

1410 Mills Court
Menlo Park, CA 94025

June 28, 2019

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

Dear Tom,
Re: Initial Study EIR for 162-164 Jefferson Drive

Unfortunately, I just learned about this project and so I only have the time for very general input that mostly pertains to process improvement suggestions.

I've conducted my own analysis of the City of Menlo Park's General Plan compared to the general criteria included in State law, along with an evaluation of the degree to which the MP General Plan complies with the State's Guidelines for General Plans. **My conclusion is that the ConnectMenlo exercise represented an illegal substitution for State General Plan requirements.** Unfortunately, the Statue of Limitations is short (about 30 days) and it's too late to legally challenge the ConnectMenlo zoning decisions. However, I will point out that Council and the public were told that the ConnectMenlo exercise "will comply with State Law." I don't believe that it did.

By the City's own admission, the goal of ConnectMenlo's was to maximize revenue from a small area, roughly 5% of the City's overall size. This was despite the serious environmental impacts that would further erode the already declining quality of life in the area due to traffic congestion, housing displacement, lowered air quality, etc. Significant environmental impacts were declared necessary and unavoidable.

I do not consider the public engagement process a robust and inclusive one either. First, it was designed to get the zoning changes completed as quickly as possible, preferably in two years. David Bohannon, a major property owner in the area, had a seat on the ConnectMenlo Advisory Committee. The residents participating mostly lived in District 1, a lower-income community that started as a red-lined one, because residents living outside the area were told that the ConnectMenlo zoning ordinances would not apply elsewhere. Thus, the exercise did not receive adequate and inclusive examination by the general public. Most of us also had no idea that a low-income residential community -- that started as a redlined community -- was located near all the development.

Fortunately, Senate Bill 1000 Environmental Justice took effect in 2018. This law is designed to protect communities, such as the Belle Haven, from disproportionately bearing the brunt of serious environmental injustice.

For many reasons, the time is right for the City to start thinking about ways to lessen the negative impact of Connect Menlo. The recent moratorium proposal and discussion have raised grave concerns about ConnectMenlo's flaws. In short, it has benefited developers and supplied revenue to the City's operating budget (of which 65% goes to support the Staff organization). However, residents have mostly not seen value.

Other comments:

Need for Process Improvements

- The Public Noticing Policy needs updating. First, developments in District 1 need the entire notices in Spanish, not just one sentence. The notices should also go into the Almanac, given the limited availability of the Daily News in District one. There are other problems. A push notice should also be sent out to everyone who signed up to receive updates in Belle Haven.
- At the Notify Me page, can you add a way for the public to sign up to receive all EIR-related notices? I would like to receive notices for all EIRs, no matter their stage.
- The public needs more transparency into the overall EIR process, and to know at what phase each particular EIR document is within that process. I suggest a chart at the City's website, using clear and consistent terms. Then, I would more clearly label each EIR document as to what phase it is in.
- For this document, I am not sure exactly where it falls within the overall EIR. Are we at the beginning stage (i.e. the Notice of Preparation Stage) or what?

Broken Bonus-Level Development/Community Amenity Process

- This project wants to develop at the bonus level "although the proposed community amenity has not yet been identified." This is a major red flag. Projects should not move forward without a predetermined community amenity. The Fiscal Impact Analysis should be conducted at the beginning stage of the EIR process. Waiting until later gives a project too much momentum. As you likely know, the residents in District 1 are mostly still waiting for amenities they thought they would get years ago. There is too much "wobble-room" in this process. Developers need to be held accountable and these documents need to more explicitly protect the residents' interests.
- The Zoning ordinances include a list of Community Amenities for the Office (O), Life Sciences (OLS) and Residential Mixed Use (R-MU) zoning Districts. These projects should be given a monetary value and then each development project should pick one for its proposed amenity. Once an amenity was selected, it should no longer be available.

- The Bonus-Level/Community Amenity process needs fixing. Other problems include that developers are proposing their own amenities and/or making cash payments. Instead of this broken, and often opaque, process we need transparency and accountability. .

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- The project proposes to tear down buildings put up in 2015. Those torn-down buildings will wind up in a land fill. Can the developer instead try to find a way to expand on the existing building?
- Mitigation Measures. We need more transparency into how these are tracked and reported for each major development project.
- Improved public engagement process is needed. This is a more explicit requirement in the State's General Plan Guidelines and it's a major element in the SB1000 Implementation Guidelines.

Cordially,

Lynne Bramlett