

Thomas Rogers, Assoc. Planner
City of Menlo Park
701 Laurel St.
Menlo Park, CA 94025

20June2011

RE: Comments on the Menlo Park ECR/Downtown Specific Plan DEIR

Mr. Rogers:

Here are my personal comments and questions regarding the DEIR for the ECR/Downtown Specific Plan.

General Plan

The DEIR notes (pg. S-1) that, “The proposed project would create a new General Plan land use designation that may be applied within the project area called Mixed-Use Commercial Business Park.”

The current General Plan, published in 1994, has a Circulation Element that specifies that with regard to transportation and circulation issues,

- “Level of Service D or better shall be maintained at all City-controlled signalized intersections during peak hours, except at the intersection of Ravenswood... and Middlefield... and at intersections along Willow... from Middlefield to... Route 101. (and)
- New development shall be restricted or require to implement mitigation measures in order to maintain levels of service and travel speeds specified in Policies II-A-1... (and)
- Neighborhood streets should be protected from excessive speeds and excessive volumes of through traffic... (and)
- Adequate off-street parking should be required for all new development in the downtown area ... (and)
- Short-term retail customer parking shall be first priority for the allocation of parking spaces in downtown parking plazas. Long-term employee parking shall be located in such a manner that it does not create a shortage of customer parking adjacent to retail shops.” (pg. 4.13-29/30)

The current General Plan is currently obsolete, and has not been reviewed and updated for 14 years. It is normally required to be updated more frequently, but the City has been out of compliance on that issue. Data and statements in the Specific Plan clearly indicate that the Specific Plan, if implemented as described, is clearly in violation of the City’s General Plan.

What is the legal justification that led the staff to go forward with this DEIR before doing a review and update of the General Plan?

HSR

Because HSR activities cover essentially the same time period as the Specific Plan, they can't be ignored. Recent federal funding allocations provided to the California High Speed Rail Authority make HSR a reasonably foreseeable project. But it is not clear to what extent the possible presence of HSR has been taken into account in the Specific Plan. A June 8th presentation to the Transportation Commission noted that, "Grade separations not assumed". But I could not find that specific assumption in the DEIR; where is that statement?

However, the Plan suggests, somewhat to the contrary, that, "The grade separation required for the HSR project would eliminate all grade crossings that exist at 4 locations (*Ed. Encinal, Glenwood, Oak Grove, and Ravenswood*) within the Plan area... (and)...would improve traffic management at El Camino Real (ECR)..." (pg. 3-5) That sounds like the Plan is counting on HSR having grade separations. You can't have it both ways, so which is it?

- The LOS grades for the ECR/Ravenswood intersection are already poor, and are projected to worsen to grade E. Does this figure assume that a HSR grade separation is in place there?
- Have all the forecasted traffic volumes and LOS data in the DEIR assumed that these grade separations were all in place?
- If the Plan is analyzed with the assumption that HSR will not be fully funded for the Peninsula segment, and that no grade separations will be built, what is the resulting impact on the traffic impact analysis? What would the impacts then be for each of the intersections and road segments?

In the event that the HSR designers permanently close one or more streets crossing the tracks (e.g., Oak Grove) to reduce the need and cost to provide grade separations, what would that do to the current traffic LOS projections? Has the staff considered that possibility? A June 8th presentation to the Transportation Commission noted that there was, "No indication of any street closures from HSR Authority". However, that still remains a real possibility, known to staff, discussed at some HSR public meetings, and thus cannot be dismissed. How would that change the current traffic impact analysis and results?

The HSR Authority, in many presentations and documents, has described the need to place a temporary set of tracks on the streets (e.g., Merrill, Alma) along the existing tracks in order to maintain existing train service while the new tracks, signaling, and electrification systems for HSR are being put into place. If HSR is funded, there is no question that this will be done. It is mentioned under every one of the set of alternative configurations being considered by HSR. Because we know with great certainty that this will be done at some time during the life of the Specific Plan buildout, this issue must be addressed with the same degree of detail. At a June 8th presentation to the Transportation Commission, it was noted that, "... (The) HSR (Authority) analyze impacts relating to various design alternatives in their EIR." It is

insufficient to dismiss all HSR-associated questions with that statement because all design alternatives being considered by HSR call for such temporary tracks. Consequently, the following questions need to be answered:

- What are the impacts on the businesses on those streets, and for how long?
- What are the traffic impacts as a result of those streets not being available, perhaps for years, for vehicle, bike, and pedestrian use?
- What would the impacts be on the Library, the new athletic facilities, and Burgess Field activities because of the tracks on Alma?

“Expansions of the right-of-way could be required, particularly in the Station Area, as well as between Glenwood Avenue and Oak Grove Avenue, where the current right-of-way is narrowest.” (pg. 3-18) How will this change plans for the Station Area plaza and the bicycle grade crossing there? It would be helpful to include maps in the EIR to show the existing ROW widths along the parallel streets.

Bikes

Transit of bikes from one side of the tracks to the other is discussed in several places in the DEIR. “A planned undercrossing of the Caltrain tracks is currently under consideration near...Middle Avenue.” (pg. 4.13-13) and , “...the plan proposes 2 potential pedestrian/bicycle grade-separated crossings **over** the railroad tracks: one at the terminus of Santa Cruz Ave. in the station area, and one at Middle Avenue. The intent is to minimize the ECR barrier effect and improve connectivity across ECR by improving pedestrian crossing conditions.” (Specific Plan DEIR pg. 3-19) That text is specific in noting that the bikes will go over the tracks, presumably in the same way as the bike overpasses on Highway 101.

- What are the specifics of each of the two bicycle grade crossings that will go over (see above text from pg. 3-19 for “over”) the tracks and their associated 20 ft. high power lines?
- What’s the footprint of the ramps?

One of the Specific Plan’s objectives and points of spoken public support was for increased east-west bike connectivity. But there is little evidence of that in the DEIR. There is little in the way of enhanced implementation of the City’s Bicycle Master Plan.

ECR Issues

As a state highway, Caltrans has authority over ECR. The current state of 2 lanes on some sections of ECR in the city was reportedly the result of an experiment requested by Menlo Park that was approved by Caltrans for a specified time period, and could now be terminated by Caltrans at any time to revert back to 3 lanes in each direction. Is this a correct statement of any such agreement? What is the current state of any such Caltrans agreement? This situation

must be clarified and clearly articulated if we are to know with some certainty that actions proposed in the Specific Plan and DEIR are even possible. It is insufficient to simply state, as done at a June 8th presentation to the Transportation Commission, that, “Details of the Specific Plan to be worked out with Caltrans” and “Preliminary discussions with Caltrans”.

The DEIR did not consider the traffic impact of a pattern of a solid 3 lanes of ECR in each direction through the City. What would the traffic impact be with such a configuration?

How has the Calif. Dept. of Transportation (Caltrans) reacted to the proposal (pg. 3-19, 3-28) to narrow El Camino (by bulb-outs into the street, and narrowing individual lanes)?

How does the DEIR’s proposed traffic plan fit into the regional plans for the “Grand Boulevard” for the Peninsula? Has the City made any commitments in that regional cooperative venture that would impact the design issues proposed in the Specific Plan? What are they?

Parking

General

The downtown property owners paid for the 8 parking plazas and entrusted their management and maintenance to the City. By what authority does the City assume that it has the right to unilaterally take over all the planning and approval authority for the future use of this property? If the City does not have the legal authority to do that, what part of the Specific Plan will have to be changed?

The entrance to Plaza 1 off of Oak Grove is through a curb cut (not a street) into the surface parking area on that plaza. According to historical records, a previous owner sold this property to the City with the stipulation that, “...it be used solely and exclusively for parking purposes.” How is this constraint to be figured into planning for access to the parking structure or other private developments?

“The Plan considers the publicly owned parking plazas as opportunities for public open space and selective infill, including retail and residential, in conjunction with new parking structures that satisfy parking demand in downtown Menlo Park for both visitors and employees. In all cases, parking in support of businesses must be the City’s top priority when considering how, when and if to pursue development on public parking plazas. The Plan allows for non-parking uses on City-owned lots.” (pg.3-22) For clarity and understanding, where and what are the “City-owned” lots? Some plaza maps with distinctions shown for private lots would be helpful.

The DEIR notes that, “ In order to support future development, The Specific Plan recommends new off-street parking rates consistent with industry standards and the mixed use nature of the area, proximity to the Caltrain station and bus routes, the high use of walking and biking, and

opportunities for shared parking.” (pg. 3-30) The current and proposed reduced rates are given in Table 3-1 on pg. 3-30.

- What’s the rationale for reducing the required amount of parking space for each type of building use?
- When has the City’s Planning Commission and Council approved those reduced requirements for parking space?
- How many total parking spaces have been reduced by using the Plan’s proposed new standards for parking allocations instead of using current City standards?
- How many parking spaces would be required for the new 1,537 downtown residents, according to the current city guidelines, and by the new guidelines used in the DEIR?
- With a likely increased demand for parking space in the event the Plan is passed, and before any parking structure is built, what enforcement actions will be necessary to clamp down on businesses that currently fail to provide the amount of parking space that their current permits require them to provide?
- If reduced parking space for each type of building use is felt to be such a good thing, to what extent is that policy going to be proposed and supported by the City staff for current and future application to all other areas of the city?

Specific Parking Issues

Parking on Santa Cruz in front of Wells Fargo (WF) will disappear when 48 spaces are eliminated on Santa Cruz between Chestnut and Crane in order to create the Central Plaza, and parking behind WF will be reduced when the Plan would remove 32 parking spaces from WF’s property on Plaza 6 behind WF. Furthermore, as currently planned, autos will not be able to turn from Santa Cruz onto Chestnut to reach the back of the bank. The lot in Plaza 6 right behind WF is WF property. It is used by WF clients for back-door access to the bank and it’s outside teller machines, but it will no longer be accessible for that use if the City takes that space for a planned marketplace (Chestnut Paseo).

- How does the City justify the removal of parking space from WF property?
- How will the Plan mitigate the adverse impact it will have on the Wells Fargo (WF) business?
- Who will have title to the property on which the Chestnut Paseo will be built and operated?

The modification to Chestnut will remove access from Chestnut to the alley immediately behind WF and the rest of the stores on that Santa Cruz street frontage. That will limit access to the backs of all those stores for clients and service vehicles, and aggravate traffic on Crane. How

will the Plan mitigate traffic impact on all those Santa Cruz businesses between Crane and Chestnut?

Plaza 7, with parking for Trader Joe's (TJ), which already has too few parking spaces, will lose 36 parking spaces, and will lose customer access to it from Chestnut. Deliveries to TJ, and pickups by garbage/recycle trucks, are currently made with large trucks that use Plaza 7 for access and unloading, and their access will be hindered. How will the Plan mitigate the resulting adverse impact on TJ property?

Sample illustrations show that access in/out of the Draeger's parking lot from University will be changed from the present 2 driveways to only 1, likely resulting in some congestion in the parking lot and an associated queuing and impact on traffic on University. How will this be mitigated?

The proposed "pocket park" (Fig. 3 in Appendix A) appears to eliminate the vehicle entrance to Plaza 3 from Crane Street. If so, where does the staff suggest that clients of Carpaccio's restaurant across the street from the Plaza entrance go to park? The same question goes for the clients of the small shops close to that current entrance. The elimination of this plaza entrance will force all current users of this entrance to drive around the block to use the University Drive entrance to Plaza 3.

Parking Structures

The Plan assumes that the availability of new parking structures will accommodate the need for more parking associated with the new downtown housing and business activity. Implicit in this assumption is the accompanying assumption that new parking availability will keep up with, or track closely with the new and growing demands for parking space. Those assumptions allow the statement to be made that, "Development under the Plan area would affect parking supply in the downtown, but would not result in inadequate parking capacity. (Less than Significant) (pg. 4.13-57)

But supply and demand are unlikely to track each other closely. It seems more likely that if the Plan is implemented, no parking structure will be available, or even planned at that time, but the need for more parking will exist and grow faster than any parking structure can be put into place. The need will surely race ahead of the available supply, and that will result a continuing long period of parking difficulties. Furthermore, given the current and projected economic climate, it may be decades before sufficient funding is available to build any parking structures.

- What mechanism is proposed to periodically review this matching of need and supply of parking, and if necessary, impose some moratorium or roll-back on the zoning rules provided in the Plan?

- What was the rationale for putting the parking structures in the locations identified in the Specific Plan?
- Would any other locations provide more benefits or less impact on the downtown businesses or their customers?

The Menlo Park Presbyterian Church (MPPC) is included in the Specific Plan area. It is common knowledge that MPPC has planned for many years to build, or contribute to the building, of a parking structure on Plaza 3 across University from its campus. City officials have had continuing and recent discussions with MPPC representatives about this matter for several years. It has special shared-use and shared-financing possibilities. Why is this not discussed in the Specific Plan and DEIR as part of the alternatives and contextual setting regarding downtown parking structures?

Traffic

Streets

Menlo Park's Fire Chief has stated that the downtown fire station is inadequate to handle the current downtown situation, and is concerned that the greatly increased amount of traffic projected for downtown, as well as the street and plaza driveway closures, would affect his team's ability to fight fires in the downtown Specific Plan area. This concern and situation has not been addressed in the DEIR.

The data to identify the streets analyzed for adverse impacts is given in Table 4.13-14 on pg. 4.13-80 of the DEIR. The data to show which streets have been adversely impacted is also given in Table 4.13-14. Where is the data to show the date when data was collected for each of those streets?

The data for existing traffic volumes and LOS (pg. 4.13-18) were obtained, "...during the weekday morning...and evening...peak periods for Existing and 2035 conditions. The City of Menlo Park conducted traffic counts for the 2 two-hour peak periods, 7:00 am to 9:00 am and 4:00 pm to 6:00 pm in 2009 and early 2010."

- Specifically, what dates? And did all 34 streets and intersections have their data collected on the same days?
- For all streets and intersections, were the am and pm data sets collected on the same day? Which day of the week?

The DEIR bases its evaluation of traffic impact on 30 street segments "...on project-generated changes to average daily volumes, not on changes to LOS conditions..." (pg. 4.13-51). Is this normal and accepted practice?

With that approach, the DEIR identifies 9 street segments with potentially significant and unavoidable impacts. What mitigations would staff propose for these streets, and what differences would there be from the mitigations proposed in the DEIR (pg. 4.13-53)?

How is it that in the Specific Plan report, Street No. 28 has exactly the same number of new cars/day as Street No. 18?

For the intersection No. 18, (Middlefield/Marsh) in Fig. 4.13-8b on pg.4.13-62 shows the peak hour traffic volume projected for each of the 6 lanes at that intersection when there is no project. Fig. 4.13-9b on pg. 4.13-70 shows the equivalent data for the traffic with the project. Four of the six lanes have exactly the same traffic volume with or without the project.

- How can that coincidence be explained?
- How can that be when Table 4.13-13 on pg. 4.13-66 shows a deterioration of service at that intersection when the project is included?

Intersections

Chestnut St. currently provides one of the two multi-directional (all-stop) stop sign intersections on Santa Cruz to permit easy south – to – north vehicle routes from Menlo to Santa Cruz Avenue with a left-turn onto Santa Cruz. (Doyle is the second of the 2 such intersections, but is in a poor location to be effective for such traffic.) It is difficult at most times of the day to make left turns onto Santa Cruz from Menlo Avenue. Given the present plan to close Chestnut to through traffic, what will be the resulting traffic impact on surrounding streets because of this closure?

The data to identify the intersections analyzed for adverse impacts is given on pg. 4.13-18 and 4.13-22 of the DEIR. Data to show which intersections have been adversely impacted is given in Table 3.4-17 on pg. 3.4-51 to 53. Where is the data to show the date when that data was collected for each of those intersections?

Eighteen of the intersections analyzed by Stanford for their Medical Center EIR used data from Menlo Park's 2006 traffic counts. Is that five-years-old data too old to be reliable for traffic projections in the Specific Plan DEIR? This is relevant to the Specific Plan DEIR because that data was reportedly supplied by Menlo Park to Palo Alto for use in their Stanford EIR.

- Was this same 2006 data used in the Specific Plan DEIR, or did the City obtain newer counts for all the streets and intersections analyzed in this report?
- What is the date of the source data used for all streets and intersections analyzed in the Specific Plan DEIR

- Did the City fail to give their most recent data to Palo Alto for use in the Stanford Medical Center EIR (which could have led to the conclusion of less critical impacts by Stanford on Menlo Park)?

Does City staff agree with the method of calculating existing LOS for our intersections (e.g., for Santa Cruz and University: “LOS calculations performed using the 2000 Highway Capacity Manual...”)?

If a 3- to 5-story parking structure is built in the plaza with access from University, it will have a significant impact on University and Santa Cruz Avenues and on the University/Santa Cruz intersection. How, and where has that been figured into the DEIR traffic analysis?

Does City staff agree with the findings in the DEIR for existing LOS for our intersections (e.g., Santa Cruz and University Drive North gets grades D and C; Santa Cruz and ECR gets grades B and C; ECR and Ravenswood gets grades D and D)?

What is the total volume of traffic and LOS on downtown Santa Cruz Ave. (per day, and per hour during peak periods), now and in the future, according to the DEIR? What are City staff’s independent answers to the same questions? And what assumptions do you make to get your numbers?

What are the staff answers for the same questions for the Ravenswood/ECR and Middlefield/Willow intersections?

The Plan assumes a 5-story parking structure on Plaza 1 (behind the Post Office), with entry primarily off Oak Ave. and into Maloney Lane. Maloney is a short distance from ECR, and often has a backup of cars on Oak Grove waiting to turn across traffic to get into that plaza, resulting in a queue on Oak Grove which backs up onto the ECR left-turn lane. This ECR intersection already has an E LOS grade.

- If a parking structure is built in Plaza 1, how will garbage/recycle trucks and large delivery vehicles be able to gain access to the back entrances of the stores that back onto this plaza?
- How does the staff propose to mitigate traffic problems caused by the proposed parking structure in Plaza 1?

Of all 34 intersections studied, the Santa Cruz/Avy/Orange intersection seems to be, in terms of increased delay time (22.0 sec.), the most adversely impacted. (Table 4.13-8 on pgs. 4.13-44 to 4.13-47)

- What specific mitigation measures would City staff propose to be used to address this particular situation?

- How would this be different from the mitigation measures proposed in the DEIR (pg. 4.13-48 to 4.13-50)?

The Middlefield/Willow intersection is forecast to have the next most severe impact in terms of increased delay (16.6 sec.).

- What specific mitigation measures does City staff propose for this intersection? How different from the ones proposed in the Bohannon and Stanford EIRs?

The ECR/Middle Ave intersection (No. 18) faces an equally bad increase in delay time (16.7 sec.).

- What specific mitigation measures does staff propose to address this particular intersection?
- Did the traffic analysis for this intersection consider the large volume of traffic at the new/expanded Safeway store?
- Did the traffic analysis consider the complication of the additional bike and pedestrian traffic at this site because of the improved east-west bike/pedestrian connectivity made possible at the train tracks by the bike tunnel or overpass at that location?

That ECR/Middle intersection shows (Fig. 4.13-8a on pg. 4.13-61) a new “Future Driveway” coming into this intersection from the railroad tracks, but with no traffic. Fig. 4.13-9a on pg. 4.13-69 shows this “Future Driveway” with 3 lanes of traffic going out into the intersection. Table 4.13-13 on pg. 4.13-65 shows a significant increase in delays at this intersection.

- What is this Future Driveway, and where is it described?
- How many lanes are going into this driveway? Where does the outgoing traffic come from? Is this a rail crossing?

Table 5-2 (Alternatives Trip Generation Summary) for full buildout on pg. 5-5 notes that with no project, there would be an additional 8,178 “Net Added Vehicle Trips”.

- What does this mean? (8,178 added to the present daily total because of normal growth?)
- What is the current number of vehicle trips, and how and when was it defined and counted?
- From Table 5-2, is the number of net new vehicle trips simply 13,385 minus 8,178? If so, how is this 5,207 net new vehicle trips divided between the ECR and Santa Cruz segments?

TDM

“The City of Menlo Park has elected (to) require TDM plans for all new development in the Specific Plan area, regardless of the amount of traffic they generate. Plus many of the Specific Plan transportation improvements are TDM measures.” (pg. 91 of Transportation Impact Analysis. April 2010)

- When and how did the City elect to do this?
- Does “developments” include housing units?, including those that generate fewer than 100 peak hour trips?
- Does this mean that a small business that only generates one such trip must implement a TDM program?)

“The Specific Plan proposes implementation of a ... (TDM) program that would reduce the number of vehicle trips, although the specific reduction cannot be quantified.” (pg. 5-16)

- Did the transportation data in the Specific Plan assume that a TDM program was being used?
- What parts were assumed to be used?

Civic Plaza

“The Plan proposes a Civic Plaza at the eastern end of Santa Cruz Ave. by the Caltrain station, to celebrate arrival at the City.... The intent is to create an improved transit plaza and an iconic civic plaza for downtown.” (pg. 3-17)

No illustrations were found in the DEIR to show the detailed configuration of this plaza, but there were suggestions of, “...streetscape enhancements, iconic trees such as native oaks, and landscaping...” (pg. 3-17) Consequently, there are outstanding questions regarding the resulting impact this would have on traffic flow in and out of this plaza (e.g., on Merrill and Santa Cruz streets). One illustration was found that shows that Merrill and Santa Cruz would be blocked at their intersection.

- How would the traffic flow between Merrill and Santa Cruz be changed in any way from the current pattern?
- What changes would there be in the amount and location of on-street parking?
- How would vehicles get to the properties (e.g., BBC deliveries and pickups, Cindy’s Flowers) then blocked by the Plaza?
- How would vehicles turn around at the end of Merrill?

Hotels and Housing

There are some general questions regarding the way that hotel rooms are counted. Total current hotel capacity (guest rooms) in Menlo Park is

Stanford Park Hotel	163
Rosewood Sand Hill	121
Best Western Riviera	37
Menlo Park Inn	30
Red Cottage Inn	28
Stanford Inn	<u>14</u>
TOTAL	393

In public presentations, and in some early documentation, one or more hotels were included but no specific reference to them was found in the DEIR. There is a general mention of Hotel as a category (pg. 3-11), with an associated 380 rooms, but nothing more specific. A new hotel is a major project, and would normally have its own EIR, but the Plan seems to request permission in advance, without giving the specifics.

- How many of the new hotel rooms and their occupants are counted in the 680 new dwellings projected (pg. 3-11) by the Plan?
- How many parking spaces are required for 380 hotel rooms under current city guidelines, and how many were actually projected by the newer guidelines used in the DEIR?
- Will all hotels be required to provide their own parking on-site? Where is that noted in the DEIR?

Table 5-1 (Forecast Growth for Alternatives) on pg. 5-4 notes, for full buildout, that with no project, there would be 320 residential dwelling units. But with the full project there would be 680 residential dwelling units. That’s an increase of 360 units.

But text in Section 3 notes that, “At full buildout...,the net new development is projected as 680 dwelling units...” (pg. 3-11)

- What is the explanation for the two different projections (360 vs. 680) net new residential units?
- Does the 320 in the No Project table column of Table 5-1 represent the natural growth from current conditions?
- Are there currently 320 dwelling units in the Plan area? How many dwelling units are currently in the Plan area? Are hotel units counted as dwelling units?

- Does the 320 in the No Project table column represent the natural growth from current conditions?

Cumulative Analysis

As noted in the DEIR, the cumulative analysis is intended to describe the “incremental impact of the project when added to other, closely related past, present, or reasonably foreseeable future projects” that can result from “individually minor but collectively significant projects taking place over a period of time.” (Ref. pg. 6-1)

The DEIR narrowly restricted its attention to, “...major projects in the City...at the time of issuance of the NOP (December 2009)...(Ref. pg. 4-4). Specific projects included in its review are listed in Table 4-1 on pg. 4-5.

This DEIR is deficient in that it gives little weight to the simultaneous development of several other major developments with heavy traffic loads over the same time-span as the Specific Plan.

Missing Projects within the City

There is a reasonable likelihood that HSR will receive funding to construct its line through the City at some time during the life of the Specific Plan. Because there is a reasonable and foreseeable possibility that such a project would be built, it must be considered for its cumulative effect. However, no mention was made in the DEIR of the traffic associated with the construction of the HSR system over a several-year period. The increased traffic associated with the construction workers’ cars, the trucks used for the delivery of construction equipment and materials, and the trucks used to remove construction waste materials, can reasonably be expected to adversely impact city streets and intersections in the Specific Plan area, and must be considered. This activity was not included in this DEIR.

The major construction project currently underway at Hillview Middle School was not included in this DEIR.

The Bohannon project EIR forecasted that it would contribute a considerable amount of new traffic in the Specific Plan downtown area ---enough to adversely impact 10 street segments and 5 intersections, but that traffic was significantly understated by defining it to be part of the one percent historical contribution.

The Rosewood Complex on Sand Hill Rd. was not identified in the List of Projects used in the cumulative analysis (Table 4-1).

The large auto lots on ECR belong to Stanford, which has stated that they will develop them as soon as the Specific Plan is approved and they know what they can do with them. It is not clear whether that activity is included in the summary projections of traffic, or whether it is included in the one percent factor. But because Stanford representatives have made that statement, that potential project should at least be identified as a future and knowable project. How is that activity to be counted?

And now Facebook has plans for a total of 9,400 workers in Menlo Park by 2017 which will also increase traffic in the Specific Plan area. The City recently approved an expenditure of over \$900,000 for an EIR and other studies on this project, so it is clearly a known future project and must be included in the DEIR.

All of this activity is really not considered seriously in the DEIR.

Missing Projects outside the City

The Stanford Medical Center Project forecasted that it would contribute a considerable amount of new traffic in the Menlo Park Specific Plan area – enough to adversely impact 14 street segments and 5 intersections. But that traffic was significantly understated by defining it to be part of the one percent historical contribution from outside jurisdictions.

Traffic to be generated by the Stanford Medical Center project,”... as well as other development in adjacent jurisdictions, was considered in the cumulative analysis via the one percent annual growth factor applied to the existing traffic counts...” (Ref. pg. 4-4) Reportedly, this one percent also includes all normal residential and commercial growth within the City.

- Did the one percent figures start with the City data collected in 2006?

Where in the Stanford Medical Center DEIR is the list of streets studied? And where is the data on the dates of the data used to study each street?

The Redwood City Cargill project was excluded from consideration in this analysis.

The recently announced plans for VMware to bring an additional 2,500 new jobs to Stanford Research Park within the next year (reaching a total of 6500? employees, and making it the largest employer in Palo Alto other than Stanford and its hospital) will have a traffic impact on Menlo Park that has not been mentioned or seriously considered in this DEIR.

The recent announcement of plans to build a 5-story, 44-unit addition to the Westin Sheraton on ECR in Palo Alto has not been mentioned or seriously considered in this DEIR.

The 1% Solution

The DEIR seems to solve the problems of too much traffic by simply redefining the problems. Their *Solution* is to lump many real problems into a general category called their “one percent” factor. This is not a real empirical number based on the experience of our City traffic—it is a cookbook number taken from an industry handbook. The DEIR states that the one percent figure is based on historical data obtained by monitoring Menlo Park’s streets --- but City staff recently admitted that this was not true, and that it was actually an industry standard applied to built-out cities.

The Specific Plan DEIR notes that, “...traffic generated by the SUMC project, as well as other developments in the adjacent jurisdictions, was considered in the cumulative analysis via the 1% annual growth factor applied to the existing traffic counts, which was based on a standard used in previous traffic studies (pg. 4-4).” However, an assumed increase of 1% increase per year to represent all this increased development appears to be a significant and dismissive under-estimate; it is based on historical averages over several prior years in other cities that did not have anything like the large scale development expected here over the life of the Specific Plan.

As noted earlier, the following major projects, with their known significant traffic problems, are all defined to be included in the one percent factor (along with all normal residential and commercial growth in the city):

- Bohannon
- Facebook
- Stanford Medical Center
- VMware
- Westin Sheraton
- Hillview New Middle School.

As noted earlier, the Stanford Medical Center project, which by itself was projected to adversely impact 16 street segments and 5 intersections, was defined to be part of this one percent adjustment.

Likewise, the Bohannon project, which by itself was projected to adversely impact 10 street segments and 5 intersections, was defined to be part of this one percent adjustment.

Use of Mitigations

This DEIR improperly relies on mitigation measures that are not certain to occur. It is my understanding that mitigation measures must be certain, but in many in many instances, the DEIR relies upon discretionary guidelines.

This DEIR is flawed because of its optimistic assumptions that all identified mitigations will be applied before any adverse impacts will be realized (e.g., parking structures will be built before there are demonstrated parking problems).

Alternatives

The DEIR provides data regarding the effect that each defined alternative has on trips generated, but does not provide information on parking requirements for each alternative. What is the data to show which alternative would have the most effect on reducing the need for parking structures?

Other

The Proposed Land Use Regulation E.3.6.07 requires that, "All utilities in conjunction with new residential and commercial development should be placed underground." This has an impact on the parking plazas where power poles and lines go behind the buildings surrounding the plazas.

- Will a property owner with a new development that is situated between two power poles have to dig up and pay for the town's infrastructure improvement (undergrounding of power lines from one pole to their building)?
- How will this frequent trenching work impact the available parking in the plazas?

In its NOP letter of 1/14/2010 in response to the issuance of the NOP, Caltrans noted that, "The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document."

- Where is that information?
- Where is the Mitigation Monitoring and Reporting Plan?

- Where are the specific answers to the specific questions raised in letters submitted in response to the NOP (Appendix A)?
- Where are the questions and answers from comments made at public meetings on the NOP?

No financial impact analysis has been provided yet for public review. Thus this DEIR is flawed because it cannot be reviewed in the context of an associated Financial Impact Report. There is little point, for example, in considering parking structures as the solution to a parking problem if you don't know to what extent it is financially feasible to build them.