

Kelly M. Rem
Attorney at Law

E-mail: krem@lozanosmith.com

June 28, 2019

By U.S. Mail & E-Mail: tasmith@menlopark.com

Mr. Tom Smith, Senior Planner
City of Menlo Park
Community Development Department, Planning Division
701 Laurel Street
Menlo Park, CA 94025

Re: Response of Sequoia Union High School District to Notice of Preparation of the Initial Study and Environmental Impact Report for the Commonwealth: Building 3 Project

Dear Mr. Smith:

This office represents Sequoia Union High School District (“District”). On behalf of the District, we are hereby submitting comments regarding the Notice of Preparation of the Initial Study and Environmental Impact Report for the Commonwealth: Building 3 Project (“NOP”) regarding the focused environmental impact report (“EIR”) that the City of Menlo Park (“City”) plans to prepare for the Commonwealth: Building 3 Project, located at 162-164 Jefferson Drive, Menlo Park (“Project”). Specifically, this letter responds to the City’s invitation to submit comments on the proposed scope and content of the focused EIR. The District has previously submitted written comments highlighting some of the District’s concerns regarding the Project on August 30, 2018, which comments are reiterated and incorporated herein by this reference.

According to the NOP, the Sobrato Organization (“Sobrato”) is the sponsor of the Project, and the Project would become part of the 13.3 acre Commonwealth Corporate Center (the “Site”). A portion of the Site is located approximately 200 feet east of the District’s new TIDE Academy, which is also located on Jefferson Drive. The Site currently houses two four-story office buildings constructed in 2015 (Buildings 1 and 2), and 779 surface parking spaces. Sobrato now proposes to construct an approximately 249,500 square foot (sf) office building (Building 3) on the Site, and an approximately 324,000 sf parking structure as part of the Project. Building 3 would have a maximum height of 69 feet (four stories) and, when combined with Buildings 1 and 2, would occupy a combined floor area of approximately 509,420 sf. The proposed parking structure would be four stories, and would provide 1,061 parking spaces. Building 3 will remove the majority of the existing parking spaces on the Site.

In addition to the proposed Building 3 and parking structure at the Site, the NOP provides that Sobrato intends to convert an approximately 32,000 sf portion of the Site from a parking lot to a

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community park (Jefferson Park) that would be privately owned but publicly accessible. The stated intent of this park would be for use by the District's TIDE Academy for physical education classes and parking, with spaces for approximately 20 to 24 staff members.

While the District sincerely appreciates Sobrato's collaboration and stated willingness to convert a portion of the Site into a park for District use, **the District remains concerned that Sobrato has not yet taken any concrete steps to formalize this intended conversion.**

The District therefore submits these comments in order to preserve its concerns regarding the proposed scope and content of the focused EIR. Below are specific scoping requests for the EIR, which the City must address in the focused EIR to adequately evaluate the potential environmental impacts of the Project on the District.

Transportation/Circulation/Traffic Analysis

- 1. Describe the existing and the anticipated vehicular traffic and student pedestrian movement patterns to and from school sites, including consideration of bus routes.**
- 2. Assess the impact(s) of increased vehicular movement and volumes, including potential conflicts with school pedestrian movement, school transportation, and busing activities.**
- 3. Estimate travel demand and trip generation, trip distribution and trip assignment by including consideration of school sites and home-to-school travel.**
- 4. Assess cumulative impacts on schools and the community in general resulting from increased vehicular movement and volumes expected from additional development already approved or pending.**
- 5. Discuss the direct, indirect, and cumulative impacts on the circulation and traffic patterns in the community as a result of traffic generated by the transportation needs of students to and from the Project and schools throughout the District during the Project build-out.**
- 6. Assess the impacts on the routes and safety of students traveling to school by vehicle, bus, walking, and bicycles.**

The District has significant concerns about the traffic, transportation, and circulation impacts that the Project may have on the District, including the District's staff, parents, and students that attend the TIDE Academy. The foregoing categories of information are critical for determining the extent of those impacts on the District.

Any environmental analysis related to the proposed Project must address potential effects related to traffic, noise, air quality, and any other issues affecting schools. (Pub. Resources Code, §§ 21000, *et seq.*; Cal. Code Regs., tit. 14, §§ 15000, *et seq.*; *Chawanakee Unified School District v. County of Madera, et al.*, (2011) 196 Cal.App.4th 1016.) Additionally, specifically related to traffic, there must also be an analysis of safety issues related to traffic impacts, such as reduced pedestrian safety, particularly as to students walking or bicycling to and from TIDE Academy; potentially reduced response times for emergency services and first responders traveling to TIDE Academy; and increased potential for accidents due to gridlock during school drop-off and pick up hours. (See, Journal of Planning Education and Research, “Planning for Safe Schools: Impacts of School Siting and Surrounding Environments on Traffic Safety,” November 2015, Chia-Yuan Yu and Xuemei Zhu, pg. 8 [Study of traffic accidents near Austin, Texas schools found that “[a] higher percentage of commercial uses was associated with more motorist and pedestrian crashes” around schools].)

As discussed, the District’s TIDE Academy is located on the same road as a portion of the Site, approximately 200 feet east of the proposed Project. The Project Site’s neighborhood is one of the most heavily traversed areas in the City of Menlo Park. The Project Site is bordered by Bayfront Expressway (State Route 84) on the north, the Dumbarton rail corridor on the east, U.S. Highway 101 on the south, and Marsh Road on the west. Marsh Road is an arterial or collector roadway that connects major activity centers in Menlo Park, Atherton, and Redwood City. Further, the Project Site is located in the Bayfront Area of Menlo Park that has experienced a drastic impact in traffic over the last ten to fifteen years as the City has continued to approve of newer, corporate campuses and mixed biotechnology, commercial, office, and residential land uses. The City’s 2016 General Plan Update calls for an increase of 4.7 million square feet of non-residential office space, 850 hotel rooms, 5,430 residential units, 13,960 residents, and 20,150 employees, all within the Bayfront Area.¹ The General Plan Update Draft EIR concluded that the General Plan Update would result in significant and unavoidable impacts to roadway segments and increase peak hour delays at intersections from increased traffic, even after the mitigation measures called for in the General Plan Update are implemented (if ever).²

Adding to the District’s concerns regarding traffic surrounding the Project site and the TIDE Academy are the number of development projects that have recently been approved by the City and/or completed in the area, including Buildings 1 and 2 on the Site, the Facebook Campus Project at former 1601 Willow Road and 312 and 313 Constitution Drive (78.9 acres of mixed use development), and the Menlo Gateway Project at 100-190 Independence Drive (cafe/restaurant, health club, 230-room hotel, three office and research and development buildings, and three parking structures covering 15.9 acres). There are several other projects that are being considered by the City, including the Facebook Campus Expansion Projects at 301-309 Constitution Drive, the Menlo Uptown Project at 141 Jefferson Drive and 180-186 Constitution

¹ Menlo Park Small High School Project Final EIR (October 6, 2016), p. 2-12; ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning Update (June 1, 2016), Table 3-2.

² Menlo Park Small High School Project Final EIR (October 6, 2016), pp. 2-15 – 2-16; ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning Update (June 1, 2016), p. 4.13-73.

Mr. Tom Smith, Senior Planner
City of Menlo Park
Community Development Department, Planning Division
June 28, 2019
Page 4

Drive (483 multi-family dwelling units), and the 111 Independence Drive Project (106 multi-family dwelling units), all of which promise to drastically increase traffic in the neighborhood. **Given the magnitude of development being considered and approved in this area, the District maintains that a focused EIR is inappropriate and in conflict with the letter and spirit of CEQA.**

Construction of the Project will severely exacerbate the already stifling traffic in the neighborhood and the safety issues posed thereby. In addition to drawing approximately 1,996 new officer workers,³ visitors, and emergency vehicles into the area, as currently planned, the Project Site will have a vehicular access point very near the District's vehicular access point for the TIDE Academy along Jefferson Drive. This will inevitably lead to congestion along Jefferson Drive as employees and visitors to the additional commercial space will drive along the same narrow, two-lane road to access and leave the new office space on a daily basis.

The traffic and safety impacts posed by the Project, combined with all the other City-approved development in the area, will severely impact the safety and convenience of TIDE Academy students who walk or bike to school. To mitigate the impacts of increased traffic in the Project site neighborhood in implementing the District's TIDE Academy project, the District committed to develop and implement a Travel Demand Management Plan. Through this Plan, the District is to encourage the use of student walking, biking, and other alternative means of student transport to school.⁴ To mitigate the impacts of conflicts and/or dangerous interactions between pedestrians, bicyclists, and vehicles, the District agreed to prepare a "Safe Routes to School Map" that identifies facilities such as traffic lights, crosswalks, and demarcated bikeways that promote safe routes to school.⁵ The Project would undermine the District's abilities to implement its transportation and safety mitigation measures for the TIDE Academy, endangering students, parents, and visitors to the school.

We urge the City thoroughly to address and analyze each of the above listed items through its EIR, and implement extensive and thoughtful mitigation measures.

Noise

7. Identify any noise sources and volumes which may affect school facilities, classrooms and outdoor school areas.

It is expected that noise from construction and operation of the Project will cause impacts on the District's educational program at the TIDE Academy. Request No. 7 is intended to clarify that the EIR's consideration of noise issues take into account all of the various ways in which noise may impact schools, including increases in noise levels in the immediate vicinity of TIDE Academy.

³ Initial Study, Commonwealth: Building 3 Project (May 2019), p. 3-101.

⁴ Menlo Park Small High School Project Draft EIR (July 8, 2016), p. S-4

⁵ Menlo Park Small High School Project Draft EIR (July 8, 2016), p. S-6

Population

8. Describe historical, current, and future population projections for the District.

The City's Initial Study acknowledges that, "[a]lthough the Project would not result in onsite residential population increases, the new employees could generate households within Menlo Park and the region. Using the average of 1.88 workers per work household in San Mateo County, the Project would generate approximately 1,062 new households."⁶

The District, therefore, specifically requests that historical, current, and future population projections for the District be addressed in the EIR. Population growth or shrinkage is a primary consideration in determining the impact that development may have on a school district, as a booming population can directly impact the District and its provision of educational services, largely because of resulting school overcrowding, while a district with declining enrollment may depend on new development to avoid school closure or program cuts. Overcrowding can constitute a significant impact within the meaning of the California Environmental Quality Act ("CEQA"). (See, Cal.Code Regs., tit.14, §§ 15064(e).) This is particularly true where the overcrowding results in unsafe conditions, decreased quality of education, the need for new bus routes, and a need for new school construction. The same can hold true for potential school closures or program cuts resulting from a declining population.

Housing

- 9. Describe the type and number of anticipated dwelling units indirectly resulting from the Project.**
- 10. Describe the average square footage for anticipated dwelling units, broken down by type of unit, indirectly resulting from the Project.**
- 11. Estimate the amount of development fees to be generated by development in accordance with implementation of the Project.**

The foregoing categories of information are critical for determining the extent of both physical and fiscal impacts on the District caused by increased population growth. California school districts are dependent on developer fees authorized by the provisions of Government Code Sections 65995, *et seq.*, and Education Code sections 17620, *et seq.*, for financing new school facilities and maintenance of existing facilities. The developer fees mandated by Section 65995 provide the District the bulk of its local share of financing for facilities needs related to development.

⁶ Initial Study, Commonwealth: Building 3 Project (May 2019), p. 3-101.

Mr. Tom Smith, Senior Planner
City of Menlo Park
Community Development Department, Planning Division
June 28, 2019
Page 6

The adequacy of the statutory development fees to offset the impact of new development on local school districts can be determined only if the types of housing and average square footage can be taken into consideration. For instance, larger homes often generate approximately the same number of students as smaller homes. At the same time, however, a larger home will generate a greater statutory development fee, better providing for facilities to house the student being generated. It is for these reasons that the Government Code now requires a school district to seek – and presumably to receive – such square footage information from local planning departments. (Gov. Code § 65995.5(c)(3).)

While the foregoing funding considerations are fiscal issues, they translate directly into physical, environmental impacts, in that inadequate funding for new school construction can result in overcrowding of existing facilities. Furthermore, fiscal and social considerations are relevant to an EIR, particularly when they either contribute to or result from physical impacts. (Pub. Resources Code § 21001(g); Cal.Code Regs., tit.14, §§ 15021(b), 15131(a)-(c), 15142 & 15382.)

Phasing of development is also a crucial consideration in determining the extent of impact on schools. The timing of the development will determine when new students are expected to be generated, and therefore is an important consideration particularly when considering the cumulative impact of a project in conjunction with other approved or pending development.

Conclusion

As discussed in the District's letter sent to the City regarding the Project on August 30, 2018, the District is not anti-development. However, the needs of the District must be appropriately considered in the environmental review process for all proposed new development that will impact the District, such as the Project. The District is hopeful that its continued collaboration with Sobrato and the City will yield solutions that alleviate the impacts caused by Sobrato's Project, and is prepared to provide any information necessary to assist the City in preparation of the EIR and in addressing each of the comment and scope/content issues set forth above.

We request that all notices and copies of documentation with regard to this Project be mailed both to the District directly, and also to our legal counsel's attention as follows:

Mary E. Streshly, Superintendent
Sequoia Union High School District
480 James Avenue
Redwood City, CA 94062

Kelly M. Rem
Lozano Smith
2000 N. Main St., Suite 500
Walnut Creek, CA 94596

Mr. Tom Smith, Senior Planner
City of Menlo Park
Community Development Department, Planning Division
June 28, 2019
Page 7

Please feel free to contact me directly if we can be of any assistance. Thank you.

Sincerely,

LOZANO SMITH



Kelly M. Rem

KMR/gc

cc: Mary E. Streshly, Superintendent (mstreshly@seq.org)