



Director's Hearing Agenda

Regular Meeting Agenda: February 16, 2023

Council Conference Room
4:00 PM

<https://zoom.us/join> Meeting ID: 991 2250 8272 Phone number: 1 669 900 6833

Pursuant to [AB 361](#) Palo Alto Commission meetings will be held as “hybrid” meetings with the option to attend by teleconference/video conference or in person. To maximize public safety while still maintaining transparency and public access, members of the public can choose to participate in the meeting from home or attend the meeting in person. Information on how the public may observe and participate in the meeting is located at the end of the agenda or [online here](#). Masks are strongly encouraged if attending in person.

Members of the public may comment by sending an email to pdsdirector@cityofpaloalto.org or by attending the meeting in person or via Zoom virtual meeting to give live comments. Instructions for the Zoom meeting can be found on the last page of this agenda.

Call to Order

Oral Communications

The public may speak to any item not on the agenda. Three (3) minutes per speaker.^{1,2}

Agenda Changes, Additions, and Deletions

The hearing officer may modify the agenda order to improve meeting management.

Action Items

Public Comment is Permitted. Applicants/Appellant Teams: Ten (10) minutes, plus five (5) minutes rebuttal. All others: Three (3) minutes per speaker.^{1,3}

1. PUBLIC HEARING / QUASI-JUDICIAL. 55 Tulip Lane [22PLN-00149]: Request for Director’s Review on a Tentative Approval of an Individual Review Application for Deconstruction of an Existing one-Story 1,811 Square Foot Home and Construction of a two-Story approximately 3,038 square foot home with a detached garage and an attached 496 square foot JADU. Environmental Assessment: Exempt from the Provisions of CEQA under Guideline 15303 (New Construction). Zoning District: R-1 (Single Family Residential). For More Information Contact the Project Planner Emily Foley at Emily.Foley@CityofPaloAlto.org.

Adjournment

1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to fifteen (15) minutes at the discretion of the Hearing Officer, provided that the non-speaking members agree not to speak individually.
2. The Hearing Officer may limit Oral Communications to 30 minutes for all combined speakers.
3. The Hearing Officer may reduce the allowed time to speak to two minutes or less to accommodate a larger number of speakers.

Director's Hearings

Director's hearings may be requested for certain applications that the director, or his/her designee, has issued a tentative decision, such as Individual Review applications. A director's hearing is required for Parcel Map applications.

A decision is not rendered at the public hearing. Rather, the director or designee will consider evidence for and against the application or its modification and prepare a written decision approving, approving with conditions, or denying the project application within fourteen days of the hearing.

Notice of the decision will be mailed to the project applicant, the owners and occupants of all adjacent properties, and any person requesting notice of the decision.

The director's decision shall become final fourteen days after the date notice is mailed unless an appeal is filed. The director may, for good cause, specify in writing a longer period for filing an appeal at the time he or she issues the proposed decision.

The applicant or the owner or occupier of an adjacent property may file an appeal of the director's decision by filing a written request with the City Clerk before the date the director's decision becomes final. The written request shall be accompanied by a fee, as set forth in the municipal fee schedule.

Americans with Disability Act (ADA)

It is the policy of the City of Palo Alto to offer its public programs, services and meetings in a manner that is readily accessible to all. Persons with disabilities who require materials in an appropriate alternative format or who require auxiliary aids to access City meetings, programs, or services may contact the City's ADA Coordinator at (650) 329-2550 (voice) or by emailing ada@cityofpaloalto.org. Requests for assistance or accommodations must be submitted at least 24 hours in advance of the meeting, program, or service.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Hearing Officer, provided that the non-speaking members agree not to speak individually.
 2. The Hearing Officer may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Hearing Officer may reduce the allowed time to speak to two minutes or less to accommodate a larger number of speakers.

Public Comment Instructions

Members of the Public may provide public comments to teleconference meetings via email, teleconference, or by phone.

1. **Written public comments** may be submitted by email to the project planner.
2. **Spoken public comments using a computer** will be accepted through the teleconference meeting. To address the Board, click on the link below. Please read the following instructions carefully.
 - You may download the Zoom client or connect to the meeting in-browser. If using your browser, make sure you are using a current, up-to-date browser.
 - You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
 - When you wish to speak on an agenda item, click on “raise hand”. The moderator will activate and unmute attendees in turn. Speakers will be notified shortly before they are called to speak. The Zoom application will prompt you to unmute your microphone when it is your turn to speak.
 - When called, please limit your remarks to the time limit allotted.
 - A timer will be shown on the computer to help keep track of your comments.
3. **Spoken public comments using a smart phone** will be accepted through the teleconference meeting. To address the Council, download the Zoom application onto your phone from the Apple App Store or Google Play Store and enter the Meeting ID below.
4. **Spoken public comments using a phone** use the telephone number listed below. When you wish to speak on an agenda item hit *9 on your phone so we know that you wish to speak. When called please limit your remarks to the agenda item and time limit allotted.

<https://zoom.us/join>

Meeting ID: 991 2250 8272

Phone number: 1 669 900 6833

(you may need to exclude the initial “1” depending on your phone service)

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to fifteen (15) minutes at the discretion of the Hearing Officer, provided that the non-speaking members agree not to speak individually.
 2. The Hearing Officer may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Hearing Officer may reduce the allowed time to speak to two minutes or less to accommodate a larger number of speakers.



CITY OF
**PALO
ALTO**

Director's Hearing Agenda

Staff Report (ID # 15058)

Report Type: Action Items **Meeting Date:** 2/16/2023

Summary Title: 55 Tulip: Request for Director's Hearing on IR Decision (2nd Hearing)

Title: PUBLIC HEARING / QUASI-JUDICIAL. 55 Tulip Lane [22PLN-00149]: Request for Director's Review on a Tentative Approval of an Individual Review Application for Deconstruction of an Existing one-Story 1,811 Square Foot Home and Construction of a two-Story approximately 3,038 square foot home with a detached garage and an attached 496 square foot JADU. Environmental Assessment: Exempt from the Provisions of CEQA under Guideline 15303 (New Construction). Zoning District: R-1 (Single Family Residential). For More Information Contact the Project Planner Emily Foley at Emily.Foley@CityofPaloAlto.org.

From: Jonathan Lait

Recommendation

Staff recommends that the Director take the following action(s):

1. Conduct a public hearing, receive testimony, and render a decision within 14 days consistent with Palo Alto Municipal Code Section 18.77.075 (f).

Background

Project Information

Owner: Kun Niu

Architect: Yin Su

Representative: N/A

Property Information

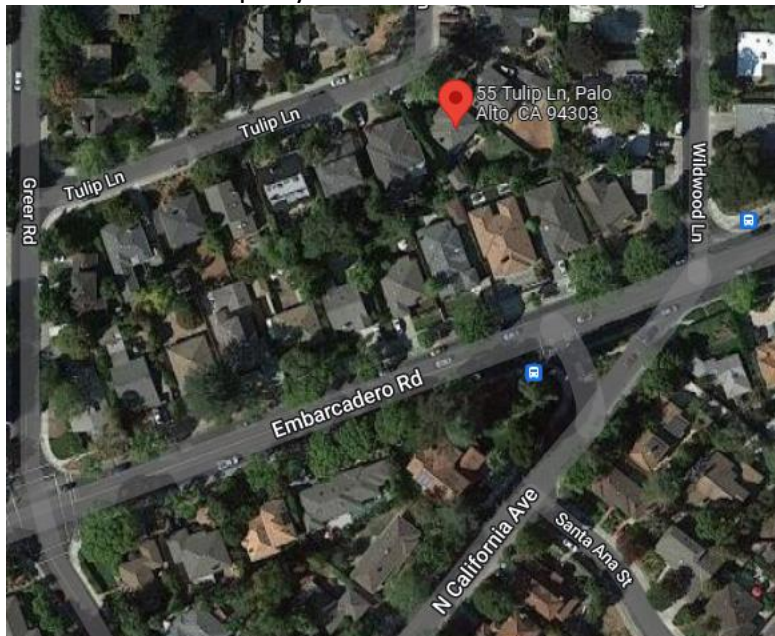
Address: 55 Tulip Lane

Neighborhood: Duveneck/St. Francis

City of Palo Alto
Planning & Development Services
250 Hamilton Avenue
Palo Alto, CA 94301
(650) 329-2442

Lot Dimensions & Area:	Front property line 40', rear property line 90', sides 144' and 113' respectively. Total lot area 7,628 sf
Housing Inventory Site:	No
Protected/Heritage Trees:	No
Historic Resource(s):	No
Existing Improvement(s):	1,811 sf; 1 story; approx. 16.5 ft in height
Existing Land Use(s):	Single family house, detached garage
Adjacent Land Uses & Zoning:	North: Single Family (R-1) West: Single Family (R-1) East: Single Family (R-1) South: Single Family (R-1)

Aerial View of Property:



Source: Google Maps

Project Description

This hearing is to consider the timely request for Director's Review on a Tentative Approval of an Individual Review Application for Deconstruction of an Existing one-Story 1,811 Square Foot Home and Construction of a two-Story approximately 3,038 square foot home with a detached garage and an attached 496 square foot JADU.

Prior Director's Hearing

A Director's Hearing for this project was held on January 26th. The staff report from that Hearing is available here: <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/directors-hearing/2023/dh-1.26-public-agenda.pdf>. At this meeting, Director Lait continued the item to the February 16th hearing date, and requested that a site

visit be scheduled to allow the neighbors and Project Planner to view the existing privacy conditions in the backyard.

Site Visit

A site visit was held on February 10, 2023. Project Planner Emily Foley attended, as well as the property owners, project architect Yin Su, and four of the adjacent neighbors. The following recommendations were determined as a result of the meeting:

- Condition #16 should be modified to specify that the fence along the north-eastern/left side property line shall be replaced. Additionally, the rear yard fence is in poor condition, however due to the existing neighbor's fence at 1071 Embarcadero the existing fence at 55 Tulip may be removed or replaced. The property owner and the neighbors will need to determine outside of the Individual Review process what solution works best for them, as well as considering the neighbor at 1079 Embarcadero, who was not present at the meeting but would be affected by any fence removal/replacement.
- The neighbor at 1071 Embarcadero requested that some of the shrubs and other low landscaping along the property line be "cleaned up". Typically this is outside of the scope of the IR permit, and would be the choice of the property owner, but could be considered for incorporation into the conditions of approval.
- It was difficult to assess the health of the existing deciduous fruit trees, since it is winter, but they appear to provide reasonable privacy. Condition #13 could be modified to further specify that these trees are required to be replaced if/when they die.
- The neighbors at 1071 Embarcadero and 59 Tulip reviewed the plans, which were printed for the site visit, and had no further privacy concerns.
- The neighbor at 1063 Embarcadero expressed concern about the side facing 2nd floor windows in the primary bedroom. While these windows were already required to be half obscured glazing, the property owners have agreed to fully obscure them. Additionally, the direction of the casement operation was not specified in the plans. Condition #5 already requires the obscured glazed windows to open towards the street to limit views when the windows are open. Condition #3 should be modified to state all windows operation shall be shown in the Building permit plan set.

Environmental Review

The subject project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. Specifically, the project is exempt under Guideline 15303 (Small Structures) which allows a single family residence to be built on an existing single-family parcel.

Public Notification, Outreach & Comments

The Palo Alto Municipal Code requires notice of this public hearing be published in a local paper and mailed to owners and occupants of property within 600 feet of the subject property at least ten days in advance. Notice of a public hearing for this project was published in the *Daily Post*

on February 3, 2023, which is 14 days in advance of the meeting. No postcard mailing occurred as item was continued to date certain of February 16, 2023.

Public Comments

As of the writing of this report, no public comments regarding new issues not previously discussed were received.

Report Author & Contact Information

Emily Foley, Planner
(650) 617-3125

emily.foley@cityofpaloalto.org

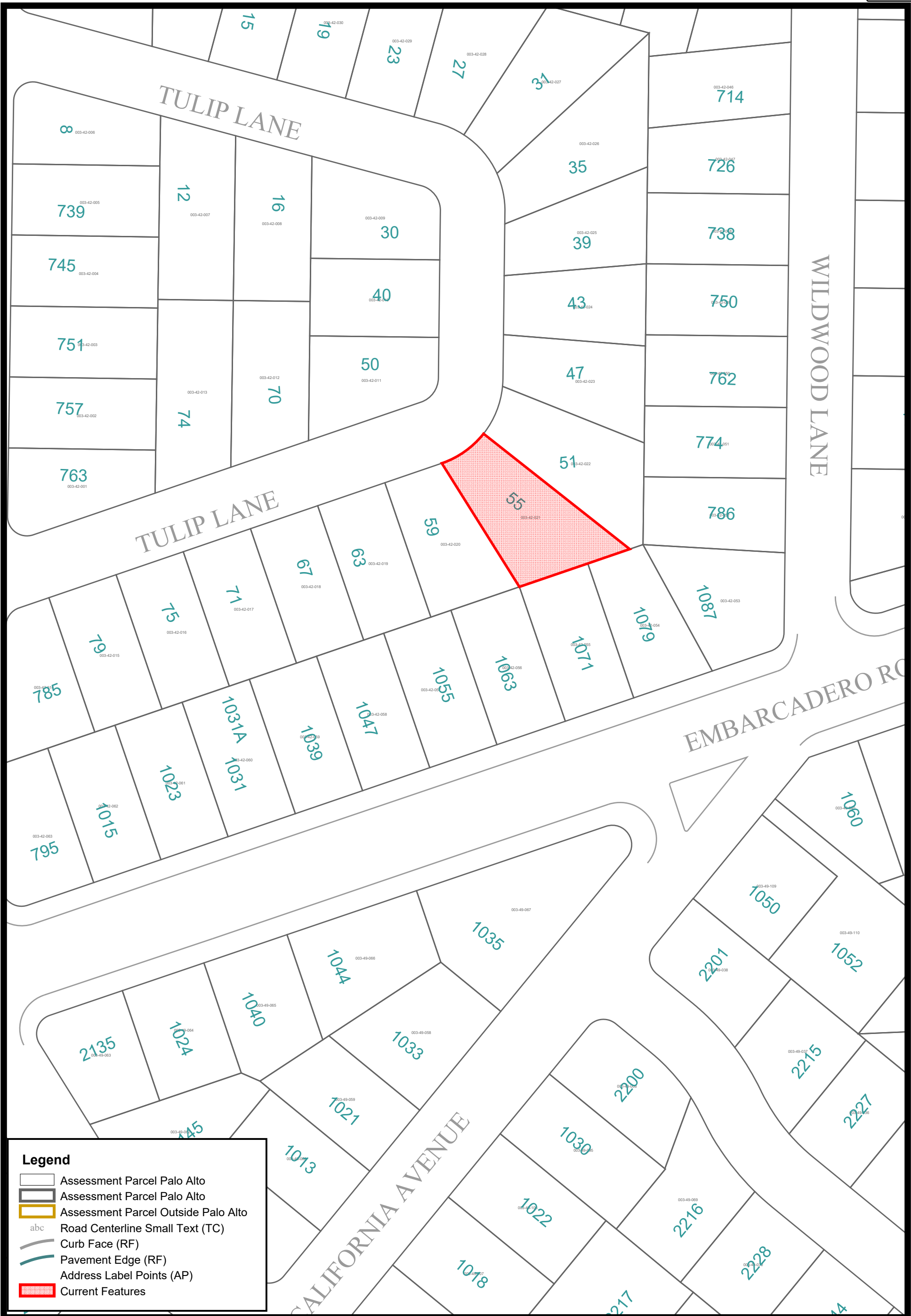
Program Manager Contact Information

Jodie Gerhardt, AICP, Planning Manager
(650) 329-2575

jodie.gerhardt@cityofpaloalto.org

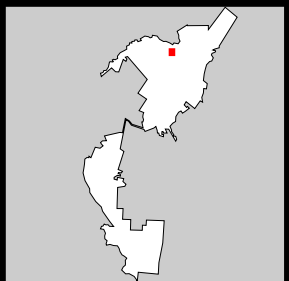
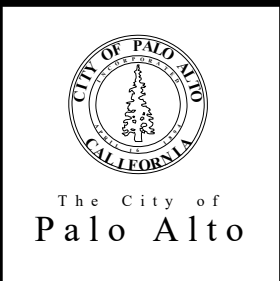
Attachments:

- Attachment A - Location Map(PDF)
- Attachment B - Tentative Approval Letter (PDF)
- Attachment C - IR Guideline Evaluation (DOCX)
- Attachment D - Request for Hearing Letter (PDF)
- Attachment E - Tentative Approved Plans (DOCX)
- Attachment F - Additional Neighbor Comments (PDF)



Legend

- Assessment Parcel Palo Alto
- Assessment Parcel Palo Alto
- Assessment Parcel Outside Palo Alto
- Road Centerline Small Text (TC)
- Curb Face (RF)
- Pavement Edge (RF)
- Address Label Points (AP)
- Current Features



Attachment A
Location Map
55 Tulip

This map is a product of the City of Palo Alto GIS



PLANNING & DEVELOPMENT SERVICES

CITY OF
**PALO
 ALTO** 250 Hamilton Avenue, 5th Floor
 Palo Alto, CA 94301
 (650) 329-2441

December 22, 2022

Kun Niu
 309 W. Arbor Ave.
 Sunnyvale, CA 94085

Yin Su
 PO Box 390431
 Mountain View, CA 94039

SUBJECT: 55 Tulip Lane (22PLN-00149) Individual Review

The Director of Planning and Development Services has conditionally approved your Single Family Individual Review application to allow demolition of an existing single story residence and construction of a new two-story single-family residence with an attached JADU and a detached one-car garage in the R-1 zoning district. This approval was granted pursuant to the Palo Alto Municipal Code Sections 18.12.110 and 18.77.075. The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Guideline Section 15303 (New Construction). As conditioned, the project meets all five of the *Palo Alto Single Family Individual Review Guidelines* and complies with the R-1 Zone District development regulations.

This approval will become effective 14 days from the postmark date of this letter, unless the Planning Department receives a written request for a Director's Hearing prior to the end of the business day 14 calendar-days after the postmark date. Only an applicant, or the owner or tenant of an *adjacent property* may request a hearing. As the plans may have been revised since the original submittal, interested parties may wish to review the tentatively approved plans online at the City's Planning webpage bit.ly/PABuildingEye.

This letter and attached conditions and findings shall be printed onto building permit plans relating to this approval. **If the building permit has not been issued and construction commenced within two years from the effective approval date, this approval will expire.** A written request for an extension may be submitted prior to the expiration date. The Director may grant a one-year extension of this approval.

Should you have any questions regarding this approval or need help reviewing the plan set, please contact Emily Foley, Project Planner, at (650) 617-3125 or e-mail at emily.foley@cityofpaloalto.org.

Sincerely,

DocuSigned by:

 EFA3557B6E9A43B...

Emily Foley, AICP
 Project Planner

cc: Neighbor notification list (adjacent neighbors)
 Property Owner

Attachment: Conditions of Approval

55 Tulip Ln. approval

Individual Review 22PLN-00149

Page 2 of 9

PLANNING DIVISION CONDITIONS:

1. **CONFORMANCE WITH PLANS.** Construction and development shall conform to the approved plans entitled, "Kun Niu (Owner), Address: 55 Tulip Ln., Palo Alto, CA 94303" uploaded to the Palo Alto Online Permitting Services Citizen Portal on November 14, 2022, as modified by these conditions of approval.
2. **BUILDING PERMIT.** Apply for a building permit and meet any and all conditions of the Planning, Fire, Public Works, and Building Departments.
3. **BUILDING PERMIT PLAN SET.** A copy of this cover letter and conditions of approval shall be printed on the second page of the plans submitted for building permit. Project plans submitted for Building permits shall incorporate the following changes:
 - a. Dimensions of the Floor Area Diagram shall match the floor plans, without rounding.
 - b. Identify the proposed species of the nine proposed screening shrubs shown along the left side yard on the site plan.
 - c. Add an additional tree in the rear yard, adjacent to the garage, to screen views from the second floor bay window.
4. **PROJECT MODIFICATIONS:** All modifications to the approved project shall be submitted for review and approval prior to construction. If during the Building Permit review and construction phase, the project is modified by the applicant, it is the responsibility of the applicant to contact the Planning Division/project planner directly to obtain approval of the project modification. It is the applicant's responsibility to highlight any proposed changes to the project and to bring it to the project planner's attention.
5. **OBSCURED/TRANSLUCENT GLAZING.** All obscure glazing, as shown on the plan set, shall be permanent in nature and shall remain for the life of the structure. Obscure glazing is either decorative glazing that does not allow views through placed into the window frame or acid etched or similar permanent alteration of the glass. Films or like additions to clear glass are not permitted where obscure glazing is shown. Obscure glazing shall not be altered in the future and shall be replaced with like materials if damaged. If operable, these windows shall open towards the public right-of-way.
6. **PRIVACY SCREENING.** All screening, as shown on the plan set, shall be permanent in nature and shall remain for the life of the structure. Screening shall be a maximum of 15 percent open. Screening shall not be altered and shall be replaced with like materials if damaged.
7. **REQUIRED PARKING:** All single family homes shall be provided with a minimum of one covered parking space (10 foot by 20 foot interior dimensions) and one uncovered parking space (8.5 feet by 17.5 feet).

55 Tulip Ln. approval

Individual Review 22PLN-00149

Page 3 of 9

8. UTILITY LOCATIONS: In no case shall utilities be placed in a location that requires equipment and/or bollards to encroach into a required parking space. In no case shall a pipeline be placed within 10 feet of a proposed tree and/or tree designated to remain.
9. BAY WINDOWS: **The two proposed bay windows shall have an interior base at least 18 inches above the floor joists, have no exterior skirt wall, projecting no more than two feet, shall have an interior height of no more than 7.5 feet (measured from the window seat to the underside of the roof), and with more than 50% window surface.** Bay windows that do not meet this definition will be counted towards the homes floor area ratio (FAR), which may cause the home to be out of compliance with required Zoning standards. Any changes to proposed bay windows must first be reviewed and approved by the Director of Planning and Community Environment.
10. NOISE PRODUCING EQUIPMENT: All noise producing equipment shall be located outside of required setbacks, except they may project 6 feet into the required street side setbacks. In accordance with Section 9.10.030, No person shall produce, suffer or allow to be produced by any machine, animal or device, or any combination of same, on residential property, a noise level more than six dB above the local ambient at any point outside of the property plane.
11. DAYLIGHT PLANE: The daylight plane must clear the point where the wall plane intersects the top of the roof material.
12. IMPERVIOUS SURFACE: A minimum of 60 % of the required front yard shall have a permeable surface that permits water absorption directly into the soil (Section 18.12.040 (h)). The building permit plan set shall include a diagram demonstrating compliance.
13. REQUIRED IR LANDSCAPING/TREES. The following landscaping is required to ensure the project's conformance with the City's IR Guidelines and therefore must remain for the life of the structure. Required screening trees and shrubs shall be a minimum size of 24 inch box and measure at least eight (8) feet tall.
 - a. All trees protected by construction fencing on the site plan shall be maintained.
 - b. The existing screening shrubs along the driveway shall be maintained.
 - c. Tall shrubs and/or trees, shown on the left side property line on the site plan, shall be planted and maintained.
 - d. One additional tree in the rear yard, adjacent to the garage, shall be planted and maintained.
14. PROJECT ARBORIST. The property owner shall hire a certified arborist to ensure the project conforms to all Planning and Urban Forestry conditions related to landscaping/trees.
15. TREE PROTECTION FENCING. Tree protection fencing shall be required for the front street tree and all tree/shrubs proposed to be maintained.

55 Tulip Ln. approval

Individual Review 22PLN-00149

Page 4 of 9

16. FENCES. Fences and walls shall comply with the applicable provisions of Chapter 16.24, Fences, of the Palo Alto Municipal Code (PAMC). Heights of all new and existing fencing must be shown on the Building Permit plans.
 - a. Where the existing fence is located off the subject property and/or where the existing fence is failing, a new Code compliant fence shall be constructed.
17. JADU DEED RESTRICTION. Prior to the issuance of any building permit, the applicant shall complete the "OCCUPANCY, LAND USE, AND DEVELOPMENT RESTRICTION AGREEMENT FOR JUNIOR ACCESSORY DWELLING UNIT" (i.e. JADU Deed Restriction Agreement) for review and approval by the Director of Planning & Development Services.
18. ESTIMATED IMPACT FEE: Given the proposed building will replace an existing home, and JADUs are not subject to Development Impact Fees, no impact fees are due.
19. PLANNING FINAL INSPECTION. A Planning Division Final inspection will be required to determine substantial compliance with the approved plans prior to the scheduling of a Building Division final. Any revisions during the building process must be approved by Planning, including but not limited to; materials, fenestration and hard surface locations. Contact your Project Planner at the number below to schedule this inspection.
20. PERMIT EXPIRATION. The project approval shall be valid for a period of **two years** from the original date of approval. Application for a one year extension of this entitlement may be made prior to expiration, by emailing Planning Support Staff at PlanDiv.Info@CityofPaloAlto.org. If a timely extension is not received, or the project has already received an extension and the applicant still wishes to pursue this project, they must first file for a new Planning application and pay the associated fees. This new application will be reviewed for conformance with the regulations in place at that time.
21. INDEMNITY: To the extent permitted by law, the Applicant shall indemnify and hold harmless the City, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City for its actual attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.

ZERO WASTE

22. REQUIRED DECONSTRUCTION. In conformance with PAMC 5.24, deconstruction and source separation is required for all residential and commercial projects where structures are being completely removed, formerly known as demolition. The requirements are applicable to building permit applications submitted on or after July 1, 2020. For more information, refer to the Deconstruction Permit Application Checklist or visit www.cityofpaloalto.org/deconstruction.

55 Tulip Ln. approval

Individual Review 22PLN-00149

Page 5 of 9

23. SALVAGE SURVEY FOR REUSE. A Salvage Survey is required for deconstruction permit applications. The survey submittal shall include an itemized list of materials that are salvageable for reuse from the project. The applicant shall source separate and deliver materials for reuse. Certification is required indicating that all materials identified in the survey are properly salvaged. At this time, the City's only approved vendor for this service is The ReUse People. Contact them to schedule this FREE survey by phone (888) 588-9490 or e-mail info@thereusepeople.org. More information can be found at www.TheReusePeople.org.
24. SOURCE SEPARATION FOR RECYCLING. The applicant shall source separate deconstruction materials into specific categories for recycling. Additional staging area for source separated materials will need to be considered. All materials shall be delivered to one of the City approved materials recovery facilities listed in Green Halo. More information can be found at www.greenhalosystems.com.
25. HAULING REQUIREMENT. All construction projects are required to utilize Green Waste of Palo Alto for the collection of all materials if using containers (bins or debris boxes) at project sites. Contractors may continue to self-haul material by using trucks, but must still deliver materials to one of the City approved processing facilities listed in Green Halo. Note that if one selects to self-haul, it is important to ensure that the weight tags from the recycling/waste facility specify the correct city of origin. Tags with the incorrect city of origin will not be accepted. To request containers, contact Green Waste of Palo.

GREEN BUILDING & ENERGY REACH CODE REQUIREMENTS:

NOTICE FOR PERMIT APPLICATIONS SUBMITTED ON OR AFTER 1/1/20: Please be advised that the Palo Alto City Council has approved Energy Ordinance 5485 and Green Building Ordinance 5481 for all new permit applications. The Green Building Ordinance has an effective date of January 1st, 2020 and the Energy Reach Code Ordinance has an effective date of April 1, 2020. To review the upcoming changes, visit the [Development Services webpage](#). On the left-hand side under "EXPLORE", hover over "Green Building" and select "Compliance." You may also email Green Building at GreenBuilding@cityofpaloalto.org for specific questions about your project.

29. GREEN BUILDING CONDITIONS OF APPROVAL

- a) The project is a new construction residential building of any size** and therefore must meet the California Green Building Code mandatory requirements outlined in Chapter 4, (with local amendments) plus Tier 2 minimum pre-requisites and electives outlined in Appendix A4* (with local amendments). The project must hire a Green Building Special Inspector for a pre-permit third-party design review and a third-party green building inspection process. The project must select a Green Building Special Inspector from the City's list of approved inspectors. PAMC 16.14.080 (Ord. 5481 § 1, 2019)
- (1) *Note: Projects subject to Tier 1 or Tier 2 shall not be required to fulfill any requirements outlined in Appendix A4.2 Energy Efficiency. All energy efficiency measures are found in the 2019 California Energy Code and the Palo Alto Energy Reach Code PAMC 16.17 & 16.18 as described in the Energy Reach Code section of this letter.
 - (2) **Accessory Dwelling Unit (Detached) Exception:

55 Tulip Ln. approval

Individual Review 22PLN-00149

Page 6 of 9

- (a) Free standing detached Accessory Dwelling Units of new construction shall meet the following:
 - (i) California Green Building Standards Code Mandatory plus Tier 2 prerequisite requirements.
 - (ii) No Planning and Design electives.
 - (iii) Two (2) Water Efficiency and Conservation electives.
 - (iv) Two (2) Material Conservation and Resource Efficiency electives.
 - (v) One (1) Environmental Quality elective.

- b) The project is a residential construction project of any size with a given valuation of \$25,000 or more and therefore must meet the enhanced construction waste reduction at Tier 2 (80% construction waste reduction). PAMC 16.14.260 (Ord. 5481 § 1 (part), 2019)

- c) The project is a new detached single-family, dwelling and therefore shall comply with the following requirements for electric vehicle supply equipment (EVSE):
 - (a) In general. The property owner shall provide Conduit Only, EVSE-Ready Outlet, or EVSE Installed for each residence. The property owner shall provide as minimum a panel capable to accommodate a dedicated branch circuit and service capacity to install at least a 208/240V, 50 amperes grounded AC outlet (Level 2 EVSE). The raceway shall terminate in close proximity to the proposed location of the charging system into a listed cabinet, box, enclosure, or receptacle. The raceway shall be installed so that minimal removal of materials is necessary to complete the final installation. The raceway shall have capacity to accommodate a 100-ampere circuit.
 - (b) Design. The proposed location of a charging station may be internal or external to the dwelling, and shall be in close proximity to an on-site parking space. The proposed design must comply with all applicable design guidelines, setbacks and other code requirements. PAMC 16.14.420 (Ord. 5481 §1, 2019)

30. LOCAL ENERGY REACH CODE CONDITIONS OF APPROVAL – Effective 4/1/20

- a) The project includes new residential construction of any size and is submitted for building permit on or after April 1, 2020 and therefore triggers the Local Energy Efficiency Reach Code. All new residential construction projects of any size submitted after January 1, 2020 until March 31, 2020 shall comply with statewide mandatory energy standards as outlined in the 2019 California Energy Code, Title 24, Part 6.
 - i) Single-Family Residential Options:
 - (1) New single-family residential construction projects shall be designed to be all-electric.
 - (2) The installation of fireplaces, space-conditioning equipment, water heating system, clothes drying and cooking appliances shall be electric and not fueled by natural gas.
 - (a) An All-Electric Building complies with the performance standard if both the Total Energy Design Rating and the Energy Efficiency Design Rating for the Proposed

55 Tulip Ln. approval

Individual Review 22PLN-00149

Page 7 of 9

Building are no greater than the corresponding Energy Design Ratings for the Standard Design Building.

- (b) The Energy Budget for newly constructed buildings is expressed in terms of the Energy Design Rating, which is based on TDV energy. The Energy Design Rating (EDR) has two components, the Energy Efficiency Design Rating, and the Solar Electric Generation and Demand Flexibility Design Rating. The Solar Electric Generation and Demand Flexibility Design Rating shall be subtracted from the Energy Efficiency Design Rating to determine the Total Energy Design Rating. The Proposed Building shall separately comply with the Energy Efficiency Design Rating and the Total Energy Design Rating.
 - (i) Compliance demonstration requirements for performance standards: Certificate of Compliance. The Certificate of Compliance is prepared and signed by a Certified Energy Analyst and the Total Energy Design Rating of the Proposed Design shall be no greater than the Standard Design Building. (Ord. 5485 §1, 2019)

b) Mandatory Photovoltaic (PV) Requirements:

- i) All new low-rise residential buildings shall have a photovoltaic (PV) system meeting the minimum qualification requirements as specified in Joint Appendix JA11, with annual electrical output equal to or greater than the dwelling's annual electrical usage. (CEC §150.1, 2019)

31. Additional Green Building and Energy Reach Code information, ordinances and applications can be found at http://www.cityofpaloalto.org/gov/depts/ds/green_building/default.asp. If you have any questions regarding Green Building requirements please call the Green Building Consultant at (650) 329-2179 or send an email to GreenBuilding@CityofPaloAlto.org.

Public Works Engineering

The following shall be addressed prior to issuance of a Building Permit, Excavation and Grading Permit, Certificate of Compliance, Street Work Permit and/or Encroachment Permit.

32. PUBLIC WORKS STANDARD CONDITIONS SHEET: The Department of Public Work's full-sized "Standard Conditions" sheet shall be included in the improvement plans and the applicant shall comply with all conditions listed in the sheet. The sheet can be obtained from a staff member of Public Works Engineering Services or at the following link under "Public Works Plan Review Documents":

<https://www.cityofpaloalto.org/Departments/Public-Works/Engineering-Services/Forms-and-Permits>

33. SIDEWALK, DRIVEWAY, CURB & GUTTER: The applicant shall meet with a Public Works inspector by calling 650-496-6929 to determine portions of sidewalk, curb, gutter, and driveway approaches that shall be replaced along the project frontage. These portions shall be indicated on the site improvement plans. In addition, a Site Inspection Directive sheet shall be completed, signed by

55 Tulip Ln. approval

Individual Review 22PLN-00149

Page 8 of 9

the inspector, and scanned onto the plan set. The sheet can be obtained from a staff member of Public Works Engineering Services or at the following link:

https://www.cityofpaloalto.org/files/assets/public/public-works/engineering-services/webpages/forms-and-permits/other-guidelines/pwe-site-inspection-directive_rev-2021.pdf

34. DRIVEWAY APPROACHES: The applicant shall comply with all regulations in PAMC Chapter 12.08 for driveway approaches. A summary of those regulations can be obtained from a staff member of Public Works Engineering Services or at the following link:

<https://www.cityofpaloalto.org/civicax/filebank/blobload.aspx?t=69580.09&BlobID=66035>

35. STORM WATER POLLUTION PREVENTION SHEET: The City's full-sized "Pollution Prevention - It's Part of the Plan" sheet shall be included in the improvement plans. The sheet can be obtained from a staff member of Public Works Engineering Services or at the following link under "Public Works Plan Review Documents":

<https://www.cityofpaloalto.org/Departments/Public-Works/Engineering-Services/Forms-and-Permits>

36. IMPERVIOUS SURFACE AREA WORKSHEET: The applicant shall fill out and include with the building permit submittal the Impervious Area Worksheet for Land Developments. The sheet can be obtained from a staff member of Public Works Engineering Services or at the following link under "Public Works Plan Review Documents":

<https://www.cityofpaloalto.org/Departments/Public-Works/Engineering-Services/Forms-and-Permits>

37. GRADING & DRAINAGE PLAN: The improvement plans shall be compliant with the "Grading & Drainage Guidelines for Residential Developments". The sheet can be obtained from a staff member of Public Works Engineering Services or at the following link under "Public Works Plan Review Documents":

<https://www.cityofpaloalto.org/Departments/Public-Works/Engineering-Services/Forms-and-Permits>

38. C.3 STORMWATER REGULATIONS: This project creates or replaces over 2,500 square feet of impervious surface area. The applicant shall implement one or more of the following site design measures on improvement plans:

- Direct roof runoff into cisterns or rain barrels for reuse.
- Direct roof runoff onto vegetated areas.
- Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
- Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
- Construct sidewalks, walkways, and/or patios with permeable surfaces.
- Construct driveways, and/or uncovered parking lots with permeable surfaces.

55 Tulip Ln. approval

Individual Review 22PLN-00149

Page 9 of 9

39. STREETWORK PERMIT: All improvement plans shall include the following note adjacent to proposed work in the public right-of-way. "Any construction within the public right-of-way requires an approved Streetwork Permit from Public Works Engineering".
40. DEMOLITION PLAN: The following note shall be placed adjacent to all affected trees on the Demolition Plan: "Excavation and trenching is restricted within the Tree Protection Zone (refer to T-1 Tree Protection Sheet) or as approved by the Urban Forestry Division at 650-496-5953. Any changes shall be approved by the same".
41. CONSTRUCTION STAGING: All improvement plans shall include the following note on the Site Plan and the Grading & Drainage Plan. "All construction materials and equipment shall be staged, stored, and stockpiled onsite and not on any public street".
42. FLOOD ZONE: This project is in a FEMA Special Flood Hazard Area and shall comply with the requirements as listed in the Flood Zone Screening Checklist. The checklist shall be provided at the initial intake of the building permit application. Prior to formal acceptance of the application, all items on the checklist shall be fully addressed per the review of Public Works Engineering. The Flood Zone Screening Checklist can be obtained from a member of Public Works Engineering Services or at the following link under "Flood Zone Issues":
<https://www.cityofpaloalto.org/Departments/Public-Works/Engineering-Services/Forms-and-Permits>



Development Review - Department Comments

City Department: Planning

Staff Contact: Arnold Mammarella (Consulting Architect)

Date: 12/15/2022

Project Address/File #: 55 Tulip Lane; 22PLN-00149

Individual Review Guidelines General Information:

The Single-Family Individual Review process and the applicability of these guidelines were established by PAMC 18.12.110 to preserve the character of Palo Alto neighborhoods by placing specific requirements related to streetscape, massing, and privacy for new two-story homes and upper story additions.

There are five Individual Review Guidelines: *1. Site planning for driveway, garage and house, 2. Neighborhood compatibility for height, mass, and scale, 3. Resolution of architectural form, massing, and rooflines, 4. Visual character of street facing facades and entries, and 5. Privacy from second floor windows and decks.*

For approval, a proposal needs to be consistent with all five guidelines. The review considers the proposal's response to each guideline's approval criterion statement including whether the "key points" associated with each guideline have been followed. Guideline illustrations are also used to inform determinations in the evaluation. Please see the City's illustrated guideline booklet for more information about these regulations.

Individual Review Evaluation Comments:

Revised plans, filed on November 14, 2022 are for a new two-story house with a detached 1-car garage and attached JADU. Some comments or information may be repeated from the initial review.

Site and context notes:

1. The property is a narrow and deep 7,628 square foot trapezoidal shaped lot at the bend of Tulip Lane between a similar sized property at 51 Tulip Lane and a slightly smaller lot at 59 Tulip Lane.
2. The property has a one-story house and detached garage in the rear yard (both to be demolished). There is a tall hedge along the right (driveway side) interior lot line and a few small trees along the rear lot line and a street tree near the front-right lot corner.
3. The property is in the flood zone with a base flood elevation of 12.6' and existing grade ranging from about 12.05' to 12.45' within the buildable portion of the lot. The applicant has indicated that an application for removal from the flood zone has been filed with preliminary approval from Public Works. There is a PUE along the rear lot line.

4. The existing homes to each side are one-story as are homes to the rear and across the street. There are a few two-story homes nearby, but the context is generally one-story, mostly ranch style homes.
5. Many nearby homes have rear placed garages.

Neighbor comments: No public comment was available at the time of this evaluation.

G1 — Site Planning: Placement of Driveway, Garage, and House

Approval Criterion: The driveway, garage, and house shall be placed and configured to reinforce the neighborhood's existing site patterns (i.e. Building footprint, configuration and location, setbacks, and yard areas) and the garage and driveway shall be subordinate to the house, landscaping and pedestrian entry as seen from the street.

[Guideline Key Points: 1. Minimize the driveway's presence and paving; 2. Locate the garage to be subordinate to the house; 3. Configure the house footprint to fit the neighborhood pattern; 4. Create landscaped open spaces between homes; 5. Locate the upper floor back from the front facade and/or away from side lot lines when next to one-story homes; and 6. Do not place the second floor so that it emphasizes the garage.]

Comments: The site plan retains the existing rear placed garage, driveway location and landscape along the right side of the driveway and in the rear yard. The revised plans show stepped massing at the front of the house (setting the upper floor back 5 feet) to respond to the single-story context.

Nine screening shrubs in groups of 2 or 3 and noted to have a mature height potential of around 20 feet are shown to be planted along the left side yard. Botanical names will be needed for proposed screening landscape with building permit submittal for planning approval. Otherwise, the proposed plans would be consistent with this guideline.

G2 — Neighborhood Compatibility for Height, Mass, and Scale

Approval Criterion: The scale (perceived size), mass (bulk or volume) and height (vertical profile) of a new house or upper story addition shall be consistent with the existing neighborhood pattern with special attention to adapting to the height and massing of adjacent homes.

[Guideline Key Points: 1. Do not overwhelm an adjacent one-story home; 2. Do not accentuate mass and scale with high first floor level relative to grade, tall wall planes, etc.; 3. Minimize height offsets to adjacent neighbors' roof edges, including adjacent one-story roof edges; 4. Place floor area within roof forms to mitigate mass and scale; 5. Locate smaller forms forward of larger forms to manage perceived height; and 6. Use roof volume rather than wall plate height to achieve interior volume.]

Comments: The first floor level has been clarified to be 13.9' and proposed massing and scale of the house has improved with steeping the second floor back at the front of the house to be more responsive to the adjacent one-story homes.

Overall, the revised design would be consistent with this guideline.

G3 — Resolution of Architectural Form, Massing, and Rooflines

Approval Criterion: The architectural form and massing shall be carefully crafted to reduce visual mass and distinguish the house's architectural lines or style. Roof profiles shall enhance the form, scale, and

proportion of primary and secondary house volumes, while rendering garage and entry forms subordinate in mass and scale to principal building forms. Upper floor additions shall also be balanced and integrated with the existing building.

[Guideline Key Points: 1. Adjust floor plans to work for building form; 2. Use the vocabulary of a particular style to compose forms and rooflines; 3. Avoid awkwardly placed additions; 4. Use a few well-proportioned masses to avoid a cluttered appearance of too many elements; and 5. Adjust roof layouts, ridge orientations, eave lines, etc. to reduce mass and enhance form.]

Comments: Generally, the massing is composed with a balanced use of gable and flat roof forms. The stepped massing improves the scale at the front of the house and better emphasizes horizontal proportions. The garage and entry are subordinate to the primary house form.

Overall, the revised design would be consistent with this guideline.

G4 — Visual Character of Street Facing Facades and Entries

Approval Criterion: *Publicly viewed facades shall be composed with a clear and cohesive architectural expression (i.e., The composition and articulation of walls, fenestration, and eave lines), and include visual focal point(s) and supportive use of materials and detailing. Entries shall be consistent with the existing neighborhood pattern and integrated with the home in composition, scale and design character. The carport or garage and garage door shall be consistent with the selected architectural style of the home.*

[Guideline Key Points: 1. Compose facades to have a unified/cohesive character; 2. Use stylistically consistent windows and proportion and adequate spacing between focal points; 3. Add visual character with architecturally distinctive eaves, window patterns and materials; 4. Do not use monumental entries/ relate entry type and scale to neighborhood patterns; and 5. Design garage openings and door panels to be modest in scale and architecturally consistent with the home.]

Comments: The front façade looks composed and fenestration patterns, wall recesses/articulations and detailing at windows and eaves generally enhance or support the architecture. Exterior materials and finishes have been clarified on elevations including steel trowel smooth texture stucco, wood color/texture cement board siding and glazed garage door with frames to match windows. A steel cable railing detail has also been provided. The railing has been set back from the L-shape façade detail on the revision which enhances the design.

Overall, the revised design would be consistent with this guideline.

G5 — Placement of Second-Story Windows and Decks for Privacy

Approval Criterion: *The size, placement and orientation of second story windows and decks shall limit direct sight lines into windows and patios located at the rear and sides of adjacent properties in close proximity.*

[Guideline Key Points: 1. Gather information on neighbors' privacy sensitive windows, patios, yards; 2. Mitigate privacy impacts with obscure glazing, high sill windows, permanent architectural screens or by relocating/reorienting windows; 3. Avoid windowless/unarticulated building walls, especially where visible from the street; and 4. Limit upper story deck size and locate decks to result in minimal loss of privacy to side or rear facing property.]

Comments: The elevations have been revised to show upper floor windows on left and right sides of the house sill heights or obscure glazing at 5' above the floor level. New, but unspecified screening shrubs are shown along the left side yard. Clarifying landscape choices for tall screening shrubs along the left side yard will be needed per guideline one. A small second floor balcony is proposed at the front of the house and would be forward of the nearest neighbor's house and screened by the neighbor's front yard tree.

Overall, privacy impacts appear limited, and the proposed design would meet this guideline with landscape clarifications.

IR Review Summary Finding:

The proposal would meet the Individual Review Guidelines if constructed and landscape as shown on plans filed on November 14, 2022, with the following change/approval condition.

1. To meet guidelines one and five, botanical names shall be provided for the nine proposed evergreen, tall, screening shrubs shown along the left side yard on the site plan submitted for a building permit for planning review and approval. Shrubs shall be selected that grow to about 20 feet at maturity.

From: [Po-Shen Lai](#)
To: [Foley, Emily](#)
Cc: [Ellen Zhu](#)
Subject: Concern regarding the Notice of Director's Tentative Decision of 55 Tulip Lane
Date: Thursday, January 5, 2023 1:15:05 AM

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

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

Dear Project Planner,

I am the owner of the 1079 Embarcadero Road. I have some concern regarding the Dec 22, 2022 notice that you sent for 55 Tulip Lane.

First, the new house to be constructed, according to the plan, is huge. While I can understand the reason that the new owner wants to utilize all the spaces available to build a new home, the look of the house should blend-in with the other houses in the neighborhood. I've checked the plan from plan 1 to plan 3. The plan 1 looks to be more blend-in with the other newer constructions along the same street.(59/63 Tulip) It has two-car garage facing street. The latest plan of keeping the existing 1-car garage which looks to be unfit and hard to park. With 3300+sf house, the old one-car garage really doesn't fit well, and the hard-to-park nature will actually make the garage non-usable, and make the cars actually to be parked on the street.

My second concern is the huge window on the 2nd floor. The 11-ft wide rear window opens to the the backyard will make me feel little privacy as my backyard can be viewed clearly from it. The existing fruit tree will not block the views.

With above two concerns, I would like to request for a Director's Hearing to address these issues. Thank you.

Regards,

Po-Shen Lai

From: Solstice Inv
To: Foley, Emily
Subject: Re: Adjacent neighbour concerns regarding 55 Tulip project
Date: Tuesday, January 17, 2023 3:06:40 PM
Attachments: [image005.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image022.png](#)
[image024.png](#)
[image025.png](#)
[image026.png](#)
[image027.png](#)
[image029.png](#)
[image030.png](#)

Hi Emily,

What report? If you can add my concerns I shared with you in this email thread as my comments would be appreciated.

BTW. I just met my neighbour at 1071 Embarcadero, their property located right behind 55 Tulip, who came back from the holiday trip last week, they weren't aware of the notice card and completely knew nothing about the hearing either. Would you please inform them of the hearing schedule as well? Their email kothary@stanford.edu
 Thank you.

Jiao

On Tue, Jan 17, 2023 at 2:47 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Jiao,

Yes, the hearing is scheduled for next Thursday, 1/26 at 3pm. However, the report is not yet published so please let me know if you have any comments you would like to add.

Thanks,
Emily



Emily Foley, AICP
 Planner
 Planning and Development Services Department
 (650) 617-3125 | emily.foley@cityofpaloalto.org
www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Solstice Inv <solsticeinv@gmail.com>
Sent: Tuesday, January 17, 2023 2:46 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Re: Adjacent neighbour concerns regarding 55 Tulip project

Hi Emily,

Is the hearing scheduled already? Thx.

Jiao

On Thu, Jan 5, 2023 at 2:22 PM Solstice Inv <solsticeinv@gmail.com> wrote:

Hi Emily,

Thank you for the update. Let's discuss it at the hearing meeting.

Jiao

On Thu, Jan 5, 2023 at 10:02 AM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Jiao,

I just wanted to let you know a different adjacent neighbor has requested the hearing, therefore you no longer need to. You are invited to attend and I will follow up with attendee information when the hearing date is determined.

Thanks,

Emily



Emily Foley, AICP

Planner

Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Foley, Emily

Sent: Wednesday, January 4, 2023 12:10 PM

To: Solstice Inv <solsticeinv@gmail.com>

Subject: RE: Adjacent neighbour concerns regarding 55 Tulip project

Hi Jiao,

Please send me an email formally requesting a Director's Hearing, if you would like to request one. As stated on the approval notice you were sent, you have through the end of day tomorrow to do so.

The request allows us to schedule a hearing with the Director to discuss your concerns and make modifications to the project approval. It also functionally extends the time for other neighbors to comment, as they will receive notice of the hearing.

Thanks,

Emily

Emily Foley, AICP



Planner
 Planning and Development Services Department
 (650) 617-3125 | emily.foley@cityofpaloalto.org
www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Solstice Inv <solsticeinv@gmail.com>
Sent: Wednesday, January 4, 2023 2:15 AM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Re: Adjacent neighbour concerns regarding 55 Tulip project

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

Hi Emily,

It's exactly like what I worried about, the adjacent neighbors at 1079 Embarcadero and 59 Tulip both thought being ask feedback on the 1188 SF new construction like the yard post, and 1071 Embarcadero neighbor are out of town before Christmas and may not be able to access the city notice mail. I don't think it's reasonable for such a short notice during the Christmas & New year holiday period, and no correction notice for the seriously wrong yard post. I think the city has to correct the errors and in action and give more time, not just in words.

I don't think the garage has to be detached, the very next door 59 Tulip built in 2014 has their garage attached. From the attached snapshot of the plan you can see there isn't enough open space for the driveway, not at least 10ft clear space at all points like you said. The plan shows there is 1'-4" on the right side, basically occupied by the existing mature hedge, and there is only 8" on the left side to the house. But when you can come over to measure that the existing mature hedge is at least 2 feet deep, not 1'-4" marked on the plan, the hedge gets in the way of the driveway. It becomes ridiculous arguing it maintains exactly 8" on the left to meet open space requirement when it already falls in the construction error range. BTW. Should you deduct the 4 downspout space by 3" there? There are at least 6 points less than 10ft open space, 2 points at the exterior side door area and 4 downspouts area I marked for your reference.

For the master bedroom windows privacy issue, I see the plan review comments particularly saying they need to hear the neighbors' opinion on it. It's unreasonable you dismissed the valid concern so quickly. I checked that the guideline prefers to position the patio door sized window toward the street instead of the rear yard for privacy concerns, here we are talking about an oversized 11 feet wide window, it's a patio door size. Within a backyard distance, it sees through all of adjacent neighbors' backyard and patio door glass. I don't understand why it can't be split into 2 narrow windows?

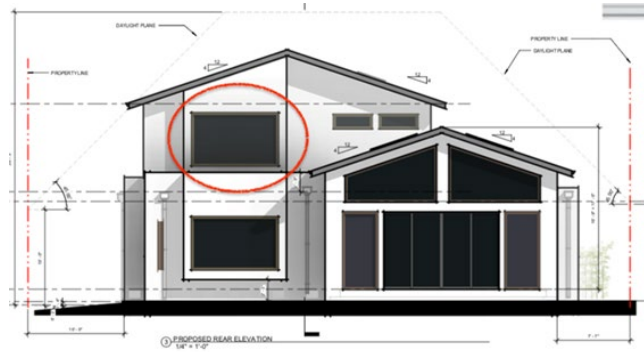
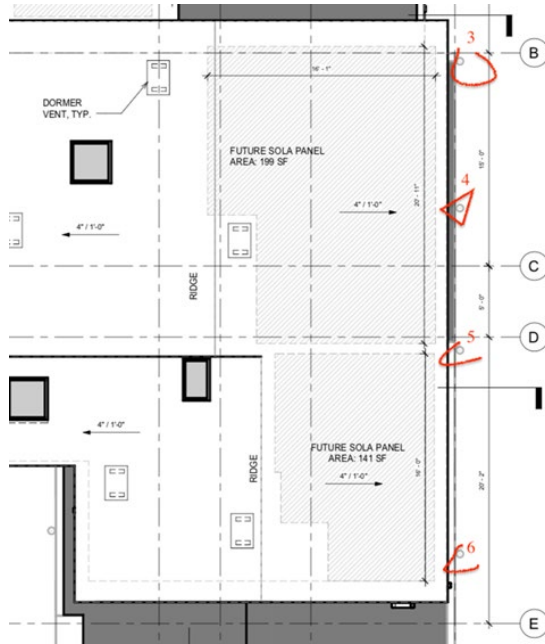
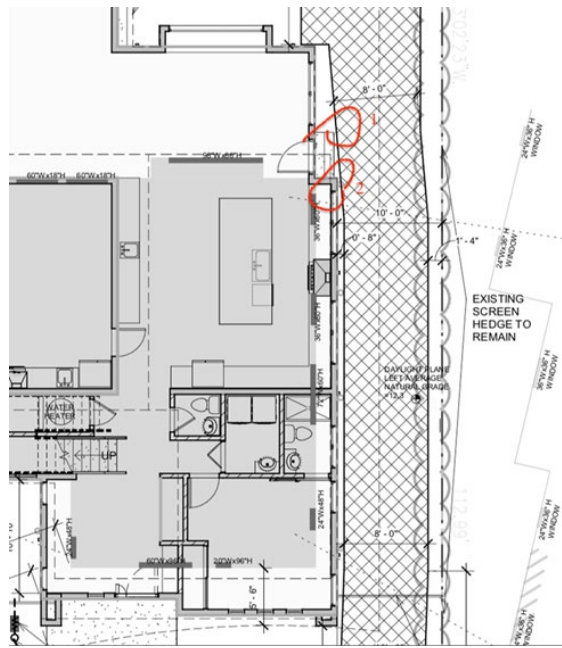
As you mentioned egress requirement, it can be easily solved if it follows the guideline advice and has an egress window/door facing the street. The building code requires only 1 egress window, but it has a row of 4 egress windows on the right side, and 1 11-foot window at rear side, 4 excess unnecessary egress windows at the expense of compromising adjacent neighbours' privacy, do you think it's justified?

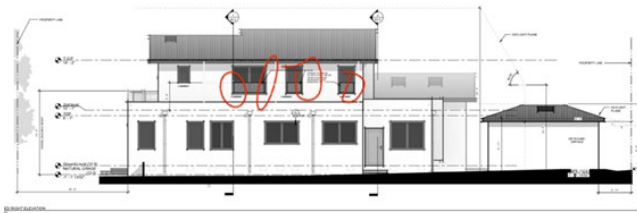
I don't agree with what you said "Existing and proposed landscaping, as well as the garage, limit views as well." The existing hedge along the right property line is more than 20 years old to its maximum height of 12 feet already, I don't see how it could help blocking the view if it can barely reach the 2nd floor window? I don't get how the 8-foot tall garage limits views from the 2nd floor to my yard either.

I'm sure the other adjacent neighbours got pretty upset by the misleading post and the short notice during holiday weeks when people went out of town to visit relatives, you will hear them. The wrong yard post already causes a mistake, unreasonably dismissing neighbours' concern would definitely be unaffordable. I strongly request a hearing, a chance for the city to correct the mistake, and a chance to listen to the neighbours' opinions. Thanks.

Regards,

Jiao





On Tue, Jan 3, 2023 at 2:55 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Jiao,

The square footage in the original notification was submitted by the applicant, and the sign is posted prior to the Planner's review of the project. However, that square footage never represented the project. In the initial plans submitted to the City, the house was 3,038 sf with a 749 sf attached ADU. The approved plans are for a 3,038 sf house and 496 sf attached JADU. We apologize for the error, and will try to do better in the future.

You are correct that the original plan included an attached two car garage, and the approved plan includes maintaining the existing one car garage. This was a required change, as the predominate neighborhood context has rear garages. The driveway, with 8ft wide pavement and at least 10ft of clear space at all points meets our code requirements. The garage itself also meets code requirements for location and size. It will be remodeled to match the proposed house style, by matching the roof and siding materials and colors, and having a garage door style that compliments the house style.

The master bedroom windows meet our standards for privacy. The large rear facing one is more than 45 feet from the rear property line and does not require any obscured glazing for this reason. Existing and proposed landscaping, as well as the garage, limit views as well. The angle of the property line means the window is angled away from your property, not towards it, though we consider the properties the window does face in our analysis. Furthermore, all bedrooms have egress requirements under the Building Code and requiring all windows to have 5ft sills is illegal. The obscured glazing is a good solution for side windows, as included in the plans, since they are closer to the property line.

Thanks,
Emily



Emily Foley, AICP
Planner
Planning and Development Services Department
(650) 617-3125 | emily.foley@cityofpaloalto.org
www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Solstice Inv <solsticeinv@gmail.com>
Sent: Monday, January 2, 2023 4:59 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Adjacent neighbour concerns regarding 55 Tulip project

You don't often get email from solsticeinv@gmail.com. [Learn why this is important](#)
CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Project Planner,

I'm the owner of 1063 Embarcadero Rd. In response to your Dec.23, 2022 notice regarding 55 Tulip project, I would like to share some of our concerns about the proposed project. First of all, I would say I was misled by the yard post for a long time until I followed your provided link to see the real plan. The yard post is far different from the real plan in terms of size, the front elevation and the garage location. It's significantly misleading to the public, and diminishes any quality feedback.

1. The poster says:

"Demolition of an Existing one-Story Square Foot Home and Construction of a two-Story approximately 1188 square foot home with an attached garage and an attached 749 square foot ADU."

But the real plan shows a total floor area of 3534 SF (Ground floor with JADU: 1,978+496=2,474 SF, 2nd floor 1060 SF). The posted front elevation shows an attached 2-car garage, but the real plan is keeping the existing detached 1-car garage in the back.

Every neighbour assumes it is more or less similar to the posted drawing, but it turns out to be far different. I don't think it's appropriate to leave the neighbours in the dark with such significant changes without any update notice before the approval.

2. Regarding the garage, with a more than 3300 SF new construction, I don't see the point of keeping an old shabby garage. There are some issues with the garage location. First, it's 2 feet away from the property line and doesn't comply with the building code. Second, the proposed 8-foot wide driveway is too narrow; it even has to tilt at a point near the garage door, it is hard to back up a car and not safe. The existing hedge gets in the way, forcing no open space on either side of the narrow driveway. When it becomes too difficult to park in the garage, it creates more chances to park on the street, and lose the purpose of at least 1-car garage requirement. Third, the existing old garage's look is not consistent with the style of the new home.

3. The 2nd floor master bedroom 11-foot-wide rear window is too big and protrusive, it creates a privacy issue for the houses on the backside. Because of its triangular shaped lot, the huge window comes from the right-rear angle facing my back house, which has a row of glass patio doors and 2 6-foot tall windows. It views into not only my rear yard but also all the activities in my family room. The existing 12-foot tall mature hedge can't reach the 2nd floor windows to screen anything. Not sure if it's a bay window, otherwise it becomes even worse, because it introduces more chances of people sitting there watching. I would recommend splitting it into 2 narrow windows, and all the master bedroom windows start 5-foot above the floor level instead of opaque glazing on the bottom portion proposed, the unnatural transition appears ugly.

I would like the planning department to immediately address the above issues, and make the new construction fit the neighbourhood. Thank you.

Regards,

Jiao Liao

Owner 1063 Embarcadero Rd.

From: [Mehdy Khotan](#)
To: [Fariba Khosravani](#); [Foley, Emily](#)
Subject: Re: Concerns regarding 55 Tulip Lane Project
Date: Tuesday, January 10, 2023 2:41:45 PM
Attachments: [image008.png](#)
[image001.png](#)
[image013.png](#)
[image002.png](#)
[image004.png](#)
[image010.png](#)
[image005.png](#)
[image009.png](#)
[image012.png](#)
[image007.png](#)

Hi Emily,
 No problem.
 Thanks,
 Mehdy

On Tuesday, January 10, 2023, 11:36:33 AM PST, Foley, Emily <emily.foley@cityofpaloalto.org> wrote:

Hello again,

The Director's Hearing has been rescheduled from 1pm on 1/26 to 3:30 pm. Please let me know if that affects your availability.

Thanks,
 Emily



Emily Foley, AICP

Planner

Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Fariba Khosravani <nozgoal62@yahoo.com>
Sent: Thursday, January 5, 2023 10:46 AM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Mehdy Khotan <mehdyk05@yahoo.com>
Subject: Re: Concerns regarding 55 Tulip Lane Project

Thank you so much Emily!

On Thursday, January 5, 2023 at 10:34:17 AM PST, Foley, Emily <emily.foley@cityofpaloalto.org> wrote:

Hi Fariba,

Yes, the other neighbors are invited to attend. I will share the info via email for those who have emailed me, and notice cards will be sent to the adjacent properties as well.

Thanks,
 Emily

Emily Foley, AICP



Planner
 Planning and Development Services Department
 (650) 617-3125 | emily.foley@cityofpaloalto.org
www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Fariba Khosravani <nozgoal62@yahoo.com>
Sent: Thursday, January 5, 2023 10:31 AM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Mehdy Khotan <mehdyk05@yahoo.com>
Subject: Re: Concerns regarding 55 Tulip Lane Project

Hi Emily,

Thursday January 26th is fine.

Can other neighbors attend or is it just for us?

Thanks,

Fariba

Sent from my iPhone

On Jan 5, 2023, at 10:01 AM, Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Mehdy,

Director's Hearings are regularly scheduled for Thursdays at 1:30. Since I will need to write a Staff Report before the hearing, the soonest date would be January 26th. The meeting can be attended in person or via Zoom. If this date does not work for your availability we can push it a week or more later, as needed.

Thanks,

Emily

<image020.png> **Emily Foley, AICP**

Planner

Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

www.cityofpaloalto.org

<image021.png> <image022.jpg> <image023.png> <image005.png> <image024.png>
 <image008.png>

[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Mehdy Khotan <mehdyk05@yahoo.com>
Sent: Wednesday, January 4, 2023 6:07 PM
To: Fariba Khosravani <nozgoal62@yahoo.com>; Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Re: Concerns regarding 55 Tulip Lane Project

EMili,

Thank you for the explanations.

So, when can we have a Director's hearing?

Thanks,
Mehdy

On Wednesday, January 4, 2023, 04:35:13 PM PST, Foley, Emily <emily.foley@cityofpaloalto.org> wrote:

Hi Mehdy,

Yes, that is correct. Requesting a Director's Hearing would be escalating the project, similar to an appeal.

The IR Guidelines are a part of the rules that we use to determine if a single family house project can be approved, including regarding privacy:
<https://www.cityofpaloalto.org/files/assets/public/planning-amp-development-services/file-migration/current-planning/forms-and-guidelines/individual-review-ir-guidelines.pdf>

On page 14 it states "Complete privacy is not a realistic expectation. Designs should reduce opportunities for individuals to be casually observed by others and minimize intrusions upon pre-existing privacy situations, such as the main outdoor living area or primary patio.", additionally page 15 states "Design the house to mitigate possible privacy impacts by providing non-transparent glazing, significant landscaping, permanent architectural screens or sufficient distance between houses. When necessary to achieve greater privacy, re-orient the direction of windows or decks or adjust window size or sill height".

In the proposed design, the side facing windows include non-transparent glazing (or high sill, in the case of the bathroom window), as well as maintaining the existing landscaping which will also help block potential views. The intent of the partial glazing is to prevent views downward towards the neighbors, while still allowing light and views further out towards the sky. We do this regularly on almost all of our projects, and find that it works well to protect privacy while still allowing light into a room and meeting egress window requirements.

Please let me know if you have any additional questions or comments.

Thanks,
Emily

<image025.png> **Emily Foley, AICP**
Planner
Planning and Development Services Department
(650) 617-3125 | emily.foley@cityofpaloalto.org
www.cityofpaloalto.org

<image026.png> <image027.jpg> <image028.png> <image005.png> <image029.png>
<image008.png>

[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Mehdy Khotan <mehdyk05@yahoo.com>
Sent: Wednesday, January 4, 2023 3:39 PM
To: Fariba Khosravani <nozgoal62@yahoo.com>; Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Re: Concerns regarding 55 Tulip Lane Project

Hi Emily,

Thank you for your quick response.

Sorry, for my ignorance but I am not sure what the Planning Director's role is and more importantly how his inputs could help alleviate our concerns. I suppose Planning Director is our escalation path.

So, yes please we would like to request a Director's hearing to discuss..

Is this sufficient for that or do we have to take any other actions?

Also, I don't know what IR guidelines mean.

I am sure partially glazed windows help with the rules, but the fact that those windows exist where they are directly overlooking our inside and outside living area, my office and our bedroom is out concern. I really don't think that they are partially glazed will help much. I welcome you or a representative to come and see exactly what I am describing. May be there are measures that can be taken to address or improve this.

Thanks again,

Mehdy

On Wednesday, January 4, 2023, 12:17:51 PM PST, Foley, Emily <emily.foley@cityofpaloalto.org> wrote:

Hi Fariba and Mehdy,

Thank you for your email stating your concerns. As I have informed the other neighbor, you are allowed to request a Director's Hearing to discuss this further and add the Planning Director's input to the project.

Please note that we reviewed the plans for conformance with the IR Guidelines. The proposed windows have obscured glazing up to 5ft from the interior floor. This is considered standard to meet our privacy requirements as it blocks "casual viewing" towards your property.

Thanks,

Emily

<image030.png> **Emily Foley, AICP**

Planner

Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

www.cityofpaloalto.org

<image026.png> <image031.jpg> <image032.png> <image005.png> <image033.png>

<image008.png>

[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Fariba Khosravani <nozgoal62@yahoo.com>
Sent: Wednesday, January 4, 2023 11:25 AM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Cc: Mehdy Khatakhota <mehdyk05@yahoo.com>
Subject: Concerns regarding 55 Tulip Lane Project

You don't often get email from nozgoal62@yahoo.com. [Learn why this is important](#)

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

Dear Project Planner,

We are the owners and residents of 59 Tulip lane, the property directly adjacent to the 55 Tulip lane, that has posted plans to rebuild and expand. We had tried to use the poster and website information but the links never worked and we finally got some information and a few images for the plan from another concerned neighbor.

Our main concern is our privacy and specifically the oversize second story windows over looking our house and yard. While we were told by the new neighbor that is building the house that there are no windows on our side, there are clearly many and will be very imposing.

We would like our concern heard and addressed by modifications in the plans before the city approves them.

Thank you for your immediate attention to this matter.

Sincerely,

Fariba Khosravani and Mehdy Khatahotan

Husband and wife owners: 59 Tulip Lane

Attachment D

Project Plans

Hardcopies of project plans are provided to the Chief Planning Official. These plans are available to the public online and/or by visiting the Planning and Community Environmental Department on the 5th floor of City Hall at 250 Hamilton Avenue.

Directions to review Project plans online:

1. Go to: <https://palalto.buildingeye.com/planning>
2. Search for "55 Tulip Ln" and open record by clicking on the green dot
3. Review the record details on the left side and open the "more details" option
4. Use the "Records Info" drop down menu and select "Attachments"
5. Open the attachment named "**C3_55 Tulip_PLAN – Reviewed - Approved**" and dated 12/22/22 to review the tentatively approved plan set.

If you have trouble reviewing these plan sets, please contact the Planner on Duty at 650-617-3117 or planner@cityofpalalto.org

From: [Jennifer Rasmussen](#)
To: [Foley, Emily](#)
Subject: Public Hearing 55 Tulip Lane [22PLN-00149]
Date: Monday, January 23, 2023 8:16:03 AM

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

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

Hi Ms Foley,

We are unable to attend the director's hearing on January 26, 2023 at 3:30pm regarding the proposed construction at 55 Tulip Lane [22PLN-00149].

We wanted to voice our objections to the size of the home being proposed. It is our understanding that the maximum size of the home for the lot size of 7840 sq feet is 3102 sq feet. The proposal says 3038 sq feet plus a JADU of 496 sq feet for a total of 3534 sq feet (~14% beyond the maximum allowed).

The size of that home is beyond the allowed amount and would not fit in with the rest of our neighborhood.

We are against approval of this application.

Please confirm receipt of this email.

Thanks,

Rick & Jen Rasmussen
40 Tulip Lane

From: [Alvan Santoso](#)
To: [Foley, Emily](#)
Subject: Re: Project on 55 Tulip (File number 22PLN-00149)
Date: Tuesday, January 24, 2023 5:19:51 PM
Attachments: [image005.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image012.png](#)
[image013.png](#)

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

Hi Emily,

Thank you for your prompt response, appreciate it.

Couple of follow ups:

- 1) Is there a project plan ETA on how long the project will run?
- 2) Does the setback and lot rules, etc warrant the 3,038 square footage that's planned, in addition to the detached garage? I think this house will tower over everything else on the street and will change the vibe in the neighborhood.

Thank you for the consideration.

Alvan

On Tue, Jan 24, 2023 at 5:11 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Alvan,

The Zoning Code allows for two-story houses and we cannot require a property to be single story, unless it is in a Single Story Overlay neighborhood. 55 Tulip is not in a Single Story Overlay.

Thank you,

Emily



Emily Foley, AICP

Planner

Planning and Development Services Department

(650) 617-3125 | emily.foley@cityofpaloalto.org

www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Alvan Santoso <alvansantoso@gmail.com>
Sent: Tuesday, January 24, 2023 4:38 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Project on 55 Tulip (File number 22PLN-00149)

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

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

Hi Emily,

My name is Alvan Santoso and I live on 47 Tulip Lane, Palo Alto.

I am writing in response to the Notice of Proposed Project sign for 55 Tulip Lane (File number 22PLN-00149).

My question is: Can the project be reduced to a one-story, given that all surrounding houses nearby the property are one-story homes?

Thank you and appreciate your attention on this matter.

Regards,

Alvan Santoso

(408)750-7124

47 Tulip Ln, Palo Alto, CA 94303

From: Solstice Inv
To: Foley, Emily
Subject: Re: Adjacent neighbour concerns regarding 55 Tulip project
Date: Monday, January 23, 2023 1:34:19 PM
Attachments: image009.png
 image012.png
 image022.png
 image023.png
 image025.png
 image026.png
 image027.png
 image028.png
 image030.png
 image031.png
 image032.png
 image033.png
 image034.png
 image035.png
 image037.png
 image038.png
 image013.png
 image014.png
 image016.png
 image017.png
 image018.png
 image021.png
 image039.png

Hi Emily,

I would like to verify some facts in the hearing notice card, which conflict with public records and the plan. I hope they can be clarified before the hearing.

1. Destruction of the existing building 1738sf. According to public records and the submitted plan A 1,0, it should be 1188sf. Can you verify the real size?
2. Construction of a 2-story 3038 sf home with an attached JADU 496sf, total 3534sf. According to the parcel report the lot the FAR is 3038sf. Why is it allowed much bigger than the FAR?

Thanks.

Jiao

On Tue, Jan 17, 2023 at 5:21 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Jiao,

A staff report is prepared for the Director's Hearing. I will include your previous emails.

Notice cards are being sent to all adjacent neighbors, you and the neighbor at 1071 Embarcadero should receive one in the mail this week.

Thanks,

Emily



Emily Foley, AICP
 Planner
 Planning and Development Services Department
 (650) 617-3125 | emily.foley@cityofpaloalto.org
www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Solstice Inv <solsticeinv@gmail.com>
Sent: Tuesday, January 17, 2023 3:06 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Re: Adjacent neighbour concerns regarding 55 Tulip project

Hi Emily,

What report? If you can add my concerns I shared with you in this email thread as my comments would be appreciated.

BTW. I just met my neighbour at 1071 Embarcadero, their property located right behind 55 Tulip, who came back from the holiday trip last week, they weren't aware of the notice card and completely knew nothing about the hearing either. Would you please inform them of the hearing schedule as well? Their email kothary@stanford.edu

Thank you.

Jiao

On Tue, Jan 17, 2023 at 2:47 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Jiao,

Yes, the hearing is scheduled for next Thursday, 1/26 at 3pm. However, the report is not yet published so please let me know if you have any comments you would like to add.

Thanks,

Emily



Emily Foley, AICP
Planner
Planning and Development Services Department
(650) 617-3125 | emily.foley@cityofpaloalto.org
www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Solstice Inv <solsticeinv@gmail.com>
Sent: Tuesday, January 17, 2023 2:46 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Re: Adjacent neighbour concerns regarding 55 Tulip project

Hi Emily,

Is the hearing scheduled already? Thx.

Jiao

On Thu, Jan 5, 2023 at 2:22 PM Solstice Inv <solsticeinv@gmail.com> wrote:

Hi Emily,

Thank you for the update. Let's discuss it at the hearing meeting.

Jiao

On Thu, Jan 5, 2023 at 10:02 AM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Jiao,

I just wanted to let you know a different adjacent neighbor has requested the hearing, therefore you no longer need to. You are invited to attend and I will follow up with attendee information when the hearing date is determined.

Thanks,

Emily



Emily Foley, AICP
Planner
Planning and Development Services Department
(650) 617-3125 | emily.foley@cityofpaloalto.org
www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Foley, Emily
Sent: Wednesday, January 4, 2023 12:10 PM
To: Solstice Inv <solsticeinv@gmail.com>
Subject: RE: Adjacent neighbour concerns regarding 55 Tulip project

Hi Jiao,

Please send me an email formally requesting a Director's Hearing, if you would like to request one. As stated on the approval notice you were sent, you have through the end of day tomorrow to do so.

The request allows us to schedule a hearing with the Director to discuss your concerns and make modifications to the project approval. It also functionally extends the time for other neighbors to comment, as they will receive notice of the hearing.

Thanks,

Emily



Emily Foley, AICP
Planner
Planning and Development Services Department
(650) 617-3125 | emily.foley@cityofpaloalto.org
www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Solstice Inv <solsticeinv@gmail.com>
Sent: Wednesday, January 4, 2023 2:15 AM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Re: Adjacent neighbour concerns regarding 55 Tulip project

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

Hi Emily,

It's exactly like what I worried about, the adjacent neighbors at 1079 Embarcadero and 59 Tulip both thought being ask feedback on the 1188 SF new construction like the yard post, and 1071 Embarcadero neighbor are out of town before Christmas and may not be able to access the city notice mail. I don't think it's reasonable for such a short notice during the Christmas & New year holiday period, and no correction notice for the seriously wrong yard post. I think the city has to correct the errors and in action and give more time, not just in words.

I don't think the garage has to be detached, the very next door 59 Tulip built in 2014 has their garage attached. From the attached snapshot of the plan you can see there isn't enough open space for the driveway, not at least 10ft clear space at all points like you said. The plan shows there is 1'-4" on the right side, basically occupied by the existing mature hedge, and there is only 8" on the left side to the house. But when you can come over to measure that the existing mature hedge is at least 2 feet deep, not 1'-4" marked on the plan, the hedge gets in the way of the driveway. It becomes ridiculous arguing it maintains exactly 8" on the left to meet open space requirement when it already falls in the construction error range. BTW. Should you deduct the 4 downspout space by 3" there? There are at least 6 points less than 10ft open space, 2 points at the exterior side door area and 4 downspouts area I marked for your reference.

For the master bedroom windows privacy issue, I see the plan review comments particularly saying they need to hear the neighbors' opinion on it. It's unreasonable you dismissed the valid concern so quickly. I checked that the guideline prefers to position the patio door sized window toward the street instead of the rear yard for privacy concerns, here we are talking about an oversized 11 feet wide window, it's a patio door size. Within a backyard distance, it sees through all of adjacent neighbors' backyard and patio door glass. I don't understand why it can't be split into 2 narrow windows?

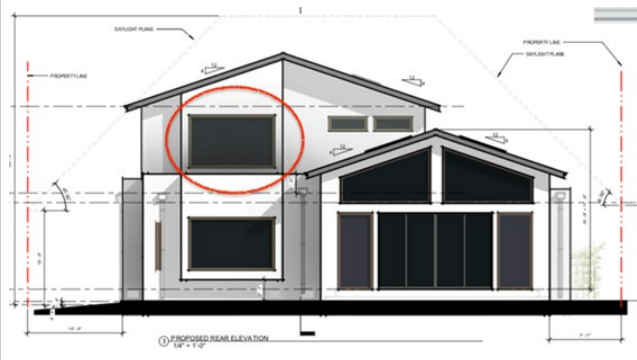
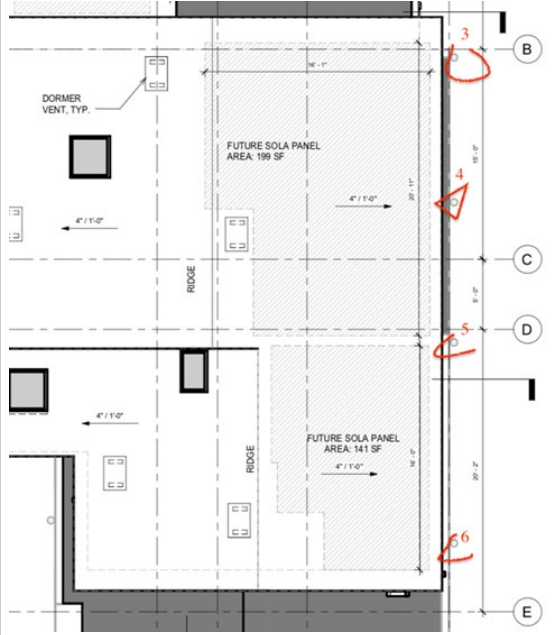
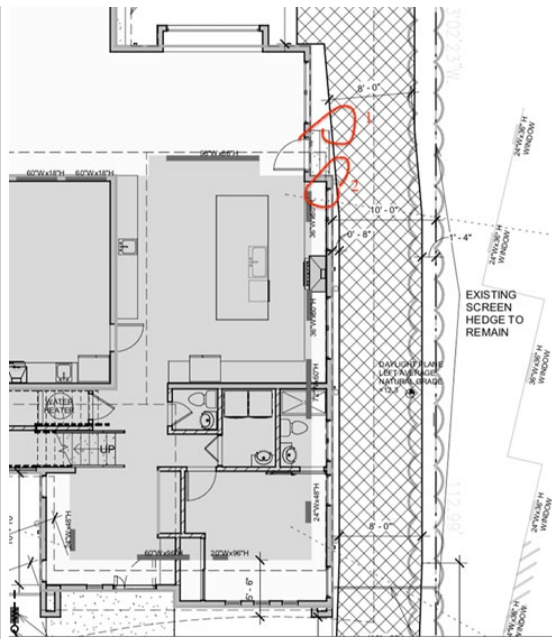
As you mentioned egress requirement, it can be easily solved if it follows the guideline advice and has an egress window/door facing the street. The building code requires only 1 egress window, but it has a row of 4 egress windows on the right side, and 1 11-foot window at rear side, 4 excess unnecessary egress windows at the expense of compromising adjacent neighbours' privacy, do you think it's justified?

I don't agree with what you said "Existing and proposed landscaping, as well as the garage, limit views as well." The existing hedge along the right property line is more than 20 years old to its maximum height of 12 feet already, I don't see how it could help blocking the view if it can barely reach the 2nd floor window? I don't get how the 8-foot tall garage limits views from the 2nd floor to my yard either.

I'm sure the other adjacent neighbours got pretty upset by the misleading post and the short notice during holiday weeks when people went out of town to visit relatives, you will hear them. The wrong yard post already causes a mistake, unreasonably dismissing neighbours' concern would definitely be unaffordable. I strongly request a hearing, a chance for the city to correct the mistake, and a chance to listen to the neighbours' opinions. Thanks.

Regards,

Jiao





On Tue, Jan 3, 2023 at 2:55 PM Foley, Emily <Emily.Foley@cityofpaloalto.org> wrote:

Hi Jiao,

The square footage in the original notification was submitted by the applicant, and the sign is posted prior to the Planner's review of the project. However, that square footage never represented the project. In the initial plans submitted to the City, the house was 3,038 sf with a 749 sf attached ADU. The approved plans are for a 3,038 sf house and 496 sf attached JADU. We apologize for the error, and will try to do better in the future.

You are correct that the original plan included an attached two car garage, and the approved plan includes maintaining the existing one car garage. This was a required change, as the predominate neighborhood context has rear garages. The driveway, with 8ft wide pavement and at least 10ft of clear space at all points meets our code requirements. The garage itself also meets code requirements for location and size. It will be remodeled to match the proposed house style, by matching the roof and siding materials and colors, and having a garage door style that compliments the house style.

The master bedroom windows meet our standards for privacy. The large rear facing one is more than 45 feet from the rear property line and does not require any obscured glazing for this reason. Existing and proposed landscaping, as well as the garage, limit views as well. The angle of the property line means the window is angled away from your property, not towards it, though we consider the properties the window does face in our analysis. Furthermore, all bedrooms have egress requirements under the Building Code and requiring all windows to have 5ft sills is illegal. The obscured glazing is a good solution for side windows, as included in the plans, since they are closer to the property line.

Thanks,
Emily



Emily Foley, AICP
Planner
Planning and Development Services Department
(650) 617-3125 | emily.foley@cityofpaloalto.org
www.cityofpaloalto.org



[NEW Parcel Report](#) | [Palo Alto Municipal Code](#) | [Online Permitting System](#) | [Planning Forms & Handouts](#) | [Planning Applications Mapped](#)

The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

From: Solstice Inv <solsticeinv@gmail.com>
Sent: Monday, January 2, 2023 4:59 PM
To: Foley, Emily <Emily.Foley@CityofPaloAlto.org>
Subject: Adjacent neighbour concerns regarding 55 Tulip project

You don't often get email from solsticeinv@gmail.com. [Learn why this is important](#)
CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Project Planner,

I'm the owner of 1063 Embarcadero Rd. In response to your Dec.23, 2022 notice regarding 55 Tulip project, I would like to share some of our concerns about the proposed project. First of all, I would say I was misled by the yard post for a long time until I followed your provided link to see the real plan. The yard post is far different from the real plan in terms of size, the front elevation and the garage location. It's significantly misleading to the public, and diminishes any quality feedback.

1. The poster says:

"Demolition of an Existing one-Story Square Foot Home and Construction of a two-Story approximately 1188 square foot home with an attached garage and an attached 749 square foot ADU."

But the real plan shows a total floor area of 3534 SF (Ground floor with JADU: 1,978+496=2,474 SF, 2nd floor 1060 SF). The posted front elevation shows an attached 2-car garage, but the real plan is keeping the existing detached 1-car garage in the back.

Every neighbour assumes it is more or less similar to the posted drawing, but it turns out to be far different. I don't think it's appropriate to leave the neighbours in the dark with such significant changes without any update notice before the approval.

2. Regarding the garage, with a more than 3300 SF new construction, I don't see the point of keeping an old shabby garage. There are some issues with the garage location. First, it's 2 feet away from the property line and doesn't comply with the building code. Second, the proposed 8-foot wide driveway is too narrow; it even has to tilt at a point near the garage door, it is hard to back up a car and not safe. The existing hedge gets in the way, forcing no open space on either side of the narrow driveway. When it becomes too difficult to park in the garage, it creates more chances to park on the street, and lose the purpose of at least 1-car garage requirement. Third, the existing old garage's look is not consistent with the style of the new home.

3. The 2nd floor master bedroom 11-foot-wide rear window is too big and protrusive, it creates a privacy issue for the houses on the backside. Because of its triangular shaped lot, the huge window comes from the right-rear angle facing my back house, which has a row of glass patio doors and 2 6-feet tall windows. It views into not only my rear yard but also all the activities in my family room. The existing 12-foot tall mature hedge can't reach the 2nd floor windows to screen anything. Not sure if it's a bay window, otherwise it becomes even worse, because it introduces more chances of people sitting there watching. I would recommend splitting it into 2 narrow windows, and all the master bedroom windows start 5-foot above the floor level instead of opaque glazing on the bottom portion proposed, the unnatural transition appears ugly.

I would like the planning department to immediately address the above issues, and make the new construction fit the neighbourhood. Thank you.

Regards,

Jiao Liao

Owner 1063 Embarcadero Rd.