AGENDA

PLANNING COMMISSION

February 21, 2012
7:00 PM

1. ROLL CALL


3. ORAL COMMUNICATIONS

This agenda category is limited to 15 minutes to be allocated for items not on the agenda as determined by the Chair. If you wish to address the Planning Commission under Oral Communications, please complete a Speaker's Card and give it to the Secretary.

4. CONSENT CALENDAR – NONE

5. DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) AND PRECISE PLAN FOR THE STANFORD IN REDWOOD CITY PROJECT

Project Description: The “Stanford in Redwood City” project, as proposed by Stanford University, would occupy approximately 35-acres of the former Mid-Point Technology Park. As proposed, the project would result in the demolition of eight existing office and research and development buildings totaling approximately 537,000 square feet.

Redevelopment of the site would occur over multiple phases, with up to 1,518,000 square feet of administrative offices, research and development uses, and medical clinic uses distributed among thirteen buildings. The proposed uses would be supported with approximately four parking structure, on-site surface parking and new street parking that would contain approximately 4,500 parking spaces. The project also includes additional amenities such as new infrastructure, publicly accessible open space, and street extensions.

Recommendation:
a. Hold a public hearing and take in testimony on the Draft EIR and Precise Plan.

6. MATTERS OF COMMISSION INTEREST
7. ADJOURNMENT

Adjourn to a Regular Meeting of the Planning Commission on March 6, 2012, at City Hall Council Chambers, 1017 Middlefield Road, Redwood City, CA 94063

City staff will provide agenda materials in appropriate alternative formats, or disability-related accommodation. Please send a written request to Blake Lyon at Planning Services, City of Redwood City, P. O. Box 391, Redwood City, CA 94064 or email at blyon@redwoodcity.org including your name, address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least 72 hours before the meeting.

ATTENTION

Speaker cards are on the rostrum. If you wish to speak, complete the card and give it to the Secretary.

Planning Commission agenda materials, released less than 72 hours prior to the meeting, are available to the public at the Planning Division, 1017 Middlefield Road, Redwood City, CA 94063
February 21, 2012

**SUBJECT**
Draft Environmental Impact Report (EIR) and Precise Plan for the Stanford in Redwood City Project

**RECOMMENDATION**
Hold a public hearing and take in testimony on the Stanford in Redwood City Draft EIR and Precise Plan.

**BACKGROUND**
In July 2008, the Planning Commission held a hearing and recommended that the City Council initiate a Zoning Map Amendment and Precise Plan for the Project.

In August 2008, the City Council held a hearing and approved initiation of the Zoning Map Amendment and Precise Plan for the Project.

In October 2008, the Planning Commission held a Scoping Session hearing to obtain public input on environmental topics to be included in the Draft EIR for the Precise Plan.

In November and December 2008 and January 2009, City staff sponsored three City/County neighborhood/community outreach workshops. Based on input provided at the workshops, staff worked with Stanford University to refine its development concept plan and to establish a regulatory framework for the Precise Plan (as further described on page 3-6 and 3-7 of the Draft EIR).

In July 2009 the Planning Commission and Architectural Review Committee held a Joint Study Session to provide input on the revised Stanford in Redwood City development concept plan.

In September 2009, the City Council held a hearing to provide staff with input on the Fiscal and Economic studies prepared for the Project. The City Council also approved the "Guiding Principles" that City and Stanford staff developed to help guide the negotiation process for an anticipated Development Agreement (DA) between the City and Stanford University.

In November 2010, the City Council and Planning Commission held a Joint Study Session to consider a project update and overview of draft chapters of the Stanford in Redwood City Precise Plan. The City Council also directed the City Manager to begin a negotiation process with Stanford University for the DA and appointed a City Council ad-hoc subcommittee to provide input from time to time as requested by the City Manager.
From January to December 2011, the City’s environmental consultant (MIG) and Urban Design consultant (Terry Bottomley) prepared the Draft EIR and Precise Plan documents.

On January 26, 2012 the Draft EIR and Precise Plan were released for a 45 day public review/comment period. The public review period ends on March 12, 2012.

On February 9, 2012 the Historic Resources Advisory Committee (HRAC) held a meeting and made a recommendation to the Planning Commission on the treatment of three separate historic resources identified in the Cultural Resources Chapter of the Draft EIR that were determined to be potentially eligible for local listing. The HRAC Minutes, once approved, will be forwarded to the Planning Commission and responses to HRAC input will be included in the Final EIR.

Stanford University staff has also conducted ongoing community outreach and project updates to the Friendly Acres and Redwood Village neighborhoods, North Fair Oaks Council, Redwood City Chamber of Commerce, Downtown Business Group, Sunrise Rotary, Redwood City 2020, Sierra Club and other citizen based groups within the City and County.

Project Description
The "Stanford in Redwood City" project is proposed by Stanford University to occupy a 35-acre portion of a larger 48-acre (former Mid-Point Technology Park) campus that is bisected by Broadway and generally bounded by Highway 101, Douglas Avenue, Bay Road and Second Avenue (referred to in the Draft EIR and Precise Plan as Blocks A-E).

The remaining 13-acres of the 48-acre campus include:
- 420, 430, 440 & 450 Broadway - Approved 11-acre, 360,000 square foot Stanford Medical Clinics (referred to in the Draft EIR and Precise Plan as Block F); and
- 550 Broadway - Existing 2.3-acre, 67,640 square foot building (referred to in the Draft EIR and Precise Plan as Block G).

The two properties listed above are not part of Stanford University’s proposed project, but are included in the Stanford in Redwood City Precise Plan in order to ensure that future on-site and off-site improvements for the entire 48-acre campus are designed comprehensively.

The Stanford in Redwood City Project involves the demolition of eight existing office research and development (R&D) buildings totaling approximately 537,000 square feet that is proposed for replacement, in multiple phases, with Stanford University administrative office uses (75% to 100%), research and development uses (0% to 10%), and medical clinic uses (0% to 15%) in up to 1,518,000 square feet in approximately thirteen commercial buildings supported with approximately four parking structures, on-site surface parking and new street parking that would contain 4,500 parking spaces. Common support uses (i.e. cafeteria, childcare center, fitness center and other employee amenities) would occupy up to 80,000 square feet. The project also proposes an onsite storm water retention system, a recycled water pipeline extension, dual piping for use of recycled water, a central greenway and a publically accessible open space area adjacent to Spinads Park. In addition, Barron, Warrington and Hurlingame street
extensions are proposed through the campus to improve pedestrian, bicycle and vehicular circulation.

**Draft Precise Plan**

The City prepared a Draft Precise Plan for the Stanford in Redwood City project. The Precise Plan is comprised of goals, development standards, urban design guidelines and circulation, infrastructure, and capital improvement policies intended to guide the transition of the existing low-rise, parking lot-oriented complex into a campus workplace that is denser, greener and more attractive architecturally.

Draft Precise Plan Chapter IV ("Implementation") also describes, among other things, the Project's Transportation Demand Management (TDM) Program and shuttle service designed to reduce peak hour auto trips by approximately 18%, a Neighborhood Streets Enhancement Program that would be funded by Stanford University to implement complete streets/pedestrian improvements within surrounding residential neighborhoods and an anticipated Development Agreement between the City and Stanford University.

Stanford University and the City anticipate entering into a Development Agreement for Blocks A-E. Among other terms, it is contemplated that this agreement will provide additional benefits to the community, including, but not limited to:

- Meaningful, substantial financial contributions to the Neighborhood Streets Enhancement Program described in Chapter III.
- Meaningful, substantial financial contributions to enhanced bike lanes and linkage improvements as described in Chapter III.
- Meaningful, substantial financial contributions to a solution to local area flooding problems in the vicinity of the Precise Plan Area.
- Stanford sponsored business development and education programs in Redwood City.

If the City and Stanford University cannot agree on the terms of a Development Agreement, then the Stanford in Redwood City Precise Plan would need to be amended and brought back to the Planning Commission and City Council for approval as revised.

**Zoning Map Amendment**

The Precise Plan is a zoning document and so will also involve a Zoning Map Amendment to change the Precise Plan Area from the existing "IR" (Industrial Restricted) zoning to the "P" (Planned Community) zoning designation.

**Draft Environmental Impact Report (EIR)**

The City prepared an Environmental Impact Report (EIR) for the Stanford in Redwood City Project pursuant to all relevant sections of the California Environmental Quality Act (CEQA). The EIR is intended to inform City of Redwood City decision-makers, responsible agencies, and the general public of the potential environmental consequences associated with the proposed Project. The Draft EIR for the Stanford in Redwood City Project identified that the project would have potential significant impacts in the areas of transportation, air quality (construction), utilities, hazards and hazardous materials, noise, cultural and historic resources and geology and soils. All of these impacts can be mitigated to less-than-significant levels in conformance with applicable standard measures and project-level mitigation measures identified in the EIR except
for the significant unavoidable transportation, air quality, noise and historic resource impacts summarized below:

Transportation- Intersection and freeway segment impacts:
- Impact 7-1: Woodside Rd./Broadway Intersection (Existing Plus Project);
- Impact 7-2: Woodside Rd./Bay Rd. Intersection (Existing Plus Project);
- Impact 7-5: Woodside Rd/Broadway Intersection (Near Term Plus Project);
- Impact 7-6: Woodside Rd/Bay Rd. Intersection (Near Term Plus Project);
- Impact 7-11: US 101 Freeway Segments (Existing Plus Project);
- Impact 7-12: Veterans Blvd./Woodside Rd. Intersection (Cumulative with Project);
- Impact 7-13: Woodside Rd./Bay Rd. Intersection (Cumulative with Project);
- Impact 7-14: Woodside Rd./Middlefield Rd. Intersection (Cumulative with Project);
- Impact 7-18: Marsh Rd./Scott Dr. Intersection (Cumulative With Project);
- Impact 7-19: Freeway Segments (Cumulative With Project);

Note: The freeway segments and most of the intersections listed above are within Caltrans jurisdiction.

Air Quality Impacts:
- Impact 8-1: Air Quality (Temporary Construction-Related) Impacts;
- Impact 8-2: Operational Emissions Increases; and

Noise Impact:
- Impact 13-2: Project-Facilitated Construction Noise Impact

Historic Resources (Ampex sign, Warnecke Fountains and 425 Broadway building)
Impacts:
- Impact 14-1: Historic Resources (Project and Cumulative) Impacts

Public Notification
The hearing notice was published in the Redwood City Daily News, posted on the City’s website and mailed to an expanded list of property owners and tenants within: a 300 foot radius of the site; the entire Friendly Acres neighborhood; residential properties within Redwood Village and bordering 5th Avenue; Neighborhood Associations of Friendly Acres, Redwood Village and North Fair Oaks; and to responsible agencies and interested parties.

Next Steps/ Tentative Schedule
- In April 2012 staff anticipates that the Planning Commission will hold a public hearing to provide the City Council with a recommendation on the certification of the Project’s Final EIR and approval of the Zoning Map Amendment, Final Precise Plan and Development Agreement.
- In May 2012 staff anticipates that the City Council will hold a hearing to consider the certification of the Project’s Final EIR and approval of the Zoning Map Amendment, Final Precise Plan and Development Agreement.
ATTACHMENT PREVIOUSLY PROVIDED TO THE PLANNING COMMISSION
1. Draft Environmental Impact Report, for the Stanford in Redwood City Precise Plan, MIG, January 2012

ATTACHMENT
None
MINUTES
PLANNING COMMISSION
January 10, 2012
7:00 p.m.

DRAFT

COMMISSIONERS PRESENT: Commissioner Bondonno, Commissioner Holt, Commissioner Radcliffe, Commissioner Tabin, Vice-Chair Schmidt, and Chair Borgens

COMMISSIONERS ABSENT:

STAFF PRESENT: Acting Planning Manager Lyon, Downtown Development Coordinator Zack, Acting Assistant City Attorney Skousen, Community Development Director Ekern

GUESTS: NONE

PROCEEDINGS Recorder: For further information not contained in this draft of the written minutes, a DVD recording of the entire meeting is available for listening or purchase at the Planning office, located in City Hall, Redwood City.

AGENDA POSTED: Copies of the Agenda for this meeting are posted at City Hall on the Friday prior to the Planning Commission meeting.

Public Hearing 7:00 PM:

1. ROLL CALL

2. APPROVAL OF MINUTES: December 6
   M/S (Radcliffe/Schmidt) to approve the minutes of December 6, 2011 as submitted
   Motion Passed 5-0 (Holt absent)

3. ORAL COMMUNICATIONS: None

4. CONSENT CALENDAR: None

5. INITIAL STUDY AND PLANNED COMMUNITY PERMIT FOR THE 201 MARSHALL STREET PROJECT
Dan Zack, Downtown Development Coordinator, gave the following presentation:

201 Marshall Street Project

Background
- Located at the corner of Marshall and Arguello
- Submitted application on July 31, 2011
- Planning staff comments sent on September 8th
- PRC comments sent on October 7th
- AAC review on November 9th
- Revised drawings submitted on November 10th

Setting
- General Plan: Mixed Use- Downtown
- Zoning: Downtown Precise Plan
- DTPP Project Type: "Large Project"
  - Approval authority granted to Planning Commission

DTPP Compliance
- Staff found the project compliant with all the standards in the Downtown Precise Plan. The regulations are divided into standards and guidelines, the standards touching on maximum building heights, setbacks, etc that are mandatory, and the guidelines being preferred but not mandatory.

Standards
- Strict rules on historic resources, but this project is not on or near any historic sites.
- Setbacks: along city streets have minimum 0 feet, max of 10 feet. This building is set back 2-3 feet on the three streets it touches.
- Parking: 156 spaces on site, with the ratios laid out 135 are required. Garages have to be underground or wrapped by active building uses.
- Building height: 7 stories, 86 feet tall. Comply with 92 foot, eight story limit in this part of downtown.
- Architectural: contemporary, acceptable character due to the character of the surrounding area.
- Included in staff report is a table of certain guidelines that were not followed, only 8 out of the 405 guidelines. One request the AAC made was on the depth of ground floor pilasters. The depth is recommended to have half the width of it to keep the ground floor from being flat. The pilasters are double height, and therefore are double width. Because of the double width they don't meet that half, so the AAC recommended they be brought up to 12 inches and allow them to have that guideline. Not a functional reason; strictly visual.

Environmental Review
- Program EIR for the Downtown Precise Plan assessed the impacts of 2,500 new residential units.
- Initial Study was prepared to identify any new impacts, which weren't addressed in the DTPP EIR.
- IS confirmed that there are no new impacts beyond those covered in the DTPP EIR
Recommendation

- By Resolution (Attachment 1), confirm that the Initial Study (Attachment 2) was prepared in conformance with the California Environmental Quality Act (CEQA).
- By Resolution (Attachment 3), approve the Downtown Precise Planned Community Permit.

Matt Matteson, president of Matteson Companies, the current property owner, stated this project has been a long time coming, and he stated he looked forward to this project kicking off the residential vision of the Downtown Plan.

Jason Check, development director for Raintree Partners, spoke about the project. He gave the following presentation:

Who is Raintree Partners?
Exclusively focused on multifamily development and investment in California.
Over the past 3 years (2009-2011) Raintree Partners has acquired and developed over 2,000 apartment units in southern and northern California.
Principals at Raintree have been involved in office and residential development for over 30 years in California.
Archstone, Trellis Square, The Stewart and Sierra Madre Villas

201 Marshall
116 unit multifamily project
Unit mix of studios (9%), 1-bedroom, and 2-bedroom (34%)
Project will include 3 live/work units, which will activate Arguello Street.
Close to downtown core, very urban and contemporary project

Chair Borgens asked where the entrance to the garage was.

Mr. Check stated it was off Bradford, pointing it out on the map.

Vice Chair Schmidt asked if there are three future projects going on.

Mr. Check replied that this was activity over the last three years. He stated that Raintree has been very active in acquisitions since 2009. He stated that this project will contain 3 live/work units which is new to this city, and they will have 12’ ceilings and will hopefully accommodate an artist or architect.

Chair Borgens asked if that’s on the ground floor.

Mr. Check replied that’s correct. He stated it is required of the precise plan to have activity on the ground floor.

Commissioner Radcliffe asked how the live/work will be in terms of signage.

Mr. Check replied that that is something articulated clearly in the precise plan, and all they can really do is a bellyband.

Mr. Zack stated that there are no businesses planned to go into the units and that will come later, and they will submit a sign application at that point. He stated it would be
window signage, a blade sign on a pilaster. It would be small scale and geared towards the pedestrian. He stated the rules are pretty clear on that.

Commissioner Holt stated she has no problem with proposed deviation. She asked about the building base pilasters. She asked on the Arguello side where there are the building base pilasters, there isn't a breezeway there. So for example, the Franklin Street Building. She stated some sketches look like that and she does not think it would work well.

Mr. Zack stated that the plan does not want a flat front on the building.

Commissioner Holt stated that she agrees with that. She stated in some sketches it looks like there's a breezeway.

Mr. Zack stated that it's all flush. She stated there's not arcade or breezeway.

Commissioner Holt stated that the live/work aspect is very exciting and there is a lot of potential for this in the area.

Commissioner Tabing asked about the outlook on the local rental pricing market, given this will be online in the next couple of years.

Mr. Check stated the environment is strong for multi-family rental housing. He stated this project was once planned as a for-sale project, but home ownership is declining. He stated that the way units are designed they feel more like a house.

Commissioner Bondonno asked about the live/work in terms of the signage issue. He stated that there are only three of them, but it sounds like each of the future prospective occupants could have options of the window versus the blade, and asked if it's up to that occupant for each unit, therefore there could be three different variations.

Mr. Zack stated that what the Downtown Precise Plan does is it tries to come up with some general consistency throughout the downtown by only created a certain palette of signage and letting each individual business choose what they prefer from within that palette. He stated that would be the case here. He stated there was no procedure in the Precise Plan for a master sign program for a multi-tenant building that might have five or six businesses in it.

Mr. Check stated that as the owner of the project he would like to make sure that the businesses that go into that building would have uniform signage.

Commissioner Radcliffe asked if those units could potentially not be work/live.

Mr. Check stated that the concept is that the resident has the potential to run their business out of that unit and have access to Arguello out of that unit, but that's not necessarily a directive. He stated someone could rent that space and not necessarily operate a business but have the environment where they could.

Commissioner Radcliffe asked if, should the market change, this could easily be changed into a for-sale, condominium-type project.
Mr. Check stated that that is certainly in the back of his mind, and much like a lot of other projects in the market, that option would be available to this project in the future.

Vice Chair Schmidt asked for another great example of a community that is successfully utilizing live/work, or if this is one of the communities that is the first one.

Mr. Check stated that downtown San Francisco has this all over, and in Soma where there are units where people are operating a business, but in usually a smaller scale. He stated it’s usually an artist culture and there is a lot of that in Redwood City, so that’s one thing they are trying to attract. He stated Santa Monica has a lot of live/work units.

Chair Borgens opened the public hearing.

William Nack spoke on behalf of the San Mateo County Billing Trades Council, which has a membership exceeding 14,000 of union craftsmen and women. He stated that many are without a job, with the national unemployment rate at 9% and California’s unemployment rate near 12%. In construction industry there is a 25-30% unemployment rate. One in four of the union workers are surviving on unemployment benefits, food stamps, part-time jobs, hardship funds and food banks, etc. He stated some cannot pay their bills or put food on their table for their families. He asked the developer of this project to commit to pay construction workers who will be building this project good wages and health care and pension plans, referred to as prevailing wages, to allow these workers to make enough to live in Redwood City. According to the National Low Income Housing Coalition, San Mateo County is tied with Marin and San Francisco counties for being the most expensive counties to live in. The 2010 report shows fair market rent for 2 bedroom apartments is $1,760 per month, for a 3 bedroom it’s $2,360. He stated a prevailing wage commitment is critical to enable local contractors and workers to compete against workers from as far away as Irvine, Sacramento, or even Texas. He stated this is not a union versus non-union issue, it is local construction worker quality of life issue. He stated in the future developers should commit to hire locally for projects.

**MOTION TO CLOSE THE PUBLIC HEARING:**

*M/S: (Bondonno/Schmidt)*

**Motion Passed:** All yes.

Vice Chair Schmidt asked Staff what the communication was to the community about this project, given the low attendance.

Mr. Lyon stated that standard protocol was followed, notification of property owners and tenants within 300 ft radius, also to the paper.

Vice Chair Schmidt asked about affordable housing. He stated that he was expecting some type of affordable housing, this being the project that will launch these new developments in the downtown area. He asked if this has to do with the fact that they are losing redevelopment agencies. He stated looking back at the meeting about the 201 Marshall back in November, he stated Zack did mention they were talking to developers about affordable housing, so he asked what changed there or if there’s still room to make that happen.
Bill Ekern stated that within the Precise Plan since there are no redevelopment agency or city money in the project, then there are no means by which to require affordable units as part of the project. He stated there were conversations about that with the developer but since there are no public funds coming in to help offset the cost differential, so it makes no sense on their end to provide below-market rate housing. He stated outside the Precise Plan there are density bonuses according to state law, which allows them to offset the cost of construction. But since there are no limits in the Precise Plan for density, there is no ability to give density bonuses. With the loss of the redevelopment agency, that could affect it because it would have been a way to offset the cost, but that money has been frozen since the summer of 2011 and since the court decision clarifies there are no redevelopment agency funds to invest in projects such as this, that option is gone.

Vice Chair Schmidt asked how that affects the commitment the Commission was making to the community about affordable housing with the Precise Plan. He stated this was something the Commission was celebrating in regards to the downtown area, and this seems like a few steps back. He stated it needs to be made clear to the community what is occurring, but he stated he would ask the developers, keeping in mind this was the original plan for the downtown area, if there's any way to negotiate, not even 15%, maybe less, just to make sure the housing is available to everyone.

Ms. Skousen, Acting Assistant City Attorney, stated that they should clarify that the recent court decision in dissolving redevelopment agencies has changed the picture for what the city can do at this time. He stated it is a good time, once the dust has settled on the decision and what's happened to the city because of that decision, it's a good time to step back and take another look to see if there's another way to achieve goals of low-income housing. She stated that right now the city is scrambling, interpreting the decision, and figuring out exactly how that affects the city. She stated those assets have been frozen for some time and they know it's not going to be there.

Vice Chair Schmidt asked if there could be the potential that there could ultimately be no affordable housing in downtown, if this continues this way.

Ms. Skousen stated yes, and that's why once the attorneys have figured out how this decision affects Redwood City they've got to take another look. At this point it looks like the city has lost that very effective tool.

Vice Chair Schmidt stated that he encourages developers now and in the future to look at affordable housing, and if the 15% is not required maybe 5 or 10% would work.

Mr. Ekern stated that if this discussion had been part of an active discussion in the beginning then the project would have been envisioned differently and possibly that would have been an easier conversation, rather than getting to the end, losing the tool, and not having a way to have that discussion. If there had been Council direction that this was what Staff should do, then it's clear to the developers as they start to look at their analysis for development. It may change the mix, increase the density, or something to make that work. Early warning would make a big difference, and it's a policy discussion.

Vice Chair Schmidt stated that it was something mentioned in the November 1st meeting. He stated that there seems to be a feeling of union versus non-union, and if there's a
way to negotiate, if we don't want to do prevailing wages, asked if there a middle ground to get jobs locally and make everybody happy. He stated he would like that effort to be made, because he didn't like the versus statement.

Commissioner Bondonno noted that the proposals in the packet, specifically attachment 3, does include the recommendation from the AAC about that 12 inch depth perception issue. He stated that was an additional requirement made by the AAC as opposed to just accepting the variances from the guidelines as presented.

Mr. Zack stated that the table describes the guidelines that were deviated from, and one mentions that the AAC feels the 12 inches of depth is sufficient and recommends that minor change.

Commissioner Bondonno stated that if action is taken tonight it will be by reference including resolutions spelled out in attachments.

Mr. Zack stated that in the resolution for the planned community permit that's listed as a condition for approval.

Mr. Lyon noted that was on page 32 of the packet, item 7.

Commissioner Tabing stated the study looks adequate, but there doesn't seem to be a statement with respect to having been no significant change from the overall context from which we evaluated the original Downtown Precise Plan. He asked if the initial study effectively incorporates that.

Mr. Zack stated that in the checklist portion of the document, each item that is discussed mentioned there were no new issues identified, and it's actually summarized counter intuitively at the beginning of the initial study document. He noted page 12 of the packet, where there is a determination and five boxes to check. The last is checked, saying there are no new impacts beyond what was already identified.

Ms. Skousen noted the resolution where the findings are approved and the checklist, it makes the finding, number 2, that the proposed project will not result in any new environmental effects or require any new mitigation measures beyond those identified in the Downtown Precise Plan. That checklist was looking at if there are any new impacts since the initial study.

Commissioner Tabing stated there aren't any new for the project, but also that there are no new significant changes in the environment that we still need to evaluate.

Ms. Skousen stated that is inclusive.

Commissioner Tabing gave the example that if there was a catastrophe that leveled a block, the plan may need to be reevaluated because of the material change in the environment.

Ms. Skousen stated the environment has not changed and all of the conditions discussed in the previous EIR still apply.
Commissioner Radcliffe asked how schools are dealt with in the EIR. She stated that right now the project isn't impacting schools, but if the projects continue to not impact, eventually it will accumulate to an impact.

Mr. Zack stated he cannot recall that section of the Precise Plan EIR, but he stated it was addressed.

Mr. Lyon stated standard protocol is that when the developer or any applicant comes in for a building permit there is a school impact fee based on unit size and overall square footage, so that's a requirement. That money goes to the school district and it becomes the district's responsibility to budget that accordingly to address that influx. He stated the EIR in general looks at a per capita or per household number of student generation rates.

Mr. Zack stated it was identified as less than significant impact anyways.

Commissioner Radcliffe stated that a number of less-than-significants will eventually become a significant.

Vice Chair Schmidt asked if this is no longer considered a redevelopment area.

It's still a redevelopment project area because we continue to collect the tax increment that comes in through that area that's transferred back to the taxing entities, so the area still remains. They just got rid of the organizations that run the areas. So now it's just a boundary map on paper that talks somewhat about where property taxes used to come and go from, but it doesn't change the way anything is dealt with in the downtown.

Vice Chair Schmidt asked if the money is lost.

Mr. Ekern stated the money has been lost. He stated the project area is just a boundary, and that boundary says this is how you treat property taxes in that area.

Ms. Skousen stated the redevelopment plan still exists and there will be an entity, perhaps the city, that will enforce the redevelopment regulations, there just isn't any money.

Chair Borgens noted her respect for Mr. Nack in regards to his previous comments, and stated she hopes future developers will realize jobs will become an issue in this community.

Commissioner Holt stated that evaluating this project was easy, probably because the Downtown Precise Plan was such a useful tool for project implementation in downtown. She thanked Staff for all of their hard work.

MOTION TO ADOPT THE RESOLUTION IN ATTACHMENT 1 AND CONFIRM THAT THE INITIAL STUDY PRESENTED AS ATTACHMENT 2 WAS PREPARED IN CONFORMANCE WITH SEQA
M/S: Bondonno/Holt
Motion Passed: All yes.
MOTION TO ADOPT RESOLUTION IN ATTACHMENT 3 AND APPROVE THE DOWNTOWN PLANNED COMMUNITY PERMIT.
M/S: Bondonno/Radcliffe.
Motion Passed: All yes.

6. MATTERS OF COMMISSION INTEREST:

Mr. Lyon stated that the court decision came out December 29th, and effectively held that the AB-26 was considered to be constitutional, the action taken to abolish redevelopment agencies across the state, and AB-27, to allow cities the opportunity to buy back in, was found unconstitutional. There is still some debate about emergency legislation. He stated that the previous night the City Council, the council had identified two candidates that had made it through to additional interviews. One was last night, the other was not, so that should be done the 23rd, and ideally they would make the appointment that same night. He noted the discussion about realignment, which is coming down from the state to get rid of the overcrowding issues that a lot of state penitentiaries have, and directing those people back into county facilities. He stated that now there is an influx of those individuals that are working their way back into the county system, so all the more reason to begin to look at a second jail site. He stated that later this month there is an application for 1826 Industrial Way which is the AirGas facility, currently located at 50 Chemical way. He stated that as of yesterday the public comment period on the initial study was completed. The project coming next week is 640 Veteran’s Boulevard. He noted that packets will be distributed Thursday but Staff received a rather lengthy comment last minute, so they are working to finish that letter as quickly as possible. There may be some additional training March 21st and 22nd, holding off on getting registered in hoping there will be a 7th member. It is in San Jose. The Tuesday night for that week is the night of a regular meeting, Tuesday March 20th, and there is an item, the CWG Annual Report information.

Commissioner Holt asked if the training is all day, so the training would be done on the 22nd.

Mr. Lyon replied yes.

Ms. Skousen stated this was her last Planning Commission meeting, because Veronica is back from maternity leave. She stated she very much enjoyed her time with the Planning Commission.

Vice Chair Schmidt asked if the Commission should not sit together at the meetings in March.

Ms. Skousen stated it is better if the Commissioners don’t sit together to avoid the appearance they are discussing city business.

7. MOTION TO ADJOURN:
M/S: (Bondonno/Holt)
Motion Passed: All yes.
MINUTES
PLANNING COMMISSION
January 31, 2012
7:00 p.m.
Blake Lyon, Project Planner, gave the following presentation:

**1826 Industrial Way**

**Map: Current Location**
50 Chemical Way
San Mateo County has a need for the properties around the site, looking to build a new facility there for the Sheriff's Department,

**Map: Proposed Site**
AirGas identified 1826 Industrial Way as the proposed site
An office building will be demolished as a part of this proposed project
A warehouse building will be retrofitted to accommodate their use.

**Map: Zoning of Both Sites**
Both zoning designations are consistent
Both front onto 101.
For the proposed site, particular attention was paid to the transition to a residential neighborhood

**Environmental & Project Review**
These items have necessary mitigation measures that have been incorporated into the project that maintain a less than significant level of impact:
- Air Quality
- Geology and Soils
- Hazardous Materials
- Hydrology
- Noise
- Transportation and traffic: proposed use has less traffic than previous use

These items are project specifics:
- Operations
  - Site circulation: make sure there's an ability to accommodate truck flow
  - Security: fencing, lighting requirements, etc
  - Hours
  - Code Requirements: fire and building
- Neighborhood Context
  - Visual: aesthetic transitions, trying to have a buffer even though the other uses on the east side are light industrial uses; landscape treatment for first 20 feet of the property, aesthetically pleasing fencing material

**Map: Proposed Site Orientation**
Parking lot for the wholesale/retail aspect
Warehouse building
Vertical tanks
Cylinder tanks and others that need outdoor storage
Truck circulation
AirGas is requiring drivers to have right-turn exits only
Landscaping in the front
Commissioner Radcliffe asked about the landscaping in the front of the site currently and if that would be what the project would have in the future.

Mr. Lyon stated that in this photograph it doesn’t cover the full frontage, and it won’t go quite that deep but it will extend the width. He continued with the presentation.

Commissioner Bonodono asked if the larger trees right off the exit are outside of the parcel.

Mr. Lyon replied yes. He continued with the presentation.

**Process Timeline**
- Sept 2011: Application Submittal
- Oct 2011: PRC Review/Project Revisions
- Nov 2011: IS/MND Preparation
- Dec 2011: IS/MND Circulation & Neighborhood Meeting
- Jan 2012: Planning Commission

Mr. Lyon noted that because of the holiday time the public comment period was extended. One comment was received the previous day, and it was provided to the Commission, but Staff felt that none of the issues in the letter would change the recommendation being brought forward.

**Recommendations**
- By Resolution, adopt the Initial Study/Mitigated Negative Declaration prepared in conformance with the California Environmental Quality Act (CEQA)
- By Resolution, approve the Use Permit with conditions of approval

Commissioner Bonodono asked about one of the images, noting a service truck that appears to just barely clear the dipped-down power line. He asked if the AirGas truck would have current issues with the current utility line.

Mr. Lyon stated that the issue was brought up in internal discussions, and he stated AirGas could talk about their truck sizes.

Jim Ganter, Vice President of Operations at AirGas Northern California and Nevada, spoke about AirGas. He stated they have over forty locations in Northern California and Nevada, and over 100 locations in California. He stated he is responsible for 14 production locations, which manufacture medical and industrial gasses. He stated AirGas has won two successive years for bulk transport and cylinder transport over 3 million miles without incidents or accidents. He stated the current facility was opened over 2 years ago and has had a good experience working with Redwood City. He stated at the current location there are retail operations, selling safety supplies, welding goods, construction supplies, and medical and industrial gasses. He stated 85% of what will be done at this location are small medicals, servicing several local hospitals and clinics. He stated they are the only repackager of medical gasses on this side of the Bay Area. He stated they will be generating less trips than the current tenant by making right hand turns only. He stated there will be four local delivery trucks, and the parking for the fourteen employees will be on the site, not out on Industrial Way. He stated the bulk tanks will have Oxygen, Nitrogen, and Carbon Dioxide, all inert and nonflammable. He stated there are no toxins or corrosive, nothing life-threatening will be stored there. He
stated the front of the facility will be enhanced with a wrought-iron gate and mesh and vines to make it more aesthetically pleasing. He stated all production will be in the back of the property. He stated the retail hours are 7 AM to 6 PM and production hours 5:30 AM to 6 PM Monday through Friday. He stated they have asked their suppliers to deliver during the day during the week so as not to upset the neighbors.

Chair Borgens asked about security wire.

Mr. Ganter stated the current site has a six foot fence with barbed wires, which will be maintained. He stated there wouldn’t be razor wire. He stated there would be security cameras.

Chair Borgens asked if it is currently on site.

Mr. Ganter replied yes.

Commissioner Radcliffe thanked Mr. Ganter for his efforts. She stated the county began to look for a new jail site in 2007. She stated this move would make a big difference for the jail location.

Commissioner Bondonno asked if Mr. Ganter could address the truck height clearance.

Mr. Ganter replied that was a concern during talks. He stated a civil engineer came and measured. He stated the lowest point on the line is 14 feet and the highest point on their trucks is only 11 feet.

Commissioner Bondonno noted he appreciated the right turn only turn coming out of the site.

Commissioner Holt asked if it’s possible to move the utility pole.

Mr. Lyon stated that relies on timing with PG&E. He stated yes it is possible, but it’s time-consuming and challenging. He stated to help facilitate the review of this project is to consider the existing condition.

Commissioner Holt stated that most of this Commission had reviewed the move to Chemical Way, and expressed her appreciation of AirGas’s willingness to work with the City.

Chair Borgens opened the public hearing.

Celia Driscoll asked what the danger and procedures are for a fire on site. She stated her appreciation for the right hand turn only, and asked if trucks coming in make left turns into the facility. She asked who will enforce the right turn only, and noted that she has had issues with getting promises enforced previously. She asked how far the fence will be from the sidewalk. She stated that traffic might be lighter but the trucks are bigger. She stated the current traffic is already bad, particularly because of the towing company, and Circle Star has been sold to the county, so there may be a lot of traffic problems.
Brian Rigomen, a resident on D Street, stated he did not receive notice of this project but the neighbors across the street did. He stated that within the last 5 years or so the Whipple corridor was reduced from two lanes both ways to one both ways and a turn lane, and traffic was already bad before the change. He stated the traffic from the tow trucks is a substantial danger and noted it would be worse with the addition of large trucks. He stated that the Staff summary noted all traffic issues as not significant, but he stated that with the addition of Circle Star, a relatively large structure, traffic would increase more. He stated the Commission should look at the potential impact of that being at full occupancy. He stated issues have come up in the area having to do with staffing from different areas, particularly the tow truck companies, which has had a negative impact on the neighborhood in terms of parking and litter.

Les Vander Wal, resident of E Street, spoke about traffic in the neighborhood. He stated the residents come home at night and can’t park in front of their houses. He stated the tow trucks block the road and park where they shouldn’t. He asked if it would be possible to restrict parking to residents only. He noted a truck in one of the photos and stated that it is one of three trucks that are constantly parked on the street. He stated he’d like to see a parking permit for the area and have it enforceable. He stated the neighbors have been unable to get the parking enforced through the police. He stated every car that comes up to the tow company goes up E Street to Arguello so the traffic is getting worse.

MOTION TO CLOSE PUBLIC HEARING
M/S (Schmidt/Radciffe)
Motion Passed

Mr. Ganter stated that AirGas does have compressed gasses like Nitrogen, Oxygen and those types of things. He stated all the cylinders have safety relief devices in case there is an issue. It will go and the gases will vent to the atmosphere. It prevents all cylinders on site from having a catastrophic failure. He stated the flammable gasses will be a little propane and acetylene and hydrogen. He stated those gasses will be stored in a bunker in the rear of the property, out of sight. He stated if there’s an issue it’s in the bunker. He stated should there be a fire, the upgrades that the city has asked for include 3 hour fire wall inside the building, a large parapet to meet the fire codes, the building will be fully sprinklered and there will be security cameras that are web-based for easy surveillance. He stated trucks will not be able to turn left into the property. He stated there will be 14 employees with four trucks, and all will be parked inside the facility. He stated no one would be on the street. He stated the largest truck is a twenty-eight foot cylinder truck that leaves in the morning and comes back in the afternoon. He stated it won’t be constant. He stated three times a week a truck will come from Sacramento to deliver gasses but will arrive at seven in the morning and leaves in less than 45 minutes. He stated there are fewer trucks and employees and more parking spaces than the current business.

Chair Borgens asked if they ever back into the property.

Mr. Ganter replied no. He stated they will be able to drive in, U-Turn, and drive out. He stated there will be no backing in off the street.
Mr. Lyon stated there will be a double driveway that allows for employees and general public to access a parking lot, and pointed out a gate that allows trucks to come in to the controlled area of the site.

Mr. Ganter stated the fence line would be 20 feet back from the sidewalk.

Mr. Lyon pointed out on the map where the landscaping and fence would be in front of the lot.

Mr. Ganter stated that to insure they don’t pay for underground utilities, there will be steel bollards around the pole in the driveway.

Commissioner Schmidt asked if there was a way to shorten the driveway so there’s no driveway and just a curb, so people don’t go into it where the pole is.

Mr. Ganter stated the wider driveway is better so trucks can make the turn wider.

Mr. Lyon stated that the curb cut serves both properties, so flow cannot be restricted into the neighbor.

Commissioner Schmidt asked if a car can fit in between that pole and the curb.

Mr. Lyon stated a discussion point of the project is to turn the curb over more to give more access because AirGas is coming out to the left of the pole as shown in the photo. He stated the levels of details are discussed in the engineering design review. He stated if that’s a concern it can be added to the discussion.

Chair Borgens asked if the cars in the photo are from the businesses or if it’s neighbors.

Mr. Lyon stated it’s public parking so there’s no distinction. He stated in Redwood City street parking is a public amenity. He stated in response to a comment, noting that AirGas is not responsible for the behavior of Action Towing. He stated in the neighborhood outreach meeting for this project there was significant amount of concern about the behavior of Action Towing. He noted there has been continued discussion about effectiveness of code enforcement, and he stated he talked to the community director and code enforcement to leverage the power the City might have for this.

Chair Borgens asked if that comes under a Use Permit.

Mr. Lyon stated that Action Towing has a Use Permit and one concern the neighbors are representing is that the Use Permit is subject to ongoing Code Enforcement, and the effectiveness of that has been brought into question.

Chair Borgens noted that might be something the Commission should look at.

Mr. Lyon stated that the Zoning Ordinance as it is currently written has the opportunity for revocation proceedings and that point of discussion. He noted that needs to be had outside of this application. He stated he has been talking to the Transportation Coordinator to see if a residential parking permit program would be appropriate. He stated they must be mindful of the resources that are allocated to that.
Chair Borgens stated all the questions asked are now on the desk of the planners.

Commissioner White stated the Redwood City has a philosophy of preserving trees, and generally speaking when a Tree Removal Permit is granted, a replacement tree of similar type or value is provided. He noted that that site is one of the few on that side of the street that has a tree.

**MOTION TO ADOPT A RESOLUTION CONFIRMING THE INITIAL STUDY MITIGATED NEGATIVE DECLARATION WAS PREPARED IN CONFORMANCE WITH THE CALIFORNIA ENVIRONMENTAL EQUALITY ACT.**
M/S: (Schmidt/Radcliffe)
Motion Passed: All yes.

**MOTION TO ADOPT A RESOLUTION CONDITIONALLY APPROVING THE USE PERMIT**
M/S: (Radcliffe/Bondonno)
Motion Passed: All yes.

5.B INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND PLANNED DEVELOPMENT PERMIT FOR THE 640 VETERANS BOULEVARD PROJECT

Mr. Lyon spoke about the conversation regarding 640 Veterans Boulevard. He stated because the public hearing was continued from the 17th all the information provided on that day, including the comments received that evening, and the packet that was provided for this evening’s meeting as well as any additional comments tonight will all be part of the action should the Commission take one tonight. He stated the final Initial Study and Mitigated Negative Declaration is what’s being decided on tonight. He stated the two main attachments are 1 and 4.

**Recommendations**
1. Close Public Hearing
2. Adopt IS/MND & MMRP... Reso 12-03 (1/17)
   IS/MND per Attachment 1 (1/31)
   MMRP per Attachment 4 (1/31)
3. Approve PD Permit.... Reso 12-04 (1/17)
   Exhibit 1 – MMRP (1/31)
   Exhibit 2 – Affordable Agreement (1/17)
4. Approve Parcel Map.... Reso 12-05 (1/17)
5. Recommend Affordable Housing Agreement to City Council... Attachment 5 (1/17)

Mr. Lyon stated these five items are what Staff is recommending for the Commission tonight.

Ms. Ramirez noted that Action Number 4 is also a recommendation to the City Council.

Commissioner Schmidt asked why they are adopting it from the last meeting and not today’s.

Mr. Lyon stated that because the Public Hearing was continued, the depth of the Commission’s decision covers both meetings. He stated that because the Resolutions themselves didn’t change, Staff didn’t want to add additional volume to the packet.
Chair Borgens asked about item 2, first bullet. She asked what Attachment 1 was.

Mr. Lyon clarified that it was Attachment 1 from this evening’s packet, which is final.

Aaron Carter, ICF International, representing the consultant that prepared the draft and Final Initial Study Mitigated Negative Declaration, clarified that the whole of the document is complete and adequate under CEQA. He stated all potentially significant impacts can be mitigated to less significance and no EIR would be required. The City Staff received a comment letter the previous night, but it was reviewed and there was no substantial comment in that letter and no additional revisions or clarifications needed to the final document.

Mr. Lyon noted that the email that Mr. carter is referencing is the one Commissioners received via e-mail.

Kevin Malick, BRE Properties, asked the Land Use Counsel to make a brief statement about the environmental documents and comment letters that have been received.

Tom Ruby, Morrison Foerster, the Land Use Counsel for the applicant, stated that the ISMND, comment letters, and responses from Staff have been reviewed and they are in agreement that the ISMND complies with CEQA in all respects and adequately addresses all the potential impacts as well as sets forth necessary mitigation measures to mitigate all impacts to less than significant. He asked the Commission to move forward and adopt the ISMND and recommend approval of the project to the Council.

Chair Borgens opened the public hearing.

John Dalrumpale, a consultant for construction trades and land use policy, spoke about the environmental issues with this project. He stated he has been active in the Bay Area involved in the movement for sustainable growth urbanism. He stated he wrote fifteen years ago was probably the first article in the country for why working families and environmentalists should work together to create new patterns of growth. He stated he was there when the decisions were made for criteria for funding cities like Redwood City, and believes it is a great vision. He stated this creates a lot of tension when a company like BRE comes in with a product that looks very attractive and there’s a lot of pressure to produce and get developments built. He urged the Commission not the shortcut the necessary environmental review. He stated the Greenbelt Alliance are seeing shortcuts being made, but this needs to be protected against because of the unintended consequences of urban building. He requested there be a full EIR on this project. He noted that at a previous meeting Commissioners expressed interest that some other community benefits occur as a result of the great work, such as affordable housing, local hire, and opportunity for work. He stated there will be hundreds of millions of construction hours, and dollars in wages. He stated there are ways to ensure those wages are reinvested in the local community. He stated there are policies that can be passed.

Rachael Koss spoke on behalf of Redwood City Citizens for Responsible Development. She urged the Planning Commission not to approve this project without further analysis of the potentially significant impacts. She stated the MND does not comply with CEQA, which requires an agency to prepare an EIR when any substantial evidence in the record
supports a fair argument that significant impacts may occur. Even if other substantial evidence supports the opposite conclusion, an agency still must prepare an EIR. She stated that despite the recent revisions to MND substantial evidence in the record supports a fair argument that the project may result in significant impacts. First the argument that the project may result in significant impacts of construction workers, the public, and environment from soil contamination. The extent of soil vapor contamination on project site to date has not been determined, and the MND provides no specific clean up and mitigation measures to mediate contamination measures on the site, so at this point its impossible to determine that the workers, public, and environment will be adequately protected from contaminated soil. She advised the City to determine the contamination on the project site now and to develop a remediation plan now, prior to project approval. She stated there's evidence that the project may result in significant traffic and parking impacts, specifically to already impacted roadways, high traffic intersections such as Veterans and Whipple, Veterans and Woodside, and also impacts to nearby residential neighborhood from large moving trucks, garbage pickup, and overflow parking. She stated the project will result in significant impacts from greenhouse gas emissions. Evidence shows the projects gas emissions upon project completion in 2014 will exceed the threshold. The MND incorrectly bases its GHG emissions analysis on project emissions at 2020. She stated the project may result in impacts from emissions of diesel particulate matter during construction. She urged the Commission not to approve the project today. She stated they have not prepared an adequate EIR to mitigate the projects potentially significant impacts.

Mark Leach noted that Bill Nack is usually here to speak on behalf of construction workers and others, but he stated that he was in another room with building trade workers supporting a project that will be built by a company that supports the community. He stated the property owner has already built projects that uphold area standards and provide more good jobs for workers at wages that can house a family, provide pensions, and health insurance. He stated that the race to the bottom with the subcontractors will not take place at 640 Veterans. He stated they should tell the community this project will be built at prevailing wages so Redwood City projects will treat workers with the same respect they can get from San Francisco to Menlo Park. He stated he knew this would pass the Planning Commission, and the City Council would have the opportunity to hear the same kinds of questions. He stated he wants every project to be a good project. He stated that the workers care about the trees and the traffic but they care about the people the most.

MOTION TO CLOSE THE PUBLIC HEARING
M/S: (Schmidt/Bondonno)
Motion Passed: All yes.

Commissioner Schmidt noted that the continued public hearing allowed him to look into the project more and answer his own questions. He noted the transmission lines on page 264, and originally it stated the developer was going to replace just over 1000 feet of the line. He stated the now it states 825 feet. He asked if that will no longer be replaced, or if it is, and what happened to the 235 feet difference.

Peter Vorametsanti with the City's Engineering Department, stated that the first figure was an error. He stated the replacement of the line has to do with infiltration and infill of the sewer collection system. He stated the waste water collection system is prone to infiltration because of the technology when the system was put in place 50 or 60 years
ago. He stated they are replaced every year but up to about 10 years ago the technology consisted of employing technology that is prone to infiltration. He stated the tightest system can have as much as double the flow in the winter time versus the summer time, and that is the best system that can be found. It can go up to 5 or 10 times, and therefore by replacing some of these old vitrified clay pipes anywhere in the system, infiltration will be reduced to compensate for new flow generated by the project.

Commissioner Schmidt asked if the 1000 was correct.

Mr. Vorametsanti stated that it was not.

Commissioner Schmidt noted page 199 about soil borings and soil vapor probes. He asked how it is determined how many are done.

Bruce Abelli-Amen, Baseline Environmental Consultant and professional geologist, spoke about the soil borings. He stated that if anything is found that is suspicious borings are placed on those spots based on the site’s history. He noted that in situations where no particular spot is suspicious then borings are placed randomly. He stated that enough are done there are statistics to show with confidence the likelihood of missing something. He stated in this case borings were placed at locations where contaminations were suspect, such as a few spots where fuel products were found.

Commissioner Schmidt asked about the top of the page where it says PHC is exceeding threshold limits in two areas. He asked if that is not enough to do an EIR.

Ms. Ramirez stated the requirements for when to do an EIR and when to do a Mitigated Negative Declaration aren’t necessarily when you identify potentially significant impacts. Where they are identified and the initial study also identifies that mitigation measures are available to reduce those impacts, or to fully mitigate those impacts, then a Mitigated Negative Declaration is appropriate under CEQA.

Commissioner Schmidt asked if the mitigation here is removing soil.

Ms. Ramirez stated what was determined by the ISMND is that all those impacts could be mitigated to a less than significant level.

Mr. Abelli-Amen noted that this site is not unique in any way, and the chemicals were routine, like motor oil. He stated that the procedures for this type of site are set because they’re so common. He stated that the fact that some contaminants have been found only means they need to be addressed, and for this site the answer is excavation because they’re so shallow. What’s called for in the ISMND is a special team to go in first and pull the hydraulic hoists that are still there, and to do that they have to contact the Environmental Department. He stated they come with inspectors, pull the hoists, and make sure the hoists did leak. He stated the site will be excavated until it reaches acceptable screening levels. One it’s certified by environmental health the general contractor can come in and dig up the rest of the site. He stated there’s a plan to protect those workers if they find something they didn’t expect. He noted a person gets more exposure filling up their car at the gas station that at one of these sites. He stated the levels that are in the packet are risk-based screening levels defined at a 70-year exposure.
Commissioner Schmidt asked if what was found now is significant but it can be reduced to less than significant.

Mr. Abelli-Amen stated that by implementing the mitigation measure in the ISMND it is reduced.

Commissioner Bondonno asked if the mitigation measures are the norm, all within acceptable standards per CEQA for an MND. He asked if it's not a unique scenario and nothing elaborate is being done as a mitigation measure.

Mr. Abelli-Amen replied yes. He stated that this cleanup would go on if the site were developed with or without the ISMND mitigation measures because the programs are already in place. The mitigation measures basically describe the existing program and how it will be implemented. The mitigation is already in place, and this is just a callout to make sure the city monitors it. It’s a double level of follow up.

Commissioner Bondonno asked if the mitigation measures are in the normal scope of an MND.

Mr. Abelli-Amen stated he has prepared CEQA sections, too, and in his experience they are. When using a performance based standard it’s saying the project will clean up, and will get clearance from the health department before they issue building permits.

Chair Borgens asked if these standards are state standards.

Mr. Abelli-Amen stated the state is the main regulating agency but they have an MOU with the environmental health department to implement programs locally.

Commissioner Tabing stated they heard the applicant’s attorney say the existing documentation is adequate, and that the Planning Department and the City’s Attorney Office seem to believe that is the case as well. He asked why anyone would question the approach.

Ms. Ramirez stated it may be that they do not fully understand the process, because the requirements are pretty clear under CEQA that a Mitigated Negative Declaration is sufficient and appropriate when potentially significant impacts have been identified but mitigation measures have also been identified and adopted for the project. She stated that had the Initial Study identified potentially significant impacts and needed further study to what mitigation measures would bring it down, then there would be an EIR. She stated in this case when the Initial Study was done they didn’t find items that were potentially significant and could not be readily identifiable for mitigation.

Commissioner Tabing asked why the Mel’s Bowl site needed an EIR, if it was the historical aspect.

Ms. Ramirez replied that the Mel’s Bowl Initial Study identified one impact that they couldn’t readily identify the mitigation for, so it triggered an EIR review, which, when prepared, needed a statement of overriding consideration because no mitigation was identified.

Chair Borgens asked if historical significant automatically triggers an EIR.
Mr. Lyon stated the historical component isn't what triggers the EIR, it's the ability to identify a mitigation measure that can readily reduce it to less than significant levels. In this case the subject matter just happened to be historical. He stated that because there were no identifiable mitigation measures available in the analysis, the EIR has to look at whether or not there are alternatives that can reduce that, and if nothing can be found there must be a statement of overriding consideration to say that the project benefits outweigh the environmental concern.

Commissioner Bondonno asked where the comment letter that arrived yesterday came from.

Mr. Jany stated the comment came from Adams Broadwell, Joseph, and Cardozo. Rachael Koss, which is the attorney for Citizens of Responsible Development.

Commissioner Bondonno asked if any of those members were present on the meeting on the 17th.

Mr. Jany stated that one speaker spoke this evening and there is another in the audience, and Mr. Torriano spoke on the 17th.

Commissioner Bondonno stated their representative was present on the 17th, the public hearing was continued for a full 2 weeks, and Staff received the comment letter late yesterday.

Mr. Jany stated it was about five o'clock.

Commissioner Bondonno asked if it was five in the evening.

Mr. Jany replied yes.

Commissioner Bondonno asked if Staff and the consultant reviewed the letter even though it arrived so late.

Mr. Jany replied yes.

Commissioner Bondonno asked if Staff has already stated that the ISMND are complete and adequate under CEQA.

Mr. Jany replied yes.

Commissioner Bondonno asked if, in light of that letter, there is anything which would change the level of any impacts presented to the Commission.

Mr. Jany replied no.

Commissioner Bondonno stated none of that would have triggered a change in the level of significance or impacts, changed mitigation measures, or triggered an EIR.

Mr. Jany replied that's correct.
Mr. Ramirez added that the standard would be that if the comment or any comments had provided substantial evidence of a potentially significant impact that hadn’t been addressed by a mitigation measure that would trigger an EIR but in this case Staff, consultants, and the City Attorney’s office have considered the ISMND in light of those comments and have determined they’re adequate and in compliance with CEQA.

Commissioner Schmidt asked about the discrepancy between the 10% affordable housing and the 20% more density.

Ms. Ramirez stated that the density bonus law is a statewide law and requires that when a developer seeks a density bonus, it provides a 20% density addition, so that’s an additional 20% units plus other concessions, whether they be financial or administrative, and in return the City gets the affordable housing units that are also prescribed by the law. She stated it’s 10% affordable units which came to 44 units, and then 3 additional concessions were given, the 3 concessions being 3 units in addition to the 20% bonus, then the height increase, and the reduced sidewalk width.

Commissioner Schmidt asked the developer to try to get 2 or 3 more affordable units.

Mr. Malick stated they cannot commit to that at this point but will take it into consideration.

Chair Borgens stated that even though the Commission can’t require it, she asked that the hiring be local.

MOTION TO ADOPT RESOLUTION 12-03, ATTACHMENT 2 OF THE JANUARY 31ST PACKET, ADOPTING THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND ASSOCIATED FINDING FOR THE EVALUATION OF THE UP TO 265 RESIDENTIAL UNIT DEVELOPMENT AT 640 VETERANS BLVD AND ADOPTING THE MITIGATED MONITORING AND REPORTING PROGRAM, ATTACHMENT 4
M/S: Bondonno/Radcliffe
Motion Passed: All yes, one abstention (White)

MOTION TO ADOPT RESOLUTION 12-04, ATTACHMENT 4 OF THE JANUARY 17TH STAFF REPORT, CONDITIONALLY APPROVING THE PLANNED DEVELOPMENT PERMIT, PD 2011-02, AND ALLOWING THE PROJECT TO EXCEED THE MAXIMUM ALLOWABLE HEIGHT REGULATION OF THE MUC-BB ZONING DISTRICT, TO CONSTRUCT THE PUBLIC SIDEWALK FRONTING VETERANS BOULEVARD WITH THE WIDTH OF 12 FEET WHERE WIDTH OF 14 FEET IS PRESCRIBED, AND TO ALLOW THE PROJECT THE DENSITY BONUS OF 3 ADDITIONAL MARKET RATE UNIT OVER THAT ALLOWED BY THE ZONING ORDINANCE SUBJECT TO THE CONDITIONS OF APPROVAL LISTED THEREIN AND BASED ON THE RECOMMENDED ADDITIONAL FINDINGS
M/S: (Holt/Bondonno)
Motion Passed: All yes, one abstention (White)

MOTION TO ADOPT RESOLUTION 12-05, ATTACHMENT 5 OF THE JANUARY 17TH, 2012 STAFF REPORT, RECOMMENDING THAT CITY COUNCIL APPROVE THE PARCEL MAP, EXHIBIT 1, TO THE RESOLUTION FOR THE PROPOSED MERGER OF TWO EXISTING PARCELS AND DEDICATION OF VARIOUS EASEMENTS.
M/S: Radcliffe/Holt
Motion Passed: All yes, one abstention (White)

MOTION TO RECOMMEND TO CITY COUNCIL TO APPROVE THE AFFORDABLE HOUSING AGREEMENT, ATTACHMENT 6 OF JANUARY 17TH PACKET.
M/S: Bondonno/Radcliffe
Motion Passed: All yes, one abstention (White)

Commissioner Schmidt stated this project will be beautiful for Veterans and will set the example for Redwood City’s gateway. He stated he thinks Redwood City does a great job supporting the community and it’s great to remind developers and trade councils that there are ways to work together.

Commissioner Bondonno stated he appreciated the outreach and how they responded to the outreach in the neighborhood. He noted that there’s no back door in the architecture, it fronts on both sides of the project. He stated he’d like to get as much affordable housing as possible.

Chair Borgens noted the outreach has been great and expects it to continue.

Mr. Malick thanked the Commission for approving the resolutions and recommendations and stated he will continue with the outreach.

6. MATTERS OF COMMISSION INTEREST:

Mr. Lyon formerly welcomed Commissioner White. The next meeting will be the 21st for the public comment part of the review process for the Stanford EIR. In March there will be two items, the first of which on March 6th a project at 1410 Valetta, a currently single-family home on an individual parcel, that is being proposed for subdivision and allowing for five units. Later in the month, there will be training on March 20th, 21st, and 22nd. Staff will get everyone registered. He noted it is local and there will be a meeting the night of the 20th because it’s the annual report for the block grants, etc, so that will be a long day.

7. MOTION TO ADJOURN:
M/S (Holt/Radcliffe)
Motion Passed