

Appendix A

Notice of Preparation (NOP) and Comments on the NOP



PLANNING & COMMUNITY ENVIRONMENT

**CITY OF
PALO
ALTO**

250 Hamilton Avenue, 5th Floor
Palo Alto, CA 94301
650 329.2441

Notice of Preparation of an Environmental Impact Report

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project may have a significant effect on the environment.

File Number	APN(s)	Date
21PLN-00341	Assessor's Parcel Numbers (APNs) 120-03-042, 120-03-043, and 120-03-044	November 4, 2022
Project Name		Project Type
660 University Avenue Mixed-Use Project		Mixed-Use
Owner		Applicant
Shachi Bahl, DMD 511 Byron Street Palo Alto, CA 94301		Smith Development 682 Villa Street, Suite G Mountain View, California 94041
Project Location		
<p>The project site includes the entire area bounded in a yellow line on the attached project location figure. The project site encompasses approximately 0.5 acres (22,526 square feet) across three parcels, identified by Assessor's Parcel Numbers (APNs) 120-03-042, 120-03-043, and 120-03-044 at the addresses of 511 Byron Street, 660 University Avenue, and 680 University Avenue/500 Middlefield Road, respectively. The site is at the southeast corner of the intersection of University Avenue and Middlefield Road and is also bounded by Byron Street to the south and a dental office, single family residence, and a retirement home to the west.</p> <p>Pursuant to Section 15087(c)(6) of the CEQA Guidelines, the site is not located on a hazardous waste list compiled under Section 65962.5 of the Government Code.</p>		
Project Description		
<p>The proposed project would involve demolition of the existing two on-site office buildings (5,260 square feet at 511 Byron Street and 3,955 square feet at 680 University Avenue/500 Middlefield Road) and merging of the three parcels that comprise the project site in order to construct a four-story mixed-use building with two levels of below grade parking. Proposed uses include office space, 65 residential units, and parking. The project would require a Comprehensive Plan amendment to modify the description of Multiple Family Residential designation to include a provision for maintaining existing office space, and rezone to designate the site from Low Density Multiple-Family Residence (RM-20) to Planned Community (PC).</p>		

Residential units would be split into five types: Unit A, Unit B, Unit C, Unit D, and Unit E. Units A to C would be studio units from 387 square feet to 477 square feet; Unit D would be one-bedroom units from 452 square feet to 551 square feet square feet; and Unit E would be two-bedroom units of 755 square feet. Pursuant to the City's inclusionary housing requirements, the project would provide 20 percent affordable housing units (13 units). Of the 13 units, four would be at the very low-income affordability level, four would be at the low-income affordability level, and five would be at the moderate-income affordability level.

Pedestrian access to the project would be provided via two entrances on University Avenue, one leading to the office lobby and one leading to the residential lobby. Vehicular access would be provided via an entrance on Middlefield Road, which would grant access to the two-level below grade parking lots. The project would include a total of 94 stalls, with 32 stalls on Level P1, 56 stalls on Level P2, and 6 ADA stalls. The project would also include eight short-term bicycle parking spaces and 32 long-term spaces. Short-term bicycle parking spaces would be provided via four bicycle racks fronting University Avenue.

Purpose of Notice

The City of Palo Alto will be the lead agency and will prepare an environmental impact report (EIR) for the proposed project. This Notice of Preparation is sent pursuant to Section 15082 of the California Environmental Quality Act (CEQA) Guidelines to announce the initiation of the EIR process and to solicit comments from responsible and trustee agencies and interested parties concerning the scope of issues to be addressed in the EIR. The Draft EIR will address the potential physical and environmental effects of the proposed project in accordance with the CEQA.

Comment Period:

Begins: 11/04/2022

Ends: 12/05/2022

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than 30 days after receipt of this notice. Please focus your comments on the project's potential environmental impacts and recommendations for methods of avoiding, reducing, or otherwise mitigating those impacts. If you are a governmental agency with discretionary authority over initial or subsequent aspects of this project, describe that authority and provide comments regarding potential environmental effects that are germane to your agency's area of responsibility. We also respectfully request the name of a contact person for your agency.

Written comments should be addressed to:

Emily Foley, AICP
 City of Palo Alto
 250 Hamilton Avenue
 Palo Alto, CA 94301

Or emailed to emily.foley@cityofpaloalto.org.

Additional information on this project may be reviewed online at <https://www.cityofpaloalto.org/News-Articles/Planning-and-Development-Services/660-University-Avenue>. If you need assistance, please visit the City's Development Center during the hours of 8:00 A.M. and 4:00 P.M. at 285 Hamilton Avenue, Palo Alto, California or please contact Emily Foley.

Responsible Agencies that received a copy of this document:

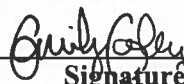
No responsible agencies have been identified for this project.

Potential Environmental Effects:

It is anticipated that the proposed project could result in potentially significant environmental effects relating to Noise, Traffic, and Biology. These issues will be analyzed in detail in the Draft EIR.

Prepared by:

On Behalf of the City of Palo Alto
Print Name


Signature

11/3/22
Date

Project Location



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NATIVE AMERICAN HERITAGE COMMISSION

November 7, 2022

Emily Foley, AICP
City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94301

Re: 2022110095, 660 University Avenue Mixed-Use Project, Santa Clara County

Dear Ms. Foley:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52



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California 95691
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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

cc: State Clearinghouse

From: Shree Dharasker <sdharasker@valleywater.org>
Sent: Monday, December 5, 2022 1:08 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Michael Martin <MichaelMartin@valleywater.org>
Subject: FW: Notice of Preparation - 660 University Avenue Palo Alto

You don't often get email from sdharasker@valleywater.org. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Ms. Foley;

The Santa Clara Valley Water District (Valley Water) has reviewed the attached Notice of Preparation for the 660 University Mixed-Use Project in Palo Alto, received on November 4, 2022, and has the following comments:

- 1) Re-development of the site provides opportunities to minimize water and associated energy use by incorporating on-site reuse for both storm and graywater, and requiring water conservation measures above State standards. To reduce or avoid impacts to water supply, the City and applicant should consider implementing measures from the Model Water Efficient New Development Ordinance, which include:
 - Hot water recirculation systems
 - Alternate water sources collection (like cisterns) and recycled water connections as feasible
 - Pool and spa covers
 - Encourage non-potable reuse of water like recycled water, graywater and rainwater/stormwater in new development and remodels through installation of dual plumbing for irrigation, toilet flushing, cooling towers, and other non-potable water uses.
 - Require dedicated landscape meters where applicable.
 - Require installation of separate submeters to each unit in multi-family developments and individual spaces within commercial buildings to encourage efficient water use.
 - Weather- or soil-based irrigation controllers;

The project will have two levels of below-ground parking and dewatering may be required during construction. Impacts to shallow groundwater quality and quantity should be evaluated with measures to minimized the need for dewatering incorporated into the design to the greatest extent possible. Underground structures should be designed for waterproofing that avoids the need for permanent dewatering after construction is complete.

- 2) Valley Water has no right of way or facilities at the proposed project site. No encroachment permit will be required for construction. The entire site however is located in flood zone AH (Areas with a 1% annual chance of shallow flooding, usually in the form of a pond, with an

average depth ranging from 1 to 3 feet). The City of Palo Alto's Flood Plain Administrator should be contacted for additional flood control requirements.

Please contact me if there are any additional questions. Valley Water would like an opportunity to review any future environmental documentation on this project.

Shree Dharasker
Associate Engineer Civil
Community Projects Review Unit
(408)630-3037

From: Kathleen Rotow <kathleenrotow@gmail.com>
Sent: Tuesday, November 8, 2022 1:43 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: 660 University Ave

You don't often get email from kathleenrotow@gmail.com. [Learn why this is important](#)

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I am the owner of 789 University Ave and have feedback regarding The Notice of Preparation for the 660 University proposed project.

I have several concerns about this project. I am opposed to rezoning from Low Density Multiple Family Residence (RM-20) to high density Planned Community (PC). It is inappropriate in the proposed location given the foreseeable increase in traffic, noise and pollution. All of the aforementioned will negatively affect public safety and quality of life for nearby residents. As we are all aware, this expansive project is directly across the street from an elderly senior living facility that necessarily includes a population that cannot respond to the public safety, pollution, traffic and noise issues in the same manner as other populations. On the other side of the proposed project, there is another senior living development. Additionally, many residential homes are located in close proximity and the increased traffic, pollution and noise would be prohibitive for the residential nature of the area. This project is clearly adjacent to low density residential and senior living facilities. It would dramatically change the character of the area and should not be approved. It is my understanding that this development is trying to squeeze approximately 65 dwellings onto an area zoned for up to 20 dwellings per acre. In addition, it includes office space that is comparable to the total square footage on the site as it stands currently. You would be allowing an increase from the current 9,216 square feet to 42,189 square feet. This increase does not adhere to the current zoning parameters or to the nature of the area. This project should not be approved.

As the city is aware, the Middlefield/University intersection is already heavily congested with traffic and the noise currently generated is unacceptable. This large scale project will exacerbate an already busy and dangerous intersection and increase the noise level for area residents, including many seniors. Maybe the city should consider asking the developers to move the project next to one of their homes. I'm sure they would like the increase in traffic, noise and pollution not to mention the public safety issues it will generate.

This project should be implemented elsewhere. This is the wrong project, in the wrong place and the wrong size.

Respectfully,
Kathleen Rotow

P.S. The link provided for The Notice of Preparation is inaccurate.

From: Alan Brauer, M.D. <drbrauer@totalcare.org>
Sent: Saturday, November 5, 2022 6:52 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: 660 University Project comments

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Hi Emily,

As we are located directly across the street from the proposed 660 University project, we are concerned about 2 main issues::

1. What are the noise mitigation measures that will be required? Our building is occupied primarily by mental health professional who engage in psychotherapy. This requires a quiet environment and we are concerned about intrusions into the ability of our professionals to conduct therapy sessions.
2. What measures will be required to permit unrestricted access to our driveway on Byron?
- 3.

Additionally, should this project receive final approval, can you provide any time frame for the possible start of any demolition?

Thanks for your attention to this important matter.

Alan & Donna Brauer
Owners, 630 University Ave., Palo Alto

From: Rebecca Sanders <rebsanders@gmail.com>
Sent: Saturday, December 3, 2022 7:24 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Comments & Questions Concerning 660 University

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Dear Ms. Foley:

I have had a chance to look over the proposed development for 660 University and have some comments and question for your review that I'm hoping the EIR will address:

The ARB staff report says the building needs 37 parking spaces for the office. But the 9,115 sq. ft. of office space needs 36 spaces at one per 250 square feet, rounding down. How did you arrive at a different calculation?

The staff report says there is 2,540 sq. ft. of non-office, non-residential space. How is that other space allocated and does any of that space need to be parked?

The proposed adjustment for the office portion would reduce the parking from 37 spaces to 29 spaces, which is a reduction of 22%. Has a monitored Palo Alto TDM ever demonstrated an office parking reduction of 22%?

The proposed adjustment for the residential portion would reduce the parking from 73 spaces to 61 spaces, which is a reduction of 16%. Has a monitored Palo Alto TDM ever demonstrated a residential parking reduction of 16%?

The Municipal Code rules for a TDM parking reduction specify: "Where effective alternatives to automobile access are provided, other than those listed above, parking requirements may be reduced to an extent commensurate with the permanence, effectiveness, and the demonstrated reduction of off-street parking demand effectuated by such alternative programs. Examples of such programs may include, but are not limited to, transportation demand management (TDM) programs or innovative parking pricing or design solutions." Does the proposal for 660 University include any demonstration that there will actually be a reduction in off-street parking demand? Our law requires the TDM plan to be "effective" and provide a parking reduction no greater than what's "commensurate with the permanence, effectiveness, and demonstrated reduction of off-street parking." But without any such demonstrated reduction, how is the proposed 20% reduction compliant with the Municipal Code?

The Municipal Code also says that the Director must have the opinion that a parking reduction "will not create undue impact on existing or potential uses adjoining the site or in the general vicinity." This would seem to require the Director to understand (a) the actual parking needs of a building, as opposed to the amount of required parking required by the code, and (b) the parking situation in the neighborhood. Has any of that been studied? If so, in what detail?

One hopes the EIR will also study alternatives that many have suggested, such as having larger units and omitting the office space, both of which would reduce parking requirements. This would make it in turn easier to put the garage access on Byron, better protecting the neighboring oak tree.

As a resident who has watched office profits trump home construction, I am most interested in fostering housing while scaling back office usage. Reducing our jobs/housing imbalance and providing homes is a stated goal of our City government, so my sentiment is very much in alignment with City Hall.

I have also witnessed the historical struggles we've seen in Downtown North and abutting neighborhoods regarding excessive demand for on-street parking plus the crush of neighborhood cut-through traffic at rush hour. A meaningful design with adequate parking to meet the demands of the new residents and tenants is crucial to keeping our downtown and adjoining neighborhoods vibrant and healthy.

Thank you.

Becky Sanders

From: [Alex Dersh](#)
To: [Architectural Review Board](#)
Subject: Public comment supporting 660 University Avenue
Date: Thursday, December 1, 2022 8:20:44 AM

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Hello,

I'm writing in to support the project at 660 University Avenue.

I grew up in Palo Alto, and for much of that time I lived in mixed use areas within walking distance. I miss that kind of neighborhood, and wish they were more common! It's an excellent living experience when you can walk to a nearby shop for food, a walk in the park, or amenities.

I think this is a great project because it will add more homes near downtown, making it super convenient for residents to enjoy the area. It's great too that it's a walkable distance, so there will be minimal car impact, which is good for our safety and our climate. And a good number will be designated affordable, which not only is a fantastic thing for the eventual residents but will also help us meet our state housing requirements.

Thank you for your work and time,
Alex Dersh

--

Alex Dersh
Campaign Manager
No on Measure V - Protect Teacher Housing
(650) 388-6400
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November 15, 2022

Sent Via Email: Planning.Commission@CityofPaloAlto.org

Planning and Transportation Commission
City of Palo Alto
Palo Alto City Hall
250 Hamilton Avenue
Palo Alto, CA 94301

Re: Opposition to Project Proposed at 660 University Avenue

Dear Honorable Members of the Planning and Transportation Commission,

This letter is written on behalf of the Homeowner's Association for The Hamilton, a continuing care retirement community for seniors with 36 units located at 555 Byron Street. The Hamilton is adjacent to the proposed mixed-use project which would consist of 65 residential units and 9,115 square feet of office ("Project") at 660 University Avenue ("Property"). The residents of The Hamilton, whose average age is in the mid-80s, will be significantly impacted by the proposed Project. In addition, the Project will impact a number of other senior communities in this "Senior Corner" of Palo Alto, including Lytton Gardens and Webster House (and Channing House).

Rather than proposing something compatible with the "Senior Corner," the Project proposes a density and intensity far in excess of any surrounding development and in excess of what is allowed by the current residential zoning or the City's Comprehensive Plan. This letter will highlight concerns with the merits of the Project as well as environmental impacts, and should be considered a comment letter on the Notice of Preparation. The Hamilton is concerned about impacts to transportation, air quality, noise, parking, pedestrian safety, land use/planning and the loss of a significant tree presented by Project with its unprecedented density and intensity. The Hamilton requests that the Planning and Transportation Commission ("PTC") recommend that the Project be reduced to be more consistent with the existing residential zoning and compatible with the surrounding senior communities.

Density Significantly Exceeds that Allowed by the Zoning or the Comprehensive Plan.

The Project proposes 65 units (47 studios, 12 one-bedroom and 6 two-bedroom units). Although this is a reduction of five units from the preliminary proposal reviewed by the City Council during the Planned Home Zoning (“PHZ”) pre-screening, this is still significantly above the density allowed by the Property’s RM-20 multifamily zoning. The maximum number of units allowed by the zoning would be 10 units. Thus, the Project is proposing six and a half times the maximum allowable zoning density. Furthermore, the Project also far exceeds the allowable residential density identified in the City’s Comprehensive Plan. The Comprehensive Plan would allow a density of 40 units per acre. On this approximately half-acre site, the maximum Comprehensive Plan density would be 20 units. Thus, the Project is proposing 45 units more (or more than three times the density) anticipated by the highest density identified for the Property in the City’s Comprehensive Plan.

With 65 units on approximately one-half acre, the Project density is approximately 126 units per acre for this multifamily residential area. The highest density identified in the Housing Element for any property is 81.25 units per acre for general manufacturing and research, office and limited manufacturing zones. Thus, the proposed Project density is one and one-half times the highest density identified anywhere in the City in the draft Housing Element. This is also far in excess of other planned communities in this area. The Hamilton is located on approximately 1.18 acres and has 36 units for a density of 33 units per acre. Thus, the proposed Project is well over three times more dense than the neighboring development.

Because by any measure this Project is proposed at an unreasonably high density, The Hamilton encourages the PTC to recommend the Project’s density be significantly reduced.

Inadequate Public Benefit Provided in Exchange for Increased Density.

The Project does not provide a substantial public benefit adequate to justify the significant increase in density. The Project proposes to provide 20 percent affordable housing units (four very-low, four low and five moderate income units) consistent with the City Council direction on the minimum affordability necessary to support a rezoning to PHZ. However, given the significant increase in density, this is a woefully inadequate public benefit. To put it into perspective, a project that proposes 20 percent low-income units would be entitled to a 35 percent density bonus under state density bonus law (Government Code Section 65915). With a maximum Comprehensive Plan density of 20 units, a 35 percent density bonus would result in a 27-unit project.¹ In fact, the highest density bonus a project can receive using state density bonus law is 50 percent, which would allow a 30-unit project. Thus, although the PHZ does not require strict adherence to state law, it is important to note that if approved the City would be allowing a far greater density increase than mandated by state law in exchange for far less affordable housing.

¹ Strict compliance with the state density bonus law would result in a density bonus of less than 35 percent. State law generally requires one income category be selected to determine the density bonus; however, many jurisdictions as a policy matter will count units at lower affordability toward the higher category. With four very-low income units, the density bonus percentage would be 20 percent which would be a total project of 24 units. Four low income units would not qualify the Project for a density bonus. If the four very-low income were counted toward the low income category, with eight low income units, the Project would qualify for a 23 percent density bonus. This would allow a 25-unit project. With five moderate income units, the Project would not qualify for a density bonus. If the four very-low and four low income units were counted toward the moderate income category, the Project would qualify for a 15 percent density bonus. This would allow a 23-unit project.

Giving away this increased density also does not provide the City significant progress toward meeting its Regional Housing Need Allocation (“RHNA”) for the current Housing Element cycle. The City needs to plan for 1,556 very-low income units, 896 low income units and 1,013 moderate income units. For more than triple the allowable density, the City obtains only four very-low income units (0.2% of the need), four low income units (0.4% of the need) and five moderate units (0.4% of the need). Understanding that the City needs to plan to develop housing to meet its RHNA goals, the City should not “throw the baby out with the bath water.” Increased housing density should be approved within reasonable limits and certainly not so far in excess of that allowed by the zoning or the Comprehensive Plan, even with state law mandates layered on top. Approving this Project as proposed would unfairly put the burden on the seniors living at The Hamilton to allow the City as a whole to make negligible progress toward its RHNA goals. Therefore, The Hamilton encourages the PTC to recommend the density of this Project be substantially reduced.

Office Use Adds Intensity Without Benefit.

Not only does the Project far exceed the residential density, it also includes office. The Project proposes 9,115 square feet of general office. Office is not a permitted or conditional use in the RM-20 multifamily residential zoning district. Office uses are inconsistent with the City’s Comprehensive Plan for this residential area. Further, general office is a departure from the existing non-conforming medical office. While medical office might serve the “Senior Corner,” general office does not. Instead, general office uses would add intensity and traffic congestion and create additional housing need without benefiting the surrounding community. Thus, The Hamilton urges the PTC to recommend removal of the office use from this Project.

In addition, the City should prepare a housing needs assessment (“HNA”), including consideration of the multiplier effect, as part of the environmental impact report. A HNA would help the City to understand how many employees will occupy the office space and the housing demand that will be generated by those workers. This is especially important in an era where office space per worker is declining, and the number of employees may be higher than anticipated (the average tech worker uses less than 250 square feet of office space).

Finally, the office vacancy rate in Palo Alto is currently at approximately 14 percent indicating there is no need for the development of office in this location where it is neither permitted, nor beneficial.² Thus, The Hamilton urges the PTC to recommend office be removed from this Project.

Transportation Impacts Potentially Significant.

The environmental impact report and the City in its deliberation regarding the merits of this Project should carefully consider the impact of the additional trips generated by the residential units and office use. The multifamily residential zoning anticipated 20 units per acre and no office. The Comprehensive Plan anticipated a maximum of 40 units per acre and no office. The intensity of this Project with approximately 126 units per acre and office will far exceed the transportation impacts presented in any environmental review for existing planning documents.

The transportation impact analysis and environmental impact report should not focus only on the impact during peak commute hours, but should consider the impact throughout the day. Such an analysis is important in this “Senior Corner” because many residents are home throughout the

² https://www.nmrk.com/storage-nmrk/uploads/fields/pdf-market-reports/1Q22-SPeninsula-Office-Market_2022-05-31-174425_nzty.pdf

day. The Hamilton is concerned that the additional traffic generated by the Project will impact their ability not only to drive, but also to walk safely in the neighborhood.

One related issue that should be studied in the transportation impact analysis and environmental impact report is the design of the Project's entry/exit for the garage onto Middlefield Road. The garage entry/exit is close to the traffic light at University Avenue and may cause significant queuing, which will likely lead to traffic jams on Middlefield Road. This congestion will lead people to try to bypass the traffic by cutting down Byron Street. Byron Street is narrow, and the fully utilized parking on either side makes it impossible for two moving cars to pass each other safely. Thus, cut through traffic down Byron Street should be analyzed. This is in addition to analyzing the impacts to University Avenue and Middlefield Road that are main arteries in Palo Alto.

Finally, the transportation impact analysis and environmental impact report should carefully consider the impacts on parking. The Project is proposing 82 spaces, which is 28 spaces less than the 110 spaces required. One of the two levels of parking proposes stackers, which can be difficult to operate and maintain. With inadequate and complicated parking, it is reasonable to conclude that many residents, workers and visitors will park off the Property. Consideration of the Project should include parking impacts such as additional miles travelled in search of parking and parking intrusion into surrounding areas.

Air Quality Impacts Should Be Carefully Analyzed.

Closely related to the transportation impacts, are the potential air quality impacts. As noted, this is an area referred to as "Senior Corner." Seniors are sensitive receptors who are at a heightened risk of negative health outcomes due to exposure to air pollution. The environmental impact report should include a health risk assessment and mitigate the Project to avoid negative health impacts to this sensitive community.

Tree Preservation is of Substantial Importance.

There is a beautiful Coastal Live Oak tree with a trunk diameter of 50 inches growing just over the property line. The canopy stretches approximately 45 feet over the Project site. It provides beauty and shade for the entire block and likely habitat for biological resources such as nesting birds. Careful consideration needs to be given to ensuring that this tree is adequately protected and survives and is in good health after the redevelopment of the Property to minimize the impact of the Project on aesthetics and biological resources. A professional arborist should consider not only the roots, but to how much of the canopy may need to be cut to allow the Project and how this can be limited to avoid impacting the environment.

Other Considerations Impacting Aesthetics, Land Use and Planning.

The setbacks on all streets and sidewalks proposed by the Project are greatly reduced from required setbacks. The required setback along Middlefield is a minimum of 24 feet. The required setback along University Avenue and Byron Street are both 16 feet. The Project would reduce each of these setbacks down to only 10 feet. These setbacks impact the pedestrian experience and may impact safety. These potential impacts should be considered.

The residential portion of the building is 50 feet tall and it is higher for mechanical and elevator equipment. This exceeds the height allowed in the multifamily zoning district. Plans for the Project reveal that a majority of the rooftop will be opened up as a social gathering common area with multiple barbeques, lounges, tables and chairs, including a TV mounted on one of the walls. The

Planning and Transportation Commission
Re: Opposition to Project Proposed at 660 University Avenue
November 15, 2022
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aesthetic impacts of the height of the building, any noise impacts from rooftop activities or mechanical equipment should be considered.

Alternatives to Consider.

The Hamilton encourages the environmental impact report to consider a number of alternatives to the proposed Project. One alternative that could be considered is a project that complies with the current zoning and Comprehensive Plan, including density, uses, setbacks, height, etc. This alternative could include additional density based on state density bonus law. Even with the additional density allowed by state law, such a project would likely be more responsible to its context and compatible with adjacent development. Another alternative would be a senior project with low income senior housing. Not only is there a need for senior housing and low income senior housing in Palo Alto, such a project may also have reduced impacts (e.g. seniors drive less). The Hamilton urges the PTC to consider either of these alternatives as preferable to the proposed Project.

The Hamilton thanks you for your time and attention to this matter and strongly encourages the PTC not to support moving this Project forward as proposed. The Project should be consistent with or a modest modification to the existing multifamily residential standards, should not include office and should consider providing senior housing.

Sincerely,

Leigh Prince

Leigh F. Prince

Cc: Emily Foley, Planner (Emily.Foley@CityofPaloAlto.org)
Jonathan Lait, Planning Director (Jonathan.Lait@CityofPaloAlto.org)
Molly Stump, City Attorney (Molly.Stump@cityofpaloalto.org)
Christopher Ream, President, The Hamilton HOA (ream@reamlaw.com)

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November 30, 2022

Sent via email: arb@cityofpaloalto.org

Architectural Review Board
City of Palo Alto
Palo Alto City Hall
250 Hamilton Avenue
Palo Alto, CA 94301

Re: Opposition to Project Proposed at 660 University Avenue

Dear Honorable Members of the Architectural Review Board,

This letter is written on behalf of the Homeowner's Association for The Hamilton, a senior community with 36 units located at 555 Byron Street ("The Hamilton"). The Hamilton is adjacent to the proposed mixed-use project which would consist of 65 residential units and 9,115 square feet of office ("Project") at 660 University Avenue ("Property"). The residents of The Hamilton, whose average age is in the mid-80s, will be significantly impacted by the proposed Project. In addition, the Project will negatively impact this "Senior Corner" of Palo Alto, which includes not only The Hamilton, but also Lytton Gardens and Webster House (both senior communities), as well as single-family residences.

This letter highlights The Hamilton's concerns with the Project as proposed and respectfully request that the Architectural Review Board ("ARB") ask the applicant to modify the Project to be more compatible with the surrounding community by:

1. Increasing the unit size which will decrease the unit count and resulting density per acre. This would provide more reasonable sized units for affordable households and decrease the Project intensity, which would reduce the parking demand, number of daily car trips, noise and various other impacts that are more substantial with increased density.
2. Increasing the setback of the building from Middlefield and University.
3. Increasing the setback of the building (above and below grade) from the Oak tree to ensure its preservation and long-term health.

4. Eliminating the office space or at a minimum limiting it to medical office, which will also reduce the intensity of the Project.

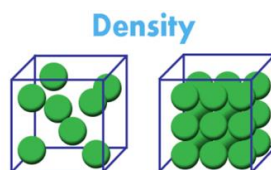
Excessive Density Should Be Reduced.

The Project proposes 65 units (47 studios, 12 one-bedroom and 6 two-bedroom units). Although this is a reduction of five units from the preliminary proposal reviewed by the City Council during the Planned Home Zoning (“PHZ”) pre-screening, this is still significantly above the density allowed by the Property’s RM-20 multifamily zoning. The maximum number of units allowed by the zoning would be 10 units. Thus, the Project is proposing six and a half times the maximum allowable zoning density. Furthermore, the Project also far exceeds the allowable residential density identified in the City’s Comprehensive Plan. The Comprehensive Plan would allow a density of 40 units per acre. On this approximately half-acre site, the maximum Comprehensive Plan density would be 20 units. Thus, the Project is proposing 45 units more or more than three times the density allowed in the City’s Comprehensive Plan.

With 65 units on approximately one-half acre, the Project density is approximately 126 units per acre for this multifamily residential area. The highest residential density identified in the draft Housing Element for any property is 81.25 units per acre for general manufacturing and research, office and limited manufacturing zones. Thus, the proposed Project density is one and one-half times the highest density identified anywhere in the draft Housing Element. If the draft Housing Element is forward looking to what the community can expect and what is needed to meet the City’s Regional Housing Needs Allocation, the Project as proposed exceeds any future anticipated or needed density.

Compared to other planned community projects in Senior Corner, the proposed density is still excessive. The Hamilton is located on approximately 1.18 acres and has 36 units for a density of is 33 units per acre. Thus, the proposed Project is well over three times more dense than The Hamilton. Although Lytton Gardens (also a planned community) is 98 units per acre, it is a very different residential product. Lytton Gardens provides studio and one-bedroom units for low to moderate income elderly and disabled persons as well as space for associated assisted and skilled nursing care. Using Lytton Gardens’ density with its lower income senior population with healthcare needs as a justification to support an even greater density for a mostly market-rate younger and healthy population is misplaced. The intensity and impact of the proposed Project would be much greater than that of Lytton Gardens.

Although some may want to disregard density because a greater number of units could be fit within what from the outside appears to be a somewhat reasonable envelope, density should not be ignored.



As the above simple graphic illustrates, even if density is “invisible” from the outside when you look within, density is visible and will have greater impacts that are visible and felt by neighboring residents. Further, density is a legally applicable metric used to regulate development in City’s zoning and Comprehensive Plan and the City should not ignore its own laws, even if it has discretion to modify density through PHZ rezoning. Because by any measure this Project is

proposed at an unreasonably high density, The Hamilton encourages the ARB to recommend the Project's density be significantly reduced.

Public Benefit Should Be Improved.

The Project does not provide a substantial public benefit adequate to justify the significant increase in density. The Project proposes to provide 20 percent affordable housing units (four very-low, four low and five moderate income units) consistent with the City Council direction on the minimum affordability necessary to support a rezoning to PHZ. However, given the significant increase in density, this is a woefully inadequate public benefit.

To put it into perspective, a project that proposes 20 percent low-income units would be entitled to a 35 percent density bonus under state density bonus law (Government Code Section 65915). With a maximum Comprehensive Plan density of 20 units, a 35 percent density bonus would result in a 27-unit project. In fact, the highest density bonus a project can receive using state density bonus law is 50 percent, which would allow a 30-unit project. Thus, although the PHZ does not require strict adherence to state law, it is important to note that if approved the City would be allowing a far greater density increase than mandated by state law in exchange for far less affordable housing.

Compared to other planned community projects, the public benefit is also inadequate. In exchange for the approval of 36 units (or 33 units per acre) and the floor area necessary to provide activities and services for a senior living community, The Hamilton agreed to provide seven below market rate units (or 19.4% of the units). While this percentage is roughly equivalent to the percent affordable proposed by the Project, the City would be approving a far greater increase in density (126 units per acre) for the proposed Project in exchange for no greater affordability. Further, in addition to seven affordable units, The Hamilton provided a Five Hundred Thousand Dollar (\$500,000) subsidy (plus resale fees) to establish a fund to benefit seniors and senior services. Lytton Gardens is a fully affordable project providing all of the units for low to moderate income seniors. Lytton Gardens thus provided significantly more affordability in exchange for less density (98 units per acre) than proposed by the Project.

The Hamilton encourages the ARB to recommend that the applicant modify the Project so that the public benefit provided (which could include more affordable housing or senior housing) justifies the unprecedented increase in density (seen before only for fully affordable projects) and also reduce the Project's density to something more appropriate to the surrounding community.

Setbacks Should Be Increased.

The setbacks on all streets and sidewalks proposed by the Project are greatly reduced from required setbacks. The required setback along Middlefield is a minimum of 24 feet. The required setbacks along University Avenue and Byron Street are both 16 feet. The Project would significantly reduce each of these setbacks down to only 10 feet (a reduction of 14 and 6 feet respectively). Staff has explained that these setbacks are to allow the City to plan for necessary changes to the street, including for multimodal improvements that would allow improved bike and pedestrian use and safety. Any one project that impedes these would permanently limit the City's ability to make improvements, negatively impacting bike and pedestrian safety in the long-term. Thus, The Hamilton requests the ARB recommend the applicant modify the Project to comply with the required setbacks.

Tree Preservation is of Substantial Importance.

There is a beautiful Coastal Live Oak tree with a trunk diameter of 50 inches growing just over the Property line. The canopy stretches approximately 45 feet over the Project site. It provides beauty and shade for the entire block and likely habitat for biological resources such as nesting birds. Careful consideration needs to be given to ensuring that this tree is adequately protected, survives and is in good health after the redevelopment of the Property to minimize the impact of the Project on aesthetics and biological resources and community well-being. A professional arborist should consider not only the roots, but to how much of the canopy may need to be cut to allow the Project and how this can be limited to avoid impacting the environment. Thus, The Hamilton encourages the ARB to require a greater setback of the building from this beautiful tree to ensure its health and safety.

Office Use Adds Intensity Without Benefit.

Not only does the Project far exceed the residential density, as described above, it also includes office. The Project proposes 9,115 square feet of general office. Office is not a permitted or conditional use in the RM-20 multifamily residential zoning district. Office uses are inconsistent with the City's Comprehensive Plan for this residential area. General office is a departure from the existing non-conforming medical office. While medical office might serve the Senior Corner, general office does not. Instead, general office uses would add intensity and traffic congestion and create additional housing need without benefiting the surrounding community. Further, general office is not needed as there is currently vacant office space in Palo Alto. Thus, The Hamilton urges the ARB to recommend removal of the office use from this Project.

For all of the foregoing reasons, The Hamilton strongly encourages the ARB not to support moving this Project forward as proposed, but recommend significant changes be made to reduce density, increase setbacks, improve tree protection measures and eliminate office. Without such changes, The Hamilton does not believe the ARB can make the required findings because the Project is not consistent with the zoning or the Comprehensive Plan, the Project will not create a desirable environment for the community, the Project is not in harmony with adjacent uses, and its design is not beneficial for pedestrian and bicycle safety.

Sincerely,

Leigh Prince

Leigh F. Prince

Cc: Emily Foley, Planner (Emily.Foley@CityofPaloAlto.org)
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December 1, 2022

Sent Via Email: Emily.Foley@cityofpaloalto.org

Emily Foley, AICP
City of Palo Alto
Palo Alto City Hall
250 Hamilton Avenue
Palo Alto, CA 94301

**Re: Comments on Scope of Environmental Impact Report
660 University Avenue**

Dear Emily,

Thank for you for the opportunity to provide comments on the City of Palo Alto's Notice of Preparation of an Environmental Impact Report ("EIR") for the mixed-use project consisting of 65 residential units and 9,115 square feet of office proposed at 660 University Avenue ("Project"). These comments are provided on behalf of the Homeowner's Association for The Hamilton, a senior community with 36 units located at 555 Byron Street ("The Hamilton"). The Hamilton's comments are detailed below:

- The Project proposes a density far in excess of the density identified for 660 University in either the City's Zoning Ordinance or Comprehensive Plan. Therefore, there should be no tiering from any previously approved EIR and the Project EIR should examine the impacts of this significant increase in density on every topic area identified in the California Environmental Quality Act that is impacted by density, including but not limited to transportation, air quality, noise, water and land use/planning.
- The Project proposes office uses that are not allowed in either the City's Zoning Ordinance or Comprehensive Plan. As with the increase in density, there should be no tiering from any previously approved EIR. The EIR should also consider the different impacts that would result from medical office, general office and no office. Further, in examining the impacts of the office use, the EIR should consider the anticipated tenant. This is because depending on the tenant, there could be more workers per square foot (e.g., tech workers occupy less square foot per person than other office uses) which would impact

transportation, water use and other areas of study. The EIR should use the most conservative assumption in preparing the EIR and determining the significance of impacts.

- The City should prepare a housing needs assessment (“HNA”) that includes consideration of the multiplier effect. A HNA would help the City understand how many employees will occupy the office space and the housing demand that will be generated by those workers and any additional housing demand generated by the housing units themselves. The HNA should consider the type of office use anticipated as certain offices uses have more workers per square foot (e.g., tech workers). The HNA findings should be included in the EIR’s population and housing section.
- The EIR should analyze the changes to level of service, delay and congestion that will be created by the Project with its increased density and office uses. The analysis should not focus only on the impacts during peak commute hours, but throughout the day as in this “Senior Corner” of the City many residents are home throughout the day and may have mobility or other health issues.
- The EIR should also consider the impact of the additional traffic generated by the Project on the ability of seniors and other residents to walk and bike safely in the neighborhood.
- The EIR should consider the impacts of the location of access points on the Project, including the entry/exit for Project’s garage onto Middlefield Road. The garage entry/exit is close to the traffic light at University Avenue and may cause significant queuing, which will likely lead to traffic jams on Middlefield Road. This congestion will lead people to try to bypass the traffic by cutting down Byron Street. Byron Street is narrow, and the fully utilized parking on either side makes it impossible for two moving cars to pass each other safely. Thus, cut through traffic down Byron Street should be analyzed. This is in addition to analyzing the impacts to University Avenue and Middlefield Road that are main arteries in Palo Alto.
- The EIR should carefully consider the impacts on parking. The Project is proposing less than the required 110 spaces required. The EIR should consider the efficacy of any Transportation Demand Management Program, which can be more difficult to implement for residential uses. The EIR should also consider the impact of parking stackers, which can be difficult to operate and maintain, resulting in more parking spilling onto nearby residential streets. Consideration of the Project should include parking impacts such as additional miles travelled in search of parking and parking intrusion into surrounding areas.
- Closely related to the transportation impacts, are the potential air quality impacts. As noted, this is an area referred to as Senior Corner. Seniors are sensitive receptors who are at a heightened risk of negative health outcomes due to exposure to air pollution. The EIR should include a health risk assessment and mitigate the Project to avoid negative health impacts to this sensitive community.
- The EIR should consider the impact of the Project on trees, specifically including heritage trees such as the Coastal Live Oak adjacent to the Project site. It provides beauty (aesthetic consideration) and shade for the entire block and likely habitat for biological resources such as nesting birds. Careful consideration needs to be given to ensuring that this tree is adequately protected and survives and is in good health after the redevelopment of the Property to minimize the impact of the Project on aesthetics and biological resources. A professional arborist should consider not only the roots, but to how much of the canopy may need to be cut to allow the Project and how this can be limited to avoid impacting the environment.
- The EIR should consider how the reduction of setbacks will impact walking and biking and potential multimodal transportation improvements.

Emily Foley, AICP
City of Palo Alto
December 1, 2022
Page 3

- The height of the building is greater than allowed by the Zoning Ordinance. Any potential shade/shadow impacts from the building should be considered.
- Along with mechanical equipment, there is a rooftop amenity space for social gathering. Given the height of the building and proximity to sensitive receptors, careful consideration should be given to the noise impacts from the rooftop uses at the Project.
- The Hamilton encourages the EIR to consider a number of alternatives to the proposed Project: (1) a project that complies with the Zoning Ordinance and Comprehensive Plan for the RM-20 zoning. This would include a reduced density, larger setbacks, reduced height and no office uses; and (2) a less dense senior project.

The Hamilton thanks you for your time and attention to these comments and looks forward to carefully reviewing the draft EIR.

Sincerely,



Leigh F. Prince

Cc: Jonathan Lait, Planning Director (Jonathan.Lait@CityofPaloAlto.org)
Molly Stump, City Attorney (Molly.Stump@CityofPaloAlto.org)
Christopher Ream, President, The Hamilton HOA (ream@reamlaw.com)

THE HAMILTON HOMEOWNERS ASSOCIATION

Christopher Ream, President

555 Byron Street
Palo Alto, California 94301

Telephone: 1-650-424-0821
Email: ream@reamlaw.com

November 30, 2022

Please Protect our Coastal Live Oak from the 660 University Project

Architectural Review Board Members,

The Hamilton is a senior living (55+) condominium development located in the transition zone from low-rise apartments and single-family homes to the larger buildings of downtown Palo Alto. The average age of the residents in The Hamilton is mid-80's. The Hamilton shares the block with the proposed development at 660 University Avenue. The Board of Directors of the Hamilton Homeowners Association (the "HHA"), with the support of its members/residents, has resolved to fight against the proposed development.

There is a majestic, beautiful Coastal Live Oak tree (the "Tree") in the middle of our block. The Tree's trunk is 50 inches in diameter and its limbs stretch out 90 feet in diameter (confirmed by Applicant's arborist). The Tree abuts the back property line of the 660 University project and so its limbs reach out approximately 45 feet over the project's property, and its root structure is probably that large if not much larger. The Tree brings shade and joy to us and everyone else on the block. The Tree is several hundred years old and is deemed a protected Heritage tree by the City of Palo Alto. Applicant's arborist rates the Tree "High" for suitability for preservation.



View from 660 University parking lot

This proposed project puts this beautiful Tree in grave danger.

The City specifies a "Tree Protection Zone" (TPZ) for a protected tree with a radius equal to the ten times the trunk's diameter. For the Tree, that would be $10 \times 50'' = 500'' = 42$ feet. Another rule is that the TPZ should be equal to the foliage, so here that would be a radius of 45 feet based upon the arborist's report of a 90 foot canopy spread. I am not an arborist, but I am told that one common rule of thumb is that a tree's roots are one and a half to three times wider than the foliage. For the Tree's 45-foot limbs, that would be 67 to 135 feet of roots out under the parking lot where the new building would go.

Applicant has drawn a TPZ of only 30 feet on its plans and has the new building right next to it. That is 12 to 15 feet less than required.

The two-story underground garage goes down 34 feet, so the Tree's roots will be sliced off. In addition, that is just what the completed building is supposed to look like; you don't have to be an experienced contractor to know that there will be plenty of construction work done closer to the Tree than 30 feet.

Now, look up at the 2nd, 3rd and 4th floors, there are residential units with balconies sticking out six feet into the TPZ. The Tree has to be pruned back even further. Then be realistic, Applicant is going to prune the Tree even further back so that there is at least five feet of clearance between those balconies and the Tree. We are now cutting the Tree back to only 19 feet of foliage left. Applicant's arborist admits that pruning will be required, including a 17 inch limb.

If the proposed building at 660 University is allowed to be built, the Tree's limbs will be severed on one side, disrupting the Tree's balance, potentially allowing strong gravitational forces to push the Tree over. In addition, the roots needed to hold the Tree back from tipping over will have been cut and lost their gripping force. How soon will the Tree topple over and crash into The Hamilton and others.

Please don't let this happen.

Thank you,



Christopher Ream

THE HAMILTON HOMEOWNERS ASSOCIATION

Christopher Ream, President

555 Byron Street
Palo Alto, California 94301

Telephone: 1-650-424-0821
Email: ream@reamlaw.com

November 30, 2022

Via email: ARB@CityofPaloAlto.org

Palo Alto Architectural Review Board

Re: Opposition to 660 University Project

Dear Board Members,

The Hamilton is a senior living (55+) condominium development located in the transition zone from low-rise apartments and single-family homes to the larger buildings of downtown Palo Alto. There are 36 residential units in the development and the average age of the residents in The Hamilton is mid-80's. The Hamilton shares the block with the proposed development at 660 University Avenue. The Board of Directors of the Hamilton Homeowners Association (the "HHA"), with the support of its members/residents, has resolved to fight against the proposed development.

Lytton Gardens, Webster House and Webster House Health Center are also within a block and directly across the street from the proposed development. Channing House is two blocks away. Because of this concentration of elderly citizens, the area is frequently referred to as "Senior Corner."

I am Christopher Ream. My wife Anne and I have been Palo Alto residents for more than 51 years and have been residents of The Hamilton for the past four years. The Hamilton community strongly opposes the proposed development at 660 University. I am the President of the HHA and am personally committed to significantly revising the proposed building that will materially adversely affect us and all of our neighbors.

Attorney's Letter

The HHA has retained a highly qualified attorney with substantial experience in real estate development: Leigh Prince of the law firm of Jorgenson, Siegel, McClure & Flegel. Our attorney has sent a letter to you articulating some of many reasons why the Board should require revisions to the Application for this proposed project.

Tree Preservation

I sent you a letter earlier today urging you to consider the need for the Applicant to set the building back to a proper tree preservation zone to protect the magnificent, protected Coast Live Oak tree which has brought beauty, shade and comfort to so many in The Hamilton and other neighbors. I will now touch on some other concerns.

Traffic Jam on Middlefield

Out of concern for the safety and peace of mind of the elderly residents of The Hamilton and the other senior living developments nearby, I want to bring to the attention of the Board the traffic and parking problems this project will dump on Palo Alto if it goes forward.

University Avenue and Middlefield Road are main traffic arteries in Palo Alto, and a smooth flowing intersection of University and Middlefield is crucial to traffic in the City. There already is congestion at that intersection, and the proposed project will cause huge traffic jams there.

The project includes an 82-car underground garage with the only entry/exit being onto Middlefield Road less than 100 feet from the traffic light at University Avenue. Cars traveling west on Middlefield that want to enter the garage will have to cross traffic less than 100 feet from the intersection, and thus will not have a good view of cars turning off University onto Middlefield. This is a dangerous situation and one that will back up traffic on Middlefield.

A large majority of the cars exiting the garage will want to turn left and cross traffic on Middlefield in order to go towards Menlo Park on Middlefield, towards Stanford or I280 on University, or out to the 101 freeway on University. With the red light at the intersection less than 100 feet away, turning left across traffic on Middlefield is going to cause traffic jams. I see a staff report suggests requiring a right turn; how would that be enforced? Even if a right turn were effectively enforced, it would mean turning right on Hamilton, then right on Byron to get out to University. Byron is very narrow: Two cars cannot pass each other on that street, one car has to pull over and stop to let the other pass. This will lead to traffic jams and will force drivers to work their way around the neighborhoods to get back to where they want to go, causing excess traffic in those neighborhoods, and be a danger to the many elderly walking around the neighborhood for a little exercise.

Byron Street Clogged During Construction

We all know that building construction results in equipment shutting down part or all of the street. On what street will the equipment be? Does the City want part of University Avenue shut down? Does the City want part of Middlefield Road shut down? That leaves Byron Street. Byron is very narrow: Two cars cannot pass each other on that street, one car has to pull over and stop to let the other pass. It is going to be very difficult for any heavy equipment or trucks.

It has to be assumed if this project is approved by the City that 100 feet of Byron Street will be clogged for the duration of the construction (two years?). The proposed project has only 100 feet of frontage along Byron Street. Will that be enough for the construction? Cardinal Dental next door at 517 Byron, would not be able to tolerate having its patients blocked out by construction intrusions. The Hamilton at 555 Byron needs full and open access in order to meet the daily service requirements of its senior residents, as well as the ability of those senior citizens to come and go.

It is respectfully requested that the Board consider the extreme disruption this proposed project would cause.

Parking

Parking in downtown Palo Alto is a problem the City has been dealing with for years and continues to deal with. The Hamilton sees it every day. The Hamilton is on the short block of Byron between University and Hamilton. It is a narrow street to start with, but on every workday, every single parking spot on both sides of the street is filled all day long. This narrows the drivable room so that two cars going in opposite directions cannot pass; one has to slowly pull into a driveway to make room for the other to pass. We also get traffic on Byron of cars trying to avoid the congestion at the University/Middlefield intersection.

This proposed project for 660 University Avenue is going to greatly exacerbate the parking problem. The Applicant has calculated that 105 parking stalls are required (37 for the general office and 73 for the residents), but only 26 stalls are provided for the office (P1 Level) and 56 stalls are provided for the residents (P2 Level) for a total of 82 stalls – 23 stalls missing. Those 23 orphaned vehicles are going to be roaming the neighborhoods hunting for a place to park. *(Applicant calculates that it should get a credit of 7 additional stalls because of ADA Aisles installed. That may be what the regulations provide, but 7 orphaned vehicles cannot park there and will still be roaming the neighborhoods.)*

Party Deck

Applicant has added a roof top terrace with room for 344 people. Where are they going to park? The terrace has two barbeques with counter space, bar stools, wall-mounted TV, two 10-person tables, other tables and numerous lounges and chairs. Based upon the small size of the units planned for this project, it is anticipated that most of the occupants will be young singles, and the seniors in The Hamilton are seriously worried about the party noise that is going to blast from this terrace.

Setbacks

At the recent hearing of the Planning and Transportation Commission, several of the commissioners expressed concern about the proposed intrusions on required setbacks which are now 24 feet on Middlefield and 16 feet on University and Byron; Applicant wants to cut

them down to only ten feet. I am sure that the Board with its architectural expertise, can better deal with the adverse effects of such a change than I could suggest. I am only asking that you carefully consider it.

Balconies on University Avenue

Every unit on the University Avenue side of the building will have a 6' x 10' balcony reaching out to the edge of the sidewalk. That will be unaesthetic to any driver on University Avenue and both unaesthetic and scary to any pedestrian on the sidewalk. In addition to the weirdness of having someone standing above you on a glassed in balcony, what happens when any debris, coffee mug, beer bottle falls from one of the 39 balconies hovering over the sidewalk? Does it reach the sidewalk or does it hit a pedestrian first?

Office ? Why an Office ???

The proposed project includes 9,115 sq ft of general office space on the first floor. Palo Alto has a lot of empty office space; it needs housing. Under RHNA, the state is requiring 6,000+ new residential units be built in Palo Alto. It is my understanding that this number will be increased in the future based upon how many jobs are in Palo Alto. If that 9,115 sq ft were to be built out as residential units, it would help the City reach its RHNA requirement; while adding more office space and less residential units will make meeting the RHNA requirement much harder. Seems like a no-brainer.

Conclusion

My observations regarding the numerous problems outlined above that would be caused by this proposed project should be considered along with the strong legal points raised by our attorney. The Hamilton community strongly opposes this application for excessive development of the half acre of our block along University Avenue and urges the Board to require action to correct.

Please don't forget what I said about the coastal live oak tree in my earlier letter to you.

Thank you for your consideration,



Christopher Ream

cc: Emily Foley, Planner (Emily.Foley@CityofPaloAlto.org)
Jodie Gerhardt, Planning Manager (jodie.gerhardt@cityofpaloalto.org)
Jonathan Lait, Planning Director (Jonathan.Lait@CityofPaloAlto.org)
Leigh F. Prince, Esq. (Ifp@jsmf.com)

THE HAMILTON HOMEOWNERS ASSOCIATION

Christopher Ream, President

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December 5, 2022

Via email: Emily.Foley@CityofPaloAlto.org

Re: Comments re the Draft EIR for the 660 University Project

Dear Emily,

Please consider the comments in this letter as you work on the Draft EIR for the 660 University Project, and pass on the comments to others where appropriate.

The Hamilton is a senior living (55+) condominium development located in the transition zone from low-rise apartments and single-family homes to the larger buildings of downtown Palo Alto. There are 36 residential units in the development and the average age of the residents in The Hamilton is mid-80's. The Hamilton shares the block with the proposed development at 660 University Avenue. Lytton Gardens, Webster House and Webster House Health Center are also within a block and directly across the street from the proposed development. Channing House is two blocks away. Because of this concentration of elderly citizens, the area is frequently referred to as "Senior Corner."

I am Christopher Ream. My wife Anne and I have been Palo Alto residents for more than 51 years and have been residents of The Hamilton for the past four years. The Hamilton community strongly opposes the proposed development at 660 University, and the Board of Directors of the Hamilton Homeowners Association (the "HHA"), with the support of its members/residents, has resolved to fight against the proposed development. I am the President of the HHA and am personally committed to significantly revising the proposed building that will materially adversely affect us and all of our neighbors.

The HHA has retained Leigh Prince, a highly qualified attorney with substantial experience in real estate development. Our attorney has sent a letter to you articulating some of many reasons why the Board should require revisions to the Application for this proposed project. In addition to the points made by Ms. Prince, I would like to express my own and some of those raised by residents of The Hamilton.

Coastal Live Oak Tree

There is a majestic, beautiful Coastal Live Oak tree (the “Tree”) in the middle of our block. The Tree’s trunk is 50 inches in diameter and its limbs stretch out 90 feet in diameter (*confirmed by Applicant’s arborist*). The Tree abuts the back property line of the 660 University project and so its limbs reach out approximately 45 feet over the project’s property, and its root structure is probably that large if not much larger. The Tree brings shade and joy to us and everyone else on the block. The Tree is several hundred years old and is deemed a protected Heritage Tree by the City of Palo Alto. Applicant’s arborist rates the Tree “High” for suitability for preservation.

This proposed project puts this beautiful Tree in grave danger.

The City specifies a “Tree Protection Zone” (TPZ) for a protected tree with a radius equal to the ten times the trunk’s diameter. For the Tree, that would be $10 \times 50'' = 500'' = 42$ feet. Another rule is that the TPZ should be equal to the foliage, so here that would be a radius of 45 feet based upon the arborist’s report of a 90 foot canopy spread. I am not an arborist, but I am told that one common rule of thumb is that a tree’s roots are one and a half to three times wider than the foliage. For the Tree’s 45-foot limbs, that would be 67 to 135 feet of roots out under the parking lot where the new building would go.

Applicant has drawn a TPZ of only 30 feet on its plans and has the new building right next to that 30 feet. That is 12 to 15 feet less than required.

The two-story underground garage goes down 34 feet, so the Tree’s roots will be sliced off. In addition, that is just what the completed building is supposed to look like; you don’t have to be an experienced contractor to know that there will be plenty of damaging construction work done closer to the Tree than 30 feet.

Now, look up at the 2nd, 3rd and 4th floors, there are residential units with balconies sticking out 6 feet into the TPZ. The Tree has to be pruned back even further. Then be realistic, Applicant is going to prune the Tree even further back so that there is at least 5 feet of clearance between those balconies and the Tree. We are now cutting the Tree back to only 19 feet of foliage left. Applicant’s arborist admits that pruning will be required, including a 17-inch limb.

If the proposed building at 660 University is allowed to be built, the Tree’s limbs will be severed on one side, disrupting the Tree’s balance, potentially allowing strong gravitational forces to push the Tree over. In addition, the roots needed to hold the Tree back from tipping over will have been cut and lost their gripping force. How soon will the Tree topple over and crash into The Hamilton and others.

At the Architectural Review Board hearing on December 1, everyone, including the Applicant's architect and its landscaper actively agreed that the Tree had to be protected; but they did not suggest that a 42-45 foot TPZ should be observed. No, their answer was that they knew of a tree in Mountain View that has so far survived a small TPZ (although they did not say how long it has survived). One tree surviving for an unknown time is not a valid argument to ignore the universally accepted rule of a TPZ equal to 10 times the trunk's diameter or the extent of the foliage. The only solution here is that the proposed building and its construction has to be pulled back out of the TPZ for this Heritage Tree.

Traffic Jam on Middlefield

University Avenue and Middlefield Road are main traffic arteries in Palo Alto, and a smooth flowing intersection of University and Middlefield is crucial to traffic in the City. There already is congestion at that intersection, and the proposed project will cause huge traffic jams there.

The project includes an 82-car underground garage with the only entry/exit being onto Middlefield Road less than 100 feet from the traffic light at University Avenue. Cars traveling west on Middlefield that want to enter the garage will have to cross traffic less than 100 feet from the intersection, and thus will not have a good view of cars turning off University onto Middlefield. This is a dangerous situation and one that will back up traffic on Middlefield.

Even worse, a large majority of the cars exiting the garage will want to turn left and cross traffic on Middlefield in order to go towards Menlo Park on Middlefield, towards Stanford or 1280 on University, or out to the 101 freeway on University. With the red light at the intersection less than 100 feet away, turning left across traffic on Middlefield is going to cause traffic jams. I see a staff report suggests requiring a right turn; how would that be enforced? Even if a right turn were effectively enforced, it would mean turning right on Hamilton, then right on Byron to get out to University. Byron is very narrow: Two cars cannot pass each other on that street, one car has to pull over and stop to let the other pass. This will lead to traffic jams and will force drivers to work their way around the neighborhoods to get back to where they want to go, causing excess traffic in those neighborhoods, and be a danger to the many elderly walking around the neighborhood for a little exercise.

There were suggestions made at the Architectural Review Board hearing that the access to the underground garage be moved to Byron Street. There are two major problems with that. First, a ramp from Byron down to the two levels of the garage would be even closer to and cause more damage to the protected Heritage Tree than the planned ramp on Middlefield. And, as I mentioned above, Byron is very narrow and already subject to traffic problems; garage access on Byron would make that much worse.

Byron Street Clogged During Construction

We all know that building construction results in equipment shutting down part or all of the street. On what street will the equipment be? Does the City want part of University Avenue shut down? Does the City want part of Middlefield Road shut down? That leaves Byron Street. Byron is very narrow: Two cars cannot pass each other on that street, one car has to pull over and stop to let the other pass. It is going to be very difficult for any heavy equipment or trucks.

It has to be assumed if this project is approved by the City that 100 feet of Byron Street will be clogged for the duration of the construction (two years?). The proposed project has only 100 feet of frontage along Byron Street. Will that be enough for the construction? Cardinal Dental next door at 517 Byron would not be able to tolerate having its patients blocked out by construction intrusions. The Hamilton at 555 Byron needs full and open access in order to meet the daily service requirements of its senior residents, as well as the ability of those senior citizens to come and go.

It is respectfully requested that the staff consider the extreme disruption this proposed project would cause.

Parking

Parking in downtown Palo Alto is a problem the City has been dealing with for years and continues to deal with. The Hamilton sees it every day. The Hamilton is on the short block of Byron between University and Hamilton. It is a narrow street to start with, but on every workday, every single parking spot on both sides of the street is filled all day long. This narrows the drivable room so that two cars going in opposite directions cannot pass; one has to slowly pull into a driveway to make room for the other to pass. We also get traffic on Byron of cars trying to avoid the congestion at the University/Middlefield intersection.

This proposed project for 660 University Avenue is going to greatly exacerbate the parking problem. The Applicant has calculated that 110 parking stalls are required (37 for the general office and 73 for the residents), but only 26 stalls are provided for the office (P1 Level) and 56 stalls are provided for the residents (P2 Level) for a total of 82 stalls – 28 stalls missing. Those 28 orphaned vehicles are going to be roaming the neighborhoods hunting for a place to park. *(Applicant calculates that it should get a credit of 7 additional stalls because of ADA Aisles installed. That may be what the regulations provide, but 7 orphaned vehicles cannot park there and will still be roaming the neighborhoods.)*

Short-Term Parking

There is no provision for short-term parking for delivery vehicles. Based upon the small size of the units planned for this project, particularly the 47 small studio apartments, it has to be anticipated that most of the occupants will be young singles. How often are those young singles going to cook dinner in their small studio as opposed to ordering dinner delivered most nights. Where are those delivery vehicles going to temporarily park?

Party Deck

Applicant has added a roof top terrace with room for 344 people. Where are they going to park? The terrace has two barbeques with counter space, bar stools, wall-mounted TV, two 10-person tables, other tables and numerous lounges and chairs. Based upon the small size of the units planned for this project, it has to be anticipated that most of the users of this terrace will be the young single occupants and their guests. The seniors in The Hamilton, particularly those in the 14 units facing directly toward the proposed building, are seriously worried about the party noise that is going to blast from this terrace, probably well past their bedtime. Please do something to control that noise.

Setbacks

At the recent hearing of the Planning and Transportation Commission, several of the commissioners expressed concern about the proposed intrusions on required setbacks which are now 24 feet on Middlefield and 16 feet on University and Byron; Applicant wants to cut them down to only ten feet. The members at the Architectural Review Board also expressed a lot of concern about the proposed reduction of the setbacks. I am sure the staff with its experience and expertise, can better deal with the adverse effects of such a change than I could suggest. I am only asking that you carefully consider it.

Balconies on University Avenue

Every unit on the University Avenue side of the building will have a 6' x 10' balcony reaching out to the edge of the sidewalk. That will be unaesthetic to any driver on University Avenue and both unaesthetic and scary to any pedestrian on the sidewalk. In addition to the weirdness of having someone standing above you on a glassed-in balcony, what happens when any debris, coffee mug, beer bottle falls from one of the 39 balconies hovering over the sidewalk? Does it reach the sidewalk or does it hit a pedestrian first?

Office ? Why an Office ???

The proposed project includes 9,115 sq ft of general office space on the first floor. Palo Alto has a lot of empty office space; it needs housing. Under RHNA, the state is requiring 6,000+ new residential units be built in Palo Alto. It is my understanding that this number will be increased in the future based upon how many jobs are in Palo Alto. If that 9,115 sq ft were to be built out as residential units, it would help the City reach its RHNA requirement; while adding more office space and less residential units will make meeting the RHNA requirement much harder. Seems like a no-brainer.

Conclusion

My observations regarding the numerous problems outlined above that would be caused by this proposed project should be considered along with the strong points raised by our attorney in her letter, as well as the many concerns expressed at the recent Planning and Transportation Commission and the Architectural Review Board hearings.

The Hamilton community strongly opposes this application for excessive development of the first 100 feet of our block along University Avenue and urges the Board to require action to correct. As Chair David Hirsch so succinctly stated at the Architectural Review Board hearing last week: This is too much building in too small of a space.

Thank you for your consideration,


Christopher Ream