

1.1 Purpose of This Environmental Impact Report

This Draft Infill Environmental Impact Report (Draft Infill EIR) for the 1300 El Camino Real Greenheart Project (Project) has been prepared by the Project’s lead agency, the City of Menlo Park (City), in conformance with the provisions of the California Environmental Quality Act (CEQA) Guidelines, as amended. The lead agency is the public agency that has the principal responsibility for carrying out or approving a project.

This Draft Infill EIR has been prepared consistent with Section 15183.3 of the CEQA Guidelines, which provides guidance streamlining the environmental review process for eligible infill projects (such as the Project) by limiting the topics subject to review at the project level where the effects of infill development have been addressed in a planning-level decision or by uniformly applicable development policies.

This Draft Infill EIR assesses potentially significant impacts that could result from the Project. As defined in the CEQA Guidelines Section 15382, a “significant effect on the environment” is:

... a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

As stated in the CEQA Guidelines, an EIR is an “informational document” intended to inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The purpose of this Draft Infill EIR (as described in more detail below) is to provide the City, responsible and trustee agencies, other public agencies, and the public with detailed information about the environmental effects that could result from implementing the Project, to examine and institute methods of mitigating any adverse environmental impacts should the Project be approved, and to consider feasible alternatives to the Project. The City will use the Infill EIR, along with other information in the public record, to determine whether to approve, modify, or deny the Project, and to specify any applicable environmental conditions or mitigation measures as part of the Project approvals.

1.2 Project Overview

Greenheart Land Company (Project Sponsor) is proposing to redevelop 11 Assessor’s parcels of land between El Camino Real and the Caltrain right-of-way into a mixed-use development. The Project site includes the former Derry Lane Site (3.5 acres), the former 1300 El Camino Real Site (3.4 acres), and 1258 El Camino Real (0.3 acres), which add up to approximately 7.2 acres in their current state. These parcels generally consist of vacant, previously developed land in the northern area and commercial buildings along Derry Lane and Oak Grove Avenue in the southern area. The Derry Lane Site and the

1300 El Camino Real Site were subject to previous development proposals that would have included development of residential, office, and community-serving¹ uses at the two project sites. Both of these proposals obtained Environmental Impact Report (EIR) certification, although the Derry Lane Site never received overall project approvals, having been subject to a referendum. The 1300 El Camino Real Site's approvals were valid at the point of the Project Sponsor's submittal of the revised application, thus constituting an extension under the City of Menlo Park's (City's) practice.

The Project would demolish the existing structures in the southern portion of the site and construct approximately 420,000 square feet (sf) of mixed uses at the Project site. In total, the Project would include three mixed-use buildings, a surface parking lot, an underground parking garage, onsite linkages, and landscaping. The uses at the Project site would include a range of approximately 188,900 sf to 199,300 sf of non-medical office space in two buildings; approximately 202,100 sf of residential space (up to 202 housing units) in one building; and up to 29,000 sf of community-serving space throughout the proposed office and residential buildings. The Project would provide approximately 1,000 parking spaces within a parking garage and a surface parking lot. After street abandonment and dedication actions under the Project, the total site area would consist of approximately 6.4 acres.

The entire Project site is in the El Camino Real/Downtown Specific Plan (Specific Plan) area and within the El Camino Real Northeast – Residential (ECR NE-R) District. The Project site is zoned SP-ECR/D. The ECR NE-R District is on the east side of El Camino Real between Oak Grove and Glenwood Avenues and is currently characterized by a mix of retail, personal service, office, and residential uses. The ECR NE-R District is located in the El Camino Real Mixed Use – Residential General Plan land use designation, which supports a variety of retail uses, personal services, business and professional offices, and residential uses. The ECR NE-R District provides for higher intensities with a focus on residential development, given its location near the train station area and downtown. The Specific Plan outlines the maximum amount of building intensity permitted in the ECR NE-R District.

The Project would be consistent with the allowed development in the ECR NE-R District with a Public Benefit Bonus.² The permitted floor-area ratio (FAR) is 1.10, but with a Public Benefit Bonus the FAR can increase to 1.50. In either scenario, non-medical office is limited to no more than one-half the maximum FAR. In general, maximum heights are permitted to 38 feet. Although 48 feet is permitted with a Public Benefit Bonus, building facades cannot exceed a height of 38 feet. The Project would be constructed at the maximum FAR and height as permitted with a Public Benefit Bonus. Up to 32 dwelling units per acre are allowed at the Project site and up to 50 units per acre are permitted with a Public Benefit Bonus. Therefore, since the Project would develop at an intensity of approximately 31.6 units per acre, a Public Benefit Bonus would not be required for dwelling unit density. All uses proposed under the Project are permitted in the ECR NE-R District.

¹ Community-serving uses include the following categories of uses as defined in the Specific Plan and permitted in the ECR NE-R zone: banks/other financial institutions, business services, eating/drinking establishments, office/business/professional (limited to a single real estate office of no more than 2,500 square feet), personal improvement services, and retail sales.

² The Specific Plan outlines the maximum amount of building intensity permitted in the ECR NE-R District. However, these maximums may be increased with a Public Benefit Bonus, which allows additional development beyond the base intensity and height in exchange for extra public benefits. The Public Benefit Bonus would be expected to increase profits from development in exchange for providing additional benefits to the public. Public Benefit Bonuses require case-by-case discretionary review, and if the Planning Commission and/or City Council ultimately does not find that the proposed benefits are appropriate, a project can be required to be revised to the Base Level development standards.

1.3 CEQA Process

Infill Environmental Checklist

As discussed above, the Project site is within the Specific Plan area. Since the Project's site plan and development parameters are consistent with the development anticipated by the Specific Plan, the programmatic Specific Plan EIR is applicable to this Project. Therefore, an Infill Environmental Checklist for the Project was prepared by the City, in conformance with Section 15183.3 of the CEQA Guidelines and Section 21094.5 of the Public Resources Code (PRC), adopted per Senate Bill (SB) 226 (Appendix 1-1). SB 226 was developed by the California legislature to eliminate repetitive analysis of effects of a project that were previously analyzed in a programmatic EIR for a planning-level decision or that are substantially mitigated by uniformly applied development policies. The checklist was used to limit the scope of the EIR to the effects determined to be significant, identical to the function of an Initial Study as defined in Section 15063 of the CEQA Guidelines.

The Infill Environmental Checklist determined that the Project would have effects that either have not been analyzed in the prior Specific Plan EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. Therefore, since these impacts could be significant, this Infill EIR is required to analyze those effects.

Notice of Preparation

The Infill Environmental Checklist (Appendix 1-1) and Notice of Preparation (NOP) (Appendix 1-2) for the Project were released on July 14, 2014, for a 30-day public review period. A public scoping meeting was held on August 4, 2014, before the Planning Commission. The NOP noted that the Project may have a significant effect on the environment and that an EIR would be prepared for the Project.

The NOP was sent to individuals, local interest groups, adjacent property owners, and responsible and trustee state and local agencies having jurisdiction over or interest in environmental resources and/or conditions in the vicinity of the Project site. The purpose of the NOP was to allow various private and public entities to transmit their concerns and comments on the scope and content of the Draft Infill EIR, focusing on specific information related to each individual's or group's interest or agency's statutory responsibility early in the environmental review process.

In response to the NOP, letters were received from the following agencies.

- California Department of Transportation
- San Francisco Public Utilities Commission

In addition, three letters were received from individuals, and members of the public made oral comments at the Planning Commission hearing. Copies of these NOP comment letters and the comments recorded at the Planning Commission hearing are included in Appendix 1-1 of this Draft Infill EIR.

Based on the Infill Environmental Checklist, the following topics do not require further analysis, as described in Chapter 3: Agricultural/Forestry Resources, Air Quality (operational), Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology/Water Quality, Land Use, Mineral Resources, Noise (all but traffic noise), Population and Housing, Public Services, and Utilities. In addition, as described in more detail in Chapter 3, *Environmental Impact Analysis*, because of the

Project's consistency with SB 743 criteria,³ aesthetics and parking issues are not considered to be impacts under CEQA. Therefore, this EIR analyzes whether the Project would have significant environmental impacts in the following areas:

- Air Quality (construction)
- Noise (traffic noise)
- Hazards and Hazardous Materials
- Transportation and Traffic

Draft Infill EIR

Impact Analysis

This Draft Infill EIR analyzes significant effects that could result from the Project. As explained in Section 15002(g) of the CEQA Guidelines, a significant effect on the environment is defined as a substantial adverse change in the physical conditions that exist in the area affected by a project. Pre-project environmental conditions (the environmental baseline) are considered in determining impact significance. The impact significance thresholds for each environmental resource areas presented in this Draft Infill EIR are based on the CEQA Guidelines Appendix N, *Infill Environmental Checklist Form*. In addition, this Draft Infill EIR uses City-adopted significance criteria for traffic impacts. Where significant impacts are identified, the Draft Infill EIR recommends feasible mitigation measures to reduce, eliminate, or avoid the significant impacts and identifies which significant impacts are unavoidable. Cumulative impacts—two or more individual effects that, when considered together, compound or increase other related environmental impacts—are discussed for each environmental resource area.

As discussed above, this document is an Infill EIR. Per Section 15183(d)(2)(C) of the CEQA Guidelines; if the infill project would result in new specific effects or more significant effects, and uniformly applicable development policies or standards would not substantially mitigate such effects, those effects are subject to CEQA. With respect to those effects that are subject to CEQA, the lead agency shall prepare an Infill EIR if the written checklist shows that the effects of the infill project would be potentially significant. As concluded in the Infill Environmental Checklist for the Project, the Project would have effects that either have not been analyzed in the prior Specific Plan EIR, or are more significant than described in the prior EIR. Further, no uniformly applicable development policies would substantially mitigate such effects. Therefore, since these impacts could be significant, this Infill EIR is required to analyze the following topics: construction air quality, transportation and traffic, traffic noise, and hazardous materials. Per Section 15183.3(e), the analysis of alternatives in an Infill EIR need not address alternative locations, densities, or building intensities. Regardless, this document also discusses alternatives to the Project in Chapter 5, *Alternatives*. In addition, an infill EIR need not analyze growth-inducing impacts.

Public Review

This Draft Infill EIR is considered a draft under CEQA because it must be reviewed and commented upon by public agencies, organizations, and individuals before being finalized. This document is being distributed for a minimum of a 45-day public review and comment period. Readers are invited to submit

³ SB 743 provides that "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." The Project meets the criteria of SB 743 by being located in a transit priority area and on an infill site and by proposing mixed-use residential uses.

written comments on the document. Comments are most helpful when they suggest specific alternatives or measures that would better mitigate significant environmental effects. Written comments should be submitted to:

Thomas Rogers, Principal Planner
City of Menlo Park
Community Development Department, Planning Division
701 Laurel Street
Menlo Park, CA 94025
Email: throgers@menlopark.org

A public hearing to take oral comments on the Draft Infill EIR will be held before the Planning Commission on March 21, 2016. Hearing notices will be mailed to responsible agencies and interested individuals.

Final EIR and Project Approval

Following the close of the public review period, the City will prepare responses to comments. The Draft Infill EIR, along with the responses to the comments received during the review period, will comprise the Final Infill EIR and will be considered by the City Council in making the decision to certify the Final EIR and to approve or deny the Project.

Certification of the Final Infill EIR by the City Council as complete and adequate in conformance with CEQA does not grant any land use approvals or entitlements for the Project. The merits of the Project will be considered by the City Council in tandem with review of the Final EIR. The CEQA Guidelines require that, for one or more significant and unavoidable impacts that cannot be substantially mitigated, the lead agency must adopt a Statement of Overriding Considerations (SOC) that balances the social, economic, technological, and legal benefits of approving a project against the significant and unavoidable environmental impacts that would result from project implementation. Any SOC will be limited to those effects analyzed in the Draft Infill EIR. Where uniformly applicable development policies or standards would mitigate the significant impacts of the Project, the lead agency will also make a written finding, supported with substantial evidence, that provides a brief explanation for the rationale for the finding; if the Project results in significant unavoidable impacts, the City Council must approve the SOC in order for the Project to be approved.

1.4 Report Organization

This Draft Infill EIR is organized into the following sections.

- *Executive Summary*: Provides a summary of the Project and the impacts that would result from its implementation and describes mitigation measures recommended to reduce, eliminate, or avoid significant impacts. The Executive Summary also discusses alternatives to the Project.
- *Chapter 1—Introduction*: Discusses the overall Draft Infill EIR purpose, provides a summary of the Project and the CEQA process, and summarizes the organization of the Draft Infill EIR.
- *Chapter 2—Project Description*: Provides a description of the Project site, site development, Project objectives, required approvals process, and Project characteristics.

- *Chapter 3—Environmental Impact Analysis:* Describes the existing conditions/setting, analyzes the environmental impacts, and provides mitigation measures (if applicable) for each environmental resource area.
- *Chapter 4—Other CEQA Considerations:* Provides additional, specifically required analyses of the Project's effects, significant irreversible changes, cumulative impacts, and effects not found to be significant.
- *Chapter 5—Alternatives:* Evaluates two alternatives to the Project in addition to the No Project Alternative.