



Loma Prieta Chapter serving San Mateo, Santa Clara & San Benito Counties

December 30, 2015
City of Millbrae
Members of Millbrae City Council
c/o Angela Louis, City Clerk
621 Magnolia Avenue
Millbrae, CA. 94030
em: alouis@ci.millbrae.ca.us

Re: January 5, 2016 City Council study session to review the MSASP, FEIR and revisions to Zoning Code

Honorable Mayor and Members of the Millbrae City Council:

Thank you for providing the opportunity for the Sierra Club Loma Prieta Chapter Sustainable Land Use Committee to comment on the proposed Station Area Plan. As an environmental organization working towards protecting open space and reducing local greenhouse gas emissions, we encourage the development of higher density, mixed-use development near major transit stations.

The MSASP has a vision and goals that make it appealing; however, the Plan as laid out in text and drawings, prioritizes the convenience of auto traffic and parking at the expense of pedestrians, bicyclists and transit. This is a direct contradiction to the the Plan's Policies and the concept of a TOD. It is also weak in its commitment to affordable housing.

A. MSASP Problems include:

1) Lack of Pedestrian / Bike Safety. Several significant auto – pedestrian intersection are designed primarily for the convenience of the automobile with the FEIR recommending additional turn lanes at major intersections. This increases the danger to pedestrians and bicyclists at those intersections. *These intersections include Millbrae Avenue at El Camino, Millbrae at Rollins, El Camino at Victoria, and Garden Lane at Rollins Road.*

2) Unsafe bicycle access on El Camino Real. Bike access is designated by sharrows which is unsafe for a three lane road with fast traffic.

3) El Camino Real is designed for autos, not for people. Pedestrians and bicycle access to the station from the west side of El Camino must cross three travel lanes of traffic plus extra turn lanes in each direction. This is unsafe and uncomfortable for walkers and bicyclists. El Camino through Millbrae is one of the most hazardous segments of El Camino on the Peninsula.

4) El Camino Real as currently configured is incompatible with a successful retail and housing environment. Fast, noisy traffic next to pedestrian sidewalks makes walking along El Camino Real

uncomfortable to the average shopper. This can discourage people from frequenting the El Camino shops.

6) The Plan includes too much parking for a TOD.

7) Commitment to affordable rental housing is weak.

B. In response to these problems, we recommend the following revisions to the MSASP to align it more directly with the vision and policies of the MSASP and the concept of a TOD:

1. Traffic Movement and Safety.

- a) **Prioritize mobility uses.** Add to MSASP a P-CP Policy that requires developers to design their developments to give pedestrians first priority, transit second, bicycles third, and motor vehicles last priority when designing all roads, walkways, streets and intersections within the MSASP. *(Note: this aligns with BART's priorities in their Station Area Design Guidelines and with the MSASP's overall emphasis on pedestrian access.)*
- b) **Require Complete Streets.** Add to MSASP a P-CP Policy that requires all streets within the MSASP (including El Camino Real and Millbrae Avenue) to be designed as "complete streets" to reduce collisions and traffic fatalities. *Chapter 4, Paragraph 4.3 of the DEIR states: "Most of the circulation will need to be accommodated on the Plan Area's roadways through a "complete streets" approach". But complete streets are not included under the Policies.*
- c) **Reference NACTO Urban Streets Guidelines.** Add to MSASP policies a P-CP Policy that requires the redesign of El Camino Real and Millbrae Avenue to safely accommodate pedestrians and bicycles per the NACTO Urban Streets Guidelines <http://nacto.org/publication/urban-street-design-guide/>. *CalTrans now considers NACTO as a standard for the redesign of any State highway (such as El Camino Real) that runs through the urban, developed portions of a city. Cities can no longer say they have no control over El Camino Real because it is under state jurisdiction. Caltrans is willing to consider a city's desires when designing an urban street. The FEIR totally ignores the use of NACTO Guidelines and instead uses older outdated standards to analyze traffic impacts and suggest mitigations that favor the auto over all other modes of transportation.*
- d) **New pedestrian / bike crossing on El Camino Real at Chadbourne.** Build a new signalized at-grade crossing on El Camino Real at Chadbourne in alignment with the entrance to the future Serra Galleria and the station entrance. *This will allow SamTrans to establish a new bus stop at Chadbourne for southbound buses and eliminate the need to redirect the buses across El Camino at Victoria to California Drive then back across El Camino beyond Millbrae Avenue. It will also direct bus passengers to the entrance to the galleria and through the galleria which may entice them to purchase items in the galleria retail shops thus adding to the city's sales tax revenue.*

- e) **Alternative plan for an overpass above El Camino Real.** Add to MSASP a P-CP Policy that includes the possibility of constructing a pedestrian / bike overpass from the Serra Station site in alignment with the station west entrance to Chadbourne Avenue as was proposed in the 1998 MSASP. *This would allow a safer, more direct connection between the BART Station entrance and the West side of El Camino between Millbrae Avenue and Victoria.*
- f) **Safe bicycle routes.** Add to MSASP a P-CP Policy that all bike routes to be visually separate from vehicular traffic, and physically separated with a barrier on all heavily-traveled streets (including El Camino Real and Millbrae Avenue). *Sharrows should only be considered for low-density, light vehicle traffic streets.*
- g) **Bike connectivity.** Add to MSASP a P-CP Policy that requires that all bicycle routes through the MSASP - connect directly with adjacent existing or proposed bike routes in the city.
- h) **El Camino Real / Millbrae Avenue intersection.** Revise MSASP Policy P-CP 26 to read: “The city will work with Caltrans to modify the existing El Camino Real / Millbrae Avenue intersection footprint to improve pedestrian and bicycle safety at this intersection.” *Restriping this intersection per the FEIR only benefits cars and will result in a less safe crossing for pedestrians and bicyclists.*
- i) **El Camino Real redesign.** Add to MSASP a P-CP Policy to read: “The city will work with CalTrans to redesign El Camino Real as a “complete street” with protected bike lanes, slower traffic, and increased pedestrian and bicycle safety, and improve the visual character of the street to enhance the retail / pedestrian environment in accordance with the vision of the MSASP and the Grand Boulevard Initiative.”

2. Roadway Transit Routes.

- a) **SamTrans southbound route.** Revise MSASP Policy P-CP 13 to indicate that the deviated southbound route on California Drive is an option, not a requirement. *Adding a pedestrian on-grade crossing on El Camino at Chadbourne with southbound bus stop at Chadbourne is a better alternative as it does not slow down SamTrans travel time on El Camino and directs pedestrian traffic through the proposed paseo to retail shops.*
- b) **Transit access and retail sales.** Revise MSASP Policy P-CP 4 to include coordination of all station area transit access improvements with potential retail developers for positive and negative impact on customer traffic through retail areas.

3. Parking.

Most of the parking Policies in the MSASP are pretty good, but a couple could use revision as follows:

- a) **Shared Parking.** MSASP policy P-CP 18 “encourages” shared parking. This should be strengthened to “require” shared parking where feasible. *Shared parking is a TDM strategy that can reduce negative traffic impacts.*
- b) **Pedestrian environment.** MSASP Policy P-CP 21 requires parking facilities to be compatible with adjacent areas and reinforce the pedestrian environment. *Unfortunately, some access routes to parking areas as currently planned do adversely affect pedestrian enjoyment and safety. The worst of these is the Garden lane / Rollins Road un-signalized intersection.*
- c) **Transportation Demand Management (TDM).** MSASP Policy P-CP 23 requires a TDM plan, but does not include a trip reduction goal or enforcement criteria. A goal, enforcement schedule, and compliance mechanism should be included. *We recommend hiring a consultant with trip reduction expertise to assess feasible mode share/trip goals for this MSASP (e.g. Nelson\Nygaard’s work for Mountain View resulted in 45% drive alone mode share goal). Require public reporting of trip results to Council at least once a year in perpetuity and require adjustments to the TDM Plan if goals are not met. Start with a “reinvestment clause” where the first step to address noncompliance is to invest in stronger measures.*
- d) **Over parking.** Add to MSASP a P-CP Policy that requires: 1) The number of parking spaces within the MSASP should be reduced to the minimum number possible by incorporating shared parking and TDM strategies to the maximum effect, 2) Parking spaces adjacent to retail or office uses should be designed to be convertible to those adjacent uses if parking demand is less than planned for to allow conversion of valuable building space to be used for income-producing use rather than to stand vacant.
- e) **Charge for parking*.** Add to MSASP a P-CP Policy that requires all developers in the MSASP to charge for all parking (unbundled in residential and pay-for-use in commercial). *This is a TDM strategy that is effective in encouraging auto users to consider alternatives to driving, thus reducing traffic congestion. With charged parking, all developers should be required to participate and a Residential Permit Parking program to be established in nearby neighborhoods if needed so that overflow parking will not be a burden on others. Charged parking can encourage walking, biking, carpooling, and transit over driving and can help pay for garage construction and maintenance over the long term.*

**One reason to charge for parking is that BART/Caltrain parking will not be free, and commuters will park for free in nearby available space including Urban Republic’s and Serra’s retail spaces if parking is free*

4. Affordable Housing.

- a) **Policy P-H 1** “requires” the provision of housing for people of all incomes, but other sections of the Plan are written that allow a developer to disregard this policy if the units are rental units. *(See comment b) below.)*

- b) **Revise MSASP Policy P-H 3** to delete: *“to the extent consistent with prevailing law”*. *The city should require affordable housing as a **Community Benefit** in recognition of the value added to the property by the city’s up-zoning the land for higher density development. The Palmer Court Decision limiting inclusionary zoning for rental developments should not apply to the MSASP as the city should be able to clearly show the nexus between up-zoning the property and the increase in land value received by the developer.*
- c) **Revise the Development Standards in Table 5.2** which call for 15% affordability in all TOD and residential zones, to delete the words: *“compatible with applicable law and”*. *These five words weaken the requirement. 15% affordability should apply to all developments in the MSASP regardless whether they are for-sale or rental. See justification for this change in point b) above.*

5. Open Space.

- a) **Policy P-OS 2 and P-OS 7** recognize an absence of open space in the Plan and propose an in-lieu fee to compensate. Why was a reasonable provision for open space not included in the Plan? *Higher density development works best when designed in conjunction with nearby and accessible open space. The most livable cities in Europe and the USA incorporate open space as an integral element of the cityscape. Why are developers not required to provide at minimum private open space to residents in the form of private patios and balconies? Almost every city on the Peninsula includes on-site open space requirements. Why also is there no dedicated public green space included in the entire station area plan, only paved plazas?*

6. Utilities and Public Services.

The Plan Policies address many of the elements of green design that we support; however, below are a few comments on specific Policies:

- a) **Grey water. P-UTIL 4.** Add: “Provide a grey water system within the Plan Area that can distribute water from all new developments in the Area to landscape maintenance and other non-potable uses, and require new developments to install a grey water system within their buildings to supply the Plan Area system”.
- b) **Water Treatment Plant. P-UTIL 5.** Add a statement that the plant falls in an area of anticipated sea level rise and should be studied and planned for that eventuality.
- c) **Wastewater Collection. P-UTIL 6 and P-UTIL 7.** Add: “Separate wastewater flow from storm water drainage to reduce Bay water pollution.”
- d) **Utilities. P-UTIL 9.** Clarify that all new utilities should be underground.
- e) **Purple pipe. P-UTIL 16.** Add: “All buildings in the Plan Area should have purple pipes installed throughout and connected to the site’s irrigation system.”
- f) **Net-zero energy.** Add a P-UTIL Policy that encourages net-zero energy buildings.

C. Staff and Planning Commission Recommendations:

To their credit, the staff and the Planning Commission have addressed some of our concerns in their current recommendations to the Council. We support the Staff's and Planning Commission's recommended revisions, *but recommend further clarifications to these revisions as proposed in italics below:*

- a) **MSASP pg. 4.17, Affordable Housing.** *Please add a clarification of "near the station" as the same as definition of "nearby" in the staff report.*
- b) **MSASP pg. 4.30, 15 percent housing affordability.** Staff recommends the definition of "nearby" as: "generally within a 10-minute walk or one quarter mile, and/or a 15 minute ride on transit ...". *We recommend revising the one quarter mile to one half mile since the average human can walk one half mile in 10 minutes and one half mile is the outer limit of the PDA along the transit corridor as defined by Plan Bay Area and Grand Boulevard Initiative.*
- c) **MSASP pg. 4.30, 15 percent housing affordability.** Staff defines the 15% affordable housing requirement to include at least 5% affordable to very-low income households, or 10% affordable to low-income households. *This is fine, but we recommend further clarifying affordable housing as housing affordable to families making median income or less including at least 5% affordable to very-low income households, or 10% affordable to low-income households. This eliminates the income level of up to 120% of median income which is sometimes included under affordable housing in other jurisdictions. 120% median gets pretty close to market rate which does not help the demographic that most needs BMR rents – clerks, healthcare workers, teachers, etc.*
- d) **MSASP pg. 4.32, Circulation and Parking, P-CP 23, TDM.** *A 20% trip generation reduction goal for the Traffic Demand Management (TDM) program as recommended by Planning Commission is a minimal goal. We recommend the City consider a higher goal based on other cities in the county where the goal is closer to 40% or greater. (see also comment 3 c) above)*
- e) **MSASP pg. 4.32, Circulation and Parking, P-CP 26 and P-CP 30, Millbrae Ave. / El Camino Real intersection.** *The FEIR recommendations for this intersection need to be revisited to include the safety needs of pedestrians and bicyclists. The FEIR recommends adding turn lanes which only increases the possibility of auto, pedestrian, and bicycle collisions.*
- f) **MSASP pg. 4.32, Circulation and Parking, P-CP 31, Station Access Plan.** *Language in the proposed new Policy does not include bicycle and pedestrian interests in the Plan. City staff met with transit providers on December 7, 2015, but pedestrian and bike advocates were not included. Since the MSASP is a pedestrian and bicycle priority area, this is unacceptable. There are several locations in the current plan where bike and pedestrian planning is deficient from both an efficiency and safety perspective. Pedestrian and bicycle advocates should have an opportunity to suggest revisions during development of the Access Plan.*

Please add pedestrian and bicycle advocates to the list of organizations given the opportunity to provide comments.

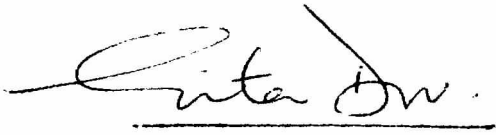
- g) **MSASP pg. 5.17, Table 5-4, New Note 3.** *We agree with Planning Commission's resolution, but we disagree with staff's recommended exception: "based on a parking study ...". The problem with basing an exception on a parking study is who is paying for the study, and will the study be biased toward the sponsor's desired outcome rather than considering all the alternatives including a robust Traffic Demand Management (TDM) program. The Planning Commission recommendation should stand without the exception.*
- h) **MSASP pg. 5.19, Bike Parking Requirements.** Please review bike parking ratios with bicycle advocates before approval.
- i) **MSASP Table 5.5, Bike Parking Requirements.** Please review with bicycle advocates.
- j) **MSASP pg. 7.18, El Camino Cross Section.** *Since consideration of redesign of El Camino Real is to be delayed to a future date, this cross section (which represents just one alternative) should be deleted from the Plan.*
- k) **MSASP pg. 7.24, California Drive Extension Plan.** *Since redesign of El Camino Real could include a new pedestrian crossing at Chadbourne, SamTrans may not need to deviate its southbound route from El Camino, thus this diagram should be deleted until the final configuration of El Camino is determined.*
- l) **MSASP, Chapter 10, Community Benefits Program, New Table 10.1.** *This Table should make it clear that the provision of affordable housing is a first priority in any Community Benefits negotiations. This was recommended by the Planning Commission, but the staff report recommends against this revision. The Council should accept the Planning Commission's recommendation over staff's in this instance. The reason this priority was added was that the MSASP clearly sets a goal of a minimum of 15% affordable units, but Urban Republic, as a developer of rental housing, challenged this requirement based on the Palmer court decision that ruled that cities cannot require inclusionary zoning on rental properties that have already been up-zoned. To incentivize Urban Republic and other future developers of rental housing to include the desired 15% BMR units in their developments, City staff added the Community Benefits section to the original MSASP so that any developer that wishes to build above the minimum floor area ratio needs to negotiate Community Benefits with the city. This approach circumvents the Palmer decision and gives the City leverage to negotiate for the desired 15% BMR units. There are other Benefits the City might also wish to negotiate, but affordable units are the most needed and should be prioritized.*

D. Summary:

1. Please accept the recommendations in Section B above and ask staff to amend the Plan to include the changes before the January 12 Council meeting.

2. Please accept the staff's and Planning Commission's recommendations with Sierra Club's proposed clarifications as included in Section C above and ask staff to amend the Plan to include the changes before the January 12 Council meeting.
3. Please add a Condition of Approval to the MSASP that states: "Since the overall success of the MSASP is contingent upon the redesign of El Camino Real as a safer, multi-modal street, the City will launch a comprehensive study of El Camino Real within the next year with the goal of redesigning El Camino Real to support the vision and goals of the MSASP."
4. *Sierra Club is willing to help kick-start a study of El Camino Real by helping the City arrange a public workshop for residents of Millbrae, San Bruno, South San Francisco, and Burlingame to get the public's ideas about how best to improve El Camino through the four cities. The workshop would feature a street design expert such as a representative from Nelson/Nygaard transportation planners to present conceptual alternatives to the current street design. This speaker would then take questions from the audience. Ideally, the audience would include city officials and staff from each city as well as the public. A workshop similar to this was arranged by the County of San Mateo Health System in 2014 for the cities of Redwood City, Menlo Park, and Atherton. The mayors and selected staff of all three cities attended. As a result, all three cities are now currently working and coordinating redesign plans for El Camino.*

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Gita Dev", written over a horizontal line.

Gita Dev
Gladwyn D'Sousa
Co-chairs Sierra Club Sustainable land use Committee

cc Christine DiIorio, MSASP Project Manager