



**NOTICE OF PREPARATION  
OF AN ENVIRONMENTAL IMPACT REPORT  
123 INDEPENDENCE DRIVE MIXED-USE PROJECT  
CITY OF MENLO PARK**

**Date:** January 8, 2021

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

**From:** Kaitie M. Meador  
Senior Planner  
City of Menlo Park  
701 Laurel Street  
Menlo Park, CA 94025

**Subject:** Notice of Preparation (NOP) of an Environmental Impact Report  
for the 123 Independence Mixed-Use Project

**Lead Agency:** City of Menlo Park, Planning Division

**Project Title:** 123 Independence Drive Mixed-Use Project,

**File Number:** PLN 2020-00022

**Project Location:** 119 Independence Drive, 123-125 Independence Drive, 127 Independence Drive, 1205 Chrysler Drive, and 130 Constitution Drive. Bayfront Area of City of Menlo Park, northwest side of the intersection at Independence Drive and Chrysler Drive and bounded on the north side by Constitution Drive.

APN: 055-236-180, 055-236-140, 055-236-300, 055-236-280

## **INTRODUCTION**

The City of Menlo Park (City) is the lead agency for the 123 Independence Mixed-Use Building Project (proposed project). Pursuant to the California Environmental Quality Act (CEQA), upon deciding to prepare an Environmental Impact Report (EIR), the City, as lead agency, must issue a Notice of Preparation (NOP) to inform trustee and responsible agencies, and the public, of the decision to undertake preparation of an EIR. The purpose of the NOP is to provide information describing the proposed project and its potential environmental effects to those who may wish to comment regarding the scope and content of the information to be considered in the EIR. Agencies should comment on such information as it relates to their statutory responsibilities in connection with the proposed project. Agencies and the public are invited to provide comments on the scope and content of the environmental review, potential mitigation strategies, and project alternatives by 5pm on Monday February 8, 2021.

The project description, location, and environmental issue areas that may be affected by development of the proposed project are described below. The EIR will evaluate the project-specific and cumulative impacts, identify feasible mitigation measures to reduce or avoid significant project impacts, and identify a reasonable range of alternatives to the proposed project and their comparative environmental effects.

## SCOPING MEETING

A public scoping session will be held as part of the Planning Commission meeting on January 25, 2021 via GotoWebinar or Zoom, at 7 p.m. or as near as possible thereafter. The meeting agenda and link to access the online meeting can be found at [menlopark.org/Planning-Commission](http://menlopark.org/Planning-Commission). Trustee and responsible agencies, as well as members of the public, are invited to attend to learn more about the proposed project and to provide input on the scope and content of the EIR through public comment. The scoping process is designed to enable the City to determine the scope and content of the EIR at an early stage, identify the range of actions, and identify potentially significant environmental effects, alternatives, and mitigation measures to be analyzed in the EIR and eliminate any unimportant issues.

## SUBMITTING COMMENTS

Comments regarding the appropriate scope of analysis and content in the EIR are invited from all interested parties. Please submit comments to the City **no later than 5 p.m. on Monday, February 8, 2021**. However, we would appreciate your response at the earliest possible date. Please send your written comments to Kaitie Meador at the address shown below or by email to [KMMeador@menlopark.org](mailto:KMMeador@menlopark.org) with “123 Independence Drive Project EIR” as the subject. Due to the ongoing Covid-19 pandemic, emailed comments are preferred.

**Kaitie Meador, Senior Planner**

**City of Menlo Park**

**701 Laurel Street**

**Menlo Park, CA 94025**

**650-330-6731**

**Email: [KMMeador@menlopark.org](mailto:KMMeador@menlopark.org)**

**City's website: [menlopark.org](http://menlopark.org)**

**Project website: <https://www.menlopark.org/1695/123-Independence-Drive>**

## PROJECT LOCATION AND EXISTING CONDITIONS

As shown in Figure 1, Project Location, the project site is located in the City on the northwest side of the intersection at Independence Drive and Chrysler Drive. The site is bounded on the north side by Constitution Drive and Marsh Road is 560 feet northwest of the parcels. The assessor's parcel numbers (APNs) for the project site include 055-236-180, 055-236-140, 055-236-300, and 055-236-280.

The project site is designated Mixed Use Residential within the Bayfront Area on the City's General Plan Land Use Designations Map and is within the Residential-Mixed Use-Bonus Zoning District. The approximately 8.15-acre site consists of five existing office and industrial buildings totaling approximately 103,900 square feet, as shown in Figure 2, Existing Site Conditions. The western-most building on Independence Drive, 119 Independence Drive, is a 1-story concrete building. It is approximately 16 feet in height and 13,000 square feet. To the west, 123 and 125 Independence Drive are a 1-story concrete building, 20 feet in height, and approximately 12,300 square feet. It is served by 17 parking spaces. 127 Independence Drive is a 1-story building, 19 feet in height, and approximately 13,800 square feet. To the west of 127 Independence Drive, at the corner of Independence Drive and Chrysler Drive, is 1205 Chrysler Drive. It is a 1-story building, 17 feet in height, and 39,300 square feet. Finally, 130 Constitution Drive is located to the north of 127 Independence Drive. It is a 2-story building, 25 feet in height, and 25,500 square feet.

Vegetation on the project site consists of approximately 48,000 square feet of decorative landscape areas bordering the edges of the parcel boundaries along Independence Drive. The interior of the site is almost exclusively hardscape, consisting of approximately 205,000 square feet of impervious surfaces.

## **PROJECT DESCRIPTION**

The project proposes to demolish the five existing office and industrial buildings (a total of approximately 103,900 square-feet), to shift the parcel boundaries to create four Parcels: A, B, C and D, and to construct 316 rental apartments, 67 for-sale townhomes, and 88,750 square feet of office space, as shown on Figure 3, Proposed Illustrative Site Plan. Both Parcels A and C would support 3-story townhome communities that would be subdivided via condominium mapping and would be oriented to public streets. Parcel A would be developed with 26 townhomes and would include a total of 57 parking spaces. Parcel C would be developed with 41 townhomes and would include a total of 91 parking spaces. These parcels would include a neighborhood park, a paseo, and other common green spaces. Parcel B would support a 5-story building with 316 rental apartments, stoops along public streets and pedestrian walkways, and 316 residential parking spaces in a parking structure with a single level below-grade and a single level at-grade. Parcel D would support 88,750 square feet of office space in a 3-story building and would include 267 parking spaces in parking structure with a single level below-grade, one level at-grade, and one 2<sup>nd</sup> floor level. As shown in Figure 4, Proposed Site Sections, and Figure 5, Proposed Square Footage and Site Coverage, building heights would range between approximately 32 and 79 feet.

The proposed project would be developed using the bonus level of development allowed by the Zoning Ordinance, which provides for an increase in density, gross floor area, and/or height in exchange for the provision of community amenities. The required value of the community amenities and the identification of the appropriate community amenities would be determined through a process that includes an appraisal, applicant proposal for amenities and associated financial analysis, all of which will be reviewed by decision makers. The community amenities proposal will be incorporated into the environmental analysis as appropriate.

The proposed project would comply with the Below Market Rate (BMR) Ordinance requirements by incorporating a minimum of 15 percent of the proposed units as affordable units, resulting in a total of 58 BMR units: 10 BMR townhomes and 48 BMR apartments. Any affordable unit proposed as a community amenity would be in addition to these inclusionary units.

As shown on Figure 6, Proposed Open Space Diagram, the proposed project includes a paseo running north to south that leads to a centrally located publicly accessible neighborhood open space, which provides a central recreation and gathering space. Public frontages on Independence Drive and Constitution Drive are proposed to be activated with residential stoops, lobbies, leasing office, residential amenities, and commercial office space.

The proposed project would include the removal of 85 trees, of which 28 trees meet the definition of “protected” trees under the City’s Tree Preservation and Protection Ordinance (Municipal Code Chapter 13.24, Heritage Trees). The proposed project includes 364 new trees in the project’s landscape.

## **PROJECT APPROVALS**

The proposed project is anticipated to require the following actions, entitlements, and discretionary project approvals from the City:

- Environmental Review
- Use Permit
- Vesting Tentative Subdivision Map
- Architectural Control
- Below Market Rate (BMR) Housing Agreement
- Heritage Tree Removal Permits

In addition, a Housing Needs Assessment (HNA) and a Fiscal Impact Analysis (FIA) will be prepared for informational purposes. Finally, in order to qualify for bonus-level development within the R-MU-B zoning district, the proposed project will also be required to complete an appraisal process to identify the required value of the community amenities and a financial analysis of the applicant's proposed community amenities to determine the fiscal adequacy of the amenities proposed. Review of the proposed project by the City's Planning Commission would be conducted as a part of the EIR review and entitlement process. The Planning Commission would provide a recommendation regarding certification of EIR and action on the proposed project to the City Council. Certification of the EIR and final action on project entitlements would ultimately be by the City Council.

## **RESPONSIBLE AND/OR REVIEWING AGENCIES**

The agencies listed below are expected to review the draft EIR to evaluate the proposed project:

- Pacific Gas & Electric
- California Department of Transportation
- California Regional Water Quality Control Board/San Mateo Countywide Water Pollution Prevention Program
- Native American Heritage Commission
- City/County Association of Governments
- Bay Area Air Quality Management District
- San Mateo County Transportation Authority
- San Mateo County Environmental Health Division
- West Bay Sanitary District
- Menlo Park Fire Protection District

## **PROBABLE ENVIRONMENTAL EFFECTS AND SCOPE OF THE EIR**

The project site is within the ConnectMenlo study area. ConnectMenlo, which updated the City's General Plan Land Use and Circulation Elements and rezoned the land in the M-2 Area (now referred to as the Bayfront Area), was approved on November 29, 2016.

The City has determined that the project warrants a full-scope EIR and thus has elected not to prepare an Initial Study. The EIR is anticipated to include most of the environmental resource topics addressed in CEQA Guidelines Appendix G, specifically:

- Aesthetics and Visual Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population, Employment, and Housing
- Public Services and Utilities
- Recreation
- Tribal Cultural Resources
- Transportation/Traffic

Under a 2017 settlement agreement between the cities of Menlo Park and East Palo Alto, the City is required to prepare an EIR for projects like this one that request bonus level development within the R-MU-B zoning district. The agreement establishes requirements for transportation impact analysis and mitigation and for preparation of a Housing Needs Assessment, both of which will be included in the EIR.

## **ENVIRONMENTAL RESOURCES WITH NO ADVERSE IMPACTS**

The proposed project is not anticipated to result in significant environmental effects in the following areas:

- Agricultural or Forestry Resources
- Mineral Resources
- Wildfire

The project site is fully developed in an urbanized area and located between SR 84 and US 101. As such, there are no agricultural, forestry, or mineral resources on or adjacent to the site and the proposed project would have no adverse effects associated with such resources. Further, wildfires are not a concern because there are no areas of substantial vegetation in proximity to the project site and there are no mapped Fire Hazard Severity Zones near the site. A detailed analysis of these topics will not be included in the EIR.

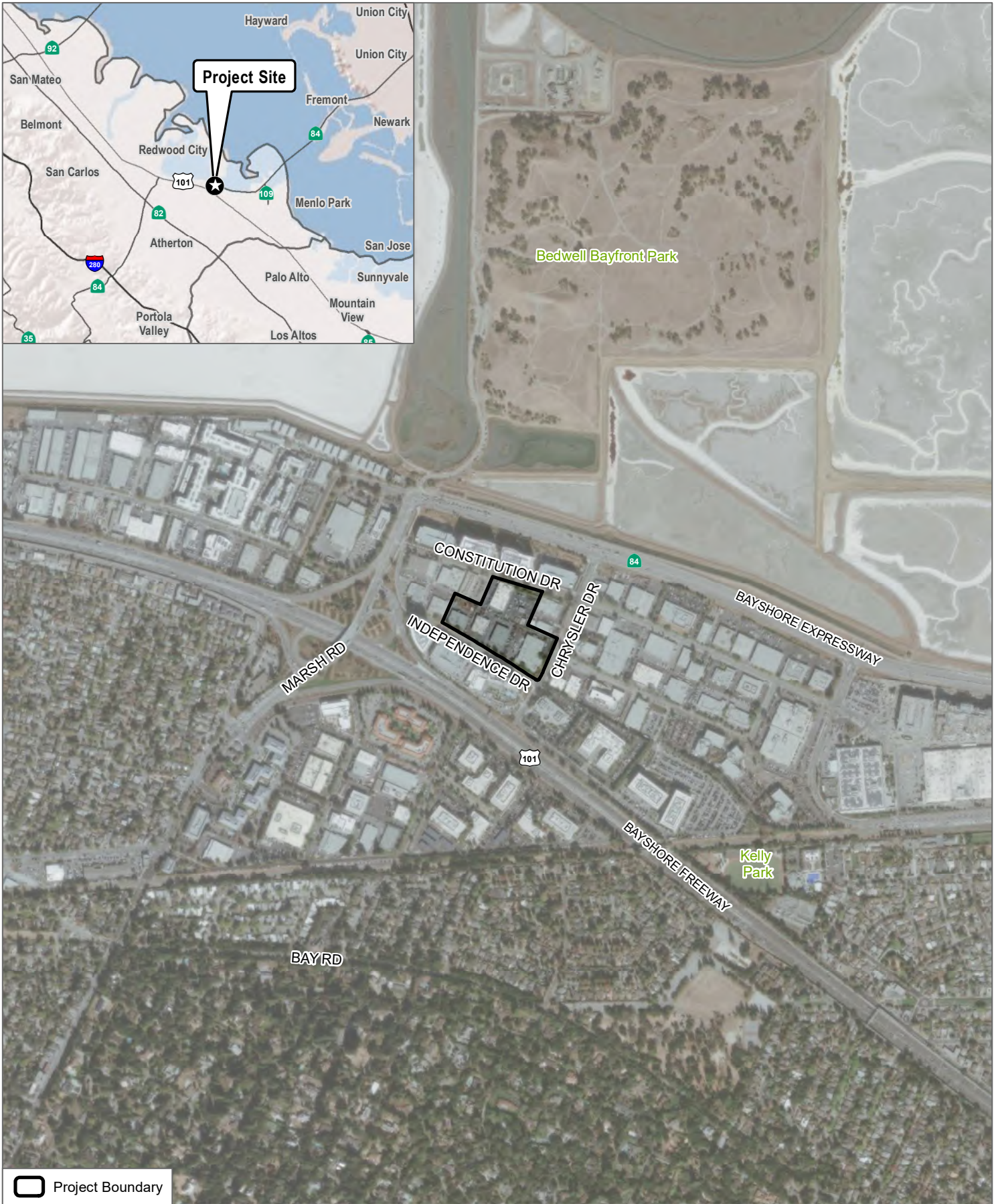
## **ALTERNATIVES**

Based on the significance conclusions determined in the EIR, alternatives to the proposed project that may be capable of reducing any identified impacts will be analyzed. Section 15126.6(e) of the CEQA Guidelines requires the evaluation of a No-Project Alternative. Other alternatives may be considered during preparation of the EIR and will comply with the CEQA Guidelines, which call for a “range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.” The EIR will discuss the process by which alternatives are identified, including consideration of any feasible alternatives that are suggested during the scoping process.

## **EIR PROCESS**

Following the close of the NOP comment period, a Draft EIR will be prepared that will consider all NOP comments. In accordance with CEQA Guidelines Section 15105(a), the Draft EIR will be released for public review and comment for a required minimum 45-day review period. Following the close of the 45-day minimum public review period, the City will prepare a Final EIR, which will include responses to all substantive comments received on the Draft EIR. The Draft EIR and Final EIR and will be considered by the Planning Commission and City Council in considering whether to certify the EIR and approve or deny the Project.

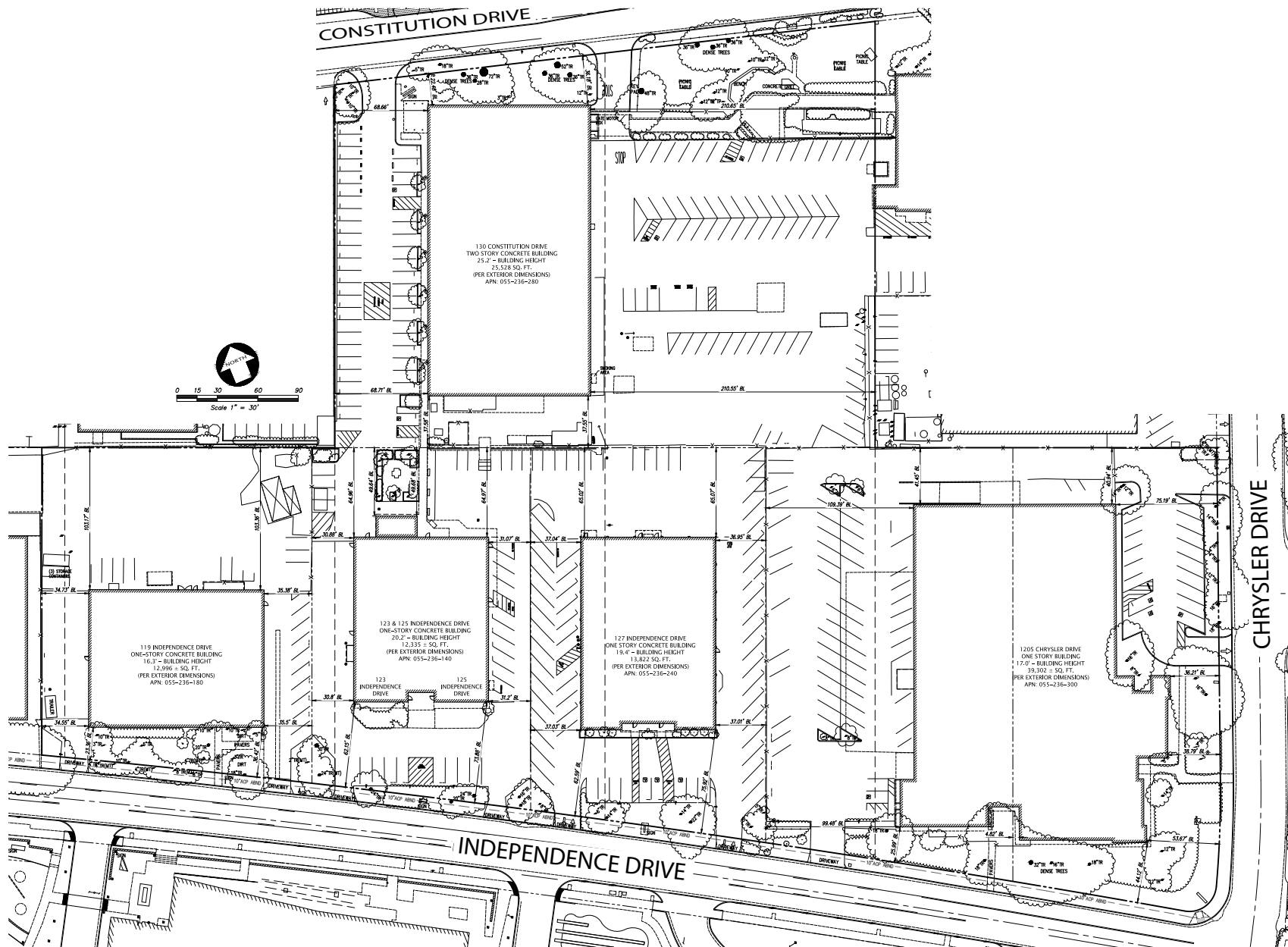




SOURCE: ESRI Basemap (Accessed 2020), San Mateo County 2020

**FIGURE 1**  
**Project Location**  
123 Independence Drive Mixed-Use Project

Plan: 2 Proposed 13175 Independence Drive APN: 055-236-240



SOURCE: Kier+Wright, 2020

**DUDEK**

**FIGURE 2**

Existing Site Conditions

123 Independence Drive Mixed-Use Project

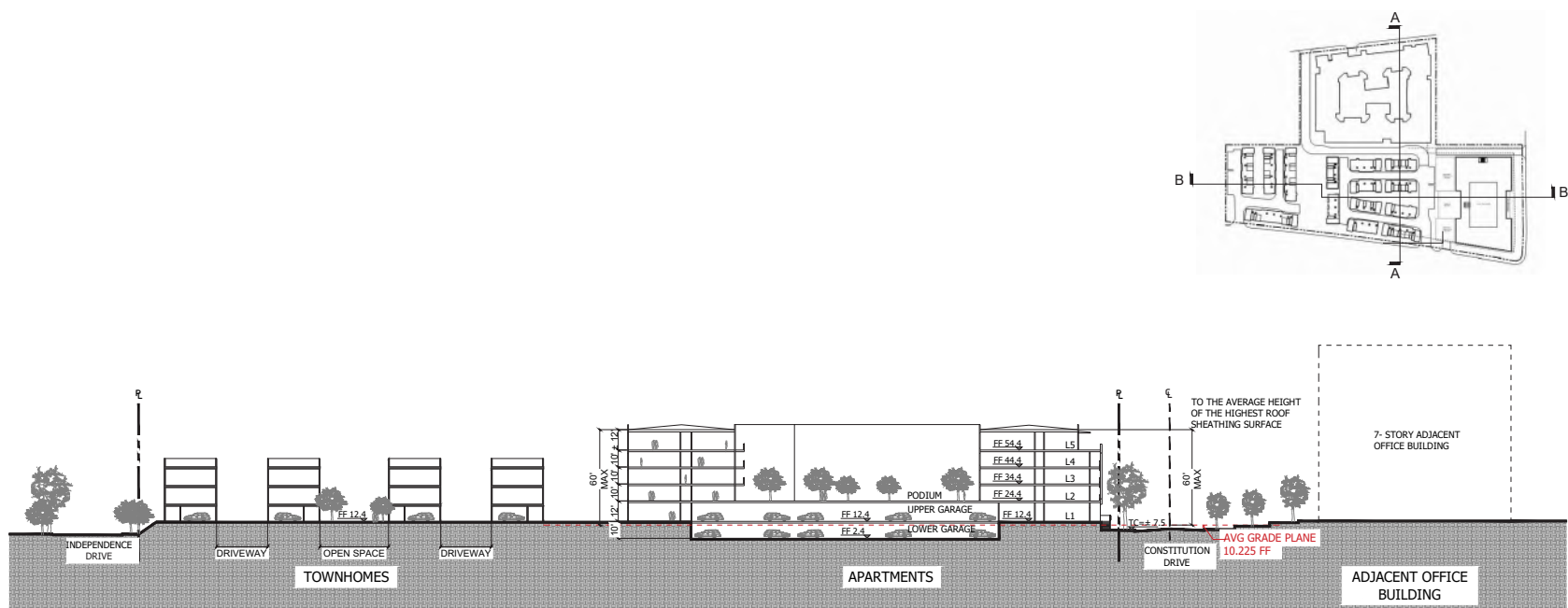




SOURCE: KSH Architects, 2020

**FIGURE 3**

Proposed Illustrative Site Plan  
123 Independence Drive Mixed-Use Project



### SITE SECTION A



### SITE SECTION B

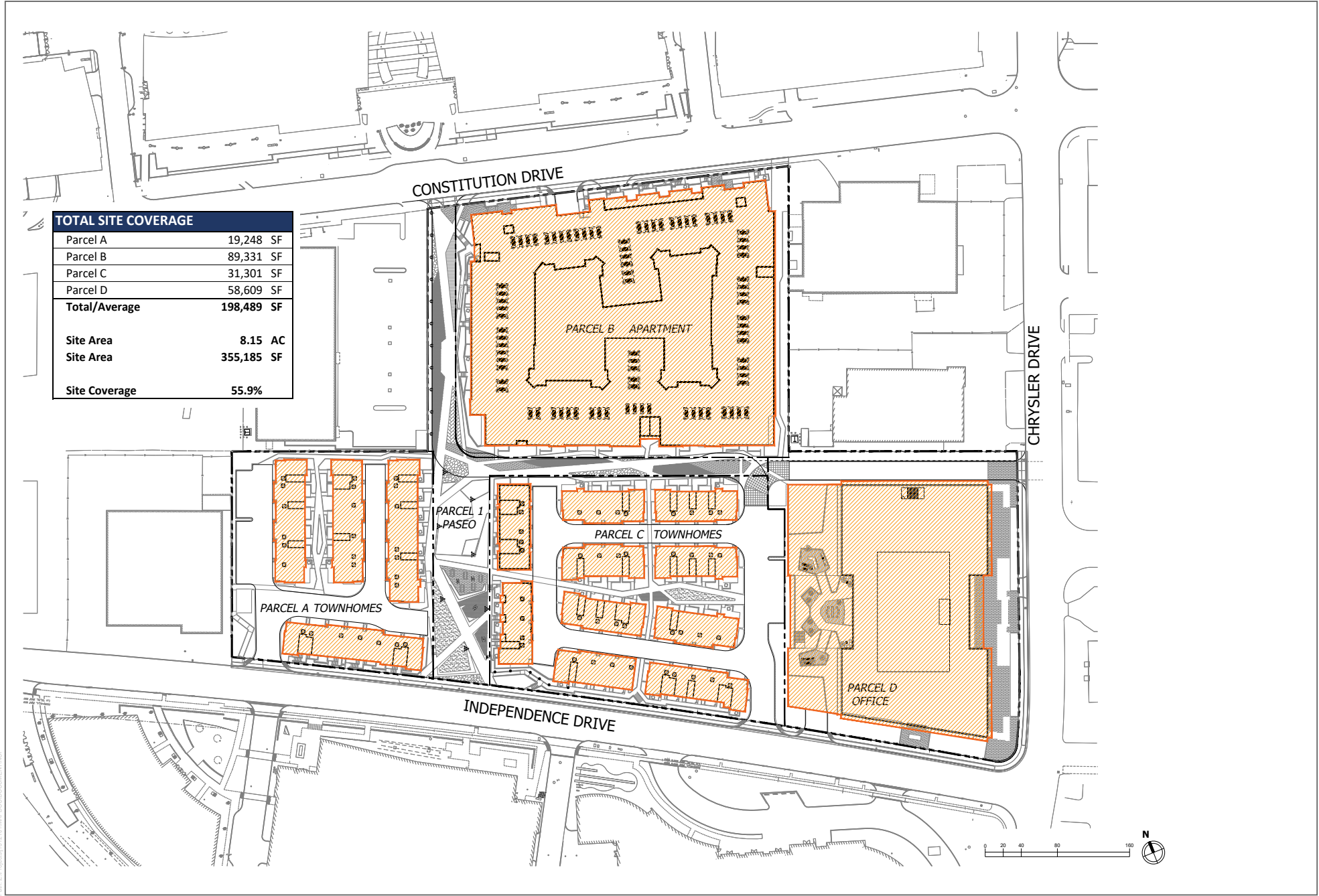
SOURCE: KSH Architects, 2020

**FIGURE 4**

## Proposed Site Sections

123 Independence Drive Mixed-Use Project





SOURCE: KSH Architects, 2020

FIGURE 5

Proposed Square Footage and Building Coverage

123 Independence Drive Mixed-Use Project

