

1.1 EIR Process Following Release of the Draft EIR

A Draft Environmental Impact Report (EIR), pursuant to the California Environmental Quality Act (CEQA), was prepared by the City of Menlo Park (City) to disclose the potential environmental effects of the Commonwealth Corporate Center Project (Project). The Draft EIR, issued for public review on February 28, 2014, includes a description of the Project, an assessment of its potential effects, a description of mitigation measures to reduce significant effects that were identified, and a consideration of alternatives that could address potential impacts. The Sobrato Organization (Project Sponsor) is proposing to redevelop the properties at 151 Commonwealth Drive and 164 Jefferson Drive (collectively referred to as the Project site) in the City of Menlo Park. The Project would demolish the existing buildings at the Project site and construct two office, biotech, and/or research and development (R&D) buildings totaling approximately 259,920 square feet (sf).

The Draft EIR was released on February 28, 2014 for a 45-day review period, ending on April 14, 2014. During this review period, the document was reviewed by various State, regional, and local agencies, as well as by interested organizations and individuals. Comment letters on the Draft EIR were received from one public agency and one organization. The public review period also included one Planning Commission (Commission) hearing on March 24, 2014, which was open to the public.

This document responds to written and oral comments on the Draft EIR that were raised during the public review period, and contains revisions intended to correct, clarify, and amplify the Draft EIR. The responses and revisions in this document 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. Together, the previously released Draft EIR and this Responses to Comments document constitute the Final Environmental Impact Report (Final EIR). As the lead agency, the City must certify the Final EIR before action can be taken on the Project. Certification requires that the lead agency make findings that the Final EIR complies with CEQA.

1.2 Project Description

The Sobrato Organization is proposing to redevelop the properties at 151 Commonwealth Drive and 164 Jefferson Drive (collectively referred to as the Project site) in the City of Menlo Park. The 12.1-acre Commonwealth Site was formerly occupied by Diageo North America and has been unoccupied since July 2011. The 1.17-acre Jefferson Site is directly adjacent to the Commonwealth Site to the north. This site consists of an operational warehouse building used for office and light industrial uses and associated surface parking.

The Project would demolish the existing buildings at the Project site and construct two office, biotech, and/or research and development (R&D) buildings, a surface parking lot, onsite linkages, and landscaping. The Project Sponsor's conceptual site plan proposes two separate buildings located in the southwest corner of the Project site, towards the main entrance at Commonwealth Drive. Building 1 would be arranged in an east-west orientation, and Building 2 would be arranged in a north-south

orientation, to the east of Building 1. Each building would have a footprint of approximately 34,535 sf. Together, the two buildings would have a total floor area of approximately 259,920 sf.

The proposed structures would be surrounded by surface parking, landscaping, pedestrian paths, and water features. A courtyard with café tables and chairs would be situated in between the two buildings and would provide a social space for the Project. Two covered trash and generator enclosures would be located within the parking lots to the northwest of Building 1 and to the southeast of Building 2. Bicycle lockers would also be provided within the parking lot to the north of the two buildings. One depressed truck loading dock per building would be located in the northwest and southwest corners of Buildings 1 and 2, respectively. The northern portion of the Project site (the Jefferson Site) would include an entrance and driveway from Jefferson Drive, a lawn area for active recreation, picnic tables, a stormwater treatment area, and landscaping.

The Project site is currently zoned M-2 and designated Limited Industry in the City's General Plan. Under the current land use designation, the Project site could be built out to approximately 260,313 sf, with a floor area ratio (FAR) of 0.45, as identified in the City's zoning ordinance. The Project would comply with these requirements; however, the two proposed buildings would exceed the 35-foot maximum height limit in the M-2 zoning district. In order to comply with the M-2 zoning, the increase in height from 35 feet (allowed) to 61.3 feet (proposed) would require rezoning the Project site to M-2(X). In addition, a Conditional Development Permit (CDP) would be required to modify existing M-2 development regulations in order to establish a new height limit. The Project site would require a tentative map or lot merger to reconfigure the Commonwealth Site and the Jefferson Site.

The Project would also require a tree removal permit for each heritage tree proposed for removal pursuant to Municipal Code Section 13.24.040, and a Below Market Rate Housing Agreement for the payment of in-lieu fees associated with the City's Below Market Rate Housing Program.

1.3 Significant and Unavoidable Environmental Impacts

Section 21100(b)(2)(A) of the CEQA Guidelines requires that an EIR identify any significant environmental effects that cannot be avoided if the Project is implemented. Most impacts identified for the Project would either be less than significant or could be mitigated to a less-than-significant level. Chapter 4, *Alternatives*, of the Draft EIR summarizes the significant and unavoidable impacts that would result from implementation of the Project as follows.

Project-Level Impacts

- **Impacts on Intersections in Near Term 2015 Plus Project Conditions.** Increases in traffic generated by the Project under Near Term 2015 Plus Project Conditions would result in increased delays during AM and PM Peak Hours at the following intersections: Marsh Road/Bayfront Expressway, Marsh Road/US 101 Northbound Off-Ramp, Independence Drive/Constitution Drive, Chrysler Drive/Bayfront Expressway, Chrysler Drive/Jefferson Drive, Chrysler Drive/Independence Drive, Willow Road/Bayfront Expressway, Willow Road/Newbridge Street, and University Avenue/Bayfront Expressway. (Impact TRA-1)
- **Impacts on Roadway Segments in the Near Term 2015 Plus Project Conditions.** Increases in traffic associated with the Project under the Near Term 2015 Plus Project Conditions would result in increased average daily traffic (ADT) volumes on the following Project area roadway segments: Marsh Road between Bohannon Drive and Bay Road; Chrysler Drive between Bayfront Expressway

and Constitution Drive; Chrysler Drive between Constitution Drive and Jefferson Drive; Chilco Street between Bayfront Expressway and Constitution Drive; Chilco Street between Hamilton Avenue and Ivy Drive; Constitution Drive between Independence Drive and Chrysler Drive; Constitution Drive between Jefferson Drive and Chilco Street; Jefferson Drive between Chrysler Drive and the Project driveway; Jefferson Drive between the Project driveway and Constitution Drive; Independence Drive between Constitution Drive and Chrysler Drive. (Impact TRA-2)

- **Impacts on Routes of Regional Significance in the Near Term 2015 Plus Project Conditions.** Increases in traffic associated with the Project under the Near Term 2015 Plus Project Conditions would result in potentially significant impacts on the following Routes of Regional Significance: SR 84 between Willow Road and University Avenue; SR 84 between University Avenue and the County Line; US 101 between Marsh Road and Willow Road; US 101 between Willow Road and University Avenue; and US 101 south of University Avenue. (Impact TRA-3)
- **Violation of Any Air Quality Standard During Construction.** The Project would result in the violation of a Bay Area Air Quality Management District (BAAQMD) air quality standard or substantial contribution to an existing or projected air quality violation during Project construction. (Impact AQ-2)
- **Substantial Temporary or Periodic Increase in Vibration Levels.** The Project would generate ground-borne vibration levels in excess of 65 level in decibel units (VdB) at nearby office buildings but would not exceed vibration levels in excess of 80 VdB or noise levels in excess of 43 dBA at nearby residences. (Impact NOI-4)

Cumulative Impacts

- **Impacts on Intersections in the Cumulative 2030 Plus Project Conditions.** Increases in traffic associated with the Project under the Cumulative 2030 Plus Project Conditions would result in increased delays at the following intersections during peak hours: Marsh Road/Bayfront Expressway, Marsh Road/US 101 Northbound Off-Ramp, Marsh Road/US 101 Southbound Off-Ramp, Marsh Road/Middlefield Road, Independence Drive/Constitution Drive, Chrysler Drive/Bayfront Expressway, Chrysler Drive/Jefferson Drive, Willow Road/Bayfront Expressway, Willow Road/Newbridge Street, and University Avenue/Bayfront Expressway. (Impact TRA-6)
- **Impacts on Roadway Segments in the Cumulative 2030 Plus Project Conditions.** Increases in traffic associated with the Project under the Cumulative 2030 Plus Project Conditions would result in increased average daily traffic at the following study roadway segments: Marsh Road between Bohannon Drive and Bay Road; Chrysler Drive between Bayfront Expressway and Constitution Drive; Chrysler Drive between Constitution Drive and Jefferson Drive; Chilco Street between Bayfront Expressway and Constitution Drive; Chilco Street between Hamilton Avenue and Ivy Drive; Constitution Drive between Independence Drive and Chrysler Drive; Constitution Drive between Jefferson Drive and Chilco Street; Jefferson Drive between Chrysler Drive and Project driveway; Jefferson Drive between Project driveway and Constitution Drive; and Independence Drive between Constitution Drive and Chrysler Drive. (Impact TRA-7)
- **Impacts on Routes of Regional Significance in the Cumulative 2030 Plus Project Conditions.** Increases in traffic associated with the Project under the Cumulative 2030 Plus Project Conditions would result in impacts on the following Routes of Regional Significance: SR 84 between Willow Road and University Avenue; SR 84 between US 101 and Bayfront Expressway; US 101 between Marsh Road and Willow Road; US 101 between Willow Road and University Avenue; and US 101 south of University Avenue. (Impact TRA-8)

- Violation of a BAAQMD Air Quality Standards or Substantial Contribution to an Existing or Projected Air Quality Violation during Project Construction. Construction activities associated with the Project, in combination with other construction activities in the City, could generate substantial oxides of nitrogen (NO_x) emissions in excess of a BAAQMD threshold. (Impact C-AQ-2)

1.4 Project Alternatives

Section 15126.6(a) of the CEQA Guidelines states that “An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of a project, and evaluate the comparative merits of the alternatives.” Therefore, in addition to the Project, the Draft EIR considers and evaluates two alternatives, the No Project Alternative and the Reduced Intensity Alternative. These alternatives are described in more detail in Chapter 4, *Alternatives*, of the Draft EIR.

- **No Project Alternative.** The No Project Alternative is provided in this Draft EIR to compare the impacts of the Project with what would be reasonably expected to occur in the foreseeable future if the Project were not approved and development continued to occur in accordance with existing plans and consistent with available infrastructure and community services (CEQA Guidelines Section 15126.6(e)(2)).
- **Reduced Intensity Alternative.** The Reduced Intensity Alternative assumes a 25 percent reduction in building area and employees. As discussed in Chapter 4, *Alternatives*, the Reduced Intensity Alternative is the Environmentally Superior Alternative.

1.5 Purpose of this Responses to Comments Document

Under CEQA, the City is required, after completion of a Draft EIR, to consult with and obtain comments from public agencies having jurisdiction by law with respect to the Project, and to provide the general public with an opportunity to comment on the Draft EIR. As the lead agency, the City is also required to respond to significant environmental issues raised in the review and consultation process.

This Responses to Comments document has been prepared to respond to public agency and general public comments received on the Draft EIR for the Project, which was circulated for a 45-day public review period, February 28, 2014 to April 14, 2014, and to respond to comments received at the Planning Commission hearing that took place during that same time period. This document contains the public comments received on the Draft EIR, written responses to those comments, and changes made to the Draft EIR in response to the comments.

The Responses to Comments document provides clarification and further substantiation for the analysis and conclusions presented in the Draft EIR. Additionally, the responses correct and remedy minor technical mistakes or errors identified in the Draft EIR. The purpose of the Responses to Comments document is to address concerns raised about the adequacy of the Draft EIR and the process by which the City conducted the CEQA process. Comments that express an opinion about the merits of the Project or Project alternatives, rather than the adequacy of the Draft EIR or the Project’s compliance with CEQA, are not examined in detail in this document. This document does not provide a response regarding the merits of the Project or Project alternatives. Section 15088 of the CEQA Guidelines stipulates that responses should pertain to major or significant environmental issues raised by commenters. As explained earlier, the previously released Draft EIR and this Responses to Comments document, together constitute the Final EIR.

1.6 List of Commenters

Written Comments

Comment letters on the Draft EIR were received from one public agency and one organization, as listed below.

Public Agencies

1. City/County Association of Governments of San Mateo County, Wally Abrazaldo (letter dated April 14, 2014)

Organizations

2. Citizens Advocating Rational Development, Nick R. Green (letter dated April 14, 2014)

Comments Received at the Public Hearing

Comments were received at the public meeting held before the Commission on March 24, 2014. Comments were received from five Planning Commissioners, as listed below. No members of the public provided comments at the public hearing.

- Vice Chairperson Ben Eiref
- Commissioner Katie Ferrick
- Commissioner Vincent Bressler
- Commissioner Henry Riggs
- Commissioner Katherine Strehl

1.7 How to Use this Report

This document addresses substantive comments received during the public review period and consists of five sections:

- *Chapter 1 – Introduction.* Reviews the purpose and contents of this Responses to Comments document.
- *Chapter 2 – Responses to Written and Oral Comments.* Contains each comment letter and written response to the individual comments and responses to comments made by speakers at the Commission hearing during the circulation of the Draft EIR. In Chapter 2, specific comments within each comment letter and oral testimony at the public hearings have been bracketed and enumerated in the margin of the letter or transcript. Each commenter has been assigned a discrete comment letter or speaker number, as listed in Chapter 1. Responses to each of these comments follow each comment letter and follow the transcripts reproduced in Chapter 2. For the most part, the responses provide explanatory information or additional discussion of text in the Draft EIR. In some instances, the response supersedes or supplements the text of the Draft EIR for accuracy or clarification. New text that has been added to the Draft EIR is indicated with underlining. Text that has been deleted is indicated with ~~striketrough~~.

- *Chapter 3 – Text Revisions to the Draft EIR.* Provides a comprehensive listing of the text changes to the Draft EIR that have resulted from responding to comments or staff-initiated changes. As explained above, full responses to comments are provided in Chapter 2. Staff-initiated changes are edits to the Draft EIR that were initiated by the City in order to correct minor errors, revisit assumptions, describe changes made to the site plans since the release of the Draft EIR, or to offer further explanations.