

# NOTICE OF AVAILABILITY – ENVIRONMENTAL IMPACT REPORT

123 Independence Drive Residential Project  
SCH No. 2021010076  
City of Menlo Park



November 28, 2022

To: State Clearinghouse  
State responsible agencies  
State trustee agencies  
Other public agencies  
Interested organizations

From: Payal Bhagat  
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City of Menlo Park  
701 Laurel St.  
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<b>Subject:</b> Notice of Availability of an Environmental Impact Report for the 123 Independence Drive project	
<b>Lead agency:</b> City of Menlo Park, Planning Division	
<b>Project title:</b> 123 Independence Drive Residential Project	
<b>Project area:</b> Bayfront Area, City of Menlo Park	
<b>Purpose of notice and public review period</b>	
<p>Notice is hereby given that the City of Menlo Park (City), as the lead agency under the California Environmental Quality Act (CEQA), has prepared a Draft Environmental Impact Report (EIR) for the 123 Independence Drive Residential Project (proposed project). In accordance with §15087 of the CEQA Guidelines, the City has prepared this Notice of Availability to invite agencies, organizations, and interested parties to provide comments on the Draft EIR.</p> <p>The minimum 45-day comment period required by CEQA Guidelines §15105(a) for the Draft EIR has been set from Monday, Nov. 28, 2022, through Tuesday, Jan. 17, 2023. The comment period is extended beyond 45 days to ensure the public has time to review and provide comments on the Draft EIR notwithstanding the scheduled City-office closure from Monday, Dec. 26, 2022, through Monday, Jan. 2, 2023. Written or emailed comments on the Draft EIR are due no later than the close of the Draft EIR review period at 5 p.m., Tuesday, Jan. 17, 2023. However, we would appreciate your response at the earliest possible date. Verbal comments may also be provided at a public hearing during the Dec. 12, 2022, Planning Commission meeting.</p> <p>The Draft EIR is available online at <a href="http://menlopark.gov/123Independence">menlopark.gov/123Independence</a>. Printed copies of the Draft EIR are available for review at the Menlo Park Library at 800 Alma St. and the Belle Haven Branch Library at 413 Ivy Drive, both in Menlo Park, CA 94025.</p>	
<b>Project location and existing setting</b>	
<p>As shown in Figure 1, the project site is north of U.S. Highway 101, south of Bayfront Expressway (State Route 84), and east of Marsh Road. It extends northwest from the intersection at Independence Drive and Chrysler Drive, with a portion of the site bounded on the north by Constitution Drive. Surrounding the site there is a mix of offices, commercial business parks, public facilities and hotels. There are also several commercial buildings under development. Under the City's General Plan and M-2 Area Zoning Update (ConnectMenlo) adopted in 2016, the site has been designated as Mixed-Use Residential and zoned R-MU-B.</p> <p>The project site is 8.15 acres spanning over five adjacent parcels containing five existing office and light industrial buildings totaling 103,983 square feet of building space. The current addresses and Assessor's Parcel Numbers (APNs) are:</p> <ul style="list-style-type: none"><li>• 119 Independence Drive – APN 055-236-180</li><li>• 123-125 Independence Drive – APN 055-236-140</li><li>• 127 Independence Drive – APN 055-236-240</li><li>• 130 Constitution Drive – APN 055-236-280</li><li>• 1205 Chrysler Drive – APN 055-236-300</li></ul> <p>Vegetation on the project site consists of 47,859 square feet of decorative landscape, including 29 heritage trees and 56 non-heritage trees. The interior of the site is almost exclusively hardscape, consisting of 307,326 square feet</p>	

of impervious surfaces, including parking lots, streets and walkways. The topography of the project site is generally flat and approximately 7 to 9 feet above mean sea level.

**Project description**

The project proposes to demolish the five existing office and industrial buildings, shift the parcel boundaries to create five new lots, including four building lots (A, B, C and D) and one open space lot (Lot 1), and construct 316 rental apartments and 116 for-sale townhomes. There would be 48 apartments and 18 townhomes designated as Below Market Rate (BMR) units. Lot A would support a 5-story building with 316 rental apartments 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. A total of 251 parking spaces would be provided in a combination of private garages and at-grade parking stalls. Long-term and short-term bicycle parking would also be provided throughout the site. The project proposes to provide an additional eight BMR apartment units as part of the project’s preliminary community amenities proposal resulting in a total of 56 Below Market Rate apartment units.

Lot 1 would stretch across the site from Constitution Drive to Independence Drive, with a 11,945 square-foot park near the middle of the site and a 14,209 square-foot paseo connecting the park to Constitution Drive and to Independence Drive. Landscape zones would be placed around building perimeters and along street frontages and common green spaces would be provided between townhomes and in the apartment building courtyard. Outside of the paseo and park, the project proposes 88,035 square feet of landscaping.

**Project approvals**

The following discretionary approvals by the City would be required before development at the project site:

- Certification of the EIR
- Use permit
- Architectural control
- Below Market Rate (BMR) housing agreement
- Heritage tree removal permit
- Vesting tentative subdivision map

In addition, a housing needs assessment and a fiscal impact analysis have been prepared for informational purposes. Finally, to qualify for bonus-level development within the R-MU-B zoning district, the proposed project would be required to complete an appraisal process to identify the required value of the community amenities and an evaluation of the project sponsor’s proposed community amenities to determine the value of the amenities proposed.

**Responsible agencies**

The City requests that the following agencies review the analysis within the Draft EIR regarding information relevant to your agency’s statutory responsibilities in connection with the proposed project, pursuant to CEQA Guidelines §15086. Your agency may need to use the EIR prepared by the City when considering any permits or other approvals that your agency must issue for the proposed project. This list is not intended to confer responsible agency status to each listed agency.

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

**Introduction to the EIR**

The project site is within the ConnectMenlo study area. ConnectMenlo updated the City’s General Plan Land Use and Circulation Elements and rezoned land in the M-2 Area (now referred to as the Bayfront Area). Because the City’s General Plan is a long-range planning document, the ConnectMenlo EIR was prepared as a program EIR, pursuant to CEQA Guidelines §15168. Consistent with §15168(d) of the CEQA Guidelines, this Draft EIR incorporates relevant analyses and discussions from the ConnectMenlo EIR to streamline the project-specific analysis. In accordance with the terms of the settlement agreement between the cities of Menlo Park and East Palo

Alto, a transportation impact analysis and housing needs assessment were prepared for the project and are referenced in the EIR analysis of the project's potential transportation and population/housing effects.

### **Significant environmental effects**

The Draft EIR finds that the proposed project would not result in any significant and unavoidable impacts. Before mitigation, the proposed project would result in significant impacts related to air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, noise and tribal cultural resources, but these impacts would be reduced to a less-than-significant level with implementation of identified mitigation measures.

### **Hazardous materials and hazardous waste sites**

The Cortese List is a compilation of several different lists of hazardous material release sites that meet the criteria specified in Cal. Gov. Code §65962.5. Although there are documented releases of hazardous materials on the project Site, there are no active hazardous material release sites on the project Site that meet the criteria for inclusion on the Cortese List or are listed on any of the sites enumerated under Cal. Gov. Code §65962.5.

### **EIR process**

In excess of 45-day review period required by CEQA Guidelines §15105(a), the Draft EIR will be available for public review and comment during a 50-day review period. Following the close of the public review period Jan. 17, 2023, 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 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.

### **123 Independence Drive project draft EIR public hearing meeting**

The City of Menlo Park will host a public hearing for the Draft EIR, during the public comment period, Monday, Dec. 12, 2022, during a regularly scheduled Planning Commission meeting beginning at 7 p.m. or as near as possible thereafter via a virtual meeting and in the City Council Chambers, 751 Laurel St., Menlo Park, CA 94025.

The meeting link is available on the Planning Commission agenda on the city website at [menlopark.gov/agendas](http://menlopark.gov/agendas), not less than 72 hours in advance of the meeting.

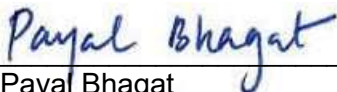
All interested parties are invited to attend the meeting and provide input on the Draft EIR. Written comments should be provided as indicated below.

### **Draft EIR comment submittal**

Comments on the Draft EIR are due no later than the Jan. 17, 2023, close of the Draft EIR review period. However, we would appreciate your response at the earliest possible date. Please send your written comments to Payal Bhagat with "123 Independence Drive Residential Project EIR" as the subject. Emailed comments are preferred. Public agencies that provide comments are asked to include a contact person for the agency.

If you have any questions regarding the proposed project or the EIR process, please contact Payal Bhagat at the contact information listed below.

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Payal Bhagat  
 City of Menlo Park  
 November 25, 2022