

# NOTICE OF AVAILABILITY ENVIRONMENTAL IMPACT REPORT

COMMONWEALTH: BUILDING 3 PROJECT  
SCH NO. 2019059106  
CITY OF MENLO PARK



July 1, 2022

**To:** State Clearinghouse  
State Responsible Agencies  
State Trustee Agencies  
Other Public Agencies  
Interested Parties and Organizations

**From:** Kyle Perata  
Acting Planning Manager  
City of Menlo Park  
701 Laurel Street  
Menlo Park, CA 94025

<b>Subject:</b> Notice of Availability of a Draft Environmental Impact Report for the Commonwealth: Building 3 Project	
<b>Lead Agency:</b> City of Menlo Park, Planning Division	
<b>Project Title:</b> Commonwealth: Building 3 Project	
<b>Project Area:</b> Bayfront Area, City of Menlo Park, California	
<b>Purpose of Notice and Public Review Period</b>	
<p>Notice is hereby given that the City of Menlo Park (City), as the lead agency under the California Environmental Quality Act (CEQA), has prepared a Draft Environmental Impact Report (EIR) for the Commonwealth: Building 3 Project (Proposed Project). In accordance with Section 15087 of the CEQA Guidelines, the City has prepared this Notice of Availability (NOA) to invite agencies, organizations, and interested parties to provide comments on the Draft EIR</p> <p>The 45-day comment period required by CEQA Guidelines Section 15105(a) for the Draft EIR has been set from Friday, July 1, 2022 through Monday, August 15, 2022. Written or emailed comments on the Draft EIR are due no later than the close of the Draft EIR review period (5:00 p.m. on <b>Monday, August 15, 2022</b>). However, we would appreciate your response at the earliest possible date.</p> <p>The Draft EIR is available online at <a href="https://beta.menlopark.org/commonwealth3">https://beta.menlopark.org/commonwealth3</a>. Printed copies of the Draft EIR are available for review at the Menlo Park Library at 800 Alma Street, Menlo Park, and the Belle Haven Branch Library at 413 Ivy Drive, Menlo Park.</p>	
<b>Project Location and Existing Locations</b>	
<p>As shown in Figure 1, the Project Site is north of US 101 in Menlo Park within a portion of the existing Commonwealth Corporate Center (Campus Property) located at 162 and 164 Jefferson Drive, Menlo Park. The site is bounded by Jefferson Drive and office buildings to the north, the currently inactive Dumbarton Rail Corridor to the southeast, a portion of Campus Property to the south, and an office building to the west. Farther north, beyond the Project site, is State Route (SR) 84, tidal mudflats and marshes along San Francisco Bay, the Don Edwards San Francisco Bay National Wildlife Refuge, and Ravenswood Slough. Neighborhoods in East Palo Alto are approximately one mile southeast of the Project Site; the Belle Haven neighborhood of Menlo Park is south of the Project Site, across the Dumbarton Rail Corridor.</p> <p>The Project Site is zoned O-B (Office Bonus). The O-B zone permits a maximum and an average height of 35 feet for buildings and a maximum FAR of 45 percent at the base level (plus 10 percent for commercial use). At the bonus level, the O-B zone allows a maximum height of 110 feet and a FAR of up to 100 percent (plus 25 percent for commercial use) in exchange for community amenities. The Commonwealth Corporate Center, the current development on the Campus Property, covers approximately 13.3 acres (578,500 square feet [sf]). The existing floor area ratio (FAR) at the Campus Property is 45 percent. Approximately 866 parking spaces are provided in surface lots. New and mature trees are scattered throughout the Campus Property. Based on a standard load factor, it is</p>	

estimated that approximately 1,550 employees worked at the Commonwealth Corporate Center in 2019, prior to start of the COVID-19 pandemic.

### **Project Description**

The Proposed Project would construct an approximately 249,500 gross-square-foot (gsf) office building, an approximately 404,000 gsf parking structure, new landscaping, and a privately owned, publicly accessible open space area. The proposal includes a request for an increase in height and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. The applicant has proposed to pay the in-lieu fee to satisfy its community amenity obligation. Building 3 would be surrounded by surface parking, the proposed parking structure, landscaping, and pedestrian paths. Patios with café tables and chairs would be situated in and around Building 3, providing a social space for the Proposed Project. The proposed parking structure would have four above-grade levels as well as one partial below-grade level and a maximum height of 48 feet. Access to the parking structure would be provided via an internal street, located east of Buildings 2 (existing on-site building) and Building 3 (proposed building). Building 3 and the parking structure would provide 688 net new parking spaces.

The proposed project includes a request to modify the City's bird friendly design standards. The proposed project also includes a request for the use of hazardous materials (diesel fuel) for an emergency backup generator. To comply with the City's below market rate (BMR) requirements for commercial projects, the applicant has proposed to pay the BMR commercial linkage in-lieu fee.

Upon implementation of the Proposed Project, approximately 128,533 sf of public open space and approximately 107,333 sf of private open space would be provided on the Campus Property, for a total of approximately 235,866 sf of open space. In addition, the Proposed Project would add a 0.2 mile-long, 20-foot-wide paseo, which would be available to bicyclists and pedestrians, along the eastern boundary of the northern portion of the Project Site. The paseo would continue south to the southwest border of the Campus Property along Commonwealth Drive, then extend eastward along the edge of the Campus Property adjacent to US 101. From there, a pedestrian path would continue north, looping around the Project Site. The path would be along the existing private access road that connects Commonwealth Drive to Jefferson Drive.

### **Project Approvals**

The following analysis and discretionary approvals by the City would be required prior to development at the Project Site:

- Certification of the EIR
- Conditional Development Permit Amendment
- Below-Market Rate Housing Agreement
- Water Supply Assessment
- Housing Needs Assessment
- Fiscal Impact Analysis
- Bonus Level Development Appraisal

**Responsible Agencies**

The City requests that the following agencies review the analysis within the Draft EIR regarding information relevant to your agency's statutory responsibilities in connection with the Proposed Project, pursuant to CEQA Guidelines Section 15086. Your agency may need to use the EIR prepared by the City when considering any permits or other approvals that your agency must issue for the Proposed Project. This list is not intended to confer responsible agency status to each listed agency.

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

### Introduction to EIR

The Project Site is within the General Plan and M-2 Area Zoning Update (ConnectMenlo) study area. ConnectMenlo, which updated the City's General Plan Land Use and Circulation Elements and rezoned land in the M-2 Area (now referred to as the Bayfront Area), was approved on November 29, 2016. Because the City's General Plan is a long-range planning document, the ConnectMenlo Final EIR was prepared as a program EIR, pursuant to CEQA Guidelines Section 15168. Section 15168(d) of the CEQA Guidelines provides information for simplifying the preparation of subsequent environmental documents by incorporating by reference analyses and discussions. CEQA Guidelines Section 15162(d) states that where an EIR has been prepared and certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or susceptible to substantial reduction or avoidance. The Draft EIR was prepared in accordance with the terms of the settlement agreement between the cities of Menlo Park and East Palo Alto, which allows for simplification in accordance with CEQA Guidelines Section 15168 for all topic areas, except housing and transportation. The analysis provided in the Draft EIR tiers from the ConnectMenlo Final EIR, as appropriate.

### Significant Environmental Effects

The Draft EIR finds that the Proposed Project would not result in any significant and unavoidable impacts. The Proposed Project would result in potentially significant impacts related to transportation, air quality, greenhouse gas emissions, noise, cultural resources and tribal cultural resources, and biological resources, 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 service systems would be less than significant and no mitigation measures would be required.

### Hazards Materials and Hazardous Waste Sites

The Cortese List is a compilation of several different lists of hazardous material release sites that meet the criteria specified in Section 65962.5 of the California Government Code. Although there are documented releases of hazardous materials on the Project Site, there are no hazardous material release sites on the Project Site that meet the criteria for inclusion on the Cortese List.

### EIR Process

In accordance with CEQA Guidelines Section 15105(a), the Draft EIR will be available for public review and comment during a 45-day review period. Following the close of the public review period on August 15, 2022, the City will prepare a Final EIR, which will include responses to all substantive comments received on the Draft EIR. The Final EIR will be considered by the City Council in making the decision to certify the EIR and taking final action on the Proposed Project.

### Public Hearing Meeting

The City of Menlo Park is hosting a public hearing for the Draft EIR during the NOA public comment period on **July 11, 2022** during a regularly scheduled Planning Commission meeting beginning at **7:00 p.m.** or as near as possible thereafter via a virtual meeting.

The meeting link would be available with publication of the Planning Commission agenda and staff report on the City's website at [menlopark.org/planningcommissionagenda](https://menlopark.org/planningcommissionagenda), not less than 72 hours in advance of the meeting.

All interested parties are invited to attend the meeting and provide input on the Draft EIR. Written comments should be provided as indicated below.

## Submittal of Comments

Comments on the Draft EIR are due no later than the close of the Draft EIR review period (5:00 p.m. on **Monday, August 15, 2022**). However, we would appreciate your response at the earliest possible date. Please send your written comments to Payal Bhagat or Kyle Perata at the addresses shown below or email them to **PBhagat@menlopark.org** or **ktperata@menlopark.org** with "Commonwealth Building 3 Project EIR" as the subject. Public agencies that provide comments are asked to include a contact person for the agency.

If you have any questions regarding the proposed Project or the EIR process, please contact Payal Bhagat or Kyle Perata at the contact information listed below.

**Name:** Payal Bhagat  
**Title:** Contract Principal Planner  
**Department:** Community Development, City of Menlo Park  
**Mail:** 701 Laurel Street, Menlo Park, CA 94025  
**Email:** pbhagat@menlopark.org  
**Phone:** (650) 330-6702

**Name:** Kyle Perata  
**Title:** Acting Planning Manager  
**Department:** Community Development, City of Menlo Park  
**Mail:** 701 Laurel Street, Menlo Park, CA 94025  
**Email:** ktperata@menlopark.org  
**Phone:** (650) 330-6721




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Kyle Perata  
 City of Menlo Park

July 1, 2022



**Figure 1**  
**Campus Property and Project Site**  
**Commonwealth Building 3**