From: aldeivnian@gmail.com [mailto:aldeivnian@gmail.com] **On Behalf Of** Adina Levin
Sent: Thursday, January 28, 2016 3:15 PM
To: Chow, Deanna M
Cc: Mueller, Raymond; Ohtaki, Peter I; Katherine Strehl; Murphy, Justin I C; McIntyre, Alex D; Heineck, Arlinda A; Nagaya, Nicole H; Cogan, Jim C; Taylor, Charles W
Subject: GPAC and Transportation recommendations

Dear Council Members, fellow GPAC members, and staff,

Following are comments on the proposed zoning regulations for the General Plan focusing on the M2 area, with respect to transportation policies. These comments refine the recommendations that the Transportation Commission has sent earlier.

1. Strengthen trip reduction goal. The current draft includes a 20% vehicle trip reduction requirement, which is a much lower goal than other recent plans adopted by cities with a strong interest in sustainable transportation. Staff explained two concerns: first of all, there will be employers and residences of varying sizes, which will not on their own be able to provide strong TDM programs; and second, Dumbarton Corridor and other transit improvements are uncertain in timing.

   To address these concerns:
   a. The Plan already requires a Transportation Management Association. The goal of a TMA is to be able to provide high-quality trip reduction programs for employees and residents, at a much stronger level than smaller entities can provide on their own. For example, the TMA could provide shuttles open to the public; carpool access to people who work near each other in smaller companies; transit pass discount management and personalized commute coaching for employers that do not have full time staff working on transportation benefits. With an effective TMA, the area should be able to acheive a stronger trip reduction goal of ~60% drivealone mode share (where North Bayshore was before additional trip reduction requirements)
   b. Better transit service in the future will enable stronger vehicle trip reduction. Therefore, this plan should include one or more future phases for a time when there is better transit. The goal at that time should be 45% drivealone mode share (same as Mountain View North Bayshore)
   c. Of course, the expert staff and consultants should review these numbers for appropriateness, based on these assumptions of a high-performing TMA and future transit solutions.

2. Explicitly list parking pricing as a TDM measure. Staff explained that the list of measures in the draft zoning is not intended to be exhaustive. However, parking pricing measures, including parking cashout and permit parking, such that transit become competitive on an out-of-pocket basis to driving - are among the most powerful tools to encourage mode shift

3. Clarify that trip/mode share data will be public information. The current language indicates that the information will be reported to Economic Development staff. City Staff has verified that the information will be available to public request, though the means of reporting may vary. This should be written explicitly.

I apologize for the late date of these comments, but needed to make sure to have staff clarification on the details of the draft before making comments to refine the policies.

Thank you for your consideration,

- Adina

Adina Levin
GPAC Member representing Transportation Commission
650-646-4344

From: Chow, Deanna M
Sent: Thursday, January 28, 2016 12:16 PM
To: Malathong, Vanh
Subject: FW: GPAC and Comments on Sustainability

From: Jeannie S. Hylkema [mailto:jeannie.hylkema@ddbo.com] **On Behalf Of** David D. Bohannon II
Sent: Thursday, January 28, 2016 11:45 AM
To: Chow, Deanna M; 'harrybims@me.com'; 'david.bohannon@ddbo.com'; 'vincent@missionctrl.com'; James Cebrian; 'Kristin.kuntz.duriseti@gmail.com'; Adina Levin; Mueller, Raymond; Ohtaki, Peter I; 'rroyse@rroyselaw.com'; Katherine Strehl; 'Lmichele.tate@gmail.com'; 'mzumstein@rmkb.com'; Cindy
Cc: Murphy, Justin I C; McClure, William; Prince, Leigh; McIntyre, Alex D; Heineck, Arlinda A; Nagaya, Nicole H; Cogan, Jim C; Taylor, Charles W; Jeannie S. Hylkema; David D. Bohannon II
Subject: GPAC and Comments on Sustainability

Dear fellow GPAC Members,

I will have a lot to say at tonight's GPAC meeting, but I wanted to share with you some feedback from a sustainability consultant, Andrea Traber of Integral Group, with whom we work on our Menlo Gateway project. She has significant experience in this field. She forwarded me the language below, and I thought her comments represented an authoritative, even tempered assessment of the proposed zoning as it relates to her area of expertise.

I found this very helpful and articulate, and Andrea graciously gave me permission to send her comments along to you. I hope you also find them helpful in advance of tomorrow night. – Dave

I reviewed the main aspects of the draft M2 zoning. I should be clear that these are my own comments and come from reviewing and interacting with many, many policies and codes and generally keeping an eye on what's happening in California and the US. My comments include:

- In general, I find it laudable in its attempts to identify key issues—they are all there. However, it reaches too far and pushes virtually all burden on to owners/developers for meeting aggressive carbon and sustainability goals on ALL projects ALL at once. Most successful policy making is done in phases, with respect for project types and technical feasibility, as well as cost feasibility. For the tougher elements, they are usually tied to stretch goals and are linked to incentives (e.g. density bonuses, reduced parking, etc.). This policy does not come across as having made any of these considerations or having researched the details. It comes across as naïve. For example:
    - All of the water measures are very expensive on a project basis, regardless of size or building type. While I am VERY much in favor of on-site gray water reuse I have recently done a very detailed analysis for a major project and it simply is not affordable. I'm talking a minimum of $500k to over $1M for one option. The $/gallon is very, very high. This policy is too far ahead of the market, and I would like to see some participation by the City, the County, the water agencies to first remove the existing barriers for gray water reuse in buildings before placing mandates, and they should consider some incentives for participation in a gray water or district systems. Menlo Park should seriously consider bringing

municipal reclaimed water to the City. This could be much more cost effective and could be of greater benefit than transferring the cost and complexity on to property owners.

- The 80% on-site energy is the most egregious example of one-size-fits-all policy making. This is the most aggressive attempt to push ZNE and carbon free development on to owner/developers I've ever seen. It's way too far ahead of code and will definitely create a barrier if applied to ALL projects. There are MANY current activities by the California Energy Commission, the Building Standards Commission and other state agencies focused on figuring out how we are going to meet California's 2020 (Residential) and 2030 (Commercial) ZNE building code. It's not easy. This attempt oversimplifies it and is out of step with those efforts. While I applaud MS's attempt to provide an alternative for fossil-free development, it is also way too far out in front of development and the market. I mentioned that we have done a few carbon free and many ZNE projects in our engineering practice, and there are very successful models for doing these projects, but an immediate requirement for all projects is very unrealistic technically and cost-wise. You asked about some of our carbon free projects; the Packard Foundation in Los Altos is one of the most relevant and accessible projects. https://www.packard.org/about-the-foundation/our-green-headquarters/ It is also a very well-funded and "one-off" project.
- I also find the policy confusing in that is does not reference or acknowledge the CCE at all, which may result in confusion about how to apply either, and it does not recognize the benefits the CCE will bring to reach the stated goals. The CCE is a big support, and I am totally in favor of it.
- While a Resiliency Plan is a great idea, again, applying it to all projects is completely untenable. At the very least, it needs to be defined. In addition, Menlo Park needs to start with its own Resiliency Plan, building on its climate action plan, which has a great influence and contributes to the ability of property owners to do their own project resilience plans and be resilient.

- The project size of 10,000+ SF is very low, resulting in high cost burden. Most LEED policies kick in at 25,000 or 50,000 SF, and always differentiate on building type. LEED for Operations + Maintenance is not appropriate for construction or renovation projects, and should not be in this code. Given the change to LEED v4 in Q3 2016, the Gold requirements will be 1-2 levels above achievable goals. LEED v4 is much more stringent, which is why few projects are pursuing it, and there will be rating slippage so Gold will be too high. Even San Francisco, who has a very good, defensible and successful LEED Gold policy is considering how to deal with the v4 problem, and they will likely go with some embedded stretch goals for the new areas that are not yet achievable. Lastly, LEED ND (Neighborhood Development) is not a well-used system and to require it on "large" (vague) projects is confusing, misleading and redundant with the other LEED requirements if they are applied.

I have additional comments, but in general this policy is not vetted well enough in my opinion. I don't know what outreach and stakeholder involvement has occurred. I strongly suggest that happen. For reference, San Francisco spent a solid two years in a Task Force process with owners and developers in the room before it implemented its policy. It's one of the best around and has been very effective, and will survive LEED v4 and energy code upgrades. We spent 1.5 years facilitating the City of Cambridge in their carbon neutral policy, and they set goals for 2025 and 2030. This policy needs much more of a roadmap and a stakeholder process to result in successful uptake, market transformation, and ultimately meet aggressive carbon reduction goals.

Best, Andrea

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From: Jeannie S. Hylkema [mailto:jeannie.hylkema@ddbo.com] **On Behalf Of** David D. Bohannon II
Sent: Thursday, January 28, 2016 4:11 PM
To: Chow, Deanna M; 'harrybims@me.com'; 'david.bohannon@ddbo.com'; 'vincent@missionctrl.com'; James Cebrian; 'Kristin.kuntz.duriseti@gmail.com'; Adina Levin; Mueller, Raymond; Ohtaki, Peter I; 'rroyse@rroyselaw.com'; Katherine Strehl; 'Lmichele.tate@gmail.com'; 'mzumstein@rmkb.com'; Cindy; harrybims@me.com; vincent.bressler@gmail.com; heidibutz@aol.com; James Cebrian; Kristin.kuntz.duriseti@gmail.com; Adina Levin; Mueller, Raymond; Ohtaki, Peter I; rroyse@rroyselaw.com; Katherine Strehl; Lmichele.tate@gmail.com; mzumstein@rmkb.com
Cc: Murphy, Justin I C; McClure, William; Prince, Leigh; McIntyre, Alex D; Heineck, Arlinda A; Nagaya, Nicole H; Cogan, Jim C; Taylor, Charles W; Frank.Petrilli@arentfox.com; Tosta, Timothy A. (Tim.Tosta@arentfox.com); Jeannie S. Hylkema; David D. Bohannon II
Subject: GPAC Comments on Draft Zoning Proposal

Dear fellow GPAC members,

I prepared some remarks for tonight and wanted to pass them along to you in writing in advance for your consideration.

As the only major property owner on the GPAC, I have dedicated countless hours of personal time to this important General Plan Update process. Until now, I have been really pleased with how collaborative, open and transparent that process has been.

Having reviewed the recently released proposed zoning standards, with advice from my architects, consultants, sustainability experts and land use team, I have to admit that I'm frustrated. The zoning standards really seem to have turned the process on its head. I know that a lot of my concerns are shared by others, and I believe that a lot of the issues that are likely to be raised tonight could have been caught and resolved early on. Unfortunately, that didn't happen.

I'm also concerned that as a result of the approach, there's a risk of creating a political perception that somehow the developers and owners, in talking about technical and economic feasibility and good design, are trying to avoid responsibility to the community. Nothing could be further from the truth. We have all worked cooperatively and tirelessly on this. We share the same big-picture objectives, and want to see the process work for all of our mutual benefit.

On one level, I can appreciate the intent behind the drafting, which identifies a lot of the key issues we've been talking about over the past year and a half. But I think it reaches way too far, and imposes all of the burdens on the owners, for all projects of all sizes, and all at once, without enough consideration given to what is technically or economically feasible.

The fundamental goal – which is to allow an incremental amount of growth at modest densities, while delivering on what the community most needs –seems to have been lost. Instead, the regulations seem to embrace other single-issue group agendas and the result is a set of standards that compete with each other, and are internally inconsistent in a lot of places. It mistakes the trees for the forest. So now, I think we need to step back and decide which items are too expensive and impracticable, and what our real priorities are. If we don't, then surrounding communities will be happy

to grow on their own. The traffic and quality of life for our neighbors will just continue to get worse. And Menlo Park will get nothing.

Moving forward, I would recommend to that City schedule a series of meetings, as soon as possible, to undertake a detailed review of the proposed zoning with staff, the City's consultants, other stakeholders, and our own experts to discuss how to address the main issues, which to my mind are as follows:

First, we need to figure out (i) what kind of economic feasibility analysis was conducted, if any, (ii) how the community amenity and appraisal process is going to work, and (iii) what is truly viable. If it's not economically feasible to comply with all of the prescriptive standards and bonus development requirements, then no additional development would occur and the community's vision to create a 21st century business destination and provide long needed community amenities just won't happen.

Second, we need to address the planning and design issues. They are currently overly prescriptive and need to be more flexible, or, alternatively, customized. There really are only about five or six large projects that could potentially come out of this program. And they're in different areas, with different constraints and opportunities. This raises the key question of whether we an overarching set of uniform, "one size fits all" standards is the right way to go.

Lastly, the entire sustainability discussion needs to be considered in light of what is technically and economically feasible, what makes sense for different building types and sizes, and how these changes should be phased in over time. All of the measures really need to be tested in terms of cost, benefits, and technical feasibility. I also think that this should be part of a City-wide program with the City taking a leadership role before project-level requirements are established.

I'm eager to hear how the rest of the GPAC feels, but I think the process would really benefit from some working sessions to refine the zoning standards and get to a result that is workable, prioritizes the right things, and allows for great design.

There's a lot more to say on the substance of the regulations themselves, and I look forward to a vibrant discussion. Thanks for your time, and I look forward to seeing all of you this evening.

Sincerely,
David D. Bohannon II

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January 27, 2016

General Plan Advisory Committee
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

RE: Proposed M-2 Area Zoning

Dear Members of the General Plan Advisory Committee (GPAC),

Thank you for your participation on this important committee and for convening again to review the January 7, 2016 Draft Zoning Proposal, produced as part of the ConnectMenlo process. While we appreciate the effort the City and its consultants put into the draft zoning over the past few months, we were surprised that GPAC, the residents, and the landowners were not given previous opportunities to provide input into the formulation of this draft.

As the draft was only recently released, we are still in the process of developing detailed comments, but we want to take this opportunity to provide GPAC with our preliminary feedback on the draft zoning so that we can begin a discussion and provide input. Our comments fall into three main categories: (i) community benefits, and their computation and implementation, (ii) concerns about planning and design standards, which appear to be very prescriptive and lacking in flexibility to allow for creative and innovative site planning, and (iii) concerns about the aggressive sustainability mandate, which we believe embraces many of the right goals but goes too far in some instances and contains elements that are untested.

- **Community Benefits:** At best, the Community benefit calculation is confusing. We cannot determine how and when the calculation is to be made, how the benefits are to be priced and implemented, and how other community amenities would be credited against the benefit obligation. Moreover, we are concerned that the calculation as presented seems to oversimplify the economics of land development. Moving forward, we would hope that the process will include meetings with the City's consultants so we can better understand how benefits are to be calculated, ensure that appropriate credit is provided for projects that incorporate features or mitigations that should count as community amenities (including mandated public space dedications), and create additional flexibility to focus on the community's top-most priorities which are likely to change over time.

- **Planning and Building Standards:** The zoning is very prescriptive and lacks flexibility to allow for creative site-specific planning. Certain ideas, such as pedestrian paseos and "build-to" requirements, may make sense in certain areas (perhaps the R-MU areas along Willow and in the Jefferson area), but may not make sense in the office districts. The form-based standards seek to impose an urban "grid" format that will not work for the larger campus sites. In addition not all sites are suitable for open space and the 20% requirement may in some cases be excessive and unnecessary.

- **Green Building Ordinance:** There are some very good ideas that are achievable in the proposed "Green and Sustainable Building" regulations, but we have significant concerns about a number of elements that are on the "bleeding edge" and may be infeasible. For example, some of the LEED targets are relevant and achievable; others are untested and not cost/benefit effective. The on-site energy generation targets are incredibly ambitious and are simply not attainable for most projects, even very large projects, due to physical site constraints and other factors. With respect to water, most of the proposed requirements are not currently permitted by the City's Building Code and many are not cost effective for smaller or medium-sized projects. Finally, the sea-level funding requirements appear to unfairly burden M-2 Area property-owners with problems that will need to be solved at the regional or state level. For these and other initiatives to be viable, the goals and targets must be tempered by what is feasible (both economically and functionally).

Again, we believe that the proposed zoning contains some very interesting ideas, many of which may be achievable with appropriate clarifications and definitions. We would, therefore, request that GPAC recommend that City staff and Placeworks work together with input from the community and M-2 Area property-owners to further refine the draft zoning, modify or eliminate the provisions that don't make sense, and allow for flexibility so that asking for "exceptions" doesn't become the norm.

We appreciate all of your time and commitment to the ConnectMenlo process and look forward to working with the City and our neighbors together to refine the proposed zoning and help deliver on a sustainable vision for the M-2 Area.

Sincerely,

Fergus O'Shea

Fergus O'Shea
Director of Campus Facilities
Facebook, Inc.

Address: 1 Hacker Way
Menlo Park, CA 94025

From: Lily Gray [mailto:lgray@midpen-housing.org]
Sent: Thursday, January 28, 2016 2:50 PM
To: Chow, Deanna M
Subject: ConnectMenlo - input on draft regulations

Hi Deanna,

I hope you're doing well!

I had a couple comments to make on the draft regulations discussed at the meeting on January 14th.

1. The first is on the C-2-B zoning where there are revisions to allow residential above ground floor retail. If the goal is to have the C-2-B parcels developed as mixed-use with ground floor retail and residential above, we would recommend the following modifications to the zoning district:

    - Ability to go to 4 stories, which means 45' if the ground floor is retail
    - Given the scale of the sites, the density would need to be higher to make a feasible project. Recommend using the R-4-S or R-MU density and FAR.
    - Retail and residential parking requirements should match the new R-MU district

2. The second is on the community amenity valuation process. I think that the process could use clarification. Can you provide examples of the various amenities listed that demonstrate how they would be valued and how that corresponds to the increased density? For the amenities listed that are on-going services, how are you planning to value these and what would the expectation be on duration of the provision?

Thanks and looking forward to the meeting this evening.

Lily Gray | Sr. Business Development Manager
MidPen Housing Corporation
303 Vintage Park Drive, Suite 250, Foster City, CA 94404
lgray@midpen-housing.org
t. 650.356.2963 c. 650.477.9705

Sobrato Development Company, LLC
Sobrato Builders, Incorporated
Sobrato Construction Corporation
Sobrato Family Holdings, LLC
Sobrato Family Foundation

1/28/16

City of Menlo Park
Attn: General Plan Advisory Committee
701 Laurel Street
Menlo Park, CA 940125

Re: M2 Zoning Update

Dear Members of the GPAC:

We appreciate the efforts of the City and the Community in updating the General Plan for the M2 Area, and are excited to see the process gaining momentum. As you know, The Sobrato Organization has been an active participant in this process as well as an active property owner in the M2 Area.

While our first project in the M2 is an office project, our ongoing interest is in helping the M2 become a true neighborhood. We laud the vision and goal of creating a healthy vibrant neighborhood that embodies a live-work-play environment that is also environmentally thoughtful. Our focus in particular is the development of mixed-use residential.

We strongly believe that the residential development in the M2 will aid the City in its goals to provide more housing and services for the Belle Haven Community while minimizing traffic impacts. Housing in the M2 will help offset the traffic created by the other uses by allowing workers to live within walking or biking distance of their jobs, and will help support retail amenities by increasing the 24/7 population that will be vital for their success. Additionally, housing in the M-2 will help address the growing housing affordability crisis in the area by bringing much needed housing at a variety of income levels. Because we believe so strongly in the need to encourage housing in the M2, our comments will largely focus on the residential mixed-use zoning, though we also own property in the office zones.

The draft zoning language for the R-MU District recently published is a good start to the City realizing the vision of a vibrant neighborhood. However, the zoning can go much further to encourage the development of both affordable and market rate housing at a meaningful scale by incenting density. We believe some portions of the draft zoning language will make housing unnecessarily expensive, both discouraging development at appropriate densities and raising housing costs, without any clear benefit to the City or its residents. To address these concerns, we suggest the draft zoning language needs several adjustments. Those adjustments can be broken down into two broad categories, Community Amenities and Development Regulations.

Community Amenities
Put simply, the creation of housing and particularly affordable housing is the most meaningful Community Amenity a mixed-use project can offer. To this end, we are supportive of the concept that in return for greater density, residential projects provide 15% of the additional units at below market rents. To ensure economic diversity and housing stock for critical members of the community (teachers, and firefighters for example), we suggest that these units be allocated as 5% moderate, 5% low and 5% very low rather than only the low and very low limits proposed.

Requiring Community Amenities in addition to BMR units penalizes denser residential development which seems contrary to the goals of the City and the Community. For residential projects, the BMR requirement should be the primary Community Amenity required for Bonus Density. The cost of additional Community Amenities will simply raise the cost of housing, thereby reducing the affordability of the market rate units and discouraging density resulting in housing being developed at a scale that will not have a measurable impact. Housing production close to employment and services is critical to reducing traffic impacts of the other uses, helps provide relief from the current housing crisis, and aids in the feasibility of certain critical Community Amenities desired such as grocery stores or pharmacies.

Development Regulations
As to the Development Regulations, we want to ensure that they are clear and congruent with the densities that are envisioned for the R-MU Zoning District. We are still seeking clarification from staff on the intention of some of the language, but based on our interpretation we recommend a few adjustments to help ensure the zoning language will result in projects that meet the intent of the plan. Given the importance of the zoning language we suggest another GPAC meeting prior to Planning Commission to give us an opportunity to work with staff on the various issues raised. Based on our initial review we suggest the following changes so that the vision outlined in the plan may be realized:

> **Permitted Uses**
> We understand that the goal of the R-MU Zoning District is to encourage and allow mixed-use development. To help realize that goal we suggest that permitted uses should include multi-family residential exceeding thirty (30) dwelling units per acre and administrative and professional offices larger than twenty thousand (20,000) square feet of gross area subject to those certain requirements that would allow Bonus Density, rather than be a Conditional Use.
>
> **Development Regulations**
> We support the codification of Development Regulations, but suggest it be done in such a way that at varying levels staff, the planning commission, and the city council have the discretion and flexibility to make changes if the project meets the intent of the plan. We suggest the Development Regulations be referred to as Design Guidelines with the ability of staff, the

planning commission or the city council to allow for variations from the Design Guidelines to provide flexibility for unique situations that may arise over time and may not have been considered when drafting the zoning language.

Maximum Height
In regards to the R-MU Zoning District, we suggest to best achieve the density and open space goals that the maximum height be increased on a site-by-site basis dependent upon surrounding uses. One area we are seeking to develop is bounded by Constitution, Jefferson and Independence Drives, in-between Menlo Gateway, and will be surrounded by structures that will be up to 120 feet tall. In order to best achieve the densities and open space envisioned we believe we would need the same height, and that such height would be in context with the surrounding uses.

Minimum Open Space Requirement
The concept of a network of new Paseos and Roads for certain sites is an important part in helping make a connected neighborhood, but we have some concerns regarding the overall open space requirement which will require further study to ensure that it will work with the densities envisioned.

Transportation Demand Management
The most effective transportation demand management program in the M2 will be the production housing in the area. One of the main benefits of market rate housing here will be to mitigate the impact of the increased office space by providing homes that are within walking or biking distance. This should be recognized by encouraging as much residential density as possible.

We support the goals of TDM programs and will incorporate the suggested measures to achieve a 20% reduction in trip generation from a project. We also support compliance efforts to ensure that the TDM program measures are being fully implemented. We cannot support any requirement that restricts the movements of occupants of a project through trip counts. Growth is going to occur around Menlo Park, but the new residential and office in the M2 will help make it a destination rather merely an area that is passed through on the way to other residential or employment centers which have no benefit to Menlo Park.

Base Height and Building Modulation
We understand the need for ensuring good design but we are concerned about the results Design Regulations that are too prescriptive, and would like to work with staff on solutions that do not result in a cookie cutter one-size fits all approach.

Building Projections
Based on our review we suggest that building projections such as balconies may need to be greater than 5 feet to meet ADA requirements.

Ground Floor Transparency
Projects within the R-MU District may have both residential and commercial uses on the ground floor of a project; we recommend that for residential the requirement should be 30% both for the privacy of residents and energy efficiency. The 70% standard is appropriate for commercial uses.

Minimum Ground Floor Heights
We suggest that the ground floor requirements for the residential minimum be different from commercial minimum height requirement and suggest that minimum requirement for residential be 12 feet, and 15 feet for commercial.

Rooftop Elements
Given cooling and energy efficiency goals we suggest that the City focus on screening equipment, we believe that a Development Regulation limiting the area of roof that may be occupied by mechanical equipment may limit the ability to use the best technology available.

Green and Sustainable Buildings
Through discussion with our LEED consultant we have learned that LEED for Neighborhood Development (LEED ND) may not be feasible because required infrastructure does not exist today. We are still reviewing this proposed Development Regulation and will provide more specific information to staff with ideas on alternatives to meet the intent of this requirement.

Energy Efficiency
Energy efficiency and encouragement of renewable energy are critical issues. However, generation of renewable energy is an issue that should be addressed on a city-wide basis to have a measurable impact. As written the requirement to offset 80% of electrical consumption with on-site renewables is not feasible.

Water Efficiency
We applaud potable water reduction strategies, but in order for some of these measures to be feasible recycled water will need to be available and presently it is not. We suggest that the Development Regulations reflect the present condition by requiring dual plumbing if appropriate but not requiring the use of recycled water if it is not available.

Hazard Mitigation and Sea Level Rise
We need to better understand if the City's strategy is to require that new buildings are to be built approximately 5 feet above the average current grade of the M2 Area, or if the City will adopt a broader strategy to protect the Community. If the requirement in the M2 Area will be to raise projects by 5 feet, then the overall height limits should be increased to factor that requirement.

Bird Safe Design
We support the requirement for Bird Safe Design but suggest it be done on a site-by- site basis by requiring an assessment of each project to determine risks and appropriate mitigation measures.

We appreciate the vision of the City of Menlo Park and the Community, and appreciate being part of the public process that will help Menlo Park grow in a controlled manner that results in a well planned live-work-play neighborhood that is environmentally thoughtful, and provides needed Community Amenities. We have made the following suggestions in the spirit of trying to help create a great plan and a model for other communities to follow that has the ability to be realized. We are more than happy to consult with staff on these matters further to help ensure that the vision can become a reality.

Best Regards
The Sobrato Organization

Richard Truempler
Vice President, Development

TARLTON

January 25, 2016

General Plan Advisory Committee
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Proposed M-2 Zoning Regulations

Dear General Plan Advisory Commission Members,

Tarlton Properties, Inc. has reviewed the "DRAFT January 7, 2016" proposed zoning regulations, which are being considered for the areas north of 101 in the City's Comprehensive Planning Project known as *ConnectMenlo* (General Plan Update). These documents are rich with new approaches to the revision of the M-2 Zoning Area regulations and the re-development of the area. We applaud the effort which has gone into creating the documents and thank the City staff for allowing us to review and draft proposed revisions prior to the GPAC meeting on January 28, 2016.

Upon reading the chapters affecting our properties we were surprised by the prescriptive nature of the text and have significant concerns about the documents. In the past few days, we have been considering the clarity and workability of the documents. Our team is working through the long-term impacts of the wording and requirements, but we wanted to communicate our initial requested revision to you at this time.

Attached to this letter (Exhibit – A) are suggested changes to the "Purpose" section of the proposed Chapter 16.XX.010 for the Life Sciences district ("LS"). Our proposed changes seek to align the zoning document with our vision for this potentially revenue generating district, which will bring innovative manufacturing companies to Menlo Park. The vision we share with the leaders of the City is that the Life Sciences district becomes a robust and healthy ecosystem where small bioscience companies can grow to become larger revenue generating companies. These larger enterprises can be retained

Tarlton Properties, Inc. 1530 O'Brien Drive, Suite C Menlo Park, CA 94025 Phone (650) 330-3600 Fax (650) 330-3636 www.tarlton.com

in a healthy and diverse LS habitat. In addition, the LS district will be a good neighbor to the Belle Haven residential areas by promoting quality employment and services.

It will take additional time to work through all of the details and to fully understand the impacts of the new approaches contained in these documents. We want to make certain that the documents do not erode existing rights currently granted in the M-2 Area, while the new conditions and the costs of amenities are added. We intend to work with staff on our proposed revisions and how the revisions filter through the rest of the document.

Thank you for the time you have dedicated to the *ConnectMenlo* (General Plan Update) process.

Sincerely,

John Tarlton
Tarlton Properties, Inc.

EXHIBIT – A
TPI's Proposed Revisions

Sections:

16.XX.010 Purpose
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16.XX.010 Purpose.

The purpose and intent of the Life Sciences district is to:

(1) ~~Accommodate~~Attract research and development and light industrial ~~and research and development~~ uses ~~including~~ particularly those that support bioscience and biomedical product development and manufacturing and are potentially revenue generating businesses.~~.~~

(2) ~~Provide~~ Allow administrative ~~and professional~~ office~~, and service~~ uses and other services ~~at~~ which support light industrial and research and development ~~sites and nearby~~.

(3) Provide quality employment and promote emerging techno~~9~~logy, entrepreneurship, and innovation.

(4) Facilitate the creation of a thriving business~~"live/work/play"~~ environment with goods and services that support adjacent neighborhoods a well as the employment base.

16.XX.020 Permitted uses.

Permitted uses in the Life Sciences district are as follows:

(1) Light industrial and research and development except when requiring hazardous material review (see Section 16.xx.040);.

(2) Administrative ~~and professional~~ offices ~~in buildings up to twenty thousand (20,000) square feet of gross floor area;~~

(3) ~~Financial services, including banks and other financial institutions;~~Laboratories

(4) Retail sales, excluding the sale of beer, wine and alcohol;

(5) Eating establishments, excluding the sale of beer, wine and alcohol ~~sales or~~ which have live entertainment or that are portable (see Section 16.XX.040);

(6) Personal services, excluding tattooing, piercing, palm-reading, or similar services;

(7) Recreational facilities privately operated, not exceeding twenty thousand (20,000) square feet of gross floor area;

(8) Community education/training center, which provides free or low-cost educational and vocational programs to help prepare local youth and adults for entry into college and/or the local job market.

(9) Warehousing and material storage

(10) Parking Structures

16.XX.030 Administratively permitted uses.

Uses allowed in the Life Sciences district, subject to obtaining an administrative permit, are as follows:

(1) Research and development and light industrial uses which include the use of hazardous materials

(2) Any outside storage of material, equipment or vehicles associated with the main use (Ord 931 § 5, 2004):

(~~2~~3) Eating establishments including the sale of beer and wine only, and/or which have live music or other live entertainment;

(~~3~~4) Diesel generators.

16.XX.040 Conditional uses.

Conditional uses allowed in the Life Sciences district, subject to obtaining a use permit per Municipal Code Chapter 16.82, are as follows:

(1) ~~Administrative and p~~Professional offices in buildings exceeding twenty thousand (20,000) square feet of gross floor area;

~~(2) Research and development and light industrial uses, including uses involving hazardous material, except diesel generators;~~

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(~~3~~2) Eating and drinking establishments with liquor sales, or that are portable;

(~~4~~3) Retail sales with alcohol sales;

(~~5~~4) Special uses, in accordance with Chapter 16.78 of this title, including private recreational facilities exceeding twenty thousand (20,000) square feet of gross floor area.

(~~6~~5) Bonus development in accordance with Section 16.XX.060 of this Chapter;

(~~7~~6) Public utilities, in accordance with Chapter 16.76 of this title.

MENLO SPARK *Climate Neutral for a Healthy, Prosperous Menlo Park*

Via email: connectmenlo@menlopark.org.

Re: Comments on the Proposed Draft M2 Area Zoning Regulations released January 14, 2016 and Recommendation to Consider Fossil Fuel Free Developments.

Dear General Plan Advisory Committee Members and City of Menlo Park staff:

We are pleased to see the recently proposed draft zoning regulations ("zoning regs") that integrate a wide swath of stakeholder input from the ConnectMenlo process to create a comprehensive, forward-looking set of guidance for new developments in the M2 area. Menlo Spark is an independent nonprofit organization working with businesses, residents and government partners to achieve a climate-neutral Menlo Park within ten years. We support these updated zoning regs as an important step to a sustainable, vibrant and modern community; however, we recommended improvements to simplify and strengthen certain provisions. In particular, we propose a fossil-fuel-free development policy in place of the 80% on-site energy generation requirement; and we encourage further strengthening of transportation provisions.

Zoning regs are an important tool for cities to use to meet sustainability, climate and healthy community growth goals. As Silicon Valley communities around Menlo Park grow and change, so is Menlo Park, facing more traffic and greater housing needs than ever. These zoning regs are a chance for our City to modernize new development patterns in a way that meets everyone's needs and allows our City to thrive.

We appreciate and strongly support many of the "Green and sustainable building" requirements of section 16.XX.130. In particular, the LEED Green building provisions will not only make new developments as sustainable as possible, these standards will create buildings that are very healthy and comfortable for their occupants. The Energy requirements for new buildings are even more impressive, showing a pathway to the upcoming California Net Zero Energy (NZE) standards.[1] We propose alternative provisions for consideration that could achieve greater carbon reductions and further advance local policy towards the anticipated NZE standards.

[1] The 2013 Integrated Energy Policy Report (see page 36) discusses upcoming California Building standards that will require all new residential buildings to meet net-zero standards by 2020, with commercial buildings meeting this standard by 2030. Note that the California Building Energy Efficiency Standards are required to meet life cycle cost effectiveness requirements. This applies to any NZE requirement included in those standards. We expect any additional or early requirements by the City of Menlo Park to take into account special and narrow circumstances in which achieving NZE is not feasible and provide comparable, alternative compliance pathways in those instances.

The City recently voted to join the County's Peninsula Clean Energy program calling for 100% renewable power by 2020. Because of this concerted effort to bring cost-competitive clean grid power to everyone, we urge your consideration to direct developers to focus on larger carbon reduction measures such as phasing out on-site fossil fuel use in place of requiring 80% of energy needs to be generated on-site. As Menlo Park approaches a goal of zero carbon grid power by 2020, natural gas will account for almost 40% of our city-wide carbon emissions. For that reason, we encourage a re-focus on ***fossil-fuel-free*** new developments that minimize the use of natural gas with exceptions only for cooking.[2]

Ideally, a fossil-fuel-free development policy would replace the 80% on-site energy generation requirement in Section 16.XX.130(2)(A) to instead require: On-site use of fossil fuels shall be limited to cooking uses and on-site energy shall be carbon-free via the following choices:

- Peninsula Clean Energy
- PG&E's Green Option
- Any combination of the above clean energy sources paired with on-site renewable energy generation, community renewable energy project, ***or*** offsets,[3] such that the net on-site energy use is carbon-free.

We will follow up these comments with a more detailed overview to provide examples of similar policies enacted by other cities and jurisdictions, and an analysis of the energy, carbon, and cost savings.

The proposed zoning regs have many other positive elements that we support. Transportation Demand Management (16.XX.090) is a key issue, especially given the widespread concern over current congestion levels. We strongly support all of the TDMs. However, the over-arching goal of a 20% reduction in trips seems to fall short of what is necessary to address the serious traffic and pollution impacts. We encourage more work to create a transportation policy that will avoid exacerbating the severe congestions that already exists, and consider the long-term carbon impacts of adding more vehicles to busy roadways.

We strongly support additional elements, such as:

- Design provisions (16.XX.120) that create more public spaces, improve the pedestrian experience, require shade trees in parking lots, include amenities such as benches, shelters and public art; and provide ample bicycle facilities. We recommend considering several of these amenities, such as public open space, furnishings and art at the neighborhood scale providing flexibility for variations from parcel to parcel.
- EV Charging minimum requirements for parking facilities (16.XX.130(1)(E).
- Energy usage reporting and accountability (16.XX.130(2)(B)).

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[2] Natural gas used in cooking is minimal compared to its use for space- and water-heating in buildings. For that reason and because many restaurants and home cooks value natural gas as a cooking fuel, we recommend that a fossil fuel free building policy provide an exception for cooking. Note that new developments refer to brand new construction, not existing buildings.

[3] Offsets should be considered a last resort and must be high quality and verified by a reputable organization, such as the Climate Action Reserve.

- Additional Green Building and Sustainability provisions: Protection of heritage trees, limiting light pollution, efficient water use, recycled (gray) water use, stormwater control including permeable pavement, sea level rise planning and resiliency provisions, Zero-waste management planning, and bird-safe, bay-friendly designs.

It is evident in the draft zoning regs that staff and consultants have substantial expertise in sustainable building and smart growth planning, and have paid great attention to community needs as expressed during the stakeholder process, the pedestrian experience, the comfort of building occupants and the values of the City. We applaud the streamlined and refined approach of the draft zoning regs. Finally, we respectfully request your consideration of our proposal to strengthen certain provisions and look forward to providing further details and examples supporting our proposal.

Sincerely,

Diane Bailey, Executive Director
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