

# Final Environmental Impact Report 1350 Adams Court Project



Prepared by:  
ICF

Prepared for:  
City of Menlo Park

September 2022

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## Acronyms and Abbreviations

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ADA	American with Disabilities Act
BAAQMD	Bay Area Air Quality Management District
BMPs	best management practices
CalEEMod	California Emissions Estimator Model
Caltrans	California Department of Transportation
Campus	Menlo Park Labs Campus
C/CAG	City/County Association of Governments of San Mateo County
CEQA	California Environmental Quality Act
City	City of Menlo Park
Commission	Planning Commission
ConnectMenlo	City of Menlo Park General Plan and M-2 Area Zoning Update
Draft EIR	Draft Environmental Impact Report
EIR	Environmental Impact Report
FAR	floor area ratio
FHWA	Federal Highway Administration
Final EIR	Final Environmental Impact Report
GHG	greenhouse gas
gsf	gross square foot
LOS	level of service
LS	Life Sciences
LS-B	Life Sciences-Bonus
M-2	General Industrial
mgd	million gallons per day
mgd	million gallons per year
MMRP	Mitigation Monitoring and Reporting Program
MPMWD	Menlo Park Municipal Water District
O	Office
O-B	Office-Bonus
PRC	Public Resources Code
Project Sponsor	Tarlton Properties
R-MU	Residential-Mixed Use
R-MU-B	Residential-Mixed Use-Bonus
sf	square foot
SVCW	Silicon Valley Clean Water
TDM	Transportation Demand Management
TIF	Transportation Impact Fee
VMT	vehicle miles traveled
WBSD	West Bay Sanitary District
WWTP	wastewater treatment plant

## Process Following Release of the Draft EIR

A Draft Environmental Impact Report (Draft EIR), pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code [PRC], Section 21000 et seq.), was prepared by the City of Menlo Park (City), as Lead Agency under CEQA, to disclose the potential environmental effects of the 1350 Adams Court Project (Proposed Project). The Draft EIR includes a description of the Proposed Project, an assessment of its potential effects, a description of mitigation measures to reduce significant effects that were identified, conclusions as to whether potential significant impacts could be avoided or reduced to less than significant by recommended mitigation measures, and consideration of alternatives that could address potential significant environmental impacts. The Draft EIR was released for public review on April 4, 2022, for a 45-day review period that ended on May 19, 2022. During this review period, the document was reviewed by various state, regional, and local agencies as well as interested organizations and individuals. Comment letters on the Draft EIR were received from three agencies. The public review period also included a Planning Commission (Commission) hearing on May 2, 2022, at which the public could provide comments on the Draft EIR. Please see Chapter 2, *List of Commenters*, for a listing of all agencies, organizations, and individuals who commented on the Draft EIR.

This document responds to written and oral comments on the Draft EIR that were raised during the public review period. The responses in this document substantiate and confirm the analysis contained in the Draft EIR. No new significant environmental impacts, no new mitigation measures, and no substantial increases in the severity of previously identified impacts have been identified by comments received or as a result of responding to those comments. Thus, CEQA does not require the City to recirculate the Draft EIR or this document for another round of public review.

Together, the previously released Draft EIR and this responses-to-comments document constitute the Final Environmental Impact Report (Final EIR). As the Lead Agency, the City must certify the Final EIR before action can be taken on discretionary approvals required for the Proposed Project. Certification requires the Lead Agency to find that the Final EIR complies with CEQA.

## Project Description

Tarlton Properties (Project Sponsor) is proposing to redevelop a portion of the Menlo Park Labs Campus (Campus), which consists of both an undeveloped vacant area on the northern portion of the site, at 1350 Adams Court (referred to as Lot 3 North), and an approximately 188,100-gross-square-foot (gsf), two-story building on the southern portion of the site, at 1305 O'Brien Drive (the Project site). The Proposed Project would construct a five-story life sciences building with three modules on the Project site that would be slightly offset from each other; provide parking within an underground level, as well as a podium with three above-grade levels that would be integrated into the proposed building; and provide landscaping and open space (both public and private). The Campus property outside the Project site, as well as the building at 1305 O'Brien Drive, would remain in its current condition.



The Project Sponsor would add an approximately 255,000 gsf life sciences building to the Campus that would serve approximately 650 employees.<sup>1</sup> The proposed building, which would be designed with the flexibility to accommodate a single life sciences tenant or meet the needs of multiple tenants, would be located on the vacant Lot 3 North and oriented in an east-west direction, with the northern frontage along Adams Court being the front façade. The proposed building would have five levels and be a maximum of 92 feet tall, with an overall average height of 50.7 feet.<sup>2</sup>

In total, the Proposed Project would provide a total of approximately 706 parking spaces: 17 surface parking spaces, 356 spaces under the entire proposed building in one underground level, and 333 spaces in a podium with three above-grade parking levels under the third floor of the west module.<sup>3</sup> In addition to being used by new tenants of the proposed building, some parking would be available to employees in the adjacent building at 1305 O'Brien Drive because the Proposed Project would displace a portion of surface parking that is currently used by the employees. The 17 surface parking spaces would be provided at the visitors entrance at the rear of the proposed building.

The Proposed Project would also include upgrades to waterlines at the following locations, which were analyzed as part of the Proposed Project in the Draft EIR:

- Under Adams Court, along the interior of the 1350 Adams Court property, connecting to existing lines at the adjacent Menlo Science and Technology Park, and
- Under O'Brien Drive, from the southwest corner of the 1305 O'Brien Drive frontage to the intersection at Willow Road.

After Project implementation, approximately 109,020 square feet (sf) of open space would be provided on the Project site, consisting of approximately 60,220 sf of private open space and 48,800 sf of public open space. The private open space would be provided within a patio and large outdoor deck on the second floor of the proposed building and include outdoor furniture, seating areas, planters, and green screens. The public open space would be provided along the street frontage; landscaping would include an art walk, berms, trees, and California native vegetation. In addition, the Proposed Project would improve bicyclist and pedestrian circulation throughout the Project site by incorporating buffered bicycle lanes around the perimeter of the site. A paseo would be provided along the western edge of the Project site or on the adjoining property to connect Adams Court to O'Brien Drive.

The Proposed Project would consist of six construction phases, some of which may overlap. Phase 1 would involve demolition and relocation of utilities (lasting approximately 42 days); Phase 2 would involve dewatering, grading, and excavation (lasting approximately 100 days); Phase 3 would involve installation of a mat foundation and basement walls (lasting approximately 60 days); Phase 4 would involve construction of the parking garage (lasting approximately 128 days); Phase 5 would involve construction of the building shell (lasting approximately 155 days); and Phase 6 would involve all exterior skin/onsite work (lasting approximately 238 days).

In 2016, the Project site's zoning was changed from General Industrial (M-2) to Life Sciences-Bonus (LS-B) as part of the City's General Plan and M-2 Area Zoning Update (ConnectMenlo). The updated zoning provisions created three new base zoning districts (Office [O], Residential-Mixed Use [R-MU], and Life

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<sup>1</sup> As explained in the Draft EIR, the original Project application was for 260,400 gsf, which was later reduced to approximately 255,000 gsf. The Draft EIR and Final EIR will continue to base the analysis on the original application, resulting in a slight overestimation of some environmental effects of the current design.

<sup>2</sup> Height is defined as the average height of all buildings on one site where a maximum height cannot be exceeded.

<sup>3</sup> The Proposed Project would remove 118 of the existing parking spaces, thereby providing 588 net new parking spaces.

Sciences [LS]), with the potential for certain properties (zoned Office-Bonus [O-B], Residential-Mixed Use-Bonus [R-MU-B], or LS-B) to apply for bonus-level zoning, which would allow increases in density, floor area ratio (FAR), and/or height in exchange for providing community amenities consistent with the requirements of Section 16.44.070 of the zoning ordinance. The updated zoning also established standards for new projects, including Transportation Demand Management (TDM) requirements as well as restrictions regarding height, density, land use, sustainability, circulation, and open space. The base-level zoning standards allow a FAR of up to 55 percent for life science uses, plus an additional 10 percent for commercial uses, and an average and maximum height of up to 35 feet. The bonus-level zoning standards allow a FAR of up to 125 percent for life sciences uses, plus an additional 10 percent for commercial uses, and a maximum height of 110 feet, with an average height of 67.5 feet. The Project Sponsor has applied for the “B” bonus development allowance.

As required by zoning, the Proposed Project would include a TDM program to promote alternatives to private automotive travel and reduce the number of single-occupancy vehicle trips. In addition to reducing traffic, the TDM program would result in less greenhouse gas (GHG) emissions caused by the Proposed Project.

## Significant and Unavoidable Environmental Impacts

Section 21100(b)(2)(A) of the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) requires an EIR to identify any significant environmental effects that cannot be avoided if a project is implemented. The Draft EIR concluded that all potentially significant impacts of the Proposed Project would either be less than significant or reduced to a less-than-significant level with implementation of identified mitigation measures, as discussed in the different impact topics covered in Chapter 3 of the Draft EIR. The Proposed Project’s potentially significant impacts that would be reduced to less-than-significant levels with implementation of the recommended mitigation measures are discussed below.

### Project-Level Impacts

- **Transportation (Vehicle Miles Traveled [VMT]).** As shown in Table 3.1-5 of the Draft EIR, current daily VMT per employee for office uses within the Project site’s traffic analysis zone is estimated to be 16.1, which is higher than the daily VMT citywide average of 14.9 and above the threshold of significance of 12.7. However, implementation of Project Mitigation Measure TRA-1, *Implement TDM Plan*, would reduce the Proposed Project’s VMT to below the threshold. The Bay Area Air Quality Management District (BAAQMD) TDM Tool estimated that, with implementation of TDM measures, VMT generated by the Proposed Project would be 12.3, which would be below the City threshold of 12.7.<sup>4</sup> Therefore, with implementation of Project Mitigation Measure TRA-1, the VMT impact would be less than significant with mitigation.
- **Air Quality (Conflicts with Applicable Air Quality Plan).** The Proposed Project would be consistent with the applicable stationary-source control measures, energy control measures, building control measures, and waste control measures included in the Clean Air Plan. However, the Proposed Project would exceed BAAQMD’s cancer risk threshold under Scenario 1, which includes construction and operations, with construction being the primary contributor to the cancer risk. With implementation of Project Mitigation Measure AQ-1.1, *Use Clean Diesel-Powered*

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<sup>4</sup> The City recently revised its VMT-per-service-population threshold to 13.6 to be consistent with Office of Planning and Research guidance and recommendations. However, because the Proposed Project would be below the City’s new threshold of 13.6, the conclusions of the Draft EIR remain the same and do not need to be revised.

*Equipment during Construction to Control Construction-related Emissions*, the Proposed Project would result in less-than-significant impacts related to exposure to toxic air contaminants. The Proposed Project would also be consistent with transportation control measures with implementation of Project Mitigation Measure TRA-1. Therefore, with implementation of Mitigation Measures AQ-1.1 (and TRA-1, though not required to mitigate the impact), the Proposed Project would not hinder or disrupt implementation of the current Clean Air Plan, and this impact would be less than significant with mitigation.

- **Air Quality (Net Increase in Criteria Pollutants).** BAAQMD's CEQA Guidelines consider fugitive dust impacts to be less than significant with application of best management practices (BMPs). If BMPs are not implemented, then the dust impacts would be potentially significant. Therefore, BMPs would be required for the Proposed Project and implemented to reduce impacts, including any cumulative impacts, from construction-related fugitive dust emissions. The basic construction mitigation measures that would be implemented for the Proposed Project are shown in Table 3.2-7 of the Draft EIR. Furthermore, fugitive dust emissions would be controlled and reduced with implementation of BAAQMD-recommended BMPs as well as ConnectMenlo Mitigation Measures AQ-2b1 and AQ-2b2. This impact would be less than significant with mitigation.
- **Air Quality (Sensitive Receptors).** As shown in Table 3.2-9 of the Draft EIR, the Proposed Project would exceed BAAQMD's cancer risk threshold. To mitigate the cancer risk exceedance, Project Mitigation Measure AQ-1.1, *Use Clean Diesel-Powered Equipment during Construction to Control Construction-related Emissions*, would be implemented. Although the Proposed Project would not trigger the requirement for ConnectMenlo EIR Mitigation Measure AQ-3a, the Proposed Project would be consistent with that mitigation measure. ConnectMenlo EIR Mitigation Measure AQ-3b would not apply to the Proposed Project. With implementation of Mitigation Measure AQ-1.1, the incremental increase in health risk would be less than all BAAQMD-recommended health risk thresholds. Therefore, as mitigated, construction and operational emissions would not expose sensitive receptors to substantial pollutant concentrations and associated health risks, and impacts would be less than significant with mitigation.
- **Greenhouse Gas Emissions (Generation of GHG Emissions).** Demolition and construction activities for the Proposed Project would result in the temporary generation of GHG emissions. As explained in the Draft EIR, BAAQMD has not established a quantitative threshold for assessing construction-related GHG emissions. Rather, BAAQMD recommends evaluating whether construction activities would conflict with statewide emission reduction goals, based on whether feasible BMPs for reducing GHG emissions would be implemented. If a project fails to implement feasible BMPs identified by BAAQMD, its GHG emissions could conflict with statewide emission goals and represent a cumulatively considerable contribution to climate change. With implementation of ConnectMenlo EIR Mitigation Measure AQ-2b1, which requires implementation of BAAQMD-recommended BMPs, and Project Mitigation Measure GHG-1a, which requires implementation of applicable construction-related measures from the California Air Resources Board's (CARB's) 2017 Scoping Plan, construction of the Proposed Project would not generate GHG emissions that would have a significant impact on the environment. Therefore, this impact would be less than significant with mitigation.
- **Greenhouse Gas Emissions (Conflicts with Applicable GHG Emissions Reducing Plans and Policies).** Without implementation of construction-related GHG emissions reduction measures recommended by BAAQMD, construction of the Proposed Project would not be consistent with CARB's 2017 Scoping Plan for achieving statewide GHG targets. Implementation of ConnectMenlo EIR Mitigation Measure AQ-2b1 and Project Mitigation Measure GHG-1a would reduce the level

of GHG emissions generated during construction of the Proposed Project. In addition, Project Mitigation Measure TRA-1 would ensure that the Proposed Project would achieve the City's VMT threshold thereby reducing associated mobile-source emissions. Further, the Proposed Project would be required to comply with the City's Climate Action Plan (CAP), Reach Codes, and Green and Sustainable Building Code, which include measures that would further reduce the Project's GHG emissions. Therefore, with implementation of these mitigation measures and compliance with City regulations, the Proposed Project would be consistent with all applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, thereby reducing this impact to less than significant with mitigation.

- **Noise (Substantial Temporary or Permanent Increase in Noise).** During construction of the Proposed Project (both the building and waterlines), the potential exists for noise levels to exceed applicable Menlo Park Municipal Code criteria at the nearest residences as well as a school from work occurring during non-daytime hours, with a 10-decibel increase over ambient occurring at the nearby school during these hours; therefore, impacts related to construction noise generated at the Project site between 6:00 a.m. and 8:00 a.m. would be potentially significant. Implementation of ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1, *Implement Noise Control Plan to Reduce Construction Noise from Development of Lot 3 North*, would reduce construction noise and the severity of impacts associated with the Proposed Project. Limitations on equipment can be required in a noise control plan, depending on the distance to noise-sensitive receivers. A limit on the number of pieces of equipment to be used concurrently can also be required. Furthermore, portable sound blankets can be used to reduce noise around individual pieces of equipment if overall sound barriers around a worksite are not feasible. In addition to limitations on concurrent use of equipment, noise barriers may be used, along with measures defined in a Project-specific construction noise control plan. With implementation of mitigation measures, noise impacts from Project construction during the hours of 6:00 a.m. to 8:00 a.m. would be less than significant with mitigation.

## Cumulative Impacts

CEQA defines cumulative impacts as “two or more individual effects that, when considered together, are considerable or can compound or increase other environmental impacts.” Section 15130 of the CEQA Guidelines requires an EIR to evaluate potential environmental impacts that are individually limited but cumulatively significant. Such impacts can result from a proposed project when combined with past, present, or reasonably foreseeable future projects. As described in Chapter 3 of the Draft EIR, the cumulative impact analysis in the EIR is based on information provided by the City regarding currently planned, approved, or proposed projects as well as regional projections for the area. All identified impacts of the Proposed Project would be limited and would not be cumulatively considerable. Therefore, cumulative impacts would be less than significant.

## Project Alternatives

CEQA and the CEQA Guidelines require an EIR to “describe a range of reasonable alternatives to the project, or to the location of the project, that would feasibly attain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives” (CEQA Guidelines Section 15126.6[a]). The EIR discusses and analyzes the No Project Alternative, Base Level Alternative, and Mixed-Use Alternative. Furthermore, the

EIR analyzes the impacts of the alternatives and compares the significant impacts of the alternatives to the significant environmental impacts of the Project as proposed. These alternatives are described in more detail in Chapter 5, *Alternatives*, of the Draft EIR.

- **No Project Alternative.** The No Project Alternative compares the impacts of the Proposed Project with what would be reasonably expected to occur in the foreseeable future if the Proposed Project is not approved and development continues to occur in accordance with existing plans and consistent with available infrastructure and community services (CEQA Guidelines Section 15126.6 [e][2]).
- **Base Level Alternative.** The Base Level Alternative assumes application of base-level zoning, with a reduction in the FAR to approximately 55 percent, instead of the approximately 90.7 percent FAR proposed under the Proposed Project. As discussed in Chapter 6, the Base Level Alternative is the environmentally superior alternative.
- **Mixed-Use Alternative.** The Mixed-Use Alternative would develop the Project site with the same life sciences building, approximately 255,000 gsf in size, as the Proposed Project but would replace the ground floor (Level 1) of the life sciences space with approximately 38,995 gsf of commercial space that would be open for use by the general public.

## Purpose of This Responses-to-Comments Document

Under CEQA, the City is required, after completion of the Draft EIR, to consult with and obtain comments from public agencies having jurisdiction by law with respect to the Proposed Project and provide the general public an opportunity to comment on the Draft EIR. As the Lead Agency, the City is also required to respond to significant environmental issues raised in the review and consultation process.

This responses-to-comments document has been prepared to respond to public agency and general public comments received on the Draft EIR for the Proposed Project, which was circulated for a 45-day public review period from April 4 to May 19, 2022, as well as comments received at the Planning Commission hearing on May 2, 2022. This document contains the public comments received on the Draft EIR and the written responses to those comments.

The responses-to-comments document provides clarification and further substantiation for the analysis and conclusions presented in the Draft EIR. The purpose of the responses-to-comments document is to address concerns raised about the environmental effects of the Proposed Project and the process by which the City conducted the CEQA evaluation. Comments that express an opinion about the merits of the Proposed Project or its alternatives, rather than raise questions about environmental impacts or mitigation measures and alternatives, the adequacy of the Draft EIR, or compliance with CEQA, are not examined in detail in this document. In addition, this document does not provide a response regarding financial concerns or Project designs that would not have a physical environmental impact. Section 15088 of the CEQA Guidelines stipulates that responses should pertain to major or significant environmental issues raised by commenters. As explained earlier, the previously released Draft EIR and this responses-to-comments document together constitute the Final EIR.

## How to Use This Report

This document addresses substantive comments received during the public review period and consists of five sections:

- *Chapter 1 – Introduction.* Reviews the purpose and contents of the responses-to-comments document.
- *Chapter 2 – List of Commenters.* Lists the public agencies, organizations, and individuals who submitted comments on the Draft EIR.
- *Chapter 3 – Responses to Comments.* Contains each comment letter and written responses to the individual comments. In Chapter 3, specific comments within each comment letter have been bracketed and enumerated in the margin of the letter. Each commenter has been assigned a discrete comment letter number, as listed in Chapter 2. Responses to each comment follow each comment letter in Chapter 3. For the most part, the responses provide explanatory information or additional discussion of the text contained in the Draft EIR. In some instances, the response supersedes or supplements the text of the Draft EIR for accuracy or clarification. Where a comment repeats a previous comment, the response refers to the response previously given.
- *Chapter 4, Revisions to the Draft EIR.* Provides a comprehensive listing of text changes to the Draft EIR that have resulted from responding to comments or staff-initiated changes. New text that has been added to the Draft EIR is indicated with underlining. Text that has been deleted is indicated with ~~strikethrough~~.
- *Chapter 5 – Mitigation Monitoring, and Reporting Program.* CEQA requires the adoption of feasible mitigation measures to reduce the severity and magnitude of significant environmental impacts associated with a project. The Draft EIR prepared and certified for the Proposed Project includes all feasible mitigation measures to reduce the potential environmental effects.



## Chapter 2

# List of Commenters

This chapter includes a list of the agencies, organizations, and individuals who commented on the Draft Environmental Impact Report (Draft EIR) (Table 2-1) prior to the close of the comment period. The comment letters submitted and the responses to each comment are included in Chapter 3, *Responses to Comments*. The comments, which have been numbered as shown in Table 2-1, include letters and emails. The individual comments within each letter have been numbered in the left margin. The locations of the responses to each letter are indicated in Table 2-1.

**Table 2-1. List of Commenters and Locations of Responses**

Letter #	Commenter (Date)	Location of Comment Letter and Response in Chapter 3 (page no.)
<b>Public Agencies</b>		
A1	California Department of Transportation (5/19/2022)	3-2
A2	Menlo Park Fire Protection District (5/19/2022)	3-8
A3	West Bay Sanitary District (5/19/2022)	3-10
<b>Planning Commission</b>		
PC	Planning Commission Public Hearing (5/2/2022) <ul style="list-style-type: none"><li>• Pam Jones</li><li>• Commissioner Riggs</li><li>• Commissioner Thomas</li><li>• Vice Chair Harris</li><li>• Chair DeCardy</li><li>• Commissioner Barnes</li><li>• Commissioner Do</li></ul>	3-13

## **Introduction**

Written comments on the Draft Environmental Impact Report (Draft EIR) are reproduced in this section. The comments received were provided to the City of Menlo Park (City) by letter or email or during the public hearing on May 2, 2022.<sup>1</sup> Discrete comments from each letter, as well as hearing comments, are denoted in the margin by a vertical line and number. Responses immediately follow each comment letter and are enumerated to correspond with the comment number. Response A2.1 refers to the response to the first comment in Letter A2. Letters from agencies, for example, are denoted with an “A.” The italicized text at the beginning of the response provides a summary of each distinct comment. Please refer to Chapter 4, *Revisions to the Draft EIR*, for a complete list of staff-initiated changes and revisions to the Draft EIR.

## **Responses to Written Comments**

Comment letters and responses begin on the following page.

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<sup>1</sup> The Planning Commission hearing transcript is provided in its entirety in Appendix 1.

CALIFORNIA STATE TRANSPORTATION AGENCY

**Letter A1**

GAVIN NEWSOM, GOVERNOR

**California Department of Transportation**

DISTRICT 4  
 OFFICE OF TRANSIT AND COMMUNITY PLANNING  
 P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660  
[www.dot.ca.gov](http://www.dot.ca.gov)



May 19, 2022

SCH #: 2018122017  
 GTS #: 04-SM-2018-00430  
 GTS ID: 13753  
 Co/Rt/Pm: SM/109/1.29

Tom Smith, Principal Planner  
 City of Menlo Park  
 Community Development – Planning Division  
 701 Laurel St., Menlo Park, CA 94025

**Re: 1350 Adams Court Project Draft Environmental Impact Report (DEIR)**

Dear Tom Smith:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the 1350 Adams Court 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 April 2022 DEIR.

A1-1

**Project Understanding**

This project proposes to construct an approximately 260,400-square-foot building for life science research and development (R&D) uses as the 1350 Adams Court Project. The Project site (also referred to as Lot 3) is located within the existing Menlo Park Labs Campus. Parking for the proposed R&D building would be provided in a podium above a lower parking level, and in above-grade garages that would be integrated into the building. Access to the proposed R&D building would be provided via Adams Drive and Adams Court. The proposed building would have five levels, with a maximum height of approximately 92 feet, as measured to the top of the parapet.

A1-2

**Travel Demand Analysis**

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

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Tom Smith, Principal Planner  
 May 19, 2022  
 Page 2

- A1-2  
Cont'd
- Caltrans' acknowledges that the project Vehicle Miles Travelled (VMT) analysis and significance determination are undertaken in a manner consistent with the Office of Planning and Research's (OPR) Technical Advisory. Per the DEIR, the Project is considered to have a less-than-significant VMT impact, and no VMT mitigation measures are required.
- A1-3
- Active Transportation/ Multimodal Infrastructure**  
*Section "Bicycle and Pedestrian Circulation" (2-11):* Please consider constructing two-way Class IV bike facilities instead of buffered Class II facilities at the proposed bike lane locations. The preference for Class IV over buffered Class II is multifold: firstly, the unidirectional buffered bike lanes currently proposed rely upon future projects to build bike lanes in opposite directions, whereas constructing a two-way Class IV would enable bicycle travel in all directions. Secondly, a Class IV better supports the TDM plan's non-vehicular travel goals than a buffered Class II, because the vertical features and green paint draw more attention from potential users and offer more protection, thereby attracting a wider range of user abilities and more users overall. Lastly, as stated in Caltrans DIB 89-02 and the FHWA Bikeway Selection Guide, "If there is width for a Class II buffered bike lane, a Class IV bikeway should be evaluated as an alternative with consideration for the design user, the context of the street, and the surrounding network." Class IV facilities require similar total right-of-way as buffered Class II, thus may be feasible at each proposed bike lane location and would support the Caltrans District 4 Bike Plan proposal to construct Class IV bikeways on nearby State Route 114. Please see *Caltrans DIB 89-02* for further recommendations and guidance.
- A1-4
- Section TDM Plan (2-12):* Accommodate the potential that future carpooling demand exceeds the six spaces currently proposed. Other stalls located conveniently close to building entrances should be planned and designated with this in mind.
- A1-5
- Consider increasing the amount of bike storage, for both Class I and Class II type storage. While most Class I storage is currently proposed on the P1 parking level, consider locating additional Class I storage on ground level to increase the everyday visibility of this mobility option. This supports Transportation Demand Management (TDM) plan mode shift goals by drawing attention and attracting passersby to the convenience and ease of alternative travel mode choices. Similarly, consider placing signage throughout parking garage levels to alert motorists of the presence and convenience of the Class I bike storage.
- A1-6
- 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 and those impacts that cannot be mitigated on-site. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT.

"Provide a safe and reliable transportation network that serves all people and respects the environment!"

Tom Smith, Principal Planner  
May 19, 2022  
Page 3

A1-6  
Cont'd

Caltrans welcomes the opportunity to work with the City of Menlo Park and local partners to secure the funding for needed mitigation. Traffic mitigation- or cooperative agreements are examples of such measures.

A1-7

**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](mailto:LDR-D4@dot.ca.gov).

Sincerely,



MARK LEONG  
District Branch Chief  
Local Development Review

c: State Clearinghouse

"Provide a safe and reliable transportation network that serves all people and respects the environment"

## A1. Response to Comment Letter A1—Mark Leong, California Department of Transportation (letter dated May 19, 2022)

- A1.1 The comment expresses appreciation from the California Department of Transportation (Caltrans) for the opportunity to comment on the Draft EIR and provides a summary of the description for the 1350 Adams Court Project (Proposed Project).

Comment noted. The comment does not contain questions or concerns regarding the adequacy of the Draft EIR analysis. No revisions to the Draft EIR are required.

- A1.2 The comment acknowledges that the Proposed Project's analysis of vehicle miles traveled (VMT) and travel demand is consistent with the Office of Planning and Research's technical advisory and that the Proposed Project would have a less-than significant impact with respect to VMT.

The Proposed Project would result in a less-than-significant VMT impact with implementation of Mitigation Measure TRA-1, *Implement TDM Plan*. The comment does not contain questions or concerns regarding the adequacy of the Draft EIR analysis. No revisions to the Draft EIR are required.

- A1.3 The commenter states that Class IV bicycle facilities are preferred over buffered Class II facilities. Two-way Class IV bicycle facilities should be considered instead of buffered Class II facilities at the proposed bicycle lane locations.

Per the Federal Highway Administration (FHWA) bikeway selection criteria, which are based on volumes (vehicles per day) and speeds (miles per hour), a separated bike lane or shared-use path (i.e., a Class IV bicycle facility) is required on roadways with a volume of more than 6,000 vehicles per day or roadways with speeds of more than 30 miles per hour in urban areas.<sup>2</sup> The design of the planned bicycle facility near the Project site has not been finalized, but it will be designed in accordance with FHWA standards and the City/County Association of Governments of San Mateo County (C/CAG) 2021 Comprehensive Bicycle and Pedestrian Plan. However, Menlo Park's Transportation Master Plan identifies Class II bike lanes as the appropriate design for Adams Drive.<sup>3</sup> In addition, the City's Circulation Element identifies both Adams Drive and Adams Court as a mixed-use collector or future mixed-use collector roadway, which closely aligns with the FHWA roadway classification for a collector. FHWA states that a collector roadway typically has a volume of 1,100 to 6,300 vehicles per day in an urban area. Because the volumes are below the 6,000-vehicle-per-day threshold for a required separated bike lane or shared-use path, Class II bicycle lanes are the appropriate bicycle facilities under the Proposed Project. The comment does not contain questions or concerns regarding the adequacy of the Draft EIR analysis. No revisions to the Draft EIR are required.

- A1.4 The commenter states that the Proposed Project should accommodate future demand for carpooling spaces, which could exceed the currently proposed number of spaces (i.e., six). Other convenient spaces, located close to building entrances, should be planned and designated with that in mind.

---

<sup>2</sup> Kimley Horn. 2022. *Memorandum: Response to Comment for the 1350 Adams Court Project Draft Environmental Impact Report (DEIR) in Menlo Park, CA*.

<sup>3</sup> City of Menlo Park. 2020. *Transportation Master Plan*. Available: <https://beta.menlopark.org/files/sharedassets/public/public-works/documents/transportation/transportation-projects/2020-transportation-master-plan.pdf>. Accessed: August 10, 2022.



As detailed in Section 3.1, *Transportation*, of the Draft EIR, the Proposed Project would be required to develop a comprehensive Transportation Demand Management (TDM) plan to reduce the number of vehicle trips by approximately 20 percent, per the Menlo Park Municipal Code (Chapter 16.45.090, Transportation Demand Management). The Proposed Project would need a 21.1 percent reduction in VMT to mitigate the Proposed Project's VMT impact. After the development is constructed and the buildings are occupied, TDM effectiveness will be monitored. If the trip reduction goal is not met, businesses may choose to increase the number of carpool parking spaces if this is the best or most effective way of helping the Proposed Project meet the trip reduction goal. In addition, the conversion of parking spaces from general purpose parking spaces to carpool parking spaces is relatively easy to implement and could occur as needed or appropriate. Further, as part of the TDM plan, the Proposed Project would incorporate a shuttle service to nearby transit stations as an alternative mode of transportation. The comment does not contain questions or concerns regarding the adequacy of the Draft EIR analysis. No revisions to the Draft EIR are required.

- A1.5 The commenter states that the Proposed Project should consider increasing the amount of bicycle storage and locating additional Class I storage on the ground level to increase everyday visibility of this mobility option.

Class I storage is defined as secure storage; it is intended to be used as long-term parking for employees. It is not designed to attract passersby. Class I storage would be used by employees who go to work on a daily basis and know its location. Locating the long-term spaces outside the parking garage would be less secure. The TDM coordinator would provide brochures with transportation information to all new employees who commute to the Project site. This brochure would include information about the location of bicycle parking onsite. Therefore, signage to direct cyclists to the bicycle storage room in the garage would not be necessary.

Based on the City's parking requirements, the Proposed Project would need to provide 41 long-term bicycle spaces and 11 short-term bicycle spaces, for a total of 52 spaces. The Proposed Project would provide 60 bicycle parking spaces (i.e., 48 long-term spaces and 12 short-term spaces). The proposed bicycle parking spaces would comply with City requirements. Based on the current site plan, all of the long-term bicycle storage rooms are on the ground level in the garage.

The Draft EIR previously stated that the Proposed Project would provide 48 long-term bicycle parking spaces and 10 short-term bicycle parking spaces, for a total of 58 bicycle parking spaces onsite. However, the Proposed Project would actually provide 48 long-term bicycle parking spaces and 12 short-term bicycle parking spaces, for a total of 60 bicycle parking spaces onsite. The Draft EIR has been revised accordingly. Please refer to Chapter 4, *Revisions to the Draft EIR*, for the full revisions.

- A1.6 The commenter encourages a "sufficient allocation" of fair-share contributions toward multimodal and regional transit improvements to mitigate fully cumulative impacts on regional transportation.

As discussed in Draft EIR Chapter 2, *Project Description*, Caltrans is identified, in the *Reviews/Approvals by Responsible Agencies* subsection, as the agency for consultation and approval. The additional detail provided by the commenter regarding this process is noted and has been provided to the City and Project Sponsor. The City determines the implementation status of projects funded by the Transportation Impact Fee (TIF), which includes numerous multimodal projects, such as improvements to sidewalks and bicycle lanes. In addition, as a City requirement, the Proposed Project's TDM plan includes measures to support sustainable mode shares, such as

bicycle and transit use. The comment does not contain questions or concerns regarding the adequacy of the Draft EIR analysis. No revisions to the Draft EIR are required in response to this comment.

- A1.7 The commenter states that Caltrans facilities affected by the Proposed Project must be designed to meet American with Disabilities Act (ADA) standards.

As discussed in Draft EIR Chapter 2, *Project Description*, the need for Caltrans review of the Proposed Project's circulation effects, as well as consultation on potential traffic improvements, is identified in the *Reviews/Approvals by Responsible Agencies* subsection. Although the Proposed Project would be designed to meet ADA standards and maintain pedestrian and bicyclist access during construction, conformity with applicable Caltrans requirements would be reviewed, per Caltrans procedures. The comment does not contain questions or concerns regarding the adequacy of the Draft EIR analysis. No revisions to the Draft EIR are required.

**From:** [Johnston, Jon](#)  
**To:** [Smith, Tom A](#)  
**Cc:** [Johnston, Jon](#)  
**Subject:** 1350 Adams EIR response  
**Date:** Thursday, May 19, 2022 11:01:27 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

Letter A2

**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,

- A2-1 Please find our response to the EIR for 1350 Adams Court.
- A2-1 We find that our responses in the ConnectMenlo Final EIR are still applicable to this project.
- A2-1 ES-26 Impact to Fire is LTS with No mitigation required
- A2-2 The water infrastructure at this location currently cannot meet the demand for this building. Water infrastructure improvements are needed to be able to build and meet Fire supply requirements of the CA Fire Code.
- A2-3 This project is located within current adopted time standards for our required resources. However as traffic demands increase on continued narrowed roadways, increased development, and massive pass through traffic on Willow Rd and other pass through roads to the Dumbarton Bridge, response times to this project area continue to diminish. Cumulative projects along with increased traffic and decreased road arteries and decreased road capacities will delay emergency response times.

Thank you!

Jon



**Jon Johnston**

**Division Chief/Fire Marshal**

Menlo Park Fire Protection District | 170 Middlefield Road | Menlo Park, CA 94025

(650) 688-8431

[jonj@menlofire.org](mailto:jonj@menlofire.org)

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## **A2. Response to Comment Letter A2—Jon Johnston, Division Chief/Fire Marshal, Menlo Park Fire Protection District (letter dated May 19, 2022)**

- A2.1 The commenter states that comments made by the Menlo Park Fire Protection District regarding the City's General Plan and M-2 Area Zoning Update (ConnectMenlo) Final Environmental Impact Report (Final EIR) are applicable to the Proposed Project and that ES-26 ("Impact to Fire") is less than significant and no mitigation is required.

Responses to comments provided in the ConnectMenlo EIR are available online at <https://www.menlopark.org/1013/Environmental-Impact-Report>. The comment does not contain questions or concerns regarding the adequacy of the analysis in the Draft EIR. No changes to the Draft EIR are required in response to this comment.

- A2.2 The commenter states that the current water infrastructure at the Project site cannot meet the demand from the building. Water infrastructure improvements are needed to meet the fire supply requirements of the California Fire Code.

Consistent with the commenter's remarks regarding inadequate water pressure, the analysis presented in the Draft EIR includes replacement of waterlines under both Adams Court and O'Brien Drive. Draft EIR Chapter 2, *Project Description*, states that the Proposed Project would upgrade the existing 10-inch water mains under Adams Court, as well as throughout the Project site, to 12-inch water mains. In addition, a portion of the existing 10-inch water main under O'Brien Drive would be upgraded to a 12-inch water main. The City is requiring the waterline improvements in response to concerns raised by the Menlo Park Fire Protection District during design review. These water infrastructure improvements would improve fire flow for existing development in the Project area and provide the Proposed Project with the capacity needed, per the City's Water System Master Plan, to meet the requirements of the California Fire Code. Also, refer to Draft EIR Chapter 5, *Waterline Analysis*. No changes to the Draft EIR are required in response to this comment.

- A2.3 The commenter is concerned that cumulative projects, along with increased traffic, will increase emergency response times.

As specified in the Draft EIR (page 2-11), new emergency access to the Project site would be provided from Adams Drive, at the southeast corner of Lot 3 North, and from the Adams Court cul-de-sac. The Proposed Project would not alter existing emergency access for the 1305 O'Brien Drive building but would add additional fire department access and a staging area on the building's north side. Also, as discussed under Impact C-TRA-4 in the Draft EIR (page 3.1-11), the City, throughout the 2040 buildout horizon, will implement general plan programs that require the City's continued coordination with the Menlo Park Police Department and Menlo Park Fire Protection District to establish circulation standards, adopt an emergency response routes map, and equip all new traffic signals with pre-emptive devices for emergency services. Furthermore, implementation of zoning regulations will help minimize traffic congestion that could affect emergency access. Therefore, the Proposed Project in combination with cumulative projects would have a less-than significant cumulative impact with respect to emergency access. The comment does not contain questions or concerns regarding the adequacy of the analysis in the Draft EIR. No changes to the Draft EIR are required in response to this comment.

## Letter A3



*Serving Our Community Since 1902*

500 Laurel Street, Menlo Park, California 94025-3486 (650) 321-0384 (650) 321-4265 F AX

SERGIO RAMIREZ  
District Manager

In reply, please refer to our

May 19, 2022

Tom Smith  
Community Development  
701 Laurel St.  
Menlo Park, CA 94025  
[tasmith@menlopark.org](mailto:tasmith@menlopark.org)

**Re: Response to the 1350 Adams Court EIR**

Dear Mr. Smith,

The West Bay Sanitary District have the following comments/input:

- A3-1 1) Using the District's current wastewater generation rate of 3,000 gpd/acre, this project will generate 0.02 million gallons a day (MGD) of flow. This may impact the District's conveyance system. If specific areas are targeted for discharge, 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.
- A3-2 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.
- A3-3 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.

Very truly yours,

**WEST BAY SANITARY DISTRICT**

A handwritten signature in blue ink that reads "Sergio Ramirez".

Sergio Ramirez  
District Manager

SERVING AREAS IN MENLO PARK, ATHERTON, PORTOLA VALLEY, EAST PALO ALTO, REDWOOD CITY, WOODSIDE AND  
UNINCORPORATED SAN MATEO AND SANTA CLARA COUNTIES

### **A3. Response to Comment Letter A3—Sergio Ramirez, District Manager, West Bay Sanitary District (letter dated May 19, 2022)**

- A3.1 The commenter estimates that wastewater generated by the Proposed Project would total 0.02 million gallons per day (mgd), based on a rate of 3,000 gallons per day per acre, which could affect the West Bay Sanitary District's (WBSD's) conveyance system. If analysis shows that piping/pump stations would need to be upsized, the commenter requests that the Environmental Impact Report (EIR) note this so it can be used as the California Environmental Quality Act (CEQA) document required for future construction projects.

Wastewater generation estimates for the Proposed Project, as well as impacts on wastewater infrastructure, are discussed in Section 3.6, *Utilities and Energy*, of the Draft EIR under Impact UT-1. The wastewater generation estimate is based on the water use budget that was prepared for the Proposed Project as well as a separate water demand assessment to account for conservation measures. The wastewater generation estimate assumes that approximately 90 percent of the water used indoors by the Proposed Project will become wastewater, which is 3.9 million gallons per year (mgy), or about 0.01 mgd. Although the estimate in the Draft EIR is lower than the commenter's estimate, the method used in the Draft EIR is based specifically on the land uses and conservation features detailed in Chapter 2, *Project Description*, that will be implemented under the Proposed Project rather than a more general estimate based on acreage alone. The Draft EIR found that the Proposed Project would not require or result in relocation of existing wastewater treatment facilities or the construction of new or expanded facilities and that Impact UT-1 would be less than significant. The comment does not address a specific question or concern regarding the wastewater generation rate analysis or conclusion in the Draft EIR.

Environmental impacts from potential future construction of new or expanded wastewater treatment facilities, as deemed necessary through the WBSD's planning process, would be addressed in the CEQA review conducted by the lead agency for such facility expansion or development. Therefore, an evaluation of possible environmental effects from future expansion/development of such facilities would be speculative and beyond the scope of the Draft EIR. No changes to the Draft EIR are required in response to this comment.

- A3.2 The comment states that additional capacity at Silicon Valley Clean Water (SVCW) may be necessary, which will be determined through discussions with the Menlo Park Municipal Water District (MPMWD) when preparing the EIR.

The impact on the wastewater treatment provider's capacity to serve the Proposed Project in addition to the provider's existing commitments is addressed in Section 3.6, *Utilities and Energy*, of the Draft EIR under Impact UT-3. The WBSD provides wastewater collection and conveyance services for the MPMWD, which conveys the majority of the raw wastewater to the SVCW wastewater treatment plant. The estimate of wastewater generation is based on the water use budget that was prepared for the Proposed Project as well as a separate water demand assessment that was prepared after conservation measures were factored in. The wastewater generation estimate assumes that 90 percent of the net amount of water used indoors by the Proposed Project will become wastewater, which is approximately 3.9 mgy, or about 0.01 mgd. This increase in wastewater generation would not be significant relative to the currently available excess dry-weather design flow capacity of 15.5 mgd (i.e., 29 mgd design flow minus 13.5 mgd current average flow = 15.5 mgd) at the SVCW wastewater treatment plant (WWTP). Estimated wastewater flows from the Proposed Project would therefore represent approximately



0.0006 percent of the total daily wastewater capacity of the SVCW WWTP. The Draft EIR found that wastewater generated by the Proposed Project would not result in a determination by the wastewater treatment provider that it has inadequate capacity to serve projected demand in addition to the provider's existing commitments and that Impact UT-3 would be less than significant. In addition, as stated above, environmental impacts from potential future construction of new or expanded wastewater treatment facilities, as deemed necessary through WBSD and SVCW planning processes, would be addressed in the CEQA reviews conducted by the lead agencies regarding facility expansion or development. Therefore, an evaluation of possible environmental effects from future expansion/development of such facilities would be speculative and beyond the scope of the Draft EIR. Furthermore, the comment does not raise a specific question or concern regarding the wastewater generation rate analysis in the Draft EIR. No changes to the Draft EIR are required in response to this comment. The City will continue to coordinate with SVCW and WBSD to ensure that adequate capacity is available to accommodate future and ongoing growth in Menlo Park.

- A3.3 The comment requests that the EIR consider implementation of WBSD's Recycled Water Program when analyzing the Proposed Project's domestic water use.

The Proposed Project's domestic water demand, as well as access to recycled water, is addressed in Section 3.6, *Utilities and Energy*, of the Draft EIR. The analysis includes a discussion of WBSD's Recycled Water Program, including the planned Bayfront Recycled Water Facility, WBSD's plans to operate a Resource Recovery Center at WBSD's former treatment plant, WBSD's installation of purple pipe to distribute recycled water in the Project area, and planned uses for recycled water (refer to page 3.6-5). The potential use of recycled water as a future source of domestic water in the Project area is discussed throughout Section 3.6. The Draft EIR also discusses the Proposed Project's potential use of recycled water and notes that the Proposed Project would be dual plumbed with purple pipe for recycled water when it becomes available in the Bayfront Area. No changes to the Draft EIR are required in response to this comment.

**Public Hearing Transcript**

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1 now.

2 PAM JONES: Thank you. Pam Jones, resident of  
3 Menlo Park, in District I. And I'd like to thank the  
4 commissioners for your work and congratulations to our new  
5 chair, as well as the vice chair.

6 I basically have one -- well, two comments. One,  
7 how accurate is the air quality data, since we have had  
8 pandemic traffic for the last year and a couple of months?  
9 That's number one.

10 And then, number two, has there been any concern  
11 about liquefaction, which is something that is not in the  
12 General Plan, the 2016 EIR, but it has since been -- it  
13 has become an issue. And it's one in which East Palo Alto  
14 is addressing now, with some of their projects that are  
15 moving closer and closer to the bay. Although you aren't  
16 that close to the bay, certainly the continuation of these  
17 large, massive buildings can pose a problem, especially if  
18 we haven't even studied that.

19 Thank you.

20 CHAIR DECARDY: Thank you, Ms. Jones.

21 Any other hands, Mr. Turner?

22 MR. TURNER: Not seeing any other hands at this  
23 time.

24 Just as a reminder. If you would like to give  
25 public comment, please click the hand -- raise hand button

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1 at the bottom of your screen.

2 CHAIR DECARDY: All right.

3 Yes, Mr. Shaffer?

4 MR. SHAFFER: Yes. I'd just like to point out to  
5 the public, who may be viewing this, if you haven't had a  
6 chance to review the EIR yet, if staff might want to  
7 explain where they can find it on the City website and  
8 direct people to where in the website they can find the  
9 EIR to look at it, and that the City will be receiving  
10 written comments through the comment period.

11 CHAIR DECARDY: Thank you, Mr. Shaffer.

12 Mr. Turner, if you want to -- or Mr. Smith, if  
13 you want to respond to that.

14 MR. SMITH: Yes. The EIR can be found on the  
15 City's website at MenloPark.org/1350AdamsCourt. All one  
16 word. And it is under the "Environmental Documents"  
17 section on that web page, pretty prominently posted, so  
18 that the public can review and comment.

19 CHAIR DECARDY: Great. Thank you, Mr. Smith.

20 With that, Mr. Turner, any hands or --

21 MR. TURNER: Still no hands at this time.

22 CHAIR DECARDY: Okay. Then I think we'll go  
23 ahead and close public comment on the EIR portion of the  
24 program.

25 And with that, I will bring it back to the dais

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1 for commissioners for any questions of the EIR consultant,  
2 the Applicant, or of staff. All certainly in that purview  
3 for you. Any comments you would like to make; to our new  
4 commissioners, you are more than welcome to speak more  
5 than once during this session, in that mix, so you can ask  
6 or reflect until you've exhausted the comments or  
7 questions you have.

8 And with that, any commissioners would like to  
9 start? I will recognize Commissioner Barnes.

10 COMMISSIONER BARNES: Thank you, Chair DeCardy.  
11 Sorry if I missed this.

12 Is this specific to the EIR, and we're going to  
13 have our general project comments after?

14 CHAIR DECARDY: Yes, that's correct. This is for  
15 the EIR specifically. Then we'll come back, and we'll  
16 open up for any further comment from the Applicant.  
17 Although, I believe we were told the Applicant was going  
18 to make that presentation be the total presentation.

19 We'll give the Applicant the opportunity, though,  
20 for any further presentation, open up public comment, and  
21 then -- for the full project.

22 COMMISSIONER BARNES: Got it. Thank you. I do  
23 not at this time have anything on the EIR. Thank you.

24 CHAIR DECARDY: Okay. I'll recognize  
25 Commissioner Riggs.

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1           COMMISSIONER RIGGS: Thank you, Chair DeCardy.  
2     So I have just a couple of questions that are truly  
3     focused on the EIR. But I would also like to just prompt  
4     a response to Ms. Jones' question regarding air quality  
5     data.

6           Through the Chair, could the consultant just  
7     frame how air quality data would or would not be related  
8     to any information gathering over the last two to three  
9     years?

10          MS. MEKKELSON: Yeah. I can tackle that. This  
11     is Heidi Mekkelson, from ICF. And I'll also call on our  
12     colleagues at Hexagon to help me out here.

13          But we absolutely recognize that traffic patterns  
14     were not what they normally are during the time this  
15     analysis was conducted.

16          And there are industry-recognized techniques that  
17     we've been applying to CEQA analyses that are done during  
18     this period to essentially adjust for those baseline  
19     traffic counts. And those can vary by project. They can  
20     include anything from applying adjustment factors to using  
21     counts that were pre-COVID to evaluate traffic baseline  
22     levels, which, of course, feed into the air quality  
23     analysis.

24          So if either Ling or Gary could comment on the  
25     specific methodology that we would use for this

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PC-4

1 transportation analysis, that would be helpful.

2 MR. BLACK: Thanks, Heidi. Gary Black here, with  
3 Hexagon Transportation Consultants. And you're exactly  
4 correct that all the data -- the transportation data for  
5 this project is all based on pre-COVID conditions.

6 COMMISSIONER RIGGS: Thank you.

7 And then, just to clarify, Ms. Jones' comment was  
8 specifically on air quality, which frequently, in an EIR,  
9 has to do with construction activities or, alternatively,  
10 it has to do with the particular mechanical systems.

11 Do we want to clarify which we are addressing  
12 here?

13 MS. MEKKELSON: We looked at all of the above  
14 there.

15 So with respect to construction emissions, those  
16 were evaluated based on construction equipment and vehicle  
17 estimates provided by the Applicant. So those are -- of  
18 course, are not affected by COVID conditions. Those are  
19 just the estimates that they provide us in terms of how  
20 many workers will be on-site, what types of equipment  
21 they'll be using, what the phasing looks like. And we  
22 evaluate those impacts against the daily emission  
23 thresholds that are promulgated by the Bay Area Air  
24 Quality Management District to determine whether there's  
25 an impact there.

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1           For the mechanical equipment, that is factored  
2 into the operational impacts -- the air quality impact  
3 analysis in the EIR. So we look at potential health  
4 hazards from things like generators, as well as  
5 construction diesel particulate matter as well.

6           So really, the only air quality analysis I think  
7 that is affected by COVID is the transportation analysis,  
8 to the extent that baseline traffic levels might be  
9 different. And as Gary described, those were essentially  
10 corrected for in the transportation analysis, which is  
11 what provides the data that feeds into the air quality  
12 analysis.

13           COMMISSIONER RIGGS: Thank you for the clarity of  
14 your responses. We don't always get that. So I do mean  
15 thank you.

16           And then, Ms. Jones also asked about  
17 liquefaction. And if I may be so bold, as the token  
18 architect on the commission, just to reassure the public  
19 that liquefaction has been -- I dare say -- for decades, a  
20 factor that is very determinedly examined during the  
21 building application process, which is the right place,  
22 because foundation designs do respond to soil conditions.

23           And certainly in the Bay Area, liquefaction is  
24 taken very seriously. It was, even before 1989, but  
25 certainly since -- if anything, at the risk of

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1 overbuilding, if there is such a thing. At least that's  
2 an architect's perspective.

3 And then, my own question has to do with how we  
4 -- whether it's the commission or the public, ultimately  
5 decision makers, including the commission and possibly  
6 counsel, how do we frame the relationship between this  
7 focused EIR and the underlying ConnectMenlo EIR, when it  
8 comes to a determination of no significant impacts?

9 And I ask, for example, when the public views our  
10 discussion on buildings in this zone, not just the LS  
11 zone, but the OB and the MU as well, they see projects  
12 that are 100,000 square feet, 200,000, 500,000, up --  
13 maybe 1.3 million square feet. The idea that there are no  
14 significant environmental impacts would not fly with  
15 anyone observing our meeting or reading this document.

16 So am I correct that the reason that the focused  
17 EIR can say that there are no significant impacts is that  
18 there are no impacts that have not already been evaluated  
19 under the ConnectMenlo process?

20 MS. MEKKELSON: Yeah. I think that's a fair  
21 assumption.

22 Essentially, what we're saying is there are no  
23 new significant and unavoidable impacts that are unique to  
24 this project or are more severe than those that were  
25 already evaluated in ConnectMenlo, and which the City

PC-5

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1 already overrode, from a CEQA perspective, in the  
2 statement of overriding considerations for that EIR.

3           So, essentially, you know, you've already done  
4 your homework, your CEQA homework, for the development  
5 that is contemplated under ConnectMenlo. And you have  
6 adopted a statement of overriding considerations for that  
7 analysis.

8           So when you are doing subsequent CEQA documents  
9 under that EIR, you're really focusing on whether or not  
10 there is new information.

11           COMMISSIONER RIGGS: And that makes sense to me.  
12 But I could see how that could easily be obscure to the  
13 public.

14           And I'll pause a moment because I see Mr. Shaffer  
15 might want to add a comment through the Chair.

16           MR. SHAFFER: I'd just like to add that the EIR  
17 identifies -- both EIRs, the ConnectMenlo and the project  
18 EIR -- they do identify potential significant impacts, but  
19 then recommend a slate of mitigation measures which the  
20 EIR consultant and the City conclude are sufficient to  
21 reduce the mitigation -- the impact. And very robust  
22 packages of mitigation measures.

23           And opinions can differ as to how low an impact  
24 can be -- should be reduced before it's deemed less than  
25 significant. That's always a debate in CEQA, but this

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1 conclusion is supported by the mitigations that are  
2 identified, leaving no significant, unavoidable impacts  
3 that still would be considered significant, despite all  
4 the mitigation thrown at it.

5 COMMISSIONER RIGGS: Mr. Shaffer, I think you're  
6 quite correct because where even a relatively tame project  
7 is going to add a population of another 650 workers,  
8 something, like, 80 percent of which live outside the  
9 area, there will be impacts, as anyone who has been on  
10 Bayshore Expressway knows.

11 So, Mr. Chair, I do have maybe four other points,  
12 but they are not directly addressed to this focused EIR,  
13 but rather how the project does or does not actually  
14 affect the -- shall we say -- quality of life of the  
15 residents. So I'm suspecting that I should hold those  
16 until we get to architectural review.

17 CHAIR DECARDY: I appreciate your point,  
18 Commissioner Riggs. I think you can use your judgment,  
19 but certainly, you know, raise them during architectural  
20 review as well. I'm sure quality of life questions will  
21 come up then, as well as focused on the EIR. But I  
22 encourage you to use your judgment.

23 If you'd like to continue, please do. Otherwise,  
24 please hold.

25 COMMISSIONER RIGGS: Well, in that case -- well,

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1 I think I would like to hold, just to help the public, if  
2 not even myself, separate the discussion with the EIR  
3 consultant from that with the project sponsor.

4 CHAIR DECARDY: Okay. Very well.

5 COMMISSIONER RIGGS: Thank you.

6 CHAIR DECARDY: And after other commissioners  
7 have spoken, of course, you can always speak again if so  
8 moved.

9 So other commissioners who would like to speak?  
10 I'm going to recognize Commissioner Thomas.

11 And I realize that, Commissioner Riggs, you  
12 mentioned that you're the token architect, which I believe  
13 you have been for a while. I'm not completely familiar  
14 with the full bios of Commissioners Do and Thomas, so you  
15 should correct us. But I believe Commission Do is an  
16 architect. So you may, at least, have another architect  
17 on the commission at this point, Commissioner Riggs.

18 With that, I will pass it over to Commissioner  
19 Thomas. And please correct me as well, if you have that  
20 in your background.

21 COMMISSIONER THOMAS: Thank you, Chair DeCardy.  
22 My background isn't in architecture.

23 And my question is on the impacts. So it seems  
24 like, you know, there were some potentially significant  
25 impacts, but they've been all reduced to

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1 less-than-significant with mitigations.

2           There are a couple of these on here. So I was  
3 wondering if there is one in particular -- I guess my  
4 question would be directed towards Heidi Mekkelson.

5           Is there one of these LTS/M -- you know, less  
6 than significant with mitigation -- impacts that is  
7 particularly risky or that you think, if you had to rank  
8 these, would potentially be of the most concern?

9           MS. MEKKELSON: I've never had that question  
10 before. You know, I don't think I could rank them. Under  
11 CEQA, we are required to look at everything with a fresh  
12 lens, and we look at each impact against a threshold of  
13 significance, which is another requirement of CEQA, and  
14 those thresholds can be different, depending on what the  
15 impact is. For air quality impacts, for example, we often  
16 have bright line, you know, thresholds -- like a project  
17 can emit 55 pounds-per-day of nox, and anything over that  
18 is significant impacts. For other impacts, it's a bit  
19 more of a qualitative threshold. And it's a judgment call  
20 on the part of the EIR professional and the City Planning  
21 Department in determining whether or not that impact is  
22 tripped.

23           So from my personal perspective, all impacts on  
24 the environment are of equal importance and concern. I  
25 definitely know that when it comes to issues that are

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1 important to the public or quality of life issues, as  
2 Commissioner Riggs, you know, touched upon, different  
3 impacts, I think, can be different, given different  
4 weights, essentially.

5 But from a CEQA perspective, a significant impact  
6 is a significant impact. And if it is significant, the  
7 City is required to override that impact -- make a  
8 determination and override that impact.

9 Does that answer your question?

10 COMMISSIONER THOMAS: Thank you.

11 MS. MEKKELSON: I hope that kind of answers your  
12 question.

13 CHAIR DECARDY: Other commissioners, questions or  
14 comments at this time?

15 Commissioner Harris? Excuse me. Vice Chair  
16 Harris.

17 VICE CHAIR HARRIS: Thank you. I have to get  
18 used to that. Yeah. I had a couple of EIR comment and  
19 questions.

20 Like Commissioner Riggs, it is, I think,  
21 difficult to tease out which is a comment or question on  
22 the project, versus on the EIR. And so I had some  
23 questions around transportation. And so some of those  
24 have to do with -- I just want to understand the total  
25 number of employees, and the total number of parking

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1 spots. I got a little bit confused because I understand  
2 that we're adding 650 employees. But I don't know what  
3 the total is with those 650.

4 And I also was a little bit unsure about the  
5 total number of parking spots because in -- in the -- in  
6 reviewing the staff report, I saw that it was 961. But in  
7 the EIR, it says 707. And I'm wondering if the difference  
8 is that the 961 includes both 1305, as well as 1350.

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9 I also read that 118, that were -- for 1305 will  
10 be taken away because they were, I guess, surface parking  
11 that is now on 1350.

12 Anyway, that all -- the EIR and the staff report  
13 seem a little bit different. And I'm wondering if  
14 somebody from either staff or from the -- I'm not sure  
15 which group could help me understand those answers, both  
16 employees and parking.

17 MR. SMITH: I think I can at least get things  
18 rolling there and explain the parking situation.

19 So it's important to think of this as -- although  
20 there is one new building being built, it is a project  
21 site that contains an existing building.

22 And I think you have it right, Vice Chair Harris,  
23 that there are 118 spaces that are currently provided on  
24 what would become the 1350 Adams Court site, that are  
25 currently used for 1305 O'Brien, the existing building.

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1 Those would obviously need to be removed to add the new  
2 building, the landscaping, all of that. And so those 118  
3 spaces, because there was an approval for 1305 O'Brien  
4 Drive that required -- I believe it's 373 spaces were  
5 required, as part of 1305 O'Brien Drive. So the 118  
6 spaces that are being removed to develop the new building  
7 would need to be reintegrated into the parking structure  
8 for the proposed building. So what we would end up with  
9 is 961 spaces total for both buildings on the site.

10 Of the 706 spaces that would be part of the 1350  
11 Adams Court project, you can think of 118 of those as  
12 belonging to 1305 O'Brien Drive. So what you end up with  
13 is essentially -- of the new parking spaces that are being  
14 developed in the garage -- or there's a few surface spaces  
15 as well, as part of the 1350 Adams Court project, you're  
16 looking at 588 new spaces for the proposed building  
17 itself, which is a parking ratio of about 2.14 per  
18 thousand square feet. So 588 spaces would be -- it's kind  
19 of about halfway in the ratio of 1.5 to 2.5 spaces per  
20 thousand square feet of gross floor area that's required  
21 in this district.

22 VICE CHAIR HARRIS: Okay. That's really helpful.

23 So -- but I should think about it as 588 new  
24 spaces for the new 650 employees.

25 Can I think about it that way?

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1 MR. SMITH: Yes. That would be accurate.

2 VICE CHAIR HARRIS: Okay. And then I guess I  
3 realize that we're putting together a transportation  
4 demand -- plan to try to reduce the level of single  
5 occupancy vehicles, but I guess I have a question to the  
6 Applicant.

7 Of your 650 new employees, or maybe of your old  
8 employees, what do you -- how many do you expect of those  
9 employees will get to this location in something other  
10 than a single occupancy vehicle? Maybe kind of tell me  
11 about your current building, as well as what your  
12 expectations might be for the new building, from the  
13 Applicant, if you have that answer or an idea.

14 MR. TARLTON: I would be addressing sort of a  
15 general sense, rather than this specific building because,  
16 of course --

17 VICE CHAIR HARRIS: You don't have them yet.

18 MR. TARLTON: -- we don't have the tenant yet.  
19 And it does vary, somewhat significantly, from tenant to  
20 tenant.

21 As we have discussed on a prior meeting -- in a  
22 prior meeting on a different project, we can have tenants  
23 who are involved in manufacturing that have multiple  
24 shifts. And sometimes there's an overlap there.

25 In terms of general uptake of our shuttle program

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1 and other alternate transit modes, we've been quite  
2 successful.

3 And I would say that somewhere in the range of 25  
4 percent of our employees across the campus are getting to  
5 campus in a way other than a single occupant vehicle, if  
6 that answer your question.

7 VICE CHAIR HARRIS: Okay. That does answer my  
8 question.

9 So if we're looking to reduce -- and I understand  
10 we're looking at it from the other direction, which is  
11 allowing for bikes and parking and shuttle and carpool. I  
12 just am wondering if we're thinking, okay. Well, maybe 25  
13 percent will get there a certain -- a different way, then  
14 it seems like we probably wouldn't need to plan for 90  
15 percent of them to come in a single occupancy vehicle for  
16 the number of parking that we're going to supply.

17 So I understand that Menlo Park has a minimum  
18 number of parking spots, but I guess my thought would be,  
19 can we reduce this number of parking spots more, given  
20 that we're -- right now, we're at 90 percent?

21 I realize there's also a couple spots for  
22 visitors or -- you know, a couple other spots. But it  
23 just feels -- that feels very high to me. And I'm  
24 wondering if there's -- if we can think about reducing  
25 that, to some extent, given all the other ways that you're

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1 looking for people to get there.

2 MR. TARLTON: Yeah. I appreciate the question,  
3 and I certainly appreciate the sentiment.

4 For those of you who don't know, I go virtually  
5 everywhere on a bicycle. That being said, we have to --  
6 and it's not lost on you. Certainly those of you who have  
7 experience with other development or architecture, that  
8 the cost of building that parking is significant to us.  
9 And we are heavily-incented financially not to build more  
10 parking than we need.

11 The parking that we propose to build is based on  
12 literally decades of data around what the tenants need for  
13 parking, trying to anticipate the various types of uses  
14 that we might have at the site, and accounting for, as you  
15 said, visitor, et cetera.

16 I would love to build less parking. We will  
17 hopefully build less parking as we partner with the City  
18 and other agencies to create more alternative transit.  
19 This is the reality that we face today.

20 VICE CHAIR HARRIS: Okay. So I'm still going to  
21 issue that challenge to try to reduce your cost for  
22 parking and see where you might be able to trim that.

23 And then, as Commissioner Riggs was discussing,  
24 that, you know, the analysis is based, I think, on 2019 or  
25 pre-pandemic. I know that since the pandemic, our --

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1 we're not so peaky. We're not -- we don't have the same  
2 exact peaks.

3 And also, because you're life sciences, as you  
4 mentioned -- I think it was Mr. Tarlton mentioned that the  
5 life sciences tends to be less peaky than a typical office  
6 building.

7 So I guess, in the way that we do the analysis,  
8 I'm not really sure where that -- where that puts us. But  
9 I just wonder if maybe there might be some thoughts on  
10 that.

11 I think -- I do have a couple of comments on LOS,  
12 but I guess I should -- I guess I should maybe come back  
13 to those, when we are -- since it's not part of CEQA,  
14 through the Chair.

15 CHAIR DECARDY: Again, at your discretion.  
16 Right? It's not part of CEQA. It's an add-on from Menlo  
17 Park. But --

18 VICE CHAIR HARRIS: Okay. I guess it is part of  
19 the EIR.

20 CHAIR DECARDY: Yes.

21 VICE CHAIR HARRIS: So I would just say, when  
22 this comes back for final approval -- and this is really  
23 to staff -- I would like to see the LOS improvements  
24 broken down in maybe like a chart. Right now, it's really  
25 hard for me to kind of get a sense for each intersection

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1 what is TIF, versus not in TIF; and then also, what's near  
2 term, versus cumulative, and to indicate if there would --  
3 if any of these would involve any road widening.

4 I think, when this comes back and when it's  
5 published, it would be really terrific to understand,  
6 maybe in a chart, where -- what each of those  
7 intersections is; whether it's TIF, non-TIF, near term,  
8 cumulative, and whether it -- indicate whether there would  
9 be any road widening.

10 And I think that would really help us, as  
11 commissioners, to -- if it's summarized that way, to help  
12 our decisionmaking process and perhaps even do it for  
13 Draft EIRs in the future.

14 Is that something you think would be possible?

15 MR. SMITH: Chair DeCardy, if I may?

16 CHAIR DECARDY: Yes, of course. Mr. Smith.

17 MR. SMITH: Yes. I definitely appreciate that  
18 feedback.

19 I think we've tried to slim down the staff  
20 reports to reduce down the amount of reading material that  
21 we're giving you. But if that is desired -- well, if you  
22 would like to see that information in a chart, I  
23 definitely am more than happy to provide that, and we'll  
24 take that into effect -- into account for the Final EIR  
25 and then future EIR projects as well.

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1           VICE CHAIR HARRIS: So I guess what I would like  
2 to say is that -- what I would maybe say is that I think  
3 that information is probably in there, but it's multiple  
4 paragraphs to find it.

5           So I would almost say, well, maybe this would be  
6 less work for you if you could put it more into a chart  
7 format, and less into pros. So just a thought for that  
8 because I certainly don't want to make extra work for you  
9 guys. I know you're all -- you've got a lot already.

10          MR. SMITH: Absolutely. I appreciate the  
11 feedback.

12          VICE CHAIR HARRIS: And I don't want to make  
13 longer reading for all of us either. So I think we're in  
14 agreement on that.

15          MR. SMITH: Yes. Understood. Yes. We are in  
16 agreement.

17          VICE CHAIR HARRIS: All right. Well, I'll stop  
18 there and let somebody else chime in.

19          Thank you.

20          CHAIR DECARDY: Thank you, Vice Chair Harris.

21          Other questions or other comments related to the  
22 EIR from commissioners?

23          While people are thinking, perhaps I have a  
24 couple that can follow on a thread that has already been  
25 picked up on. And I want to recognize and thank --

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1 actually, all of the commissioners that touched on some of  
2 my questions.

3 I do want to come back to the EIR and to the  
4 transportation question. So, Ms. Mekkelson, on the  
5 transportation impact, it would have been significant but  
6 for the expectation of utilizing the transportation demand  
7 management mitigation.

8 Do I have that right?

9 MS. MEKKELSON: That's correct.

10 CHAIR DECARDY: Okay. So how successful does the  
11 TDM have to be to move it from significant to not  
12 significant? In the context of some of the conversation  
13 we've had in ways that we or the public could understand,  
14 what does a successful TDM plan actually have to reduce in  
15 order to make it less than significant?

16 MS. MEKKELSON: I can look this up for you, to  
17 get you some more precise numbers, but the threshold for  
18 the City CEQA purposes is 15 percent below the citywide  
19 average.

20 MR. SMITH: Heidi, I have some of that  
21 information, I think, right in front of me.

22 MS. MEKKELSON: Oh, great. Or Gary --

23 MR. SMITH: And then Gary can correct me, if I'm  
24 off.

25 But I believe it's a 21.1 percent reduction in

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1 VMT needed to get below the City's threshold.

2 And then the Applicant put together a pretty  
3 robust TDM program that would be effective, in the range  
4 of 27 to 30 percent. So it's beyond the amount that would  
5 be needed to get below the City's threshold.

6 Gary, let me know if that was incorrect.

7 MR. BLACK: That's correct. Absolutely.

8 CHAIR DECARDY: Okay. I appreciate that. I  
9 think that's helpful.

10 So -- and then -- so the Applicant's TDM plan is  
11 specific enough that you can anticipate, based on past  
12 monitoring, that it will be in that 25 to 30 percent  
13 range?

14 Is that the one that was included in the exhibit  
15 with the specific measures? Is that the plan we're  
16 talking about that touches on the bike share, the car  
17 share, the significant shuttles that were referenced in  
18 the presentation?

19 MR. SMITH: Yes. That's correct.

20 And then, for additional reference, the existing  
21 building at 1305 O'Brien Drive, the other building on the  
22 site, it is -- it has a TDM plan. And it has been subject  
23 to monitoring.

24 And just to give you an idea of what that's  
25 demonstrating, in 2018 and 2019, it was showing TDM

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1 effectiveness of about 32 to 40 percent. So they were  
2 doing quite well.

3 CHAIR DECARDY: That's super helpful, and it's  
4 fabulous. And I mean, I just -- I should have said this  
5 at the beginning, and I said this the last time we had a  
6 project. You know, I just -- the work and the leadership,  
7 Mr. Tarlton, you and your team, on this, over the decades,  
8 has been exemplary. And it's fabulous. And I think you  
9 have so much to offer us as a City, to learn from your  
10 experience. And, obviously, having this input is  
11 terrific.

12 One of the questions I had about the TDM plan is  
13 that it mentioned the inclusion of the EV parking spaces.  
14 And it's not immediately clear to me how -- so the TDM,  
15 with the EV parking spaces, does not necessarily reduce  
16 VMT, but it reduces VMT from emitting cars? Is that how  
17 we're supposed to look at that as being a successful part  
18 of the TDM program?

19 And if so -- if I have that right, then how do  
20 you figure out where the electric fuel is coming from for  
21 the cars that are in those spaces?

22 And I guess that might be a question for  
23 Mr. Black, perhaps, or Mr. Smith. I'm not sure.

24 MR. BLACK: The -- yeah. The EV parking or  
25 encouraging EV use is not counted towards the TDM

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1 reduction because, as you point out, those cars are still  
2 on the road.

3 CHAIR DECARDY: Got it. Okay.

4 So it was listed in the TDM plan in our packet,  
5 but it was not included in the analysis of that 25 to 30  
6 percent reduction?

7 MR. BLACK: That's correct.

8 CHAIR DECARDY: Okay. That's super helpful.

9 Then I have a question about parking spaces and  
10 VMT.

11 So -- and, Mr. Black, as long as you're there, I  
12 think this is for you. Is there a relation between the  
13 cost of parking spaces and a reduction in VMT? Is there  
14 analysis that says if there's a higher cost to park your  
15 car or not?

16 Is that not part of how you think about potential  
17 mitigation or looking at what will be the traffic to a  
18 potential site?

19 MR. BLACK: Absolutely, there's a relationship  
20 between the cost of parking and the trip making, if you  
21 will, or the VMT.

22 There's not -- there's not a culture of charging  
23 employees for parking in Menlo Park. Or at least not in  
24 this part of Menlo Park. And so it's not part of the TDM  
25 plan to charge for parking.

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1 CHAIR DECARDY: Okay.

2 MR. BLACK: And so Mr. Tarlton, I think, was  
3 talking about the cost of building the parking, but not  
4 the cost of operating the parking.

5 CHAIR DECARDY: Yeah. I understand. It was a  
6 different question.

7 So the reason it's not there is because we don't  
8 have a culture in Menlo Park of charging for parking?  
9 And, therefore -- or is it to say, there are other  
10 measures that could get that 25 to 30 percent reduction,  
11 which would then get below the significance threshold?

12 MR. BLACK: Yes. I can talk about, I guess, the  
13 corporate culture, if you will, of a lot of these  
14 employers is that they look at charging for parking as  
15 sort of a punitive measure towards employees. It could be  
16 interpreted that way. And they -- rather than punitive  
17 measures, they want to use measures that are encouraging.  
18 So offering alternatives -- free shuttles -- you know,  
19 free bikes, car share, things like that, are incentives.  
20 So it's like a carrot, instead of a stick approach, is  
21 sort of the corporate culture we're seeing.

22 CHAIR DECARDY: I understand.

23 So for the purposes of the EIR, then, we have a  
24 TDM plan that can rely on carrots, and the experience that  
25 we can have enough carrots so we can move the

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1 environmental impact to less than significant.

2           It's a different conversation, if we want to have  
3 this as a City, about how much further we might go with  
4 what kinds of measures, but that would be from an EIR  
5 standpoint, would not be relevant to moving from  
6 significant to less than significant in an EIR.

7           Do I have that summarized?

8           MR. BLACK: That's correct.

9           CHAIR DECARDY: Okay.

10           MR. BLACK: The TDM plan that the project is  
11 proposing is sufficient to mitigate the VMT impact.

12           CHAIR DECARDY: Yeah. Well, that's fabulous.

13           And it's fabulous that you've got the history --  
14 this is to Mr. Tarlton and team -- that can get to this 25  
15 to 30 percent reduction.

16           I will withhold the rest of my comments because  
17 they are not EIR related on this and on transportation  
18 parking. They're going to be related to the building, and  
19 I'll do that later on.

20           I do have a question about the -- this is for the  
21 -- for Mr. Tarlton, and on the biking.

22           You noted, I think, in the parking, that you've  
23 got the overlap, potentially, of some potential tenants.  
24 And so you've got that problem with -- you're going to  
25 have, essentially -- two employees are there for ten

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1 minutes, but they both have to park kind of issue.

2 Have you been allowed or could you allow flex  
3 parking across your different buildings and different  
4 tenants in that region? Because I think you said they  
5 have different uses.

6 Have you been allowed to do that? Have you been  
7 -- has that been proposed in the past? And if not, if it  
8 were, would that be helpful at all in this or not?

9 MR. TARLTON: Good question. And as we vision  
10 out our campus there going forward, we do anticipate  
11 making use of shared parking facilities across tenants.  
12 That has not been the practice in the past, but we have  
13 made changes to our messaging to our tenants, through both  
14 our leases and our campus-wide TDM program, that that is  
15 coming.

16 And we do already anticipate, to the extent  
17 possible, making use of some of these expensive parking  
18 spaces that are going to be part of the 1350 Adams Court  
19 project for future sharing.

20 CHAIR DECARDY: So it sounds like you're headed  
21 that way, but it has not been in the past.

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22 Do you have a census across all of your  
23 properties about what the usage of parking is? You know,  
24 just sort of, you know, is there, in fact, some excess  
25 capacity?

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1           MR. TARLTON: There is, in fact, some excess  
2 capacity. And as we vision out the campus going forward,  
3 we are trying to create opportunities for shared parking,  
4 from tenant to tenant.

5           CHAIR DECARDY: Okay. Fabulous. I think that  
6 sounds fabulous and creative and helpful. Appreciate it.

7           Hang on, Mr. Barnes. Let me just see if I have  
8 any -- as long as I have the floor on EIR questions.

9           I don't think so. If I do, I'll come back.

10          Mr. Barnes -- Commissioner Barnes, let me  
11 recognize you.

12          COMMISSIONER BARNES: Thank you. Question  
13 through the Chair to staff. And I think this is probably  
14 best directed to Mr. Smith. It relates to the EIR and in  
15 specific, to the level of service data.

16          And I wanted to understand a little bit more  
17 about the LOS. And more specifically, is an LOS reading  
18 for a specific intersection able to tease out in specific  
19 what this specific project will do to that, you know,  
20 intersection A?

21          And is that impact specific to the incremental  
22 impact of this -- of this project?

23          MR. SMITH: Right. So I would start by saying,  
24 even though LOS was studied by the transportation  
25 consultant as part of this process, I just want to be

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1 clear. It is not a CEQA impact. This is a completely  
2 separate topic from the EIR.

3 But LOS is looking at seconds of delay at various  
4 intersections around the project site. And sometimes it  
5 -- it can spill back through additional intersections  
6 further out from the project site. But it is looking at  
7 the amount of delay that the project contributes to  
8 individual study intersections.

9 COMMISSIONER BARNES: Okay.

10 MR. SMITH: Does that help?

11 COMMISSIONER BARNES: It does.

12 In my recollection, when LOS has been looked at  
13 before, there was an inability to -- so say, for instance,  
14 Station 1300 and some of the intersections around there,  
15 there was a statistical -- the way it reported out, it  
16 didn't specifically say, okay. Great. For this  
17 particular project, we can quantify for this intersection  
18 what this project is going to do because you've got a body  
19 of data. You have -- it includes, when you do LOS, some  
20 of the extra maladies for the environment, which feed into  
21 that particular intersection.

22 And I wasn't under the impression that it can get  
23 that fine and say, great. For this intersection, for this  
24 time period, we're able to remove the extra maladies.  
25 We're able to move any flows and whatever else goes into

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1 either feeding or not feeding that intersection.

2 And say, for this particular project, this is the  
3 addition. I didn't think that we were able to go to that  
4 level of specificity. And that was the -- kind of the  
5 core of my question.

6 MR. SMITH: So I would -- just to make sure I'm  
7 not getting too far out of my depth, Christy Ann Choi,  
8 who is a senior transportation engineer -- or I see Gary  
9 Black has joined.

10 Gary, would you be able to expand on that -- that  
11 question a little bit?

12 MR. BLACK: Yes. The transportation study does  
13 show, for each intersection that we studied, the amount of  
14 traffic that would be added by this project, just by this  
15 project, and that it also calculates an associated delay  
16 that would be caused by the traffic from this project  
17 individually, for each one of the intersections that we  
18 studied. It's in a giant table. It's pretty -- it takes  
19 a while to get through, but the data is there.

20 COMMISSIONER BARNES: Great. Thank you.

21 And that satisfies my question about the  
22 specificity aspect of it. All right. That is my question  
23 as it relates to -- somewhat related, apparently, to the  
24 EIR. Thank you.

25 CHAIR DECARDY: Thank you, Commissioner Barnes.

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1 Any other questions from commissioners or  
2 comments related to the EIR this evening?

3 I have one -- oh. I'm sorry.

4 Commissioner Do?

5 COMMISSIONER DO: Thank you, Chair DeCardy. And  
6 I have a question about bus stops. And I hope it's not  
7 totally irrelevant. But I think it is relevant to the  
8 whole topic of alternative ways of commuting.

9 I did a -- you know, a little Google street view,  
10 looking at, for instance, a bus stop along Willow and  
11 O'Brien. And just curious. Was it a shelter or offer any  
12 protection? And it's a -- simply a sign. No bench; no  
13 shelter.

14 And when you see something like that, and you're  
15 driving, you kind of think, man. Who wants to -- who  
16 wants to commute by bus, when, you know, the bus  
17 infrastructure looks like that?

18 And, again, this is not maybe something that the  
19 Applicant is responsible for, but I -- there's -- I know  
20 there's a pot of community amenity money. And I'm just  
21 curious. And please forgive my ignorance. Other  
22 commissioners or anyone chime in to say, that's not an  
23 appropriate use of money.

24 But I'd just be curious if that aspect of the  
25 public transit could be improved because I know there's

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Cont'd

1 this growing fund of money. So, again, apologize if

2 that's not an appropriate use of those funds.

3 MR. SMITH: So I --

4 CHAIR DECARDY: Mr. Smith?

5 MR. SMITH: Through the Chair? Okay.

6 There is a list of approved community amenities.

7 And I believe that I don't have the list right in front of  
8 me, so I'm going from memory here. But I believe that one  
9 of them is transportation-related improvements. And so it  
10 could be -- so there's -- there's a growing fund of  
11 in-lieu fees for community amenities, which, if the  
12 council determined that that was a project that they would  
13 like to support, can certainly make the case that improved  
14 transit facilities related to improved bus stops, more  
15 shelter, that kind of thing, could be part of that funding  
16 that's used.

17 Or in the case of a specific project applicant,  
18 they could make that part of their proposal. And then it  
19 would have to be evaluated by the -- whatever  
20 decisionmaking body.

21 So in this case, the project is for -- up for  
22 review and entitlements from this commission. And so they  
23 would have to make the case for those improvements. And  
24 you, as a body, would have to accept that as a  
25 transportation-related improvement. But just to give you

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1 an idea of how that might work.

2 COMMISSIONER DO: Great. Thank you.

3 CHAIR DECARDY: I was searching for the community  
4 amenities list.

5 I think it's -- in the staff report, there are  
6 links to specific aspects of community amenities in this  
7 project. But I don't think there was a link to the list.

8 And so that might be, Mr. Smith, helpful, the  
9 next time around, for any interested parties to see that.

10 So thank you for that question, Commissioner Do.

11 Commissioner Harris? You are somehow on mute,  
12 even though it looks like --

13 VICE CHAIR HARRIS: Sorry about that. Can you  
14 hear me now?

15 CHAIR DECARDY: Yes, we can.

16 VICE CHAIR HARRIS: Yes. AirPods running out of  
17 juice. Yeah.

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18 So I'm just wondering, to Commissioner Do's  
19 question, improving bus stops, is that something that can  
20 come out of TIF money?

21 Or, no, because that only can be used for  
22 intersections?

23 CHAIR DECARDY: Mr. Smith, yes.

24 MR. SMITH: So that's a good question. I might  
25 need some assistance.

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## PC. City of Menlo Park Planning Commission, Public Hearing (transcript dated May 2, 2022)

- PC.1 The commenter requests clarification on whether or not the air quality data factored in the COVID-19 pandemic with respect to traffic.

As explained in detail in Section 3.2, *Air Quality*, of the Draft EIR, to account for the COVID-19 pandemic, the transportation data used in the air quality analysis reflected pre-pandemic conditions to provide an accurate analysis of transportation-related air quality emissions and impacts.

- PC.2 The commenter asks if potential liquefaction risks were evaluated for the Proposed Project.

As detailed in Section VI, *Geology and Soils*, of the Initial Study (see Appendix 1-1 of the Draft EIR), potential liquefaction impacts were evaluated for the Proposed Project. The Project site has moderate to very high susceptibility to seismically induced liquefaction. According to data obtained in the Proposed Project's geotechnical report, potentially liquefiable layers occur below the ground surface. However, subsurface exploration indicates that the level of susceptibility is low to moderate. To reduce impacts from liquefiable soils, the Proposed Project would be designed and constructed to meet or exceed standards set forth by the City as well as the current California Building Standards Code. The impact would be less than significant.

- PC.3 The Commissioner requests clarification on how the Proposed Project's air quality data would or would not reflect information gathering from the last 2 to 3 years.

Refer to Response to Comment PC.1, above. As detailed in Section 3.2, *Air Quality*, of the Draft EIR, the evaluation of construction emissions was based on the construction equipment list and the vehicle and worker estimates provided by the Project Sponsor; the list and estimates were not affected by the COVID-19 pandemic. In addition to the transportation-related air quality analysis, the Proposed Project's operational analysis evaluated area-, energy-, and stationary-source emissions. Emissions were estimated using the California Emissions Estimator Model (CalEEMod). The evaluation of area-source emissions considered re-application of architectural coatings as part of ongoing building maintenance, the use of consumer products, and the use of landscaping equipment. The evaluation of energy-source emissions considered the combustion of natural gas for space heating. The evaluation of stationary-source emissions considered maintenance and testing of a diesel-powered emergency generator. These features of the Proposed Project were not affected by the COVID-19 pandemic.

- PC.4 The Commissioner asks if the air quality data and analysis involves construction activities or particular mechanical equipment and systems.

As detailed in the Draft EIR, emissions from both construction and operational activities are analyzed. Refer to Response to Comment PC.1 and Response to Comment PC.3, above.

- PC.5 The Commissioner requests clarification regarding the relationship between the focused Draft EIR and the ConnectMenlo EIR—specifically, the determination of no significant impacts.

The *Executive Summary* in the Draft EIR notes that there are explanations throughout the document as to why tiering from the ConnectMenlo Final EIR is appropriate (e.g., Section ES.2, *Regulatory Context and Background*; Chapter 3, *Environmental Impact Analysis*, the *CEQA Methodology* subsection; as well as each environmental topic section in Chapter 3 and the Initial Study [Appendix 1-1]). The analyses included in the EIR and Initial Study are based on current regulatory

requirements, including the current CEQA Guidelines. Furthermore, Table ES-1 presents a summary of the impacts of the Proposed Project, proposed mitigation and improvement measures, and each impact's level of significance after mitigation. Section ES.4 notes that Chapter 3 provides a detailed analysis of impacts that would be potentially significant without implementation of mitigation measures but reduced to a less-than-significant level with implementation of the recommended mitigation; it also provides an analysis of impacts that would be less than significant and therefore would not need mitigation.

To clarify, all identified potentially significant impacts of the Proposed Project would either be less than significant or reduced to a less-than-significant level with implementation of identified mitigation measures. No changes to the Draft EIR are required in response to this comment.

- PC.6 The Commissioner asks the EIR consultant if she considers any of the Proposed Project's impacts that were identified as less than significant with mitigation to be a concern or risk.

Under CEQA, all impacts are evaluated objectively; no one impact under a certain resource topic is deemed to be greater than another. The comment does not contain questions or concerns regarding the adequacy of the analysis in the Draft EIR. No revisions to the Draft EIR are required.

- PC.7 The Commissioner asks for clarification on the total number of employees and the total number of parking spots associated with the Proposed Project.

The Proposed Project would result in 650 new employees at the Project site. Employment as a result of the Proposed Project, as well as total employment with full buildout of ConnectMenlo, is discussed in Chapter 2, *Project Description*, and Section 3.5, *Population and Housing*.

There are currently 373 parking spaces on the Project site, including 118 spaces on Lot 3 North. All 118 parking spaces on Lot 3 North would be removed as part of the Proposed Project; the rest of the parking spaces would remain. Upon buildout, the Proposed Project would provide 706 new parking spaces. Existing parking, as well as parking under the Proposed Project, is discussed in Chapter 2, *Project Description*. The *Project Site Setting* subsection identifies the existing number of parking spaces at the Project site and their configuration. The *Proposed Development* subsection describes parking under the Proposed Project, including the number of spaces and the configuration of the proposed parking garage. No changes to the Draft EIR are required in response to this comment.

- PC.8 The Commissioner asks for clarification on the total number of parking spots and employees as a result of the Proposed Project and states there are discrepancies between the numbers in the staff report and the Draft EIR.

Refer to Response to Comment PC.7, above, regarding existing and new employment at the Project site as well as existing and proposed parking. No changes to the Draft EIR are required in response to this comment.

- PC.9 The Commissioner requests more information regarding the number of the employees who are expected to travel to the Project site by modes of transportation other than single-occupancy vehicles, in terms of the amount of parking being provided.

Comment noted. The Project Sponsor indicated that, based on similar projects in Menlo Park and surrounding areas, approximately 25 percent of employees are anticipated to travel to the Project site by alternative modes of transportation. The comment does not contain questions or concerns regarding the adequacy of the Draft EIR analysis. No revisions to the Draft EIR are required.

- PC.10 The Commissioners asks if the number of parking spots to be provided on the Project site can be reduced, considering City minimum requirements.

The amount of parking to be provided on the Project site is consistent with the amount of parking required by the City. The comment does not contain questions or concerns regarding the adequacy of the Draft EIR analysis. No revisions to the Draft EIR are required.

- PC.11 The Commissioner requests an informational chart to understand level of service (LOS) and intersection improvements; an explanation of the TIF and near-term versus cumulative conditions; and a discussion of road widening, if any.

LOS and intersection improvements, TIF, and road widening related to the Proposed Project are discussed in Section 3.1, *Transportation*. The *Non-CEQA Analysis* subsection of Section 3.1 provides an analysis of intersection LOS as a result of the Proposed Project. Intersection LOS calculation sheets are included in Appendix 3.1 to the Draft EIR. The results of intersection LOS analysis under near-term (2022) plus-Project conditions are summarized in Table 6 of Appendix 3.1. The results of intersection LOS analysis under cumulative (2040) plus-Project conditions are summarized in Table 7 of Appendix 3.1. Road widening and the relationship to the TIF is addressed where applicable for some intersections. No changes to the Draft EIR are required in response to this comment.

- PC.12 The Commissioner asks for clarification on what a successful TDM plan looks like for an impact to be determined to be less than significant.

As discussed in Section 3.1, *Transportation*, of the Draft EIR, a 21.1 percent reduction in VMT is required to reach a level below the City's threshold of significance for a VMT impact. The Proposed Project's TDM memorandum, provided as part of the Draft EIR, shows a trip generation reduction in the neighborhood of 27 to 33 percent. Therefore, with implementation of the proposed TDM plan (Project Mitigation Measure TRA-1), the Proposed Project would result in a VMT reduction of at least 21.1 percent, satisfying the City's threshold. No revisions to the Draft EIR are required.

- PC.13 The Commissioner asks for clarification on whether the measures included in the Proposed Project's TDM plan would reduce VMT by 25 to 30 percent.

Refer to Response to Comment PC.12, above. No revisions to the Draft EIR are required.

- PC.14 The Commissioner requests clarification regarding how the electric-vehicle (EV) parking spaces in the TDM plan would reduce VMT. The Commissioner asks where the electric fuel comes from for cars charging in the EV spaces.

The EV parking spaces included in the TDM plan were not used in the calculations to determine the Proposed Project's VMT reduction of 25 to 35 percent. Rather, the EV parking spaces are provided to encourage alternative modes of transportation. In addition, the State revised CEQA to establish VMT as the transportation standard, based on a goal of reducing greenhouse gas (GHG) emissions. Power plant production of electricity for an EV requires less fossil fuel than would be burned by a comparable gasoline-fueled vehicle, thereby reducing GHG emissions. Furthermore, the City requires the Project to use renewable electricity from Peninsula Clean Energy, meaning little or no GHG emissions would result from charging EVs onsite.

- PC.15 The Commissioner asks if there is a relationship between the cost to park and a reduction in VMT, in terms of potential mitigation.

According to the EIR transportation consultant, Hexagon Transportation Consultants, charging for parking is a potential method for reducing VMT. However, because parking garages and lots in Menlo Park do not charge for parking, the TDM plan did not include a charge for parking as part of the VMT reduction measures. Rather, the TDM plan encourages alternative modes of transportation to reduce VMT. The comment does not contain questions or concerns regarding the adequacy of the analysis in the Draft EIR.

Refer to Response to Comment PC.12, above. No revisions to the Draft EIR are required.

- PC.16 The Commissioner wants to know if other measures would be incorporated into the TDM plan, besides charging for parking, that would result in a VMT reduction of 25 to 30 percent.

Refer to Response to Comment PC.12 and Response to Comment PC.15, above.

- PC.17 The Commissioner asks if the Project Sponsor has been allowed or could allow flex parking across its different buildings in the region to share parking.

Comment noted. It has not been done to date. The comment does not contain questions or concerns regarding the adequacy of the Draft EIR analysis. No revisions to the Draft EIR are required.

- PC.18 The Commissioner requests clarification on existing usage of parking across the Project Sponsor's current properties and whether there is excess parking capacity.

Comment noted. The comment does not contain questions or concerns regarding the adequacy of the Draft EIR analysis. No revisions to the Draft EIR are required.

- PC.19 The Commissioner requests information on LOS and asks if LOS analysis captures how the Proposed Project specifically would affect a given intersection.

The findings of the intersection LOS compliance analysis specific to the Proposed Project are presented in Draft EIR Section 3.1, *Transportation*, the *Non-CEQA Analysis* subsection, for informational purposes. The scope and methodology of the analysis, the analysis scenarios, data collection efforts, and LOS policy standards are detailed in Appendix 3.1 of the Draft EIR. No changes to the Draft EIR are required in response to this comment.

- PC.20 The Commissioner requests clarification on the level of specificity that the intersection LOS analysis can capture for a given project as well as the Proposed Project.

Refer to Response to Comment PC.19, above.

- PC.21 The Commissioner asks if the community amenity money can be used to improve bus or public transit infrastructure, such as benches and shelters.

This question is beyond the scope of the Draft EIR and CEQA analysis. Decisions on the use of community amenity in-lieu payments are made through a separate City process. No changes to the Draft EIR are required in response to this comment.

- PC.22 The Commissioner asks if the TIF money can be used to improve bus stops or if it can be used only to improve intersections.

This question is beyond the scope of the Draft EIR and CEQA analysis. Refer to Menlo Park Municipal Code Chapter 13.26 regarding the City's TIF program and uses for TIF payments. No changes to the Draft EIR are required in response to this comment.



## Chapter 4

# Revisions to the Draft EIR

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This chapter includes revisions to the Draft Environmental Impact Report (EIR) by errata, as allowed by the California Environmental Quality Act (CEQA). The revisions are presented in the order they appear in the Draft EIR, with the relevant page number(s) indicated with italicized print. New or revised text is shown with underline for additions and ~~strike-out~~ for deletions.

All text revisions are to provide clarification or additional detail. After considering all comments received on the Draft EIR, the lead agency has determined that the changes do not result in a need to recirculate the Draft EIR. Under the CEQA Guidelines, recirculation is required when new significant information identifies at least one of the following:

- A new significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact, unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure, considerably different from others that were previously analyzed, that would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt.
- The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (CEQA Guidelines Section 15088.5[a]).

Recirculation of a Draft EIR is not required when new information merely clarifies, amplifies, or makes minor modifications to an adequate EIR (CEQA Guidelines Section 15088[b]). The information provided below meets those criteria.

## General Revisions to the Draft EIR

### Executive Summary

As noted in Chapter 5, *Mitigation Monitoring and Report Program*, the noise analysis and mitigation measures in the Draft EIR—specifically, Project Mitigation Measure NOI-1, supersede the noise analysis and mitigation measures for Impacts NO1a and NO1d from the Initial Study. Therefore, Table ES-1 in the executive summary has been revised to depict the updated mitigation measures accurately. The noise analysis in the Draft EIR does contain the correct mitigation measures, and therefore, the revision does not reflect any substantive changes to the Draft EIR or its conclusions.

Section 3.12, *Noise*, in Table ES-1 on pages ES-22 through ES-25 of the *Executive Summary* has been revised as follows:

**Table ES-1. Summary of Impacts and Mitigation Measures from the Initial Study**

<b>3.12 Noise</b>			
a. The Proposed Project could expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies.	PS	<p><b><i>ConnectMenlo Mitigation Measure NOISE-1b:</i></b> Stationary noise sources and landscaping and maintenance activities shall comply with Chapter 8.06, Noise, of the Menlo Park Municipal Code.</p> <p><b><i>Modified ConnectMenlo Mitigation Measure NOISE-1c:</i></b> Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction-related activity through CEQA review, conditions of approval, and/or enforcement of the City's Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans, indicating that, during ongoing grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:</p> <ul style="list-style-type: none"> <li>● <del>Construction activity is limited to the daytime hours between 8:00 a.m. to 6:00 p.m. on Monday through Friday, as prescribed in the City's municipal code.</del></li> <li>● All internal-combustion engines on construction equipment and trucks shall be fitted with properly maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than those originally equipped by the manufacturer.</li> <li>● Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.</li> <li>● Stockpiles shall be located as far as feasible from nearby noise-sensitive receptors.</li> <li>● Unnecessary engine idling shall be limited to the extent feasible.</li> <li>● The use of public address systems shall be limited.</li> <li>● Construction traffic shall be limited to the haul routes established by the City of Menlo Park.</li> </ul>	LTS/M

3.12 Noise			
		<p><b><u>Project Mitigation Measure NOI-1: Implement Noise Control Plan to Reduce Construction Noise from Development of Lot 3 North.</u></b> The Project Sponsor shall develop a noise control plan for construction at the Project site. The plan shall require compliance with Section 8.06 of the Menlo Park Municipal Code and include measures to ensure compliance with the 60 dBA <math>L_{eq}</math> limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA <math>L_{eq}</math> limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall include measures to ensure that construction noise will not result in a 10 dB increase over the ambient noise level at nearby sensitive receptors, which is unlikely to occur at most nearby sensitive uses from Project construction but may occur at the nearest school where existing ambient noise levels from 6:00 a.m. to 8:00 a.m. were not recorded.</p> <p>The plan shall specify the noise-reducing construction practices that will be employed to reduce noise from construction activities and shall demonstrate that compliance with these standards will be achievable. If the noise control plan cannot comply with the standards outside the daytime hours of 8:00 a.m. to 6:00 p.m., those activities will be required to occur only during daytime hours (e.g., pavement breaking with jackhammers and concrete saws). The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to issuance of building permits. The noise control plan shall:</p> <ul style="list-style-type: none"> <li>• <u>Demonstrate that noise levels during construction on the Project site will meet the standards of this mitigation measure at sensitive receptors while those receptors are in use.</u></li> <li>• <u>Demonstrate that any construction activities taking place outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday shall comply with the 60 dBA <math>L_{eq}</math> limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA <math>L_{eq}</math> limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall demonstrate that individual equipment proposed for use shall not exceed the 85 dBA <math>L_{eq}</math> limit at 50 feet for noise from powered equipment and that combined construction noise shall not result</u></li> </ul>	

3.12 Noise			
		<p><u>in a 10 dBA increase over the ambient noise level at nearby sensitive receptors. Activities that would produce noise levels above applicable daytime or nighttime limits shall be scheduled only during normal construction hours. If the noise control plan concludes that a particular piece of equipment will not meet the requirements of this mitigation measure, that equipment shall not be used outside daytime construction hours.</u></p> <ul style="list-style-type: none"> <li>• <u>Verify construction activities are conducted at adequate distances, or otherwise shielded with sound barriers, as determined through analysis, from noise-sensitive receptors when working outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday and verify compliance with the Menlo Park Municipal Code through measurement.</u></li> <li>• <u>Verify the effectiveness of noise attenuation measures by taking representative noise level measurements at the nearest sensitive receptors (limited to receptors within 1,000 feet of the Project site) during construction activities that occur outside the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday to verify compliance with the 50 and 60 dBA <math>L_{eq}</math> City noise standards. The final noise monitoring requirements and locations shall be defined in the noise control plan, based on predicted equipment use and noise.</u></li> <li>• <u>Verify the effectiveness of noise attenuation measures by taking noise level measurements at the nearest noise-sensitive land uses (limited to receptors within 1,000 feet of the Project site) during construction to verify compliance with the 10 dB-over-ambient threshold. The final noise monitoring requirements and locations shall be defined in the noise control plan, based on predicted equipment use and noise.</u></li> </ul> <p><u>Measures used to control construction noise may include:</u></p> <ul style="list-style-type: none"> <li>• <u>Upgraded construction equipment mufflers (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields, shrouds) on equipment and trucks used for Project construction.</u></li> </ul>	

3.12 Noise			
		<ul style="list-style-type: none"> <li>• <u>Equipment staging plans (e.g., locating stationary equipment at adequate distances).</u></li> <li>• <u>Limitations on equipment and truck idling.</u></li> <li>• <u>Shielding sensitive receptors with sound barriers sufficient to comply with the Menlo Park Municipal Code.</u></li> </ul> <p><u>As determined in the noise control plan, temporary noise barriers may be required around construction on the Project site to reduce construction noise from equipment used outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. on weekdays. Noise barriers shall be constructed of material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, ¾-inch Plexiglas, 5/8-inch plywood, 5/8-inch oriented strand board, or straw bales. If sound blankets are used, the sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70.</u></p> <p><i>Project Mitigation Measure NOI-1: Implement Noise Control Plan to Reduce Construction Noise during Non-ordinary Construction Hours.</i> The Project Sponsor shall develop a noise control plan for construction that would occur outside the normal construction hours in the City of 8:00 a.m. to 6:00 p.m. The plan would require compliance with Section 8.06 of the Menlo Park Municipal Code and would include measures to ensure compliance with the 60 dBA <math>L_{eq}</math> limit during the hours of 7:00 a.m. to 8:00 a.m. Construction contractors shall specify noise-reducing construction practices that will be employed to reduce noise from construction activities during these hours. The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to the issuance of building permits. Measures to reduce noise outside of the normal construction hours of 8:00 a.m. to 6:00 p.m., Monday through Friday include, but are not limited to, the following:</p>	

3.12 Noise			
		<ul style="list-style-type: none"> <li>● <del>Conduct the quietest construction activities/restrict the use of loud construction equipment outside of the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday.</del></li> <li>● <del>Use best available noise control techniques (e.g., improved mufflers, redesigned equipment, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds) on equipment and trucks used for Project construction, as feasible.</del></li> <li>● <del>Locate equipment/conduct construction activities as far as possible from noise-sensitive receptors when conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday.</del></li> <li>● <del>Use “quiet” gasoline-powered compressors or electric compressors. Use electric rather than gasoline or diesel forklifts for small lifting, to the extent feasible (but especially for construction conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday).</del></li> <li>● <del>Locate stationary noise sources, such as temporary generators, as far from nearby receptors as possible. Stationary noise sources shall be muffled and within temporary enclosures or shielded by barriers or other measures to the extent feasible (especially for construction conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday).</del></li> <li>● <del>Install temporary noise barriers 8 feet in height around the construction site to reduce construction noise from equipment for construction occurring outside the normal construction hours of 8:00 a.m. to 6:00 p.m. on weekdays to reduce overall construction noise to less than 60 dBA <math>L_{eq}</math> as measured at the applicable property lines of the adjacent uses. If the Project Sponsor can demonstrate, through a detailed acoustical analysis, that construction noise would not exceed 60 dBA <math>L_{eq}</math> as measured at the applicable property lines of the adjacent uses, then a temporary noise barrier shall not be required.</del></li> </ul>	

3.12 Noise			
		<ul style="list-style-type: none"> <li>Prohibit trucks from idling along streets serving the construction site, especially for construction conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday.</li> <li>Monitor the effectiveness of noise attenuation measures by taking noise measurements during construction activities to ensure compliance with the 60 dBA <math>L_{eq}</math> standard that applies outside the normal daytime construction hours of 8:00 a.m. and 6:00 p.m. on weekdays.</li> </ul> <p><b>Project Mitigation Measure NOI-2: Compliance with Chapter 8.52 of the City of East Palo Alto Municipal Code.</b> Project stationary noise sources that may affect receptors within East Palo Alto shall comply with Chapter 8.52 of the City of East Palo Alto Municipal Code. With respect to noise from generator testing, measures to ensure compliance with the applicable standards include:</p> <ul style="list-style-type: none"> <li>Limiting generator testing to daytime hours,</li> <li>Testing for shorter periods of time,</li> <li>Enclosing the generator, or</li> <li>Implementing other forms of shielding, such as localized barriers, around the equipment.</li> </ul>	
d. The Proposed Project could result in a substantial construction-related temporary or periodic increase in ambient noise levels in the Project vicinity, above levels existing without the Proposed Project.	PS	Implement <b><u>Modified ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1</u></b> , above.	LTS/M

## Chapter 2, Project Description

The second paragraph on Page 2-11 under *Bicycle and Pedestrian Circulation*, in Chapter 2, *Project Description*, has been revised as follows:

In addition, there would be 48 Class I secure bicycle lockers for long-term parking on the P1 parking level and ~~12~~ 40 Class II bicycle racks for short-term parking near the entry plaza and drop-off area on the north side of the building.

The first bullet point on Page 2-12 under *TDM Plan*, in Chapter 2, *Project Description*, has been revised as follows:

Bicycle Storage: Class I and Class II bicycle storage would be provided for up to ~~60~~ 58 bicycles. Secure bike storage lockers for 48 bicycles are proposed on the P1 parking level. In addition, bike racks for ~~12~~ 40 bicycles are proposed near the entry plaza and drop-off area on the north side of the building.

### 3.4, Noise

Page 3.4-10 in Section 3.4, *Noise*, of the Draft EIR has been revised, as follows:

The 2016 State of California's Green Building Standards Code contains mandatory measures for non-residential building construction in Section 5.507 on Environmental Comfort. (12) These noise standards are applied to new construction in California for controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when non-residential structures are developed in areas where the exterior noise levels exceed 65 dBA CNEL, such as within a noise contour of an airport, freeway, railroad, and other areas where noise contours are not readily available. If the development falls within an airport or freeway 65 dBA CNEL noise contour, the combined sound transmission class (STC) rating of the wall and roof-ceiling assemblies must be at least 50. For those developments in areas where noise contours are not readily available, and the noise level exceeds 65 dBA  $L_{eq}$  for any hour of operation, a wall and roof-ceiling combined STC rating of 45, and exterior windows with a minimum STC rating of 40 are required (Section 5.507.4.1).

California Code of Regulations Title 24, Part 2, Sound Transmission, establishes minimum noise insulation standards to protect persons within new hotels, motels, dormitories, long-term care facilities, apartment houses, and dwellings other than single-family residences. Under this regulation, interior noise levels attributable to exterior noise sources cannot exceed 45 dB in any habitable room. The noise metric is either the Ldn or the CNEL. Compliance with Title 24 interior noise standards, as established during the permit review process, generally protects a project's users from existing ambient outdoor noise levels.



## Chapter 5

# Mitigation Monitoring and Reporting Program

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## Introduction

The California Environmental Quality Act (CEQA) requires adoption of feasible mitigation measures to reduce the severity and magnitude of significant environmental impacts associated with project development. The Environmental Impact Report (EIR) prepared for the proposed 1350 Adams Court Project (Proposed Project) includes mitigation measures to reduce the potential environmental effects of the Proposed Project.

CEQA also requires reporting on and monitoring of mitigation measures adopted as part of the environmental review process (Public Resources Code Section 21081.6). This Mitigation Monitoring and Reporting Program (MMRP) is designed to aid the City of Menlo Park in its implementation and monitoring of measures adopted from the certified EIR.

The mitigation measures in this MMRP are assigned the same number they had in the EIR. The MMRP, presented in table format, describes the actions that must take place to implement each mitigation measure, the timing of those actions, the entities responsible for implementing and monitoring the actions, and verification of compliance.

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

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

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

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

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

<b>LOT 3 NORTH—1350 ADAMS COURT PROJECT</b> <b>MITIGATION MONITORING AND REPORTING PROGRAM</b>				
<b>Mitigation Measures</b>	<b>Action Required</b>	<b>Monitoring Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
also perform appropriate technical analyses; prepare a comprehensive report complete with methods, results, and recommendations; and provide for the permanent curation of the recovered resources. The report shall be submitted to the City of Menlo Park, Northwest Information Center (NWIC), and State Historic Preservation Office (SHPO), if required.				
<p><i>Project Mitigation Measure CR-1: Worker Environmental Training</i></p> <p>Because of the potential for discovery of unknown buried cultural and paleontological resources, prior to the commencement of the first phase, the general contractor and those engaged in ground-disturbing activities shall be given environmental training regarding cultural and paleontological resource protection, resource identification and protection, and the laws and penalties governing such protection. This training may be administered by the Project archaeologist and/or paleontologist as stand-alone training or include as part of the overall environmental awareness training required by the Project. The training shall include, at minimum, the following:</p> <ul style="list-style-type: none"> <li>• The types of cultural resources that are likely to be encountered.</li> <li>• The procedures to be taken in the event of an inadvertent cultural resource discovery.</li> </ul>	Qualified archaeologist to conduct training	<p>Once prior to the start of issuance of grading permit</p> <p>As needed during duration of soil-disturbing or excavating activities and throughout ground-disturbing activities</p>	Qualified archaeologist and/or Paleontologist (retained by the Project Sponsor)	CDD

<b>LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM</b>				
<b>Mitigation Measures</b>	<b>Action Required</b>	<b>Monitoring Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
<ul style="list-style-type: none"> <li>• The penalties for disturbing or destroying cultural resources.</li> <li>• The types of fossils that could occur at the Project site.</li> <li>• The types of lithologies in which the fossils could be preserved.</li> <li>• The procedures that should be taken in the event of a fossil discovery.</li> <li>• The penalties for disturbing paleontological resources.</li> </ul>				
<b><i>IMPACT BEING ADDRESSED: The Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (Impact CULc from the Initial Study).</i></b>				
<i>ConnectMenlo Mitigation Measure CULT-3</i> In the event that fossils or fossil bearing deposits are discovered during ground disturbing activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a City-approved qualified paleontologist determines whether the resource requires further study. The paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology standards [Society of Vertebrate Paleontology 1995]), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to	Initiated after a find is made during construction	During construction, and regularly scheduled site inspections that would be initiated after a find is made during construction	Qualified Archaeologist approved by the City of Menlo Park Planning Division and Project Sponsor	CDD



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

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

<b>LOT 3 NORTH—1350 ADAMS COURT PROJECT</b> <b>MITIGATION MONITORING AND REPORTING PROGRAM</b>				
<b>Mitigation Measures</b>	<b>Action Required</b>	<b>Monitoring Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
<ul style="list-style-type: none"> <li>Instead of using fossil fuel-based generators for temporary jobsite power, grid-sourced electricity from PG&amp;E or Peninsula Clean Energy shall be used to power tools (e.g., drills, saws, nail guns, welders) as well as any temporary office buildings used by construction contractors. This measure shall be required during all construction phases, except site grubbing, site grading, and the installation of electric, water, and wastewater infrastructure. This measure shall be implemented during building demolition, the framing and erection of new buildings, all interior work, and the application of architectural coatings. Electrical outlets shall be designed according to PG&amp;E's Greenbook standards and placed in accessible locations throughout the construction site. The Project Sponsor, or its primary construction contractor, shall coordinate with the utility to activate a temporary service account prior to proceeding with construction. Implementation of this measure shall be required in the contract the Project Sponsor establishes with its construction contractors.</li> </ul>				

<b>LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM</b>				
<b>Mitigation Measures</b>	<b>Action Required</b>	<b>Monitoring Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
<ul style="list-style-type: none"> <li>Use local building materials for at least 10 percent of all building materials used (i.e., sourced from within 100 miles of the planning area);<sup>1</sup> and</li> <li>Recycle at least 50 percent of construction waste and demolition material.</li> </ul> <p>The Project Sponsor shall submit evidence of compliance to the City prior to issuance of each construction permit and every year thereafter during Project construction.</p>				
<b><i>IMPACT BEING ADDRESSED: The Proposed Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of GHGs (GHG-2).</i></b>				
Implement <i>ConnectMenlo Mitigation Measure AQ-2b1 and Project Mitigation Measures TRA-1 and GHG-1a</i> , above.	See above	See above	See above	See above
<b>Hydrology and Water Quality</b>				
<b><i>IMPACT BEING ADDRESSED: The Project could violate water quality standards or waste discharge requirements (Impact WQa from the Initial Study).</i></b>				
<i>Project Mitigation Measure WQ-1: Implement Construction Dewatering Treatment (if necessary)</i> Dewatering treatment would be necessary if groundwater is encountered during excavation activities, if dewatering is necessary to complete the Project, or if the water produced during dewatering is discharged to any storm drain or surface water body.	Implement construction dewatering treatment if groundwater is encountered	As needed during duration of soil-disturbing or excavating activities and throughout ground-disturbing activities	Project Sponsor/ Contractor(s)	CDD

<sup>1</sup> The 10 percent threshold is based on the total weight of the building material.

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

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

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

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

<b>LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM</b>				
<b>Mitigation Measures</b>	<b>Action Required</b>	<b>Monitoring Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
<ul style="list-style-type: none"> <li>Limiting generator testing to daytime hours,</li> <li>Testing for shorter periods of time,</li> <li>Enclosing the generator, or</li> <li>Implementing other forms of shielding, such as localized barriers, around the equipment.</li> </ul>				
<b><i>IMPACT BEING ADDRESSED: The Project could result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity, above levels existing without the Project (Impact NOId from the Initial Study).</i></b>				
Implement Modified ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1, below.	See below	See below	See below	See below
<b><i>IMPACT BEING ADDRESSED: The Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies (Impact NOI-1).</i></b>				
<i>Modified ConnectMenlo Mitigation Measures NOISE-1c</i> Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction-related activity through CEQA review, conditions of approval, and/or enforcement of the City's Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans, indicating that during ongoing grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise: <ul style="list-style-type: none"> <li>All internal-combustion engines on construction equipment and trucks shall be fitted with properly</li> </ul>	Plan review and approval	Prior to issuance of construction permits, and throughout the duration of construction activities	Project Sponsor	CDD



<b>LOT 3 NORTH—1350 ADAMS COURT PROJECT</b> <b>MITIGATION MONITORING AND REPORTING PROGRAM</b>				
<b>Mitigation Measures</b>	<b>Action Required</b>	<b>Monitoring Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
<p>maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than those originally equipped by the manufacturer.</p> <ul style="list-style-type: none"> <li>• Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.</li> <li>• Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors.</li> <li>• Unnecessary engine idling shall be limited to the extent feasible.</li> <li>• Limit the use of public address systems.</li> <li>• Construction traffic shall be limited to the haul routes established by the City.</li> </ul>				
<p>Project Mitigation Measure NOI-1:  <i>Implement Noise Control Plan to Reduce Construction Noise from development of Lot 3 North</i></p> <p>The Project Sponsor shall develop a noise control plan for construction at the Project site. The plan shall require compliance with Section 8.06 of the Menlo Park Municipal Code and include measures to ensure compliance with the 60 dBA <math>L_{eq}</math> limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA <math>L_{eq}</math> limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall include measures to ensure that construction noise will not result in a 10 dB increase over the ambient</p>	<p>Project Sponsor to develop noise control plan for review and approval by the City</p>	<p>Prior to issuance of building permits, and throughout the duration of construction activities, as applicable</p>	<p>Project Sponsor and Contractor(s)</p>	<p>CDD</p>

<b>LOT 3 NORTH—1350 ADAMS COURT PROJECT</b> <b>MITIGATION MONITORING AND REPORTING PROGRAM</b>				
<b>Mitigation Measures</b>	<b>Action Required</b>	<b>Monitoring Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
<p>noise level at nearby sensitive receptors, which is unlikely to occur at most nearby sensitive uses from Project construction but may occur at the nearest school where existing ambient noise levels from 6:00 a.m. to 8:00 a.m. were not recorded. The plan shall specify the noise-reducing construction practices that will be employed to reduce noise from construction activities, and shall demonstrate that compliance with these standards will be achievable. If the noise control plan cannot comply with the standards outside the daytime 8:00 a.m. to 6:00 p.m. hours, those activities will be required to occur only during the daytime hours (e.g., pavement breaking with jackhammers and concrete saws). The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to issuance of building permits. The noise control plan shall:</p> <ul style="list-style-type: none"> <li>• Demonstrate that noise levels during construction on the Project site will meet the standards of this mitigation measure at sensitive receptors while those receptors are in use.</li> <li>• Demonstrate that any construction activities taking place outside daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday shall comply with the 60 dBA <math>L_{eq}</math> limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA <math>L_{eq}</math> limit during</li> </ul>				

<b>LOT 3 NORTH—1350 ADAMS COURT PROJECT</b> <b>MITIGATION MONITORING AND REPORTING PROGRAM</b>				
<b>Mitigation Measures</b>	<b>Action Required</b>	<b>Monitoring Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
<p>the hours of 6:00 a.m. to 7:00 a.m. In addition, the plan shall demonstrate that individual equipment proposed for use would not exceed the 85 dBA <math>L_{eq}</math> at 50 feet limit for powered equipment noise, and that combined construction noise would not result in a 10 dBA increase over the ambient noise level at nearby sensitive receptors. Activities that would produce noise above applicable daytime or nighttime limits shall be scheduled only during normal construction hours. If the noise control plan concludes that a particular piece of equipment will not meet the requirements of this mitigation measure, that equipment shall not be used outside the daytime construction hours.</p> <ul style="list-style-type: none"> <li>• Verify construction activities are conducted at adequate distances, or otherwise shielded with sound barriers, as determined through analysis, from noise-sensitive receptors when working outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, and verify compliance with the Menlo Park Municipal Code through measurement.</li> <li>• Verify the effectiveness of noise attenuation measures by taking representative noise level</li> </ul>				

<b>LOT 3 NORTH—1350 ADAMS COURT PROJECT</b> <b>MITIGATION MONITORING AND REPORTING PROGRAM</b>				
<b>Mitigation Measures</b>	<b>Action Required</b>	<b>Monitoring Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
<p>measurements at the nearest sensitive receptors (limited to receptors within 1,000 feet of the Project site) during construction activities that occur outside the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, to verify compliance with the 50 and 60 dBA <math>L_{eq}</math> City noise standards. The final noise monitoring requirements and locations shall be defined in the noise control plan based on predicted equipment use and noise.</p> <ul style="list-style-type: none"> <li>• Verify the effectiveness of noise attenuation measures by taking noise level measurements at nearest noise-sensitive land uses (limited to receptors within 1,000 feet of the Project site) during construction to verify compliance with the 10 dB-over-ambient threshold. The final noise monitoring requirements and locations shall be defined in the noise control plan based on predicted equipment use and noise.</li> </ul> <p>Measures used to control construction noise may include:</p> <ul style="list-style-type: none"> <li>• Upgraded construction equipment mufflers (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields, shrouds) on equipment and trucks used for Project construction.</li> </ul>				

<b>LOT 3 NORTH—1350 ADAMS COURT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM</b>				
<b>Mitigation Measures</b>	<b>Action Required</b>	<b>Monitoring Timing</b>	<b>Implementing Party</b>	<b>Monitoring Party</b>
<ul style="list-style-type: none"> <li>Equipment staging plans, e.g., locating stationary equipment at adequate distances.</li> <li>Limitations on equipment and truck idling.</li> <li>Shielding sensitive receptors with sound barriers sufficient to comply with the Menlo Park Municipal Code.</li> </ul> <p>As determined in the noise control plan, temporary noise barriers may be required around construction on the Project site to reduce construction noise from equipment used outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. on weekdays. Noise barriers shall be constructed of material with a minimum weight of 2 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 3/4-inch Plexiglas, 5/8-inch plywood, 5/8-inch oriented strand board, or straw bales. If Sound blankets are used, the sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70.</p>				
<b><i>IMPACT BEING ADDRESSED: The Proposed Project in combination with other foreseeable projects would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies (Impact C-NOI-1).</i></b>				
Implement <i>ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1</i> above.	See above	See above	See above	See above

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

Appendix 1

# Planning Commission Public Hearing Transcript

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CITY OF MENLO PARK  
PLANNING COMMISSION

In re:  
1350 Adams Court

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**CERTIFIED  
TRANSCRIPT**

ENVIRONMENTAL IMPACT REPORT  
PUBLIC HEARING  
REPORTER'S TRANSCRIPT OF PROCEEDINGS

Monday, May 2, 2022



1 ATTENDEES

2

3 THE PLANNING COMMISSION:

4 Chris DeCardy - Chairperson  
Cynthia Harris - Vice Chairperson  
5 Henry Riggs  
Andrew Barnes  
6 Linh Dan Do  
David Thomas

7

8

SUPPORT STAFF:

9

Chris Turner  
10 Tom Smith

11

PROJECT PRESENTERS:

12

John Tarlton  
13 Susan Eschweiler  
Gordon Huether  
14 Heidi Mekkelson, ICF

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17 BE IT REMEMBERED that, pursuant to Notice of the  
18 Meeting, and on May 2, 2022, via ZOOM Videoconference,  
19 before me, AMBER ABREU-PEIXOTO, CSR 13546, State of  
20 California, there commenced a Planning Commission meeting  
21 under the provisions of the City of Menlo Park.

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1 P R O C E E D I N G S

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3 CHAIR DECARDY: We now turn to our public  
4 hearing, which is Item G on our Agenda. And as I do that,  
5 I promised Ms. Sandmeier that I would pause to check with  
6 you to make sure that I hadn't messed anything up.

7 MS. SANDMEIER: Um, no. All I have to add is,  
8 yeah, congratulations to you, Chair DeCardy, and Vice  
9 Chair Harris.

10 CHAIR DECARDY: Thank you very much.

11 All right. With that, we're going to turn to the  
12 main item tonight. On our Agenda, it is items G1 and H1,  
13 which are linked and associated with a single staff  
14 report.

15 We'll begin with item G1, which is the Draft  
16 Environmental Impact Report or Draft EIR public hearing  
17 for Tarlton Properties, LLC, regarding 1350 Adams Court in  
18 Menlo Park.

19 Public hearing is to receive comments on the  
20 Draft EIR to develop a five-story research and development  
21 (R&D) building with up to 26,400 square feet of gross  
22 floor area as part of the 1350 Adams Court project in the  
23 LSB, Life Sciences Bonus District.

24 The project site consists of an existing  
25 two-story, approximately 188,100 square-foot Life Sciences

1 Building, addressed 1305 O'Brien Drive, and an undeveloped  
2 northern portion of that site.

3 The proposed R&D building would be located on the  
4 vacant site area, and the existing building would remain.

5 Parking for the proposed new R&D building would  
6 be located in a partially below-grade podium level, with  
7 three additional levels of parking provided above grade  
8 and integrated into the building.

9 The total gross floor area at the project site,  
10 with the proposed and existing buildings, would be  
11 approximately 448,500 square feet, with a total proposed  
12 floor area ratio of approximately 92 percent for the site.

13 The proposal includes in exchange for community  
14 amenities -- excuse me. Yes. Proposal includes a request  
15 for an increase in height and FAR under the bonus level  
16 development allowance in exchange for community amenities.  
17 Apologies.

18 The Applicant is proposing payment of a community  
19 amenities in-lieu fee. The project also includes upgrades  
20 of water lines beneath Adams Court, along the interior of  
21 the project site and beneath O'Brien Drive, from the  
22 southwest corner of the project site frontage to the  
23 intersection with Willow Road.

24 The project also includes a hazardous materials  
25 use permit request to allow a diesel generator to operate

1 the facilities in the event of a power outage or  
2 emergency.

3 In accordance with CEQA, the certified  
4 program-level ConnectMenlo EIR served as the first tier  
5 environmental analysis. Further, the Draft EIR was  
6 prepared in compliance with the terms of the Settlement  
7 Agreement between the City of East Palo Alto and the City  
8 of Menlo Park.

9 The Draft EIR was prepared to address potential  
10 physical environmental effects of the proposed project in  
11 the following areas: Population and housing,  
12 transportation, air quality, greenhouse gas emissions,  
13 noise (operation - traffic noise, construction noise and  
14 vibration), and utilities and energy.

15 The Draft Environmental Impact Report does not  
16 identify any significant and unavoidable environmental  
17 impacts from the proposed project. The project site does  
18 not contain a toxic release site, per Section 6596.2 of  
19 the California Government Code.

20 Written comments on the Draft EIR may also be  
21 submitted to Community Development Department, 701 Laurel  
22 Street, Menlo Park, no later than 5:00 p.m., on May 23rd,  
23 2022.

24 And with that, let me turn this over to Ms.  
25 Sandmeier -- is that where I'm going next?

1 Oh, I'm sorry. It's Mr. Smith. Apologies.

2 MR. SMITH: No problem.

3 Good evening, Planning Commissioners.

4 Congratulations to the new Chair and Vice Chair, and  
5 welcome to the new Commission members.

6 So I will begin with a brief presentation. And  
7 if our staff could load that up, please.

8 All right. So as Chair DeCardy mentioned, this  
9 is the 1350 Adams Court project. This is a Draft  
10 Environmental Impact Report Public Hearing. The  
11 recommended meeting format for this evening is, first, the  
12 Draft EIR public hearing. There will be, after --  
13 following my presentation, it will be recommended that  
14 there be a presentation by the Applicant, followed by a  
15 presentation by the EIR consultant, and then public  
16 comments received after that, followed by Commissioner  
17 questions and comments, and then closing out the Draft EIR  
18 public hearing.

19 And, again, this portion of the meeting format is  
20 really focused on the environmental impacts of the project  
21 and the discussion of the analyses that were performed as  
22 part of the Draft EIR.

23 The second portion of the meeting would be a  
24 study session on the design and requested entitlements for  
25 the project. There are no actions being taken this

1 evening, but this is an opportunity to gather public  
2 comments on the design at this point, and then any  
3 Commissioner questions that there may be on the project  
4 design and entitlements.

5           So this map -- this aerial map shows, at a high  
6 level, the project location. You can see it is actually  
7 on one parcel. There's a building addressed 1305 O'Brien  
8 Drive. That is south of the reddish-orange rectangle that  
9 you see there. And then the project site is currently  
10 vacant. There is some surface parking on either side,  
11 sort of at the shorter ends of that rectangle, but the  
12 center portion of it is vacant and undeveloped.

13           There's a few roads here that are highlighted.  
14 You can see Willow Road, O'Brien Drive, and University  
15 Avenue are sort of the major -- major roads in the  
16 vicinity. This project site is on the corner of Adams  
17 Drive, which runs sort of perpendicular to O'Brien Drive,  
18 where the label is. And then Adams Court is a cul-de-sac  
19 off of Adams Drive.

20           The project zoning is LSB, which stands for Life  
21 Sciences Bonus level. You can see here that the  
22 surrounding properties are a mix of office, additional  
23 Life Science Bonus level, and then Life Science  
24 properties, without the Bonus level distinction.

25           The four properties that have that "B"

1 designation, standing for "Bonus," they are able to  
2 develop at up to 125 percent floor area ratio, or FAR,  
3 plus an additional 10 percent FAR for commercial uses.  
4 They are allowed a height of -- a maximum height of up to  
5 120 feet for this particular site. And it does require  
6 the provision of a community amenity.

7           At the base level, development in this district  
8 would be 55 percent FAR, plus 10 percent additional  
9 commercial FAR. And the max height would be 45 feet. And  
10 that would not require provision of a community amenity in  
11 exchange for the Bonus level of development.

12           So the meeting purpose, we described just a  
13 little bit already. But there are essentially two public  
14 meetings as part of this evening's item -- or items. The  
15 first is the Environmental Impact Report, which we call an  
16 EIR public hearing. And that's an opportunity to accept  
17 comments on the Draft EIR. And then the study session,  
18 which is to ask clarifying questions on the plans and  
19 design, the below-market rate housing proposal, and the  
20 community amenities proposal.

21           As I mentioned, no actions will be taken this  
22 evening. This is really an opportunity to gather public  
23 comment on the Draft EIR. And there is a public comment  
24 period that we are currently, sort of, near the middle of,  
25 which ends May 23rd of this year, at 5:00 p.m. And we



1 will be accepting written comments through that date.

2           Once we have any comments from this meeting and  
3 then any written comments that are submitted, staff and  
4 our environmental consultant will review and respond to  
5 all substantive comments in a Final EIR, which would be  
6 released. And then there would be a 10-day review period  
7 for that prior to hearings on the entitlements.

8           The Planning Commission will be the acting body  
9 on certification of the Final EIR for the project and the  
10 land use entitlements. So at a later date, once the Final  
11 EIR has been written and published, then we will return  
12 for those land use entitlements and certification.

13           And that concludes my staff presentation. As  
14 recommended, we would advise that you give the Applicant  
15 the opportunity to present at this time so you can get a  
16 full project overview, prior to diving into the details on  
17 the project EIR.

18           CHAIR DECARDY: Thank you, Mr. Smith, for the  
19 presentation and for the guidance.

20           I will plan to turn to the Applicant. If there  
21 are any pressing questions after that from the  
22 commissioners that are clarifying questions before public  
23 comment, we can do that. But we prefer to then move to  
24 public comment. And then we can come back, ask clarifying  
25 questions, and go from there.

1           So with that, let me turn to the Applicant for  
2 this project. Thank you for being here. And looking  
3 forward to your presentation and the discussion.

4           Is that what I was supposed to do? I was  
5 supposed to do the consultant? I apologize. I just  
6 screwed that up. And is that why I have now just messed  
7 people up?

8           Was I supposed to do the EIR first, Mr. Smith,  
9 and then -- Applicant first, and then EIR, or EIR and then  
10 Applicant? I apologize.

11           MR. SMITH: We would advise letting the Applicant  
12 present first, to get the project overview, and then --

13           CHAIR DECARDY: And then the EIR?

14           MR. SMITH: Yes.

15           CHAIR DECARDY: Thank you very much. Okay. Then  
16 I apologize.

17           So to the Applicant and the EIR.

18           MR. TARLTON: So this is John Tarlton. And I'm  
19 kicking off our presentation. And I'm happy to turn on my  
20 video, if the host will allow me to do so. There we go.

21           Good evening, Chair DeCardy and Planning  
22 Commissioners. I'm John Tarlton. And I'm grateful for  
23 the opportunity to speak tonight.

24           We are pleased to be moving this application  
25 forward with public comments to the EIR. Thank you staff

1 and EIR consultants for all your hard work. In an effort  
2 to be efficient, my comments this evening will be for both  
3 agenda items.

4           The proposed building, which received unanimously  
5 positive feedback from this body some three years ago,  
6 represents the first new public benefit or Bonus level  
7 building in the Life Science district. With our help,  
8 this corner of Menlo Park has been quitely churning out  
9 world-changing life science companies for 40 years. From  
10 our first life science company, PharMetrics, the inventor  
11 of the nicotine patch, to BillionToOne, which has  
12 supplanted amniocentesis, to GRAIL, with a  
13 commercially-available pan-cancer liquid biopsy, Menlo  
14 Park Labs has helped nurture dozens and dozens of  
15 innovations which have lowered the cost of health care and  
16 improved patient outcomes.

17           In addition to these life science -- life-saving  
18 innovations, excuse me, and in addition to the more  
19 typical commercial property tax generation, Menlo Park  
20 Labs has contributed 10s of millions of dollars directly  
21 to the City's general fund through business to business  
22 sales tax, having housed the number one and/or number two  
23 sales tax generator in the City for many of the last 35  
24 years, and three of the top 25 sales tax generators for  
25 nearly all of the last 30 years.

1           These benefits have been generated by uses that  
2 are substantially lower traffic impact to similarly-sized  
3 office projects, due to a substantially lower employee  
4 density (approximately two employees per thousand square  
5 feet), and off-peak commute patterns for our scientists.

6           Finally, Menlo Park Labs has been a leader in  
7 sustainable practices, like switching to low water use  
8 landscape, executing deep energy retrofits on our  
9 buildings, and implementing effective shuttle programs  
10 long before they were required. All of this has been  
11 accomplished despite lacking the kind of building we  
12 propose to build in this project, which will allow a  
13 maturing life science company to accommodate a  
14 sufficiently large number of functions under one roof,  
15 with significantly more daylight, views, and other  
16 amenities.

17           In short, this new building will allow Menlo Park  
18 to more effectively compete with other life science hubs  
19 in the Bay Area, which have been taking high-octane  
20 tenants away from Menlo Park for years. As I have said in  
21 the past, we should stop allowing other Bay Area cities to  
22 take Menlo Park's lunch money.

23           This application is the result of over 20 years  
24 of planning and coordination with the City. As we  
25 indicated during the comprehensive plan outreach, which

1 took place over three years, between 2013 and 2016, we  
2 intend to update our portion of the Life Science District  
3 in a measured manner.

4 Towards that end, this was the first of three  
5 applications now into the City over the last four years;  
6 approximately one application every 16 months.

7 We hope that you will find that the new buildings  
8 each are individual, while maintaining a consistently high  
9 level of design and execution. This progressive update  
10 will enable us to continue delivering a unique collection  
11 of simultaneous positive benefits to the City, public  
12 benefit dollars directed to the Belle Haven neighborhood,  
13 a large and growing sales tax revenue, higher property tax  
14 revenue, low employee density in a sustainable  
15 environment, high quality jobs, with a broad socioeconomic  
16 base, a growing collection of public art that will inspire  
17 generations of residents to greater scientific heights, a  
18 continuously growing stream of life science -- life-saving  
19 innovations.

20 With that, I will turn over the presentation to  
21 Susan Eschweiler, an exceptionally talented architect who  
22 is uniquely qualified to help Menlo Park and Tarlton  
23 advance its Life Science District, having been an integral  
24 part of the design team for the original buildings and  
25 what was Menlo Business Park, and having since become one

1 of the Bay Area's preeminent life science architects, not  
2 to mention, a close friend of mine.

3 MS. ESCHWEILER: Thank you, John. That was a  
4 lovely introduction.

5 I am honored to be able to present to you the  
6 next generation of buildings. And this is the first of  
7 them at the former Menlo Business Park, but now the Menlo  
8 Park Labs. And it is really a district -- I'm sorry.  
9 There we go. Sorry. I double clicked. So it may be a  
10 problem.

11 But anyway, there we go. This is the Menlo Park  
12 Labs Life Sciences District. And John mentioned that  
13 there have been several applications made. Tonight we are  
14 talking about 1350 Adams. The other projects are shown in  
15 orange; 1125 O'Brien, and 1005 and 1320 Willow.

16 Tonight we're talking about the 1350 Adams, but  
17 you can see that we're really creating a district. All of  
18 the Tarlton Holdings' properties are in light yellow. And  
19 we have really created a place.

20 Our project -- the Life Sciences District is all  
21 about place-making for innovative science. And this is  
22 the first building to rise out of the ground, above the  
23 two-story tilt-ups that were done -- that we did back in  
24 the 1980s. The site is -- hang on. I'm having a little  
25 technical problem here. There we go.

1           The Menlo Park Labs has in it the Pacific  
2 BioSciences headquarters, which is part of the front part  
3 of this project, but it also has many amenities that we've  
4 developed that are -- for instance, over at 1440, we  
5 recently redeveloped this into a cafe and a conference  
6 center and a lovely fitness center, with a swimming pool,  
7 for all of the tenants to use. And so we're really  
8 working on creating that -- the place-making for science  
9 to occur, but not just for the buildings themselves, but  
10 really thinking of it as a campus.

11           Sorry. There's quite a bit of lag.

12           The project itself is on an 11-acre property that  
13 it shares with 1305 O'Brien, which is an AIA award-winning  
14 retrofit building that became the headquarters for Pacific  
15 BioSciences. They have about 188,000 square feet in that  
16 building. It's two stories, and it faces O'Brien Drive.

17           The rear portion of the site is vacant, and it  
18 faces Adams Court. The building itself -- the property  
19 itself is surrounded by heritage trees. And it is Tarlton  
20 and DES's goal to retain absolutely as many of those  
21 heritage trees as possible. We are only removing a few  
22 trees where new driveways would occur, coming off of Adams  
23 Court, and one spare nectarine tree that must have come  
24 from a seed that someone cast away. The top part of that  
25 is four acres.

1           And so when we first started the project, we  
2   looked at where the -- where does the sun move? How does  
3   the sun move around the site? Where does the wind  
4   direction come from? And, of course, how did people  
5   approach the site? And we looked at very much, how do we  
6   want to develop -- retain the heritage trees along the  
7   perimeter and give an array of experiences as people are  
8   arriving at the site?

9           We wanted to bring in public art so that people  
10   could experience that and experience many open spaces and  
11   have a -- create a pedestrian scale as people approach the  
12   project.

13           The main entry comes off of Adams Court, as you  
14   can see with the black arrow. And we let the site -- the  
15   building itself be sculpted by creating three modules of  
16   our 60,000-square-foot floor play so that it really will  
17   step back from the corner, that is our primary, publicly  
18   -- public open space and greenbelt, with a big stand of  
19   trees.

20           We had tucked our service zones in the rear of  
21   the project in the gray zone, and those are shared with  
22   Pacific BioSciences. And we create a circulation through  
23   the site so that people can get from Adams Court to Adams  
24   Drive through -- from the service zone.

25           The -- looking more closely at the site as it



1 started to develop, the public open space occurred at the  
2 corner of Adams and Adams and became really the connector,  
3 the connective tissue to get to the campus amenities'  
4 building that I explained before about -- at 1440 O'Brien  
5 Drive. That's where the blue circle at the bottom of the  
6 picture is, where the fitness center and the cafe and the  
7 swimming pool all are.

8           So our gray line is the connection -- the  
9 pedestrian and bicycle connection that would take us to  
10 the front door of the Adams Court project. And the public  
11 space -- the publically-accessible open space wraps around  
12 the project all along O'Brien Drive, Adams, Adams Court,  
13 and then also winds down on the west side of the property,  
14 along the west property line.

15           And that will be in parallel to a future paseo  
16 that is shown in the ConnectMenlo zoning. And that paseo  
17 will be by our neighboring property.

18           As the site develops, you can see that now the  
19 floor plan, the three modules are stepping back from the  
20 street and really giving a wide birth to the corner of  
21 Adams and Adams, where there's an existing stand of trees  
22 and a berm all the way along there. And those will all be  
23 preserved.

24           The tan path is our path for public access, and  
25 it has artistic sculptures that we will talk about later,

1 with innovation sciences that are on display along those  
2 -- the path.

3 The primary entry is at the front off of Adams  
4 Court. And there's a grand stairway that comes right  
5 where you see the word "court" -- comes down from Adams.  
6 And there's a crescent-shaped driveway for dropoff and  
7 arrival at the lobby space, which is in the center of the  
8 building, and a couple of visitor parking spaces and ADA  
9 parking.

10 The primary parking is all tucked away. It --  
11 there is an underground parking -- what we're calling a  
12 parking podium that goes under the entire building and a  
13 little bit under the plazas. And then there -- in  
14 addition to that, there are three levels of parking garage  
15 tucked in where it's a little bit darker tan here. You  
16 can see, on the lower left, that those -- there's parking.  
17 But it's all tucked in, and you won't be able to see it  
18 from the street.

19 To access the underground parking, you can come  
20 in from Adams Drive on the right side, where it says,  
21 "Ramp Down to Podium Parking" on the right. And that  
22 leads you to the underground parking level. Or you can  
23 come on Adams Court and come in off the cul-de-sac and go  
24 down in the ramp, down to podium parking, or you can  
25 continue on further down the driveway to where it says,

1 "Upper Parking Entrance." And that leads you to the upper  
2 parking levels.

3 And note, please, the heritage trees on all  
4 perimeters are being preserved. Only where we are taking  
5 out the new driveways at Adams Court will we lose some  
6 trees.

7 The loading and service area is notched into the  
8 rear of the property and tucked in again so that you do  
9 not see it from the street. There it will be a service  
10 yard for the emergency generator and trash enclosure, all  
11 tucked into the service area. And this is where the  
12 emergency generators and transformers will be.

13 Fire department access and public access can come  
14 through this loading area so that it's well served, and it  
15 all connects up to the 1305 O'Brien parking areas below.

16 On the left-hand portion of the site, you can see  
17 that there's a path that winds down. And that is a  
18 publicly-accessible pathway with some seating areas. And  
19 there will be a sculpture at the end of it.

20 There's also bio-detention areas that are -- the  
21 green triangles that are occurring along the -- Adams  
22 Court, and in the development of the landscape.

23 Okay. So this is our view from Adams Drive  
24 intersection. And you can see, in this artist's  
25 rendition, the modularity that we've developed and the

1 architecture were the three large modules stepping back  
2 from the corner of the two streets. And as well, there's  
3 also modulation in the vertical height, with regards to  
4 the roof screens at the roof, as well as the second floor  
5 deck that occurs towards the -- towards the corner.

6           There's one little pop-out. There's also --  
7 where you see the red umbrellas, there is a patio that is  
8 screened with aluminum panels to create -- that the  
9 tenants could use as -- if they have a break area inside  
10 the building.

11           All of our stairways are exposed. We want to be  
12 able to express those stairs and encourage people to take  
13 the stairs, instead of the elevators. And the main  
14 entrance is highlighted in the center of the rendering.

15           Looking from the other direction, coming -- if  
16 you were standing just at the property line, looking back  
17 at the cul-de-sac, this is how the building would step  
18 away from you, as it goes forward towards Adams Drive.  
19 And you can see a little bit of the ramp that goes down to  
20 the underground parking.

21           The expression of the western stair with its  
22 glass. In this case, you can see the three stories of  
23 parking garage towards the right of the screen, with the  
24 entrance -- driveway entrance into that portion, with a  
25 little canopy at the side.

1           The front elevation is glass, and there are --  
2   some of the garage has the perforated panels along the  
3   front. And all the garage is -- the underground is  
4   mechanically ventilated. But the garage, above ground, is  
5   all open air expression.

6           So the front entrance is very grand because we're  
7   coming up the stairs and welcoming everyone through a  
8   portal and into a two-story lobby. The building, as John  
9   mentioned, is designed for a company that is maturing out  
10   of some of the other smaller buildings, perhaps, and  
11   really has growth plans. And so it's five stories of  
12   occupied R&D space, is what is planned.

13          The building itself is made out of GFRC. So the  
14   white and gray panels are all a concrete look, very  
15   refined concrete look. But the portal itself is a metal  
16   panel, kind of a charcoal gray metal panel that creates a  
17   set of portals as we're going -- creating the entry into  
18   the building.

19          The glass is a tinted blue glass, except at the  
20   main entry. So here we have material samples. A little  
21   bit hard to see on screen. Wish we were there in real  
22   life. I could show them to you in real life. But this is  
23   tinted blue glazing. And that is the same kind of blue  
24   glazing glass similar to what was used in the Pacific  
25   BioSciences building at the rear of the property, so that

1 everything works in concert.

2           We'll have a clear glass -- it looks kind of  
3 gray-green, when you put it against the white board, but  
4 it's clear glass at the entry. And our glass all has --  
5 except at the primary entrance spots where it is clear,  
6 most of the glass is bird-safe glass throughout.

7           At the garage, we have -- along Adams Drive and  
8 the side, we're using a perforated metal panel that has a  
9 gridded look. And then, at the rear of the property, we  
10 have a wire mesh, just for security.

11           Here are the sample colors of the GFRC that would  
12 be the primary panels of the building: An eggshell color,  
13 a light gray color that is the underside -- that runs  
14 along the underside of the glazing itself. And then at  
15 the corners, where we're really accentuating the  
16 modulation and the stepping back and have full-height  
17 glass at the corners, we're using a darker accent, medium  
18 gray band around those corners.

19           The metal itself, the portal we mentioned, is  
20 kind of a charcoal gray. We're using a lighter metal at  
21 the stairways that is similar in color to the aluminum  
22 mullions.

23           And I should also mention that we have sun shades  
24 along the rear portion, in the south side of the building.

25           At the patio space, we're using a Bach laser-cut

1 panels to define that space as being part of the private  
2 space, rather than the publicly open space. And that has  
3 a wavy, very natural lens pattern to complement the  
4 landscape.

5 The roof screen itself is a corrugated metal and  
6 will be complimentary gray.

7 So let's talk a bit about the sustainable design  
8 features. We have -- in this case, we're going for gold.  
9 We're going for LEED 4.1 Gold equivalent target. We are  
10 -- we've planned to use dual plumbing in preparation for  
11 municipal recycled water. It's not yet available at the  
12 site, but we're planning that some day, it will be.

13 For our -- for Tarlton's project, they are  
14 committed to buying 100 percent renewable electricity from  
15 our Peninsula Clean Energy Group, plus purchasing carbon  
16 offsets. And we will be doing on-site solar power  
17 generation at the roof top, to be consistent with the  
18 City's Reach Code.

19 Our landscape is all designed to be water  
20 efficient, WELO compliant, and low water use. And in  
21 fact, we've reduced our water budget by 35 percent,  
22 through the design of our landscape irrigation systems, as  
23 well as, the mechanical systems on the roof will have some  
24 cooling towers. And we worked very hard to make sure that  
25 they were -- we were able to reduce the use of water in

1 those cooling towers so that we achieve that water budget  
2 reduction.

3 And one of the really great things is that we  
4 have -- we will have planned 72 charging EV stations, with  
5 36 future, for a total of 108 EV parking spaces, which is  
6 a total of 15 percent of all of the parking on the site.

7 Now, talking about the public open space, we  
8 created this diagram to show our compliance with the  
9 requirements. And in fact, we exceed the requirements.  
10 So the private open space is the light green area. And  
11 that's 10 percent of the site.

12 And those are the site -- that's the portion of  
13 the building that's really closest to the front of the  
14 building itself. The public open space is the darker  
15 green. And that, as we've described, is really shown  
16 along the public way of O'Brien Drive, Adams Drive, and  
17 primarily at the corner of Adams and Adams. That's where  
18 you get the really large piece of it, but also  
19 complementing the 20-foot paseo that would be prepared by  
20 our neighbor to the west, that we would have a publicly  
21 open space path and a sculpture on that.

22 In this case, the red dots are indicative of  
23 scientist sculptures that will be done by our renowned  
24 artist, Gordon Huether. And he will speak a little bit  
25 later in detail about those.



1           The public open space requirement is 10 percent  
2 of the site. And we exceed that. But in addition, one of  
3 the things that's unique about this site is that beyond  
4 the property line, there is additional open space. And we  
5 are committing to doing a public sidewalk that is within  
6 the Adams Drive right of way. So the light blue is  
7 additional public open space. And so that gives us  
8 another 23,000 square feet. That's another half acre of  
9 public open space. So we exceed this by -- we probably  
10 have about 23 or 24 percent of the total site area in open  
11 space.

12           And how does this look when it gets developed in  
13 green space? What does this mean? That we have a really  
14 nice gathering space at the corner of Adams Court and  
15 Adams Drive at the top there, with meandering paths and  
16 public seating areas integrated into that pedestrian  
17 walkway.

18           We have our innovation science walk, which really  
19 creates a lovely path for people to explore, as they  
20 wander from either O'Brien Drive, up Adams Drive, around  
21 to the Adams Court corner, or in reverse. And it's our  
22 hope that we would have people exploring and looking at  
23 the individual sculptures and learning all about the past  
24 innovators of science.

25           So along in this green space, we would have two

1 pathways. One is the public sidewalk that I just  
2 mentioned in Adams Drive, and the other is the meandering  
3 innovator art walk. And on the western property, we are  
4 continuing that path for the publicly-accessible open  
5 pedestrian way, and a scientist sculpture at the terminus  
6 of that.

7 Oh, sorry. The -- so what is this section, cross  
8 section of that? You can see, in the upper right, there's  
9 a little key plan, with an arrow pointing where we've  
10 taken a section through the eastern property line, where  
11 -- through the building, and what is that relationship to  
12 the street at Adams Drive. So -- and Adams Drive,  
13 starting on the right-hand side, you can see that we would  
14 have a five-foot-wide bike lane.

15 There's also a two-foot buffer between the  
16 11-foot-wide drive lane, and the new bike lane. And then  
17 we would have a five-foot-six sidewalk within that right  
18 of way. And that's a pretty standard flat sidewalk, with  
19 curb.

20 Then, up beyond that, rises a berm. And that's  
21 an existing berm with the heritage trees. And that's all  
22 to be preserved. There's a low wall there that will be  
23 removed, just so that it will be natural landscape. You  
24 won't have any segregation from the street to the  
25 property. So it will be nice and open.

1           And then, coming down the berm, you can see,  
2 then, there's a -- in this picture, a woman with a small  
3 child, walking on the innovation science walk. And that's  
4 the meandering path on-site. And there will be public  
5 seating along the way. We'll have our newer trees -- our  
6 younger trees are going to be planted after we do that  
7 installation of the sidewalk. And those trees have Silva  
8 cells to help with the storm water management.

9           Then you can see the underground parking podium.  
10 And there will be landscape brought up on top of that,  
11 until you get over to the building itself. The building  
12 is set -- the finished floor of the buildings is set at  
13 114, which is three feet above the base flood elevation.  
14 So we are in good shape there. And the parking podium  
15 down below will be protected with flip-up gates at the two  
16 -- at the two ramps that I showed you earlier in the  
17 cycle.

18           Sorry. There's such a lag here.

19           Okay. On the eastern side, if we take that same  
20 cross section on the western side that -- we see the  
21 building on the right. And then adjacent to the building  
22 is a flow-through planter for part of the storm water  
23 management plan.

24           Then we have the driveway, small retaining wall.  
25 And then, in this case, we're working with an existing

1 property line and an existing fence. The fence may be  
2 removed over time, but the key thing that we have to be  
3 working with is that there's an existing 48-inch storm  
4 drain and a 10-inch water main. That water main is due to  
5 be replaced, as you heard earlier from Tom's report that  
6 that would be replaced with a 12-inch water main. But  
7 this is -- we're using -- there's a public utility  
8 easement for these -- for these pipes that are underneath  
9 there. And this will become our publicly-accessible open  
10 space on the western side. And there again, we would have  
11 the pathway and the seating and new landscape along the  
12 way, but preserving any trees that are along that property  
13 line.

14 The landscape itself, what -- we are using very  
15 nice furnishings, very durable furnishings so that people  
16 can feel very comfortable. Seating -- and there's lots of  
17 opportunities for seating and seeing the various  
18 sculptures.

19 We'll be putting in different kinds of concrete  
20 paving and lighting along the railings at the entryway  
21 into the lobby and bicycle racks, of course. We have  
22 multiple bicycle racks at the lobby. There are also,  
23 within the parking garage -- there are two lockable bike  
24 rooms for bicycle parking. Very dear to John's heart.

25 So this is a more-detailed plan. I think you

1 have it in your planning packet. Well, actually, you have  
2 it as a link to your planning packet. But it shows some  
3 of the details of the -- of the landscaping. And you can  
4 see more closely here the meandering paths on the right  
5 side at the public open space, the existing trees shown in  
6 the darker color along the property line, and some newer  
7 trees in the lighter color on the left side of the  
8 meandering path. We have the decorative fence around the  
9 patio, and that links up to the second floor deck up  
10 above.

11 We have mounds. We have just a really nice  
12 variety and array of different kinds of spaces and  
13 experiences where you can walk on the public street  
14 sidewalk. You can walk through the meandering sidewalk.  
15 We have landscaping that is, as I mentioned, low water  
16 use. We have -- our new trees would be Chinese Pistache,  
17 Western Redbud, and assemblage of shrubs and grasses. We  
18 have flow-through planters through the bio-detention  
19 areas. We have public sidewalk and, of course, the  
20 sculptures.

21 That's going the wrong way.

22 So talking about transportation demand management  
23 now. I mentioned that we have on-site bicycle storage.  
24 We have two rooms for that, and the 12 short-term spaces  
25 near the lobby entrance, for a total of 60 bicycles. We

1 have planned for, in the core -- restroom cores of the  
2 floors, we would plan for showers and changing rooms. And  
3 those would be built at the time of future tenant  
4 improvements.

5 As you know, we have an on-campus restaurant and  
6 fitness center down at 1440 O'Brien. And Tarltons have  
7 done a wonderful job of creating what we call Menlo Park  
8 Rides, where we have free campus-wide bike share for all  
9 the tenants so they can zip around the campus,  
10 particularly if there at different buildings. They can go  
11 from one building to another or to the amenities center.

12 We have -- they have an Enterprise car share for  
13 qualified tenants. And you heard me mention that we will  
14 have 72 EV stations and 36 prewired in this building. So  
15 that's 108 EV stations. But they already have over 150  
16 charging stations located throughout the campus. So there  
17 again, leading the charge in electrical vehicle charging  
18 ability.

19 And one of the unique things that Tarlton started  
20 many years ago was the shuttle service to and from public  
21 transportation hubs, such as Union City and Fremont BART,  
22 the Palo Alto Caltrain, the Millbrae Caltrain, and a  
23 couple of locations in San Francisco, depending upon what  
24 works for the tenants.

25 So back to this diagram, we have -- this one

1 really was where we were showing the conceptual places of  
2 the publically-accessible open space. And you start to  
3 see now the red dots we've added where the sculptures will  
4 be of the innovative scientists. And we're creating  
5 history here.

6 So I'd like to introduce now Gordon Huether, who  
7 is our world-renowned artist, who will now speak about the  
8 innovative science art walk and the sculptures that will  
9 be added to make this just a really fun place to visit.

10 Gordon.

11 MR. HUETHER: Right on, Susan. Thank you.

12 Good evening, Mr. Chair and Commissioners. My  
13 name is Gordon Huether. And I'm not sure how renowned I  
14 are -- I am, but I've been around a long time. I'm up  
15 here in Napa, where, incidentally, I'm the chair of the  
16 Planning Commission here in the city. So I feel 'ya. I  
17 know -- I know these evenings that you get up to look at  
18 these things, but it's really important work that you do,  
19 and I like to think that we do up here.

20 My mission in life is to inspire the spirit of  
21 humanity by bringing beauty and meaning into the world  
22 through art. And we have big plans -- "we," being a part  
23 of team Tarlton; have been for several years.

24 Now we're -- I'm very excited about this project  
25 and other projects that will be coming before you in the

1 near future, I hope. I don't know.

2 Do I control the -- I don't.

3 MS. ESCHWEILER: I do. Yeah. I'm pushing.

4 MR. HUETHER: Pushing. Okay. Push it. Let's  
5 go.

6 So what I -- basically, the short version, if you  
7 caught me in an elevator or in the stairwell at this  
8 parking garage at Morgan Hill, and you asked me what I did  
9 for a living, I would share with you that I specialize in  
10 large scale, site-specific, permanent art installations in  
11 universities, libraries, airports. All kinds of crazy  
12 places all across the country. We probably have 25, 30  
13 projects in eight states right now.

14 And, you know, the objectives of this art -- and,  
15 actually, for most projects, except for the science part  
16 here, but we really want to inspire people that are in  
17 Menlo Labs. We want to create this destination where we  
18 cannot just inspire, but educate. We want to celebrate  
19 science. We want to create a destination and a sense of  
20 place, and we're going to create conversation. And I'll  
21 get into that in another moment. So if we go to the next  
22 slide, please.

23 So the inspiration is life sciences. You're  
24 probably wondering what that dog has to do with it. But  
25 that is at an animal shelter that we recently installed.



1 But in any event, innovation, discovery, human  
2 achievement. It's just so awesome to be inspired from the  
3 past to help us see the future.

4 And we want to bring landscape, architecture, and  
5 art together in a beautiful, wholistic, awe-inspiring way.  
6 We really believe that public art is important because it  
7 brings a layer of education, inspiration, and an important  
8 layer of humanity. And it also becomes a really important  
9 public amenity.

10 Let's go onto the next one, please.

11 So we're -- really thought hard and long and, you  
12 know, we're open for collaboration. But these are the  
13 innovators from the past that we've selected that we're  
14 going to make into -- I'm going to say, life-sizes.  
15 They're actually going to be about 25 percent larger than  
16 life. And so we're going to -- you know, and some of  
17 these innovators from the past are not very well  
18 documented. So we're going to be using digital technology  
19 to create them in three dimension and have them cut with a  
20 special machine that's on a router kind of thing. It's  
21 pretty amazing technology that we've used recently in the  
22 recent past.

23 Let's go to the next one, please.

24 So we're going to take these figures. And these  
25 are just placeholders, but you can get a sense of the

1 size; right? So they're larger than life. Each one will  
2 have a kiosk that you can see in front of the gentleman,  
3 the young man with the red T-shirt. So there'll be a  
4 narrative about that innovator. There will be a QR code  
5 that will take you to a website that you can learn more  
6 about that particular innovator.

7 All of that still is to be designed. But we've  
8 worked for several years on this project, in terms of  
9 identifying perfect spots. We were out there with the  
10 whole team, practicing different poses. And, you know,  
11 since these innovators can't talk to you, they're going to  
12 be at least having nonverbal communication. So the  
13 gesture, the pose is going to be super important.

14 Then we go to the next frame, please.

15 There on the bottom left, you can see what Susan  
16 was talking about, the kind of the public seating areas.  
17 So there's an innovator there. So basically we're going  
18 -- you'll see we have an -- an animation to share with you  
19 to better understand how these innovators get you from  
20 Adams Court, all the way down Adams Drive, all the way to  
21 O'Brien.

22 Can we go to the next frame, please?

23 MS. ESCHWEILER: I think that's it for our  
24 frames.

25 MR. HUETHER: Okay. Sorry. So at some point you

1 might have some questions about the art, which I'm very  
2 happy to answer, but we're very excited to be a part of  
3 the team. And we just think that the art coming together  
4 with the landscape, with the architecture, we're really  
5 creating a destination.

6 Our hope is that we can recruit the students, vis  
7 a vis, through the teachers at Belle Haven, to bring these  
8 kids over with -- I don't know that they have to be yellow  
9 school buses, but that's what I wrote in -- these school  
10 buses, and bring these kids there. And it's an  
11 opportunity to educate these high school students, junior  
12 high school students; see that there are heros in the past  
13 that were innovators. And maybe one of them or two of  
14 them amongst them will be a future innovator or maybe an  
15 artist even.

16 So that's what I have to share. And there's an  
17 animation, as I mentioned. And once we look at that, I'm  
18 happy to take any questions.

19 Thank you, Mr. Chair.

20 MS. ESCHWEILER: So to the -- whoever -- to the  
21 clerk, or whoever is controlling this, can you please load  
22 up our animation. It's just a brief minute or so.

23 So this is starting at 1440 O'Brien, where the  
24 central cafe is. And then the first sculpture is there.  
25 Then we walk across O'Brien Drive. And this is at the

1 corner of O'Brien and Adams. And you can see now the  
2 public sidewalk along the street, and the meandering  
3 innovation art walk that we will tour you along.

4 It's a little -- then we have some public seating  
5 areas, and we'll have the sculptures that you'll discover.  
6 So there's really a story line, as you proceed along the  
7 pathway.

8 As you get to the corner of Adams and Adams,  
9 there are seating areas and some additional sculptures.  
10 And then, as you wind around to the front of the building,  
11 another sculpture, another path up to the main entrance of  
12 the building.

13 Thank you.

14 Thank you very much, Commissioners, for listening  
15 to our story about the building that we love so much and  
16 can't wait to get building.

17 MR. TARLTON: Thank you, Susan. We're looking  
18 forward to moving ahead with this first project in the LS  
19 district, as Susan said. We know the focus of this  
20 meeting is primarily on the EIR project, and that  
21 questions may be better directed to EIR consultants.  
22 However, I'm available for any questions you may have, as  
23 is our design team.

24 CHAIR DECARDY: Fabulous. Thank you,  
25 Mr. Tarlton, Ms. Eschweiler, Mr. Huether, for your

1 presentation.

2 We will have an opportunity -- and thank you for  
3 that transition, Mr. Tarlton. We will have an opportunity  
4 in the next portion to look at and ask more questions  
5 about all of the aspects of the project. But this is the  
6 first part, which is the environmental impact review. So  
7 with that is the overview.

8 Just to bread crumb this, we are now turning to  
9 our consultant. And I believe, from ICF. We'll do that  
10 and then come for any quick, clarifying questions. We'll  
11 go to public comment and then commissioner discussion.

12 And I apologize. Is it Ms. Mekkelson? Is that  
13 how I pronounce your name?

14 MS. MEKKELSON: Yes, that's it.

15 CHAIR DECARDY: Thank you for being here. And  
16 the floor is yours.

17 MS. MEKKELSON: Great. I think we have a  
18 presentation. So if the clerk could load that, I will  
19 kick us off.

20 And while we're loading the CEQA presentation, I  
21 will say, unfortunately, CEQA is nowhere near as exciting  
22 as design and architecture. That's a tough act to follow.  
23 It's really impressive stuff, but it is, nonetheless, the  
24 reason that we're here tonight. So I will give everyone  
25 just a quick walkthrough of the basics of CEQA, and the

1 findings of our EIR analysis.

2 MR. SMITH: And Chair Doran -- Chair DeCardy, if  
3 I may, we're loading that presentation. It's taking us  
4 just a couple seconds longer. So we appreciate  
5 everybody's patience.

6 CHAIR DECARDY: No worries. Just another  
7 reminder and thank you to staff and to the folks  
8 presenting. This is not an ideal environment, and we  
9 appreciate all you have done to try to navigate through  
10 that on our behalf. So thank you.

11 MS. MEKKELSON: Okay. I see the slides.  
12 Do I have control of the presentation?

13 MS. ESCHWEILER: Yes. If you push the arrows on  
14 your computer. Don't use your mouse.

15 MR. SMITH: Yes. If you use the navigation  
16 arrows on your keyboard, it's generally easier. But you  
17 should have control of use of the mouse as well, if you  
18 want to enter into the full screen presentation mode.

19 MS. MEKKELSON: And you go to "View" to do that?  
20 There we go. No. Oh. Here. Okay. I think I  
21 did it. Great.

22 All right. Well, I'm Heidi Mekkelson. Good  
23 evening, Chair, Vice Chair, Commissioners, and members of  
24 the public. I'm Heidi Mekkelson. We are the City's CEQA  
25 consultant. We did the preparation of the EIR. I am the

1 project director of the EIR.

2 Also with us tonight is Devan Atteberry, from  
3 ICF, who is the project manager for the EIR. We also --  
4 sure -- I didn't want to get too far ahead there.

5 This is fine. Okay. Sorry. The slide advanced.  
6 I don't think I touched anything. But we have Devan  
7 Atteberry, who is the project manager of the EIR with ICF.

8 We also have the traffic consultant, Ling Jin and  
9 Gary Black, from Hexagon, who prepared the transportation  
10 part of the analysis, as well as our consultant, who  
11 prepared the housing needs assessment, which is the basis  
12 of the EIR's cost solution and housing analysis.

13 So just to give you a quick walkthrough of what I  
14 will be discussing tonight. I will give you an overview  
15 of the general purpose of the hearing, parts of CEQA, a  
16 really brief project overview because I think that's been  
17 quite thoroughly covered already.

18 I'll also walk you through the environmental  
19 review process; give you an overview of the Draft EIR, and  
20 the impact conclusions in the EIR.

21 We'll talk about the next steps in the CEQA  
22 process, and finally how to comment on the EIR.

23 The purpose of the hearing tonight is to  
24 summarize the proposed project and the conclusions on the  
25 Draft EIR, provide an overview of the CEQA process and the

1 next steps; receive public input on the analysis that is  
2 presented in the EIR. As folks previously mentioned,  
3 there will be a public comment period, as well as an  
4 opportunity for the commissioners to provide their  
5 questions and comments, and to discuss the next steps in  
6 the CEQA process.

7           So a really quick overview of the project.  
8 Again, I think this has been quite thoroughly covered  
9 already. The project proposes the construction of an  
10 approximately 255,000-square-foot life sciences building,  
11 with a max height of 92 feet, and approximately 706  
12 parking spaces, as well as a series of connected private  
13 and public open spaces. I think the only feature here  
14 that really wasn't heard previously tonight is that the  
15 project is estimated to generate approximately 650  
16 employees. And this is one of the assumptions that we  
17 used in the EIR analysis.

18           The EIR was prepared in accordance with CEQA, or  
19 the California Environmental Quality Act. The primary  
20 purpose -- purposes of CEQA are twofold. First, it  
21 provides agency decision makers and the public with  
22 information about significant environmental effects of a  
23 project. And it also identifies potential feasible  
24 mitigation measures and alternatives that would reduce  
25 those significant effects.



1 Under CEQA, the focus of an EIR analysis is on  
2 the physical impacts on the environment. So while there  
3 are certainly other issues that are relevant to a project,  
4 including social impact and economic impacts, for example,  
5 those are not under the purview of CEQA, and they're not  
6 covered under an EIR. But those are still considerations  
7 that agency decision makers will look at when ultimately  
8 deciding whether or not to recommend approval of a  
9 project, in the case of the Planning Commission, and  
10 approve a project.

11 So where we are in the CEQA process. I'll kind  
12 of start with where we started, and where we are now. The  
13 EIR process kicked off with the issuance of the NOP or the  
14 Notice of Preparation. This was in December of 2018. And  
15 the Notice of Preparation essentially informed -- alerts  
16 the members of the public, stakeholders, and other public  
17 agencies, jurisdiction over resources that could be  
18 affected by the project that a project is being proposed,  
19 and an EIR is prepared.

20 With the initial study -- or with the NOP was an  
21 initial study, which is essentially a checklist and final  
22 analysis that goes through all of the environmental impact  
23 categories in Appendix G of the CEQA checklist and does an  
24 analysis and essentially determines what topics should be  
25 evaluated in the EIR.

1           So that was included with the NOP. The public  
2   had a 30-day opportunity to -- and the public agencies had  
3   a 30-day opportunity to review that NOP and essentially  
4   provide their comments on what they wanted to see  
5   evaluated in the EIR, and this process of releasing the  
6   NOP and also holding a scoping meeting, this is what CEQA  
7   refers to as scoping. It is essentially a gathering of  
8   information from stakeholders, public agencies, and the  
9   public on what the focus of the EIR should be. And a  
10   scoping meeting was held during the NOP review period in  
11   January of 2019.

12           Following the scoping process, the lead agency  
13   reviewed the scoping comments and prepared the Draft EIR  
14   analysis. The Draft EIR was released for a 45-day public  
15   review period on April 4th. That public review period  
16   closes on May 23rd. So that will be the final day to  
17   provide comments. And I will talk at the end of my  
18   presentation on how exactly that's done.

19           Now, tonight we're at the public hearing where we  
20   receive comments on the Draft EIR analysis. And we'll  
21   talk about these final two next steps later on in the  
22   process.

23           Now, this EIR is what we call a focused EIR. It  
24   evaluates a subset of topics under the Appendix G  
25   checklist. The project is within the ConnectMenlo study

1 area, and it's consistent with the type and density of  
2 development envisioned in ConnectMenlo. So this EIR tiers  
3 from that EIR, and it's what we call a focused-tiered EIR.  
4 The concept of tiering refers to the coverage of general  
5 environmental matters in a broad program level EIR, with a  
6 focused environmental document prepared for a subsequent  
7 individual project under that broader program.

8           The CEQA guidelines encourage this type of  
9 analysis that is using tiered environmental documents to  
10 reduce delays and excessive paperwork. That's language  
11 from CEQA, back when we used to write things on paper.  
12 But the general concept holds true that this process of  
13 tiering generally eliminates repetitive analysis of issues  
14 that have already been adequately addressed in a prior  
15 EIR. And it allows you to simply reference those analyses  
16 and focus your analysis on any new significant impacts or  
17 issues that are unique to the individual project that is  
18 under consideration. CEQA refers to these as issues that  
19 are right for discussion. So that's what we've done here.

20           The focused EIR, of course, identifies the  
21 potential physical environmental impacts of the project,  
22 focusing on significant effects that have not been already  
23 covered, essentially, under the ConnectMenlo EIR. And it  
24 recommends ways to reduce those significant impacts in the  
25 form of both mitigation measures and alternatives.

1           The issues that are studied in this EIR include  
2   air quality, greenhouse gas emissions, noise,  
3   transportation, utilities and energy, and also population  
4   and housing, which is -- I apologize -- is not on this  
5   slide, but it is a section in the EIR. And then, of  
6   course, alternatives.

7           The EIR analysis found that the following impacts  
8   would be less than significant with the implementation of  
9   mitigation measures, which are outlined in the EIR and  
10   will be incorporated into what is called a mitigation  
11   monitoring and reporting program, which the City will then  
12   use, if the project is approved, to enforce and monitor  
13   the mitigation measures that are prescribed in the EIR.  
14   And this includes impacts related to transportation,  
15   specifically vehicle miles traveled, air quality,  
16   greenhouse gas emissions, and noise.

17           And I will say that all of the significant  
18   impacts that were identified in the EIR, that would be  
19   less than significant with mitigation, were related to  
20   construction impacts, with the exception of the VMT  
21   impact. The air quality, GHG, and noise impacts were all  
22   related to project construction.

23           Impacts on population and housing and utilities  
24   and energy were found to be less than significant. And  
25   for this EIR, no significant and unavoidable impacts were

1 identified. So everything was mitigated to a  
2 less-than-significant level, either through the  
3 implementation of applicable mitigation measures in the  
4 ConnectMenlo EIR, or new project-specific measures.

5 So the EIR -- even though there were no  
6 significant and unavoidable impacts that resulted from the  
7 analysis, you're still required, under CEQA, to look at  
8 project alternatives to see if there are other ways to  
9 reduce or avoid the significant impacts even further.

10 So this EIR included an alternatives' analysis  
11 that evaluated three different alternatives. The first is  
12 the No Project Alternative, which is essentially  
13 maintaining status quo. Nothing happens with the project  
14 site. That's required under CEQA.

15 The second was the Base Level Alternative, which  
16 assumes an FAR reduction from approximately 90.7 percent  
17 of the project to 55 percent.

18 And the third was a Mixed-Use Alternative that  
19 contemplated some ground floor commercial space.

20 The Environmentally-Superior Alternative, which  
21 is the designation that you are required to make under  
22 CEQA, was determined to be the Base Level Alternative. So  
23 of all the alternatives, that alternative had the lowest  
24 level of impact.

25 So going back to our chart of the steps in the

1 CEQA process, after tonight's public hearing and the close  
2 of the Draft EIR public review period, we'll prepare the  
3 Final EIR. And the Final EIR will include responses to  
4 the comments that we receive tonight from the public, as  
5 well as any additional written comments that we receive  
6 throughout the Draft EIR review period.

7           If those comments result in changes to the Draft  
8 EIR, those changes will also be made and incorporated into  
9 the Final EIR. And as long as those changes are minor in  
10 nature and are essentially clarifying the analysis or  
11 expanding on the analysis, then those changes are  
12 permitted under CEQA.

13           If any comments result in changes that constitute  
14 substantial new information, then recirculation of the  
15 Draft EIR is required.

16           And then, after preparation of the Final EIR, the  
17 City will take action on the project and the EIR and will  
18 be asked to approve the project and certify the EIR.

19           So I believe this is my final slide of the  
20 evening. And this is the most important slide.

21           How do we comment on the Draft EIR? The reason  
22 that we are here tonight is to receive comments from the  
23 public and the commissioners on the Draft EIR.

24           If you would like to submit comments, you can  
25 e-mail them to Tom Smith. His e-mail address is here.

1 You can also send a letter to Tom at the address shown  
2 here. And you can also comment tonight by raising your  
3 hand on Zoom, and you'll be asked to -- and you'll be  
4 notified, when it's your turn to speak.

5 And just a friendly reminder here that all  
6 comments must be received by May 23rd, at 5:00 p.m.

7 And that concludes my presentation. Thank you.

8 CHAIR DECARDY: Thank you, Ms. Mekkelson. Thank  
9 you for your clear presentation, and really appreciate  
10 that.

11 So we are at the portion of the program where  
12 we're going to turn to public comment. So for those of  
13 you who are interested, you can start considering your  
14 comments and raising your hand.

15 Before we do that, I do -- if there is any  
16 commissioner that has a pressing clarifying question, then  
17 we can get to it. I think we could do public comment and  
18 still get to the same pressing clarifying questions as  
19 well, however, if that's okay with our commissioners.

20 All right. Thank you to my fellow commissioners  
21 on that.

22 And so with that, we will turn over to public  
23 comment. Again, for folks who wish to comment tonight,  
24 there will be two portions of public comment. This is the  
25 one that will be most directly related to Ms. Mekkelson's

1 presentation and aspects around the Environmental Impact  
2 Report.

3           Once we close the feedback on the Environmental  
4 Impact Report, we'll be able to talk more generally about  
5 the project. That might go back to the previous  
6 presentation from the three parties from the Applicant  
7 team.

8           So with that, let's open it up for public  
9 comment, Mr. Turner.

10           MR. TURNER: Yes. Hello. Just as a reminder, if  
11 you would like to give public comment on this portion of  
12 the hearing tonight, please press the hand -- "Raise Hand"  
13 button at the bottom of your screen. And if you are  
14 calling in, \*9 will raise your hand on Zoom and let us  
15 know you have a comment.

16           I do see a hand at this time. So I will  
17 introduce Pam Jones. As a reminder, you will have three  
18 minutes to share your comment or question. Please clearly  
19 state your name, address, political jurisdiction in which  
20 you live or your organizational affiliation.

21           If you have multiple speakers on your account,  
22 please let us know at the beginning of your comment, and  
23 we will make sure each speaker has an opportunity to speak  
24 for three minutes.

25           And, Pam, you should be able to un-mute yourself



1 now.

2 PAM JONES: Thank you. Pam Jones, resident of  
3 Menlo Park, in District I. And I'd like to thank the  
4 commissioners for your work and congratulations to our new  
5 chair, as well as the vice chair.

6 I basically have one -- well, two comments. One,  
7 how accurate is the air quality data, since we have had  
8 pandemic traffic for the last year and a couple of months?  
9 That's number one.

10 And then, number two, has there been any concern  
11 about liquefaction, which is something that is not in the  
12 General Plan, the 2016 EIR, but it has since been -- it  
13 has become an issue. And it's one in which East Palo Alto  
14 is addressing now, with some of their projects that are  
15 moving closer and closer to the bay. Although you aren't  
16 that close to the bay, certainly the continuation of these  
17 large, massive buildings can pose a problem, especially if  
18 we haven't even studied that.

19 Thank you.

20 CHAIR DECARDY: Thank you, Ms. Jones.

21 Any other hands, Mr. Turner?

22 MR. TURNER: Not seeing any other hands at this  
23 time.

24 Just as a reminder. If you would like to give  
25 public comment, please click the hand -- raise hand button

1 at the bottom of your screen.

2 CHAIR DECARDY: All right.

3 Yes, Mr. Shaffer?

4 MR. SHAFFER: Yes. I'd just like to point out to  
5 the public, who may be viewing this, if you haven't had a  
6 chance to review the EIR yet, if staff might want to  
7 explain where they can find it on the City website and  
8 direct people to where in the website they can find the  
9 EIR to look at it, and that the City will be receiving  
10 written comments through the comment period.

11 CHAIR DECARDY: Thank you, Mr. Shaffer.

12 Mr. Turner, if you want to -- or Mr. Smith, if  
13 you want to respond to that.

14 MR. SMITH: Yes. The EIR can be found on the  
15 City's website at MenloPark.org/1350AdamsCourt. All one  
16 word. And it is under the "Environmental Documents"  
17 section on that web page, pretty prominently posted, so  
18 that the public can review and comment.

19 CHAIR DECARDY: Great. Thank you, Mr. Smith.

20 With that, Mr. Turner, any hands or --

21 MR. TURNER: Still no hands at this time.

22 CHAIR DECARDY: Okay. Then I think we'll go  
23 ahead and close public comment on the EIR portion of the  
24 program.

25 And with that, I will bring it back to the dais

1 for commissioners for any questions of the EIR consultant,  
2 the Applicant, or of staff. All certainly in that purview  
3 for you. Any comments you would like to make; to our new  
4 commissioners, you are more than welcome to speak more  
5 than once during this session, in that mix, so you can ask  
6 or reflect until you've exhausted the comments or  
7 questions you have.

8 And with that, any commissioners would like to  
9 start? I will recognize Commissioner Barnes.

10 COMMISSIONER BARNES: Thank you, Chair DeCardy.  
11 Sorry if I missed this.

12 Is this specific to the EIR, and we're going to  
13 have our general project comments after?

14 CHAIR DECARDY: Yes, that's correct. This is for  
15 the EIR specifically. Then we'll come back, and we'll  
16 open up for any further comment from the Applicant.  
17 Although, I believe we were told the Applicant was going  
18 to make that presentation be the total presentation.

19 We'll give the Applicant the opportunity, though,  
20 for any further presentation, open up public comment, and  
21 then -- for the full project.

22 COMMISSIONER BARNES: Got it. Thank you. I do  
23 not at this time have anything on the EIR. Thank you.

24 CHAIR DECARDY: Okay. I'll recognize  
25 Commissioner Riggs.

1 COMMISSIONER RIGGS: Thank you, Chair DeCardy.

2 So I have just a couple of questions that are truly  
3 focused on the EIR. But I would also like to just prompt  
4 a response to Ms. Jones' question regarding air quality  
5 data.

6 Through the Chair, could the consultant just  
7 frame how air quality data would or would not be related  
8 to any information gathering over the last two to three  
9 years?

10 MS. MEKKELSON: Yeah. I can tackle that. This  
11 is Heidi Mekkelson, from ICF. And I'll also call on our  
12 colleagues at Hexagon to help me out here.

13 But we absolutely recognize that traffic patterns  
14 were not what they normally are during the time this  
15 analysis was conducted.

16 And there are industry-recognized techniques that  
17 we've been applying to CEQA analyses that are done during  
18 this period to essentially adjust for those baseline  
19 traffic counts. And those can vary by project. They can  
20 include anything from applying adjustment factors to using  
21 counts that were pre-COVID to evaluate traffic baseline  
22 levels, which, of course, feed into the air quality  
23 analysis.

24 So if either Ling or Gary could comment on the  
25 specific methodology that we would use for this

1 transportation analysis, that would be helpful.

2 MR. BLACK: Thanks, Heidi. Gary Black here, with  
3 Hexagon Transportation Consultants. And you're exactly  
4 correct that all the data -- the transportation data for  
5 this project is all based on pre-COVID conditions.

6 COMMISSIONER RIGGS: Thank you.

7 And then, just to clarify, Ms. Jones' comment was  
8 specifically on air quality, which frequently, in an EIR,  
9 has to do with construction activities or, alternatively,  
10 it has to do with the particular mechanical systems.

11 Do we want to clarify which we are addressing  
12 here?

13 MS. MEKKELSON: We looked at all of the above  
14 there.

15 So with respect to construction emissions, those  
16 were evaluated based on construction equipment and vehicle  
17 estimates provided by the Applicant. So those are -- of  
18 course, are not affected by COVID conditions. Those are  
19 just the estimates that they provide us in terms of how  
20 many workers will be on-site, what types of equipment  
21 they'll be using, what the phasing looks like. And we  
22 evaluate those impacts against the daily emission  
23 thresholds that are promulgated by the Bay Area Air  
24 Quality Management District to determine whether there's  
25 an impact there.

1           For the mechanical equipment, that is factored  
2   into the operational impacts -- the air quality impact  
3   analysis in the EIR. So we look at potential health  
4   hazards from things like generators, as well as  
5   construction diesel particulate matter as well.

6           So really, the only air quality analysis I think  
7   that is affected by COVID is the transportation analysis,  
8   to the extent that baseline traffic levels might be  
9   different. And as Gary described, those were essentially  
10  corrected for in the transportation analysis, which is  
11  what provides the data that feeds into the air quality  
12  analysis.

13           COMMISSIONER RIGGS: Thank you for the clarity of  
14  your responses. We don't always get that. So I do mean  
15  thank you.

16           And then, Ms. Jones also asked about  
17  liquefaction. And if I may be so bold, as the token  
18  architect on the commission, just to reassure the public  
19  that liquefaction has been -- I dare say -- for decades, a  
20  factor that is very determinedly examined during the  
21  building application process, which is the right place,  
22  because foundation designs do respond to soil conditions.

23           And certainly in the Bay Area, liquefaction is  
24  taken very seriously. It was, even before 1989, but  
25  certainly since -- if anything, at the risk of

1 overbuilding, if there is such a thing. At least that's  
2 an architect's perspective.

3 And then, my own question has to do with how we  
4 -- whether it's the commission or the public, ultimately  
5 decision makers, including the commission and possibly  
6 counsel, how do we frame the relationship between this  
7 focused EIR and the underlying ConnectMenlo EIR, when it  
8 comes to a determination of no significant impacts?

9 And I ask, for example, when the public views our  
10 discussion on buildings in this zone, not just the LS  
11 zone, but the OB and the MU as well, they see projects  
12 that are 100,000 square feet, 200,000, 500,000, up --  
13 maybe 1.3 million square feet. The idea that there are no  
14 significant environmental impacts would not fly with  
15 anyone observing our meeting or reading this document.

16 So am I correct that the reason that the focused  
17 EIR can say that there are no significant impacts is that  
18 there are no impacts that have not already been evaluated  
19 under the ConnectMenlo process?

20 MS. MEKKELSON: Yeah. I think that's a fair  
21 assumption.

22 Essentially, what we're saying is there are no  
23 new significant and unavoidable impacts that are unique to  
24 this project or are more severe than those that were  
25 already evaluated in ConnectMenlo, and which the City

1 already overrode, from a CEQA perspective, in the  
2 statement of overriding considerations for that EIR.

3 So, essentially, you know, you've already done  
4 your homework, your CEQA homework, for the development  
5 that is contemplated under ConnectMenlo. And you have  
6 adopted a statement of overriding considerations for that  
7 analysis.

8 So when you are doing subsequent CEQA documents  
9 under that EIR, you're really focusing on whether or not  
10 there is new information.

11 COMMISSIONER RIGGS: And that makes sense to me.  
12 But I could see how that could easily be obscure to the  
13 public.

14 And I'll pause a moment because I see Mr. Shaffer  
15 might want to add a comment through the Chair.

16 MR. SHAFFER: I'd just like to add that the EIR  
17 identifies -- both EIRs, the ConnectMenlo and the project  
18 EIR -- they do identify potential significant impacts, but  
19 then recommend a slate of mitigation measures which the  
20 EIR consultant and the City conclude are sufficient to  
21 reduce the mitigation -- the impact. And very robust  
22 packages of mitigation measures.

23 And opinions can differ as to how low an impact  
24 can be -- should be reduced before it's deemed less than  
25 significant. That's always a debate in CEQA, but this



1 conclusion is supported by the mitigations that are  
2 identified, leaving no significant, unavoidable impacts  
3 that still would be considered significant, despite all  
4 the mitigation thrown at it.

5 COMMISSIONER RIGGS: Mr. Shaffer, I think you're  
6 quite correct because where even a relatively tame project  
7 is going to add a population of another 650 workers,  
8 something, like, 80 percent of which live outside the  
9 area, there will be impacts, as anyone who has been on  
10 Bayshore Expressway knows.

11 So, Mr. Chair, I do have maybe four other points,  
12 but they are not directly addressed to this focused EIR,  
13 but rather how the project does or does not actually  
14 affect the -- shall we say -- quality of life of the  
15 residents. So I'm suspecting that I should hold those  
16 until we get to architectural review.

17 CHAIR DECARDY: I appreciate your point,  
18 Commissioner Riggs. I think you can use your judgment,  
19 but certainly, you know, raise them during architectural  
20 review as well. I'm sure quality of life questions will  
21 come up then, as well as focused on the EIR. But I  
22 encourage you to use your judgment.

23 If you'd like to continue, please do. Otherwise,  
24 please hold.

25 COMMISSIONER RIGGS: Well, in that case -- well,

1 I think I would like to hold, just to help the public, if  
2 not even myself, separate the discussion with the EIR  
3 consultant from that with the project sponsor.

4 CHAIR DECARDY: Okay. Very well.

5 COMMISSIONER RIGGS: Thank you.

6 CHAIR DECARDY: And after other commissioners  
7 have spoken, of course, you can always speak again if so  
8 moved.

9 So other commissioners who would like to speak?  
10 I'm going to recognize Commissioner Thomas.

11 And I realize that, Commissioner Riggs, you  
12 mentioned that you're the token architect, which I believe  
13 you have been for a while. I'm not completely familiar  
14 with the full bios of Commissioners Do and Thomas, so you  
15 should correct us. But I believe Commission Do is an  
16 architect. So you may, at least, have another architect  
17 on the commission at this point, Commissioner Riggs.

18 With that, I will pass it over to Commissioner  
19 Thomas. And please correct me as well, if you have that  
20 in your background.

21 COMMISSIONER THOMAS: Thank you, Chair DeCardy.  
22 My background isn't in architecture.

23 And my question is on the impacts. So it seems  
24 like, you know, there were some potentially significant  
25 impacts, but they've been all reduced to

1 less-than-significant with mitigations.

2           There are a couple of these on here. So I was  
3 wondering if there is one in particular -- I guess my  
4 question would be directed towards Heidi Mekkelson.

5           Is there one of these LTS/M -- you know, less  
6 than significant with mitigation -- impacts that is  
7 particularly risky or that you think, if you had to rank  
8 these, would potentially be of the most concern?

9           MS. MEKKELSON: I've never had that question  
10 before. You know, I don't think I could rank them. Under  
11 CEQA, we are required to look at everything with a fresh  
12 lens, and we look at each impact against a threshold of  
13 significance, which is another requirement of CEQA, and  
14 those thresholds can be different, depending on what the  
15 impact is. For air quality impacts, for example, we often  
16 have bright line, you know, thresholds -- like a project  
17 can emit 55 pounds-per-day of nox, and anything over that  
18 is significant impacts. For other impacts, it's a bit  
19 more of a qualitative threshold. And it's a judgment call  
20 on the part of the EIR professional and the City Planning  
21 Department in determining whether or not that impact is  
22 tripped.

23           So from my personal perspective, all impacts on  
24 the environment are of equal importance and concern. I  
25 definitely know that when it comes to issues that are

1 important to the public or quality of life issues, as  
2 Commissioner Riggs, you know, touched upon, different  
3 impacts, I think, can be different, given different  
4 weights, essentially.

5 But from a CEQA perspective, a significant impact  
6 is a significant impact. And if it is significant, the  
7 City is required to override that impact -- make a  
8 determination and override that impact.

9 Does that answer your question?

10 COMMISSIONER THOMAS: Thank you.

11 MS. MEKKELSON: I hope that kind of answers your  
12 question.

13 CHAIR DECARDY: Other commissioners, questions or  
14 comments at this time?

15 Commissioner Harris? Excuse me. Vice Chair  
16 Harris.

17 VICE CHAIR HARRIS: Thank you. I have to get  
18 used to that. Yeah. I had a couple of EIR comment and  
19 questions.

20 Like Commissioner Riggs, it is, I think,  
21 difficult to tease out which is a comment or question on  
22 the project, versus on the EIR. And so I had some  
23 questions around transportation. And so some of those  
24 have to do with -- I just want to understand the total  
25 number of employees, and the total number of parking

1 spots. I got a little bit confused because I understand  
2 that we're adding 650 employees. But I don't know what  
3 the total is with those 650.

4 And I also was a little bit unsure about the  
5 total number of parking spots because in -- in the -- in  
6 reviewing the staff report, I saw that it was 961. But in  
7 the EIR, it says 707. And I'm wondering if the difference  
8 is that the 961 includes both 1305, as well as 1350.

9 I also read that 118, that were -- for 1305 will  
10 be taken away because they were, I guess, surface parking  
11 that is now on 1350.

12 Anyway, that all -- the EIR and the staff report  
13 seem a little bit different. And I'm wondering if  
14 somebody from either staff or from the -- I'm not sure  
15 which group could help me understand those answers, both  
16 employees and parking.

17 MR. SMITH: I think I can at least get things  
18 rolling there and explain the parking situation.

19 So it's important to think of this as -- although  
20 there is one new building being built, it is a project  
21 site that contains an existing building.

22 And I think you have it right, Vice Chair Harris,  
23 that there are 118 spaces that are currently provided on  
24 what would become the 1350 Adams Court site, that are  
25 currently used for 1305 O'Brien, the existing building.

1 Those would obviously need to be removed to add the new  
2 building, the landscaping, all of that. And so those 118  
3 spaces, because there was an approval for 1305 O'Brien  
4 Drive that required -- I believe it's 373 spaces were  
5 required, as part of 1305 O'Brien Drive. So the 118  
6 spaces that are being removed to develop the new building  
7 would need to be reintegrated into the parking structure  
8 for the proposed building. So what we would end up with  
9 is 961 spaces total for both buildings on the site.

10 Of the 706 spaces that would be part of the 1350  
11 Adams Court project, you can think of 118 of those as  
12 belonging to 1305 O'Brien Drive. So what you end up with  
13 is essentially -- of the new parking spaces that are being  
14 developed in the garage -- or there's a few surface spaces  
15 as well, as part of the 1350 Adams Court project, you're  
16 looking at 588 new spaces for the proposed building  
17 itself, which is a parking ratio of about 2.14 per  
18 thousand square feet. So 588 spaces would be -- it's kind  
19 of about halfway in the ratio of 1.5 to 2.5 spaces per  
20 thousand square feet of gross floor area that's required  
21 in this district.

22 VICE CHAIR HARRIS: Okay. That's really helpful.

23 So -- but I should think about it as 588 new  
24 spaces for the new 650 employees.

25 Can I think about it that way?

1 MR. SMITH: Yes. That would be accurate.

2 VICE CHAIR HARRIS: Okay. And then I guess I  
3 realize that we're putting together a transportation  
4 demand -- plan to try to reduce the level of single  
5 occupancy vehicles, but I guess I have a question to the  
6 Applicant.

7 Of your 650 new employees, or maybe of your old  
8 employees, what do you -- how many do you expect of those  
9 employees will get to this location in something other  
10 than a single occupancy vehicle? Maybe kind of tell me  
11 about your current building, as well as what your  
12 expectations might be for the new building, from the  
13 Applicant, if you have that answer or an idea.

14 MR. TARLTON: I would be addressing sort of a  
15 general sense, rather than this specific building because,  
16 of course --

17 VICE CHAIR HARRIS: You don't have them yet.

18 MR. TARLTON: -- we don't have the tenant yet.  
19 And it does vary, somewhat significantly, from tenant to  
20 tenant.

21 As we have discussed on a prior meeting -- in a  
22 prior meeting on a different project, we can have tenants  
23 who are involved in manufacturing that have multiple  
24 shifts. And sometimes there's an overlap there.

25 In terms of general uptake of our shuttle program

1 and other alternate transit modes, we've been quite  
2 successful.

3 And I would say that somewhere in the range of 25  
4 percent of our employees across the campus are getting to  
5 campus in a way other than a single occupant vehicle, if  
6 that answer your question.

7 VICE CHAIR HARRIS: Okay. That does answer my  
8 question.

9 So if we're looking to reduce -- and I understand  
10 we're looking at it from the other direction, which is  
11 allowing for bikes and parking and shuttle and carpool. I  
12 just am wondering if we're thinking, okay. Well, maybe 25  
13 percent will get there a certain -- a different way, then  
14 it seems like we probably wouldn't need to plan for 90  
15 percent of them to come in a single occupancy vehicle for  
16 the number of parking that we're going to supply.

17 So I understand that Menlo Park has a minimum  
18 number of parking spots, but I guess my thought would be,  
19 can we reduce this number of parking spots more, given  
20 that we're -- right now, we're at 90 percent?

21 I realize there's also a couple spots for  
22 visitors or -- you know, a couple other spots. But it  
23 just feels -- that feels very high to me. And I'm  
24 wondering if there's -- if we can think about reducing  
25 that, to some extent, given all the other ways that you're



1 looking for people to get there.

2 MR. TARLTON: Yeah. I appreciate the question,  
3 and I certainly appreciate the sentiment.

4 For those of you who don't know, I go virtually  
5 everywhere on a bicycle. That being said, we have to --  
6 and it's not lost on you. Certainly those of you who have  
7 experience with other development or architecture, that  
8 the cost of building that parking is significant to us.  
9 And we are heavily-incented financially not to build more  
10 parking than we need.

11 The parking that we propose to build is based on  
12 literally decades of data around what the tenants need for  
13 parking, trying to anticipate the various types of uses  
14 that we might have at the site, and accounting for, as you  
15 said, visitor, et cetera.

16 I would love to build less parking. We will  
17 hopefully build less parking as we partner with the City  
18 and other agencies to create more alternative transit.  
19 This is the reality that we face today.

20 VICE CHAIR HARRIS: Okay. So I'm still going to  
21 issue that challenge to try to reduce your cost for  
22 parking and see where you might be able to trim that.

23 And then, as Commissioner Riggs was discussing,  
24 that, you know, the analysis is based, I think, on 2019 or  
25 pre-pandemic. I know that since the pandemic, our --

1 we're not so peaky. We're not -- we don't have the same  
2 exact peaks.

3 And also, because you're life sciences, as you  
4 mentioned -- I think it was Mr. Tarlton mentioned that the  
5 life sciences tends to be less peaky than a typical office  
6 building.

7 So I guess, in the way that we do the analysis,  
8 I'm not really sure where that -- where that puts us. But  
9 I just wonder if maybe there might be some thoughts on  
10 that.

11 I think -- I do have a couple of comments on LOS,  
12 but I guess I should -- I guess I should maybe come back  
13 to those, when we are -- since it's not part of CEQA,  
14 through the Chair.

15 CHAIR DECARDY: Again, at your discretion.  
16 Right? It's not part of CEQA. It's an add-on from Menlo  
17 Park. But --

18 VICE CHAIR HARRIS: Okay. I guess it is part of  
19 the EIR.

20 CHAIR DECARDY: Yes.

21 VICE CHAIR HARRIS: So I would just say, when  
22 this comes back for final approval -- and this is really  
23 to staff -- I would like to see the LOS improvements  
24 broken down in maybe like a chart. Right now, it's really  
25 hard for me to kind of get a sense for each intersection

1 what is TIF, versus not in TIF; and then also, what's near  
2 term, versus cumulative, and to indicate if there would --  
3 if any of these would involve any road widening.

4 I think, when this comes back and when it's  
5 published, it would be really terrific to understand,  
6 maybe in a chart, where -- what each of those  
7 intersections is; whether it's TIF, non-TIF, near term,  
8 cumulative, and whether it -- indicate whether there would  
9 be any road widening.

10 And I think that would really help us, as  
11 commissioners, to -- if it's summarized that way, to help  
12 our decisionmaking process and perhaps even do it for  
13 Draft EIRs in the future.

14 Is that something you think would be possible?

15 MR. SMITH: Chair DeCardy, if I may?

16 CHAIR DECARDY: Yes, of course. Mr. Smith.

17 MR. SMITH: Yes. I definitely appreciate that  
18 feedback.

19 I think we've tried to slim down the staff  
20 reports to reduce down the amount of reading material that  
21 we're giving you. But if that is desired -- well, if you  
22 would like to see that information in a chart, I  
23 definitely am more than happy to provide that, and we'll  
24 take that into effect -- into account for the Final EIR  
25 and then future EIR projects as well.

1           VICE CHAIR HARRIS: So I guess what I would like  
2 to say is that -- what I would maybe say is that I think  
3 that information is probably in there, but it's multiple  
4 paragraphs to find it.

5           So I would almost say, well, maybe this would be  
6 less work for you if you could put it more into a chart  
7 format, and less into pros. So just a thought for that  
8 because I certainly don't want to make extra work for you  
9 guys. I know you're all -- you've got a lot already.

10          MR. SMITH: Absolutely. I appreciate the  
11 feedback.

12          VICE CHAIR HARRIS: And I don't want to make  
13 longer reading for all of us either. So I think we're in  
14 agreement on that.

15          MR. SMITH: Yes. Understood. Yes. We are in  
16 agreement.

17          VICE CHAIR HARRIS: All right. Well, I'll stop  
18 there and let somebody else chime in.

19          Thank you.

20          CHAIR DECARDY: Thank you, Vice Chair Harris.

21          Other questions or other comments related to the  
22 EIR from commissioners?

23          While people are thinking, perhaps I have a  
24 couple that can follow on a thread that has already been  
25 picked up on. And I want to recognize and thank --

1 actually, all of the commissioners that touched on some of  
2 my questions.

3 I do want to come back to the EIR and to the  
4 transportation question. So, Ms. Mekkelson, on the  
5 transportation impact, it would have been significant but  
6 for the expectation of utilizing the transportation demand  
7 management mitigation.

8 Do I have that right?

9 MS. MEKKELSON: That's correct.

10 CHAIR DECARDY: Okay. So how successful does the  
11 TDM have to be to move it from significant to not  
12 significant? In the context of some of the conversation  
13 we've had in ways that we or the public could understand,  
14 what does a successful TDM plan actually have to reduce in  
15 order to make it less than significant?

16 MS. MEKKELSON: I can look this up for you, to  
17 get you some more precise numbers, but the threshold for  
18 the City CEQA purposes is 15 percent below the citywide  
19 average.

20 MR. SMITH: Heidi, I have some of that  
21 information, I think, right in front of me.

22 MS. MEKKELSON: Oh, great. Or Gary --

23 MR. SMITH: And then Gary can correct me, if I'm  
24 off.

25 But I believe it's a 21.1 percent reduction in

1 VMT needed to get below the City's threshold.

2 And then the Applicant put together a pretty  
3 robust TDM program that would be effective, in the range  
4 of 27 to 30 percent. So it's beyond the amount that would  
5 be needed to get below the City's threshold.

6 Gary, let me know if that was incorrect.

7 MR. BLACK: That's correct. Absolutely.

8 CHAIR DECARDY: Okay. I appreciate that. I  
9 think that's helpful.

10 So -- and then -- so the Applicant's TDM plan is  
11 specific enough that you can anticipate, based on past  
12 monitoring, that it will be in that 25 to 30 percent  
13 range?

14 Is that the one that was included in the exhibit  
15 with the specific measures? Is that the plan we're  
16 talking about that touches on the bike share, the car  
17 share, the significant shuttles that were referenced in  
18 the presentation?

19 MR. SMITH: Yes. That's correct.

20 And then, for additional reference, the existing  
21 building at 1305 O'Brien Drive, the other building on the  
22 site, it is -- it has a TDM plan. And it has been subject  
23 to monitoring.

24 And just to give you an idea of what that's  
25 demonstrating, in 2018 and 2019, it was showing TDM

1 effectiveness of about 32 to 40 percent. So they were  
2 doing quite well.

3 CHAIR DECARDY: That's super helpful, and it's  
4 fabulous. And I mean, I just -- I should have said this  
5 at the beginning, and I said this the last time we had a  
6 project. You know, I just -- the work and the leadership,  
7 Mr. Tarlton, you and your team, on this, over the decades,  
8 has been exemplary. And it's fabulous. And I think you  
9 have so much to offer us as a City, to learn from your  
10 experience. And, obviously, having this input is  
11 terrific.

12 One of the questions I had about the TDM plan is  
13 that it mentioned the inclusion of the EV parking spaces.  
14 And it's not immediately clear to me how -- so the TDM,  
15 with the EV parking spaces, does not necessarily reduce  
16 VMT, but it reduces VMT from emitting cars? Is that how  
17 we're supposed to look at that as being a successful part  
18 of the TDM program?

19 And if so -- if I have that right, then how do  
20 you figure out where the electric fuel is coming from for  
21 the cars that are in those spaces?

22 And I guess that might be a question for  
23 Mr. Black, perhaps, or Mr. Smith. I'm not sure.

24 MR. BLACK: The -- yeah. The EV parking or  
25 encouraging EV use is not counted towards the TDM

1 reduction because, as you point out, those cars are still  
2 on the road.

3 CHAIR DECARDY: Got it. Okay.

4 So it was listed in the TDM plan in our packet,  
5 but it was not included in the analysis of that 25 to 30  
6 percent reduction?

7 MR. BLACK: That's correct.

8 CHAIR DECARDY: Okay. That's super helpful.

9 Then I have a question about parking spaces and  
10 VMT.

11 So -- and, Mr. Black, as long as you're there, I  
12 think this is for you. Is there a relation between the  
13 cost of parking spaces and a reduction in VMT? Is there  
14 analysis that says if there's a higher cost to park your  
15 car or not?

16 Is that not part of how you think about potential  
17 mitigation or looking at what will be the traffic to a  
18 potential site?

19 MR. BLACK: Absolutely, there's a relationship  
20 between the cost of parking and the trip making, if you  
21 will, or the VMT.

22 There's not -- there's not a culture of charging  
23 employees for parking in Menlo Park. Or at least not in  
24 this part of Menlo Park. And so it's not part of the TDM  
25 plan to charge for parking.



1 CHAIR DECARDY: Okay.

2 MR. BLACK: And so Mr. Tarlton, I think, was  
3 talking about the cost of building the parking, but not  
4 the cost of operating the parking.

5 CHAIR DECARDY: Yeah. I understand. It was a  
6 different question.

7 So the reason it's not there is because we don't  
8 have a culture in Menlo Park of charging for parking?  
9 And, therefore -- or is it to say, there are other  
10 measures that could get that 25 to 30 percent reduction,  
11 which would then get below the significance threshold?

12 MR. BLACK: Yes. I can talk about, I guess, the  
13 corporate culture, if you will, of a lot of these  
14 employers is that they look at charging for parking as  
15 sort of a punitive measure towards employees. It could be  
16 interpreted that way. And they -- rather than punitive  
17 measures, they want to use measures that are encouraging.  
18 So offering alternatives -- free shuttles -- you know,  
19 free bikes, car share, things like that, are incentives.  
20 So it's like a carrot, instead of a stick approach, is  
21 sort of the corporate culture we're seeing.

22 CHAIR DECARDY: I understand.

23 So for the purposes of the EIR, then, we have a  
24 TDM plan that can rely on carrots, and the experience that  
25 we can have enough carrots so we can move the

1 environmental impact to less than significant.

2           It's a different conversation, if we want to have  
3 this as a City, about how much further we might go with  
4 what kinds of measures, but that would be from an EIR  
5 standpoint, would not be relevant to moving from  
6 significant to less than significant in an EIR.

7           Do I have that summarized?

8           MR. BLACK: That's correct.

9           CHAIR DECARDY: Okay.

10          MR. BLACK: The TDM plan that the project is  
11 proposing is sufficient to mitigate the VMT impact.

12          CHAIR DECARDY: Yeah. Well, that's fabulous.

13          And it's fabulous that you've got the history --  
14 this is to Mr. Tarlton and team -- that can get to this 25  
15 to 30 percent reduction.

16          I will withhold the rest of my comments because  
17 they are not EIR related on this and on transportation  
18 parking. They're going to be related to the building, and  
19 I'll do that later on.

20          I do have a question about the -- this is for the  
21 -- for Mr. Tarlton, and on the biking.

22          You noted, I think, in the parking, that you've  
23 got the overlap, potentially, of some potential tenants.  
24 And so you've got that problem with -- you're going to  
25 have, essentially -- two employees are there for ten

1 minutes, but they both have to park kind of issue.

2 Have you been allowed or could you allow flex  
3 parking across your different buildings and different  
4 tenants in that region? Because I think you said they  
5 have different uses.

6 Have you been allowed to do that? Have you been  
7 -- has that been proposed in the past? And if not, if it  
8 were, would that be helpful at all in this or not?

9 MR. TARLTON: Good question. And as we vision  
10 out our campus there going forward, we do anticipate  
11 making use of shared parking facilities across tenants.  
12 That has not been the practice in the past, but we have  
13 made changes to our messaging to our tenants, through both  
14 our leases and our campus-wide TDM program, that that is  
15 coming.

16 And we do already anticipate, to the extent  
17 possible, making use of some of these expensive parking  
18 spaces that are going to be part of the 1350 Adams Court  
19 project for future sharing.

20 CHAIR DECARDY: So it sounds like you're headed  
21 that way, but it has not been in the past.

22 Do you have a census across all of your  
23 properties about what the usage of parking is? You know,  
24 just sort of, you know, is there, in fact, some excess  
25 capacity?

1 MR. TARLTON: There is, in fact, some excess  
2 capacity. And as we vision out the campus going forward,  
3 we are trying to create opportunities for shared parking,  
4 from tenant to tenant.

5 CHAIR DECARDY: Okay. Fabulous. I think that  
6 sounds fabulous and creative and helpful. Appreciate it.

7 Hang on, Mr. Barnes. Let me just see if I have  
8 any -- as long as I have the floor on EIR questions.

9 I don't think so. If I do, I'll come back.

10 Mr. Barnes -- Commissioner Barnes, let me  
11 recognize you.

12 COMMISSIONER BARNES: Thank you. Question  
13 through the Chair to staff. And I think this is probably  
14 best directed to Mr. Smith. It relates to the EIR and in  
15 specific, to the level of service data.

16 And I wanted to understand a little bit more  
17 about the LOS. And more specifically, is an LOS reading  
18 for a specific intersection able to tease out in specific  
19 what this specific project will do to that, you know,  
20 intersection A?

21 And is that impact specific to the incremental  
22 impact of this -- of this project?

23 MR. SMITH: Right. So I would start by saying,  
24 even though LOS was studied by the transportation  
25 consultant as part of this process, I just want to be

1 clear. It is not a CEQA impact. This is a completely  
2 separate topic from the EIR.

3 But LOS is looking at seconds of delay at various  
4 intersections around the project site. And sometimes it  
5 -- it can spill back through additional intersections  
6 further out from the project site. But it is looking at  
7 the amount of delay that the project contributes to  
8 individual study intersections.

9 COMMISSIONER BARNES: Okay.

10 MR. SMITH: Does that help?

11 COMMISSIONER BARNES: It does.

12 In my recollection, when LOS has been looked at  
13 before, there was an inability to -- so say, for instance,  
14 Station 1300 and some of the intersections around there,  
15 there was a statistical -- the way it reported out, it  
16 didn't specifically say, okay. Great. For this  
17 particular project, we can quantify for this intersection  
18 what this project is going to do because you've got a body  
19 of data. You have -- it includes, when you do LOS, some  
20 of the extra maladies for the environment, which feed into  
21 that particular intersection.

22 And I wasn't under the impression that it can get  
23 that fine and say, great. For this intersection, for this  
24 time period, we're able to remove the extra maladies.  
25 We're able to move any flows and whatever else goes into

1 either feeding or not feeding that intersection.

2 And say, for this particular project, this is the  
3 addition. I didn't think that we were able to go to that  
4 level of specificity. And that was the -- kind of the  
5 core of my question.

6 MR. SMITH: So I would -- just to make sure I'm  
7 not getting too far out of my depth, Christy Ann Choi,  
8 who is a senior transportation engineer -- or I see Gary  
9 Black has joined.

10 Gary, would you be able to expand on that -- that  
11 question a little bit?

12 MR. BLACK: Yes. The transportation study does  
13 show, for each intersection that we studied, the amount of  
14 traffic that would be added by this project, just by this  
15 project, and that it also calculates an associated delay  
16 that would be caused by the traffic from this project  
17 individually, for each one of the intersections that we  
18 studied. It's in a giant table. It's pretty -- it takes  
19 a while to get through, but the data is there.

20 COMMISSIONER BARNES: Great. Thank you.

21 And that satisfies my question about the  
22 specificity aspect of it. All right. That is my question  
23 as it relates to -- somewhat related, apparently, to the  
24 EIR. Thank you.

25 CHAIR DECARDY: Thank you, Commissioner Barnes.

1 Any other questions from commissioners or  
2 comments related to the EIR this evening?

3 I have one -- oh. I'm sorry.

4 Commissioner Do?

5 COMMISSIONER DO: Thank you, Chair DeCardy. And  
6 I have a question about bus stops. And I hope it's not  
7 totally irrelevant. But I think it is relevant to the  
8 whole topic of alternative ways of commuting.

9 I did a -- you know, a little Google street view,  
10 looking at, for instance, a bus stop along Willow and  
11 O'Brien. And just curious. Was it a shelter or offer any  
12 protection? And it's a -- simply a sign. No bench; no  
13 shelter.

14 And when you see something like that, and you're  
15 driving, you kind of think, man. Who wants to -- who  
16 wants to commute by bus, when, you know, the bus  
17 infrastructure looks like that?

18 And, again, this is not maybe something that the  
19 Applicant is responsible for, but I -- there's -- I know  
20 there's a pot of community amenity money. And I'm just  
21 curious. And please forgive my ignorance. Other  
22 commissioners or anyone chime in to say, that's not an  
23 appropriate use of money.

24 But I'd just be curious if that aspect of the  
25 public transit could be improved because I know there's

1 this growing fund of money. So, again, apologize if  
2 that's not an appropriate use of those funds.

3 MR. SMITH: So I --

4 CHAIR DECARDY: Mr. Smith?

5 MR. SMITH: Through the Chair? Okay.

6 There is a list of approved community amenities.  
7 And I believe that I don't have the list right in front of  
8 me, so I'm going from memory here. But I believe that one  
9 of them is transportation-related improvements. And so it  
10 could be -- so there's -- there's a growing fund of  
11 in-lieu fees for community amenities, which, if the  
12 council determined that that was a project that they would  
13 like to support, can certainly make the case that improved  
14 transit facilities related to improved bus stops, more  
15 shelter, that kind of thing, could be part of that funding  
16 that's used.

17 Or in the case of a specific project applicant,  
18 they could make that part of their proposal. And then it  
19 would have to be evaluated by the -- whatever  
20 decisionmaking body.

21 So in this case, the project is for -- up for  
22 review and entitlements from this commission. And so they  
23 would have to make the case for those improvements. And  
24 you, as a body, would have to accept that as a  
25 transportation-related improvement. But just to give you



1 an idea of how that might work.

2 COMMISSIONER DO: Great. Thank you.

3 CHAIR DECARDY: I was searching for the community  
4 amenities list.

5 I think it's -- in the staff report, there are  
6 links to specific aspects of community amenities in this  
7 project. But I don't think there was a link to the list.

8 And so that might be, Mr. Smith, helpful, the  
9 next time around, for any interested parties to see that.

10 So thank you for that question, Commissioner Do.

11 Commissioner Harris? You are somehow on mute,  
12 even though it looks like --

13 VICE CHAIR HARRIS: Sorry about that. Can you  
14 hear me now?

15 CHAIR DECARDY: Yes, we can.

16 VICE CHAIR HARRIS: Yes. AirPods running out of  
17 juice. Yeah.

18 So I'm just wondering, to Commissioner Do's  
19 question, improving bus stops, is that something that can  
20 come out of TIF money?

21 Or, no, because that only can be used for  
22 intersections?

23 CHAIR DECARDY: Mr. Smith, yes.

24 MR. SMITH: So that's a good question. I might  
25 need some assistance.

1 I believe that projects that are identified for  
2 -- projects have to be specifically identified for TIF  
3 funding. And so if that's not a project that has been  
4 identified, then it wouldn't go towards that.

5 I was able to pull up the community amenities --  
6 approved community amenities list. And one of the -- one  
7 of these is transit and transportation improvements. And  
8 it says, "Bus Service and Amenities." Increase the number  
9 of stops, bus frequency, shuttles, and bus shelters"  
10 specifically are called out. So I think that would be a  
11 prime use of the money that was intended that way.

12 In terms of TIF funding, I don't know if Christy  
13 Ann Choi, from our Transportation division, is able to  
14 assist with how TIF projects are identified.

15 MS. CHOI: Hi. Good evening. Christy Ann Choi,  
16 Senior Transportation Engineer.

17 So, yeah. The City has the Transportation Impact  
18 Fee Program. And when it was adopted, we had identified a  
19 number of projects that would be funded by the TIF. And  
20 as Mr. Smith mentioned, they do have to already be  
21 identified. So the TIF money can only be used for those  
22 types of projects.

23 I don't think we had any particular bus shelters  
24 listed. So that would not be a potential funding source.

25 VICE CHAIR HARRIS: Thanks. Helpful.

1 CHAIR DECARDY: Great. Thank you.

2 And, to commissioners, some of these things blend  
3 together. There's EIR-related questions. But we can look  
4 at community amenities and are asked to look at community  
5 amenities in the next portion of our conversation tonight  
6 as well.

7 So any final comments on the EIR from  
8 commissioners? And as you're contemplating, I am going to  
9 turn to Mr. Smith.

10 Have you gotten the feedback you need, or are  
11 there any outstanding questions you have of the  
12 commission, regarding the EIR this evening?

13 MR. SMITH: In terms of the EIR, we really  
14 appreciate all of the feedback, the questions, the great  
15 dialogue. No further needs from staff in that area.

16 CHAIR DECARDY: All right. Any last questions  
17 from commissioners? All right.

18 With that, I will close this item of the agenda,  
19 Item G1, which was looking at the EIR.

20 (WHEREUPON, Agenda Item G1 concluded.)

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## 1 CERTIFICATE OF REPORTER

2

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

9

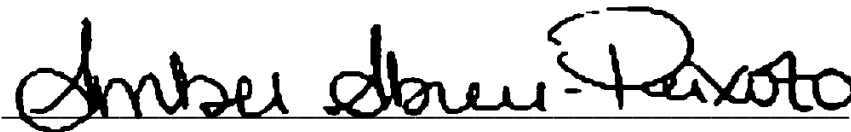
10 That I am a disinterested person to the said  
11 action.

12

13 IN WITNESS WHEREOF, I have hereunto set my hand  
14 this 30th day of May, 2022.

15

16

A handwritten signature in black ink, reading "Amber Abreu-Peixoto", is written over a horizontal line.

17

AMBER ABREU-PEIXOTO, CSR No. 13546

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