
From: Patti L Fry <pattilry@gmail.com>
Sent: Thursday, June 16, 2016 8:39 AM
To: _Planning Commission
Cc: _CCIN
Subject: Planning Commission 6/20 agenda is a travesty

Dear Planning Commission,

According to the agenda released last evening, you are being asked to review during your June 20th meeting two DEIRs -- for the Facebook Expansion project and for the General Plan (ConnectMenlo) update -- AND hold a study session about the Facebook project. This is an astonishing amount of important topics crammed into one evening. That minimizes the importance of your review and of input from the public. To cram all of that into a single session is outrageous and makes a mockery of what should be an open and meaningful public process. This is the first time there will be an opportunity to discuss the "significant and unavoidable" negative impacts of these projects (one is the city's "planning constitution" for the next 24 years) to determine if and how these negative impacts could be minimized.

The DEIRs were released only a few weeks ago (May 26th for Facebook Expansion and June 1st for the General Plan update) and the staff reports last night. Because the full agenda was just published and comments on the DEIR documents are not due until July 11th and 15th, respectively, the timing of your meeting means:

- You are being asked to review and discuss nearly 10,000 pages of material (DEIRs, their appendices, staff reports)
- Members of the public have little time to digest the same material in order to make oral comments on Monday
- You will not have the benefit of written feedback from either the Menlo Park community, nearby communities that also would be affected, or public agencies who might alert you to issues and provide suggestions
- You are being asked to do something utterly unprecedented - to review not just one, but two, DEIRs and conduct a study session in a single meeting. In the past, Planning Commissions have held a separate meeting for a study session devoted to a single topic. To my knowledge, Commissions have never been asked to review 2 DEIRs at once, much less to hold only one meeting about something as important as the General Plan.
- You are being asked to hold these important conversations without the Commission's Chair who will be absent from this meeting because of her summer vacation plans

This schedule is unfair to the commissioners, unfair to the public, and unfair to the spirit of open discourse of big issues that will affect our city's future.

These are major projects with complex issues. The General Plan is a planning document that will guide the city's evolution, with projections of growth that extend as far as 2040, nearly 25 years into the future. It has not been updated as a whole since 1994. While there has been an extensive public process up to this point, particularly regarding the zoning changes that represent about 1/4 of the growth the new Plan would allow, this is the first opportunity to examine comprehensively what the aggregate and cumulative impacts of adopting this Plan mean. The Plan's DEIR reveals many

"significant and unavoidable" negative impacts that deserve extensive discussion. This document, in particular, deserves the full attention of all the Planning Commissioners in at least two full meetings without other topics on the agenda.

It is important for a reasonable time to be allotted for public participation and comments now that the DEIR analysis of the potential impacts of such substantial growth is available. Instead, the time allotted for public review and comment is the minimum required by state law, and it falls over a period with two national holidays and filled with graduations, weddings, vacations. The time given to you for the June 20th meeting is even shorter. It is only in recent past that Planning Commission reviews of DEIR's occurred prior to the end of the period for public comment. The rationale for this change is unknown. And the rationale for this overly full agenda is perplexing. It feels as if there is a deliberate attempt to reduce opportunities for close examination and discussion. You can, and should, resist the rush job that is being imposed on you.

The Facebook expansion project application and its DEIR should not be pre-empting the new General Plan. Instead, it should adhere to the new General Plan and its review should take a back seat to completing the important job of evaluating the General Plan changes and its Draft Environmental Impact Report.

I encourage the Planning Commission to push back on this schedule by insisting on the following:

- Schedule the reviews at, or after, the end of the public comment period so you have benefit of that input for your discussion
- Separate the scheduled reviews of the DEIR's for these massive projects
- Spread the discussions of each DEIR over several meetings as necessary to allow you to be fresh when you discuss these important topics.
- Schedule the Facebook expansion project study session at a totally separate meeting with no other agenda items

As a former Planning Commissioner, I know that each of these recommended actions has been taken by previous Planning Commissions for complex topics and large projects. Some Commissions have even scheduled extra meetings for reviewing complex projects that had some time constraints (unlike the General Plan update).

Last, I encourage you to be particularly diligent during your review of information provided to you. Part of your responsibility is to identify issues and to provide to the council your ideas and insights about errors, omissions, pluses and minuses, pros and cons, alternatives, and potential mitigation measures. I have been told by council members that they appreciate getting a range of feedback and input from individual commissioners, as that helps them arrive at their own personal position on issues. Thus, you should not feel compelled to arrive at a single position as a Commission on subjects that are part of the review. Unlike your responsibilities for projects that you can approve, your role regarding DEIR's is to provide feedback, ideas, and suggestions.

On matters like the General Plan, the council makes policy decisions after your review. They rely on your experience as commissioners who have reviewed and approved a variety of projects. They rely on the breadth and depth of your critical thinking and creative ideas that help council members as they individually arrive at their own conclusions for the policy discussions.

You serve as a critical quality control point, too. The city staff and hired consultants are very busy, particularly right now. Your rigorous scrutiny of DEIRs and other reports provides important quality assurance. A recent example of the importance for this Commission role and the perils of an overly

full agenda is the study session regarding the Greenheart project's proposed public benefit. That was inappropriately scheduled on a too-full agenda the same evening as the discussion of that project's DEIR. The staff report and consultant study were faulty, providing a financial analysis of a Project and Alternative that weren't at all similar to the real project that Greenheart representatives said they were actually planning, and not the same as the Alternatives studied in the DEIR. With only a few days to review the staff report and the DEIR, neither the Commissioners nor we in the public noted the extent of these flaws. They were substantial. For example:

- The BAE Urban Economics financial analysis in that report assumed 1,086 parking spaces, not the 980 actually proposed by Greenheart. The difference means there would be about \$4.5 million less of upfront costs.
- The financial analysis did not include any revenue from parking fees, which Greenheart representatives stated in the meeting they intend to charge to all tenants. This means that the revenue projections were understated.
- There was only one Alternative in the analysis and that did not resemble either of the two Alternatives in the DEIR. This means that when the Council reviews the project and its DEIR and considers Public Benefit, they will not have accurate and relevant information upon which to make their decisions.

There simply wasn't time to examine in detail the heart of the staff report and the consultant study because those were only available a few days prior to the meeting that also included review of several other projects plus a 62-page staff report just on the Greenheart project plus its 296-page DEIR and its 1,376 page Appendices. These errors mean that the project would be far more lucrative to the developer than even the stated \$78 million profit (30% rate of return). Frankly, you need a re-do of that discussion based on an accurate representation of the project and a financial analysis of it and of the Alternatives in the EIR because THAT is what the Council will be evaluating when they make their policy decisions. Although the Commission's discussion was thoughtful, it could have been quite different with accurate information.

This was unfair to you, to the public, and to a robust discussion of the real project.

Take the time to do adequate due diligence. This is one of the most important roles you are charged to fulfill. Our community counts on it.

Respectfully submitted,

Patti Fry, Menlo Park resident and former Planning Commissioner

Sent from my iPad