

Appendix A

NOP and Responses

NOTICE OF PREPARATION ENVIRONMENTAL IMPACT REPORT

HOUSING, SAFETY, AND ENVIRONMENTAL JUSTICE ELEMENTS PROJECT
CITY OF MENLO PARK



December 23, 2021

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

From: Tom Smith
Acting Principal Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Subject: Notice of Preparation of an Environmental Impact Report for Updates to the City of Menlo Park General Plan 6th Cycle Housing Element Update; Safety Element Update; and a New Environmental Justice Element and Announcement of a Public Scoping Meeting

Lead Agency: City of Menlo Park

Project Title: City of Menlo Park Housing, Safety, and Environmental Justice Elements Project

Project Area: City of Menlo Park

Purpose of Notice and Public Review Period

Notice is hereby given that the City of Menlo Park will be the lead agency and will prepare a Subsequent Environmental Impact Report (EIR) for the City of Menlo Park 6th Cycle Housing Element Update; Safety Element Update; and a new Environmental Justice Element for the City's General Plan (collectively referred herein as "the Project") in compliance with the requirements of the California Environmental Quality Act (CEQA). The EIR will be a Subsequent EIR to the City's 2016 General Plan EIR (State Clearinghouse Number 2015062054).

Pursuant to CEQA, this Notice of Preparation (NOP) is to inform responsible and trustee agencies, as well as interested public agencies, organizations and individuals of the public, that an EIR is being prepared, and to seek input on the scope and content of the EIR. Any agencies with jurisdiction over the proposed action may need to use the EIR prepared by the City when considering their own approval action and should comment on information germane to the agency's statutory responsibilities. The EIR will evaluate the potential environmental impacts of the Project and recommend mitigation measures for any significant impact, as required. Consistent with State CEQA Guidelines Section 15060(d), no Initial Study has been prepared and the EIR will focus on the significant impacts of the Project. Please send comments on the scope of the EIR to the address shown at the end of this Notice.

The comment period for this NOP has been extended from the required 30 days because City offices will be closed for the winter holidays beginning December 24, 2021 and will reopen on January 3, 2022. The NOP period is from Thursday, December 23, 2021 through Monday, January 31, 2022. Written or emailed comments are due no later than 5:00 p.m. on Monday, January 31, 2022. Verbal comments may be submitted at a public scoping meeting that will occur at the January 24, 2022 meeting of the City's Planning Commission.

Project Location

The City of Menlo Park is located in the San Francisco Bay Area, approximately 30 miles south of downtown San Francisco and about 20 miles northwest of San Jose (latitude 37°27'10"N, longitude 122°11'00"W). The City of Menlo Park is located in the southern edge of San Mateo County and was incorporated in 1927. The City encompasses approximately 17 square miles (approximately seven square miles of which is water) with a population of approximately 35,000 people. The City boundaries and regional location of the City are shown in **Figure 1**. The geographic extent of environmental analysis included in the EIR for the proposed project will be the City limits.

The City of Menlo Park currently includes approximately 14,124 residential dwelling units (State Department of Finance, Table 2: E-5 City/County Population and Housing Estimates, 1/1/2021) and an extensive employment base. The City is generally bounded by San Francisco Bay to the north and east; the Cities of East Palo Alto and Palo Alto and Stanford University to the southeast; and Atherton, unincorporated North Fair Oaks, and Redwood City to the northwest. The City is accessed by Interstate 280 (I-280), U.S. Highway 101 (US 101), Caltrain, State Route 84 via the Dumbarton Bridge, and a variety of streets, as well as regional and local pedestrian and bicycles routes. Menlo

Park has a Caltrain station located near the downtown area and is less than one hour from downtown San Francisco via train.

Menlo Park is known for a range of urban and suburban land uses, including residential neighborhoods of varied densities, its downtown, parks, established business centers, and an emerging center for innovation and technology.

Figure 2 shows the existing General Plan's generalized land uses in Menlo Park, and are noted as follows:

- Residential
- Commercial
- Bayfront
- Specific Plan Area
- Parks and Recreation
- Public/Quasi Public
- Baylands
- Bayfront

Project Background

The City of Menlo Park is updating its required Housing Element and Safety Element, and preparing a new Environmental Justice Element. Collectively, these are referred to as the "Housing Element Update" and comprise the Project.

Purpose of the update to the General Plan Housing Element

State law requires the City to have and maintain a general plan with specific contents in order to provide a vision for the City's future, and inform local decisions about land use and development, including issues such as circulation, conservation, and safety. The City's Land Use and Circulation Elements of the General Plan were most recently updated and adopted in 2016. The City's Safety Element was updated in 2013 and the Housing Element for the 2015-2023 planning period was adopted in 2014.

The Housing Element is one of the state-mandated elements of the General Plan. State law specifically requires the City to update the Housing Element of its General Plan by January 15, 2023, while making any changes to other elements of the General Plan needed to maintain internal consistency and undertaking any related changes to the City's Zoning Ordinance (Menlo Park Municipal Code Title 16). In accordance with State law, the eight-year planning period for the updated Housing Element will extend from 2023 to 2031; this is also referred to as the 6th Cycle Housing Element Update.

The City is proposing to update its Housing Element to comply with the requirements of State law by analyzing existing and projected housing needs, and updating goals, policies, objectives, and implementation programs for the preservation, improvement, and development of housing for all income categories.

Regional Housing Needs Allocation

In addition to including goals, policies, and implementation programs concerning housing issues, housing elements must include an inventory or list of housing sites at sufficient densities to accommodate a specific number of units at various levels of affordability assigned to the City by the Association of Bay Area Governments (ABAG). ABAG assigns unit amounts to Bay Area jurisdictions based on a regional housing production target set by the California Department of Housing and Community Development (HCD). This assignment is referred to as the Regional Housing Needs Allocation (RHNA).

The City's current 5th Cycle Housing Element (2015 to 2023 planning period; adopted on April 1, 2014; certified on April 16, 2014) provides sites sufficient to accommodate the 2015 RHNA allocation of 655 units, along with an appropriate "buffer." This means that the current Housing Element identifies enough land zoned at appropriate densities to accommodate the 2015 RHNA allocation. A buffer is necessary to ensure that if one or more of the identified sites are developed at lower densities than projected, or with non-housing uses, there is remaining capacity to provide an ongoing supply of sites for housing during the eight-year planning period/cycle of the Housing Element. If there were no buffer and an identified site developed with a non-housing project or developed at a density less than that anticipated in the Housing Element, then the City could be obliged to identify new sites and amend the Housing Element prior to the end of the cycle.

The need for a substantial buffer is even more important during the 6th Cycle Housing Element Update because of new rules in the Housing Accountability Act's "no net loss" provisions. California State Senate Bill 166 (2017) requires that the land inventory and site identification programs in the Housing Element always include sufficient sites to accommodate the unmet RHNA. This means that if a site is identified in the Housing Element as having the potential

for housing development that could accommodate lower-income units towards meeting the RHNA but is actually developed with units at a higher income level, then the locality must either: 1) identify and rezone, if necessary, an adequate substitute site; or 2) demonstrate that the land inventory already contains an adequate substitute site. An adequate buffer will be critical to ensuring that the City remains compliant with these provisions without having to identify and rezone sites prior to the end of the cycle.

On December 16, 2021, ABAG adopted the Final RHNA, which distributed the regional housing need of 441,176 units across all local jurisdictions in the Bay Area. Providing housing to meet the needs of all income levels is critical to the social and economic health of Menlo Park. The City must plan for its income-based housing allocation to address its share of the Bay Area region's housing needs. San Mateo County's 2021 Area Median Income (AMI) for a household of four persons is \$149,600. Income groups include: "very low income" (less than 50% of AMI); "low income" (51-80% of AMI); "moderate income" (81-120% of AMI); and "above moderate income" (greater than 120% of AMI). Within the 6th Cycle Housing Element Update, the City is required to plan for its fair share allocation of housing units by income group. Table 1 shows the RHNA breakdown of required units in Menlo Park across the four income categories. The 5th Cycle RHNA and 6th Cycle RHNA with and without a 30 percent buffer are included for comparison.

Table 1: 6 th Cycle RHNA (2023-2031) Required New Housing Units					
	Very Low Income (0-50% AMI)	Low Income (51-80% AMI)	Moderate Income (81-120% AMI)	Above Moderate Income (>120% AMI)	Total New Housing Units
5 th Cycle RHNA	233	129	143	150	655
6 th Cycle RHNA without buffer	740	426	496	1,284	2,946
6 th Cycle RHNA with 30% buffer	962 (740+222)	554 (426+128)	645 (496+149)	1,669 (1,284+385)	3,830 (2,946+884)
Note: The California Department of Housing and Community Development recommends a 15-30% buffer of additional housing units above the RHNA. With the recommended buffer, Menlo Park's 6 th Cycle RHNA is 3,388 to 3,830 total new housing units.					

The total housing units required in the 6th Cycle RHNA are higher than the 5th Cycle RHNA in part because the Bay Area region's overall allocation of 441,176 units from HCD is more than double the last Housing Element cycle's allocation, which was approximately 189,000 units.

Based on HCD's requirements, the City's 6th Cycle Housing Element (2023-2031) must identify housing sites for at least 2,946 units at specified levels of affordability (income limits/groups based on AMI, adjusted annually by HCD) plus a buffer of additional units at appropriate densities. The City will also need to rezone the identified sites, as necessary, to accommodate the new units and amend other elements of the General Plan (for example, the Land Use Element) to ensure that the General Plan as a whole remains consistent with the 6th Cycle Housing Element Update.

It is important to note that while State law requires the Housing Element to include an inventory of housing sites and requires the City to appropriately zone sites for multifamily housing, the City is not required to actually develop/construct housing on these sites. Future development on identified sites will be at the discretion of individual property owners and will be largely dependent on market forces and in the case of affordable housing, available funding and/or other incentives.

The EIR will consider potential impacts of the 6th Cycle Housing Element Update as well as the associated rezoning(s), Zoning Ordinance, and General Plan amendments that would occur as part of the implementation of the Housing Element and any necessary updates to the El Camino Real/Downtown Specific Plan (adopted June 12, 2012) that would occur as part of the implementation of the Housing Element.

Purpose of the update to the General Plan Safety Element

The Safety Element is also a state-mandated component of a General Plan. The Safety Element focuses on the protection of the community from risks associated with climate change, earthquakes, floods, fires, toxic waste, and other hazards. The Safety Element is the means by which the City defines what measures will be undertaken to reduce potential risk of personal injury, property damage, and economic and social dislocation resulting from natural and human-made hazards.

The extent of a hazard depends on local conditions since most hazards are confined to a particular area or site. Various health and safety hazards should be considered in planning the location, design, intensity, density, and type of land uses in a given area. Long-term costs to the City, such as maintenance, liability exposure, and emergency services, are potentially greater where high hazards exist.

Purpose of the new General Plan Environmental Justice Element

Recent changes in State law require some jurisdictions to include policies related to Environmental Justice in their general plans. Accordingly, the City will be preparing a new Environmental Justice Element concurrent with the updates to the Housing Element and Safety Element. The purpose of the Environmental Justice Element is to address the unique or compounded health risks in “Disadvantaged Communities” within a jurisdiction. These measures could include, but are not limited to, improving air quality, and promoting public facilities, food access, safe and sanitary homes, and physical activity. In addition, the element serves to promote civic engagement in the public decision-making process and prioritize improvements and programs that address the needs of these communities.

Project Description

The Project analyzed in the EIR would include adoption of General Plan amendments that would add or modify goals, objectives, policies, and implementation programs related to housing, safety, and environmental justice that would apply citywide, and that would address the maintenance, preservation, improvement, and development of housing in the city. General Plan amendments would also include conforming amendments to other elements of the General Plan that are necessary to ensure internal consistency.

In addition, as discussed above, the Housing Element would identify specific sites appropriate for the development of multifamily housing (in particular affordable units), and the City would rezone those sites as necessary to meet the requirements of State law. The preliminary list of existing and proposed sites that can accommodate development of multifamily housing includes sites that are located across the City, and is subject to refinement based on additional public input and review of the draft Housing Element by HCD. These proposed sites are listed in **Figure 3** as the “potential housing opportunity sites” for the Housing Element’s housing sites inventory, and represent the land use strategy outlined in the following sections. Locations of the potential housing opportunity sites are shown on the maps in **Figure 4**.

Pipeline projects

Adoption of the El Camino Real/Downtown Specific Plan in 2012, the fourth cycle RHNA in 2013, and the ConnectMenlo General Plan Update in 2016 enabled opportunities for over 5,000 new housing units in the City. Currently there are seven major residential projects in the “pipeline” as either approved or pending housing developments that would provide approximately 3,650 new units. These units, as well as smaller projects in the city, could potentially count towards Menlo Park’s RHNA requirement if the residential units are completed after June 30, 2022.

Accessory dwelling units (ADUs)

HCD allows the City to determine an annual ADU production rate based on outcomes from 2018-2020. Between 2018-2020, Menlo Park produced an average of 10.6 units per year. At that rate, 85 units could be anticipated during the 6th Cycle Housing Element planning period.

Net RHNA

The City’s RHNA can be met through a combination of strategies such as pipeline projects noted above, ADUs, and sites zoned for housing and/or mixed use developments. The latter strategies can include existing sites or sites that are rezoned to allow for residential uses and/or higher density housing. The net RHNA is what the City would need to plan for and is the focus of the preliminary land use scenario described in the next section. Table 2 provides a comparison of the total RHNA and the net RHNA, with a breakdown of the remaining number of housing units in each income category. Accounting for approved and pending pipeline projects (3,647 units) and the anticipated ADU production (85 units), the net RHNA (or net new units remaining to meet the City’s RHNA) is 1,490 units affordable to very low, low, and moderate income categories and zero (0) above moderate income, or “market rate” units.

Table 2: Net RHNA

	Very low	Low	Moderate	Above moderate	Total new housing units
	0-50% AMI	51-80% AMI	81-120% AMI	>120% AMI	
Sixth cycle RHNA without buffer	740	426	496	1,284	2,946
30% Buffer	222	128	149	385	884
6 th cycle RHNA with 30% buffer	962	554	645	1,669	3,830
6 th cycle RHNA credit					
Pipeline projects	134	230	230	3,053	3,647
Accessory dwelling units	26	25	26	8	85
Credit subtotal	160	255	256	3,061	3,732
Total net new units needed, without buffer considered	580 (740-160)	171 (426-255)	240 (496-256)		991 (580+171+240)
Total net new units needed, with 30% buffer considered	802 (962-160)	299 (554-255)	389 (645-256)		1,490 (802+299+389)

Preliminary land use scenario

The EIR would analyze up to 4,000 net new housing units to meet the City's RHNA during the planning period. The housing sites would be geographically dispersed throughout the city, primarily located in Council Districts 2, 3, 4 and 5, and could be produced through a combination of rezoning, increased densities, and/or updates to the Zoning Ordinance and based on the following general strategies:

- “Re-use” sites (for RHNA) from the City's current Housing Element and allow “by right” development for projects that include at least 20 percent affordable units. Densities would allow at least 30 dwelling units per acre (du/ac) on these sites, and the maximum potential density may increase beyond 30 du/ac as part of additional site refinement.
- Increase the permitted densities for sites within the El Camino Real/Downtown Specific Plan area to allow at least 30 du/ac at the base level density and potential increases to the maximum bonus level density. The intent is to remove the existing residential cap of 680 units to allow for greater development potential in the Specific Plan area. These actions would require amendments to the Specific Plan and modifications to the Specific Plan development standards.
- Modify the affordable housing overlay (AHO; Menlo Park Municipal Code Chapter 16.98) to allow up to 100 du/ac for 100 percent affordable housing developments (meaning 100 percent of units would be available to low and very low-income residents) and potential increase in densities for mixed-income developments where the percentage of affordable housing exceeds the City's Below Market Rate requirement.
- Modifications to the retail/commercial zoning districts to allow for residential uses and other potential development standards to encourage the production of mixed-use developments (C-2, C-2-A, C-2-B, C-2-S, C-4, P districts).
- Remove the 10,000 square-foot minimum lot size requirement for R-3 zoned properties located around downtown, which would allow all sites a density of up to 30 du/ac.

Sites and densities may be refined by the City Council based on additional public input and analysis and, in combination with the actions described above, would result in a theoretical capacity for housing production greater than the 4,000 housing units to be studied in the EIR. However, 4,000 housing units represents a conservatively large “umbrella” of study for the purposes of environmental review and exceeds the amount of residential development anticipated over the eight-year planning period from 2023 through 2031. The EIR would also include an update of the cumulative growth projection included in the City's 2016 General Plan EIR for the year 2040.

The City Council may also study a potential reduction of residential densities in the Bayfront area (City Council District 1), with equivalent increases in densities in other areas of the city.

Project Goals and Objectives

The City of Menlo Park is updating its required Housing Element and Safety Element, and preparing a new Environmental Justice Element. Collectively, these are referred to as the “Housing Element Update” and comprise the Project. There are several goals and objectives for the Project. The project has three overarching and interrelated goals as shown in Table 3. These goals will help achieve the objective of creating and adopting a housing element, environmental justice element, and safety element update with conforming amendments to the land use element and other elements as needed that reflect the values of the community and create a place where all residents can enjoy a high quality of living.

Table 3: Project goals	
Project goal	Intent
Create a balanced community	Plan for the whole community in a sustainable, healthy and balanced way.
Focus on affordability	Focus on affordable housing given the difficulty of developing it as compared to market rate housing, and the demand for affordable housing options.
Forward social justice	Work with the community to help ensure participation and access to the process, and take intentional steps that improve equity for historically marginalized people and areas.

The objectives help achieve the goals, and include, but are not limited to, the following:

- Address housing needs for the City of Menlo Park
- Meet the State-mandated Regional Housing Needs Allocation (RHNA)
- Provide adequate sites for housing development
- Ensure affirmatively furthering fair housing
- Incentivize the development of affordable housing
- Address climate adaptation and resiliency
- Ensure consistency with the Local Hazard Mitigation Plan (LHMP)
- Enhance community safety
- Address environmental justice and community health issues and promote civic engagement and investment in disadvantaged communities

Potential Environmental Effects of Project

The environmental analyses and technical sections presented in the Draft EIR would describe the existing conditions in the city. Relevant federal, State, and local laws and regulations, including the current City of Menlo Park General Plan goals and policies, would be summarized.

The methods of analysis and any assumptions that are important to understand the conclusions of the analysis would be described, along with the standards of significance used to determine impacts of the project. The standards for determining impact significance would be based on existing State and federal rules, regulations, laws, City ordinances and policies, and past practices. The standards would be used to determine whether an impact is significant and for the effectiveness of recommended mitigation. Feasible mitigation measures would be identified for each significant impact. The description of mitigation measures would identify the specific actions to be taken, the timing of the action, and the parties responsible for implementation of the measure.

At this time, it is anticipated that an EIR with the following issues/technical sections would be addressed:

- | | |
|-----------------------------------|----------------------------------|
| • Aesthetics/Light and Glare | • Land Use and Planning |
| • Air Quality | • Noise and Vibration |
| • Biological Resources | • Population and Housing |
| • Cultural Resources | • Public Services and Recreation |
| • Energy | • Utilities and Service Systems |
| • Geology/Soils/Paleontology | • Transportation |
| • Greenhouse Gas Emissions | • Tribal Cultural Resources |
| • Hazards and Hazardous Materials | • Wildfire |

- Hydrology and Water Quality

An Initial Study was not completed as it is anticipated this would be a full EIR and no topic areas would be scoped out with the exception of Agricultural and Forestry Resources and Mineral Resources, which are topic areas that are not anticipated to require further analysis.

Alternatives

In order to provide a range of reasonable alternatives to the Housing and Safety Element Updates and new Environmental Justice Element, as required by CEQA Guidelines Section 15126.6, the EIR would examine alternatives to the project, including the required No Project Alternative.

Public Scoping Meeting

The City of Menlo Park is hosting a public hearing for the EIR scoping session during the NOP public comment period on **January 24, 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, not less than 72 hours in advance of the meeting.

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

Submittal of Comments

Comments regarding the scope of the EIR analysis are invited from all interested parties to ensure the full range of project issues of interest are considered. Written comments concerning the EIR for the proposed project should be directed to Tom Smith, Acting Principal Planner (contact information below) no later than **5:00 p.m. on January 31, 2022. Due to the ongoing Covid-19 pandemic, email correspondence is preferred.** All comments will be considered during preparation of the Draft EIR, which will be circulated for public review, and comments received on the Draft EIR will also be considered and responded to prior to preparation of a Final EIR and consideration and approval of the Project.

If you have any questions regarding the proposed Project or the EIR process, please contact Tom Smith at the contact information listed below.

Name: Tom Smith

Title: Acting Principal Planner

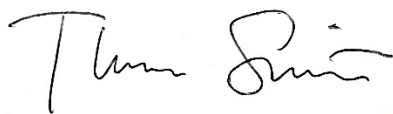
Department: Community Development, City of Menlo Park

Mail: 701 Laurel Street, Menlo Park, CA 94025

Email: tasmith@menlopark.org

Phone: (650) 330-6730

Throughout the Housing Element Update process, the City will be seeking input through a variety of engagement opportunities both in-person and virtual. Please visit the Housing Element Update webpage at menlopark.org/HousingElement to stay informed about the project and to sign up for the email list.



Tom Smith
City of Menlo Park

December 23, 2021

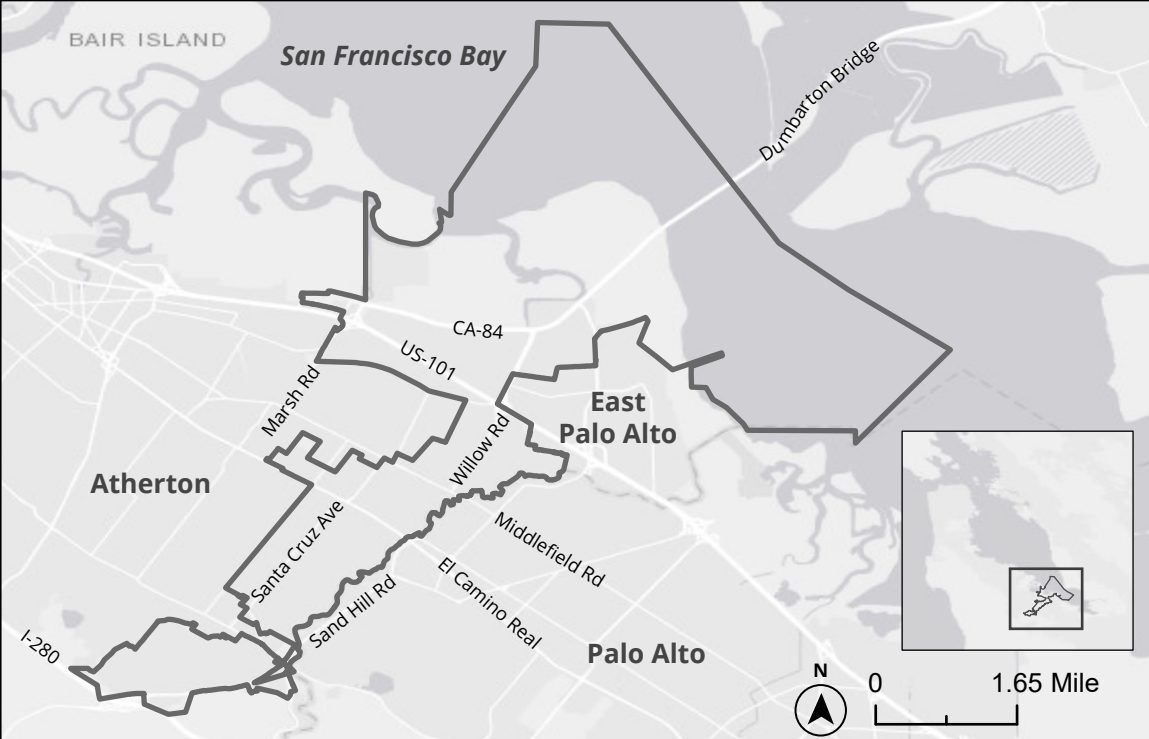


Figure 1. City Boundaries and Regional Location

Projection: NAD83 StatePlane
California III FIPS 0403 (US Feet)



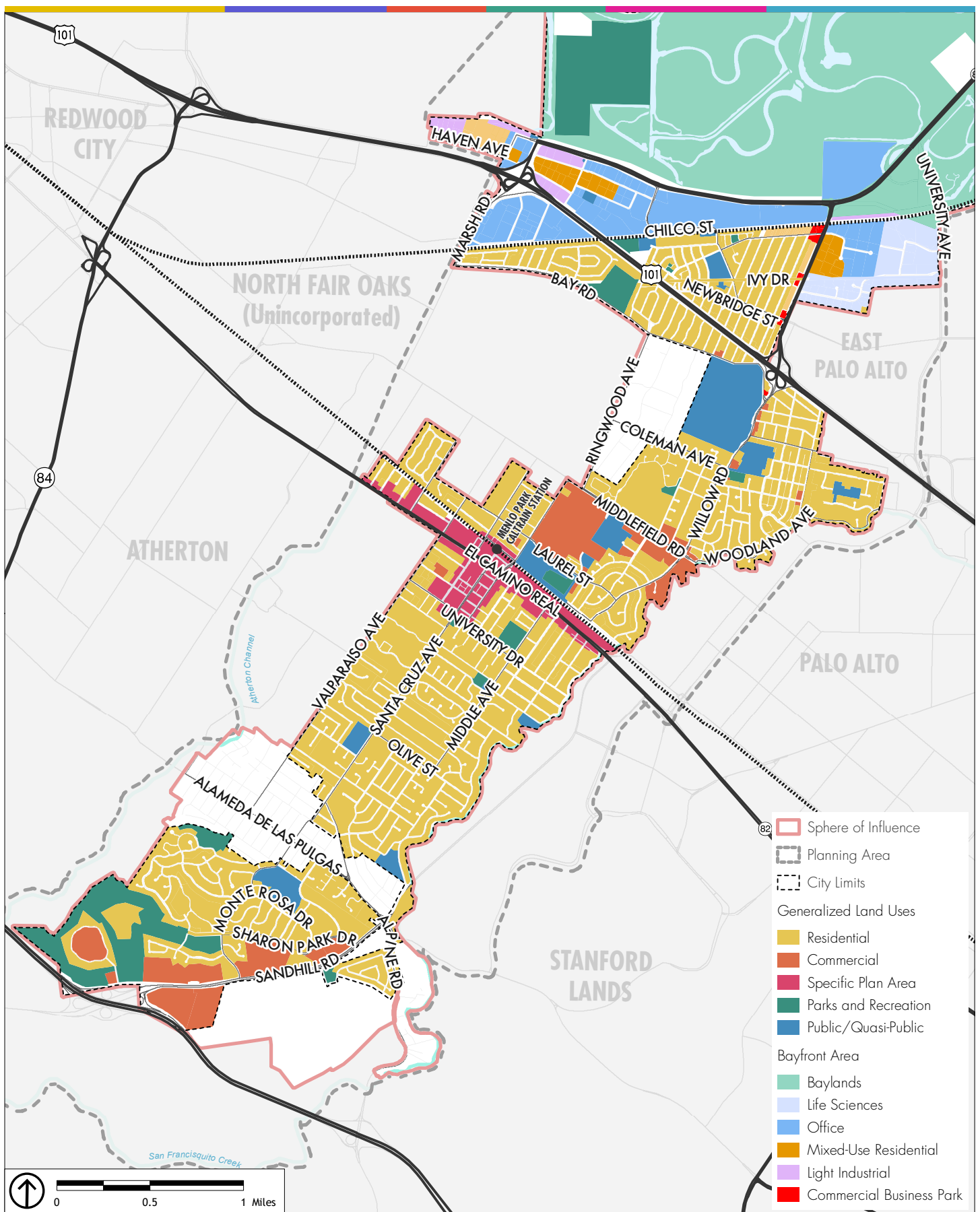


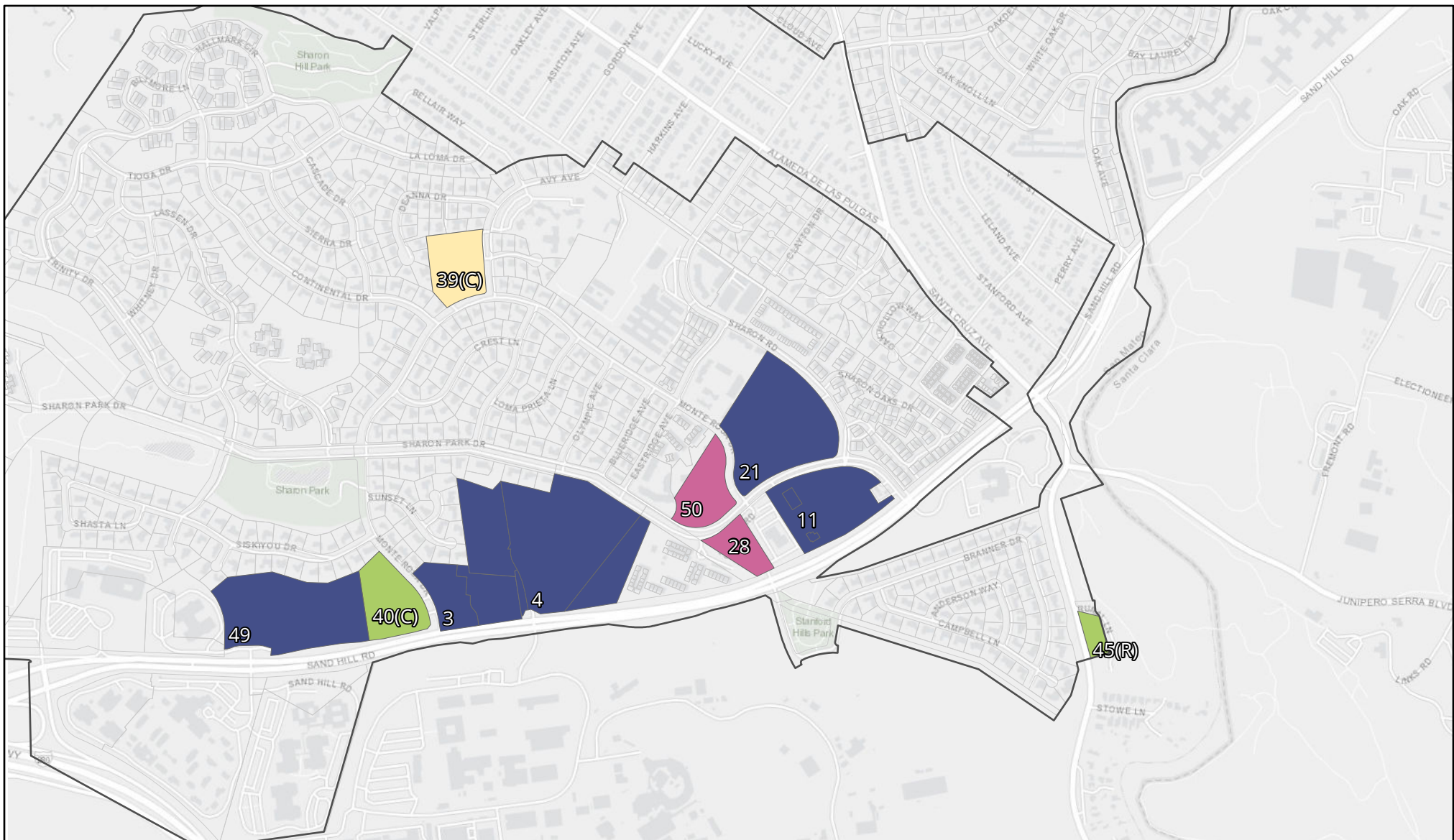
Figure 2. General Plan Land Use Designations

Note: Specific land use designations are shown in the Bayfront Area and generalized land uses are shown elsewhere.

Figure 3. Potential Housing Opportunity Sites List

Potential Housing Opportunity Sites List			
Site Label	Address	Assessor's Parcel Number(s)	Zoning District
1	525 El Camino Real	071332130	SP-ECR-D: SW
2(R)	1620 El Camino Real	060344250; 060344240	SP-ECR-D: NE-L
3	2500 Sand Hill Road	074270240; 074270250	C-1-C
4	2400-2498 Sand Hill Road	074270280; 074270260; 074270170	C-1-C
5(R)	1100 Alma Street	061412440; 061412430	SP-ECR-D: SA E
6	900 Santa Cruz Avenue	071084220; 071084200; 071084090; 071084110; 071084100	SP-ECR-D: DA
7	728 Willow Avenue	062202050; 062202060; 062202210; 062202060	C-4
8	906 Willow Road	062211170; 062211180; 062211050	C-4; R-3
9	Between Chestnut and Curtis	071284100; 071284080	SP-ECR-D: D
10	Between Crane and Chestnut	071283140; 071283050	SP-ECR-D: D
11	325 Sharon Park Drive	074283100; 074283090; 074283040	C-2
12	345 Middlefield Road	062421070; 062390700	P-F
13(C)	1105 Valparaiso Avenue	071071070	R-E
14	Lot between El Camino Real and Chestnut on west side of Santa Cruz	071102400	SP-ECR-D: D
15	Lot between University and Crane on west side of Santa Cruz	071092290	SP-ECR-D: D
16	Lot between Evelyn and Crane	071281160	SP-ECR-D: D
17	Lot between Curtis and Doyle	071285160	SP-ECR-D: D
18	Lot behind Draeger's	071273160	SP-ECR-D: D
19	Lot off Oak Grove	071094180	SP-ECR-D: D
20	275 Middlefield Road	062422120	C-1
21	350 Sharon Park Drive	074281110; 074281120	R-3-A(X)
22	85 Willow Road	062422080	C-1
23	200 Middlefield Road	062271540	C-1
24	250 Middlefield Road	062271010	C-1
25	8 Homewood Place	062421010	C-1
26	401 Burgess Road	062390170	C-1-A
27	570 Willow Road	062370420	C-4
28	2200 Sand Hill Road	074283070	C-1(X)
29	445 Burgess Drive	062390200	C-1-A
30	720 Menlo Avenue	071284110	SP-ECR-D: D
31	800 Oak Grove Avenue	071091520	SP-ECR-D: DA
32	930 Santa Cruz Avenue	071084140	SP-ECR-D: DA
33	1008 University Drive	071274140	SP-ECR-D: DA
34	707 Menlo Road	071288610	SP-ECR-D: DA
35	1300 University Drive	071091310	SP-ECR-D: DA
36	1377 El Camino Real	071103490	SP-ECR-D: ECR NW
37	801-877 El Camino Real	071331180	SP-ECR-D: ECR SW
38	320 Sheridan Drive	055303110	R-1-U
39(C)	2250 Avy Avenue	074351100	R-1-S
40(C)	2650 Sand Hill Road	074260740	R-1-S
41	431 Burgess Drive	062390190	C-1-A
42	425 Burgess Drive	062390180	C-1-A
43(R)	1133-1159 El Camino Real	071102130	SP-ECR-D: SA W
44(R)	1436 El Camino Real	061422350	SP-ECR-D: ECR NE
45(R)	Rural Lane	074311600	R-1-S
46(R)	796 Live Oak Avenue	071288560	R-3 near SP-ECR/D
47	555 Willow Road	062285300	R-3
48(R)	700 El Camino Real	071333200	SP-ECR-D: ECR SE
49	2700-2770 Sand Hill Road	074260750	C-1-A

Potential Housing Opportunity Sites List			
Site Label	Address	Assessor's Parcel Number(s)	Zoning District
50	600 Sharon Park Drive	074282070; 074282090	R-3-A(X)
51	949 El Camino Real	071288570	SP-ECR-D
52	1246 El Camino Real	061430070	SP-ECR-D
53(R)	1189 El Camino Real	071102350	SP-ECR-D
54(R)	607 Menlo Avenue	071288190	SP-ECR-D
55(R)	1161 El Camino Real	071102390	SP-ECR-D
56(R)	1179 El Camino Real	071102370	SP-ECR-D
57	761 El Camino Real	071332080	SP-ECR-D
58	751 El Camino Real	071332090	SP-ECR-D
59(R)	905 El Camino Real	071288580	SP-ECR-D
60	335 Pierce Road	062013170	R3
61(R)	610 Santa Cruz Avenue	071102140	SP-ECR-D
62(R)	550 Ravenswood Avenue	061412160	SP-ECR-D
63	3875 Bohannon Drive	055251120	O
64	795 Willow Road	062470060	PF
65	1000 Marsh Road	055251340	O
66	3885 Bohannon Road	055251220	O
67	3905 Bohannon Drive	055253140	O
68	3925 Bohannon Drive	055253150	O
69	4005 Bohannon Drive	055253240	O
70	4025 Bohannon Drive	055253190	O
71	4060 Campbell Avenue	055253030	O
72	4060 Campbell Avenue	055253200	O
73	4065 Campbell Avenue	055251270	O



Potential Housing Opportunity Sites

Sharon Heights

Page 1 of 4

Acres (# of Sites)

< 0.5 ac (18)

0.5 - 0.9 ac (21)

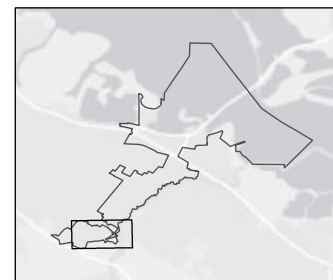
1 - 5 ac (26)

> 5 ac (8)

City Boundary

(R) = Reuse Site from 5th Cycle
Housing Element

(C) = Religious Facility



0 0.07 0.14 Mile

Projection: NAD83 StatePlane
California III FIPS0403 (USFeet)



Figure 4. Potential Housing Opportunity Sites Maps



Potential Housing Opportunity Sites

Downtown

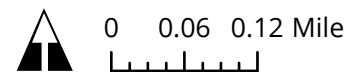
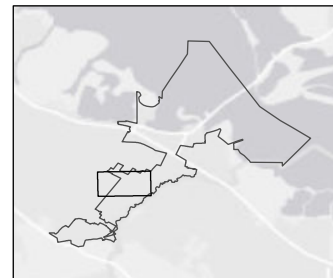
Page 2 of 4

Acres (# of Sites)

- < 0.5 ac (18)
- 0.5 - 0.9 ac (21)
- 1 - 5 ac (26)
- > 5 ac (8)

City Boundary

(R) = Reuse Site from 5th Cycle
Housing Element
(C) = Religious Facility



Projection: NAD83 StatePlane
California III FIPS0403 (USFeet)





Potential Housing Opportunity Sites

Middlefield and Willow

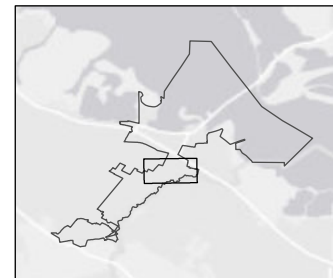
Page 3 of 4

Acres (# of Sites)

- < 0.5 ac (18)
- 0.5 - 0.9 ac (21)
- 1 - 5 ac (26)
- > 5 ac (8)

City Boundary

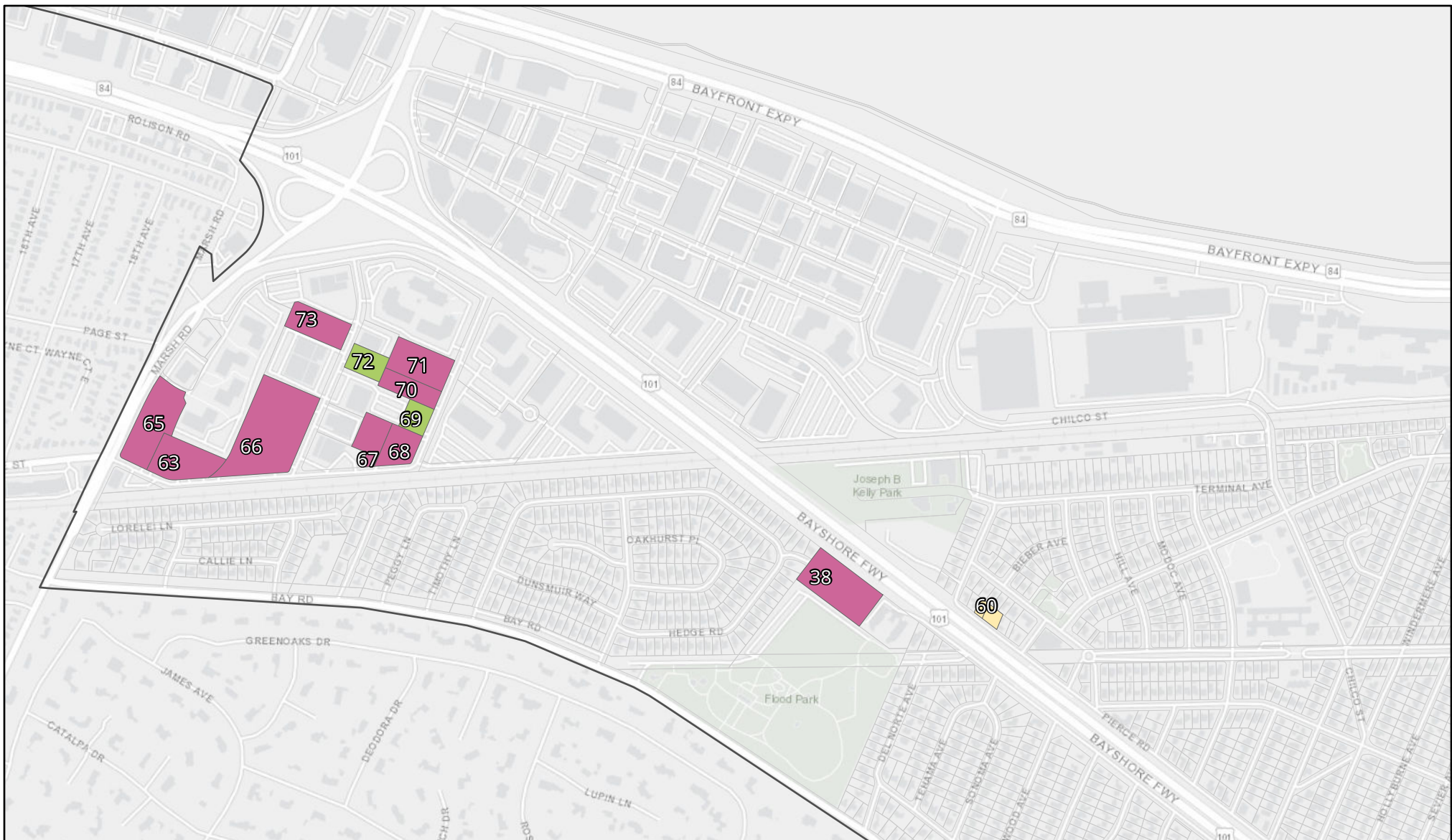
(R) = Reuse Site from 5th Cycle
Housing Element
(C) = Religious Facility



0 0.06 0.12 Mile

Projection: NAD83 StatePlane
California III FIPS0403 (USFeet)





Potential Housing Opportunity Sites

Marsh and US-101

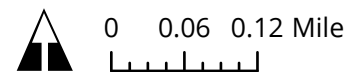
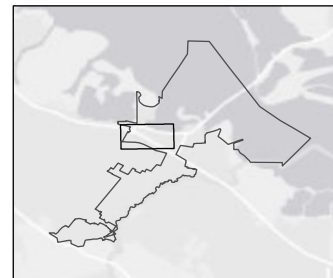
Page 4 of 4

Acres (# of Sites)

- < 0.5 ac (18)
- 0.5 - 0.9 ac (21)
- 1 - 5 ac (26)
- > 5 ac (8)

City Boundary

(R) = Reuse Site from 5th Cycle
Housing Element
(C) = Religious Facility



Projection: NAD83 StatePlane
California III FIPS0403 (USFeet)



Smith, Tom A

From: Johnston, Jon <JonJ@MenloFire.org>
Sent: Monday, January 3, 2022 3:02 PM
To: PlanningDept
Cc: Smith, Tom A; Johnston, Jon; Coyle, Dan
Subject: [Sent to Planning]Draft NOP EIR - Safety Element

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Tom,

Happy New Year! Hope you are doing well. The Menlo Park Fire District is making comment for the Draft NOP EIR for the Safety Element.

The Menlo Park Fire District would like to make note that the Safety Element Update recognize the Fire District Primary Response Routes, adopted Fire District response time standards and the impacts of roads and congestion to those response times, larger housing projects that require higher water fire flow demands to water infrastructure, and Fire District approved traffic calming devices on non-primary response routes only.
Higher population and density projects impacts future fire staffing needs.

Please let me know how we can work to assure we work together to address these impacts.

Thank you!

Jon Johnston
Division Chief/Fire Marshal
Menlo Park Fire Protection District
650-688-8431

From: [Jacqueline B Wender](#)
To: [Smith, Tom A](#)
Subject: Menlo Park Housing Element NOP Comments
Date: Monday, January 24, 2022 4:22:08 PM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Mr. Smith,

Thank you for the opportunity to submit comments on the 2023-2031 Housing Element NOP. I would like to make four points:

1. I have attended a number of Planning and Housing Commission meetings and City Council meetings on this topic, and have read almost all of the reports from staff, consultants, and Commissions. I consider myself informed and engaged. For the first time, the NOP makes explicit, in writing, the distinction between the number of housing units to be studied in the EIR; the number of units to be subsequently zoned for; and the number ultimately to be built. This clear distinction is very helpful and much appreciated. I hope that it will help the community better understand each phase of the Housing Element process.
2. I appreciate the inclusion of transportation and climate change in the objectives and the technical issues to be studied in the EIR. I look forward to a full treatment of those issues, along with all of the others identified in the NOP. Like many community members, I sincerely hope that the City will use this opportunity to engage in holistic long-range planning, not simply a required governmental exercise, or an exercise focused on housing (especially affordable housing) to the exclusion of other considerations.
3. I am surprised that there is no mention of the impacts of increased zoning on school districts and individual schools. This seems a particularly odd omission given the public comments of District officials, and pledges by City officials to work with the Districts in partnership on this plan. Perhaps the NOP means to include school impact under a larger umbrella of "Public Services," but I think the NOP should call out educational impact explicitly.
4. Finally, I would like to endorse the views presented by Commissioners Pimentel and Riggs in their recent Almanac Viewpoint regarding the approach for zoning the downtown area. I am in full agreement with their views and urge the Commission and the Council to adopt those approaches.

Thank you for including these comments in the public record, and for distributing them to the Planning Commission.

Sincerely,

Jacqueline Wender

Jacqueline Wender

<https://www.jacquelinewenderart.com>

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CITY OF MENLO PARK
PLANNING COMMISSION



In re:

EIR SCOPING SESSION/6th CYCLE
HOUSING ELEMENT AND SAFETY ELEMENT
UPDATES AND ENVIRONMENTAL JUSTICE
ELEMENT OF THE CITY OF MENLO PARK
GENERAL PLAN/CITY OF MENLO PARK
_____ /

ENVIRONMENTAL IMPACT REPORT
SCOPING SESSION
REPORTER'S TRANSCRIPT OF PROCEEDINGS

Monday, January 24, 2022

1 ATTENDEES

2

3 THE PLANNING COMMISSION:

4 Michael C. Doran - Chairperson
Henry Riggs
5 Michelle Tate
Chris DeCardy - Vice Chairperson
6 Andrew Barnes
Cynthia Harris
7 Camille Gonzalez Kennedy

8

SUPPORT STAFF:

9

Matt Pruter
10 Tom Smith

11

PROJECT PRESENTERS:

12

Luke Evans, ESA

13

---o0o---

14

15 BE IT REMEMBERED that, pursuant to Notice of the
16 Meeting, and on January 24, 2022, via ZOOM
17 Videoconference, before me, AMBER ABREU-PEIXOTO, CSR
18 13546, State of California, there commenced a Planning
19 Commission meeting under the provisions of the City of
20 Menlo Park.

21

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1	MEETING AGENDA	
2		PAGE
3	Presentation by Mr. Smith	6
4		
5		
6	Project Presenters:	
7	Mr. Evans	18
8		
9	Public Comment	24
10		
11	Commission Questions and Comments	28
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1 Monday, January 24, 2022

9:31 p.m.

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P R O C E E D I N G S

4

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CHAIR DORAN: Next item on our agenda is

6

Environmental Impact Report Scoping Session/6th Cycle

7

Housing Element and Safety Element Updates and

8

Environmental Justice Element of the City of Menlo Park

9

General Plan/City of Menlo Park: Preparation of an EIR

10

for the 6th Cycle Housing Element and Safety Element

11

Updates and a new Environmental Justice Element for the

12

City's General Plan (collectively referred herein as "the

13

Housing Element Update project") in compliance with the

14

requirements of the California Environmental Quality Act

15

(CEQA).

16

The EIR will be a Subsequent EIR to the City's

17

2016 General Plan EIR (State Clearinghouse Number

18

2015062054). The Project analyzed in the EIR would

19

include adoption of General Plan amendments that would add

20

or modify goals, objectives, policies, and implementation

21

programs related to housing, safety, and environmental

22

justice that would apply citywide.

23

General Plan amendments would also include

24

conforming amendments to other elements of the General

25

Plan necessary to ensure internal consistency.

1 Amendments to the El Camino Real and Downtown
2 Specific Plan and the Zoning Ordinance would also be
3 necessary to modify development standards for certain
4 zoning districts and the Affordable Housing Overlay (AHO)
5 district to allow higher residential densities for the
6 production of more housing.

7 In addition, the Housing Element would identify
8 specific sites appropriate for the development of
9 multifamily housing (in particular affordable units), and
10 the City would rezone those sites as necessary to meet the
11 requirements of State law.

12 The preliminary list of existing and proposed
13 sites that can accommodate development of multifamily
14 housing includes sites that are located across the City,
15 and is subject to refinement based on additional public
16 input and review of the Draft Housing Element by the
17 Department of Housing and Community Development of the
18 State of California.

19 It is anticipated the Project would complete a
20 full EIR and no topic areas would be scoped out, with the
21 exception of Agricultural and Forestry Resources and
22 Mineral Resources, which are topic areas that are not
23 anticipated to require further analysis.

24 We do have a Staff Report by Mr. Smith, who is
25 with us tonight.

1 Do you have any additions or corrections to the
2 Staff Report?

3 MR. SMITH: Good evening, Chair Doran and
4 Commission members.

5 Actually, I have a brief presentation that I
6 would like to give to begin. But while we're loading
7 that, I would note that we received two items of
8 correspondence today on the project, and those have been
9 updated in the Agenda packet. One is from Misha Silin,
10 and it's going into details about concerns of the sites
11 that will be included in the 6th Cycle Housing Element and
12 whether those are feasible for development or if we need
13 to add more sites to the element out of concerns that we
14 may not actually develop the amount of housing that is
15 anticipated from the modifications that are proposed.

16 And the other item is from Jacqueline Wender.
17 And she provided some comments appreciating the inclusion
18 of transportation and climate change to be studied in the
19 EIR and then wanted more clarification on impacts to
20 school districts and individual schools, and thinks that
21 the NOP should call out specifically educational impacts;
22 and then also endorses the approach to increasing
23 residential housing in the downtown area and on City
24 parking lots.

25 So I will pull up my presentation here. Bear

1 with me one moment while I -- it seems to be -- let me see
2 if I can move back. Okay.

3 All right. Thanks for your patience.

4 So the purpose of this meeting is a Scoping
5 Session to receive comments on the scope and content of an
6 Environmental Impact Report, which we call an EIR. And an
7 EIR analyzes the effects of a proposed project on the
8 physical environment in areas, like traffic and air
9 quality, greenhouse gas emissions, other topics as well.
10 So it provides -- a Scoping Session provides an early
11 opportunity to comment on topics that should be addressed
12 in an EIR.

13 And in particular, this EIR will be prepared to
14 evaluate potential environmental effects of changes to the
15 City's General Plan. And the General Plan is a guide to
16 see the vision for the future that informs local decisions
17 about land use and development in various topic areas.
18 And those topic areas are called "elements."

19 So for this particular project, we are looking at
20 an update to the existing Housing Element and related
21 rezoning in other zoning ordinance amendments, an update
22 to the existing Safety Element, and a new Environmental
23 Justice Element.

24 There will be no project actions at this meeting.
25 As I mentioned, it is to receive comments on the scope and

1 content, prior to really digging into the EIR. And more
2 information about the EIR for the Housing Element Update
3 project will be provided in a presentation that will
4 follow mine by the City's environmental consultant, ESA.

5 So the three elements that I just referenced,
6 we'll start out with the first one, the Housing Element
7 Update. The Housing Element is a state-mandated element
8 of the General Plan. And it will cover an eight-year
9 planning period from 2023 to 2031, which is also referred
10 to as the "6th Cycle."

11 And the Housing Element must analyze existing and
12 protected housing needs and update goals, policies,
13 objectives and implementation programs for housing at all
14 income levels for the City.

15 The Housing Element must include an inventory of
16 sites that permit housing development to meet the target
17 set by the state. And this target number, we refer to it
18 as "RHNA," which stands for the Regional Housing Needs
19 Allocation.

20 So for the 6th Cycle, the City's RHNA is 2,946
21 units. And if we include a 30 percent buffer, the RHNA is
22 3,830 units. The California Department of Housing and
23 Community Development advised that a buffer of additional
24 units is necessary so that if one or more of the housing
25 sites that we identify are to develop lower densities than

1 expected, there's still a remaining supply of housing
2 sites to meet our RHNA during the eight-year planning
3 period.

4 If there is no buffer and then an identified site
5 develops with non-housing project or a density that was
6 less than what was anticipated in the Housing Element, the
7 City could be required to identify new sites and amend the
8 Housing Element. So it's important to include this buffer
9 to avoid having to go back and reopen the Housing Element
10 later on.

11 I would also note that while state law requires
12 the Housing Element to include an inventory of housing
13 sites and requires the City to zone the sites for
14 multifamily housing, the City is not actually in the
15 position to develop and construct housing on these sites.
16 The development is going to depend on the interests of the
17 property owners and market forces at work.

18 So the second element that's being updated is the
19 Safety Element. And Safety Element is also a
20 state-mandated General Plan element. It focuses on
21 protection of the community from risks due to climate
22 change, earthquakes, floods, fires, toxic waste, and other
23 types of hazards. And it specifies the measures that the
24 City will take to reduce the potential risks from those
25 hazards.

1 The reason that we are updating the Safety
2 Element is to bring it into compliance with recent state
3 law. And so the things that will be evaluated, as
4 examples, are addressing residential development
5 evacuation routes in hazard areas, assessing local
6 vulnerability to different climate hazards, and developing
7 policies and actions towards climate adaptation and
8 resiliency.

9 The third component that I mentioned earlier on
10 was an Environmental Justice Element for the City's
11 General Plan. And this is the first time that the City
12 has had an Environmental Justice Element in our General
13 Plan.

14 The purpose of the Environmental Justice Element
15 is to address unique or compounded health risks within
16 Disadvantaged Communities, also called "DACs," as defined
17 by the state. And Disadvantaged Communities are areas
18 throughout California that are most burdened by economic,
19 health, and environmental issues.

20 And so the types of burdens that could be
21 experienced in these communities would include poverty,
22 high unemployment, hazardous waste exposure, air and water
23 pollution, things like that. And the way -- one way the
24 state identifies these areas is by collecting and
25 analyzing information from communities throughout the

1 state.

2 CalEnviroScreen is an analytical tool created by
3 the California Environmental Protection Agency, and it
4 combines different types of census tract specific
5 information into a score to determine which communities
6 are the most burdened or disadvantaged.

7 So in Menlo Park, according to CalEnviroScreen,
8 the Belle Haven neighborhood is considered a DAC. So
9 measures that could be included in the Environmental
10 Justice Element as examples could be improving air quality
11 and reducing pollution exposure, enhancing public
12 facilities and infrastructure in the area, expanding food
13 access, ensuring safe and sanitary housing, and promoting
14 civic engagement in public decisionmaking.

15 On December 8th of last year, the City Council
16 supported a preliminary land use scenario with multiple
17 strategies to ensure that the City can meet its 6th Cycle
18 RHNA allocation. And that was really built on the
19 previous meetings that happened throughout the community;
20 meetings of City Council, Planning Commission, Housing
21 Commission. And so some of these are familiar, probably,
22 from previous presentations that we've given at Planning
23 Commission or if you've seen at City Council. I'll walk
24 you quickly through those scenarios.

25 So this chart is basically an overview of the new

1 housing needs that we have to meet through our RHNA. The
2 top half of the chart is showing the 6th Cycle RHNA
3 requirement for Menlo Park, broken down by income
4 categories. You can see "Very Low, Low, Moderate, Above
5 Moderate," and a "Total Units" category. And then the
6 bottom half of the chart shows RHNA credits that we can
7 apply against the requirements.

8 So with the adoption of the El Camino Real and
9 Downtown Specific Plan, our 4th Cycle RHNA in 2013, and
10 the ConnectMenlo General Plan Update, we enabled over
11 5,000 new housing units in the City. Currently there are
12 seven major residential projects in the pipeline as either
13 approved or pending housing developments that would
14 provide over 3,600 new units. And these units, as well as
15 smaller projects across the City, could potentially count
16 towards Menlo Park's 6th Cycle RHNA. So you can see that
17 on the "Pipeline projects" line here, at the total of
18 3,647. And then there's another line for ADU credits.

19 And so between 2018 and 2020, Menlo Park produced
20 an average of 10.6 ADUs per year. And at that rate, we
21 could anticipate about 85 units during the 6th Cycle
22 Housing Element planning period. So you see that total
23 here, under "ADUs."

24 So if we compare the RHNA credits at each of the
25 income levels with the 6th Cycle requirements and the 30

1 percent buffer added, you can see that we project enough
2 above-moderate units to meet all of our requirements
3 during the 6th Cycle. So 1,669 required. We anticipate
4 3,061 units. So well above the requirement there.

5 But new units would still be needed at the very
6 low, low, and moderate income-affordability levels. So
7 you can see on here, the credits in these income
8 categories are not really enough to make up for the need,
9 including the buffer. So you end up with a total of 1,490
10 affordable units that are needed as part of our net RHNA.
11 And the income levels are broken out on that last line.

12 Based on historic trends in Menlo Park and the
13 challenges and incentives that are typically used to
14 produce all affordable housing developments, it's unlikely
15 that all housing opportunity sites that we've identified
16 would be developed with 100 percent affordable units. And
17 so because of that, the EIR would analyze up to 4,000 net
18 new units to meet the City's RHNA requirements. And that
19 total can include a variety of opportunities, either
20 through 100 percent affordable housing development, mixed
21 income development, or market rate developments that
22 include BMR units.

23 And so the next couple of slides will give an
24 overview of the strategies that would permit the 4,000
25 units that will be studied in the EIR.

1 So the first strategy would be to re-use housing
2 opportunity sites from the current 5th Cycle Housing
3 Element that goes through 2023. And for those sites, we
4 would allow by-right development for projects that include
5 20 percent or more affordable housing. "By-right
6 development" means projects could be approved at the staff
7 level, and it would not require the additional rounds of
8 review and approval by the Planning Commission or City
9 Council. And densities on those sites would be 30
10 dwelling units per acre or higher.

11 The second strategy would be to increase
12 permitted residential densities in the Specific Plan area,
13 and we would set a minimum density in the Specific Plan
14 area of 20 dwelling units per acre and then allow at least
15 30 dwelling units per acre for development at the base
16 level, with potential increases in densities at the bonus
17 level of development in the Specific Plan area.

18 We would also remove the cap of 680 units in the
19 Specific Plan area that exists now, and it would open up
20 more opportunities for housing around downtown and El
21 Camino Real. And it would also allow residential
22 development on the City-owned parking plazas.

23 So additional strategies would be to modify the
24 affordable housing overlay, which we call the AHO. And
25 that would allow up to 100 dwelling units per acre, for

1 100 percent affordable housing developments, and increase
2 allowed densities for mixed-income developments that offer
3 more affordable units than the City's BMR requirements.

4 Another strategy would be to modify certain
5 retail and commercial zoning district standards and allow
6 residential uses in those areas and encourage mixed-use
7 development. As with other strategies, the densities for
8 these sites would be a minimum of 30 dwelling units per
9 acre. And specifically we're looking at the C-2, C-2-A,
10 C-2-B, C-2-S, C-4, and P-districts to apply these
11 modifications.

12 And then the final strategy would be to remove
13 the 10,000 square-foot minimum lot size requirement for
14 R-3 zoned properties around downtown and allow those sites
15 a density of up to 30 dwelling units per acre as well.

16 One additional item here is that the City Council
17 may also study a potential reduction of residential
18 densities in the Bayfront area, which is City Council
19 District 1, and make equivalent increases in densities in
20 other areas of the City. And we're currently evaluating
21 the potential for that. And so that may be a future topic
22 of discussion.

23 So you can see here, we're showing on these maps
24 -- there's a series of four of them that I'll very quickly
25 walk through. But in total, we're looking at -- these

1 strategies would target over 70 sites as
2 housing-opportunity sites. And then re-zonings would also
3 allow new housing development or increased housing
4 densities on over 800 parcels citywide.

5 So this first map shows the housing opportunity
6 sites in the Sharon Heights area. And this is Sand Hill
7 Road, running faintly along here, to help orient you.

8 But the sites are color-coded according to their
9 size here. And then there's one, which I believe is a gas
10 station parcel off of the Sharon Heights' shopping center
11 that's separate, which would be a rezoned, commercial-only
12 site.

13 This next map shows housing opportunity sites
14 focused around the central area of the City, including
15 downtown and El Camino Real, which, this is El Camino Real
16 running here; Santa Cruz Avenue running here; Ravenswood.
17 And you can see, in this area we have a number of housing
18 opportunity sites in the yellow, green, pink, and blue.

19 But then, in the lighter pink, you can also see,
20 there's a number of R-3 properties around downtown that
21 are less than 10,000 square feet, which would have
22 increased residential densities applied.

23 And then there are also some commercial only.
24 There's one commercial-only site here that you can see.
25 And then the remainder of the teal are other downtown

1 Specific Plan properties that would see potential
2 increases in densities being allowed, and the cap would be
3 lifted on residential -- more than 680 residential units
4 in this area.

5 This map shows development primarily along
6 Middlefield Road here and Willow Road. It's running kind
7 of north to south here. So you can see, in this area,
8 there's actually a number of this lighter blue color.
9 These are the rezoned, commercial-only sites. So those
10 would be modified to allow mixed-use development.

11 And then we also have a number of potential
12 opportunity -- housing opportunity sites on larger
13 parcels, predominantly along Middlefield Road. But
14 there's also a few here, off of Willow.

15 And then the final map shows additional housing
16 opportunity sites that were identified closer to the bay.
17 So the bay is out here. This is the Bayfront area, Belle
18 Haven neighborhood. This -- Marsh Road running here, and
19 then US 101. So these are primarily office uses at the
20 moment. There's -- at the moment, they're zoned for
21 office. But at the Council meeting in December, they were
22 identified as potential sites for additional study.

23 And so we'll be also evaluating those, the flood
24 school sites here, and then a couple of smaller parcels
25 located here, off of Pierce Road, I believe.

1 COMMISSIONER RIGGS: Excuse me, Tom. Just to
2 note, at least I, for one, am not seeing your cursor on
3 any of the...

4 MR. SMITH: Oh. Sorry about that. Thank you for
5 hopefully being able to follow along. But if you have
6 questions afterwards, we can always walk back to these
7 maps.

8 And so with that, that concludes my presentation.
9 Happy to turn it over for any clarifying questions --
10 although, I would note that Luke Evans, of ESA, which is
11 the City's environmental consultant, has some more details
12 about the EIR process and sort of the components of that.
13 And so he will be walking you through that, whether you
14 prefer that now or after clarifying questions.

15 CHAIR DORAN: I think I would like to hear the
16 other presentation. I think that it might clear up some
17 of the questions people have now. Let's do that. And
18 we'll have clarifying questions, and we'll go to public
19 comment.

20 MR. EVANS: Okay. Hi, everybody. This is Luke
21 Evans. I'm a Project Manager here at ESA. And we've been
22 hired by the City to prepare your Environmental Impact
23 Report. It's a big project, and we're happy to do it, and
24 appreciate the opportunity.

25 So it looks like Tom is booting up the

1 presentation. There we go. Okay. Great.

2 We can go ahead and go to the next slide. My
3 presentation is going to be pretty brief. The real
4 purpose of this thing is to get public input and also your
5 input on specific environmental topics that you think we
6 should look at, that we might not otherwise think about.
7 And that's really the purpose of this Scoping Session, is
8 to get that kind of input from you and members of the
9 public.

10 We're going to go over, talk about the type of
11 EIR this is going to be. We're going to talk about this
12 -- kind of the standard list of environmental issues that
13 we -- that typically show up in an EIR, that many of you
14 are probably used to seeing.

15 We'll go quickly through the environmental review
16 process, schedule, for lack of a better term, of where
17 we're going to be, and how this is going to play out over
18 the next -- I don't know -- 11 months or so.

19 And then we'll take comments from yourselves and
20 members of the public.

21 Next slide, please.

22 So the purpose of scoping, as I said earlier, is
23 really to get comments from the public and from people
24 like yourselves to determine what the scope of the
25 environmental document will be. Certainly, there's a long

1 list of issues, and we're going to go through some of
2 those in a minute here. And there's a long list of issues
3 that show up in every EIR, that everybody is used to
4 seeing.

5 But what we really want to hear is, we want to
6 hear specific information that you may have, or members of
7 the public may have, that we should look at in particular.
8 So some of those things we want to get information on from
9 you all would be key environmental issues of concern, any
10 mitigation measures you might have or may think of that
11 may help us reduce or avoid impacts, and then potential
12 alternatives.

13 CEQA does require that we do look at
14 alternatives. So there are different ways to get out this
15 Housing Element Update. So we want to hear about some
16 ideas for those, if you have any.

17 And, you know, the ultimate question is, in
18 short, what should we be looking at in the EIR? What
19 should we be analyzing?

20 Next slide, please.

21 So this is a Program EIR. And for those of you
22 who have been in this for a while, you know the difference
23 between a Program EIR and a Project EIR. This is a
24 "program." It's big. And it covers a large program. And
25 it doesn't necessarily cover any specific projects.

1 As of now, there are no applications for these
2 opportunity sites. There's no specific project that's
3 being advanced. So we're going to look at this at a
4 pretty high level.

5 And so the EIR will be a subsequent EIR to the
6 ConnectMenlo Plan EIR, which was prepared in 2016. There
7 was a lot of work that went into that, and we want to
8 piggyback off of that, to the extent that we can. We
9 don't want to reinvent the wheel, unless we have to.
10 That's really the purpose of the subsequent EIR.

11 Next slide, please.

12 So as I said earlier, this is the typical list of
13 topics that would show up in just about any EIR. These
14 are derived from the CEQA guidelines. And for the most
15 part, we're going to be looking at all of the topics in
16 the CEQA guidelines, as you can see here in this top
17 section.

18 There are a couple that really don't apply to the
19 City, or certainly don't apply to the opportunity sites
20 and the areas that are under consideration for the Housing
21 Element Update. And those would be agricultural and
22 forestry, and then mineral resources. But all these ones
23 up top would apply and will get the full treatment in the
24 EIR.

25 Next slide, please.

1 So here is a very broad timeline. And I want to
2 draw everybody's attention to what's in the bottom there,
3 the red part. This is our deadline, January 31st. That's
4 when we have to submit an Adopted Housing Element to HCD.
5 Otherwise, bad things can happen, and you want to avoid
6 those.

7 So here we are. Right now we are in the Draft
8 Scoping Session. We're kind of coming up on the tail end
9 of the Notice of Preparation Comment Period. We've got a
10 couple of comments, as Tom mentioned earlier. I expect
11 we'll get quite a bit more over the next week or so,
12 before the NOP Comment Period closes.

13 And then, for the next few months, we'll be
14 working on the Draft EIR. We'll be doing the analysis.
15 We'll be doing the traffic study, doing air quality study,
16 noise study, bio, all those things that we'd normally do.

17 Then we publish the Draft EIR. We go out on the
18 street for 45 days. And some time during that, there will
19 be a comment session where people could -- where members
20 of the public could comment on the Draft EIR. And at the
21 end of that, we -- with a lot of assistance from the
22 City -- would respond to any comments that were received
23 on the EIR.

24 And then it would go -- the combination draft and
25 the responses to comments would be kind of melded together

1 into a Final EIR, and that would go before the City
2 Council for certification. And so that is the overview of
3 the process.

4 Once again, there's our deadline. We've got --
5 it sounds like a long time. Sounds like we've got a whole
6 year, but there's a lot of things that have to happen.
7 And so it's going to really take everybody kind of pulling
8 together to get this thing wrapped up in time.

9 Next slide, please.

10 Tom put this slide together that just basically
11 has the layout of -- or the information that folks need to
12 comment on. We'll be taking verbal comment here tonight,
13 but people can also submit e-mail, written comments. Lots
14 of different ways to get their comments into us.

15 And then there's also going to be an upcoming
16 community meeting February 12th, to go over some of these
17 strategies that Tom talked about earlier.

18 So that's my presentation. Happy to take any
19 questions. I know Tom's happy to take questions, too.
20 It's at what point, I guess, Mr. Chairman -- you know, at
21 what point would we open this up for public comment, but
22 maybe we just want to go through questions first.

23 So I'll --

24 CHAIR DORAN: Yeah. What I would like to do is
25 entertain any clarifying questions from the commission

1 now, for either you or Mr. Paz. And then I'll open it up
2 for public comment. And then I'll return it to the
3 commission for further comments or questions.

4 So do we have any clarifying questions? Now is
5 the time.

6 I'm not seeing any. You guys must be very clear.
7 Let's open it up for public comment.

8 Mr. Pruter, do we have any hands raised now?

9 MR. PRUTER: Yes. Thank you, Chair Doran. At
10 this time, I do see one hand raised. So I can go ahead
11 and get that started.

12 But as a reminder, for members of the public,
13 please raise your hand, with the hand icon on your Zoom
14 interface, or press star 9, if you're calling by phone, to
15 be able to provide public comment.

16 I have two commenters now. So I will begin with
17 the first one, if that sounds all right with you, Chair
18 Doran?

19 CHAIR DORAN: Please.

20 MR. PRUTER: Okay. So we have our first
21 commenter, who goes by the name of Misha Silin. I'm going
22 to allow you to speak. If you can please state your
23 jurisdiction and your name at the beginning, that would be
24 great. And you have three minutes to speak as well.

25 Thank you very much.

1 MISHA SILIN: Hello. This is Misha. Good
2 evening. Thank you for taking my comment.

3 I'm a resident of Allied Arts. I'm the one that
4 sent in a very long e-mail comment earlier today, going
5 over the sites in the NOP and comparing them to the
6 previous 5th Cycle element and just kind of drilling into
7 some of the sites that represent the largest number of
8 units of housing that we expect to be built in the 6th
9 Cycle.

10 I realize this comment isn't related to the
11 environmental impact of the sites, but I'm kind of still
12 just stepping back to the main issue. And the reason I
13 spent a lot of hours on this and, you know, wrote that up
14 is because I do feel that housing is a very important
15 issue to Menlo Park and to our country.

16 I think that housing has many different
17 implications, ranging from, you know, nationwide to local.
18 And at the local level, I'm concerned about, you know, not
19 building enough housing, leading to friends and families
20 feeling stressed, priced out, having to commute from very
21 far away.

22 It does impact, you know, climate change and
23 traffic, as we discussed earlier, with the Facebook
24 project, for example.

25 If we continue to build lots of office buildings,

1 without housing for the people that work in those offices,
2 they're going to be driving in from elsewhere, which
3 causes greenhouse gas emissions, et cetera.

4 So I think, just my main comment is that based on
5 what I saw in the list of sites, it seems like very --
6 there hasn't been any evidence that these sites are going
7 to lead to a lot of houses being built. Most of the sites
8 are office buildings on Sand Hill Road or Middlefield,
9 that are occupied by very wealthy venture capitalist firms
10 or startups with a lot of money. I don't believe there's
11 been any evidence shown that these companies are looking
12 to move out or that, you know, it's lucrative for the
13 property owners to convert their large office buildings to
14 housing.

15 And so if we are serious about tackling some of
16 what I think are the biggest problems, especially in our
17 region, like homelessness, climate change, et cetera, and
18 we agree that we need to build more housing, I think we do
19 need to spend more time on the list of sites and make sure
20 that they're realistic. And if they're not, adding more
21 sites to the list.

22 And, you know, from the process perspective,
23 we've seen HCD, at the state level, rejecting a lot of
24 housing elements from other cities, like Redondo Beach,
25 Beverly Hills, Davis, that are unrealistic. And so I do

1 fully expect that the same level of reasoning will be
2 applied to our housing element. And as it stands now, it
3 will be rejected. So I think it still does make sense to
4 go back and try to make it more realistic.

5 Thank you for taking the time to listen to my
6 comment, and I hope you read the written comment I
7 submitted as well.

8 Thank you.

9 MR. PRUTER: Thank you very much.

10 And we have a second commenter, Chair Doran. I
11 will introduce them at this time. Their name is Pam
12 Jones.

13 And you also have an opportunity to speak. You
14 will be given three minutes to provide public comment.
15 And I will be letting you speak shortly.

16 If you can please provide your name and
17 jurisdiction at the beginning of your comments. Thank you
18 very much.

19 PAMELA JONES: Thank you. Pamela Jones, resident
20 of Menlo Park, Belle Haven neighborhood for almost 50
21 years.

22 One, I'd like to know what kind of outreach is
23 being done in District I, so that residents that are
24 interested can participate.

25 And number two, given that there would be no

1 further construction over here, under the Environmental
2 Justice and how our community is designated, do we still,
3 as a neighborhood, need to make comments to ensure that
4 that aspect of the Housing Element is actually adhered to?

5 Thank you.

6 MR. PRUTER: Thank you for your comment.

7 Chair Doran, as an update, I see no other hands
8 raised. We can wait a moment longer, if you would like,
9 or we can go ahead and close the public comment.

10 CHAIR DORAN: Let's give it just a few seconds
11 here.

12 No other hands raised?

13 MR. PRUTER: That's correct. There are no other
14 hands.

15 CHAIR DORAN: Okay. I'm going to close public
16 comment now and bring it back to the commission for
17 further comments, for any questions the commission has.

18 Would anyone like to lead off?

19 Commissioner DeCardy?

20 COMMISSIONER DECARDY: Yes. I just have a couple
21 clarifying questions, but I appreciated the opportunity
22 for public comment first, since people have been waiting
23 for a long time.

24 I have three clarifying questions. On the 4,000
25 number, for purposes of this discussion, how relevant is

1 4,000, versus 2,000, versus 6,000, for the EIR? How
2 important is that 4,000 number in -- specific, for the
3 EIR?

4 MR. EVANS: I can answer that.

5 For the most part, what -- you can kind of almost
6 think of this -- of what we're going to do as an envelope
7 of possibility.

8 And another way to think about it might be a
9 worst case scenario. That's not a precise term, but
10 that's one way to think about how we're going to look at
11 this.

12 We recognize that some of these housing sites may
13 change, you know, as a result of public interaction and
14 public opinion, public comment. Over the period of the
15 Housing Element Update, we might find that some of the
16 housing sites have environmental impacts that are not
17 acceptable, and they may drop off, or some may go up. But
18 what we're looking at is an envelope, kind of a worst case
19 scenario of analysis.

20 So 4,000 is kind of the number that we're at
21 currently, and that we think would capture the scope of
22 likely impacts associated with the Housing Element Update.

23 And so that's -- does that answer your question?

24 COMMISSIONER DECARDY: I guess that answers my
25 question, but if I disagreed that the 4,000 is the outer

1 edge of that -- I think you said -- worst case scenario,
2 then that feels important.

3 So -- and this would be to the good comment and
4 letter we had before, about assumptions about what gets
5 built. You look at the maps, and you look at impacts and
6 opportunities in the community that at least
7 geographically are unevenly spread, those kind of
8 questions. So it sounds like that actually is material.

9 Do I have that right?

10 MR. EVANS: It is material.

11 I guess I would just caution that you don't want
12 to make the number too big that you over estimate the
13 impacts. So it is a question of finding the perfect --
14 kind of the sweet spot.

15 And I think, based on the RHNA allocation, plus
16 the buffer, the 4,000 number was the agreed-upon number
17 that would make the most sense for this particular Housing
18 Element Update.

19 And if anybody else wants to -- Tom, if you want
20 to chime in on that, please feel free, for how we got
21 there.

22 MR. SMITH: Yeah. I think you handled the answer
23 correctly, Luke. It was really looking at the RHNA
24 requirement, plus the buffer, which gets us the 3,800
25 units, and allowing even a little bit more of padding

1 there for different development potentials, whether those
2 are 100 percent affordable projects, mixed development, or
3 market rate, with BMR units. So that's how we landed on
4 it.

5 COMMISSIONER DECARDY: Okay. That's helpful.

6 And my question was, does SB 9 relate to this in
7 any way, how we're going to implement -- or understanding
8 state opportunities and/or mandates for affordable
9 housing?

10 And what assumptions are being made for that, in
11 this whole mix?

12 MR. SMITH: So we haven't incorporated SB 9.
13 This is based on really the strategies that I walked
14 through.

15 And SB 9 is an allowance by the state, under
16 state law. We have not incorporated potential development
17 there into the strategy.

18 COMMISSIONER DECARDY: Okay. Thank you very
19 much.

20 MR. SMITH: Uh-huh.

21 CHAIR DORAN: Commissioner Barnes, you've got
22 your hands raised?

23 COMMISSIONER BARNES: I do. Thank you.

24 So I've got, first, a clarifying question, and
25 then a question to the -- to Luke about what would be

1 permissible.

2 First, clarifying question: Would it be possible
3 to go back to the slide that had the downtown primarily on
4 it?

5 MR. SMITH: Yeah. So I would ask whoever is
6 controlling the presentations, if you could reload the
7 presentation I gave earlier.

8 COMMISSIONER BARNES: And as you're doing that,
9 my question is this: So many of the lots that are, for
10 instance, off of Santa Cruz and in that area, you see all
11 the -- I'm sorry. That's Sharon. So go two more, I
12 think. The one that's downtown, like Santa Cruz Avenue.
13 Yup. Right there. Awesome.

14 What can be super problematic about development
15 there is, you need to do some assemblage on these smaller
16 parcels to get any type of size.

17 And then the other piece is the Downtown Specific
18 Plan and its development standards, by way of calling out
19 certain allocations of retail, and then figuring in an
20 office and residential, then step back.

21 So both the zoning piece of it and development
22 standards' piece of it would need to really undergo large
23 changes, as it relates to getting any type of scale in
24 these areas.

25 When we talk about the pink, and it says, "R-3

1 Zones Parcels," in "Upzoning," does that contemplate, for
2 instance, going back into the Downtown Specific Plan and
3 relooking at the development standards, which are height,
4 and which are setbacks, and which are different things?

5 MR. SMITH: Right. It does.

6 You know, density is a key here, but I think
7 we're still evaluating all of the different modifications
8 that we would need to make to the development standards in
9 the Downtown Specific Plan area.

10 But that could be part of the equation to make
11 sure that we get, you know, a really feasible density and
12 projects that can be built that are realistic.

13 COMMISSIONER BARNES: Which is quite a lift to
14 modify that specific plan. Okay. Thank you for that.

15 The other question is to Mr. Evans. And I don't
16 know the answer to this, so I'm going to make my best run
17 at trying to formulate some coherent thoughts around it.

18 What I'm trying to figure out, and as we talk
19 about increased densities, is the impact on schools and
20 how that potentially that could be reflected in the EIR,
21 and allowing to kind of walk through this.

22 So when we did the circulation element in 2016,
23 when the City did it, you know, at that time, the state
24 was transitioning -- getting ready to transition from VMT
25 to LOS. What happened was, through the process of the

1 General Plan Advisory Community, there was a thrust from
2 the community to say, "Hey. Wait a minute. VMT is great,
3 and that's a state-mandated direction we're going in. But
4 we, in Menlo Park, we like the idea of level of service.
5 We like to understand, at intersection X, if Y happens,
6 then I'm going to have to wait X-much longer now, than
7 before, due to Z-development," type of thing.

8 You know, if I think of education and, you know,
9 education level of service, I mean, we get to a situation
10 where we are adding, you know, bodies to whatever school
11 district it is. I can take, for instance, Menlo Park
12 School District. And every additional body is an impact
13 on the capital budget, facilities, on operating budgets
14 and on -- you know, capital budgets, facility, and
15 operating budgets.

16 The ability to have a report out on developments,
17 that is, in a way, creating a nexus between, when you do X
18 for a development, it has a Y impact. And I know, like
19 you do an FIA. So you've got -- if -- MenloPort, down in
20 the Bayfront area; right? You get impacts which shows,
21 "Great. You're in Ravenswood School District. It does X.
22 For Menlo School District, it does Y," or whatever --
23 excuse me. "For Sequoia Union, it does Y."

24 How is it that this concept of level of service
25 -- this concept of educational level of service could be

1 baked into the process for reporting out, with some type
2 of metric, as agreed upon with, for instance, the school
3 district, to not rectify it? Because when you're talking
4 affordable housing, you're talking the other pieces, it's
5 very, very hard.

6 You cannot do something which is going to
7 preclude development of, you know, certain BMI levels, but
8 at the same time allowing for there to be the
9 acknowledgment and then course correction or taking steps
10 necessary to understand what those impacts are.

11 So maybe the City can, as an environmental
12 impact, go back and look at, should it be provided,
13 general funds, to be able to -- to offset some of these
14 impacts? Should it go back and look at the community
15 amenity fund that comes in, and look at how that gets
16 allocated?

17 Is there a place in this process, much like level
18 of service for vehicular traffic, to have educational
19 level of service in what we're doing in this Housing
20 Element?

21 Could you talk at all to that?

22 MR. EVANS: Yeah. And I think you may be
23 disappointed in the answer, at least from the CEQA
24 perspective.

25 CEQA is really concerned with a project's impacts

1 on the physical environment. Issues like -- it is
2 interested in things like school facility capacity and,
3 you know, other public service metrics -- say, for
4 instance, response times from emergency service providers,
5 things like that. But it's only concerned with those
6 issues within the context of how remedying those issues --
7 those identified problems would impact the environment.

8 So, for instance, if you were to have a project
9 that were to introduce a substantial number of students to
10 the local school district, and that would require that
11 school district to construct a new school or expand a new
12 school, CEQA would be interested in the impacts of doing
13 that, of constructing that school, of addressing those
14 shortfalls with existing facilities.

15 It -- just because there is an exceedance in
16 capacity from a school, for instance, that is not -- that,
17 in and of itself, is not an environmental impact under
18 CEQA. It's really what you're going to have to do to
19 address that issue that is the environmental impact.

20 And I know there's some nuance there. Sometimes
21 it gets a little confusing. But the CEQA case law is
22 really clear on that; that that's really what they're
23 focused on, is the environmental impact providing that
24 additional service.

25 Now, the problem is, with this kind of project --

1 and I use the term "project" loosely because it's not a
2 project like someone -- like one of the ones we heard
3 earlier this evening. Those are real projects. Those are
4 being advanced. There's plans on the table for those.

5 At this point, we don't know what future
6 projects, real projects are going to look like. We don't
7 know where they're going to go, necessarily. We don't
8 know what the densities are, et cetera. So it's really
9 hard for us to project out what the environmental impacts
10 are going to be for those kinds of general, very broad
11 program-level projects.

12 So does that answer your question? Probably not
13 as well as you hope, but tell me if I can elaborate some
14 more.

15 COMMISSIONER BARNES: At the risk of
16 paraphrasing, this is not the home for that? In other
17 words, your -- this EIR is not the home for teasing this
18 out, in creating, in effect, the nexus relationship
19 between X-development and Y-impact on the educational
20 system in having -- and it doesn't have a home in the
21 Housing Element.

22 Or said differently, you're on the EIR side.
23 However, this might have a home in the Housing Element
24 itself, which -- the content of which exists separately
25 from the EIR component of it.

1 MR. EVANS: That is accurate. Yes, sir.

2 COMMISSIONER BARNES: Okay. So it might have a
3 political life, but it doesn't have an EIR life. This
4 particular --

5 MR. EVANS: That's right.

6 And there is a distinction. And sometimes people
7 are frustrated by that distinction, but not -- that is --
8 I think you described it pretty accurately.

9 COMMISSIONER BARNES: Thank you.

10 So I will close by saying, as important as, you
11 know, many other types of justice, I think educational
12 justice is very important. And the systemic, inability to
13 fund our education, it's easy -- and I'm not talking to
14 you, Mr. Evans. I'm just, in closing -- you know, it's
15 easy. I overreact to cars on the street, in my God-given
16 right to drive my Cutlass down any particular street at 60
17 miles an hour, with any other traffic.

18 I do, however, get animated over education and
19 the lack of funding for education in the systemic
20 malnourishment, the starving of it, and who we look to to
21 fund it.

22 So thank you for that. And I think the Housing
23 Element process has a home for this. And I appreciate
24 your response. Thank you.

25 CHAIR DORAN: Do we have other commissioners who

1 want to speak?

2 Mr. Riggs.

3 COMMISSIONER RIGGS: Thank you. Trying to keep
4 my comments to EIR scoping in this case.

5 I -- with all due respect to my friend Pam Jones,
6 I do feel that the EIR should not rule out any locations
7 for housing. At the very least, housing which has already
8 been put in our zoning.

9 I will not burden this meeting with the reasons,
10 other than to say that if you approve development in an
11 area and want to delete the housing portion, that leaves
12 commercial. And in this environment, that means office
13 buildings. And I, for one, would not like to encourage
14 further construction of office buildings in that area or
15 necessarily any particularly transportation-impacted area.

16 And I would like to respond to a good point made
17 by a fellow commissioner about the smaller lots downtown
18 being relatively unlikely for development. I think the
19 way that we look at the smaller lots is, you might say,
20 halfway down to ADUs. ADUs, which, by the way, in my
21 opinion, should be figured as more than 10 per year. If
22 last year, 10 were built, given the recent and continuing
23 changes in state law, I would expect 15 to be built in
24 2022, and 25 to be built in 2024.

25 But if you look at the downtown lots as sort of

1 between-size lots, the only thing restraining their
2 construction is that City Council, after 18, almost 20
3 years, has yet to move forward with a parking structure
4 which was integral to the Downtown Specific Plan, and it
5 still has not moved forward. So I think that is still a
6 reasonable housing expectation downtown, once the
7 roadblock is removed.

8 And then, while I personally would oppose any
9 further development on Willow Road, that is not an EIR
10 issue.

11 What I think is an EIR issue is that we are
12 assuming that Menlo Park, and the other cities on the
13 peninsula and the Bay Area, will continue to drive housing
14 need. And I very much hope, at least for my own city,
15 that that is not the case.

16 I don't see -- and I have challenged others to
17 tell me, those who should be able to give me a good
18 argument -- I don't see why significantly increasing the
19 size of Menlo Park is a benefit to the residents. I'm not
20 talking about the theoretical future residents. I'm
21 talking about the residents who are here.

22 We are Menlo Park. People who may come in the
23 future, they are not Menlo Park. They are where they live
24 now. And if a relentless and continuing increase in the
25 size and density of our town is not benefitting those of

1 us who are here, then why are we assuming that this is the
2 inevitable path forward?

3 So with that in mind -- and I realize this is an
4 uphill request -- I believe there should be an EIR
5 alternate case that is based on significantly-reduced
6 housing need from that which is projected by the state.

7 I realize that the charge here is for a Housing
8 Element to meet the Bay Area requirement. However, I
9 think the EIR will be more useful to Menlo Park. And we
10 are Menlo Park, not the Bay Area, and not the state, if it
11 includes an alternative, which is for reduced future
12 housing need. That's my suggestion.

13 Thank you.

14 CHAIR DORAN: Thank you.

15 Anyone else on the commission want to speak at
16 this time?

17 Mr. DeCardy?

18 COMMISSIONER DECARDY: I appreciate the time and
19 the presentation.

20 On the 4,000 number, I think that's low. But I
21 will take your word that 4,000 works for the EIR. I think
22 the -- you know, we can look at the history of what we
23 have for housing that is at market rate, and what we get
24 at BMR units, and extrapolate out of that.

25 I appreciate the comments on ADUs, but we

1 continue to approve ADUs that clearly are not going for
2 affordable housing again and again and again. So I think
3 those assumptions need to be checked everywhere. I think
4 they are important because ultimately, it's a question
5 around density, and it's a question around spread. And we
6 need to look at all of that. I'm a huge fan of density.
7 I think density is what gets us prosperity and gets us a
8 thriving downtown in this mix.

9 Relative to the EIR, a Program EIR is in place
10 for a long time. I assume this one is in place for the
11 duration of this 6th RHNA, until we get a 7th. So what
12 assumptions do you make around climate change or around
13 changes in understanding of impacts over time that lock
14 in? You don't need to answer, particularly. But it's
15 something that gets frustrating, when we look at a
16 specific project, and you've got a locked-in assumption on
17 some impact that's based on data that's four, five, six
18 years old, and has been updated.

19 So when the Final EIR is presented, I would love
20 to understand how we assure those assumptions were
21 actually relevant to a future case. And unfortunately,
22 those changes happen fast these days, and nobody can
23 predict them. So that's a comment for input.

24 Another one -- essentially, I love that we have
25 an EJL, and I think that's fabulous, with the housing

1 element.

2 And as we're looking at the impacts on folks, to
3 make -- assure that we are looking at indoor stuff, in
4 addition to outdoor stuff -- indoor air quality, those
5 sorts of things, are usually important.

6 And, also, when we are thinking about adaptation
7 issues, when we think adaptation issues that also serve
8 mitigation purposes, first rule of holes is to stop
9 digging. And so reducing use that creates fossil fuel
10 emissions seems like a good idea.

11 So if you look at something in areas of our
12 community that are going to be particularly susceptible to
13 heat islands, cool roof programs, canopies, that kind of
14 stuff, I hope there's an overemphasize on looking at that
15 intersection, and that the EIR can be helpful in that mix.

16 But the two main things I want to say about the
17 EIR, the first one is that our EIR process is broken. And
18 continually we have EIRs that present the Goldilocks'
19 scenario, which is, there's only three things to consider.

20 Consideration number one is that you do
21 absolutely nothing.

22 Consideration number two is that you do
23 absolutely the maximum of everything else. And lo and
24 behold, you end up taking the thing in the middle because
25 it threads the needle on protecting the environment and

1 whatever the need was that the project was created for to
2 begin with.

3 And that is entirely unhelpful for anybody in the
4 community to be able to actually extrapolate and to be
5 able to use it for sunshine and for being able to learn
6 more about what impacts are, and how they think about a
7 particular project.

8 And so with that in mind, I respectfully disagree
9 with my fellow commissioner about -- Commissioner Riggs
10 and his comment on housing and density, but I do think
11 looking at a fourth makes sense. And I think it's in this
12 space around parking. So we have these assumptions around
13 people, and we're thinking about units of people and
14 density in people.

15 But the fact that there's a trailing element,
16 which is the assumption around the cars that they come
17 with, and what we build for. And time and time again, we
18 talk to developers who do not want to build the parking
19 because they don't need it. And parking is a disaster for
20 housing. It's a disaster for the embedded carbon and
21 cement. It's a disaster for everything, other than the
22 fact that we can't take our car and carry it with us to
23 work, which would be the best thing.

24 So I think it's really important that we get a
25 Program EIR that takes a look at the opportunity set for

1 massively reducing parking so that we can understand what
2 the potential benefit is on pieces of property to actually
3 build more housing for people so we have density for
4 people, and not density for cars and parking cars. So we
5 have to be able to figure out how to do this, and this is
6 a huge and important element in this mix.

7 So as you consider this, I have said this before,
8 that I will not vote to say that an EIR is adequate
9 without looking at an alternative with massively-reduced
10 parking in that mix. I mean, it's particularly important
11 to look at in this one because it creates an opportunity
12 for us to actually get more housing for people, as opposed
13 to for cars, and a positive feedback within that mix.

14 So thanks for the time and attention on this, and
15 I'm looking forward to the rest of the process.

16 CHAIR DORAN: Thank you.

17 So it is approximately 10:40 now. We will need
18 to stop at 11:00, unless we vote to continue. I just want
19 to keep that in front of everybody as we continue.

20 Does anyone else want to speak? Anyone else from
21 the commission? Questions or comments?

22 Commissioner Harris.

23 COMMISSIONER HARRIS: Thank you. Thanks for the
24 presentation -- both of the presentations.

25 So as far as the EIR is concerned, I want to --

1 kind of dove-tailing on what Commissioner DeCardy said, I
2 would like to know how you would analyze the positive
3 environmental impacts of infill housing, and how that
4 might work, if I may.

5 MR. EVANS: Sure. As far as discussing the
6 positive aspects of infill, I think there has been -- as
7 I'm sure you know, there are lots and lots of laws.
8 Legislature has been put in place over the last ten years
9 or so to encourage infill housing.

10 And a lot of those things -- a lot of those laws
11 revolve around, for instance, streamlining -- making it
12 easier to develop infill housing -- making it less
13 expensive, making the process easier, less hoops to jump
14 through, et cetera. So clearly the legislature, anyway,
15 has recognized infill housing as a positive thing -- as
16 something that should be happening.

17 The extent that -- CEQA really doesn't play up
18 manifest, particularly. If we were talking about a
19 federal project under NEPA, which is the National
20 Environmental Policy Act, which is kind of the federal
21 version of CEQA, they do put an emphasis on benefits. And
22 it's actually something you play up in the analysis, if
23 there is in fact a benefit to something.

24 CEQA really doesn't go there. It kind of says,
25 "If there's going to be a negative" -- let's just call it

1 a "very negative look" -- "Are there negative impacts that
2 are going to happen?" And that's kind of what we focus
3 on.

4 And the answer for that is always, kind of, a yes
5 or a no. There is -- it's either negative or it's just
6 nothing. It just is what it is.

7 So -- did that answer your question? Is there
8 anything that you would --

9 COMMISSIONER HARRIS: So, I guess, in other
10 words, an alternative, where most of the housing is --
11 infill housing is going to be less bad than the -- housing
12 other places -- you know, you used the word, "worst case
13 scenario." I don't know what you mean by that.

14 MR. EVANS: By that I meant that that was -- that
15 is kind of the envelope of our analysis. In other words,
16 we're looking at 4,000 units, even though -- and this may
17 actually help answer some of the other questions, I think,
18 that Commissioner DeCardy was asking about, about that
19 very same question.

20 Remember, we're looking at an eight-year program
21 here. And we don't have our crystal ball. We don't know
22 who -- what developers are going to come along, what
23 affordable housing subsidies are going to come along, et
24 cetera. So at the end of the eight years, we don't know
25 exactly how many housing units are going to actually get

1 built in the city. We just have no way of knowing that.

2 The 4,000 units is a big number. I think most
3 people would agree that if 4,000 units were to be
4 constructed in the city in eight years, that would be a
5 big number.

6 The answer of what actually is going to be built
7 is probably going to be less than that, realistically;
8 right? So when I say, "worst case scenario," that's kind
9 of what I mean. We're looking at the upper limits of what
10 could happen. The answer may be somewhere lower than
11 that, when it's all said and done, at the end of eight
12 years. You know, we'll find out.

13 But our -- what we don't want to do is, we don't
14 want to analyze at a lesser level and then find that
15 before the eight years are up, you're already bumping into
16 that level. And then you've got to do more analysis, and
17 you've got to jump through more hoops, et cetera.

18 Does that help explain --

19 COMMISSIONER HARRIS: Yeah. I guess I'm a little
20 uncomfortable with the description of "worst case
21 scenario." We're trying to build housing here. So saying
22 that the worst case scenario is that we built too much
23 housing feels -- I realize that you're saying it from an
24 environmental standpoint, but I'm kind of uncomfortable
25 with that use of phrase.

1 So I know that what we're trying to do is to do
2 this housing in an environmental way. And one way is to
3 consider less parking, per Commissioner DeCardy, and to
4 consider the infill housing. So I'm just hopeful that
5 those are going to help us.

6 And I'm a little unclear, also, what the
7 different -- like, what would be the alternative? Like,
8 we have to build this housing. So what is -- how do you
9 determine what the alternative would be, given the
10 guardrails that we need to meet with RHNA?

11 Are you suggesting that you would do one scenario
12 where it's 8,000, and one that is 4,000? Like, how are
13 you going to come up with this alterative scenario?

14 MR. EVANS: Alternatives are actually driven, in
15 most cases, by what kind of impacts we find, when we do
16 the analysis. Alternatives are kind of the last thing to
17 look at, when you write an EIR, because generally they're
18 constructed around the bad things you've identified with
19 your project.

20 And so alternatives are directed towards, how can
21 you reduce, minimize, avoid those impacts that you've
22 identified? So in many cases, alternatives would be
23 looking at something that would reduce some of those
24 negative things that we found out during the analysis.

25 Does that help?

1 COMMISSIONER HARRIS: Okay. Yeah.

2 I do have a couple other comments.

3 I really appreciate the comments both from Ms.
4 Jones and from Misha. And I, too, have had the issue of,
5 I don't -- I don't necessarily understand how this list of
6 sites is going to get us to where we need to be, given
7 that drilling down on them, I see a lot of, you know,
8 office parks or other places that are fully utilized. And
9 I just don't -- I'm a little bit concerned that we're just
10 not even going to get to where we need to get to.

11 So my question -- I guess this is to staff -- at
12 what point in this process does staff or the M-group, or
13 whoever it may be, contact the landlords or the owners and
14 try to understand -- and developers, to try to understand
15 how realistic each of those sites that we've added to our
16 list are, with respect to housing?

17 And what's the likelihood that -- you know, what
18 kind of incentive -- with the incentive that we're
19 providing, some of these zoning incentives, is that going
20 to be enough? Kind of, how are we going to determine
21 that? And at what stage in this process?

22 Because I feel like we're already here at the
23 EIR, but I'm not really sure that we've done that work.
24 And so I'm just wondering, when does that work happen?

25 MR. SMITH: So we have done outreach to different

1 property owners that would be affected. We've sent out
2 mailings to each of the property owners for all of the
3 sites that were seen on the maps earlier. And we have
4 received contact from a small number, I would say --
5 although, even today, I'm still noticing inquiries coming
6 in, and people wanting to talk to us about their sites.
7 And so it's an ongoing process.

8 And as we get feedback from individuals that
9 would affect whether or not the site would be viable for
10 housing, we are making those updates and making notes on
11 that information as it comes along.

12 But we have been having outreach events as well.
13 We have upcoming community meetings. Community meeting
14 number five is going to be February 12th. And then even
15 after that, we're going to be turning to another community
16 meeting shortly thereafter.

17 So on -- outreach is really an ongoing process,
18 and we have been making attempts to reach all of the
19 various property owners about this.

20 But does that help?

21 COMMISSIONER HARRIS: Well, I'm just wondering --
22 okay. So I'm a property owner. I got a mailer. And I'm,
23 like, "Oop. I'm not interested." I mean, at what point do
24 you actually speak with that, like -- try to contact them,
25 maybe, in a different way or make sure that we have this

1 list that is going to work for us?

2 MR. SMITH: Right. So, yeah. We've -- with so
3 many properties that we're evaluating, we've relied on
4 mailings up to this point, but we may look into further
5 outreach as we continue to progress through the process to
6 try to make contact.

7 But we are also trying to remain carefully within
8 the HCD criteria that are set out for sites that they say
9 are -- that the state says are viable for affordable
10 housing. And so that's why we've sort of tuned in on
11 these sites that are of a certain size -- more than half
12 an acre, less than 10 acres in size, et cetera, are the
13 various criteria.

14 So we've tried to identify all of those
15 opportunities across the city. And we're doing our best
16 for outreach, but also trying to maintain sites that HCD
17 says they believe are viable as well, in the case that we
18 can't make contact with the property owner, for whatever
19 reason.

20 COMMISSIONER HARRIS: Okay. All right. So I do
21 want to -- well, I guess I don't have a lot more questions
22 on EIR at this point. I have a lot more other questions.

23 So I'll let somebody else talk.

24 CHAIR DORAN: So if anyone else has questions or
25 comments on the EIR, I think we need to bear in mind, kind

1 of, how the EIR fits into everything else that's
2 happening.

3 This is not the Housing Element. This is the EIR
4 Scoping Session. So if anyone else has comments on that,
5 now is the time.

6 Not seeing any -- so I'm going to close this
7 Scoping Session and move on to the final item on our
8 agenda, an informational item.

9

10 (WHEREUPON, Agenda Item H2 ended.)

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1 CERTIFICATE OF REPORTER

2

3

4 I, AMBER ABREU-PEIXOTO, hereby certify that the
5 said proceedings were taken in shorthand by me, a
6 Certified Shorthand Reporter of the State of California,
7 and was thereafter transcribed into typewriting, and that
8 the foregoing transcript constitutes a full, true, and
9 correct report of said proceedings which took place;

10

11

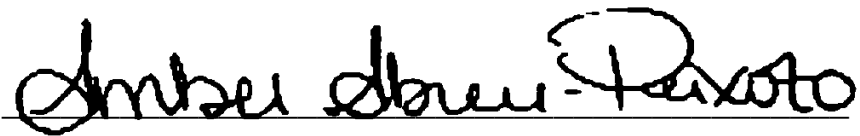
12 That I am a disinterested person to the said
13 action.

14

15 IN WITNESS WHEREOF, I have hereunto set my hand
16 this 1st day of February, 2022.

17

18

A handwritten signature in black ink, reading "Amber Abreu-Peixoto". The signature is written in a cursive, flowing style. The first name "Amber" is written with a large, looped capital 'A'. The last name "Peixoto" is written with a large, looped capital 'P' and a trailing flourish.

19

AMBER ABREU-PEIXOTO, CSR No. 13546

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-	3	800 16:4	adhered 28:4
--oOo-- 53:12	3,061 13:4	85 12:21	Adopted 22:4
1	3,600 12:14	8th 11:15	adoption 4:19 12:8
1 15:19	3,647 12:18	9	ADU 12:18
1,490 13:9	3,800 30:24	9 24:14 31:6,12,15	ADUS 12:20,23 39:20 41:25 42:1
1,669 13:3	3,830 8:22	9:31 4:1	advanced 21:3 37:4
10 39:21,22 52:12	30 8:21 12:25 14:9,15 15:8,15	A	advised 8:23
10,000 15:13 16:21	31st 22:3	ability 34:16	Advisory 34:1
10.6 12:20	4	above-moderate 13:2	affect 51:9
100 13:16,20 14:25 15:1 31:2	4,000 13:17,24 28:24 29:1,2,20,25 30:16 41:20,21 47:16 48:2,3 49:12	absolutely 43:21,23	affected 51:1
101 17:19	45 22:18	acceptable 29:17	affordable 5:4,9 13:10, 14,16,20 14:5,24 15:1,3 31:2,8 35:4 42:2 47:23 52:9
10:40 45:17	4th 12:9	access 11:13	Agency 11:3
11 19:18	5	accommodate 5:13	agenda 4:5 6:9 53:8,10
11:00 45:18	5,000 12:11	accurate 38:1	agree 26:18 48:3
12th 23:16 51:14	50 27:20	accurately 38:8	agreed 35:2
15 39:23	5th 14:2 25:6	acknowledgment 35:9	agreed-upon 30:16
18 40:2	6	acre 14:10,14,15,25 15:9,15 52:12	agricultural 5:21 21:21
2	6,000 29:1	acres 52:12	ahead 19:2 24:10 28:9
2,000 29:1	60 38:16	Act 4:14 46:20	AHO 5:4 14:24
2,946 8:20	680 14:18 17:3	actions 7:24 10:7	air 7:8 10:22 11:10 22:15 43:4
20 14:5,14 40:2	6th 4:10 6:11 8:10,20 11:17 12:2,16,21,25 13:3 25:8 42:11	adaptation 10:7 43:6,7	Allied 25:3
2013 12:9	7	add 4:19 6:13	allocated 35:16
2015062054 4:18	70 16:1	added 13:1 50:15	allocation 8:19 11:18 30:15
2016 4:17 21:6 33:22	7th 42:11	adding 26:20 34:10	allocations 32:19
2018 12:19	8	addition 5:7 43:4	allowance 31:15
2020 12:19	8,000 49:12	additional 5:15 8:23 14:7,23 15:16 17:15,22 34:12 36:24	allowed 15:2 17:2
2022 4:1 39:24		additions 6:1	allowing 30:25 33:21 35:8
2023 8:9 14:3		address 10:15 36:19	alterative 49:13
2024 39:24		addressed 7:11	alternate 41:5
2031 8:9		addressing 10:4 36:13	alternative 41:11 45:9 47:10 49:7,9
24 4:1		adequate 45:8	alternatives 20:12,14 49:14,16,20,22
25 39:24			

amend 9:7	Arts 25:3	bear 6:25 52:25	built 11:18 25:8 26:7 30:5 33:12 39:22,23,24 48:1,6,22
amendments 4:19,23, 24 5:1 7:21	aspect 28:4	begin 6:6 24:16 44:2	bumping 48:15
amenity 35:15	aspects 46:6	beginning 24:23 27:17	burden 39:9
amount 6:14	assemblage 32:15	behold 43:24	burdened 10:18 11:6
analysis 5:23 22:14 29:19 46:22 47:15 48:16 49:16,24	assessing 10:5	Belle 11:8 17:17 27:20	burdens 10:20
analytical 11:2	assistance 22:21	benefit 40:19 45:2 46:23	by-right 14:4,5
analyze 8:11 13:17 46:2 48:14	assume 42:10	benefits 46:21	
analyzed 4:18	assuming 40:12 41:1	benefitting 40:25	<hr/> C <hr/>
analyzes 7:7	assumption 42:16 44:16	between-size 40:1	C-2 15:9
analyzing 10:25 20:19	assumptions 30:4 31:10 42:3,12,20 44:12	Beverly 26:25	C-2-A 15:9
and/or 31:8	assure 42:20 43:3	big 18:23 20:24 30:12 48:2,5	C-2-B 15:10
animated 38:18	attempts 51:18	biggest 26:16	C-2-S 15:10
answers 29:24	attention 22:2 45:14	bio 22:16	C-4 15:10
anticipate 12:21 13:3	Avenue 16:16 32:12	bit 22:11 30:25 50:9	Calenviroscreen 11:2,7
anticipated 5:19,23 6:15 9:6	average 12:20	blue 16:18 17:8	California 4:14 5:18 8:22 10:18 11:3
applications 21:1	avoid 9:9 20:11 22:5 49:21	BMI 35:7	call 6:21 7:6 14:24 46:25
applied 16:22 27:2	Awesome 32:13	BMR 13:22 15:3 31:3 41:24	called 7:18 10:16
apply 4:22 12:7 15:10 21:18,19,23	<hr/> B <hr/>	bodies 34:10	calling 24:14 32:18
appreciated 28:21	back 7:2 9:9 18:6 25:12 27:4 28:16 32:3,20 33:2 35:12,14	body 34:12	Camino 5:1 12:8 14:21 16:15
appreciating 6:17	bad 22:5 47:11 49:18	bonus 14:16	canopies 43:13
approach 6:22	baked 35:1	booting 18:25	cap 14:18 17:2
approval 14:8	ball 47:21	bottom 12:6 22:2	capacity 36:2,16
approve 39:10 42:1	Barnes 31:21,23 32:8 33:13 37:15 38:2,9	bring 10:2 28:16	capital 34:13,14
approved 12:13 14:6	base 14:15	broad 22:1 37:10	capitalist 26:9
approximately 45:17	based 5:15 13:12 26:4 30:15 31:13 41:5 42:17	broken 12:3 13:11 43:17	capture 29:21
area 6:23 11:12 14:12, 14,17,19 15:18 16:6,14, 17 17:4,7,17 32:10 33:9 34:20 39:11,14,15 40:13 41:8,10	basically 11:25 23:10	budget 34:13	car 44:22
areas 5:20,22 7:8,17,18 10:5,17,24 15:6,20 21:20 32:24 43:11	bay 17:16,17 40:13 41:8,10	budgets 34:13,14,15	carbon 44:20
argument 40:18	Bayfront 15:18 17:17 34:20	buffer 8:21,23 9:4,8 13:1,9 30:16,24	carefully 52:7
	Beach 26:24	build 25:25 26:18 44:17,18 45:3 48:21 49:8	carry 44:22
		building 25:19	cars 38:15 44:16 45:4, 13
		buildings 25:25 26:8, 13 39:13,14	case 29:9,18 30:1 36:21 39:4 40:15 41:5 42:21

47:12 48:8,20,22 52:17	City-owned 14:22	11:20,21,23 14:8 23:25	constructed 48:4
cases 49:15,22	citywide 4:22 16:4	24:3 28:16,17 41:15	49:18
categories 12:4 13:8	civic 11:14	45:21	constructing 36:13
category 12:5	clarification 6:19	commissioner 18:1	construction 28:1
caution 30:11	clarifying 18:9,14,18	28:19,20 29:24 31:5,18,	39:14 40:2
cement 44:21	23:25 24:4 28:21,24	21,23 32:8 33:13 37:15	consultant 8:4 18:11
census 11:4	31:24 32:2	38:2,9 39:3,17 41:18	contact 50:13 51:4,24
center 16:10	clear 18:16 24:6 36:22	44:9 45:22,23 46:1	52:6,18
central 16:14	Clearinghouse 4:17	47:9,18 48:19 49:3 50:1	contemplate 33:1
CEQA 4:15 20:13	climate 6:18 9:21 10:6,	51:21 52:20	content 7:5 8:1 37:24
21:14,16 35:23,25	7 25:22 26:17 42:12	commissioners 38:25	context 36:6
36:12,18,21 46:17,21,	close 28:9,15 38:10	communities 10:16,	continually 43:18
24	53:6	17,21,25 11:5	continue 25:25 40:13
certification 23:2	closer 17:16	community 5:17 8:23	42:1 45:18,19 52:5
cetera 26:3,17 37:8	closes 22:12	9:21 11:19 23:16 28:2	continuing 39:22
46:14 47:24 48:17	closing 38:14	30:6 34:1,2 35:14 43:12	40:24
52:12	coherent 33:17	44:4 51:13,15	controlling 32:6
Chair 4:5 6:3 18:15	collecting 10:24	commute 25:20	convert 26:13
23:24 24:9,17,19 27:10	collectively 4:12	companies 26:11	cool 43:13
28:7,10,15 31:21 38:25	color 17:8	compare 12:24	correct 28:13
41:14 45:16 52:24	color-coded 16:8	comparing 25:5	correction 35:9
Chairman 23:20	combination 22:24	complete 5:19	corrections 6:1
challenged 40:16	combines 11:4	compliance 4:13 10:2	correctly 30:23
challenges 13:13	comment 7:11 18:19	component 10:9 37:25	correspondence 6:8
change 6:18 9:22	22:9,12,19,20 23:12,21	components 18:12	Council 11:15,20,23
25:22 26:17 29:13	24:2,7,15 25:2,4,10	compounded 10:15	14:9 15:16,18 17:21
42:12	26:4 27:6,14 28:6,9,16,	concept 34:24,25	23:2 40:2
charge 41:7	22 29:14 30:3 42:23	concern 20:9	count 12:15
chart 11:25 12:2,6	44:10	concerned 25:18	country 25:15
checked 42:3	commenter 24:21	35:25 36:5 45:25 50:9	couple 13:23 17:24
chime 30:20	27:10	concerns 6:10,13	21:18 22:10 28:20 50:2
circulation 33:22	commenters 24:16	concludes 18:8	cover 8:8 20:25
cities 26:24 40:12	comments 6:17 7:5,25	conforming 4:24	covers 20:24
city 4:8 5:10,14 6:23	19:19,23 22:10,22,25	confusing 36:21	created 11:2 44:1
8:14 9:7,13,14,24 10:11	23:13,14 24:3 27:17	Connectmenlo 12:10	creates 43:9 45:11
11:15,17,20,23 12:11,	28:3,17 39:4 41:25	21:6	creating 34:17 37:18
15 14:8 15:16,18,20	45:21 50:2,3 52:25 53:4	consideration 21:20	credits 12:6,18,24 13:7
16:14 18:22 21:19	commercial 15:5	43:20,22	criteria 52:8,13
22:22 23:1 33:23 35:11	16:23 39:12	considered 11:8	Cruz 16:16 32:10,12
40:2,14 48:1,4 52:15	commercial-only	consistency 4:25	
City's 4:12,16 7:15 8:4,	16:11,24 17:9	construct 9:15 36:11	
20 10:10 13:18 15:3	commission 6:4		
18:11			

crystal 47:21	developed 13:16	12:9 14:20 15:14 16:15, 20,25 32:3,12,17 33:2,9 39:17,25 40:4,6 42:8	37:17,22,25 38:3 39:4,6 40:9,11 41:4,9,21 42:9, 19 43:15,17 44:25 45:8, 25 49:17 50:23 52:22, 25 53:1,3
current 14:2	developers 44:18 47:22 50:14	draft 5:16 22:7,14,17, 20,24	EIRS 43:18
cursor 18:2	developing 10:6	draw 22:2	EJL 42:25
Cutlass 38:16	development 5:3,8,13, 17 6:12 7:17 8:16,23 9:16 10:4 13:20,21 14:4,6,15,17,22 15:7 16:3 17:5,10 31:1,2,16 32:14,18,21 33:3,8 34:18 35:7 39:10,18 40:9	drilling 25:6 50:7	EI 5:1 12:8 14:20 16:15
Cycle 4:6,10 6:11 8:10, 20 11:17 12:2,9,16,21, 25 13:3 14:2 25:6,9	developments 12:13 13:14,21 15:1,2 34:16	drive 38:16 40:13	elaborate 37:13
<hr/> D <hr/>	develops 9:5	driven 49:14	element 4:7,8,10,11,13 5:7,16 6:11,13 7:20,22, 23 8:2,6,7,11,15 9:6,8, 9,12,18,19,20 10:2,10, 12,14 11:10 12:22 14:3 20:15 21:21 22:4 25:6 27:2 28:4 29:15,22 30:18 33:22 35:20 37:21,23 38:23 41:8 43:1 44:15 45:6 53:3
DAC 11:8	difference 20:22	driving 26:2	elements 4:24 7:18 8:5 26:24
DACS 10:16	differently 37:22	drop 29:17	embedded 44:20
data 42:17	digging 8:1 43:9	due 9:21 34:7 39:5	emergency 36:4
Davis 26:25	directed 49:20	duration 42:11	emissions 7:9 26:3 43:10
days 22:18 42:22	direction 34:3	dwelling 14:10,14,15, 25 15:8,15	emphasis 46:21
deadline 22:3 23:4	disadvantaged 10:16, 17 11:6	<hr/> E <hr/>	enabled 12:10
Decardy 28:19,20 29:24 31:5,18 41:17,18 46:1 47:18 49:3	disagree 44:8	e-mail 23:13 25:4	encourage 15:6 39:13 46:9
December 11:15 17:21	disagreed 29:25	earlier 10:9 19:22 21:12 22:10 23:17 25:4, 23 32:7 37:3 51:3	end 13:9 22:8,21 43:24 47:24 48:11
decisionmaking 11:14	disappointed 35:23	early 7:10	ended 53:10
decisions 7:16	disaster 44:19,20,21	earthquakes 9:22	endorses 6:22
defined 10:16	discussed 25:23	easier 46:12,13	engagement 11:14
delete 39:11	discussing 46:5	easy 38:13,15	enhancing 11:11
densities 5:5 8:25 14:9,12,16 15:2,7,18,19 16:4,22 17:2 33:19 37:8	discussion 15:22 28:25	economic 10:18	ensure 4:25 11:17 28:3
density 9:5 14:13 15:15 33:6,11 40:25 42:5,6,7 44:10,14 45:3, 4	distinction 38:6,7	edge 30:1	ensuring 11:13
Department 5:17 8:22	district 5:5 15:5,19 27:23 34:11,12,21,22 35:3 36:10,11	education 34:8,9 38:13,18,19	entertain 23:25
depend 9:16	districts 5:4 6:20	educational 6:21 34:25 35:18 37:19 38:11	envelope 29:6,18 47:15
derived 21:14	document 19:25	effect 37:18	environment 7:8 36:1, 7 39:12 43:25
description 48:20	Doran 4:5 6:3 18:15 23:24 24:9,18,19 27:10 28:7,10,15 31:21 38:25 41:14 45:16 52:24	effects 7:7,14	environmental 4:6,8,
designated 28:2	dove-tailing 46:1	eight-year 8:8 9:2 47:20	
details 6:10 18:11	downtown 5:1 6:23	EIR 4:9,16,17,18 5:20 6:19 7:6,7,12,13 8:1,2 13:17,25 18:12 19:11, 13 20:3,18,21,23 21:5, 6,10,13,24 22:14,17,20, 23 23:1 29:1,3 33:20	
determine 11:5 19:24 49:9 50:20			
develop 6:14 8:25 9:15 46:12			

11,14,21 7:6,14,22 8:4 10:10,12,14,19 11:3,9 18:11,22 19:5,12,15,25 20:9 25:11 28:1 29:16 35:11 36:17,19,23 37:9 46:3,20 48:24 49:2	extent 21:8 46:17 extrapolate 41:24 44:4	flood 17:23 floods 9:22 focus 47:2 focused 16:14 36:23 focuses 9:20 folks 23:11 43:2 follow 8:4 18:5 food 11:12 forces 9:17 forestry 5:21 21:22 formulate 33:17 forward 40:3,5 41:2 45:15 fossil 43:9 found 49:24 fourth 44:11 free 30:20 friend 39:5 friends 25:19 front 45:19 frustrated 38:7 frustrating 42:15 fuel 43:9 full 5:20 21:23 fully 27:1 50:8 fund 35:15 38:13,21 funding 38:19 funds 35:13 future 7:16 15:21 37:5 40:20,23 41:11 42:21	generally 49:17 geographically 30:7 give 6:6 13:23 28:10 40:17 goals 4:20 8:12 God-given 38:15 Goldilocks' 43:18 good 6:3 25:1 30:3 39:16 40:17 43:10 great 19:1 24:24 34:2, 21 green 16:18 greenhouse 7:9 26:3 guardrails 49:10 guess 23:20 29:24 30:11 47:9 48:19 50:11 52:21 guide 7:15 guidelines 21:14,16 guys 24:6
equation 33:10 equivalent 15:19 ESA 8:4 18:10,21 essentially 42:24 estimate 30:12 evacuation 10:5 evaluate 7:14 evaluated 10:3 evaluating 15:20 17:23 33:7 52:3 Evans 18:10,20,21 29:4 30:10 33:15 35:22 38:1, 5,14 46:5 47:14 49:14 evening 6:3 25:2 37:3 events 51:12 everybody's 22:2 evidence 26:6,11 examples 10:4 11:10 exceedance 36:15 exception 5:21 excuse 18:1 34:23 existing 5:12 7:20,22 8:11 36:14 exists 14:19 37:24 expand 36:11 expanding 11:12 expect 22:10 25:8 27:1 39:23 expectation 40:6 expected 9:1 expensive 46:13 experienced 10:21 explain 48:18 exposure 10:22 11:11	F fabulous 42:25 Facebook 25:23 facilities 11:12 34:13 36:14 facility 34:14 36:2 fact 44:15,22 46:23 faintly 16:7 familiar 11:21 families 25:19 fan 42:6 fast 42:22 feasible 6:12 33:11 February 23:16 51:14 federal 46:19,20 feedback 45:13 51:8 feel 25:14 30:20 39:6 50:22 feeling 25:20 feels 30:2 48:23 feet 16:21 fellow 39:17 44:9 FIA 34:19 figure 33:18 45:5 figured 39:21 figuring 32:19 final 15:12 17:15 23:1 42:19 53:7 find 29:15 48:12,14 49:15 finding 30:13 fires 9:22 firms 26:9 fits 53:1	G gas 7:9 16:9 26:3 gave 32:7 general 4:9,12,17,19, 23,24 7:15 8:8 9:20 10:11,12 12:10 34:1 35:13 37:10	H H2 53:10 half 12:2,6 52:11 halfway 39:20 hand 24:10,13 handled 30:22 hands 24:8 28:7,12,14 31:22 happen 22:5 23:6 42:22 47:2 48:10 50:24 happened 11:19 33:25 happening 46:16 53:2 happy 18:9,23 23:18,19 hard 35:5 37:9 Harris 45:22,23 47:9 48:19 50:1 51:21 52:20 Haven 11:8 17:18 27:20

hazard 10:5	22:4 25:8,14,16,19	21 9:8,12 10:21 13:19, 22 14:4	interface 24:14
hazardous 10:22	26:1,14,18,24 27:2 28:4 29:12,15,16,22 30:17	included 6:11 11:9	internal 4:25
hazards 9:23,25 10:6	31:9 35:4,19 37:21,23	includes 5:14 41:11	intersection 34:5 43:15
HCD 22:4 26:23 52:8,16	38:22 39:7,11 40:6,13	including 13:9 16:14	introduce 27:11 36:9
health 10:15,19	41:6,7,12,23 42:2,25	inclusion 6:17	inventory 8:15 9:12
hear 18:15 20:5,6,15	44:10,20 45:3,12 46:3, 9,12,15 47:10,11,23,25	income 8:14 12:3,25 13:7,11,21	islands 43:13
heard 37:2	48:21,23 49:2,4,8 50:16 51:10 52:10 53:3	income-affordability 13:6	issue 25:12,15 36:19 40:10,11 50:4
heat 43:13	housing-opportunity 16:2	incorporated 31:12,16	issues 10:19 19:12 20:1,2,9 36:1,6 43:7
height 33:3	huge 42:6 45:6	increase 14:11 15:1 40:24	item 4:5 6:16 15:16 53:7,8,10
Heights 16:6	<hr/> I <hr/>	increased 16:3,22 33:19	items 6:7
Heights' 16:10	icon 24:13	increases 14:16 15:19 17:2	<hr/> J <hr/>
helpful 31:5 43:15	idea 34:4 43:10	increasing 6:22 40:18	Jacqueline 6:16
Hey 34:2	ideas 20:16	individual 6:20	January 4:1 22:3
high 10:22 21:4	identified 9:4 13:15 17:16,22 36:7 49:18,22	individuals 51:8	Jones 27:12,19 39:5 50:4
higher 5:5 14:10	identifies 10:24	indoor 43:3,4	jump 46:13 48:17
Hill 16:6 26:8	identify 5:7 8:25 9:7 52:14	inevitable 41:2	jurisdiction 24:23 27:17
Hills 26:25	impact 4:6 7:6 18:22 25:11,22 33:19 34:12, 18 35:12 36:7,17,19,23 42:17	infill 46:3,6,9,12,15 47:11 49:4	justice 4:8,11,22 7:23 10:10,12,14 11:10 28:2 38:11,12
hired 18:22	impacts 6:19,21 20:11 29:16,22 30:5,13 34:20 35:10,14,25 36:12 37:9 42:13 43:2 44:6 46:3 47:1 49:15,21	information 8:2 10:25 11:5 20:6,8 23:11 51:11	<hr/> K <hr/>
historic 13:12	implement 31:7	informational 53:8	key 20:9 33:6
history 41:22	implementation 4:20 8:13	informs 7:16	kind 17:6 19:8,12 22:8, 25 23:7 25:6,11 27:22 29:5,18,20 30:7,14 33:21 36:25 43:13 46:1, 20,24 47:2,4,15 48:8,24 49:15,16 50:18,20 52:25
holes 43:8	implications 25:17	infrastructure 11:12	kinds 37:10
home 37:16,17,20,23 38:23	important 9:8 25:14 29:2 30:2 38:10,12 42:4 43:5 44:24 45:6,10	input 5:16 19:4,5,8 42:23	knowing 48:1
homelessness 26:17	improving 11:10	inquiries 51:5	<hr/> L <hr/>
hoops 46:13 48:17	inability 38:12	instance 32:10 33:2 34:11 35:2 36:4,8,16 46:11	lack 19:16 38:19
hope 27:6 37:13 40:14 43:14	incentive 50:18	integral 40:4	
hopeful 49:4	incentives 13:13 50:19	interaction 29:13	
hour 38:17	include 4:19,23 8:15, 21 9:8,12 10:21 13:19, 22 14:4	interested 27:24 36:2, 12 51:23	
hours 25:13		interests 9:16	
houses 26:7			
housing 4:7,10,13,21 5:4,6,7,9,14,16,17 6:11, 14,23 7:20 8:2,6,7,11, 12,13,15,16,18,22,24 9:1,6,8,9,12,14,15 11:13,20 12:1,11,13,22 13:14,15,20 14:1,2,5, 20,24 15:1 16:3,5,13,17 17:12,15 20:15 21:20			

land 7:17 11:16	located 5:14 17:25	mandates 31:8	mind 41:3 44:8 52:25
landed 31:3	locations 39:6	manifest 46:18	mine 8:4
landlords 50:13	lock 42:13	map 16:5,13 17:5,15	mineral 5:22 21:22
large 20:24 26:13 32:22	locked-in 42:16	maps 15:23 18:7 30:5 51:3	minimize 49:21
larger 17:12	long 19:25 20:2 23:5 25:4 28:23 42:10	market 9:17 13:21 31:3 41:23	minimum 14:13 15:8, 13
largest 25:7	longer 28:8 34:6	Marsh 17:18	minute 20:2 34:2
law 5:11 9:11 10:3 31:16 36:21 39:23	loosely 37:1	massively 45:1	minutes 24:24 27:14
laws 46:7,10	LOS 33:25	massively-reduced 45:9	Misha 6:9 24:21 25:1 50:4
layout 23:11	lot 15:13 21:7 22:21 23:6 25:13 26:7,10,23 46:10 50:7 52:21,22	material 30:8,10	mitigation 20:10 43:8
lead 26:7 28:18	lots 6:24 23:13 25:25 32:9 39:17,19,25 40:1 46:7	maximum 43:23	mix 31:11 42:8 43:15 45:6,10,13
leading 25:19	love 42:19,24	means 14:6 39:12	mixed 13:20 31:2
learn 44:5	low 12:4 13:6 41:20	meant 47:14	mixed-income 15:2
leaves 39:11	lower 8:25 48:10	measures 9:23 11:9 20:10	mixed-use 15:6 17:10
legislature 46:8,14	lucrative 26:12	meet 5:10 8:16 9:2 11:17 12:1 13:18 41:8 49:10	moderate 12:4,5 13:6
lesser 48:14	Luke 18:10,20 30:23 31:25	meet all 13:2	modifications 6:15 15:11 33:7
letter 30:4	<hr/>	meeting 7:4,24 17:21 23:16 39:9 51:13,16	modified 17:10
letting 27:15	M	meetings 11:19,20 51:13	modify 4:20 5:3 14:23 15:4 33:14
level 14:7,16,17 21:4 25:18 26:23 27:1 34:4, 9,24,25 35:17,19 48:14, 16	M-GROUP 50:12	members 6:4 19:8,20 20:6 22:19 24:12	moment 7:1 17:20 28:8
levels 8:14 12:25 13:6, 11 35:7	made 31:10 39:16	melded 22:25	Monday 4:1
life 38:3	mailer 51:22	Menlo 4:8,9 11:7 12:3, 16,19 13:12 25:15 27:20 34:4,11,22 40:12, 19,22,23 41:9,10	money 26:10
lift 33:13	mailings 51:2 52:4	Menloport 34:19	months 19:18 22:13
lifted 17:3	main 25:12 26:4 43:16	mentioned 7:25 10:9 22:10	move 7:2 26:12 40:3 53:7
lighter 16:19 17:8	maintain 52:16	metric 35:2	moved 40:5
likelihood 50:17	major 12:12	metrics 36:3	multifamily 5:9,13 9:14
limits 48:9	make 13:8 15:19 26:19 27:3,4 28:3 30:12,17 33:8,10,16 42:12 43:3 51:25 52:6,18	middle 43:24	multiple 11:16
list 5:12 19:12 20:1,2 21:12 26:5,19,21 50:5, 16 52:1	makes 44:11	Middlefield 17:6,13 26:8	<hr/>
listen 27:5	making 46:11,12,13 51:10,18	miles 38:17	N
live 40:23	malnourishment 38:20		National 46:19
lo 43:23	Manager 18:21		nationwide 25:17
loading 6:6			necessarily 20:25 37:7 39:15 50:5
local 7:16 10:5 25:17, 18 36:10			needed 13:5,10

needle 43:25	opportunity 7:11 13:15 14:2 16:5,13,18 17:12,16 18:24 21:2,19 27:13 28:21 44:25 45:11	parks 50:8	Plan/city 4:9
negative 46:25 47:1,5 49:24	oppose 40:8	part 13:10 21:15 22:3 29:5 33:10	planning 8:9 9:2 11:20, 22 12:22 14:8
neighborhood 11:8 17:18 27:20 28:3	opposed 45:12	participate 27:24	plans 37:4
NEPA 46:19	ordinance 5:2 7:21	path 41:2	play 19:17 46:17,22
net 13:10,17	orient 16:7	patience 7:3	plazas 14:22
nexus 34:17 37:18	outdoor 43:4	Paz 24:1	point 23:20,21 37:5 39:16 50:12 51:23 52:4, 22
noise 22:16	outer 29:25	pending 12:13	policies 4:20 8:12 10:7
non-housing 9:5	outreach 27:22 50:25 51:12,17 52:5,16	peninsula 40:13	Policy 46:20
NOP 6:21 22:12 25:5	overemphasize 43:14	people 18:17 19:23 22:19 23:13 26:1 28:22 38:6 40:22 44:13,14 45:3,4,12 48:3 51:6	political 38:3
north 17:7	overlay 5:4 14:24	percent 8:21 13:1,16, 20 14:5 15:1 31:2	pollution 10:23 11:11
note 6:7 9:11 18:2,10	overreact 38:15	perfect 30:13	portion 39:11
notes 51:10	overview 11:25 13:24 23:2	period 8:9 9:3 12:22 22:9,12 29:14	position 9:15
Notice 22:9	owner 51:22 52:18	permissible 32:1	positive 45:13 46:2,6, 15
noticing 51:5	owners 9:17 26:13 50:13 51:1,2,19	permit 8:16 13:24	possibility 29:7
nuance 36:20		permitted 14:12	potential 7:14 9:24 14:16 15:17,21 17:1,11, 22 20:11 31:16 45:2
number 4:17 8:17 16:17,20 17:8,11 25:7 27:25 28:25 29:2,20 30:12,16 36:9 41:20 43:20,22 48:2,5 51:4,14	<hr/> P <hr/>	personally 40:8	potentially 12:15 33:20
<hr/> O <hr/>	P-DISTRICTS 15:10	perspective 26:22 35:24	potentials 31:1
objectives 4:20 8:13	p.m. 4:1	phone 24:14	poverty 10:21
occupied 26:9	packet 6:9	phrase 48:25	precise 29:9
offer 15:2	padding 30:25	physical 7:8 36:1	preclude 35:7
office 17:19,21 25:25 26:8,13 32:20 39:12,14 50:8	Pam 27:11 39:5	piece 32:17,21,22	predict 42:23
offices 26:1	Pamela 27:19	pieces 35:4 45:2	predominantly 17:13
offset 35:13	paraphrasing 37:16	Pierce 17:25	prefer 18:14
ongoing 51:7,17	parcel 16:10	piggyback 21:8	preliminary 5:12 11:16
Oop 51:23	parcels 16:4 17:13,24 32:16 33:1	pink 16:18,19 32:25	Preparation 4:9 22:9
open 14:19 23:21 24:1, 7	Park 4:8,9 11:7 12:3,19 13:12 25:15 27:20 34:4, 11 40:12,19,22,23 41:9, 10	pipeline 12:12,17	prepare 18:22
operating 34:13,15	Park's 12:16	place 35:17 42:9,10 46:8	prepared 7:13 21:6
opinion 29:14 39:21	parking 6:24 14:22 40:3 44:12,18,19 45:1, 4,10 49:3	places 47:12 50:8	present 43:18
opportunities 13:19 14:20 30:6 31:8 52:15		plan 4:12,17,19,23,25 5:2 7:15 8:8 9:20 10:11, 13 12:9,10 14:12,13,17, 19 17:1 21:6 32:18 33:2,9,14 34:1 40:4	presentation 6:5,25 8:3 18:8,16 19:1,3 23:18 32:7 41:19 45:24
			presentations 11:22 32:6 45:24

presented 42:19	prosperity 42:7	raise 24:13	refer 8:17
press 24:14	protected 8:12	raised 24:8,10 28:8,12 31:22	referenced 8:5
pretty 19:3 21:4 38:8	protecting 43:25	ranging 25:17	referred 4:12 8:9
previous 11:19,22 25:6	protection 9:21 11:3	rate 12:20 13:21 31:3 41:23	refinement 5:15
priced 25:20	provide 12:14 24:15 27:14,16	Ravenswood 16:16 34:21	reflected 33:20
primarily 17:5,19 32:3	provided 6:17 8:3 35:12	re-use 14:1	region 26:17
prior 8:1	providers 36:4	re-zonings 16:2	Regional 8:18
problem 36:25	providing 36:23 50:19	reach 51:18	reinvent 21:9
problematic 32:14	Pruter 24:8,9,20 27:9 28:6,13	read 27:6	rejected 27:3
problems 26:16 36:7	public 5:15 11:11,14 18:18 19:4,9,20,23 20:7 22:20 23:21 24:2,7,12, 15 27:14 28:9,15,22 29:13,14 36:3	ready 33:24	rejecting 26:23
process 18:12 19:16 23:3 26:22 33:25 35:1, 17 38:23 43:17 45:15 46:13 50:12,21 51:7,17 52:5	publish 22:17	real 5:1 12:8 14:21 16:15 19:3 37:3,6	relate 31:6
produce 13:14	pull 6:25	realistic 26:20 27:4 33:12 50:15	related 4:21 7:20 25:10
produced 12:19	pulling 23:7	realistically 48:7	relates 32:23
production 5:6	purpose 7:4 10:14 19:4,7,22 21:10	realize 25:10 41:3,7 48:23	relationship 37:18
program 20:21,23,24 42:9 44:25 47:20	purposes 28:25 43:8	reason 10:1 25:12 52:19	Relative 42:9
program-level 37:11	put 23:10 39:8 46:8,21	reasonable 40:6	relentless 40:24
programs 4:21 8:13 43:13		reasoning 27:1	relevant 28:25 42:21
progress 52:5		reasons 39:9	relied 52:3
project 4:13,18 5:19 6:8 7:7,19,24 8:3 9:5 13:1 18:21,23 20:23 21:2 25:24 36:8,25 37:1,2,9 42:16 44:1,7 46:19 49:19	<hr/> Q <hr/>	receive 7:5,25	reload 32:6
project's 35:25	quality 4:14 7:9 11:10 22:15 43:4	received 6:7 22:22 51:4	relooking 33:3
projected 41:6	question 20:17 29:23, 25 30:13 31:6,24,25 32:2,9 33:15 37:12 42:4,5 47:7,19 50:11	recent 10:2 39:22	remain 52:7
projects 12:12,15,17 14:4,6 20:25 31:2 33:12 37:3,6,11	questions 18:6,9,14, 17,18 23:19,22,25 24:3, 4 28:17,21,24 30:8 45:21 47:17 52:21,22, 24	recognize 29:12	remainder 16:25
promoting 11:13	quickly 11:24 15:24 19:15	recognized 46:15	remaining 9:1
properties 15:14 16:20 17:1 52:3		rectify 35:3	remedying 36:6
property 9:17 26:13 45:2 51:1,2,19,22 52:18	<hr/> R <hr/>	red 22:3	Remember 47:20
proposed 5:12 6:15 7:7	R-3 15:14 16:20 32:25	Redondo 26:24	reminder 24:12
		reduce 9:24 20:11 49:21,23	remove 14:18 15:12
		reduced 41:11	removed 40:7
		reducing 11:11 43:9 45:1	reopen 9:9
		reduction 15:17	report 4:6 5:24 6:2 7:6 18:23 34:16
			reporting 35:1
			represent 25:7
			request 41:4
			require 5:23 14:7 20:13 36:10
			required 9:7 13:3

requirement 12:3 13:4 15:13 30:24 41:8	roadblock 40:7	Sequoia 34:23	slides 13:23
requirements 4:14 5:11 12:7,25 13:2,18 15:3	roof 43:13	series 15:24	small 51:4
requires 9:11,13	rounds 14:7	serve 43:7	smaller 12:15 17:24 32:15 39:17,19
resident 25:3 27:19	routes 10:5	service 34:4,9,24,25 35:18,19 36:3,4,24	Smith 5:24 6:3 18:4 30:22 31:12,20 32:5 33:5 50:25 52:2
residential 5:5 6:23 10:4 12:12 14:12,21 15:6,17 16:22 17:3 32:20	rule 39:6 43:8	session 7:5,10 19:7 22:8,19 53:4,7	sort 18:12 39:25 52:10
residents 27:23 40:19, 20,21	run 33:16	Session/6th 4:6	sorts 43:5
resiliency 10:8	running 16:7,16 17:6, 18	set 8:17 14:13 44:25 52:8	sounds 23:5 24:17 30:8
resources 5:21,22 21:22	<hr/> S <hr/>	setbacks 33:4	south 17:7
respect 39:5 50:16	safe 11:13	Sharon 16:6,10 32:11	space 44:12
respectfully 44:8	safety 4:7,10,21 7:22 9:19 10:1	shopping 16:10	speak 24:22,24 27:13, 15 39:1 41:15 45:20 51:24
respond 22:22 39:16	Sand 16:6 26:8	short 20:18	specific 5:2,8 11:4 12:9 14:12,13,17,19 17:1 19:5 20:6,25 21:2 29:2 32:17 33:2,9,14 40:4 42:16
response 36:4 38:24	sanitary 11:13	shortfalls 36:14	specifically 6:21 15:9
responses 22:25	Santa 16:16 32:10,12	shortly 27:15 51:16	specifies 9:23
rest 45:15	SB 31:6,12,15	show 19:13 20:3 21:13	spend 26:19
restraining 40:1	scale 32:23	showing 12:2 15:23	spent 25:13
result 29:13	scenario 11:16 29:9,19 30:1 43:19 47:13 48:8, 21,22 49:11,13	shown 26:11	spot 30:14
retail 15:5 32:19	scenarios 11:24	shows 12:6 16:5,13 17:5,15 34:20	spread 30:7 42:5
return 24:2	schedule 19:16	side 37:22	square 16:21
review 5:16 14:8 19:15	school 6:20 17:24 34:10,12,21,22 35:2 36:2,10,11,12,13,16	significantly 40:18	square-foot 15:13
revolve 46:11	schoools 6:20 33:19	significantly-reduced 41:5	staff 5:24 6:2 14:6 50:11,12
rezone 5:10	scope 7:5,25 19:24 29:21	Silin 6:9 24:21 25:1	stage 50:21
rezoned 16:11 17:9	scoped 5:20	sir 38:1	standard 19:12
rezoning 7:21	scoping 4:6 7:4,10 19:7,22 22:8 39:4 53:4, 7	site 9:4 16:12,24 51:9	standards 5:3 15:5 32:18 33:3,8
RHNA 8:18,20,21 9:2 11:18 12:1,2,6,9,16,24 13:10,18 30:15,23 42:11 49:10	score 11:5	sites 5:8,10,13,14 6:10, 13 8:16,25 9:2,7,13,15 13:15 14:2,3,9 15:8,14 16:1,2,6,8,13,18 17:9, 12,16,22,24 21:2,19 25:5,7,11 26:5,6,7,19, 21 29:12,16 50:6,15 51:3,6 52:8,11,16	standards' 32:22
Riggs 18:1 39:2,3 44:9	seconds 28:10	situation 34:9	standpoint 48:24
risk 37:15	section 21:17	size 15:13 16:9 32:16 40:19,25 52:11,12	stands 8:18 27:2
risks 9:21,24 10:15	sense 27:3 30:17 44:11	slide 19:2,21 20:20 21:11,25 23:9,10 32:3	star 24:14
Road 16:7 17:6,13,18, 25 26:8 40:9	separate 16:11		start 8:6
	separately 37:24		

started 24:11	supply 9:1	time 10:11 22:18 23:5,8 24:5,10 26:19 27:5,11 28:23 33:23 35:8 41:16, 18 42:10,13 44:17 45:14 53:5	typical 21:12
startups 26:10	supported 11:16		typically 13:13 19:13
starving 38:20	susceptible 43:12		
state 4:17 5:11,18 8:17 9:11 10:2,17,24 11:1 24:22 26:23 31:8,15,16 33:23 39:23 41:6,10 52:9	sweet 30:14		
state-mandated 8:7 9:20 34:3	system 37:20		
station 16:10	systemic 38:12,19		
step 32:20		T	U
stepping 25:12	table 37:4		Uh-huh 31:20
steps 35:9	tackling 26:15		ultimate 20:17
stop 43:8 45:18	tail 22:8		ultimately 42:4
strategies 11:17 13:24 14:23 15:7 16:1 23:17 31:13	takes 44:25		unclear 49:6
strategy 14:1,11 15:4, 12 31:17	taking 23:12 25:2 27:5 35:9 43:24		uncomfortable 48:20, 24
streamlining 46:11	talk 19:10,11 32:25 33:18 35:21 44:18 51:6 52:23		undergo 32:22
street 22:18 38:15,16	talked 23:17		understand 34:5 35:10 42:20 45:1 50:5,14
stressed 25:20	talking 35:3,4 38:13 40:20,21 46:18		understanding 31:7 42:13
structure 40:3	target 8:16,17 16:1		unemployment 10:22
students 36:9	teal 16:25		unevenly 30:7
studied 6:18 13:25	teasing 37:17		unhelpful 44:3
study 15:17 17:22 22:15,16	ten 46:8		Union 34:23
stuff 43:3,4,14	term 19:16 29:9 37:1		unique 10:15
subject 5:15	theoretical 40:20		units 5:9 8:21,22,24 12:5,11,14,21 13:2,4,5, 10,16,18,22,25 14:10, 14,15,18,25 15:3,8,15 17:3 25:8 30:25 31:3 41:24 44:13 47:16,25 48:2,3
submit 22:4 23:13	thing 19:4 23:8 34:7 40:1 43:24 44:23 46:15 49:16		unrealistic 26:25
submitted 27:7	things 10:3,23 20:8 22:5,16 23:6 33:4 36:2, 5 43:5,16,19 46:10 49:18,24		upcoming 23:15 51:13
subsequent 4:16 21:5, 10	thinking 43:6 44:13		update 4:13 7:20,21 8:2,7,12 12:10 20:15 21:21 28:7 29:15,22 30:18
subsidies 47:23	thinks 6:20		updated 6:9 9:18 42:18
substantial 36:9	thoughts 33:17		updates 4:7,11 51:10
suggesting 49:11	threads 43:25		updating 10:1
suggestion 41:12	thriving 42:8		uphill 41:4
sunshine 44:5	thrust 34:1		upper 48:9
super 32:14			Upzoning 33:1
			utilized 50:8

V

variety 13:19
vehicular 35:18
venture 26:9
verbal 23:12
version 46:21
versus 29:1
viable 51:9 52:9,17
vision 7:16
VMT 33:24 34:2
vote 45:8,18
vulnerability 10:6

W

wait 28:8 34:2,6
waiting 28:22
walk 11:23 15:25 18:6
 33:21
walked 31:13
walking 18:13
wanted 6:19
wanting 51:6
waste 9:22 10:22
water 10:22
ways 20:14 23:14
wealthy 26:9
week 22:11
Wender 6:16
wheel 21:9
Willow 17:6,14 40:9
wondering 50:24
 51:21
word 41:21 47:12
words 37:17 47:10,15
work 9:17 21:7 26:1
 44:23 46:4 50:23,24
 52:1

working 22:14
works 41:21
worst 29:9,18 30:1
 47:12 48:8,20,22
wrapped 23:8
write 49:17
written 23:13 27:6
wrote 25:13

X

X-DEVELOPMENT
 37:19
X-MUCH 34:6

Y

Y-IMPACT 37:19
year 11:15 12:20 23:6
 39:21,22
years 27:21 40:3 42:18
 46:8 47:24 48:4,12,15
yellow 16:18
Yup 32:13

Z

Z-DEVELOPMENT
 34:7
zone 9:13
zoned 15:14 17:20
Zones 33:1
zoning 5:2,4 7:21 15:5
 32:21 39:8 50:19
Zoom 24:13

From: [Misha Silin](#)
To: [Planning Commission](#)
Cc: [Andrew Barnes](#); [Chris DeCardy](#); [Michael Doran](#); [Cynthia Harris](#); [Kennedy, Camille G.](#); [Riggs, Henry](#); [Michele Tate](#)
Subject: Comment on item H2
Date: Monday, January 24, 2022 12:45:06 PM

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Planning Commission Members

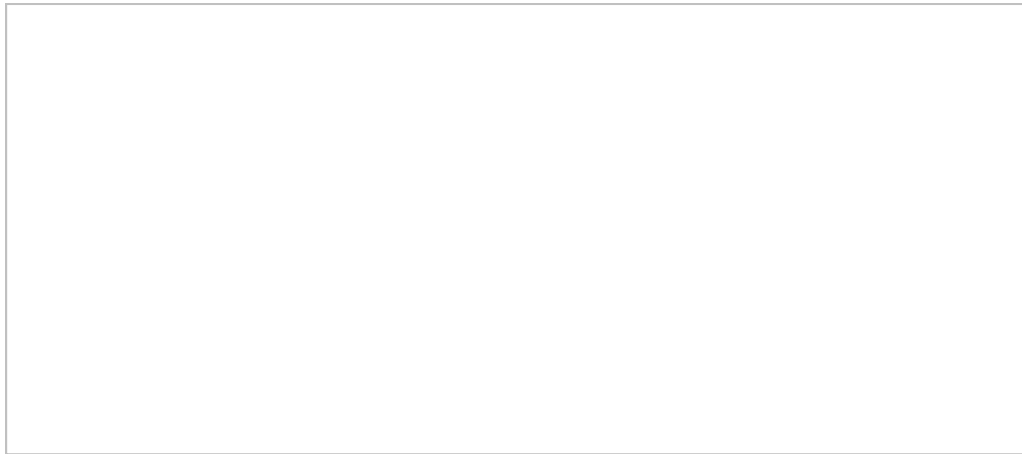
I am a resident of Allied Arts writing in comment to item H2 on the agenda for the meeting on Jan 24th, 2022. I am affiliated with

Since the housing element is asking us to plan ahead for 8 years, this is an opportunity to plan for the Menlo Park that many of us envision. Residents imagine our city as inclusive, vibrant, with opportunities for folks of all income levels and backgrounds to be housed in a dignified manner. We want local families and workers to be able to be housed such that they can live, work, and enjoy all that Menlo Park and our surroundings have to offer.

I have been digging into the proposed sites in our 6th cycle element and I am extremely concerned that this list is unrealistic and is not going to produce the housing we are claiming it will. Not even close. Specifically, I am concerned that our current plan is going to continue the status quo. Very little housing will get built, neighbors and families will continue to get priced out of the area, which will lead to more inequality, congestion due to local workers not being able to live here, and homelessness.

My comments below are mostly based on the [City Council's 12/8 agenda staff report](#) since, on page 20, staff noted the potential housing units expected from each site. The Notice of Preparation (NOP) does not include this number and thus is hard to evaluate.

1.
First, it would be great to have the potential housing numbers for each site in the NOP so that we can all understand exactly what is being planned. There are a number of sites included in the NOP that were not included in the 12/8 staff report.
2.
Below is a graph I made that shows how the % of new units breaks down by "existing use", based on the 12/8 staff report, assuming only the "carved out" portions get developed on the bigger sites.
 - a.



- b. The highlight is that **45% of the new housing units are expected to come from current office sites**. This is alarming and concerning because most real estate analysis firms put the SF Bay Area in the 2nd or 3rd most expensive office market (by asking rent or purchase price) in the United States. And given that we are very close to Facebook, Google, Apple, etc. this is further magnified in our specific city. Office space is very lucrative here, and thus I am extremely skeptical that it will be redeveloped into housing.

3. Here are some examples of sites included in our NOP in the “Office” categories

- a. 85 Willow represents the largest number of units in the entire element. This is currently home to RobinHood’s headquarters, the financial company that went public last year for over \$60bn dollars in market value. They are unlikely to move anytime soon from this location; instead they have been expanding and leasing other office space in the area.
- b. There are numerous multi-story office buildings identified on Middlefield and Sand Hill Rd., currently occupied by large venture capitalist firms who manage billions of dollars in assets, and local startups funded by said VC firms. Why would these companies want to vacate their space, and why would the owners of the building want them to, given the extremely high office rents in the area (often 2-3x higher per square foot than residential)?
- c. Multiple buildings on Bohannon Dr. and Campbell Ave. **These were not included in the 12/8 staff report so it’s not clear what assumptions are being made there.** One of the sites is the US Post Office (3875 Bohannon) while others are large office buildings with big biotech companies currently residing there such as Abbott (current market cap: \$222bn on NYSE). Would I like to have these sites turn into housing? Perhaps. It’s right next to the freeway, which doesn’t seem ideal for health. But even if I did, **what evidence do we have that these property owners will want to take their extremely valuable office space and turn it into housing?**
- d. Note that in many cases, the 12/8 report’s “carve out” strategy expects that only the parking lot of these office buildings will be converted to affordable housing. This term/concept is not mentioned anywhere in the NOP.

- e. On top of this, the NOP states (on page 5) that for existing retail and commercial use parcels, housing will only be added as an option to the zoning. So **the current use will still be allowed**, again reducing the incentive for the property owners to make any changes. This issue applies to most of the office sites in the NOP (like the ones on Sand Hill and Middlefield), but not the parcels from item c above, the properties on Bohannon/Campbell, which are zoned “office”. The NOP does not state whether those uses will be allowed to continue since those sites were added after the 12/8 council meeting.

4. Other questionable categories:

- a. “Shopping Center” – this assumes that both the Safeway shopping centers, on Middle and in Sharon Heights, will convert their parking lots to housing. **No substantial evidence (as required by HCD) has been presented by staff or otherwise that this strategy has any likelihood of bearing fruit.** Why would the owners of these retail lots want to turn their parking lots into housing?
- b. “Churches” – this assumes that our local churches want to build housing on their parking lots, recently made possible by AB 1851 in the CA legislature. Again, I believe **no evidence has been provided that any of our churches actually want / plan to do this.**
- c. Another new group of sites added to the NOP is sites from the Downtown Specific Plan. The idea now is to remove the 680 unit cap from that plan and increase the allowable density. **No evidence has been presented that this is going to work. Have developers said that this change would incentivize new housing when it didn’t before?** All of these sites were included in our 5th element already.

5. Some of the sites that I *do* think have potential are our downtown parking lots, USGS, and a few older office buildings near Caltrain. Perhaps we can do more to increase the density on those parcels.

CONCLUSION

- 1. **A majority of the housing planned in the sites listed in the NOP seems to be coming from sites that are unlikely to be developed since they are currently extremely valuable office buildings.**
- 2. **To my knowledge, little to no evidence has been given that ANY of the larger sites in the NOP are likely to become housing.**
- 3. **Little to no evidence has been given that the other strategies outlined in the NOP, such as increasing density for the downtown Specific plan, will lead to large numbers of affordable housing being built**
- 4. **HCD requires “substantial evidence” that an infill site will be redeveloped as housing, and has**

been rejecting housing elements that don't provide it (ex: Beverly Hills, Davis, Redondo Beach of recent).

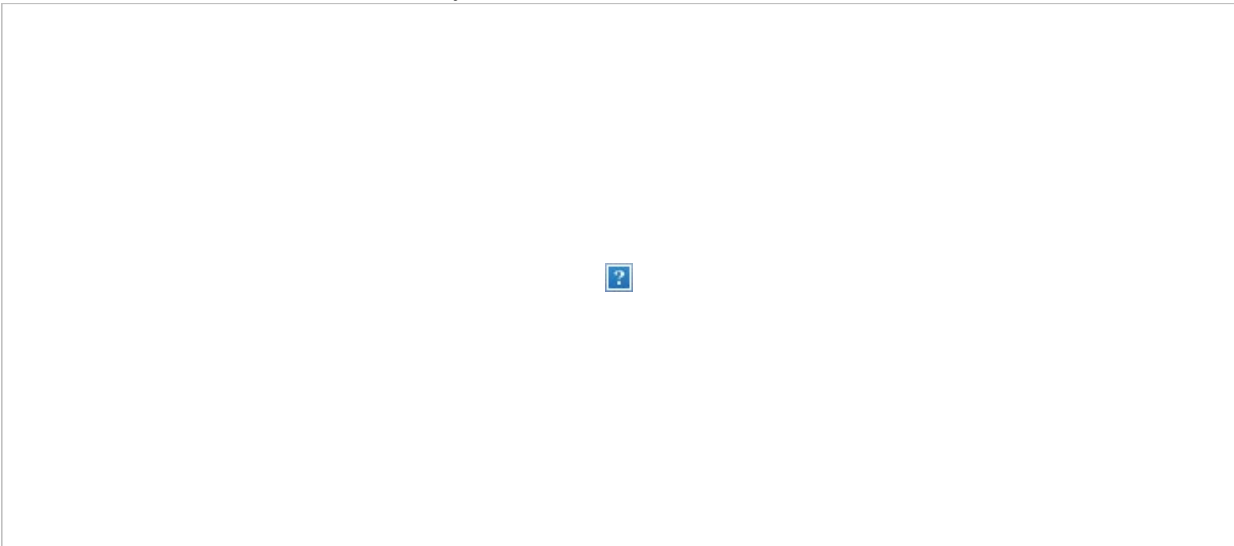
- a. **Because the residents of Menlo Park want to live in a city that welcomes new residents, and because the city will suffer numerous [bad consequences](#) if the housing element is rejected, these sites must be justified, or must be replaced with more plausible sites**

What would I like to see at this point, and what do I encourage you to ask for from staff?

- 1. **More evidence of feasibility for the sites listed in the NOP**
- 2. **Additional feasible sites identified and added to the list**
- 3. **More aggressive strategies and policies to make sure there is an overwhelming amount of incentive and lack of barriers for housing to get built on the selected sites.**

One last point. One thing HCD will consider when reviewing the element (and we should consider) is past history. I took a look at [our last cycle's approved element](#) to see what we said was going to happen and what actually happened.

- a. First obvious point - there were ZERO large office parcels or shopping center parking lots in the previous element. And no such parcels have been turned into housing in the past 8 years that were not in the site list either. So previous history tells us this is, at best, unlikely to happen.
- b. See below for the summary of what was in the 5th element



Source: p. 111 of [5th cycle adopted housing element](#)

- c. All "high density" opportunity sites – located east of 101 in Belle Haven (Table 1, p. 164 of 5th cycle element)

- i. Many of the lots were vacant, storage, warehouse, or light manufacturing use. And indeed, some of them became housing. However, besides all of those lots being in D1, **no lots of that type are included in the 6th cycle plan**

- d. El Camino / Downtown Specific Plan (Table 2, p. 165 of 5th cycle element)

- i. 430 BMR units total are shown in the table above. The specific plan only allowed 680 total residential units so we know this is wishful thinking from the get go.

- ii. Here are some of the larger sites included in the site list:

- 1. 217 affordable units were expected from 1300 El Camino and Derry Ln (2 parcels). That is now the Springline project, bringing in only 20 BMR units total across both parcels (8% of expected)
- 2. 118 affordable units were expected from 700 El Camino - CVS/BevMo/Big5 retail center. That parcel was not developed and is being included AGAIN in the 6th cycle. (0% of expected)

- e. Given our track record from the last element, **I submit that we either need a lot more evidence that the sites in the 6th element will actually be developed, or we need to add a lot more sites to the new element knowing that very few will actually result in housing being built.**

Thank you for taking the time to read my long comment. I hope we can have a productive discussion this evening and make the housing element more aligned with our vision for Menlo Park.

Best,

Misha Silin



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SERGIO RAMIREZ
District Manager

In reply, please refer to our
File No.

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FEB 03 2022

CITY OF MENLO PARK
BUILDING DIVISION

Mr. Tom Smith
Acting Principal Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

January 27, 2022

**Re: City of Menlo Park Housing, Safety, and Environmental Justice Elements Project
Comments on Notice of Preparation**

Dear Mr. Smith,

The West Bay Sanitary District (WBSD or District) appreciates the opportunity to review this Notice of Preparation (NOP) and to provide input on the scope and content of the EIR that will be prepared for this project. We understand, as a jurisdictional agency, that we may need to use the EIR prepared by the City when considering our own approval action and should comment on information relevant to the District's statutory responsibilities. We further understand that this project will impact Utilities and Service Systems, therefore our comments focus on that category.

We understand that the EIR would analyze up to 4,000 net new housing units to meet the City's Regional Housing Needs Allocation (RHNA) during the planning period. The housing sites could be produced through a combination of rezoning, increased densities, and/or updates to the Zoning Ordinance and based on the following general strategies:

- "Re-use" sites for RHNA from the City's current Housing Element and allow "by right" development for projects that include at least 20 percent affordable units. Densities would allow at least 30 dwelling units per acre (du/ac) on these sites, and the maximum potential density may increase beyond 30 du/ac as part of additional site refinement.
- Increase the permitted densities for sites within the El Camino Real/Downtown Specific Plan area to allow at least 30 du/ac at the base level density and potential increases to the maximum bonus level density. The intent is to remove the existing residential cap of 680 units to allow for greater development potential in the Specific Plan area. These actions would require amendments to the Specific Plan and modifications to the Specific Plan development standards.
- Modify the affordable housing overlay (AHO; Menlo Park Municipal Code Chapter 16.98) to allow up to 100 du/ac for 100 percent affordable housing developments (meaning 100 percent of units would be available to low and very low-income residents) and potential increase in densities for

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UNINCORPORATED SAN MATEO AND SANTA CLARA COUNTIES

mixed-income developments where the percentage of affordable housing exceeds the City's Below Market Rate requirement.

- Modifications to the retail/commercial zoning districts to allow for residential uses and other potential development standards to encourage the production of mixed-use developments (C-2, C-2-A, C-2-B, C-2-S, C-4, P districts).
- Remove the 10,000 square-foot minimum lot size requirement for R-3 zoned properties located around downtown, which would allow all sites a density of up to 30 du/ac.

We have the following comments/input:

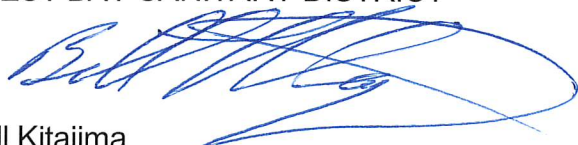
- 1) Using the District's current wastewater generation rate of 200 gpd/unit, this project will generate 0.8 million gallons a day (MGD) of flow. This will impact the District's conveyance system. If specific areas are targeted for these units, the conveyance system would need to be analyzed and if piping/pump stations are deemed to be upsized, we request the EIR note these upsizes and can be used as the CEQA document required for future construction projects.
- 2) Additional capacity at the regional wastewater treatment plant, Silicon Valley Clean Water, may need to be obtained for treatment. This is to be determined through discussions with the District when preparing the EIR.
- 3) If domestic water demand is found to be a concern when studying utility impacts, the District is implementing a Recycled Water Program and would like this to be considered as an alternate source of water and possibility including this in the EIR.
- 4) The East Palo Alto Sanitary District (EPASD) has jurisdiction of portions of the City of Menlo Park. EPASD should provide comment as well. If during the EIR preparation an alternative to redirect sewer flow from EPASD to WBSD is contemplated, these impacts should be included in the EIR.

Again, thank you for the opportunity to provide input. We look forward to discussing the project more as the Draft EIR is being developed.

If you have any questions, please feel free to call me at (650) 321-0384.

Very truly yours,

WEST BAY SANITARY DISTRICT



Bill Kitajima
Projects & IT Manager

Cc: SXR, TMR

From: [Smith, Tom A](#)
To: [Sung Kwon](#); [Chow, Deanna M](#); [Chan, Calvin](#); [Doherty, Nira E](#); [Luke Evans](#); [Hillary Gitelman](#)
Subject: FW: MP's Seismically Weak Buildings Part of Housing Element EIR
Date: Friday, January 28, 2022 2:44:18 PM
Attachments: [CMP_Email_Logo_100dpi_05d92d5b-e8e3-498f-93a6-d0da509bd60211111111.png](#)

Hi Everyone,

Another comment has been received on the Housing Element Update project NOP.

Thanks,
Tom



Tom A. Smith
Acting Principal Planner
City Hall - 1st Floor
701 Laurel St.
tel 650-330-6730
menlopark.org

From: Lynne Bramlett [mailto:lynne.e.bramlett@gmail.com]
Sent: Friday, January 28, 2022 2:30 PM
To: Smith, Tom A <tasmith@menlopark.org>
Cc: Naomi Goodman <nlgoodman@hotmail.com>; Wolosin, Jen <JWolosin@menlopark.org>; Lynne Bramlett <lynne.e.bramlett@gmail.com>
Subject: MP's Seismically Weak Buildings Part of Housing Element EIR

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Hi Mr. Smith,

You will likely separately receive an email from resident Naomi Goodman on the topic of soft-story buildings in Menlo Park. Menlo Park has many and soft-story structures are known for failure following an earthquake of certain magnitudes. When these buildings fail, the residents are typically displaced and most are renters. When residents are displaced, rebuilding takes longer later. This has a negative impact on the local economy due to fewer people living in a jurisdiction who support the local economy. I think the topic of Menlo Park's seismically weak structures should be explicitly reviewed as part of the Housing Element (and later Safety) EIR.

I started conducting a "field count" of the number of units within a soft-story structure, but I did not finish before I left town on a long trip. However, I did start with District 3 and District 1. In general, most of the buildings likely have between 4-8 units. I can continue the field

count upon my return, hopefully with some other volunteers to help me. That would give a better estimate of the total number of people potentially displaced following a major earthquake. Naturally, a professional count would be better but that could help jump-start action.

The City of Palo Alto conducted an outside study of their seismically at risk buildings which has very helpful information. I will separately send a link to that report and some others. I'm on a trip with limited time to do this today. Meanwhile, I will link to a [website that focuses](#) on ordinances related to getting seismically at risk buildings retrofitted. My impression is that "carrots" are the preferred approach in contrast with the (stick) ordinances. However, eventually ordinances might be necessary to prompt needed action. Residents living in soft-story buildings likely also do not know the potential risk to their housing. While loss of life is typically not a consequence of soft-story failure, displaced residents are typical as the buildings are not safe to reenter.

I met Ms. Goodman after reading her online comment sent to the Council in connection with the Housing Element. Fires following an earthquake are a typical secondary consequence of the earthquake. She suggests an incentive approach related to rebuilding to allow for higher density housing on the parcel. Along with Ms. Goodman's excellent suggestion, we will need other incentives to get our soft-story buildings retrofitted BEFORE the next earthquake. Building failure also leads to fires following an earthquake (due to someone cooking, etc.) Leadership is needed, especially to better protect the most vulnerable amongst us including renters.

Retrofitting seismically weak buildings is a project listed in Menlo Park's 2021 Local Hazard Mitigation Plan: Please see the below. .

MP-1—Where appropriate, support retro-fitting, purchase or relocation of structures located in high hazard areas and prioritize those structures that have experienced repetitive losses. ü MPK-1 Comment: Menlo Park has a Planning Commission that oversees future building development which takes into consideration high risk hazards. Homeowners in high risk areas are required to take out home insurance associated with potential risks that expose their properties. No city facilities have been vulnerable to recurring losses, so relocation is no longer feasible. On the other hand, the City will continue to support retro-fitting of other structures, but the city's role in this for private property is limited.

I also have more background information on what other jurisdictions have done, so could supply pointers to elsewhere.

Lynne Bramlett
650-380-3028

From: [Chow, Deanna M](#)
To: [Smith, Tom A](#); [Chan, Calvin](#); [Turner, Christopher R](#); [Sung Kwon](#)
Subject: FW: NOP Comments: EIR Analysis related to Housing
Date: Tuesday, February 1, 2022 9:43:01 AM
Attachments: [CMP_Email_Logo_100dpi_05d92d5b-e8e3-498f-93a6-d0da509bd60211111111.png](#)



Deanna M. Chow
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From: Patti Fry [mailto:Patti.L.Fry@gmail.com]
Sent: Saturday, January 29, 2022 10:57 AM
To: Smith, Tom A <tasmith@menlopark.org>
Cc: _CCIN <city.council@menlopark.org>
Subject: NOP Comments: EIR Analysis related to Housing

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Dear City,

The project definition related to the Housing and Safety Elements and new Environmental Justice Element appears to be limited to addressing the RHNA allocations and on modifying residential zoning to encourage housing. Menlo Park will be chasing its tail forever on addressing the demand for more housing if it doesn't also modify downwards the potential amount of non-residential development (particularly office space) that could be developed throughout Menlo Park. Thus, the project should also address potential modifications to non-residential zoning, particularly in District 1 where office growth seems to be driving most of the demand for more housing in our city. In other words, the EIR's scope should update the Housing Element based on what is happening in Menlo Park (excessive office growth relative to housing) and proposed measures to create a better balance, not just focus on RHNA and not just on residential zoning but also on non-residential zoning.

The project should examine a reduction in the amount of office allowed generally, and particularly in District 1. The 2015 ConnectMenlo General Plan modified zoning in District 1 but never analyzed the full potential of what could be built. This needs to be done as part of the No Project Alternative. Simple arithmetic based on all parcels in that district and the respective zoning would show that the potential office development and typical worker density (approx. 150 SF/worker) could create a housing demand far beyond RHNA. That potential should be analyzed as part of No Project and the proposed project should incorporate measures

to bring about a better jobs:housing balance.

Additionally, the project scope should evaluate the appropriate levels of mixed use at the Bonus level of zoning. Currently, no mixed use zoning results in a balance of jobs: housing when office is maximized at the Bonus level -- not even in District 1. Simple arithmetic would demonstrate the problem of the current zoning when a project seeks to maximize Office. Using the Willow Village example: that proposal includes 1,730 housing units. A jobs:housing ratio of 1:1 would suggest this project alone should not add more than 259,000 SF of office [calculation $259,000 \text{ SF} / 150 \text{ SF per worker} = 1,730 \text{ workers}$]. Yet the office portion of this project alone is up to 1,600,000 SF of office [calculation $1,600,000 / 150 \text{ SF per worker} = 10,667 \text{ workers!}$] -- plus a hotel, retail space, and accessory buildings. This one massive project will worsen the jobs:housing balance even with recent modifications to it to reduce the amount of office and maximize the amount of housing. Note that only a portion of the land for this project is zoned mixed use. If the rest were zoned mixed use, that project could be in much better balance.

Given all the housing and office construction in District 1 in recent years, we do need to be sensitive when considering modifications to the housing potential there in the short-term. Lowering the potential amount of office development would moderate future demand for housing and help pull Menlo Park's jobs:housing balance more into a healthy ratio. The Project definition for the EIR analysis should address a more full picture than a focus solely on RHNA.

Respectfully submitted,
Patti Fry, former Menlo Park Planning Commissioner

California Department of Transportation

DISTRICT 4
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January 31, 2022

SCH #: 2015062054
GTS #: 04-SM-2021-00409
GTS ID: 25122
Co/Rt/Pm: SM/82/0.66

Tom Smith, Acting Principal Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: City of Menlo Park Housing, Safety, and Environmental Justice Elements Project Notice of Preparation (NOP)

Dear Tom Smith:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the City of Menlo Park Housing, Safety, and Environmental Justice Elements Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the December 2021 NOP.

Project Understanding

The project consists of updating the City's required Housing Element and Safety Element, and preparation of a new Environmental Justice Element. The purpose of the Housing Element update is to comply with the requirements of State law by analyzing existing and projected housing needs, and updating goals, policies, objectives, and implementation programs for the preservation, improvement, and development of housing for all income categories. The purpose of the Safety Element update is to focus on the protection of the community from risks associated with climate change, earthquakes, floods, fires, toxic waste, and other hazards. The purpose of the Environmental Justice Element is to address the unique or compounded health risks in "Disadvantaged Communities" within a jurisdiction. The project encompasses the entire City and is located along segments of State Route (SR)-82 (El Camino Real), SR-84, SR-109, SR-114, United States Route (US)-101, and Interstate (I)-280. The City is also served by Caltrain.

Travel Demand Analysis

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

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

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

In addition, Caltrans requests the City include transportation impact analyses with applicable mitigation for any additional or re-zoning of improvements adjacent to Caltrans' Right-of-Way (ROW).

Mitigation Strategies

Location efficiency factors, including community design and regional accessibility, influence a project's impact on the environment. Using Caltrans' *Smart Mobility 2010: A Call to Action for the New Decade*, the proposed project site is identified as a Close-in Compact Community where community design is moderate and regional accessibility is strong.

Given the place, type and size of the project, the DEIR should include a robust Transportation Demand Management (TDM) Program to reduce VMT and greenhouse gas emissions from future development in this area. The measures listed below have been quantified by California Air Pollution Control Officers Association (CAPCOA) and shown to have different efficiencies reducing regional VMT:

- Project design to encourage mode shift like walking, bicycling and transit access;
- Transit and trip planning resources such as a commute information kiosk;
- Real-time transit information systems;
- Transit access supporting infrastructure (including bus shelter improvements and sidewalk/ crosswalk safety facilities);
- New development vehicle parking reductions;
- Implementation of a neighborhood electric vehicle (EV) network, including designated parking spaces for EVs;
- Designated parking spaces for a car share program;
- Unbundled parking;
- Wayfinding and bicycle route mapping resources;
- Participation/Formation in/of a Transportation Management Association (TMA) in partnership with other developments in the area;
- Aggressive trip reduction targets with Lead Agency monitoring and enforcement;
- VMT Banking and/or Exchange program; and
- Area or cordon pricing.

Using a combination of strategies appropriate to the project and the site can reduce VMT, along with related impacts on the environment and State facilities. TDM programs should be documented with annual monitoring reports by a TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets.

Please reach out to Caltrans for further information about TDM measures and a toolbox for implementing these measures in land use projects. Additionally, Federal Highway Administration's Integrating Demand Management into the Transportation Planning Process: A Desk Reference (Chapter 8). The reference is available online at: <http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>.

Transportation Impact Fees

We encourage a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT. Caltrans welcomes the opportunity to work with the

City and local partners to secure the funding for needed mitigation. Traffic mitigation- or cooperative agreements are examples of such measures.

Please identify in text and graphics existing and proposed improvements for the pedestrian, bicycle, and transit networks. The City should estimate the cost of needed improvements, expansion, and maintenance for the Plan area, as well as identify viable sources of funding, correlated with the pace of improvements, and a scheduled plan for implementation along with the DEIR.

Lead Agency

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

Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

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

Sincerely,

A handwritten signature in black ink that reads "Mark Leong". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

MARK LEONG
District Branch Chief
Local Development Review

c: State Clearinghouse

From: [Sandmeier, Corinna D](#)
To: [Smith, Tom A](#); [Chan, Calvin](#); [Turner, Christopher R](#)
Cc: [Chow, Deanna M](#)
Subject: FW: [Sent to Planning]comment on the NOP for the Housing Element EIR
Date: Monday, January 31, 2022 6:57:34 PM
Attachments: [CMP_Email_Logo_100dpi_05d92d5b-e8e3-498f-93a6-d0da509bd60211111111.png](#)

FYI



Corinna D. Sandmeier
Acting Principal Planner
City Hall - 1st Floor
701 Laurel St.
tel 650-330-6726
menlopark.org

From: Karen Grove [mailto:karengrove@gmail.com]
Sent: Monday, January 31, 2022 4:44 PM
To: PlanningDept <PlanningDept@menlopark.org>
Subject: [Sent to Planning]comment on the NOP for the Housing Element EIR

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Mr. Smith,

I write to echo Planning Commissioner DeCardy's comment (at the Planning Commission meeting on Jan 24th) that the EIR for the Housing Element should include a scenario with massively reduced parking. The degree of VMT and air quality impacts found by the study will be affected by assumptions about parking, so scenarios with different parking assumptions should be compared.

Thank you for your consideration.

Karen Grove (she/her)
Menlo Park Housing Commissioner, writing only for myself
650-868-2732

January 31, 2022

Tom Smith, Acting Principal Planner
City of Menlo Park
701 Laurel St.
Menlo Park, CA 94025

RE: Comments on Notice of Preparation for 2023+ Housing Element

As a local citizen I wish to be kept up to date on the progress of the Housing Element and opportunities for public outreach.

I have several comments on the Notice of Preparation (NOP).

In determining the potential impacts of new Housing Opportunity sites, The EIR should be thorough in addressing mitigation measures to reduce potential impacts from changes in zones that affect established land uses and neighborhoods. Transitions and compatibility with existing land use goals in the General Plan should be required. Traffic impacts should also be addressed.

Also, in discussions of alternatives, while recognizing the need for affordable units, the range of housing types should be considered. The EIR should look at the possibility of prioritizing affordable housing ownership opportunities. In order to prioritize social equity, the best determinant for establishing long-term wealth is through home ownership.

The City of Menlo Park, as a less dense metropolitan area, has the potential for providing affordable home ownership opportunities on larger undeveloped sites outside the downtown area.

This alternative should definitely be addressed in the Housing Element. Just providing more rental units does not meet this important goal.

I look forward to reviewing the Draft Environmental Impact Report.

Yours truly,

Lisa Cope
Lisa_m_cope@hotmail.com

Smith, Tom A

From: Misha Silin <mdsilin@gmail.com>
Sent: Monday, January 31, 2022 2:03 PM
To: Smith, Tom A; _CCIN
Subject: Comment on Notice of Preparation

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Hi - the below is a comment regarding the city's NOP for our next housing element cycle.

My name is Mikhail Silin, I'm a resident of Menlo Park and I live in the allied arts neighborhood (D4).

Since the housing element is asking us to plan ahead for eight years, this is an opportunity to plan for the Menlo Park that many of us envision. Residents imagine our city as inclusive, vibrant, with opportunities for folks of all income levels and backgrounds to be housed in a dignified manner. We want local families and workers to be able to be housed such that they can live, work, and enjoy all that Menlo Park and our surroundings have to offer.

I have been digging into the proposed sites in the NOP and I am extremely concerned that this list is unrealistic and is not going to produce the housing we are claiming it will. Not even close. Specifically, I am concerned that our current plan is going to continue the status quo. Very little housing will get built, neighbors and families will continue to get priced out of the area, which will lead to more inequality, congestion due to local workers not being able to live here, and homelessness.

In addition to analyzing the sites listed in the NOP (my comment on that was submitted to the Planning Commission last week, I've taken some time to meet with numerous housing developers, who have ongoing or already-built projects in Menlo Park.

These are my conclusions:

- 1. The draft list of sites is unlikely to lead to us hitting our RHNA goals and/or building a significant amount of housing in Menlo Park**
- 2. This will continue to perpetuate housing un-affordability in Menlo Park**
- 3. It will also likely be rejected by HCD, as other cities like Beverly Hills and Davis have, due to a lack of evidence that these sites will be redeveloped.**

Evidence/backing for my conclusions:

A. A majority of the larger sites in the element are mixed use/office. All of the developers I spoke with wouldn't get out of bed for a (potential) 30du/ac housing project on those office sites unless it's an old building that has low vacancy. Most of the sites clearly do not seem to be in that bucket, they are occupied by wealthy VC firms and startups/companies with deep pockets (ex: RobinHood). Staff has not produced evidence indicating those occupants plan to vacate or that the building owners are considering selling.

If we want to really incentivize those properties to be sold, we should increase the density significantly such that it becomes lucrative for a developer to buy the property and renovate the office space + add housing. 30du/ac is nowhere close to that number - those are essentially townhomes at best.

B. For 100% affordable projects, putting one in the parking lot of our Safeway sites or a large office site also seems unrealistic. No evidence has been presented how this would actually happen. Do the current owners of the sites plan to add affordable housing in the parking lot? Who? Or are they planning on selling? And if so, do we have evidence that the parking lot could turn into affordable housing? We have no history to go off of, since this was not something that happened in the previous element.

C. For our parking lots downtown, that are city owned -- this is a once in a lifetime opportunity to use our valuable land to create affordable housing for the community. Based on what I heard from affordable housing developers, we should be increasing the density to the max level that affordable developers can get funding for. My understanding is that that is 150-200du/ac.

Suggestions for next steps to fix the above issues, get our element approved by HCD, and actually build housing

1. Support 100% affordable housing development to the fullest extent

- Get in the weeds on any city owned sites to maximize 100% affordable housing.
 - Work very closely with developers and community to come up with good uses for those sites.
 - Don't squander it with low density or unrealistic requirements.
- Push staff to find more sites that can realistically support 100% affordable housing
- Add clarity / certainty
 - Remove as much discretionary approval as we can stomach for 100% affordable projects
 - Lower parking requirements. This has been mentioned in just about every community meeting and yet still isn't on the incentive list in the NOP.
- Get funding to help buy land and/or help subsidize 100% affordable housing
 - Given the large amount of wealth in Menlo Park, can we not get more funding from local large businesses who I'm sure also want to support the community?
- Add density / height for 100% affordable projects
- Waive fees for 100% affordable projects

2. Support more BMR development by incentivizing market rate projects that will come with a required % of BMR, as is already required in Menlo Park

- Get more serious about assessing feasibility of current sites / find more sites
 - My understanding is that so far staff has only sent out mailers to the property owners. At least for the larger sites, we can do better.
- Increase density significantly such that buying a site with an existing use and adding housing pencils out. My impression from speaking with developers is that it should be at least 100-150du/ac but admittedly I think more research should/could be done here.
- Add density / height in exchange for higher BMR rate.
- Add clarity / certainty in exchange for higher BMR rate
 - Remove as much discretionary approval as we can stomach. Especially for smaller sites, to attract more mom & pop landlords.
 - Lower parking requirements. This has been mentioned in just about every community meeting and yet still isn't on the incentive list in the NOP.

Thank you for taking the time to read my long comment. I hope you understand that continuing to proceed with the EIR and keeping the list of sites and incentives as currently written in the NOP is extremely likely to result in a rejection from HCD, which will allow a lot more freedom on what can be built in Menlo Park. By taking

the planning process seriously, we can get our element approved and maintain community control over the growth of our city, which I'm sure is what we all want.

Thank you
Mikhail Silin

--

Misha Silin

M: (925) 323-7727



From: aebi@pacbell.net
To: [Smith, Tom A](#)
Cc: [Chan, Calvin](#)
Subject: Comments / Input to Housing Element Update - NOP
Date: Monday, January 31, 2022 4:57:59 PM

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Dear Mr. Smith,

I have reviewed the NOP and previously listened to the presentation to Council in October. I have two inputs for consideration in the Housing Element Update:

1. I understand that the property with the Cornerstone Research building located at 1000 El Camino Real in Menlo Park is owned by the City of Menlo Park. I do not see this parcel identified in the NOP as a Housing Opportunity Site. It is in an ideal location in the Downtown Specific Plan Area very close to the Caltrain station. This would seem to be low hanging fruit to add to the Housing Opportunity Site list. I expect that Cornerstone has a long term lease on the property, but it may be possible to buy out the lease and redevelop the site as affordable housing in cooperation with one of the non-profit partner organizations that have been doing this in the eastern part of Menlo Park off of Willow Road.

2. I saw in the NOP that only 10.5 ADUs per year are expected to be added to the housing stock over the course of the Housing Element Update. This is disappointing as ADUs represent a good source of additional affordable housing units for the city. I do understand why this is the case however as Menlo Park does not encourage construction of new ADUs. I know this from personal experience with a new house with a detached ADU that my wife and I are planning in the R3 district. Initially the city would not allow an ADU in R3 and only allowed us to go ahead with the project after the State of California changed the laws governing ADUs forcing towns like Menlo Park to allow them more widely. Unfortunately we are now in the process of obtaining a building permit for our project and Menlo Park requires a separate building permit for the ADU in addition to the house building permit even though both are to be built simultaneously. The ADU building permit is almost the same cost as the building permit for the house which is 4 times the square footage and a much more complicated structure. Separate building permit submittals also increases the cost with our architect and throughout the building process. I strongly recommend that the City consider simplifying the process to build an approved ADU and reduce permitting costs to encourage construction of more ADUs throughout Menlo Park.

Best Regards,
Verle and Carol Aebi
220 Laurel St.
Menlo Park