

August 1, 2016

Dear City of Menlo Park,

Subject: Comments regarding the General Plan Update Draft EIR.

The General Plan Update (GPU) is a much-needed and overdue effort because the General Plan's all-important Land Use and Circulation Elements have not been updated comprehensively since 1994. At that time, the planning horizon was 2010. It was already out of date when I served on the Planning Commission from 2000-2004. This DEIR reveals for the first time to my knowledge what the existing conditions are in Menlo Park and the magnitude of change ahead as represented by Cumulative Projects (4 of 5 of the largest ones have not been approved yet¹), the remaining buildout of the 1994 General Plan, and the proposed zoning changes for the Bayfront area.

The grim picture the DEIR paints of Menlo Park's future over the next two decades, if one can actually decipher it, is one of immense gridlock, and an aggravated housing crisis with the inequities that come along with such an imbalance of jobs and housing. The City is projected to grow by 50% in population and 70% in jobs. Although only a portion of this growth is the subject of this DEIR, the document demonstrates:

- The Jobs/Housing Imbalance Worsens – The current jobs/housing ratio of Menlo Park is one of the worst in the region and the DEIR shows it will worsen. To be sure, the Project represents an improvement of jobs/housing balance over existing conditions, but that alone is not enough to outweigh the jobs/housing ratio for the Cumulative Projects, the largest of which have not yet been approved. See the graphic on the next page that shows the jobs/housing ratio of 9.7 of the approved and pending projects (yes, only one new home for every 9.7 new workers), and the jobs/housing ratio of 4.40 for the buildout potential of the current General Plan (part of the Project's combined ratio of 1.8).
The Bohannon Menlo Gateway project, which adds approximately 1 Million SF of office and hotel space but no housing, already is under construction.
- Extreme Traffic Conditions – the DEIR shows that even without the Project, 23 intersections would not operate acceptably by 2040 (some do not now). The DEIR Appendices show that a number of intersections deteriorate to the point that the average intersection delay per vehicle turns from seconds to minutes.

Since this is the first glimpse of current conditions and our community's future with all the proposed growth, it is a prime opportunity to identify ways the City can manage the negative impacts, including managing the pace of growth. The DEIR conveys few solutions and in a number of places merely concludes that the impacts are Significant and Unavoidable. This begs the question of how could they be unavoidable when the City itself controls most of the levers that relate to Land Use and Circulation, and those are the very topics of the GPU that is part of this Project. The City also controls funding and the zoning and other Municipal Code provisions that can help achieve and maintain a high quality of life for residents and businesses.

It is striking that many of the impacts portrayed in the DEIR relate to the current General Plan and growth related to "cumulative projects" that include approved projects that are not constructed yet plus proposed projects. While not specifically addressed in the DEIR because these are not part of the defined Project, this is the right time for our decisionmakers and community to discuss the overall picture of growth and the impacts that come along with it. Such discussions should include the possibility of pacing growth to the ability of the infrastructure (e.g., schools, playing fields, water supply) to support it

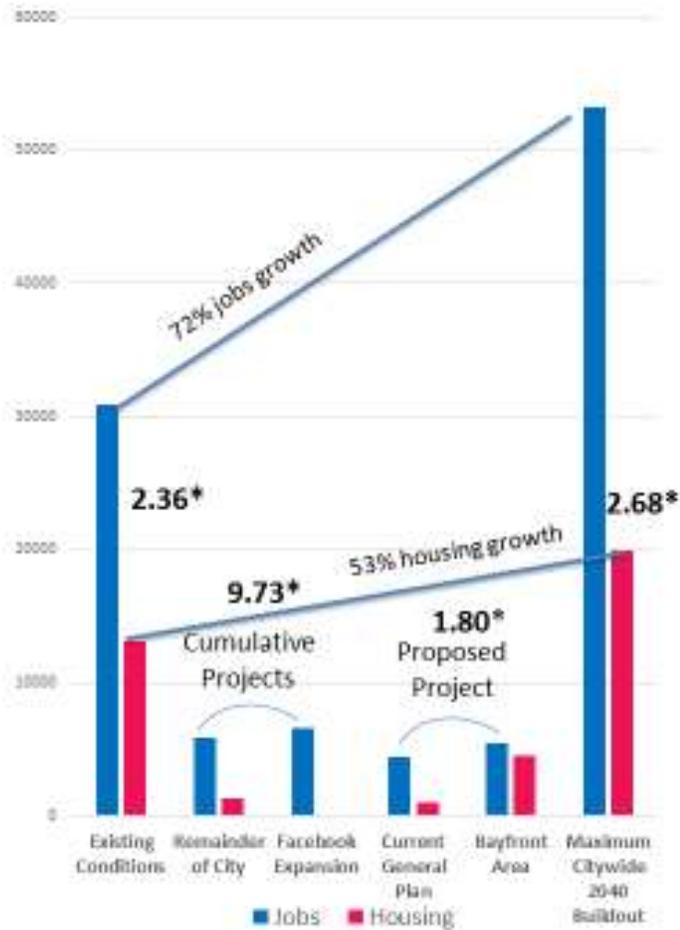
My general and specific comments follow.

Thank you for your consideration.

Patti Fry
Menlo Park resident and former Planning Commissioner

¹ Potential projects in the Cumulative Projects pipeline include the proposed Greenheart and Stanford projects on El Camino Real, SRI renovation project, and Facebook Expansion project. The Bohannon Menlo Gateway is under construction, and also is included in the Cumulative Projects list

CHANGES IN JOBS AND HOUSING
CITYWIDE
FROM 2016 TO 2040
With Jobs/Housing Ratios



* Jobs/Housing Ratio

Source: General Plan Update DEIR page 3-29

GENERAL COMMENTS

Background

There are 3 main components of the "Project"

1. Re-do of virtually every Goal, Policy, Program description in the Land Use (LU) and Circulation (Circ) Elements of the General Plan. These are intended “to reduce and/or avoid impacts to the environment as a result of future development”. These do not incorporate measurable standards, funding mechanisms, enforcement so require subsequent actions that make them effective as tools to guide the future through the Land Use and Circulation Elements.
2. Reaffirmation of the buildout potential in the existing General Plan. This is for future projects. Currently proposed projects in the pipeline are considered in the document as "Cumulative Projects" along with approved projects that are not constructed yet. Part of the remaining buildout is considered a component of the Project
3. New zoning in the Bayfront Area (aka M-2) that increases development potential and that requires adherence to green building standards and provision of community amenities for certain projects. Zoning remains unchanged in the remainder of the city. This is the other component of the Project.

General observations and concerns about the DEIR:

- Unclear and Inconsistent Project definition – From a Land Use perspective, the Project is both the proposed changes to the Bayfront Area and the remaining buildout of the current General Plan. The DEIR needs to explain how the Project’s remaining buildout potential under the current General Plan was calculated. While presumably that involves approved projects, the DEIR needs to show its calculations. See table below that compares the 1994 General Plan buildout with what is provided in this DEIR as Existing Conditions and this part of the Project;

	Full Buildout Potential 1994 General Plan Page III-4*	Existing Conditions DEIR Page 3-29	Difference between Full Buildout and Existing	Project – Current General Plan DEIR Page 3-29
Non-residential SF	18.89 million	14.6 million	4.29	1.8 million
Residential Units	20,042	13,100	6,942	1,000
Population	35,285 (by 2010)	32,900	2,385	2,580
Employment	29,202	30,900	(1,698)	4,400

**Full buildout potential, based on maximum theoretical development potential, as described on pages III-2 and III-3 of 1994 General Plan*

Note that the 1994 General Plan assumed worker densities of 500 SF/worker whereas current conditions are much lower (approximately 150 SF/worker in recent Facebook projects). This is important because the DEIR states that there is capacity for more growth under the current Plan.

DEIR 4.11-16 states “The City currently has the capacity to accommodate 1,000 housing units, 2,580 new residents and 4,400 new employees and the proposed project has been prepared to consider the relationship of the proposed new development potential to the existing setting, and as such includes measures...to accommodate the projected new growth.” But that capacity is only for the Bayfront Area. This is one of many examples of how the Project is described inconsistently.

- Misrepresents consistency with regional planning.

This amount of growth, 53% population growth, 72% employment growth is portrayed as consistent with regional planning even though ABAG's 2013 projections for the same period are 15% and 13%, respectively. There is an implication that the next ABAG projections will simply incorporate MP's plans; the DEIR 2-26 states "*...when the regional growth projections are updated they will incorporate the propose project, which would reduce this impact to a less-than-significant level*". This is not an appropriate conclusion.

Plan Bay Area emphasizes growth along transit corridors and in Priority Development Areas (PDA) where 80% of regional growth is expected to occur, with a ratio of 1.4 jobs/housing growth in the PDA's.

Menlo Park's only PDA is along El Camino Real in the ECR/Downtown Specific Plan area. According to this document, about 2/3 of the Project's population growth would occur in Bayfront area, and more than 50% of the jobs growth would be there, too, not in its PDA. This growth is not close to transit, which could exacerbate traffic congestion and worsen numerous environmental factors (e.g., greenhouse gases, air pollution). That is inconsistent with Plan Bay Area's objectives.

- The DEIR provides incomplete information. - Complete information is not readily available so that the public can make informed decisions. Examples
 - Goals, Policies, Programs - while the new LU and Circ Goals, Policies, Programs (GPP) are provided in the document and the old ones are in the Appendices (where there is no index), there is no comparison of the proposed, totally revised Goals, Policies, Programs for the Land Use and Circulation Elements with the current ones. I saw something like this about year ago and cannot find it on the city website without opening every agenda, and I know that some changes have been made since that time anyway. This makes it impossible to evaluate what may have been lost from the prior GPP and to confirm statements asserting that the new GPP's better protect the community.
 - Vehicle Miles Traveled (VMT) - there is no evidence of how the current and future Vehicle Miles Traveled were determined, what trips are taken and from where to where. Since the DEIR states there is a VMT reduction that affects traffic, air quality etc, this is important information. It doesn't pass the common sense test, and there's no proof of this assertion.
 - Cut-through traffic - there is no information about neighborhood cut-through traffic even though current city policies require this analysis to be done. The city's new traffic model shows a number of intersections that would have "underserved" traffic with upstream and downstream congestion but there is no information about what happens to that traffic. At the recent Town Hall (July 11th), it was confirmed that traffic, like water, will flow where there is the least resistance. That means increased neighborhood cut-through traffic and related safety and quality of life concerns.
 - Gridlock – critical information about potential gridlock is obfuscated and hidden. Example – the future traffic delay at a number of intersections is identified as >50 seconds when the actual average delay per vehicle actually deteriorates to the point it is calculated to be minutes in duration. In one case (at Bayfront Expy and Adams), the average delay per vehicle becomes >40 minutes). This information is buried in the Appendices, which has no index.

The traffic model, Vistro, does not even capture delays that result from “unserved demand” and “upstream and downstream congestion”. (DEIR 4.13-52), so the impacts may be quite understated and need to be acknowledged as such, and further analyzed.

- Impact of pending projects – the amount of growth represented by proposed major projects is not readily visible. The Facebook Expansion project is shown in a separate column, but the proposed Greenheart (1300 El Camino), Stanford (500 El Camino), and SRI renovation projects are not. This information would help decisionmakers understand where there could be leverage in terms of improving the jobs/housing balance and addressing traffic impacts of these projects in the citywide growth context. For example, the city could require project modification or additional mitigation measures (e.g., through conditions of approval or negotiated terms) of these projects.
- Maximum buildout – The DEIR does not disclose the theoretical maximum buildout that could occur from the Project’s zoning changes. It only discloses the projected amount through 2040. It is my understanding that acceptance of this GPU means that, like with the 1994 General Plan, the acceptance also would approve the Land Use provisions that allow future growth beyond the amount studied within the 2040 planning horizon. While subsequent environmental review would be required to go beyond the 2040 buildout, this theoretical maximum buildout information is important to be available for both the ECR/D SP area and the Bayfront area, separately, for decisionmakers and the community to understand the magnitude of potential future growth and potential strategies to manage the growth and its impacts.

While the El Camino Real/Downtown Specific Plan has a development cap, that cap can be exceeded with additional environmental review and approval. It would be very helpful to have the Specific Plan’s theoretical maximum buildout provided as part of the background information for analysis of the proposed Land Use Element and 2040 projections. That calculation was not performed for the Specific Plan when it was adopted. Because this GPU involves an update of the Land Use and Circulation Elements, the Specific Plan area’s potential development is a major component of the city’s future.

- Proposed Zoning Ordinance Amendment – The changes to the existing Zoning Ordinance are not provided for analysis to determine whether assertions about what it contains are valid.
- Incorrect information - In too many places, the DEIR only examines impacts and mitigation measures in the Bayfront Area, not the entire Project, which includes the citywide buildout under the current General Plan. This inconsistency serves to provide misleading information about potential impacts.
For example, the table that purports to show that VMT decreases, on DEIR 4.2-33, compares the Proposed Project 2040 with the General Plan 2040, but the difference in population and employment is only the Bayfront Area, not the full Project (i.e., that includes remaining buildout under the current general Plan).

Similarly the water analysis is about the Bayfront Area, not the entire Project compared to Existing Conditions.

- Commendable zoning changes are limited to the Bayfront area - these include required minimum amount of housing in a mixed-use zoning district, required community benefits, provisions for green building methods, etc. These zoning changes do not apply to the rest of the city where approximately 60% of the future growth from Existing Conditions to 2014 is projected to occur (counting approved, under-construction, and proposed projects), some of it possibly in the near term.
- Mitigation measures - Most of the mitigation measures for impacts are not specific or proven, thus impossible to determine if they are feasible or realistic. Nearly all of the mitigation measures are references to new Goals, Policies, and Programs (GPP) in the proposed Land Use and Circulation Elements. Few (if any) of these GPP have a measurable standard, funding, enforcement mechanism, or proof that they actually work.

In numerous places throughout the DEIR, the mitigation is merely a reference to proposed Land Use and Circulation Element Goals, Policies, and Programs. None of these contain standards or monitoring mechanisms that require actual mitigation; they are unenforceable. For example, in the Air Quality section, DEIR 4.2-24, there is reference to Policy OSC-4.1 “**Encourage** to the extent feasible balance and match between job and housing”. This does not define a specific action (e.g., a “shall” statement), a standard (e.g., a specific jobs/housing ratio). This does not constitute an actual mitigation.

The actual standards and implementation measures need to be specified before projects could be approved. In most cases, the mitigation measures and their funding could be identified long after the projects happen. Since one goal is to streamline future project approvals, it is particularly important to ensure potential impacts are adequately identified and adequate mitigation measures are in place **before** projects get approved. Ideally, these measures also are incorporated into pending projects

- The Project Alternatives are too limited - The Project Alternatives, other than the No Project Alternative, are limited to the Bayfront area. The DEIR should examine some that address development in the rest of the City (possibly also address proposed but not approved projects)

Given the magnitude of impacts, additional Alternatives should be considered. The GPU and DEIR should also add, potentially as new mitigations:

- Modify zoning in the rest of Menlo Park so that it provides a better (and defined) balance of jobs and housing and puts less of any future development outside the PDA. Such rezoning could be considered mitigation in certain sections of the DEIR.
- Pace, through the approval process, employment growth in chunks related to growth in housing and transit improvements (i.e., contingent upon such changes)
- Add requirement to identify needed transit improvements and funding mechanism and committed plan before employment growth is approved
- Establish a jobs-housing ratio as a standard, and measure growth against it.

These could be in the form of zoning changes, overall approval process changes, and housing programs. Some of these may not require a new EIR and could be implemented relatively quickly.

ADDITIONAL SPECIFIC COMMENTS, by section of the GPU DEIR:

DEIR 3-29: In Cumulative Projects, the table groups together as “reasonably foreseeable” projects both pending projects and approved projects (some of the latter are under construction). The Cumulative Projects in Remainder of the City should be split out into separate columns with Approved Projects in a separate column from each of the 4 major Pending Projects (i.e., their non-residential SF, hotel rooms, residential units, population and employees). That information is provided for the Facebook Expansion project, but inexplicably not for the other 3 major pending projects (e.g., Stanford and Greenheart projects on El Camino Real, the SRI renovation project).

The non-residential SF for hotels should be presented consistently for all columns. The hotel SF is not included in total non-residential SF for either the Facebook Expansion project or proposed Bayfront Area. This skews the data and any analysis of it.

The DEIR should provide explanations for how the number of employees were calculated for each increment of growth (e.g., for each of the columns on page 3-29).

DEIR 4-3: The ranges are very broad for numbers of employees by type of use (e.g., 155-450 SF/office worker). The recent Facebook project and the currently proposed Facebook project show office employee densities near 150 SF/employee. The DEIR should explain why this current technology practice is not applied to the calculations for the DEIR projections, and should show how other assumptions were applied. In other words, the DEIR should show its work for each pending Cumulative project from the DEIR’s list, and for each column of the Project, as portrayed on DEIR 3-29. Where the office employee density assumptions are different than for the recent Facebook Expansion project DEIR, the DEIR should explain why there is a difference.

The DEIR seems to apply the 2040 ABAG population per household assumption to arrive at population growth. The DEIR should explain why the City’s own current ratio is not utilized.

DEIR 4-4 There is an assertion that the General Plan and zoning update would be “largely self-mitigating” but fails to disclose that the zoning update only applies to the Bayfront Area, not citywide, and not even to the full Project as it is defined (i.e., does not include the remaining citywide buildout under the current General Plan)

DEIR 4-5 The list of projects omits the Stanford medical center expansion, which is in the Planning Area. The Stanford campus in Redwood City project also is likely to have a major impact that is greater than regional projections.

The DEIR states *“The cumulative impact analysis in this Draft EIR relies on a projections approach supplemented by the list approach that, when considered with the effects of the proposed project, may result in cumulative effects.”* The DEIR needs to explain in plain English what this means and how the approach was implemented.

Because the DEIR reveals population, housing, and employment growth far in excess of regional planning agency growth projects, the projections approach may hide impacts that are far in excess of what might occur at the much lower growth levels. The DEIR should take a conservative approach of identifying potential impacts by examining cumulative impacts that reflect the growth shown between Existing Conditions and Maximum Citywide 2040 Buildout.

Further, on DEIR 4-6, only the proposed projects in Bayfront Area are highlighted, which implies that the only impacts examined are in the Bayfront Area whereas the Project involves citywide development and adoption of proposed new citywide Land Use and Circulation Goals, Plans, and Programs (GPP).

The DEIR needs to explain how exactly the cumulative impacts were assessed.

DEIR 4.1 Aesthetics: The DEIR speaks only to potential impacts in Bayfront Area. The Project includes citywide buildout under Current General Plan. For example, DEIR 4.1-14 Higher buildings are “not expected to generate a substantial increase in light and glare.” But the DEIR does not explain why that conclusion is reached. There is no evidence of that, and the only zoning changes relate to the Bayfront Area, not citywide to the rest of the entire Project, including to the Facebook Expansion project. There is no current requirement to address light and glare, so the impact should be considered potentially Significant and mitigation could be a requirement to address this.

DEIR 4.2 Air Quality – the section suggests the a live-work-play environment and TDM requirements reduce trips and therefore air pollution. But it does not show how a reduction below current levels results. Further, the TDM requirements apply only to the Bayfront Area and the live-work-play environment may only occur in the Bayfront Area, not in the citywide portion of the Project. A conclusion of LTS is inappropriate, particularly because traffic and congestion will increase. Impacts could be Significant.

There is a reference to consistency with Plan Bay Area (PBA), resulting in a reduction of a reduction of Greenhouse Gases (GHG), and assertions that Vehicle Miles Traveled (VMT) will decrease citywide. But the Project promotes growth that is not in a Priority Development Area close to transit, so it is inconsistent with regional PBA strategies. The DEIR needs to show how VMT declines from existing conditions. With an increased housing shortage that results from the Project (Bayfront Area plus Citywide Buildout), and housing shortages in nearby communities, the DEIR needs to explain how VMT decreases overall and per capita, especially because it makes clear that VMT is sensitive to where people live and work and where services are. Because the remaining General Plan buildout, part of the Project, has less new housing relative to the number of new workers, it is likely that most new workers will commute and that their commute will not be local.

Regarding public health issues, the DEIR only discusses the Bayfront Area, not the remainder of the Project.

There is reference to TDM program requirement to reduce trips below standard use rates, but there is no evidence of how much such a requirement actually works to reduce impacts. Traffic and traffic-related impacts increase, and TDM can only lessen that increase. It still increases.

Additionally, the proposed GPP only require projects to “consider” impacts when development decisions

are being made (e.g., 4.2-26 local planning and development decisions are required “to consider impacts to air quality”). There is no requirement to mitigate the impacts or not approve the projects if impacts reach a defined threshold.

4.3 Biological Resources – This section omits mention of potential impacts on biological resources, particularly on the wildlife refuge, of the increased presence of more people in close proximity, new light and noise and vibration sources (described in the Noise section) during construction and in the evening and early morning hours. With proposed Residential Mixed-Use development proposed on the part of the Facebook campus that is surrounded on 3 sides by the refuge, there is potential for Significant impacts. Potential mitigation should be identified by a qualified biologist; these could include restrictions on the type of housing (if any) allowed within certain distances of the refuge, on light and glare, and on noise and vibration both during construction and during times that might affect wildlife.

On DEIR 4.3-20, there is reference that there are Noise & Safety Element GPP’s that “require planning and development decisions to consider” but there are no standards and no requirement to address. These do not constitute mitigation.

4.5 Geology, Soils, and Seismicity – Although the DEIR states there is risk that should be considered in project approvals for such geological impacts such as seismic shaking, ground failure, unstable geologic units, it concludes the potential impacts are LTS. The risks are Significant and could be at least partially mitigated. The DEIR needs to explain how “consideration” of these risks in development decisions is an actual mitigation, and how current building codes mitigate the risks adequately to LTS levels.

4.6 Greenhouse Gas Emissions - This section describes that the city has failed to achieve its Climate Action Plan goals, yet it describes that merely updating the goals as THE mitigation. An updated plan and future Council decisions cannot be relied upon as mitigations at this time. The DEIR concludes that a lowered VMT reduces GHG but the GHG goal is a total emissions goal, not just a per capita goal. Conclusions depend on accurate assessment of VMT.

The DEIR states that it is consistent with regional planning efforts and points to the ECR/D SP area, which is a PDA, “The proposed project would continue to identify this area for mixed use, and includes policies that are in-line with the regional objectives for land use and transportation.” But, the PBA promotes development along transit corridors, and particularly in PDA’s. The Project does not. Further, the buildout of the ECR/D SP and current GP demonstrate that the current citywide zoning does not promote a jobs/housing balance.

4.7 Hazards – The DEIR says there are LTS impacts on emergency response. But the information provided from both the Fire District and Police suggest otherwise. The requirement only to “consider” potential impacts is insufficient mitigation

In Cumulative impacts, the DEIR points to “*Policy CIRC-2.14: Impacts of New Development. Require new development to mitigate its impacts on the safety (e.g., collision rates) and efficiency (e.g., vehicle miles traveled (VMT) per capita) of the circulation system. New development should minimize cut-through and high-speed vehicle traffic on residential streets; minimize the number of vehicle trips; provide appropriate bicycle, pedestrian, and transit connections, amenities and improvements in proportion with the scale of proposed projects; and facilitate appropriate or adequate response times and access for emergency vehicles*” DEIR 4.7-28+ and concludes the impact is LTS. But there is a potential Significant impact, particularly because of the greatly increased traffic congestion. The GPP provides no standard, and no definition of what “minimize” means in the context of cut-through and high-speed traffic,

number of vehicle trips, etc. This is unenforceable and ineffective without a measurable standard and enforcement mechanism.

DEIR 5 Alternatives to the Project – the DEIR should examine additional Alternatives to the Project that involve more than just the Bayfront Area and would reduce environmental impacts such as:

- Residential Citywide Alternative - that increases zoning for housing to a defined level of jobs/housing ratio, such as at or below Existing conditions, and tying non-residential growth to the provision of housing (not just the zoning for it to be possible) so that the ratio would not deteriorate
- Reduced Non-Residential Citywide Alternative (i.e., for entire Project, including Bayfront Area) to achieve a desired jobs/housing balance

Additional zoning tweaks could be made to promote housing. For example, in single family residential zones, to allow development up to the maximum FAL MINUS an amount of Sf appropriate for a secondary dwelling unit, and to require space on a lot for such a unit. For example, if a new SFR could build 3,500 SF (plus a basement!), the tweak could be to allow the main residence to be only 3,000 SF (plus a basement) to leave 500 SF for a secondary dwelling unit. The secondary unit would not be required, but the project would have to leave sufficient SF and space for it to be built in the future. The recent craze of demolitions and rebuilds provides opportunities to implement a program like this.