maintaining status quo. Nothing happens with the project site. That's required under CEQA.

The second was the Base Level Alternative, which assumes an FAR reduction from approximately 90.7 percent of the project to 55 percent.

And the third was a Mixed-Use Alternative that contemplated some ground floor commercial space.

The Environmentally-Superior Alternative, which is the designation that you are required to make under CEQA, was determined to be the Base Level Alternative. So of all the alternatives, that alternative had the lowest level of impact.

So going back to our chart of the steps in the

CEQA process, after tonight's public hearing and the close of the Draft EIR public review period, we'll prepare the Final EIR. And the Final EIR will include responses to the comments that we receive tonight from the public, as well as any additional written comments that we receive throughout the Draft EIR review period.

If those comments result in changes to the Draft EIR, those changes will also be made and incorporated into the Final EIR. And as long as those changes are minor in nature and are essentially clarifying the analysis or expanding on the analysis, then those changes are permitted under CEQA.

If any comments result in changes that constitute substantial new information, then recirculation of the Draft EIR is required.

And then, after preparation of the Final EIR, the City will take action on the project and the EIR and will be asked to approve the project and certify the EIR.

So I believe this is my final slide of the evening. And this is the most important slide.

How do we comment on the Draft EIR? The reason that we are here tonight is to receive comments from the public and the commissioners on the Draft EIR.

If you would like to submit comments, you can e-mail them to Tom Smith. His e-mail address is here.

You can also send a letter to Tom at the address shown here. And you can also comment tonight by raising your hand on Zoom, and you'll be asked to -- and you'll be notified, when it's your turn to speak.

And just a friendly reminder here that all comments must be received by May 23rd, at 5:00 p.m.

And that concludes my presentation. Thank you.

CHAIR DECARDY: Thank you, Ms. Mekkelson. Thank you for your clear presentation, and really appreciate that.

So we are at the portion of the program where we're going to turn to public comment. So for those of you who are interested, you can start considering your comments and raising your hand.

Before we do that, I do -- if there is any commissioner that has a pressing clarifying question, then we can get to it. I think we could do public comment and still get to the same pressing clarifying questions as well, however, if that's okay with our commissioners.

All right. Thank you to my fellow commissioners on that.

And so with that, we will turn over to public comment. Again, for folks who wish to comment tonight, there will be two portions of public comment. This is the one that will be most directly related to Ms. Mekkelson's

presentation and aspects around the Environmental Impact Report.

Once we close the feedback on the Environmental Impact Report, we'll be able to talk more generally about the project. That might go back to the previous presentation from the three parties from the Applicant team.

So with that, let's open it up for public comment, Mr. Turner.

MR. TURNER: Yes. Hello. Just as a reminder, if you would like to give public comment on this portion of the hearing tonight, please press the hand -- "Raise Hand" button at the bottom of your screen. And if you are calling in, *9 will raise your hand on Zoom and let us know you have a comment.

I do see a hand at this time. So I will introduce Pam Jones. As a reminder, you will have three minutes to share your comment or question. Please clearly state your name, address, political jurisdiction in which you live or your organizational affiliation.

If you have multiple speakers on your account, please let us know at the beginning of your comment, and we will make sure each speaker has an opportunity to speak for three minutes.

And, Pam, you should be able to un-mute yourself

now.

PAM JONES: Thank you. Pam Jones, resident of Menlo Park, in District I. And I'd like to thank the commissioners for your work and congratulations to our new chair, as well as the vice chair.

I basically have one -- well, two comments. One, how accurate is the air quality data, since we have had pandemic traffic for the last year and a couple of months? That's number one.

And then, number two, has there been any concern about liquefaction, which is something that is not in the General Plan, the 2016 EIR, but it has since been -- it has become an issue. And it's one in which East Palo Alto is addressing now, with some of their projects that are moving closer and closer to the bay. Although you aren't that close to the bay, certainly the continuation of these large, massive buildings can pose a problem, especially if we haven't even studied that.

Thank you.

CHAIR DECARDY: Thank you, Ms. Jones.

Any other hands, Mr. Turner?

MR. TURNER: Not seeing any other hands at this time.

Just as a reminder. If you would like to give public comment, please click the hand -- raise hand button

at the bottom of your screen.

CHAIR DECARDY: All right.

Yes, Mr. Shaffer?

MR. SHAFFER: Yes. I'd just like to point out to the public, who may be viewing this, if you haven't had a chance to review the EIR yet, if staff might want to explain where they can find it on the City website and direct people to where in the website they can find the EIR to look at it, and that the City will be receiving written comments through the comment period.

CHAIR DECARDY: Thank you, Mr. Shaffer.

Mr. Turner, if you want to -- or Mr. Smith, if you want to respond to that.

MR. SMITH: Yes. The EIR can be found on the City's website at MenloPark.org/1350AdamsCourt. All one word. And it is under the "Environmental Documents" section on that web page, pretty prominently posted, so that the public can review and comment.

CHAIR DECARDY: Great. Thank you, Mr. Smith.

With that, Mr. Turner, any hands or --

MR. TURNER: Still no hands at this time.

CHAIR DECARDY: Okay. Then I think we'll go ahead and close public comment on the EIR portion of the program.

And with that, I will bring it back to the dais

for commissioners for any questions of the EIR consultant, the Applicant, or of staff. All certainly in that purview for you. Any comments you would like to make; to our new commissioners, you are more than welcome to speak more than once during this session, in that mix, so you can ask or reflect until you've exhausted the comments or questions you have.

And with that, any commissioners would like to start? I will recognize Commissioner Barnes.

COMMISSIONER BARNES: Thank you, Chair DeCardy. Sorry if I missed this.

Is this specific to the EIR, and we're going to have our general project comments after?

CHAIR DECARDY: Yes, that's correct. This is for the EIR specifically. Then we'll come back, and we'll open up for any further comment from the Applicant. Although, I believe we were told the Applicant was going to make that presentation be the total presentation.

We'll give the Applicant the opportunity, though, for any further presentation, open up public comment, and then -- for the full project.

COMMISSIONER BARNES: Got it. Thank you. I do not at this time have anything on the EIR. Thank you.

CHAIR DECARDY: Okay. I'll recognize Commissioner Riggs.

COMMISSIONER RIGGS: Thank you, Chair DeCardy. So I have just a couple of questions that are truly focused on the EIR. But I would also like to just prompt a response to Ms. Jones' question regarding air quality data.

Through the Chair, could the consultant just frame how air quality data would or would not be related to any information gathering over the last two to three years?

MS. MEKKELSON: Yeah. I can tackle that. This is Heidi Mekkelson, from ICF. And I'll also call on our colleagues at Hexagon to help me out here.

But we absolutely recognize that traffic patterns were not what they normally are during the time this analysis was conducted.

And there are industry-recognized techniques that we've been applying to CEQA analyses that are done during this period to essentially adjust for those baseline traffic counts. And those can vary by project. They can include anything from applying adjustment factors to using counts that were pre-COVID to evaluate traffic baseline levels, which, of course, feed into the air quality analysis.

So if either Ling or Gary could comment on the specific methodology that we would use for this

transportation analysis, that would be helpful.

MR. BLACK: Thanks, Heidi. Gary Black here, with Hexagon Transportation Consultants. And you're exactly correct that all the data -- the transportation data for this project is all based on pre-COVID conditions.

COMMISSIONER RIGGS: Thank you.

And then, just to clarify, Ms. Jones' comment was specifically on air quality, which frequently, in an EIR, has to do with construction activities or, alternatively, it has to do with the particular mechanical systems.

Do we want to clarify which we are addressing here?

MS. MEKKELSON: We looked at all of the above there.

So with respect to construction emissions, those were evaluated based on construction equipment and vehicle estimates provided by the Applicant. So those are -- of course, are not affected by COVID conditions. Those are just the estimates that they provide us in terms of how many workers will be on-site, what types of equipment they'll be using, what the phasing looks like. And we evaluate those impacts against the daily emission thresholds that are promulgated by the Bay Area Air Quality Management District to determine whether there's an impact there.

For the mechanical equipment, that is factored into the operational impacts -- the air quality impact analysis in the EIR. So we look at potential health hazards from things like generators, as well as construction diesel particulate matter as well.

So really, the only air quality analysis I think that is affected by COVID is the transportation analysis, to the extent that baseline traffic levels might be different. And as Gary described, those were essentially corrected for in the transportation analysis, which is what provides the data that feeds into the air quality analysis.

COMMISSIONER RIGGS: Thank you for the clarity of your responses. We don't always get that. So I do mean thank you.

And then, Ms. Jones also asked about liquefaction. And if I may be so bold, as the token architect on the commission, just to reassure the public that liquefaction has been -- I dare say -- for decades, a factor that is very determinedly examined during the building application process, which is the right place, because foundation designs do respond to soil conditions.

And certainly in the Bay Area, liquefaction is taken very seriously. It was, even before 1989, but certainly since -- if anything, at the risk of

overbuilding, if there is such a thing. At least that's an architect's perspective.

And then, my own question has to do with how we -- whether it's the commission or the public, ultimately decision makers, including the commission and possibly counsel, how do we frame the relationship between this focused EIR and the underlying ConnectMenlo EIR, when it comes to a determination of no significant impacts?

And I ask, for example, when the public views our discussion on buildings in this zone, not just the LS zone, but the OB and the MU as well, they see projects that are 100,000 square feet, 200,000, 500,000, up -- maybe 1.3 million square feet. The idea that there are no significant environmental impacts would not fly with anyone observing our meeting or reading this document.

So am I correct that the reason that the focused EIR can say that there are no significant impacts is that there are no impacts that have not already been evaluated under the ConnectMenlo process?

MS. MEKKELSON: Yeah. I think that's a fair assumption.

Essentially, what we're saying is there are no new significant and unavoidable impacts that are unique to this project or are more severe than those that were already evaluated in ConnectMenlo, and which the City

already overrode, from a CEQA perspective, in the statement of overriding considerations for that EIR.

So, essentially, you know, you've already done your homework, your CEQA homework, for the development that is contemplated under ConnectMenlo. And you have adopted a statement of overriding considerations for that analysis.

So when you are doing subsequent CEQA documents under that EIR, you're really focusing on whether or not there is new information.

COMMISSIONER RIGGS: And that makes sense to me. But I could see how that could easily be obscure to the public.

And I'll pause a moment because I see Mr. Shaffer might want to add a comment through the Chair.

MR. SHAFFER: I'd just like to add that the EIR identifies -- both EIRs, the ConnectMenlo and the project EIR -- they do identify potential significant impacts, but then recommend a slate of mitigation measures which the EIR consultant and the City conclude are sufficient to reduce the mitigation -- the impact. And very robust packages of mitigation measures.

And opinions can differ as to how low an impact can be -- should be reduced before it's deemed less than significant. That's always a debate in CEQA, but this

conclusion is supported by the mitigations that are identified, leaving no significant, unavoidable impacts that still would be considered significant, despite all the mitigation thrown at it.

COMMISSIONER RIGGS: Mr. Shaffer, I think you're quite correct because where even a relatively tame project is going to add a population of another 650 workers, something, like, 80 percent of which live outside the area, there will be impacts, as anyone who has been on Bayshore Expressway knows.

So, Mr. Chair, I do have maybe four other points, but they are not directly addressed to this focused EIR, but rather how the project does or does not actually affect the -- shall we say -- quality of life of the residents. So I'm suspecting that I should hold those until we get to architectural review.

CHAIR DECARDY: I appreciate your point, Commissioner Riggs. I think you can use your judgment, but certainly, you know, raise them during architectural review as well. I'm sure quality of life questions will come up then, as well as focused on the EIR. But I encourage you to use your judgment.

If you'd like to continue, please do. Otherwise, please hold.

COMMISSIONER RIGGS: Well, in that case -- well,

I think I would like to hold, just to help the public, if not even myself, separate the discussion with the EIR consultant from that with the project sponsor.

CHAIR DECARDY: Okay. Very well.

COMMISSIONER RIGGS: Thank you.

CHAIR DECARDY: And after other commissioners have spoken, of course, you can always speak again if so moved.

So other commissioners who would like to speak? I'm going to recognize Commissioner Thomas.

And I realize that, Commissioner Riggs, you mentioned that you're the token architect, which I believe you have been for a while. I'm not completely familiar with the full bios of Commissioners Do and Thomas, so you should correct us. But I believe Commission Do is an architect. So you may, at least, have another architect on the commission at this point, Commissioner Riggs.

With that, I will pass it over to Commissioner Thomas. And please correct me as well, if you have that in your background.

COMMISSIONER THOMAS: Thank you, Chair DeCardy. My background isn't in architecture.

And my question is on the impacts. So it seems like, you know, there were some potentially significant impacts, but they've been all reduced to

less-than-significant with mitigations.

There are a couple of these on here. So I was wondering if there is one in particular -- I guess my question would be directed towards Heidi Mekkelson.

Is there one of these LTS/M -- you know, less than significant with mitigation -- impacts that is particularly risky or that you think, if you had to rank these, would potentially be of the most concern?

MS. MEKKELSON: I've never had that question before. You know, I don't think I could rank them. Under CEQA, we are required to look at everything with a fresh lens, and we look at each impact against a threshold of significance, which is another requirement of CEQA, and those thresholds can be different, depending on what the impact is. For air quality impacts, for example, we often have bright line, you know, thresholds -- like a project can emit 55 pounds-per-day of nox, and anything over that is significant impacts. For other impacts, it's a bit more of a qualitative threshold. And it's a judgment call on the part of the EIR professional and the City Planning Department in determining whether or not that impact is tripped.

So from my personal perspective, all impacts on the environment are of equal importance and concern. I definitely know that when it comes to issues that are

important to the public or quality of life issues, as Commissioner Riggs, you know, touched upon, different impacts, I think, can be different, given different weights, essentially.

But from a CEQA perspective, a significant impact is a significant impact. And if it is significant, the City is required to override that impact -- make a determination and override that impact.

Does that answer your question?

COMMISSIONER THOMAS: Thank you.

MS. MEKKELSON: I hope that kind of answers your question.

CHAIR DECARDY: Other commissioners, questions or comments at this time?

Commissioner Harris? Excuse me. Vice Chair Harris.

VICE CHAIR HARRIS: Thank you. I have to get used to that. Yeah. I had a couple of EIR comment and questions.

Like Commissioner Riggs, it is, I think, difficult to tease out which is a comment or question on the project, versus on the EIR. And so I had some questions around transportation. And so some of those have to do with -- I just want to understand the total number of employees, and the total number of parking

spots. I got a little bit confused because I understand that we're adding 650 employees. But I don't know what the total is with those 650.

And I also was a little bit unsure about the total number of parking spots because in -- in the -- in reviewing the staff report, I saw that it was 961. But in the EIR, it says 707. And I'm wondering if the difference is that the 961 includes both 1305, as well as 1350.

I also read that 118, that were -- for 1305 will be taken away because they were, I guess, surface parking that is now on 1350.

Anyway, that all -- the EIR and the staff report seem a little bit different. And I'm wondering if somebody from either staff or from the -- I'm not sure which group could help me understand those answers, both employees and parking.

MR. SMITH: I think I can at least get things rolling there and explain the parking situation.

So it's important to think of this as -- although there is one new building being built, it is a project site that contains an existing building.

And I think you have it right, Vice Chair Harris, that there are 118 spaces that are currently provided on what would become the 1350 Adams Court site, that are currently used for 1305 O'Brien, the existing building.

Those would obviously need to be removed to add the new building, the landscaping, all of that. And so those 118 spaces, because there was an approval for 1305 O'Brien Drive that required -- I believe it's 373 spaces were required, as part of 1305 O'Brien Drive. So the 118 spaces that are being removed to develop the new building would need to be reintegrated into the parking structure for the proposed building. So what we would end up with is 961 spaces total for both buildings on the site.

Of the 706 spaces that would be part of the 1350 Adams Court project, you can think of 118 of those as belonging to 1305 O'Brien Drive. So what you end up with is essentially -- of the new parking spaces that are being developed in the garage -- or there's a few surface spaces as well, as part of the 1350 Adams Court project, you're looking at 588 new spaces for the proposed building itself, which is a parking ratio of about 2.14 per thousand square feet. So 588 spaces would be -- it's kind of about halfway in the ratio of 1.5 to 2.5 spaces per thousand square feet of gross floor area that's required in this district.

VICE CHAIR HARRIS: Okay. That's really helpful.

So -- but I should think about it as 588 new spaces for the new 650 employees.

Can I think about it that way?

MR. SMITH: Yes. That would be accurate.

VICE CHAIR HARRIS: Okay. And then I guess I realize that we're putting together a transportation demand -- plan to try to reduce the level of single occupancy vehicles, but I guess I have a question to the Applicant.

Of your 650 new employees, or maybe of your old employees, what do you -- how many do you expect of those employees will get to this location in something other than a single occupancy vehicle? Maybe kind of tell me about your current building, as well as what your expectations might be for the new building, from the Applicant, if you have that answer or an idea.

MR. TARLTON: I would be addressing sort of a general sense, rather than this specific building because, of course --

VICE CHAIR HARRIS: You don't have them yet.

MR. TARLTON: -- we don't have the tenant yet. And it does vary, somewhat significantly, from tenant to tenant.

As we have discussed on a prior meeting -- in a prior meeting on a different project, we can have tenants who are involved in manufacturing that have multiple shifts. And sometimes there's an overlap there.

In terms of general uptake of our shuttle program

and other alternate transit modes, we've been quite successful.

And I would say that somewhere in the range of 25 percent of our employees across the campus are getting to campus in a way other than a single occupant vehicle, if that answer your question.

VICE CHAIR HARRIS: Okay. That does answer my question.

So if we're looking to reduce -- and I understand we're looking at it from the other direction, which is allowing for bikes and parking and shuttle and carpool. I just am wondering if we're thinking, okay. Well, maybe 25 percent will get there a certain -- a different way, then it seems like we probably wouldn't need to plan for 90 percent of them to come in a single occupancy vehicle for the number of parking that we're going to supply.

So I understand that Menlo Park has a minimum number of parking spots, but I guess my thought would be, can we reduce this number of parking spots more, given that we're -- right now, we're at 90 percent?

I realize there's also a couple spots for visitors or -- you know, a couple other spots. But it just feels -- that feels very high to me. And I'm wondering if there's -- if we can think about reducing that, to some extent, given all the other ways that you're

looking for people to get there.

MR. TARLTON: Yeah. I appreciate the question, and I certainly appreciate the sentiment.

For those of you who don't know, I go virtually everywhere on a bicycle. That being said, we have to -- and it's not lost on you. Certainly those of you who have experience with other development or architecture, that the cost of building that parking is significant to us. And we are heavily-incented financially not to build more parking than we need.

The parking that we propose to build is based on literally decades of data around what the tenants need for parking, trying to anticipate the various types of uses that we might have at the site, and accounting for, as you said, visitor, et cetera.

I would love to build less parking. We will hopefully build less parking as we partner with the City and other agencies to create more alternative transit. This is the reality that we face today.

VICE CHAIR HARRIS: Okay. So I'm still going to issue that challenge to try to reduce your cost for parking and see where you might be able to trim that.

And then, as Commissioner Riggs was discussing, that, you know, the analysis is based, I think, on 2019 or pre-pandemic. I know that since the pandemic, our --

we're not so peaky. We're not -- we don't have the same exact peaks.

And also, because you're life sciences, as you mentioned -- I think it was Mr. Tarlton mentioned that the life sciences tends to be less peaky than a typical office building.

So I guess, in the way that we do the analysis, I'm not really sure where that -- where that puts us. But I just wonder if maybe there might be some thoughts on that.

I think -- I do have a couple of comments on LOS, but I guess I should -- I guess I should maybe come back to those, when we are -- since it's not part of CEQA, through the Chair.

CHAIR DECARDY: Again, at your discretion. Right? It's not part of CEQA. It's an add-on from Menlo Park. But --

VICE CHAIR HARRIS: Okay. I guess it is part of the EIR.

CHAIR DECARDY: Yes.

VICE CHAIR HARRIS: So I would just say, when this comes back for final approval -- and this is really to staff -- I would like to see the LOS improvements broken down in maybe like a chart. Right now, it's really hard for me to kind of get a sense for each intersection

what is TIF, versus not in TIF; and then also, what's near term, versus cumulative, and to indicate if there would -- if any of these would involve any road widening.

I think, when this comes back and when it's published, it would be really terrific to understand, maybe in a chart, where -- what each of those intersections is; whether it's TIF, non-TIF, near term, cumulative, and whether it -- indicate whether there would be any road widening.

And I think that would really help us, as commissioners, to -- if it's summarized that way, to help our decisionmaking process and perhaps even do it for Draft EIRs in the future.

Is that something you think would be possible?

MR. SMITH: Chair DeCardy, if I may?

CHAIR DECARDY: Yes, of course. Mr. Smith.

MR. SMITH: Yes. I definitely appreciate that feedback.

I think we've tried to slim down the staff reports to reduce down the amount of reading material that we're giving you. But if that is desired -- well, if you would like to see that information in a chart, I definitely am more than happy to provide that, and we'll take that into effect -- into account for the Final EIR and then future EIR projects as well.

VICE CHAIR HARRIS: So I guess what I would like to say is that -- what I would maybe say is that I think that information is probably in there, but it's multiple paragraphs to find it.

So I would almost say, well, maybe this would be less work for you if you could put it more into a chart format, and less into pros. So just a thought for that because I certainly don't want to make extra work for you guys. I know you're all -- you've got a lot already.

MR. SMITH: Absolutely. I appreciate the feedback.

VICE CHAIR HARRIS: And I don't want to make longer reading for all of us either. So I think we're in agreement on that.

MR. SMITH: Yes. Understood. Yes. We are in agreement.

VICE CHAIR HARRIS: All right. Well, I'll stop there and let somebody else chime in.

Thank you.

CHAIR DECARDY: Thank you, Vice Chair Harris.

Other questions or other comments related to the EIR from commissioners?

While people are thinking, perhaps I have a couple that can follow on a thread that has already been picked up on. And I want to recognize and thank --

actually, all of the commissioners that touched on some of my questions.

I do want to come back to the EIR and to the transportation question. So, Ms. Mekkelson, on the transportation impact, it would have been significant but for the expectation of utilizing the transportation demand management mitigation.

Do I have that right?

MS. MEKKELSON: That's correct.

CHAIR DECARDY: Okay. So how successful does the TDM have to be to move it from significant to not significant? In the context of some of the conversation we've had in ways that we or the public could understand, what does a successful TDM plan actually have to reduce in order to make it less than significant?

MS. MEKKELSON: I can look this up for you, to get you some more precise numbers, but the threshold for the City CEQA purposes is 15 percent below the citywide average.

MR. SMITH: Heidi, I have some of that information, I think, right in front of me.

MS. MEKKELSON: Oh, great. Or Gary --

MR. SMITH: And then Gary can correct me, if I'm off.

But I believe it's a 21.1 percent reduction in

VMT needed to get below the City's threshold.

And then the Applicant put together a pretty robust TDM program that would be effective, in the range of 27 to 30 percent. So it's beyond the amount that would be needed to get below the City's threshold.

Gary, let me know if that was incorrect.

MR. BLACK: That's correct. Absolutely.

CHAIR DECARDY: Okay. I appreciate that. I think that's helpful.

So -- and then -- so the Applicant's TDM plan is specific enough that you can anticipate, based on past monitoring, that it will be in that 25 to 30 percent range?

Is that the one that was included in the exhibit with the specific measures? Is that the plan we're talking about that touches on the bike share, the car share, the significant shuttles that were referenced in the presentation?

MR. SMITH: Yes. That's correct.

And then, for additional reference, the existing building at 1305 O'Brien Drive, the other building on the site, it is -- it has a TDM plan. And it has been subject to monitoring.

And just to give you an idea of what that's demonstrating, in 2018 and 2019, it was showing TDM

effectiveness of about 32 to 40 percent. So they were doing quite well.

CHAIR DECARDY: That's super helpful, and it's fabulous. And I mean, I just -- I should have said this at the beginning, and I said this the last time we had a project. You know, I just -- the work and the leadership, Mr. Tarlton, you and your team, on this, over the decades, has been exemplary. And it's fabulous. And I think you have so much to offer us as a City, to learn from your experience. And, obviously, having this input is terrific.

One of the questions I had about the TDM plan is that it mentioned the inclusion of the EV parking spaces. And it's not immediately clear to me how -- so the TDM, with the EV parking spaces, does not necessarily reduce VMT, but it reduces VMT from emitting cars? Is that how we're supposed to look at that as being a successful part of the TDM program?

And if so -- if I have that right, then how do you figure out where the electric fuel is coming from for the cars that are in those spaces?

And I guess that might be a question for Mr. Black, perhaps, or Mr. Smith. I'm not sure.

MR. BLACK: The -- yeah. The EV parking or encouraging EV use is not counted towards the TDM

reduction because, as you point out, those cars are still on the road.

CHAIR DECARDY: Got it. Okay.

So it was listed in the TDM plan in our packet, but it was not included in the analysis of that 25 to 30 percent reduction?

MR. BLACK: That's correct.

CHAIR DECARDY: Okay. That's super helpful.

Then I have a question about parking spaces and VMT.

So -- and, Mr. Black, as long as you're there, I think this is for you. Is there a relation between the cost of parking spaces and a reduction in VMT? Is there analysis that says if there's a higher cost to park your car or not?

Is that not part of how you think about potential mitigation or looking at what will be the traffic to a potential site?

MR. BLACK: Absolutely, there's a relationship between the cost of parking and the trip making, if you will, or the VMT.

There's not -- there's not a culture of charging employees for parking in Menlo Park. Or at least not in this part of Menlo Park. And so it's not part of the TDM plan to charge for parking.

CHAIR DECARDY: Okay.

MR. BLACK: And so Mr. Tarlton, I think, was talking about the cost of building the parking, but not the cost of operating the parking.

CHAIR DECARDY: Yeah. I understand. It was a different question.

So the reason it's not there is because we don't have a culture in Menlo Park of charging for parking? And, therefore -- or is it to say, there are other measures that could get that 25 to 30 percent reduction, which would then get below the significance threshold?

MR. BLACK: Yes. I can talk about, I guess, the corporate culture, if you will, of a lot of these employers is that they look at charging for parking as sort of a punitive measure towards employees. It could be interpreted that way. And they -- rather than punitive measures, they want to use measures that are encouraging. So offering alternatives -- free shuttles -- you know, free bikes, car share, things like that, are incentives. So it's like a carrot, instead of a stick approach, is sort of the corporate culture we're seeing.

CHAIR DECARDY: I understand.

So for the purposes of the EIR, then, we have a TDM plan that can rely on carrots, and the experience that we can have enough carrots so we can move the

environmental impact to less than significant.

It's a different conversation, if we want to have this as a City, about how much further we might go with what kinds of measures, but that would be from an EIR standpoint, would not be relevant to moving from significant to less than significant in an EIR.

Do I have that summarized?

MR. BLACK: That's correct.

CHAIR DECARDY: Okay.

MR. BLACK: The TDM plan that the project is proposing is sufficient to mitigate the VMT impact.

CHAIR DECARDY: Yeah. Well, that's fabulous.

And it's fabulous that you've got the history -- this is to Mr. Tarlton and team -- that can get to this 25 to 30 percent reduction.

I will withhold the rest of my comments because they are not EIR related on this and on transportation parking. They're going to be related to the building, and I'll do that later on.

I do have a question about the -- this is for the -- for Mr. Tarlton, and on the biking.

You noted, I think, in the parking, that you've got the overlap, potentially, of some potential tenants. And so you've got that problem with -- you're going to have, essentially -- two employees are there for ten

minutes, but they both have to park kind of issue.

Have you been allowed or could you allow flex parking across your different buildings and different tenants in that region? Because I think you said they have different uses.

Have you been allowed to do that? Have you been -- has that been proposed in the past? And if not, if it were, would that be helpful at all in this or not?

MR. TARLTON: Good question. And as we vision out our campus there going forward, we do anticipate making use of shared parking facilities across tenants. That has not been the practice in the past, but we have made changes to our messaging to our tenants, through both our leases and our campus-wide TDM program, that that is coming.

And we do already anticipate, to the extent possible, making use of some of these expensive parking spaces that are going to be part of the 1350 Adams Court project for future sharing.

CHAIR DECARDY: So it sounds like you're headed that way, but it has not been in the past.

Do you have a census across all of your properties about what the usage of parking is? You know, just sort of, you know, is there, in fact, some excess capacity?

MR. TARLTON: There is, in fact, some excess capacity. And as we vision out the campus going forward, we are trying to create opportunities for shared parking, from tenant to tenant.

CHAIR DECARDY: Okay. Fabulous. I think that sounds fabulous and creative and helpful. Appreciate it.

Hang on, Mr. Barnes. Let me just see if I have any -- as long as I have the floor on EIR questions.

I don't think so. If I do, I'll come back.

Mr. Barnes -- Commissioner Barnes, let me recognize you.

COMMISSIONER BARNES: Thank you. Question through the Chair to staff. And I think this is probably best directed to Mr. Smith. It relates to the EIR and in specific, to the level of service data.

And I wanted to understand a little bit more about the LOS. And more specifically, is an LOS reading for a specific intersection able to tease out in specific what this specific project will do to that, you know, intersection A?

And is that impact specific to the incremental impact of this -- of this project?

MR. SMITH: Right. So I would start by saying, even though LOS was studied by the transportation consultant as part of this process, I just want to be

clear. It is not a CEQA impact. This is a completely separate topic from the EIR.

But LOS is looking at seconds of delay at various intersections around the project site. And sometimes it -- it can spill back through additional intersections further out from the project site. But it is looking at the amount of delay that the project contributes to individual study intersections.

COMMISSIONER BARNES: Okay.

MR. SMITH: Does that help?

COMMISSIONER BARNES: It does.

In my recollection, when LOS has been looked at before, there was an inability to -- so say, for instance, Station 1300 and some of the intersections around there, there was a statistical -- the way it reported out, it didn't specifically say, okay. Great. For this particular project, we can quantify for this intersection what this project is going to do because you've got a body of data. You have -- it includes, when you do LOS, some of the extra maladies for the environment, which feed into that particular intersection.

And I wasn't under the impression that it can get that fine and say, great. For this intersection, for this time period, we're able to remove the extra maladies. We're able to move any flows and whatever else goes into

either feeding or not feeding that intersection.

And say, for this particular project, this is the addition. I didn't think that we were able to go to that level of specificity. And that was the -- kind of the core of my question.

MR. SMITH: So I would -- just to make sure I'm not getting too far out of my depth, Christy Ann Choi, who is a senior transportation engineer -- or I see Gary Black has joined.

Gary, would you be able to expand on that -- that question a little bit?

MR. BLACK: Yes. The transportation study does show, for each intersection that we studied, the amount of traffic that would be added by this project, just by this project, and that it also calculates an associated delay that would be caused by the traffic from this project individually, for each one of the intersections that we studied. It's in a giant table. It's pretty -- it takes a while to get through, but the data is there.

COMMISSIONER BARNES: Great. Thank you.

And that satisfies my question about the specificity aspect of it. All right. That is my question as it relates to -- somewhat related, apparently, to the EIR. Thank you.

CHAIR DECARDY: Thank you, Commissioner Barnes.

Any other questions from commissioners or comments related to the EIR this evening?

I have one -- oh. I'm sorry.

Commissioner Do?

COMMISSIONER DO: Thank you, Chair DeCardy. And I have a question about bus stops. And I hope it's not totally irrelevant. But I think it is relevant to the whole topic of alternative ways of commuting.

I did a -- you know, a little Google street view, looking at, for instance, a bus stop along Willow and O'Brien. And just curious. Was it a shelter or offer any protection? And it's a -- simply a sign. No bench; no shelter.

And when you see something like that, and you're driving, you kind of think, man. Who wants to -- who wants to commute by bus, when, you know, the bus infrastructure looks like that?

And, again, this is not maybe something that the Applicant is responsible for, but I -- there's -- I know there's a pot of community amenity money. And I'm just curious. And please forgive my ignorance. Other commissioners or anyone chime in to say, that's not an appropriate use of money.

But I'd just be curious if that aspect of the public transit could be improved because I know there's

this growing fund of money. So, again, apologize if that's not an appropriate use of those funds.

MR. SMITH: So I --

CHAIR DECARDY: Mr. Smith?

MR. SMITH: Through the Chair? Okay.

There is a list of approved community amenities. And I believe that I don't have the list right in front of me, so I'm going from memory here. But I believe that one of them is transportation-related improvements. And so it could be -- so there's -- there's a growing fund of in-lieu fees for community amenities, which, if the council determined that that was a project that they would like to support, can certainly make the case that improved transit facilities related to improved bus stops, more shelter, that kind of thing, could be part of that funding that's used.

Or in the case of a specific project applicant, they could make that part of their proposal. And then it would have to be evaluated by the -- whatever decisionmaking body.

So in this case, the project is for -- up for review and entitlements from this commission. And so they would have to make the case for those improvements. And you, as a body, would have to accept that as a transportation-related improvement. But just to give you

an idea of how that might work.

COMMISSIONER DO: Great. Thank you.

CHAIR DECARDY: I was searching for the community amenities list.

I think it's -- in the staff report, there are links to specific aspects of community amenities in this project. But I don't think there was a link to the list.

And so that might be, Mr. Smith, helpful, the next time around, for any interested parties to see that.

So thank you for that question, Commissioner Do.

Commissioner Harris? You are somehow on mute, even though it looks like --

VICE CHAR HARRIS: Sorry about that. Can you hear me now?

CHAIR DECARDY: Yes, we can.

VICE CHAIR HARRIS: Yes. AirPods running out of juice. Yeah.

So I'm just wondering, to Commissioner Do's question, improving bus stops, is that something that can come out of TIF money?

Or, no, because that only can be used for intersections?

CHAIR DECARDY: Mr. Smith, yes.

MR. SMITH: So that's a good question. I might need some assistance.

I believe that projects that are identified for -- projects have to be specifically identified for TIF funding. And so if that's not a project that has been identified, then it wouldn't go towards that.

I was able to pull up the community amenities -- approved community amenities list. And one of the -- one of these is transit and transportation improvements. And it says, "Bus Service and Amenities." Increase the number of stops, bus frequency, shuttles, and bus shelters" specifically are called out. So I think that would be a prime use of the money that was intended that way.

In terms of TIF funding, I don't know if Christy Ann Choi, from our Transportation division, is able to assist with how TIF projects are identified.

MS. CHOI: Hi. Good evening. Christy Ann Choi, Senior Transportation Engineer.

So, yeah. The City has the Transportation Impact Fee Program. And when it was adopted, we had identified a number of projects that would be funded by the TIF. And as Mr. Smith mentioned, they do have to already be identified. So the TIF money can only be used for those types of projects.

I don't think we had any particular bus shelters listed. So that would not be a potential funding source.

VICE CHAIR HARRIS: Thanks. Helpful.

CHAIR DECARDY: Great. Thank you.

And, to commissioners, some of these things blend together. There's EIR-related questions. But we can look at community amenities and are asked to look at community amenities in the next portion of our conversation tonight as well.

So any final comments on the EIR from commissioners? And as you're contemplating, I am going to turn to Mr. Smith.

Have you gotten the feedback you need, or are there any outstanding questions you have of the commission, regarding the EIR this evening?

MR. SMITH: In terms of the EIR, we really appreciate all of the feedback, the questions, the great dialogue. No further needs from staff in that area.

CHAIR DECARDY: All right. Any last questions from commissioners? All right.

With that, I will close this item of the agenda, Item G1, which was looking at the EIR.

(WHEREUPON, Agenda Item G1 concluded.)

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CERTIFICATE OF REPORTER

I, AMBER ABREU-PEIXOTO, hereby certify that the said proceedings were taken in shorthand by me, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true, and correct report of said proceedings which took place;

That I am a disinterested person to the said action.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of May, 2022.

AMBER ABREU-PEIXOTO, CSR No. 13546

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