



# PLANNING COMMISSION STAFF REPORT

FOR THE PLANNING COMMISSION  
MEETING OF MAY 7, 2012  
AGENDA ITEM D-2

**LOCATION:** East Campus – 1601  
Willow Road  
West Campus – 312 and  
313 Constitution Drive

**APPLICANT:** Facebook, Inc.

**EXISTING USE:** East Campus –  
Corporate Campus  
West Campus –  
Unoccupied Office  
Buildings

**PROPERTY  
OWNER:** East Campus –  
Wilson Menlo Park  
Campus, LLC  
West Campus –  
Giant Properties LLC

**PROPOSED USE:** East Campus –  
Corporate Campus  
West Campus –  
Corporate Campus

**APPLICATION:** East Campus –  
Conditional  
Development Permit  
Amendment,  
Development  
Agreement, Heritage  
Tree Removal Permit,  
and Environmental  
Review  
West Campus –  
Heritage Tree  
Removal Permits,  
and Environmental  
Review

**ZONING:** East Campus - M-2-X  
(General Industrial,  
Conditional  
Development)  
West Campus - M-2  
(General Industrial)

## **PROPOSAL**

Facebook Incorporated (Facebook) seeks to develop an integrated, phased permanent headquarters to accommodate the company's long-term growth potential. This phased approach includes the development of an East Campus (Phase I), followed by the development of a West Campus (Phase II). Currently, Facebook is seeking land use entitlements for the East Campus only, and environmental review for the East Campus and West Campus (entire Project), pursuant to the requirements of the California Environmental Quality Act (CEQA). The requested land use entitlements for the East Campus include amendment of the existing Conditional Development Permit (CDP) to implement a vehicular trip cap (Trip Cap) to accommodate an increase in employees at the site beyond the 3,600 employees currently permitted to occupy the site (coupled with a required Transportation Demand Management program to reduce vehicle trips by 25 percent), execution of a Development Agreement, and Heritage Tree Removal Permits for removal of eight trees related to Phase I undercrossing improvements to facilitate a grade separated connection between the East and West Campuses. Project plans, including conceptual undercrossing plans, are included as Attachment B of this staff report.

The 56.9 acre East Campus is currently developed with nine buildings, which contain approximately 1,035,840 square feet. The existing entitlements for the site allow a maximum of 1,036,000 square feet of development and up to 3,600 employees to occupy the site (coupled with a required Transportation Demand Management program to reduce vehicle trips by 25 percent). Facebook currently has approximately 2,200 employees at the site. Facebook has completed tenant improvements to convert the hardware-intensive laboratory spaces and individual hard-wall offices to a more open, shared workspace characteristic of the Facebook work environment, which is intended to foster innovation, teamwork, and creativity.

As part of Phase I of the proposed Project, the applicant seeks to implement a Trip Cap to allow an increase of employees beyond the 3,600 employees currently permitted on the site (coupled with a required Transportation Demand Management program to reduce vehicle trips by 25 percent), per previously granted approvals. The Trip Cap includes a maximum of 2,600 trips during the AM Peak Period from 7:00 a.m. to 9:00 a.m. and the PM Peak Period from 4:00 p.m. to 6:00 p.m. and a maximum of 15,000 daily trips. The Trip Cap would allow approximately 6,600 employees to occupy the East Campus.

The second phase of the Project contemplates construction of five buildings totaling approximately 440,000 square feet of gross floor area, consistent with M-2 (General Industrial) zone requirements, and an associated five-story parking structure. The proposed height of the buildings would exceed the 35-foot maximum height limit in the M-2 zone and a rezone to M-2-X (General Industrial, Conditional Development) and approval of a CDP would be required to exceed the height limit. The applicant anticipates submitting land use entitlements for the West Campus this summer.

The second phase of the Project is anticipated to house approximately 2,800 employees for a total of approximately 9,400 employees working at both the East and West Campuses at full occupancy. Collectively, both Project phases would result in approximately 5,800 more employees than are currently permitted under the existing land use entitlements for the East Campus.

Specifically, the proposed phased Project would require the following actions:

### **East Campus – Phase I**

1. **Conditional Development Permit Amendment (CDP)** to implement a vehicular trip cap that would include an AM and PM peak period, and daily trip cap to accommodate an increase in employees at the site beyond the 3,600 employees currently permitted to occupy the site;
2. **Development Agreement (DA)** to create vested rights in project approvals, address implementation of the proposed design and infrastructure improvements in the project area, and specify benefits to the City;
3. **Heritage Tree Removal Permits** to remove one heritage tree on the East Campus and seven heritage trees on the West Campus to facilitate construction of Phase I undercrossing improvements; and
4. **Environmental Impact Report (EIR)** to analyze the potential environmental impacts of the proposed Project.

### **West Campus – Phase II**

1. **Rezoning** the project site from M-2 to M-2-X to exceed the M-2 zoning district's 35-foot height limit and build up to 75-feet;
2. **Conditional Development Permit (CDP)** to establish development regulations;
3. **Lot Merger/Lot Line Adjustment** would be required to merge the existing two parcels that make up the West Campus site; alternatively, a lot line adjustment would be required to ensure that no buildings cross property lines;
4. **Lot Line Adjustment** would be required to facilitate additional Emergency Vehicle Access (EVA);
5. **Heritage Tree Removal Permits** would be required for each heritage tree to be removed;
6. **Below Market Rate Agreement (BMR)** for the payment of in-lieu fees associated with the City's Below Market Rate Housing Program;
7. **Development Agreement (DA)** to create vested rights in project approvals, address implementation of the proposed design and infrastructure improvements in the project area, and specify benefits to the City; and
8. **Environmental Impact Report (EIR)** to analyze the potential environmental impacts of the proposal (one EIR was prepared to analyze both the East and West Campus phases of the Project).

In addition, the land use entitlement process includes the development and review of a Fiscal Impact Analysis (FIA), which is currently available in final form.

## **BACKGROUND**

On February 8, 2011, the City received a preliminary application from Facebook to commence the environmental review process for the Facebook Campus Project, inclusive of Phases I and II discussed above, as well an application for a CDP amendment and Development Agreement for Phase I (East Campus) of the Project. Since that date, numerous meetings have been held and milestones achieved, which are specified in Attachment C.

## **PROCEDURE**

As outlined in the table in Attachment C, the Planning Commission is scheduled to review and provide a recommendation on the Environmental Impact Report completed for both Project phases, the East Campus CDP amendment, East Campus Development Agreement, and heritage tree removal permits required to construct phase I undercrossing improvements at its regular meeting on May 7, 2012. The Planning Commission should formulate its final recommendation for the City Council in a manner that addresses all of the actions identified in Attachment D and described below. The City Council is scheduled to review the Project at a special meeting on May 29, 2012, and on June 5, 2012.

## **ANALYSIS**

### **Proposed Project**

The Project components currently subject to land use entitlement review include Phase I of the Facebook Campus Project. Phase I is primarily related to the East Campus and includes the amendment of the existing CDP to implement a Trip Cap to accommodate an increase in employees at the site beyond the 3,600 employees currently permitted to occupy the site (coupled with a required Transportation Demand Management program to reduce vehicle trips by 25 percent), execution of a Development Agreement, and Heritage Tree Removal Permits for removal of eight heritage trees on both the East Campus and West Campus related to Phase I undercrossing improvements.

### **Project Land Use Entitlements**

The proposed Project requires various land use entitlements as summarized below.

#### ***Conditional Development Permit Amendment***

On May 19, 1992, the City Council approved a CDP and rezone of the Project site from M-2 to M-2-X. The CDP and "X" overlay allow for flexibility from zoning requirements, except Floor Area Ratio (FAR), while providing greater certainty regarding the parameters of a particular development proposal. The existing CDP specifies development standards for the Project site, conditions of approval and a requirement for compliance with the Master Site Plan approved as part of the CDP. Specifically, the Master Site Plan, associated vested elements of Project approval, and conditions of

approval establish the maximum permissible employment density of the project site as 3,600 employees and includes a Transportation Demand Management program that is required to attain a 25 percent reduction in drive alone commuting. Facebook seeks to amend the existing CDP to implement a Trip Cap to accommodate an increase in employees at the site beyond the 3,600 employees currently permitted to occupy the site.

The Trip Cap includes a maximum of 2,600 trips during the AM Peak Period from 7:00 a.m. to 9:00 a.m. and the PM Peak Period from 4:00 p.m. to 6:00 p.m. and a maximum of 15,000 daily trips. The Trip Cap would allow approximately 6,600 employees to occupy the East Campus. Specific parameters regarding the Trip Cap can be found in the Trip Cap Monitoring and Enforcement Policy, which is included as Attachment G. This document has been updated since its first publication in the January 9, 2012 staff report to include information about the penalty fee structure for any violations of the Trip Cap. This document addresses the following issue areas:

- Definitions – explanation of terminology utilized;
- Monitoring – discussion regarding how the trip cap would be monitored; and
- Enforcement – discussion regarding how the Trip Cap would be enforced, including penalties associated with any violations of the Trip Cap.

Key components of the proposed Project that would assist Facebook in achieving compliance with the Trip Cap include a Transportation Demand Management program and enhanced bicycle and pedestrian circulation on-site, and connecting to the Project site from the adjacent community.

The Project proposal subject to review for the CDP amendment does not include construction activities on the East Campus. However, it does include improvements related to the completion of the Phase 1 improvements of the Bayshore Expressway (State Route 84) undercrossing and the associated access paths. The proposed improvements are intended to occur in three phases, beginning with approval of the land use entitlements for the East Campus and continuing with development and completion of the West Campus. The following is a summary of the proposed phasing plan for access improvements to the existing undercrossing to facilitate a connection for pedestrian and bicycle traffic, and ultimately a people mover under Bayfront Expressway.

- **Phase 1:** Approval of the land use entitlements for the East Campus - would include the following elements:
  - Provide pedestrian and bicycle multi-use path to connect from Willow Road to south side of existing undercrossing (proximate to Willow Road along West Campus);
  - Provide access to undercrossing on the East Campus (north) side. Provide pedestrian and bicycle multi-use path and connection to Bay Trail. Provide sidewalks and crosswalk improvements to connect from the undercrossing to the main entrance of Building 10 (across campus ring road);

- Maintain existing undercrossing cross-section (with raised sidewalk), and provide access to a pedestrian and bicycle multi-use path;
- Provide new plantings, species to be selected from Save the Bay Plan list; and
- Lighting improvements for the undercrossing and along pedestrian and multi-use paths on both sides of the undercrossing.
- **Phase 2:** During Construction of the West Campus – would include the following elements:
  - Reconfigure pedestrian and bicycle multi-use path to connect from Willow Road to south side of undercrossing proximate to West Campus (if necessary) to avoid construction areas;
  - Temporary (to be defined) closure of undercrossing during certain phases of construction. Detour pedestrians and bicyclists to use the existing crosswalk crossing Bayfront Expressway and pedestrian signals at Willow Road/Bayfront Expressway intersection; and
  - Maintain existing undercrossing cross-section (with raised sidewalk) and provide access to a pedestrian and bicycle multi-use path.
- **Phase 3:** Build Out of the West Campus – would include the following elements:
  - Improve undercrossing to allow for use by pedestrians, cyclists and Facebook people-mover system;
  - Install pump system to address any potential flooding of undercrossing;
  - Reconfigure West Campus pedestrian and bicycle multi-use path from Willow Road to south side of the undercrossing, if necessary, to replace temporary construction path;
  - Install any final permanent pedestrian and bicycle improvements on Willow Road along West Campus frontage, including sidewalks or multi-use path; and
  - Install traffic control devices on both sides of the undercrossing for controlling ingress/egress from the people-mover system into the undercrossing.

Conceptual plans for Phase I undercrossing improvements are included in Attachment B on plan sheets EL.2, EL.3 and EL.4. If the Project is approved, per the conditions of approval in the CDP, Facebook would be required to submit a complete undercrossing improvement plan set to the City within 60 days of the effective date of the Development Agreement.

The resolution recommending approval of the amended and restated CDP, and the draft amended and restated CDP are included as Attachments E and F, respectively. The CDP relies on the project plans, inclusive of the conceptual Phase I undercrossing plans, and includes conditions of approval, along with all of the mitigation measures from the EIR. The conditions of approval that are not EIR mitigations are generally standard conditions of approval with more Project specific conditions of approval associated with the construction of the undercrossing improvements. The applicant is generally amenable to the recommended conditions of approval pending input from the public, Planning Commission and City Council.

## ***Development Agreement***

A Development Agreement is a legally binding contract between the City of Menlo Park and an applicant that delineates the terms and conditions of a proposed development project. A Development Agreement allows an applicant to secure vested rights, and it allows the City to secure certain benefits. Development Agreements are enabled by California Government Code Sections 6584-65869.5. The City Council adopted Resolution No. 4159 in January 1990, establishing the procedures and requirements for the consideration of Development Agreements (Resolution No. 4159 is available upon request at City offices or on the City's website). Facebook is requesting a legally binding Development Agreement in concert with the requested CDP amendment.

The City's negotiating team has been meeting with the applicant team since the City Council authorized negotiations to begin on February 14, 2012, in order to define the terms of the Development Agreement. The term sheet was presented to and unanimously approved by the City Council on April 17, 2012. In summary, the Project includes the following public benefits:

1. Use of an underutilized site for a global headquarter campus for the world's most prominent social networking company;
2. A high-density use in close proximity to major highways and transit routes and encouragement of alternative modes of transportation through aggressive Transportation Demand Management program;
3. A guaranteed revenue stream in lieu of sales tax for as long as the land use entitlement to exceed 3,600 employees remains in place;
4. Creation of a Local Community Fund with an initial contribution of \$500,000;
5. Development of a High School Internship Program;
6. Exploration of housing opportunities through potential investments in low income housing tax credits and possible financial contribution to a housing development project;
7. Cooperation in any effort to underground electrical transmission lines;
8. Participation in work to help close the Bay Trail Gap;
9. Participation in the Caltrans Adopt-a-Highway program for five years;
10. Provision of enhancements to the Bayfront Expressway undercrossing;
11. Exploration of creating a Willow Road business improvement business district and provision of seed funding up to \$50,000;
12. Ecologically sensitive improvements to the existing public trails around the perimeter of the East Campus;
13. Sponsorship of job training programs and events;
14. A guaranteed payment of \$1.1 million for funding of capital improvement projects;
15. Commitment to being sensitive to endangered species and other wildlife near the San Francisco Bay and adjacent to the Don Edwards San Francisco Bay National Wildlife Refuge when considering landscaping, window treatments, lighting, levee maintenance, and storm water treatment measures;
16. Pursuit of Leadership in Energy and Environmental Design certification; and
17. Pedestrian and bicycle circulation improvements in the Cities of Menlo Park and East Palo Alto.

The term sheet has been transformed into a 40 plus page Development Agreement, and all terms approved by the City Council are either included in the Development Agreement, in the Conditional Development Permit, and in some cases, in both documents. In addition, some topics covered in the Development Agreement crossover into mitigations measures included in the EIR. The draft ordinance to approve the Development Agreement and the draft Development Agreement are included as Attachments H and I, respectively.

Separately from the City's negotiations with the applicant, Facebook is also working with the City of East Palo Alto on a separate agreement. The East Palo Alto City Council will review the term sheet that has resulted from these negotiations at its meeting on May 1, 2012. Depending on the action taken at that meeting, it is possible that certain documents will require modification before they are presented to the Menlo Park City Council.

### ***Heritage Tree Removals***

The applicant is requesting approval for removal of eight heritage trees in order to construct Phase I undercrossing improvements, as discussed above. The proposed Heritage Tree removals include one tree on the East Campus and seven trees on the West Campus. All trees proximate to the undercrossing improvements, inclusive of those tree identified for removal are shown on plan sheet EL.5 and discussed in the East Campus and West Campus arborist reports, which are included as Attachments K and L, respectively. In summary, the requested eight tree removals include:

#### **East Campus**

- Blackwood Acacia, good health (tree 36).

#### **West Campus**

- Lombardy Poplar, fair health (tree 605);
- Lombardy Poplar, fair health (tree 606);
- Fremont Poplar, fair health (tree 607);
- Lombardy Poplar, good health (tree 613);
- Lombardy Poplar, good health (tree 614);
- Lombardy Poplar, good health (tree 619); and
- Lombardy Poplar, good health (tree 622).

The City Arborist has reviewed all requested tree removals, and recommends approval of the requested removals. His review of the requested tree removals indicated that the trees are in fair to good health and are of inferior species. The majority of the trees have extensive suckers and have not been properly maintained over time. The removal of heritage trees requires Heritage Tree Removal Permits and a minimum two-to-one replacement ratio. The applicant is proposing to plant a total of 28 replacement trees (12 on the East Campus and 16 on the West Campus), which will be consistent with the landscape palette provided on the Save the Bay Plant List.

### **FISCAL ANALYSIS**

The City's independent economic consultant, Bay Area Economics (BAE) prepared a Fiscal Impact Analysis (FIA), projecting the potential changes in fiscal revenues and service costs directly associated with development of the proposed Project. The FIA also explores a number of related topics, including indirect revenues/costs from potential induced housing demand, as well as one-time/non-recurring revenues (such as impact fees), and potential additional opportunities for fiscal benefits. The Draft FIA was released on December 8, 2011 for a public comment period that ended on January 23, 2012. The Draft FIA was reviewed by the Planning Commission at its January 9, 2012 meeting, where verbal comments from Commissioners and public comment were accepted on the Draft FIA, and transcribed for response as a component of the Final FIA. The January 9, 2012 Planning Commission staff report for this item includes a summary of the Draft FIA.

The Final FIA, dated April 6, 2012, was prepared in response to comments on the Draft FIA, and to address the recent dissolution of the City's Community Development Agency (Redevelopment Agency). Given the fact that the ultimate fiscal implications of the State Supreme Court's actions to dissolve Redevelopment Agencies are not yet clear, the Final FIA only includes a qualitative analysis of this change. The quantitative findings regarding the Community Development Agency's revenues have been left in the Final FIA for informational purposes. The City and other agencies analyzed in the FIA will receive additional funds from the dissolution of redevelopment agencies; however, the actual amounts are yet to be determined.

A memorandum providing a response to comments for all comments received on the Draft FIA is a companion document to the Final FIA. Both the Final FIA and the memorandum were released for public review on April 23, 2012, and both documents are available for review on the City's website, at the Library and at the Community Development Department.

The FIA does not require action by either the Planning Commission or the City Council. The Planning Commission and City Council should consider the FIA in reviewing the Project proposal. The Commission may provide comments on the FIA for the City Council's consideration as part of the Commission's recommendation on the Project proposal.

## **ENVIRONMENTAL REVIEW**

A Notice of Preparation (NOP) for the Facebook Campus Project was released on April 21, 2011 and was circulated for a 36-day review period. The NOP was provided to responsible agencies and interested parties and was made available for public review on the City's web site, at the library, and at the Community Development Department. The Planning Commission held a scoping meeting on May 16, 2011 to receive comments from the public and interested public agencies and organizations on the issues that should be addressed in the EIR. The written and verbal comments received on the NOP were used to inform the issue areas reviewed in the Draft EIR.

The Draft EIR analyzes both the East Campus and West Campus components of the Project, and was released on December 8, 2011 for a 47-day public comment period that was specified to end on January 23, 2012. City staff received three requests to extend the public comment period, and the City Council considered these requests at its meeting on January 10, 2012, and approved an extension of the public comment period until January 30, 2012. With this extension, the total public comment period provided for the Draft EIR was 54-days. The Planning Commission held a public hearing on January 9, 2012 to provide an opportunity for verbal public comment on the Draft EIR. In addition to the comments made at this meeting, 50 written comments were received on the Draft EIR. Both the verbal and written comments are included in, and responded to, in the Final EIR prepared for the Project.

The Final EIR, which includes responses to comments and revisions to the Draft EIR, was released on April 23, 2012 for public review. The Final EIR is available for review on the City's website, at the Library and at the Community Development Department.

The EIR analyzes the potential impacts of the Project across a wide range of impact areas. The EIR evaluates 16 topic areas as required by the California Environmental Quality Act (CEQA), as well as one additional topic area specific to the project site (Wind). The 16 required topic areas include: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Mineral Resources, Noise, Population and Housing, Public Services, Transportation, and Utilities. Given the phased nature of the Project, these topic areas were analyzed separately for both the East and West Campuses, and then collectively for the entire Project proposal. The EIR identifies significant and unavoidable impacts in the following categories: Air Quality, Noise, and Transportation. Except as updated by the Final EIR, these significant and unavoidable impacts were explained in detail in the January 9, 2012 Planning Commission staff report.

The key differences between the Draft EIR and the Final EIR are related to biological resources, transportation, and air quality, and are summarized below:

- Biological Resources: Additional analysis was completed relative to the potential for biological impacts on the East Campus related to the proposed increase in employee density, and the required tree removals for the undercrossing improvements. As a result of this analysis, an additional mitigation measure has been added for the East Campus requiring that nesting bird surveys be completed if work is done during the bird nesting period. Specific to the West Campus, as a result of additional analysis and public comments, mitigation measures have been added requiring preconstruction surveys for burrowing owls, and implementation of bird-safe design standards.
- Transportation: As the result of comments made by the City of Palo Alto, re-analysis of the potential for impacts at the intersection of Middlefield Road and Lytton Avenue determined that the Project would have a less than significant impact (previously significant and unavoidable) impact at this intersection. In addition, minor changes have been made to the mitigation measure at the

intersection of Middlefield Road and March Road, based upon written comments received and discussions with the Town of Atherton prior to the release of the Final EIR.

- Air Quality: To further address air quality impacts, an additional mitigation measure has been added, which requires the installation of a Cogentra combined heat and power system on building 11 on the East Campus. This mitigation measure will decrease the operational emissions of reactive organic gas (ROG), nitrogen oxide (NOx), and particulate matter (PM<sub>10</sub>), but not to a less than significant level.

The responses and revisions in the Final EIR substantiate and confirm or correct the analyses contained in the Draft EIR. No new significant environmental impacts, no new significant information, and no substantial increase in the severity of an earlier identified impact have resulted from responding to comments.

In order to complete the EIR process and certify the document, CEQA requires the preparation of Findings for Certification of the EIR, adoption of a Statement of Overriding Considerations for significant and unavoidable impacts resulting from implementation of the Project, and adoption of a Mitigation Monitoring and Reporting Program (MMRP). The Findings for Certification are required to acknowledge that the EIR was completed in compliance with CEQA, the EIR was presented and reviewed by the decision making body, and the EIR reflects the City's independent judgment and analysis. The Statement of Overriding Considerations is required to include specific findings that the project includes substantial benefit that outweighs its significant, and adverse environmental impacts. Finally, the MMRP establishes responsibility and timing for implementation of all required mitigation measures.

As discussed previously, the EIR analyzed environmental impacts associated with both Phase I (East Campus) and Phase II (West Campus) of the Project. As such, the Finding for Certification of the EIR is applicable to both the East Campus and West Campus components of the Project. Adoption of a Statement of Overriding Considerations and MMRP are associated actions related to land use entitlements. As such, the Statement of Overriding Considerations and MMRP attached to this staff report are specific to the East Campus component of the Project. Similar documents would be prepared for the West Campus component of the Project and presented to the Planning Commission and City Council with the land use entitlement requests.

The draft resolution certifying the EIR, draft resolution adopting the Statement of Overriding Considerations and adopting the Mitigation Monitoring and Reporting Program, and the Mitigation Monitoring and Reporting Program are included as attachments M, N, and O, respectively.

The Planning Commission should review and forward a recommendation to the City Council on the Findings for Certification, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program. The City Council will be the final decision-making body on all documents associated with the certification of the EIR, adoption of

the Statement of Overriding considerations and adoption of the Mitigation Monitoring and Reporting Program.

## **CORRESPONDENCE**

Since the April 17, 2012 City Council meeting, staff has received only one letter of comment. This letter is from the Town of Atherton voicing its concerns about the traffic analysis prepared for the Project. This letter is included as Attachment O and will be responded to by City staff at the Planning Commission meeting on May 7, 2012. It should be noted that City staff did reach out to Town of Atherton staff prior to the release of the Draft EIR, and have subsequently met with them to discuss the Draft EIR and Final EIR. All past correspondence is on file at the Community Development Department.

## **RECOMMENDATION**

The proposed East Campus Project would occupy an existing underutilized corporate campus and is projected to generate approximately 3,000 new jobs for the City. To minimize impacts to the community, the Project proposal includes a Trip Cap and robust Transportation Demand Management program, which would limit the increase in vehicular trips associated with the Project, and related air quality and noise impacts. As part of the review of the Project, an Environmental Impact Report was prepared, which determined that the Project would result in significant and unavoidable impacts related to transportation, air quality and noise. However, as identified in the Fiscal Impact Report prepared for the Project, implementation of the Project is projected to have a net positive fiscal impact for the City. Finally, the Project would provide extensive public benefits as presented in the Development Agreement prepared for the Project, including monetary contributions to the City's General Fund, financial contributions to the community, and environmental stewardship.

Staff believes that the Project includes substantial benefits that outweigh its significant, and adverse environmental impacts. As such, staff recommends that the Planning Commission recommend that the City Council adopt a resolution approving the requested amended and restated Conditional Development Permit, approve an ordinance for the Development Agreement, adopt a resolution approving the Heritage Tree Removal Permits, adopt a resolution certifying the Environmental Impact Report, and adopt a resolution adopting the Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program, as specified in Attachment D. If the Planning Commission does not believe that the potential positive benefits outweigh the potential negative impacts, staff recommends that the Planning Commission provide input to the Council on each of requested actions.

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Rachel Grossman  
Associate Planner

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Justin Murphy  
Development Services Manager

## PUBLIC NOTICE

Public notification consisted of publishing a legal notice in the local newspaper and notification by mail to all property owners and occupants within a quarter-mile (1,320 feet) radius of the Project site. The mailed notice was supplemented by an email update that was sent to subscribers of the project page for the proposal, which is available at the following address: [http://www.menlopark.org/projects/comdev\\_fb.htm](http://www.menlopark.org/projects/comdev_fb.htm)  
In addition to allowing for interested parties to subscribe to email updates, the Project page provides up-to-date information about the Project, as well as links to previous staff reports and other related documents.

## ATTACHMENTS

- A. [Location Map](#)
- B. [Project Plans](#)
- C. [Meetings and Milestones](#)
- D. [Recommended Actions for Approval](#)
- E. [Draft Resolution Approving the Amended and Restated Conditional Development Permit](#)
- F. [Draft Amended and Restated Conditional Development Permit](#)
- G. [Trip Cap Monitoring and Enforcement Policy](#)
- H. [Draft Ordinance approving the Development Agreement](#)
- I. [Draft Development Agreement \(without exhibits\)](#)
- J. [Draft Resolution approving the Heritage Tree Removal Permits](#)
- K. [Facebook East Campus Arborist Report prepared by SBCA Tree Consulting, date April 6, 2012](#)
- L. [Facebook West Campus Arborist Report Survey Addendum prepared by SBCA Tree Consulting, dated July 19, 2011](#)
- M. [Draft Resolution Certifying the Environmental Impact Report](#)
- N. [Draft Resolution Adopting the Statement of Overriding Considerations and Adopting the Mitigation Monitoring and Reporting Program prepared for the Facebook Campus Project, East Campus](#)
- O. [Mitigation Monitoring and Reporting Program prepared for the Facebook Campus Project, East Campus](#)
- P. [Town of Atherton Comment Letter, April 26, 2011](#)

**Note:** Attached are reduced versions of maps and diagrams submitted by the Applicant. The accuracy of the information in these drawings is the responsibility of the Applicant, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

## EXHIBIT TO BE PROVIDED AT MEETING

None

## DOCUMENTS AVAILABLE FOR REVIEW AT CITY OFFICES AND WEBSITE

- [Draft Environmental Impact Report prepared by Atkins, dated December 2011](#)
- [Draft Fiscal Impact Analysis prepared by BAE, dated December 2011](#)
- [Planning Commission Staff Report on the Draft EIR, Draft FIA and Project Study Session, dated January 9, 2012](#)
- [Final Environmental Impact Report \(EIR\), including Response to Comments, dated April 2012](#)
- [Final Fiscal Impact Analysis \(FIA\), dated April 2012](#)
- [FIA Response to Comments, dated April 2012](#)
- [City Council Staff Report on the Draft Term Sheet, dated April 17, 2012](#)

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