CITY OF MENLO PARK

Planning Commission

In re:

Environmental Impact Report (EIR)/ Scoping Session/ 3705 Haven Avenue

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CERTIFIED TRANSCRIPT

Environmental Impact Report

REPORTER'S TRANSCRIPT OF PROCEEDINGS

AGENDA ITEMS F2 and G1

MONDAY, DECEMBER 18, 2023

Reported by AMBER ABREU-PEIXOTO

Certified Shorthand Reporter No. 13546

State of California

ATTENDEES

The Planning Commission:

Linh Dan Do (Chair)
Jennifer Schindler (Vice Chair)
Andrew Ehrich
Henry Riggs
Katie Ferrick

ABSENT: Andrew Barnes

SUPPORT STAFF:
Fahteen Khan, Associate Planner
Matt Pruter, Associate Planner

PROJECT PRESENTERS:
Michelle Loeb, LDP Architect

CONSULTANTS:
Kristy Weis, DJP&A

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on December 18, 2023, 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

	PAGE
Presentation by Chair Do	4
Project Presenters:	
Matthew Pruter, Associate Planner	
Applicant/Consultant Presentations	
Michelle Loeb, LDP Architects	10
Emerald Xu, March Capital	
Kristy Weis, JDP&A	15
Public Comments:	
Naomi Goodman	19
Commission Questions and Comments.	
Commissioner Riggs	21
Vice Chair Schindler	23
Commissioner Ferrick	25
Commissioner Ehrich	26

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P R O C E E D I N G S

CHAIR DO: So this is Item F2, request for an Environmental Impact Report, EIR, Scoping Session for a project at 3705 Haven Avenue to comprehensively redevelop the .66-acre site zoned Residential, Mixed-Use, Bonus, R-MU-B, with a bonus level development project consisting of an eight-story, mixed-use building with 99 dwelling units and approximately 1,550 square feet of commercial space. The proposed project would demolish an existing 10,361-square-foot commercial building. The project includes a total of approximately 14,629 square feet of common open space, including approximately 4,670 square feet of publicly-accessible outdoor space. In addition, the project would potentially include a battery-powered electric emergency generator.

The proposed project would be developed using the bonus level development allowed by the City's Municipal Code, which provides for an increase in density, gross floor area or intensity, and/or height in exchange for the provision of community amenities.

Additionally, the applicant is proposing to utilize State Density Bonus Law to incorporate additional density and square footage when on-site below market (BMR) housing units are provided.

The proposed community amenity would not involve any additional building construction. It would either be provided on site within the proposed building, payment of an in-lieu fee, or a combination of an on-site amenity and a fee.

With the City's bonus level density, the allowed density would result in 66 units. Of the 66 units, the project is providing 15 percent, equal to 10 units, as below market rate units affordable to very-low-income households, which makes the project eligible for the following State Density Bonus Law benefits: A 50 percent density bonus for up to 99 units, three concessions, unlimited waivers, and use of State Density Bonus Law parking standards.

The applicant has requested concessions and waivers pursuant to the State Density Bonus Law to increase the density and gross floor area of the project, as well as to increase the building height and modify the parking requirements. The proposed building would contain approximately 117,335 square feet of gross floor area of residential uses, and 1,550 square feet of gross floor area of commercial space, for a total floor area ratio of 413 percent.

The project includes the removal of 13 trees, three of which are heritage trees. The proposed project

is considered a housing development project pursuant to the Housing Accountability Act. Environmental review is required to assess the potential environmental impacts of the report.

The Notice of Preparation, or NOP, was released on December 1st, 2023. The NOP provides a description of the proposed project, the location of the proposed project, and a discussion of the project's probable environmental effects. The EIR will address potential physical environmental effects of the proposed project, as outlined in the California Environmental Quality Act, or CEQA. An initial study was not completed, as it is anticipated this will be a full EIR and no topic areas will be scoped out, with the exception of agricultural and forestry resources, mineral resources and wildfire that are topic areas not anticipated to require further analysis.

The City is requesting comments on the scope and content of this EIR. The project location does not contain a toxic site pursuant to Section 6596.2 of the Government Code. Comments on the scope and content of the EIR are due by 5:00 p.m., Wednesday, January 10th, 2024.

And Ms. Khan.

MS. KHAN: Good evening Chair Do, Planning Commissioners, and members of the public. I'll start off

with a presentation, and I'll share my screen to begin.

Tonight we'll be undergoing an EIR Scoping Session and Study Session for 3705 Haven Avenue. These are two separate public meetings. First, we'll do the EIR Scoping Session, followed by the Study Session. The Scoping Session for an EIR is initiated by the publication of the NOP, which has been done earlier this month. Public comments are due by January 10th, 2024. The project requires a full EIR. Through the Scoping Session, there's an opportunity to comment on the EIR topics that will be studied, which are provided in more details in the staff report.

As for the Study Session, we're looking for general feedback on the project. There will be no action taken tonight on the project.

Staff recommends tonight's meeting format as shown on the slide, which includes staff's introductory presentation, after which the applicant team will present, and our final presentation will be by the environmental consultant, after which we will open it to the public comment and commissioners' questions and comments.

With that we'll close out the Scoping Session and move towards the Study Session portion of tonight's project.

Staff thought it would be beneficial for the

Planning Commission and members of the public to receive the applicant's presentation during the EIR Scoping Session portion of the public hearing to provide a summary of the proposed project.

The project is located north of 101, west of Marsh and Bayfront Expressway, at the bend of Haven Avenue. The parcels to the west shown here in brown and yellow stripes are in the high-density residential affordable housing overlay. Parcels in red are zoned as office. The subject property and the one directly across it in brown are zoned residential, mixed-use, bonus. Parcels further in pink, with white dots, are previously M2-zone parcels.

As a mixed-use project, with more than two-thirds residential, it qualifies as a housing project under Senate Bill 330. An SB 330 project, under the Project Streamlining Act, caps the number of public meetings to five. Tonight's meeting counts towards one of the five.

The project -- the proposed project is a 99-unit residential development project with ancillary commercial use of 1550 square feet. Of the 99 units, ten of them will be affordable to very-low housing income households. The project will be utilizing the City's bonus level in exchange for community amenity and state density bonus, which allows for three concessions and unlimited waivers.

The applicant is requesting one concession and four waivers at this time.

The concession includes the -- includes -- not to include the cost of parking in the overall cost for the tenants residing in the affordable units, waivers to further increase height and floor area ratio, reduce ground floor commercial area parking, which is four spaces. And, lastly, reduce the ground floor commercial height from 15 feet to 10 feet.

The applicant is still considering whether they would like to request additional concessions or waivers to partially offset cost.

With this, I conclude staff's presentation on the EIR Scoping Session, and I welcome the applicant team to the desk to present their presentation.

EMERALD XU: Hello? Good evening, Planning Commissioners and audience. My name is Emerald Xu, and I'm with 3705 Haven LLC, March Capital, representing the developer team. We're a team founded in 2014, women and minority owned real estate investment and development firm headquartered in San Francisco. We're focused on repositioning and developing and extracting the best and highest use of underutilized properties. And today's presentation will largely be presented by our architect pointer, LDP Architecture.

And here it is, Michelle.

MS. LOEB: Good evening, Commissioners. My name is Michelle Loeb. I'm a principal at LDP Architecture. We're a women-owned small business enterprise based in San Francisco, founded in 1979. And we specialize in multi-family housing throughout the Bay Area.

Staff gave a great presentation about the site, but including some additional graphics here. 3705 Haven is located near the 101 and 84 in the Belle Haven neighborhood. This area has a mixture of warehouses, commercial and residential uses, along with a proposed eight-story hotel just to the north of the site.

These photos are the existing one-story cement plaster office building and parking area at grade to be demolished.

As mentioned, the site is an R-MU-B, residential, mixed-use, bonus district. And the site is 28,808 square feet. Some of the items to note on this table are that the allowed density at a bonus level is 100 dwelling units per acre, or 66 units. The max floor area ratio at a bonus level is 225 percent, or 64,818 square feet.

The development is utilizing the State Density Bonus. This project will provide 10 very-low-income units, 15 percent of the 66-base units. This allows a 50 percent bonus, equating to 33 additional units.

The total unit count of the proposed project will be 99 units, which is a density of 150 dwelling units per acre. And the gross floor area of the project is 114,155 -- or 114,155 square feet.

As mentioned, we're seeking one concession and four waivers. And moving on.

This graphic shows the unit mix. There's a mixture of units from Jr. 1 bedrooms, up to three-bedroom units. And also listed here are the associated square footages.

On the right you can see the variety of the 10 below-market-rate units provided throughout the project. They're highlighted in orange at the lower portion of this slide.

We've been working with the City staff for more than a year and a half with the preliminary SB 330 application submitted in May of 2022. The EIR consultant, DJP&A, was approved by the City Council in July of this year, bringing us to today's meeting.

So some sustainable features of this project site, we're targeting LEED Gold Certification. We're providing electric vehicle charging spaces. We have a solar-ready zone on the roof. We're dual plumbing, and are providing water-efficient fixtures throughout the project.

We have an elevated first floor level to mitigate sea level rise and to deal with the flood zone of the adjacent bay. And we have on-site required storm management and street-level storm water treatment, bio-retention planters.

The design is a contemporary take on a courtyard building. The building mass steps back, presenting requirements with a base 48'3" provided. There's a 55' max allowed in this area.

We're providing high-quality exterior materials to add visual interest and size, different volumes, along with various window sizes and patterns to help break down the form.

Getting into the elevations, this is Haven Avenue east, with the central courtyard featured on the third floor level. We're stepping back at the fifth floor, for allowing sunlight into the courtyard, which we have studied in shadow studies, and also to provide a resident amenity to the residents.

This is Haven Avenue south, which is the primary pedestrian entrance. Both Haven Avenue along the east side and the south side will also have the vehicle entrances. The west elevation features undulating bays and floating balconies to create visual interest along the north elevation and the west elevation.

And here on the north elevation, you can also see the eighth-floor roof deck above.

As mentioned, a variety of materials are featured in the development to really emphasize the massing of the building. Materials include cement plaster; fiber cement panels; box corrugated metal panels, which are offset to add interest; and wood-look aluminum slats. The building also features sun shades and metal guardrail elements, particularly for the decks and outdoor spaces.

Here you can see some of the site improvements. We're highlighting here the new street pavement, new sidewalks, and new driveways the development will be providing. We'll be under-grounding utilities along the frontage.

Another thing to note on this slide is that we are respecting a nine-foot, non-buildable easement along the north side of the site that is below grade, adjacent to the property line.

Publicly-accessible open space is all around the building, with lighting and sculptural seating on the north and west sides of the building. A gathering space with a seat wall and a little free library is proposed at the corner to help serve the community.

And we're removing 13 existing trees, saving four. And we will be providing 15 new trees at the street

level. Additional trees are provided in the open spaces above.

The private open spaces intended to be used by the residents are layered in the building, with the courtyard mentioned at level three. This has a pool and resident amenity spaces that open onto that area. Common resident roof decks are featured at floors five and eight, corresponding with the setbacks of the building.

A variety of Mediterranean style native and drought-tolerant species are proposed throughout the project.

This diagram highlights the circulation, particularly the pedestrian circulation around the building in light green, as well as bike and vehicle access to the site. Note the two driveways are located similar to the existing conditions, with one at the south and one at the east corners of the site.

Looking at the ground floor and the second floor plans here. We're providing 16 short-term bike parking spaces at grade, adjacent to the entry. Long-term bike parking is included; one at the ground floor at the commercial space, and 149 long-term storage at the second floor level for the residents.

Resident parking is one-to-one, with 99 spaces, including five ADA, 10 electric vehicle supply equipment

spaces, and five EV-ready spaces.

Also note that the parking is on two separate levels in this development.

Moving up, the building amenity space -- spaces are shown in purple, resident units in yellow, and BMR units in orange again. You can see the private open space mentioned at floors three, five, and eight on this slide, and the stepping back of the building in these plans per requirements.

And to close, thank you, Commissioners, for your time. Please let us know if you have any questions or comments.

CHAIR DO: Great. Thank you.

MS. WEIS: Hi. Can you guys hear me okay?

Okay. Great. Good evening, Chair Do, and Planning Commissioners. My name is Kristy Weis. I'm with David J. Powers & Associates, and our firm was hired to assist the City in preparing the EIR for this project.

So the purpose of this EIR scoping meeting is to provide an overview of the California Environmental Quality Act or CEQA, and the Environmental Impact Report, or EIR, process, and also to provide an opportunity for the public to comment on the scope and content of the EIR.

So for my presentation, I will go over the purpose of CEQA and an EIR, the EIR resource areas to be

studied, and the EIR process and schedule.

And I'll also be here to listen and take note of the public's comments on the scope and content of the EIR.

So the purpose of CEQA is to disclose environmental impacts, identify and prevent environmental damage, disclose decisionmaking, enhance public participation, and foster inter-governmental coordination.

The purpose of an EIR is to inform decisionmakers and the public about the project's impacts and identify ways to mitigate or avoid impacts. The EIR will also evaluate a range of feasible alternatives to the project that will meet most of the project's basic objectives and avoid or substantially lessen the environmental impacts of the project. I also want to note that the purpose of an EIR is not to advocate for approval or denial of the project.

So the resource areas to be studied in the EIR are listed on this slide. The EIR will evaluate existing conditions and the project's impacts on these resource areas. In addition, a Housing Needs Assessment and a Fiscal Impact Analysis will be prepared for the project.

The EIR process and schedule includes six primary steps, which are identified on this slide. The first step is to circulate a Notice of Preparation, or NOP, for the Draft EIR. The NOP for the project started circulating on

December 1st and will conclude on January 10th. During the NOP circulation period, the City will host a scoping meeting, which is what we're doing right now.

The comments received on the NOP and at this scoping meeting will be taken into consideration when preparing the Draft EIR. The City anticipates circulating the Draft EIR in September of 2024, and it would circulate for 45 days for public comment. While not required under CEQA, the City will also host a public meeting to receive comments on the Draft EIR during that circulation period.

After the Draft EIR comment period ends, the City will prepare a Final EIR which will include responses to comments received on the draft and any edits to the Draft EIR. It's anticipated that the Final EIR will circulate in fall of 2024.

After a 10-day review period of the Final EIR, public hearings will be held to consider the certification of the EIR and approval of the project. Note that the asterisks on this slide indicate opportunities for public comment. When providing comments during the scoping meeting, questions to consider are what environmental issues should be analyzed, are there alternatives that should be evaluated, and what mitigation measures would help avoid or mitigate any negative impacts.

So there's an opportunity this evening for oral

comments on the scope and content of the EIR. And the public can also provide written comments until January 10th, at 5:00 p.m., to Fahteen, at the address shown on this slide. If you send an e-mail -- if the public sends an e-mail -- or anybody, please make sure to put "3705 Haven Avenue EIR" in the subject heading.

And that concludes my presentation. And I'll hand it back to Fahteen.

MS. KHAN: Thank you. With that, we conclude the presentation for the EIR Scoping Session by staff, the applicant, and our environmental consultant.

With that, I hand it back to you, Chair Do.

CHAIR DO: Okay. Thank you.

So are there any clarifying questions -- and only on the EIR scoping portion at this moment; right? Clarifying questions from the commission to staff, applicant, or consultant? No?

Mr. Pruter, then let's go ahead and open public comment on the EIR scoping portion of this discussion tonight.

MR. PRUTER: Thank you, Chair Do.

At this time, members of the public are welcome to raise their hand with the hand icon via Zoom or by pressing star nine, if calling in by phone.

We have one hand up at this time. So I'm happy

to allow that person to speak at this time. All right. Excuse me.

We have a person named Naomi Goodman. I'm just going to put the timer up, and then I will allow you to speak. Pardon me for that. Just one moment.

And at this time, I -- yes. You are now able to un-mute yourself, and you will have three minutes to speak. Thank you.

NAOMI GOODMAN: All right. Thank you. My name is Naomi Goodman. I'm speaking as a resident of Menlo Park and also on behalf of the Sequoia Audubon Society.

As a resident of Menlo Park, I'm concerned about the impacts of 99 more residential units on traffic at the Willow Road Highway 84 intersection, which is already heavily impacted.

I'm also concerned that the residents of this densely-populated area have few options for public transportation, schools and shops in this city. The 270 bus line connects to Redwood City, not Menlo Park. Please evaluate these issues in the EIR.

On behalf of SAS, Sequoia Audubon, I'm concerned about the closeness of this tall building to the Don Edwards Wildlife Refuge and Bedwell Bayfront Park.

First, the project plan and Draft EIR should provide specifics on measures to minimize bird collision

with windows. We appreciate the commitment to bird safe design expressed in the October 2023 project description letter. However, to evaluate these measures in the Draft EIR, we will need more detail. The photos of the roof deck, on Sheet (inaudible) 3 of the plan shows transparent panels that will pose a serious risk to birds. Please require that the final project plan include the specific requirements that were in the Willow Village EIR for bird safe design. Those were included in the April 2023 plans, but are missing from the September 2023 revision.

Second, the building should minimize high-intensity lighting and avoid light pollution at the bay lands to the extent possible.

Artificial light at night is bad for both wildlife and human health. We appreciate the commitment to dark-sky-friendly external lighting expressed in the October 2023 letter, but the plan proposes -- excuse me -- 4000 Kelvin LED street lights without full shielding.

The Draft EIR should list specific measures to avoid light pollution, such as fully shielded street lights with brightness no higher than 3000 Kelvin, motion sensors on lights in common areas and roof decks, light-blocking blinds on residential units, and downward-facing exterior lights.

Finally, the developer should select replacement

trees that are California native species if possible. Native trees provide better habitats for birds and (inaudible).

Thank you. Appreciate the opportunity to speak.

CHAIR DO: Thank you for your comment.

MR. PRUTER: At this time I do not see any other hands raised, but happy to wait a little bit longer if you'd like, Chair Do.

CHAIR DO: Sure. We'll give it a moment.

Are there any more commenters?

MR. PRUTER: I do not see any additional commenters. If you'd like, you can close public comment for this portion of tonight's item. Thank you.

CHAIR DO: Okay. Thank you.

So let's close the public comment for the EIR scoping portion of tonight and bring it back to the commission for questions and discussion. And there's no action tonight. So just questions and discussion on the EIR scoping at the moment.

Would anyone like to start? And, actually, while people are -- Commissioner Riggs.

COMMISSIONER RIGGS: Yes, thank you.

So I guess I'll introduce this -- or address this to Ms. White, just to make sure I'm making a comment at the appropriate time.

I -- I do hear Ms. Goodman's comment about the traffic. And I know the Marsh Road impacts all too well. The added load of another 100 units is definitely going to be noticeable, as Haven Avenue has already had a significant effect on the Marsh Road intersection.

So would it be appropriate for the EIR to evaluate access to the Redwood City Caltrain Station as part of the mediation of an impact? And that would be a question.

MS. WEIS: Hi, Chair. If I could address Commissioner Rigg's comment.

Yes, the EIR will look at transit access to and from the project site. And if there are impacts identified, corresponding mitigation would be identified as well.

COMMISSIONER RIGGS: All right. Thank you.

CHAIR DO: I had -- while others are considering their comments, I had a question to staff. The 99 units is using the State Density Bonus to maximize a residential development.

And the commercial space of about 1,500 square feet, is that -- that's not maximizing the allowable commercial space. Is that right?

MS. KHAN: That is correct.

CHAIR DO: And I believe in the Staff Report,

staff didn't recommend, but suggested, that it could be an option to include it as an alternative to be studied in the EIR. And I only bring it up in light of the previous conversation about allowing flexibility. For instance, a very large child care center, for example.

So just -- I don't know how other commissioners feel, but it might make sense in that light of allowing flexibility of including that as a scenario that's studied of maximizing the commercial space because I think right now, it's below the maximum.

UNIDENTIFIED MALE SPEAKER: So through the Chair, are you looking for a response from staff, or was that a comment?

CHAIR DO: I think it was a comment. I think Ms. Khan answered my question, and I just -- a comment. Thank you.

Vice Chair Schindler.

VICE CHAIR SCHINDLER: Thank you, Chair Do. I'll actually expand a comment and a question, starting with Chair Do's question.

In the context of the EIR, I know that an alternative -- a project alternative or alternatives need to be identified as part of the process. And there were not concrete alternatives laid out and defined in the Staff Report today because my understanding is that's

still part of the thought process.

And as Chair Do pointed out, the commercial square footage is not only below the maximum, but I'll go further and I'll say it looks really small. Like it almost looks like it -- for that reason -- and we'll talk about this later in the context of the project -- it's potentially too small to be a significant contribution to the development/the community. And if that space were going to become part of the community amenities, it also seems like it's a little on the small side.

So I could envision an EIR alternative that expands -- as Chair Do says, expands the commercial component. So that's an alternative. It's not necessarily an alternative that mitigates or reduces environmental impact, but it is, I think, an important alternative to be evaluated.

On the flip side, if -- because the commercial space is so small, if it were to be completely eliminated and it was going to become a 100-percent residential project, I don't know if that would require an alternative EIR, project alternative as well too. But I could potentially see it going that direction as well.

Those are the two things that I could come up with as I was reading through and primarily reacting to the commercial -- the commercial square footage.

I'm still thinking about what other potential alternatives might be, and I am looking forward to hearing commentary from my fellow commissioners to help with my creativity process.

CHAIR DO: Thank you, Vice Chair Schindler.

Commissioner Ferrick.

COMMISSIONER FERRICK: Thanks.

A very short list is -- and it's really more of a question, I think, for you -- whether an EIR can study traffic impacts if the parking, the one-to-one parking requirement were fewer.

So if there weren't the requirement to have a space of parking, what would the impact be on project traffic? So, you know -- like, let's say it's half -- let's say there's 50 parking spaces.

CITY ATTORNEY: So just to clarify, if I may, through the Chair, the request is to potentially look at a project alternative that would be a reduced parking alternative, to see if that has an impact on reducing a potential transportation impact of -- traffic congestion wouldn't be an EIR impact. But potentially limiting parking could reduce VMT, depending on how the model looks or the particular analysis.

So that's -- reduced parking is one that I know the City has included in other EIRs as alternatives. So

that -- I just want to -- is that consistent with the comment you're providing?

COMMISSIONER FERRICK: Yes. Thank you.

CITY ATTORNEY: Great.

CHAIR DO: Thank you, Commissioner Ferrick.

Commissioner Ehrich.

COMMISSIONER EHRICH: Thank you, Chair Do. This is a question for the applicant.

I would also note that the commercial space is there, but oddly small. And I'm wondering, is there an intended use for that commercial space already? Or is there some rationale behind the inclusion of that space at this point?

MS. LOEB: Thank you for the question. Michelle Loeb again here.

So there's no proposed use for that space at this time.

COMMISSIONER EHRICH: Okay. Thank you.

This is my first EIR Scoping Session since I've been on the Planning Commission. So I'm excited to participate at this early stage of the project. And I'll just echo, I think, the points made by other commissioners.

In particular, you know, one lesson I took away from the EIR for the housing element, which is obviously

an EIR in a completely different context, but that EIR seems to constrain future options. And, obviously, it's not possible to study every possible alternative. And I realize that's a difficult part of CEQA.

But I think it would be wise, as Commissioner Schindler pointed out, to evaluate increasing the amount of commercial space, potentially to the maximum allowed, as that might be something that the City would be interested in.

And I also think Commissioner Ferrick's suggestion of evaluating a lower parking alternative is wise. So my comments are broadly aligned with the rest of the commission. Thanks.

CHAIR DO: Thank you, Commissioner Ehrich.

I also wanted to return to what our public commenter said about being very near the bay front and the wetlands. And from past EIRs, I feel like there always is discussion of -- I forget the terms, but basically minimizing impacts on a sensitive habitat nearby. I don't think this is really feedback that will change what happens in the EIR, but I did want to emphasize her comments about just how close this site is to sensitive wetlands. So just kind of throwing extra emphasis to that.

And I do acknowledge that in EIRs, that language

is typically there.

Commissioner Ehrich.

COMMISSIONER EHRICH: Sorry. I realize I actually had one more question. And I think maybe this is for the CEQA consultant. As I said, this is my first EIR Scoping Session, so I'm not entirely familiar with the process.

Is there modeling that will go on as part of the EIR that should commercial space be included, would the modeling of VMT have anything to do with the specific uses of that commercial space? Like, in my head, say, if there were to be a grocery store as part of this development or nearby, in my head, that would reduce VMT because people need food a lot. And if they have to drive to a grocery store, then that causes them to drive. But don't know if the modeling gets that specific or not.

MS. WEIS: Hi, again, Chair. To answer Commissioner Ehrich's question, there is modeling involved with the VMT analysis for the EIR. And it's dependent on land use type.

So when there's no specific tenant identified for a commercial use, there is some generalized commercial trip generation rates and data that go in that captures, you know, a range of commercial uses that could go into that space. So if, like the applicant mentioned, there's

no tenant identified, then we would use that generic commercial evaluation in the VMT analysis.

CITY ATTORNEY: And, if I may add to that, too. I know that Ms. Weis and her team have been coordinating with City staff to identify those assumptions that will leave that future flexibility that the Commission was asking about.

Our goal is to capture uses that don't overstate the impact, but at least set the ceiling of the potential impacts at the higher end so that we don't have to go back and relook at a more intensive use in the future.

And if something were to come in that was less intense, that would already have been analyzed because the EIR would have already identified any more severe impacts. So we are trying to address the comment of flexibility in that way.

COMMISSIONER EHRICH: That is great to hear. Thank you.

CHAIR DO: Great. Thank you.

I'll look to our EIR consultant and staff and check in to see if the feedback of the Commission regarding alternatives -- I think that's -- mainly the bulk of our comments have been alternatives that explore and allow flexibility and kind of the worst case scenario of impacts. Just kind of check in that you've gotten the

feedback you were seeking.

MS. WEIS: Hi, Chair Do.

Yes. I've taken notes, and I'll go back and watch the video of this meeting. But we -- I've captured your comments about the potential alternatives that the Commission wants to evaluate, related to possibly maximizing the commercial space; evaluating a lower parking requirement alternative for the project.

I also have notes about, you know, making sure we address the impacts to transit, including access to the Caltrain Station, and then impacts to biological resources, including the bay lands, birds, and wetlands.

I think --

CHAIR DO: I think --

MS. WEIS: Did I capture it all?

CHAIR DO: I think so.

And, Vice Chair Schindler, I think you also had an alternative that looked at just eliminating commercial and maximizing --

MS. WEIS: Right. I got that one.

VICE CHAIR SCHINDLER: Yes. The idea of potentially 100 percent residential.

And I think I'll just take the moment -- a moment to just say explicitly what I'm not proposing as an alternative.

In prior EIRs, there sometimes are discussions about alternatives with reduced density. And while that may be part of an analysis of an alternative scenario, I'm supportive of the project at the density at which it is proposed, including the State Bonus Density. So I'm pleased to see it go through with that -- those numbers and understanding the EIR impact at that level of density.

CHAIR DO: All right. Great. I feel like everyone has had a chance to speak.

And I believe we can -- we have to officially close -- right? -- this EIR.

Close the EIR Scoping Session. That is Item F2. Close the public hearing portion of this item.

And thank you to the applicant team and architect and consultant and Ms. Khan.

(Whereupon, Agenda Item F2 ends.)

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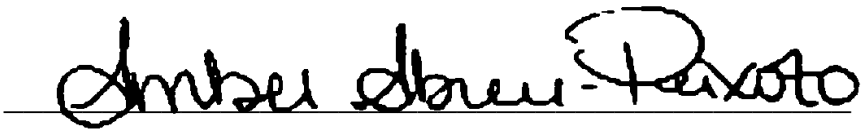
CERTIFICATE OF REPORTER

I, AMBER ABREU-PEIXOTO, hereby certify that the foregoing 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 22nd day of January, 2024.



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1,500 22:21
1,550 4:9 5:21
10 5:8 9:9 10:23 11:11 14:25
10,361-square-foot 4:11
10-day 17:16
100 10:19 22:3
100-percent 24:19
101 8:5 10:9
10th 6:22 7:8 17:1 18:3
114,155 11:3,4
117,335 5:20
13 5:24 13:24
14,629 4:12
149 14:22
15 5:8 9:9 10:24 13:25
150 11:2
1550 8:21
16 14:19
1979 10:5
1st 6:6 17:1

2

2014 9:19
2022 11:17
2023 6:6 20:2,9,10,17
2024 6:22 7:8 17:7,15
225 10:21
270 19:18
28,808 10:17

3

3 20:5
3000 20:21
33 10:25
330 8:16 11:16
3705 4:5 7:3 9:18 10:8 18:5

4

4,670 4:13
4000 20:18
413 5:23
45 17:8
48'3" 12:8

5

50 5:11 10:24 25:15
55' 12:8
5:00 6:22 18:3

6

64,818 10:21
6596.2 6:20
66 5:7 10:20
66-acre 4:6
66-base 10:24

8

84 10:9 19:14

9

99 4:8 5:12 8:21 11:2 14:24 19:13 22:18
99-unit 8:19

A

access 14:15 22:7,12
Accountability 6:2
acknowledge 27:25
acre 10:20 11:3
Act 6:2,11 8:17 15:21
action 7:14 21:18
ADA 14:25
add 12:11 13:7
added 22:3
addition 4:14 16:20
additional 4:23 5:2 9:11 10:8,25 14:1 21:11
Additionally 4:22
address 6:9 18:3 21:23 22:10
adjacent 12:3 13:17 14:20
advocate 16:15
affordable 5:9 8:9,22 9:5
agricultural 6:14
ahead 18:18
aligned 27:12
allowable 22:22
allowed 4:18 5:6 10:19 12:9 27:7
allowing 12:17 23:4,7
alternative 23:2,22 24:11,13,14,16,20,21 25:18,19 27:3,11
alternatives 16:11 17:22 23:22,24 25:2,25
aluminum 13:7
amenities 4:21 24:9
amenity 5:1,4 8:24 12:19 14:6 15:4
amount 27:6
analysis 6:17 16:21 25:23
analyzed 17:22
ancillary 8:20
and/or 4:20
anticipated 6:13,16 17:14
anticipates 17:6
applicant 4:22 5:15 7:18 9:1,10,14 18:11,17 26:8
applicant's 8:2
application 11:17
approval 16:15 17:18
approved 11:18
approximately 4:9,12, 13 5:20
April 20:9
architect 9:24
Architecture 9:25 10:3
area 4:20 5:17,20,22 9:6,7 10:6,10,14,20 11:3 12:9 14:6 19:17
areas 6:13,16 15:25 16:17,20 20:22
Artificial 20:14
assess 6:3
Assessment 16:20
assist 15:18
Associates 15:17
asterisks 17:19
ATTORNEY 25:16 26:4
audience 9:17
Audubon 19:11,21
Avenue 4:5 7:3 8:7 12:14,20,21 18:6 22:4
avoid 16:10,13 17:24 20:12,20

B

back 12:7,16 15:8 18:8, 12 21:16
bad 20:14
balconies 12:24

base 12:8
based 10:4
basic 16:12
basically 27:18
battery-powered 4:15
bay 10:6 12:3 20:13 27:16
Bayfront 8:6 19:23
bays 12:23
bedrooms 11:8
Bedwell 19:23
begin 7:1
behalf 19:11,21
Belle 10:9
below-market-rate 11:12
bend 8:6
beneficial 7:25
benefits 5:11
bike 14:14,19,20
Bill 8:16
bio-retention 12:5
bird 19:25 20:1,8
birds 20:6 21:2
bit 21:7
blinds 20:23
BMR 4:24 15:5
bonus 4:6,7,18,23 5:6, 11,12,13,16 8:11,23,24 10:17,19,21,23,25 22:19
box 13:6
break 12:12
brightness 20:21
bring 21:16 23:3
bringing 11:19
broadly 27:12
brown 8:7,11
building 4:8,11 5:2,3, 18,19 10:14 12:7 13:5, 7,20,21 14:4,8,14 15:4, 8 19:22 20:11
bus 19:19
business 10:4

C

California 6:11 15:20 21:1
calling 18:24
Caltrain 22:7
Capital 9:18
caps 8:17
care 23:5
cement 10:13 13:5
center 23:5
central 12:15
CEQA 6:12 15:21,25 16:4 17:9 27:4
certification 11:21 17:17
Chair 4:3 6:24 15:13,15 18:12,13,21 21:5,8,9,14 22:10,17,25 23:11,14, 17,18,20 24:2,12 25:5, 17 26:5,7 27:14
change 27:20
charging 11:22
child 23:5
circulate 16:24 17:7,14
circulating 16:25 17:6
circulation 14:12,13 17:2,10
city 6:18 11:15,18 15:18 17:2,6,9,11 19:18,19 22:7 25:16,25 26:4 27:8
City's 4:18 5:6 8:23
clarify 25:16
clarifying 18:14,16
close 7:22 15:10 21:12, 15 27:22
closeness 19:22
Code 4:19 6:21
collision 19:25
combination 5:4
comment 7:10,21 15:23 17:8,11,20 18:19 21:5,12,15,24 22:1,11 23:13,14,15,19 26:2
commentary 25:3
commenter 27:16
commenters 21:10,12
comments 6:18,21 7:8,21 15:12 16:3 17:4, 10,13,20 18:1,2 22:18 27:12,22
commercial 4:9,11 5:22 8:20 9:7,8 10:11 14:22 22:21,23 23:9 24:2,12,17,25 26:9,11 27:7
commission 8:1 18:16 21:17 26:20 27:13
Commissioner 21:21, 22 22:11,16 25:6,7 26:3,5,6,7,18 27:5,10, 14
commissioners 6:25 9:17 10:2 15:10,16 23:6 25:3 26:23
commissioners' 7:21
commitment 20:1,15
common 4:13 14:6 20:22
community 4:21 5:1 8:24 13:23 24:8,9
completed 6:12
completely 24:18 27:1
component 24:13
comprehensively 4:5
concerned 19:12,16, 21
concession 9:1,3 11:5
concessions 5:12,15 8:25 9:11
conclude 9:13 17:1 18:9
concludes 18:7
concrete 23:24
conditions 14:16 16:19
congestion 25:20
connects 19:19
consideration 17:5
considered 6:1
consistent 26:1
consisting 4:7
constrain 27:2
construction 5:2
consultant 7:20 11:17 18:11,17
contemporary 12:6
content 6:19,21 15:23 16:3 18:1
context 23:21 24:6 27:1
contribution 24:7
conversation 23:4
coordination 16:7
corner 13:23
corners 14:17
correct 22:24
corrugated 13:6
cost 9:4,12
Council 11:18
count 11:1
counts 8:18
courtyard 12:6,15,17 14:5
create 12:24
creativity 25:4

D

damage 16:6
dark-sky-friendly 20:16
David 15:17
days 17:8
deal 12:2
December 6:6 17:1
decisionmakers 16:8
decisionmaking 16:6
deck 13:2 20:5
decks 13:9 14:7 20:22
defined 23:24
demolish 4:10
demolished 10:15
denial 16:15
densely-populated 19:17
density 4:19,23,24 5:6, 7,11,12,13,16,17 8:24 10:19,22 11:2 22:19
depending 25:22
description 6:6 20:2
design 12:6 20:2,9
desk 9:15
detail 20:4
details 7:11
developed 4:17
developer 9:19 20:25
developing 9:22
development 4:7,18 6:1 8:20 9:20 10:22 13:4,12 15:3 22:20
development/the 24:8
diagram 14:12
difficult 27:4
direction 24:22
directly 8:10
disclose 16:4,6
discussion 6:8 18:19 21:17,18 27:18
district 10:17
DJP&A 11:18
Do's 23:20
Don 19:22
dots 8:12
downward-facing 20:24
draft 16:25 17:6,7,10, 11,13 19:24 20:3,19
driveways 13:12 14:15
drought-tolerant 14:10
dual 11:23
due 6:22 7:8
dwelling 4:8 10:19 11:2

E

e-mail 18:4,5
earlier 7:7
early 26:21
easement 13:16
east 12:15,21 14:17
echo 26:22
edits 17:13
Edwards 19:23
effect 22:5
effects 6:9,10
Ehrich 26:6,7,18 27:14
eight-story 4:8 10:12
eighth-floor 13:2
EIR 4:4 6:9,13,19,22 7:2,4,6,9,10 8:2 9:14 11:17 15:18,19,22,23, 25 16:1,3,8,10,15,17, 18,22,25 17:6,7,10,11, 12,14,16,18 18:1,6,10, 15,19 19:20,24 20:4,8, 19 21:15,19 22:6,12 23:3,21 24:11,21 25:9, 21 26:19,25 27:1,21
EIRS 25:25 27:17,25
electric 4:16 11:22 14:25
element 26:25
elements 13:8
elevated 12:1
elevation 12:23,25 13:1
elevations 12:14
eligible 5:10
eliminated 24:18
Emerald 9:16,17
emergency 4:16
emphasis 27:23
emphasize 13:4 27:21
ends 17:11
enhance 16:6
enterprise 10:4
entrance 12:21
entrances 12:23
entry 14:20
environmental 4:4 6:2,3,9,10,11 7:19 15:20,21 16:5,13 17:21 18:11 24:15
envision 24:11
equal 5:8
equating 10:25
equipment 14:25
estate 9:20
EV-READY 15:1
evaluate 16:11,18 19:20 20:3 22:7 27:6
evaluated 17:23 24:16
evaluating 27:11
evening 6:24 9:16 10:2 15:15 17:25
exception 6:14
exchange 4:20 8:24
excited 26:20
excuse 19:2 20:17
existing 4:10 10:13 13:24 14:16 16:18
expand 23:19
expands 24:12
expressed 20:2,16
Expressway 8:6
extent 20:13
exterior 12:10 20:24
external 20:16
extra 27:23
extracting 9:22

F

F2 4:3
Fahteen 18:3,8
fall 17:15
feasible 16:11
featured 12:15 13:3 14:7
features 11:20 12:23 13:8
fee 5:4,5
feedback 7:14 27:20
feel 23:7 27:17
feet 4:9,12,14 5:20,21 8:21 9:9 10:18,21 11:4 22:22
fellow 25:3
Ferrick 25:6,7 26:3,5
Ferrick's 27:10
fewer 25:11

fiber 13:5
final 7:19 17:12,14,16 20:7
Finally 20:25
firm 9:20 15:17
Fiscal 16:21
fixtures 11:24
flexibility 23:4,8
flip 24:17
floating 12:24
flood 12:2
floor 4:20 5:17,20,21,22 9:6,7,8 10:20 11:3 12:1, 16 14:18,21,23
floors 14:7 15:7
focused 9:21
footage 4:24 24:3,25
footages 11:10
forestry 6:15
forget 27:18
form 12:13
format 7:16
forward 25:2
foster 16:7
founded 9:19 10:5
Francisco 9:21 10:5
free 13:22
front 27:16
frontage 13:14
full 6:13 7:9 20:18
fully 20:20
future 27:2

G

gathering 13:21
gave 10:7
general 7:14
generator 4:16
give 21:9
Gold 11:21
Good 6:24 9:16 10:2 15:15
Goodman 19:3,9,10
Goodman's 22:1
Government 6:21
grade 10:14 13:17 14:20
graphic 11:7
graphics 10:8
great 10:7 15:13,15 26:4
green 14:14
gross 4:19 5:17,20,21 11:3
ground 9:7,8 14:18,21
guardrail 13:8
guess 21:23
guys 15:14

H

habitat 27:19
habitats 21:2
half 11:16 25:14
hand 18:8,12,23,25
hands 21:7
happy 18:25 21:7
Haven 4:5 7:3 8:6 9:18 10:8,9 12:14,20,21 18:6 22:4
heading 18:6
headquartered 9:21
health 20:15
hear 15:14 22:1
hearing 8:3 25:2
hearings 17:17
heavily 19:15
height 4:20 5:18 9:6,9
held 17:17
heritage 5:25
high-density 8:8
high-intensity 20:12
high-quality 12:10
higher 20:21
highest 9:23
highlighted 11:13
highlighting 13:11
highlights 14:12
Highway 19:14
hired 15:17
host 17:2,9
hotel 10:12
households 5:10 8:22
housing 4:25 6:1,2 8:9, 15,22 10:6 16:20 26:25
human 20:15

I

icon 18:23
identified 16:23 22:14 23:23
identify 16:5,9
impact 4:4 15:21 16:21 22:8 24:15 25:13,19,20, 21
impacted 19:15
impacts 6:3 16:5,9,10, 13,19 17:24 19:13 22:2, 13 25:10 27:19
important 24:15
improvements 13:10
in-lieu 5:4
inaudible 20:5 21:3
include 4:15 9:4 13:5 17:12 20:7 23:2
included 14:21 20:9 25:25
includes 4:12 5:24 7:17 9:3 16:22
including 4:13 10:8 14:25 23:8
inclusion 26:12
income 8:22
incorporate 4:23
increase 4:19 5:17,18 9:6
increasing 27:6
inform 16:8
initial 6:12
initiated 7:6
instance 23:4
intended 14:3 26:11
intensity 4:20
inter-governmental 16:7
interest 12:11,24 13:7
interested 27:9
intersection 19:14 22:5
introduce 21:23
introductory 7:17
investment 9:20
involve 5:1
issues 17:22 19:20
item 4:3 21:13
items 10:18

J

January 6:22 7:8 17:1 18:2
Jr 11:8
July 11:18

K

Kelvin 20:18,21
Khan 6:23,24 18:9 22:24 23:15
kind 27:23
Kristy 15:16

L

laid 23:24
lands 20:13
language 27:25
large 23:5
largely 9:24
lastly 9:8
Law 4:23 5:11,13,16
layered 14:4
LDP 9:25 10:3
LED 20:18
LEED 11:21
lessen 16:13
lesson 26:24
letter 20:3,17
level 4:7,18 5:6 8:23 10:19,21 12:1,2,16 14:1,5,23
levels 15:3
library 13:22
light 14:14 20:12,14,20 23:3,7
light-blocking 20:23
lighting 13:20 20:12,16
lights 20:18,21,22,24
limiting 25:21
list 20:19 25:8
listed 11:9 16:18
listen 16:2
LLC 9:18
load 22:3
located 8:5 10:9 14:15
location 6:7,19
Loeb 10:2,3 26:14,15
long-term 14:20,22
longer 21:7
lower 11:13 27:11

M

M2-zone 8:13
made 26:22
make 18:5 21:24 23:7
makes 5:10
making 21:24
MALE 23:11
management 12:4
March 9:18
market 4:24 5:9
Marsh 8:6 22:2,5
mass 12:7
massing 13:4
materials 12:10 13:3,5
max 10:20 12:9
maximize 22:19
maximizing 22:22 23:9
maximum 23:10 24:3 27:7
measures 17:23 19:25 20:3,19
mediation 22:8
Mediterranean 14:9
meet 16:12
meeting 7:16 8:18 11:19 15:19 17:3,5,9,21
meetings 7:4 8:17
members 6:25 8:1 18:22
Menlo 19:10,12,19
mentioned 10:16 11:5 13:3 14:5 15:7
metal 13:6,8
Michelle 10:1,3 26:14
mineral 6:15
minimize 19:25 20:11
minimizing 27:19
minority 9:20
minutes 19:7
missing 20:10
mitigate 12:1 16:10 17:24
mitigates 24:14
mitigation 17:23 22:14
mix 11:7
mixed-use 4:6,8 8:11, 14 10:17
mixture 10:10 11:8
model 25:22
modify 5:18
moment 18:15 19:5 21:9,19
month 7:7
motion 20:21
move 7:23
moving 11:6 15:4
multi-family 10:6
Municipal 4:18

N

named 19:3
Naomi 19:3,9,10
native 14:9 21:1,2
nearby 27:19
necessarily 24:14
negative 17:24
neighborhood 10:10
night 20:14
nine-foot 13:16
non-buildable 13:16
NOP 6:5,6 7:7 16:24,25 17:2,4
north 8:5 10:12 12:25 13:1,17,21
note 10:18 13:15 14:15 15:2 16:2,14 17:18 26:9
Notice 6:5 16:24
noticeable 22:4
number 8:17

O

objectives 16:12
October 20:2,17
oddly 26:10
office 8:10 10:14
offset 9:12 13:6
on-site 4:24 5:4 12:3
one-story 10:13
one-to-one 14:24 25:10
open 4:13 7:20 13:19 14:1,3,6 15:6 18:18
opportunities 17:19
opportunity 7:10 15:22 17:25 21:4
option 23:2
options 19:17 27:2
oral 17:25
orange 11:13 15:6
outdoor 4:14 13:9
outlined 6:11
overlay 8:9
overview 15:20
owned 9:20

P

p.m. 6:22 18:3
panels 13:6 20:6
parcels 8:7,9,12,13
Pardon 19:5
Park 19:11,12,19,23
parking 5:14,19 9:4,7 10:14 14:19,21,24 15:2 25:10,13,15,18,22,24 27:11
part 22:8 23:23 24:1,9 27:4
partially 9:12
participate 26:21
participation 16:7
past 27:17
patterns 12:12
pavement 13:11
payment 5:3
pedestrian 12:21 14:13
people 21:21
percent 5:8,11,23 10:21,24,25
period 17:2,10,11,16
person 19:1,3
phone 18:24
photos 10:13 20:4
physical 6:10
pink 8:12
plan 19:24 20:5,7,17
Planning 6:24 8:1 9:16 15:16 26:20
plans 14:19 15:8 20:9
planters 12:5
plaster 10:14 13:5
plumbing 11:23
point 26:13
pointed 24:2 27:6
pointer 9:25
points 26:22
pollution 20:12,20
pool 14:5
portion 7:23 8:3 11:13 18:15,19 21:13,16
pose 20:6
potential 6:3,9 25:1,20
potentially 4:15 24:7, 22 25:17,21 27:7
Powers 15:17
preliminary 11:16
Preparation 6:5 16:24
prepare 17:12
prepared 16:21
preparing 15:18 17:6
present 7:18 9:15
presentation 7:1,18, 19 8:2 9:13,15,24 10:7 15:24 18:7,10
presented 9:24
presenting 12:7
pressing 18:24
prevent 16:5
previous 23:3
previously 8:12
primarily 24:24
primary 12:20 16:22
principal 10:3
private 14:3 15:6
probable 6:8
process 15:22 16:1,22 23:23 24:1 25:4
project 4:5,7,10,11,15, 17 5:8,10,17,24,25 6:1, 7,8,10,19 7:9,14,15,24 8:4,5,14,15,16,19,20,23 10:23 11:1,3,12,20,25 14:11 15:18 16:11,14, 16,21,25 17:18 19:24 20:2,7 22:13 23:22 24:6,20,21 25:13,18 26:21
project's 6:8 16:9,12, 19
properties 9:23
property 8:10 13:18
proposed 4:10,17 5:1, 3,19,25 6:7,10 8:4,19 10:11 11:1 13:22 14:10 26:16
proposes 20:17
proposing 4:22
provide 8:3 10:23 12:18 15:20,22 18:2 19:25 21:2
provided 4:25 5:3 7:11 11:12 12:8 14:1
providing 5:8 11:22,24 12:10 13:13,25 14:19 17:20 26:2
provision 4:21
Pruter 18:18,21 21:6,11
public 6:25 7:4,8,20 8:1,3,17 15:23 16:6,9 17:8,9,17,19 18:2,4,18, 22 19:17 21:12,15 27:15
public's 16:3
publication 7:6
publicly-accessible 4:14 13:19
purple 15:5
purpose 15:19,25 16:4, 8,14
pursuant 5:16 6:1,20
put 18:5 19:4

Q

qualifies 8:15
Quality 6:11 15:21
question 22:9,18 23:15,19,20 25:9 26:8, 14
questions 7:21 15:11 17:21 18:14,16 21:17, 18

R

R-MU-B 4:7 10:16
raise 18:23
raised 21:7
range 16:11
rate 5:9
ratio 5:22 9:6 10:20
rationale 26:12
reacting 24:24
reading 24:24
real 9:20
realize 27:4
reason 24:5
receive 8:1 17:9
received 17:4,13
recommend 23:1
recommends 7:16
red 8:9
redevelop 4:5
reduce 9:6,8 25:22
reduced 25:18,24
reduces 24:14
reducing 25:19
Redwood 19:19 22:7
Refuge 19:23
released 6:5
removal 5:24
removing 13:24
replacement 20:25
report 4:4 6:4 7:12 15:21 22:25 23:25

repositioning 9:22
representing 9:18
request 4:3 9:11 25:17
requested 5:15
requesting 6:18 9:1
require 6:16 20:7 24:20
required 6:3 12:3 17:8
requirement 25:11,12
requirements 5:19 12:8 15:9 20:8
requires 7:9
resident 12:18 14:6,7, 24 15:5 19:10,12
residential 4:6 5:21 8:8,11,15,20 10:11,16 19:13 20:23 22:19 24:19
residents 12:19 14:4, 23 19:16
residing 9:5
resource 15:25 16:17, 19
resources 6:15
respecting 13:16
response 23:12
responses 17:12
rest 27:12
result 5:7
return 27:15
review 6:2 17:16
revision 20:10
Rigg's 22:11
Riggs 21:21,22 22:16
rise 12:2
risk 20:6
Road 19:14 22:2,5
roof 11:23 13:2 14:7 20:4,22

S

safe 20:1,9
San 9:21 10:4
SAS 19:21
saving 13:24
SB 8:16 11:16
scenario 23:8
schedule 16:1,22
Schindler 23:17,18 25:5 27:6
schools 19:18
scope 6:18,21 15:23 16:3 18:1
scoped 6:14
scoping 4:4 7:2,5,6,9, 22 8:2 9:14 15:19 17:2, 5,20 18:10,15,19 21:16, 19 26:19
screen 7:1
sculptural 13:20
sea 12:2
seat 13:22
seating 13:20
Section 6:20
seeking 11:5
select 20:25
Senate 8:16
send 18:4
sends 18:4
sense 23:7
sensitive 27:19,22
sensors 20:22
separate 7:4 15:2
September 17:7 20:10
Sequoia 19:11,21
serve 13:23
Session 4:4 7:3,5,6,9, 13,22,23 8:3 9:14 18:10 26:19
setbacks 14:8
shades 13:8
shadow 12:18
share 7:1
Sheet 20:5
shielded 20:20
shielding 20:18
shops 19:18
short 25:8
short-term 14:19
shown 7:17 8:7 15:5 18:3
shows 11:7 20:5
side 12:22 13:17 24:10, 17
sides 13:21
sidewalks 13:12
significant 22:5 24:7
similar 14:16
site 4:6 5:3 6:20 10:7, 12,16,17 11:21 13:10, 17 14:15,17 22:13 27:22
size 12:11
sizes 12:12
slats 13:7
slide 7:17 11:14 13:15 15:7 16:18,23 17:19 18:4
small 10:4 24:4,7,10,18 26:10
Society 19:11
solar-ready 11:23
south 12:20,22 14:16
space 4:10,13,14 5:22 13:19,21 14:22 15:4,6 22:21,23 23:9 24:8,18 25:13 26:9,11,12,16 27:7
spaces 9:8 11:22 13:9 14:1,3,6,20,24 15:1,4 25:15
speak 19:1,5,8 21:4
SPEAKER 23:11
speaking 19:10
specialize 10:5
species 14:10 21:1
specific 20:7,19
specifics 19:25
square 4:9,12,13,24 5:20,21 8:21 10:17,21 11:4,9 22:21 24:3,25
staff 7:12,16,25 10:7 11:15 18:10,16 22:18, 25 23:1,12,25
staff's 7:17 9:13
stage 26:21
standards 5:14
star 18:24
start 6:25 21:20
started 16:25
starting 23:19
state 4:23 5:11,13,16 8:24 10:22 22:19
Station 22:7
step 16:23
stepping 12:16 15:8
steps 12:7 16:23
storage 14:22
storm 12:3,4
Streamlining 8:17
street 13:11,25 20:18, 20
street-level 12:4
stripes 8:8
studied 7:11 12:18 16:1,17 23:2,8
studies 12:18

study 6:12 7:3,5,13,23 25:9 27:3
style 14:9
subject 8:10 18:6
submitted 11:17
substantially 16:13
suggested 23:1
suggestion 27:11
summary 8:3
sun 13:8
sunlight 12:17
supply 14:25
sustainable 11:20

T

table 10:18
talk 24:5
tall 19:22
targeting 11:21
team 7:18 9:14,19
ten 8:21
tenants 9:5
terms 27:18
thing 13:15
things 24:23
thinking 25:1
thought 7:25 24:1
three-bedroom 11:8
throwing 27:23
time 9:2 15:11 18:22,25 19:1,6 21:6,25 26:17
timer 19:4
today 23:25
today's 9:23 11:19
tonight 7:2,15 18:20 21:16,18
tonight's 7:16,23 8:18 21:13
topic 6:13,16
topics 7:10
total 4:12 5:22 11:1
toxic 6:20
traffic 19:13 22:2 25:10,14,20
transit 22:12
transparent 20:5
transportation 19:18 25:20
treatment 12:4
trees 5:24,25 13:24,25 14:1 21:1,2
two-thirds 8:14

U

un-mute 19:7
under-grounding 13:13
undergoing 7:2
understanding 23:25
underutilized 9:23
undulating 12:23
UNIDENTIFIED 23:11
unit 11:1,7
units 4:9,25 5:7,8,9,12 8:21 9:5 10:19,20,24,25 11:2,8,9,12 15:5,6 19:13 20:23 22:3,18
unlimited 5:13 8:25
utilities 13:13
utilize 4:23
utilizing 8:23 10:22

V

variety 11:11 13:3 14:9
vehicle 11:22 12:22 14:14,25
very-low 8:22
very-low-income 5:9 10:23
Vice 23:17,18 25:5
Village 20:8
visual 12:11,24
VMT 25:22
volumes 12:11

W

wait 21:7
waivers 5:13,16 8:25 9:2,5,11 11:6
wall 13:22
wanted 27:15
warehouses 10:10
water 12:4
water-efficient 11:24
ways 16:10
Wednesday 6:22
Weis 15:14,16 22:10
west 8:5,7 12:23,25 13:21
wetlands 27:17,23
white 8:12 21:24
wildfire 6:15
wildlife 19:23 20:15
Willow 19:14 20:8
window 12:12
windows 20:1
wise 27:5,12
women 9:19
women-owned 10:4
wondering 26:10
wood-look 13:7
working 11:15
written 18:2

X

Xu 9:16,17

Y

year 11:16,19
yellow 8:8 15:5

Z

zone 11:23 12:2
zoned 4:6 8:9,11
Zoom 18:23