



REVISED NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT 123 INDEPENDENCE DRIVE PROJECT CITY OF MENLO PARK

Date: January 8, 2021, Revised September 10, 2021

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

From: Payal Bhagat
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701 Laurel Street
Menlo Park, CA 94025

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

Lead Agency: City of Menlo Park, Planning Division

Project Title: 123 Independence Drive 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, 055-236-240, 055-236-300, 055-236-280

INTRODUCTION

The City of Menlo Park (City) is the lead agency for the 123 Independence 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.

A previous NOP was circulated in January 2021 based on the original project application, which proposed development of a mixture of residential and office uses. In July and August 2021, the project applicant submitted revised project plans that omits the office component and adds 49 more residential units, resulting

in 12.8 percent more residences than the original application. This revised NOP documents the project revisions. 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 October 11, 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 based on the original project application was held as part of the Planning Commission meeting on January 25, 2021. Minutes from that meeting are available at the City's website: https://www.menlopark.org/AgendaCenter/ViewFile/Minutes/_01252021-3565.

In consideration of the proposed project revisions, another public scoping session for the revised project application will be held as part of the Planning Commission meeting on September 27, 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](https://www.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 environmental resource areas where significant impacts are not expected.

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 October 11, 2021**. However, we would appreciate your response at the earliest possible date. Please send your written comments to Payal Bhagat at the address shown below or by email to PBhagat@menlopark.org with "123 Independence Drive Project EIR" as the subject. Due to the ongoing Covid-19 pandemic, emailed comments are preferred.

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Email: PBhagat@menlopark.org

City's website: [menlopark.org](https://www.menlopark.org)

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

PROJECT LOCATION AND EXISTING CONDITIONS

There has been no change in the project location or existing conditions since the original NOP was circulated. 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, 055-236-240, 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, at 123 and 125 Independence Drive is a 1-story concrete building, approximately 20 feet in height, and approximately 12,300 square feet. 127 Independence Drive is a 1-story building, approximately 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, approximately 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, approximately 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 203,000 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 five lots: A, B, C, D, and 1, and to construct approximately 316 rental apartments and 116 for-sale townhomes, as shown on Figure 3, Proposed Illustrative Site Plan. Lot A would support a 5-story building with 316 rental apartments, stoops along public streets and pedestrian walkways, and approximately 335 parking spaces in a parking structure with a single level below-grade and a single level at-grade. Lots B, C, and D would support 3-story townhomes that would be subdivided via condominium mapping and would be oriented to public streets. Lot B would be developed with approximately 26 townhomes and would include a total of 74 parking spaces. Lot C would be developed with approximately 18 townhomes and would include a total of 24 parking spaces. Lot D would be developed with approximately 72 townhomes and would include a total of 153 parking spaces. Long-term and short-term bicycle parking would also be provided throughout the site. Lot 1 would stretch across the site from Constitution Drive to Independence Drive, with an approximately 013,200-square foot park near the middle of the site and a 12,100-square foot paseo connecting the park to Constitution Drive and to Independence Drive. A pedestrian pathway would also extend to Chrysler Drive. Figure 3 also shows that the project is proposed to include a landscaped courtyard within the center of the apartment building, landscape zones around building perimeters and along street frontages, private balconies and decks for approximately 214 of the apartment units all of the townhomes. The project proposes a total of approximately 25,300 square feet of public open space, 52,500 square feet of publicly accessible open space (landscape zones and street frontage), and approximately 53,870 square feet of common areas and private open space.

Figure 4, Proposed Site Sections, shows the arrangement of buildings and open space and illustrates the proposed building scale and massing. Building heights would range between approximately 32 and a maximum of 60 feet. Figure 5, Circulation Diagram, shows the proposed pedestrian and vehicular circulation through the site. The project proposes two points of pedestrian access to the publicly accessible open space from the paseo on Constitution Drive and Independence Drive. The project also proposes multiple

pedestrian pathways within the site. The project proposes one point of vehicular access to the apartment parking garage from Constitution Drive, two points of vehicular access to the townhomes from Independence Drive, and one point of vehicular access to the townhomes from Chrysler Drive. Public frontages on Independence Drive and Constitution Drive are proposed to be activated with residential stoops, lobbies, leasing office, and residential amenities.

The proposed project would include the removal of 85 trees. The proposed project landscaping includes 388 new trees. The proposed project would also include a back-up diesel-fueled generator for emergency use.

The detailed proposed project plan set is available for review at the City's website:

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

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 66 BMR units: 18 BMR townhomes and 48 BMR apartments.

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, to qualify for bonus-level development within the R-MU zoning district, the proposed project will 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 value of the amenities proposed.

Certification of the EIR and approval of all entitlements except the Vesting Tentative Subdivision Map would be at the discretion of the City's Planning Commission. The Planning Commission would also make a recommendation to the City Council on the Vesting Tentative Subdivision Map and the final action on the subdivision would be at the discretion of the City Council.

RESPONSIBLE AND/OR REVIEWING AGENCIES

The agencies listed below are expected or requested 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
- 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 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 | • Land Use and Planning |
| • Air Quality | • Noise |
| • Biological Resources | • Population, Employment, and Housing |
| • Cultural Resources | • Public Services |
| • Energy | • Recreation |
| • Geology and Soils | • Tribal Cultural Resources |
| • Greenhouse Gas Emissions | • Transportation/Traffic |
| • Hazards and Hazardous Materials | • Utilities and Service Systems |
| • Hydrology and Water Quality | |

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

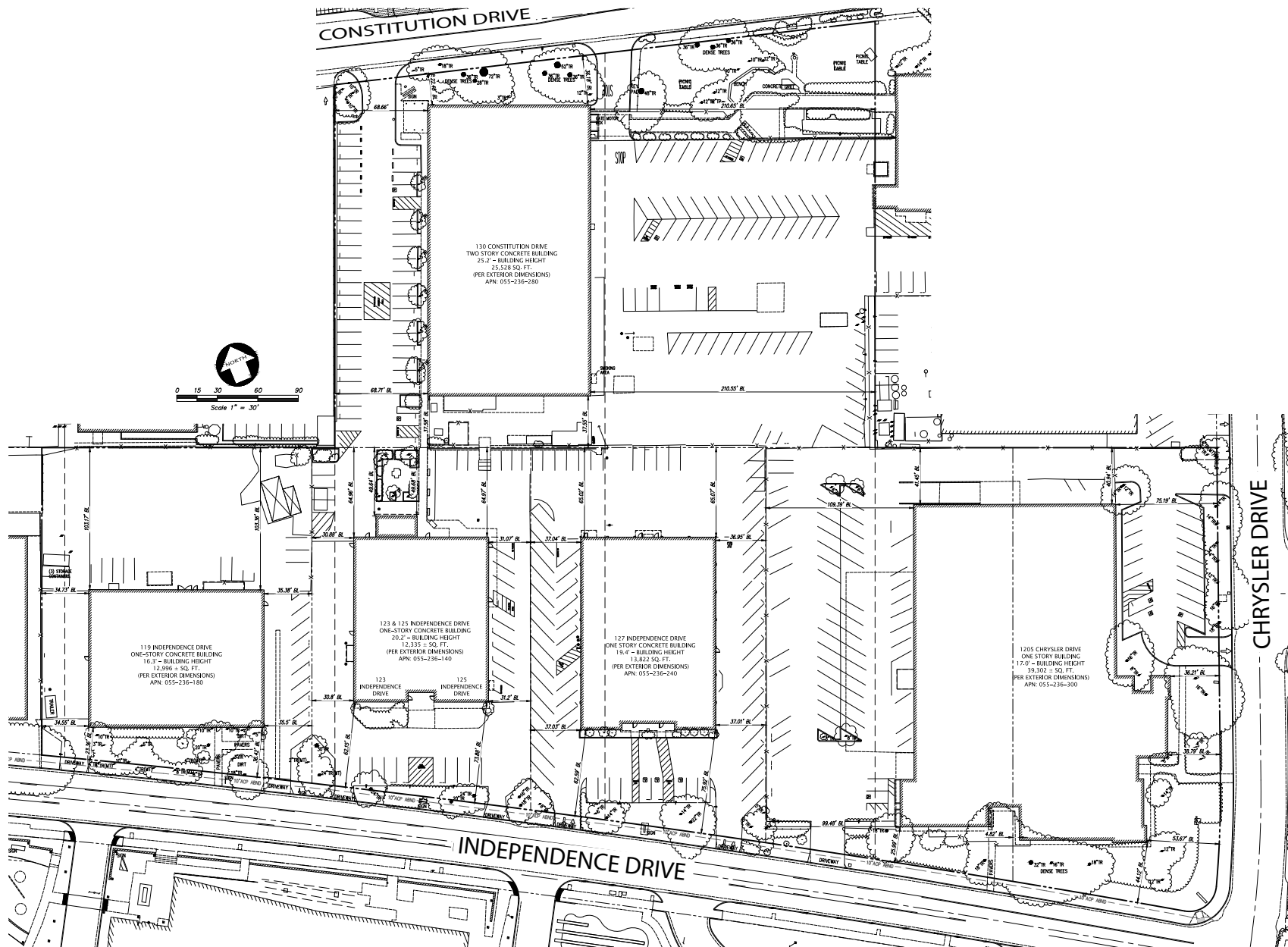
Following the close of the NOP comment period, a Draft EIR will be prepared that will consider all NOP comments. In accordance with CEQA Guidelines Section 15105(a), the Draft EIR will be released for public review and comment for a required minimum 45-day review period. Following the close of the 45-day 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 in considering whether to certify the EIR and approve, conditionally approve, or deny the Project, and in considering what recommendation to make to the City Council regarding the proposed Vesting Tentative Subdivision Map. The City Council will also consider the information provided in the Draft EIR and Final EIR if the EIR is certified by the Planning Commission in determining whether to approve, conditionally approve, or deny the Vesting Tentative Subdivision Map.



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

FIGURE 1
Project Location
 123 Independence Drive Residential Project

Plan: 2 - Proposed 13175 Independence Drive APN: 055-236-280



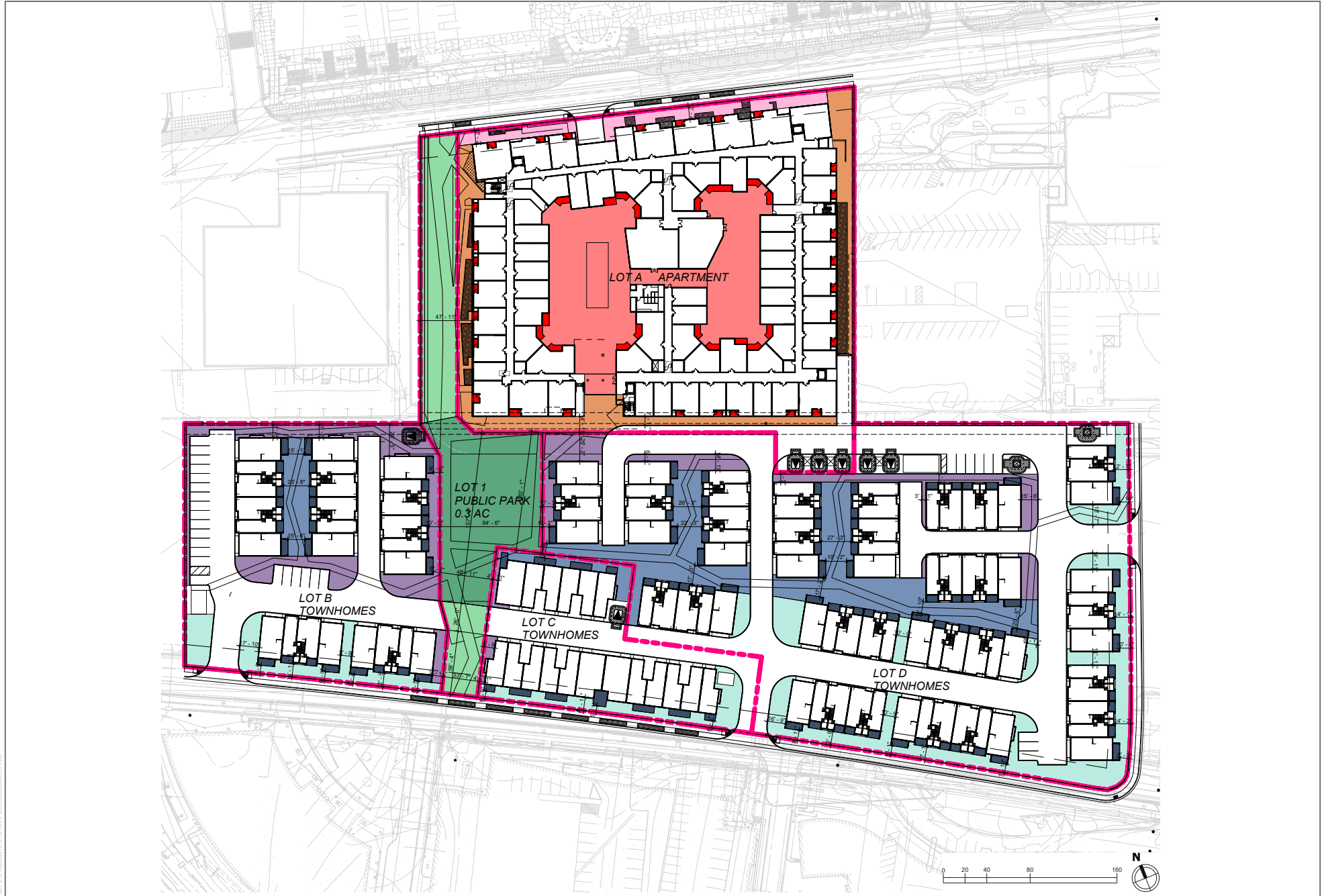
SOURCE: Kier+Wright, 2020

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FIGURE 2

Existing Site Conditions

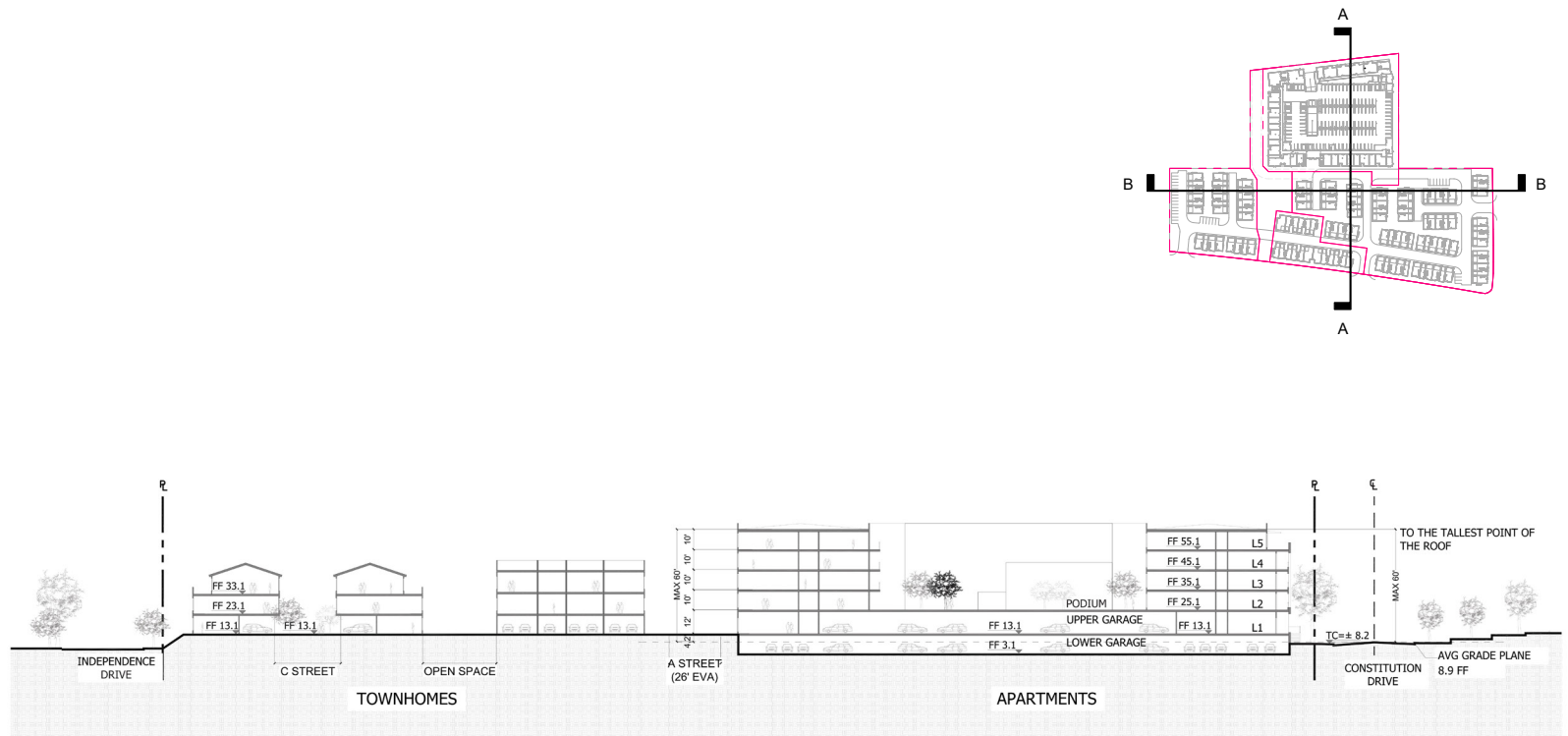
123 Independence Drive Residential Project



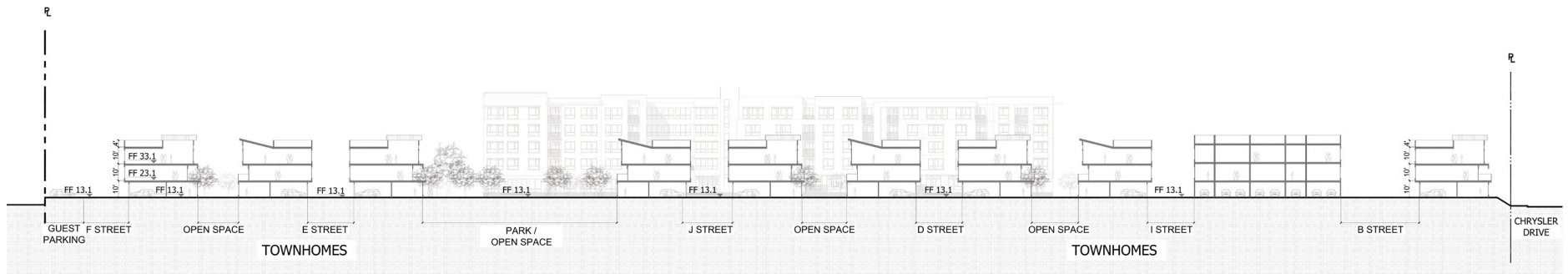
SOURCE: Studio T Square 2021

FIGURE 3

Site Plan and Open Space Diagram
123 Independence Drive Residential Project



SITE SECTION A



SITE SECTION B

SOURCE: Studio T Square 2021

FIGURE 4

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