

From: [Charlie Weidanz](#)
To: [Planning Commission](#)
Subject: California Ave
Date: Wednesday, March 2, 2022 3:51:57 PM
Attachments: [9B80D3CB0BFC42B6BBB2D9E768F4F97B.png](#)

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

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

Good afternoon;

Would you have a chance to speak with me prior to the March 30th meeting of your commission ?

I have a question related to California Ave.

Thank You

Charlie

Charlie Weidanz

President & CEO

Palo Alto Chamber of Commerce & Visitors Center

charlie@paloaltochamber.com

www.paloaltochamber.com

(O) 650.324.3125

(C) 650.773.6414



Palo Alto Chamber of Commerce
Create | Connect | Compete

From: [Aram James](#)
To: [City Mgr; Jonsen, Robert; robert.parham@cityofpaloalto.org; Council, City; Cecilia Taylor; Betsy Nash; chuck jagoda; Perron, Zachary; Tannock, Julie; Figueroa, Eric; Tom DuBois; Sajid Khan; paloaltofreepress@gmail.com; Planning Commission; Human Relations Commission; Jay Boyarsky; Vara Ramakrishnan; Greer Stone; Enberg, Nicholas; Joe Simitian; Jeff Moore; Winter Dellenbach](#)
Subject: Police officer dismissed after using racist language
Date: Wednesday, March 2, 2022 7:00:37 PM

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



NewsBreak
Used by over 45 million people

[Open APP](#)

Police officer dismissed after using racist language

BBC

I found this on NewsBreak: Police officer dismissed after using racist language



[Click to read the full story](#)

Sent from my iPhone

From: [HeUpdate](#)
To: [Robert Chun](#); [HeUpdate](#); [Council, City](#); [Planning Commission](#)
Cc: [Lait, Jonathan](#); [Campbell, Clare](#); [Yang, Albert](#)
Subject: RE: Follow-up letter from Palo Alto Forward
Date: Thursday, March 3, 2022 3:34:03 PM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Hi Robert,

Thank you for your letter. And thank you for your continued interest in the City's Housing Element Update process.

Regards,

Tim



Tim Wong

Senior Planner

Planning and Development Services

(650) 329-2493 | tim.wong@cityofpaloalto.org

www.cityofpaloalto.org



From: Robert Chun <rgchun@gmail.com>
Sent: Monday, February 28, 2022 3:46 PM
To: HeUpdate <HeUpdate@CityofPaloAlto.org>; Council, City <city.council@cityofpaloalto.org>; Planning Commission <Planning.Commission@cityofpaloalto.org>
Cc: Lait, Jonathan <Jonathan.Lait@CityofPaloAlto.org>; Wong, Tim <Tim.Wong@CityofPaloAlto.org>; Campbell, Clare <clare.campbell@cityofpaloalto.org>; Yang, Albert <Albert.Yang@CityofPaloAlto.org>
Subject: Follow-up letter from Palo Alto Forward

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

Dear Mayor Burt; Palo Alto City Council; Palo Alto Planning and Transportation Committee; Palo Alto Housing Element Working Group; and Palo Alto City Staff

On behalf of Palo Alto Forward, I've attached a follow-up letter to our prior letter from February 22, which addressed Palo Alto's statutory responsibilities relating to the inclusion

of certain nonvacant sites in the Housing Element site inventory. Please share this letter with the members of the Housing Element Working Group, as well as the City Council and the PTC.

Please let me know if you would like to schedule time to discuss the contents of the letter. As always, thank you all for your work on the Housing Element.

Warm regards,

Robert Chun
Board Member, Palo Alto Forward



February 28, 2022

Dear Mayor Burt; Palo Alto City Council; Palo Alto Planning and Transportation Committee; Palo Alto Housing Element Working Group; and Palo Alto City Staff

Palo Alto Forward is a non-profit organization focused on innovating and expanding housing choices and transportation mobility for a vibrant, welcoming, and sustainable Palo Alto. We are a broad coalition with a multi-generational membership, including new and longtime residents. Thank you all for your work on Palo Alto's 6th Cycle Housing Element.

In our February 22nd letter to the City, we noted that Palo Alto appears to be relying on nonvacant sites to accommodate 50 percent or more of its housing need for lower-income households. Under California law, this fact triggers a statutory presumption that "the nonvacant site's existing use is presumed to impede additional residential development." [HCD Site Inventory Guidebook Pg. 26-28](#). Thus, if Palo Alto desires to designate a nonvacant site as appropriate for lower-income housing, its housing element must make "findings based on *substantial evidence* that the use will likely be discontinued during the planning process." *Id.* (emphasis added). See also [Government Code Section 65583.2, subdivision \(g\)\(2\)](#).

We are grateful to the Planning and Transportation Committee for discussing our February 22nd letter during its meeting on February 23rd. The full transcript of its discussion is included in Appendix A and begins at [45:00](#) in the recording of the meeting. In that exchange, City staff suggest that the City intends to meet the "substantial evidence" standard under Section 65583.2 based on several general factors, such as improvement-to-land-value ratios, age of structures, and the strength of the real estate market. Unfortunately, this strategy is demonstrably noncompliant with the plain language of the statute and HCD's published guidance on the "substantial evidence" requirement. Moreover, HCD has already rejected draft Housing Elements that rely on the "substantial evidence" strategy that City staff have described.

I. City's proposed strategy does not comply with HCD guidance

First, the strategy proposed by City staff conflicts with HCD guidance on how cities must meet the "substantial evidence" requirement of Section 65583.2, subdivision (g)(2). [HCD Site Inventory Guidebook Pg. 26-28](#). According to HCD, examples of "substantial evidence" include:

- The lease for the existing use expires early within the planning period.
- The building is dilapidated, and the structure is likely to be removed, or a demolition permit has been issued for the existing uses.
- There is a development agreement that exists to develop the site within the planning period.

- The entity operating the existing use has agreed to move to another location early enough within the planning period to allow residential development within the planning period.
- The property owner provides a letter stating its intention to develop the property with residences during the planning period.

Notably, each of HCD’s examples of “substantial evidence” relies on specific findings relating to the property owner’s intent to discontinue the existing use. In contrast, the strategy described by City staff at the PTC meeting ignores the intent of the property owner and instead speculates as to the owner’s intent based on generalized economic factors. This approach is substantially less rigorous than any of the examples described by HCD. Moreover, this approach directly conflicts with HCD guidance that generalized findings (such as the health of a local real estate market) are disfavored.¹ Only specific findings related to a site’s current existing use, such as those described by HCD, can rebut the statutory presumption that nonvacant sites are ineligible to fulfill more than 50% of a city’s lower-income housing allocation.

II. City’s proposed strategy has already been rejected by HCD

Second, the strategy proposed by City staff has already been rejected by HCD. We urge Palo Alto to consider the experience of the City of Redondo Beach, which recently attempted to meet the “substantial evidence” requirement with a similar set of generalized factors. As Palo Alto has proposed to do, Redondo Beach did not make specific findings relating to an owner’s intent to discontinue a site’s existing use. Rather, the City’s Housing Element relied on factors such as improvement-to-land-value ratios, the age of the structures, and the existing floor-area ratio. See e.g., [City of Redondo Beach 2021-2029 Housing Element, Pg. 73-77](#).

Last month, HCD rejected Redondo Beach’s Housing Element, noting that:

“This finding from HCD’s September 2, 2021 letter has not been satisfied. Government Code section 65583.2, subdivision (g)(2) states, ‘An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.’” [January 2 2022 HCD Letter to Redondo Beach Appendix Pg. 2](#)

In particular, HCD noted that Redondo Beach had failed to make sufficiently specific findings relating to the intent of the property owner to discontinue the use on the nonvacant site:

“For another example, the element describes existing uses on the sites as franchises as opposed to national chain stores, thus implying franchises are not

¹ As HCD emphasizes: “While the sites may be located in an area with common economic issues, individual owners may not wish to sell their property or redevelop their site with residential uses. In addition, each site’s existing use, e.g., grocery store, retail shop, parking lot, and offices, may have lease agreements of different lengths of time or the owner may not wish to relocate or redevelop the site with a more intensive residential use. In this type of situation, use of the same findings for the multiple sites would not be appropriate.” [HCD Site Inventory Guidebook Pg. 28](#).

as permanent as national chain stores. The element additionally states that the owner of the largest shopping center has “strong” interest with some experience in introducing high density residential into commercial centers in other cities. This analysis does not satisfy the statutory requirement of substantial evidence that the use is likely to discontinue during the planning period. *Each site must be analyzed as to its unique qualities and whether existing uses impede additional development.* Additional analysis that provides substantial evidence the uses are likely to discontinue within the planning period is required to identify these sites to accommodate the City’s RHNA. Alternatively, the element may identify and analyze different sites.” *Id.* (emphasis added)

Unless these issues are remedied by Redondo Beach, HCD has indicated that it “may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).” *Id.* at 2. To avoid the serious consequences of such a revocation, and to ensure that we successfully plan for lower-income housing, we urge Palo Alto to adopt a more rigorous approach to its “substantial evidence” findings.

Conclusion

We hope that this letter has helped clarify Palo Alto’s responsibilities under Section 65583.2, subdivision (g)(2). In light of the statutory language, HCD guidance, and enforcement history cited above, we ask that Palo Alto take the following actions:

1. Reach out to the owners of all nonvacant, lower-income sites. See Appendix B (“Lower-Income Sites in Palo Alto’s Proposed 6th Cycle Site Inventory”).
2. Make specific findings as to whether any of the following criteria apply to the site:
 - The lease for the existing use expires early within the planning period.
 - The building is dilapidated, and the structure is likely to be removed, or a demolition permit has been issued for the existing uses.
 - There is a development agreement that exists to develop the site within the planning period.
 - The entity operating the existing use has agreed to move to another location early enough within the planning period to allow residential development within the planning period.
 - The property owner is willing to provide a letter stating its intention to develop the property with residences during the planning period.
3. If none of the above criteria applies to the site, then remove the site from the site inventory and replace it with a site that meets one of the above criteria.

This approach aligns with the language of Section 65583.2, subdivision (g)(2) and HCD’s existing guidance. We welcome any questions, comments, or clarifications. As indicated in our

previous letter, we look forward to working with the City to approve a legally-compliant Housing Element that successfully plans for a more sustainable, affordable, and equitable future.

Sincerely,

Robert Chun
Board Member

Appendix A: Partial Transcript of February 23rd, 2022 PTC Meeting

[Starting at 45:00](#)

Commissioner Hechtman: "These questions relate to a letter that we received this week that talked about a requirement that the HCD has that, where you -- and I'm going to paraphrase it, I hope not poorly -- where more than 50% of your low-income housing is identified on non-vacant sites, then you have to provide "substantial evidence" that during the RHNA cycle, whatever the impediments to developing low-income housing on those sites, will go away. So I thought it was an interesting letter. We hadn't talked about that on the PTC. And so the first question I had was actually for Assistant City Attorney Yang. I wanted to know if the description of that requirement in that letter from a local group is pretty accurate as to the requirement."

Mr. Yang: "So, I haven't reviewed that letter, but I can speak to the general requirement that we do have to show that the sites that we identify are, maybe Mr. Wong can help me out here."

Mr. Wong: "Suitable and available."

Mr. Yang: "That's right, suitable and available, and so there is some evidentiary showing that we have to make and that is a part of the site selection effort that the Working Group and Mr. Wong and our consultant have been doing -- is, you know, finding sites where we can make that showing, where we think our selection will be defensible."

Commissioner Hechtman: "OK, that's helpful. Then that leads into my next question, which is, in the Working Group, was this substantial evidence requirement regarding the sites where low-income housing would go, was that part of the dialogue with the Working Group? Did they examine that? Did they examine that and come up with findings or categories of findings so that we could support . . . the low-income BMRs, at least in excess of 50%?"

[Commissioner Lauing invites Mr. Wong to describe the Working Group's methodology]

Mr. Wong: Sure. And, so, as part of our methodology -- we did present our methodology of how these sites were identified to the WG -- and one of the main factors is what is known as the ILR, the improvement to land ratio, in which, if the improvements -- and we used county assessor's data or figures -- and basically, we had this ILR ratio of less than 1.5. In other words, if the improvements were 1.5 times or less the land value, then we said that's appropriate for redevelopment, because if it had a higher ratio than 1.5, in other words, if let's say, the improvement per the county assessor was \$4M and the land was worth \$1M, that means there are substantial improvements on the property, therefore it would be a lesser likelihood of redevelopment. So that was our first go around in identifying these sites. And the reason we used the 1.5 ILR ratio is because A) that was what we used in our current housing element to identify sites, and that was accepted by HCD, and in discussions with our consultants they supported that, and secondly, we looked at structures that were older than 20 years, and an association with that ILR, but that was part of our methodology. In addition, we looked at sites

that don't have multi-family units on the site. There are some that are underdeveloped, if you will, but that was another methodology that we used to make sure that A) we wouldn't impact or have result in large displacement, and secondly, that also helped the opportunity for redevelopment if there weren't already existing residences on the site. And, in addition, we're still working on compiling other substantial evidence, such as in Palo Alto, because of the value, we have been receiving redevelopment proposals, even before we started this update process, which shows the strength of the Palo Alto residential real estate market for redevelopment. So those are just some of those items that we are, that will go into the Housing Element to provide that substantial evidence."

Commissioner Hechtman: "OK. I appreciate that additional information. So here's my concern. We need to designate roughly 6,100 units, and present that to HCD. We need a 10% buffer. And what we've seen -- the Working Group had a larger buffer, but has pulled some potential out, including these parking lots, to get us closer to that 10%. My worry is that, if we flow through with the WG recommendations, we recommend that to the Council, and the Council adopts that and forwards it to HCD, I'm worried that HCD is going to reject some substantial portion of these units, if we're not properly, in their view, providing substantial evidence of the availability of these nonvacant sites during the next RHNA cycle for low-income housing. And so my thinking is, to protect against that -- because if that happens and if HCD doesn't certify the Housing Element, they don't satisfy our RHNA figures, and they send it back to us, and we're late, and there are penalties for being late. So my thought is, to protect against that risk, let's build a bigger buffer. And so that's another reason I like including the city owned parking lots, because it makes a bigger buffer. And we don't have to, you know, make those the first ones that get developed -- but it avoids the possibility of us getting kicked back to us. So that's why when we get to voting on it, I'm going to be supporting adding these back in."

Appendix B: Lower-Income Sites in Palo Alto's Proposed 6th Cycle Site Inventory

Note: This data is from the [February 17, 2022 memorandum](#) to the Housing Element Ad Hoc committee.

Category/Strategy	Site Address or Street	Zip Code	APN	Acres	Current Use	Potential Minus Existing Units	Income Category
MFA							
MFA	160 FOREST AV	94301	12027047		One story fitness center (FAR: 0.8), surface parking	26	Lower
WG Suggestions	3877 EL CAMINO RE	94303	13241091	0.75	Vacant	24	Lower
WG Suggestions	Leghorn St	94303	14705012	0.85	Auto storage	27	Lower
Total						77	
Upzone							
Upzone	850 MIDDLEFIELD RD	94301	12005011	0.66	One story medical offices (FAR: 0.7), surface parking	15	Lower
Upzone	652 HOMER AV	94301	12005008	0.64	One story medical offices (FAR: 0.5), surface parking	15	Lower
Upzone	4146 El Camino Real	94301	13724034	0.77	Vacant	18	Lower
Upzone	1681 EL CAMINO REAL	94306	12425044	0.91	One story medical offices (FAR: 0.5), surface parking	21	Lower
Upzone	853 MIDDLEFIELD RD	94301	332094	0.80	One story medical offices (FAR: 0.5), surface parking	19	Lower
Upzone	4151 Middlefield Rd	94301	12715023	0.93	Two story office space (FAR: 0.6), surface parking	22	Lower
Upzone	3606 El Camino Real	94301	13708080	0.65	Vacant	15	Lower
Upzone	4085 El Camino Wy	94306	13243153	0.71	One story retail (FAR: 0.4), surface parking	17	Lower
Upzone	4113 EL CAMINO WY	94306	13244022	0.64	One story preschool (FAR: 0.5), surface parking	15	Lower
Upzone	2754 MIDDLEFIELD RD	94306	13255029	0.55	One story Retail (FAR: 0.5), surface parking	13	Lower
Upzone	2811 MIDDLEFIELD RD	94306	12734098	1.74	Supermarket (FAR: 0.5), surface parking	41	Lower
Upzone	3902 MIDDLEFIELD RD	94303	14708048	4.26	One story strip mall (FAR: 0.4), surface parking	102	Lower
Upzone	3901 El Camino Real	94301	13242073	1.10	One story Hotel (FAR: 0.4), surface parking	35	Lower
Upzone	EL CAMINO REAL	94301	13238072	1.11	Surface parking	35	Lower
Upzone	320 SAN ANTONIO RD	94306	14709069	0.76	Vacant	24	Lower
Upzone	3375 EL CAMINO REAL	94301	13239088	0.74	One story restaurant (FAR: 0.2), surface parking	23	Lower
Upzone	4224 EL CAMINO REAL	94301	16708037	0.63	One story restaurant (FAR: 0.5), surface parking	20	Lower
Upzone	4230 El Camino Real	94301	16708030	0.52	One story car rental (FAR: 0.4), Surface parking	16	Lower
Upzone	3903 EL CAMINO REAL	94306	13242072	0.53	One story bank (FAR: 0.5), surface parking	16	Lower

Upzone	3200 EL CAMINO REAL	94306	14220037	0.61	Two story lodging (FAR: 0.5), surface parking	19	Lower
Upzone	4238 EL CAMINO REAL	94306	16708031	0.65	Two story lodging (FAR: 0.5), surface parking	20	Lower
Upzone	4256 EL CAMINO REAL	94306	16708042	0.60	One story restaurant (FAR: 0.4), surface parking	19	Lower
Upzone	4279 EL CAMINO REAL	94306	14801016	0.80	Two story lodging (FAR: 0.7), surface parking	25	Lower
Upzone	4345 EL CAMINO REAL	94306	14809011	0.95	Two story lodging (FAR: 0.4), surface parking	30	Lower
Upzone	760 San Antonio Ave	94303	14705091	0.65	One story retail (FAR: 0.5), surface parking	20	Lower
Upzone	87 ENCINA AV	94301	12033001	0.57	Two story office space (FAR: 0.8), surface parking	18	Lower
Upzone	4291 El Camino Real	94301	14809014	1.16	Two story bank (FAR: 0.6), surface parking	37	Lower
Upzone	720 SAN ANTONIO RD	94303	14705087	1.36	One story office space (FAR: 0.5), surface parking	43	Lower
Upzone	841 El Camino Real	94301	12034001	0.64	One story car wash (FAR: 0.2), surface parking	20	Lower
Upzone	788 SAN ANTONIO AV	94303	14703041	0.58	One story substandard office space (FAR: 0.5), surface parking	18	Lower
Total						751	
Caltrain Sites							
Between 1/4 and 1/2 Mile from California Ave. or San Antonio Station	PARK BL	94306	13232043	1.38	Surface Parking	44	Lower
Between 1/4 and 1/2 Mile from California Ave. or San Antonio Station	2400 EL CAMINO REAL	94306	14220012	0.75	One story bank (FAR: 0.2), surface parking	24	Lower
Between 1/4 and 1/2 Mile from California Ave. or San Antonio Station	2673 EL CAMINO REAL	94306	13236077	0.64	One story restaurant and retail (FAR: 0.3), surface parking	20	Lower
Between 1/4 and 1/2 Mile from California Ave. or San Antonio Station	2310 EL CAMINO REAL	94306	13701129	0.76	One story restaurant (FAR: 0.4), surface parking	24	Lower
Between 1/4 and 1/2 Mile from Downtown Station	300 HAMILTON AV	94301	12016096	0.75	CD-C (P); PF Five story office building (FAR: 1.2), surface parking	24	Lower
Between 1/4 and 1/2 Mile from Downtown Station	530 LYTTON AV	94301	12003070	0.67	CD-C (P) Four story office building (FAR: 0.8)	21	Lower
Between 1/4 and 1/2 Mile from California Ave. or San Antonio Station	Cambridge ave	94306	12432050	0.65	Parking structure	20	Lower
Between 1/4 and 1/2 Mile from California Ave. or San Antonio Station	3197 PARK BL	94306	13226076	0.59	One story office space (FAR: 0.6), surface parking	18	Lower
1/4 Mile from California Ave. or San Antonio Station	156 N CALIFORNIA AV	94306	12428045	1.14	CC (2)(R)(P) One story grocery store (FAR: 0.4), surface parking	45	Lower
1/4 Mile from California Ave. or San Antonio Station	150 GRANT AV	94306	12429020	0.60	CC (2)(R) One story office space (FAR: 0.5), surface parking	23	Lower
1/4 Mile from California Ave. or San Antonio Station	NITA AV	94306	14709056	1.25	Surface Parking	50	Lower
Total						313	

Frequent Bus Routes						Existing	
1/2 Mile of Frequent Bus Routes	MAYBELL AV	94306	13724045	0.56		17	Lower
1/2 Mile of Frequent Bus Routes	561 VISTA AV	94306	13737004	0.65		20	Lower
1/2 Mile of Frequent Bus Routes	4170 EL CAMINO REAL	94306	13724046	1.01	CS One story grocery store (FAR: 0.5), surface parking	32	Lower
1/2 Mile of Frequent Bus Routes	3150 EL CAMINO REAL	94306	14220054	0.75	CS One story Restaurant (FAR: 0.3), surface parking	24	Lower
Total						93	
Faith-Based Institutions							
Faith-Based Institutions (surface parking/vacant space)	1985 Louis Rd	94303	350022	1.09	Faith-based institution	26	Lower
Faith-Based Institutions (surface parking/vacant space)	1140 Cowper St	94301	12018048	0.61	Faith-based institution	14	Lower
Faith-Based Institutions (surface parking/vacant space)	2890 Middlefield Rd	94306	13203193	0.76	Faith-based institution	18	Lower
Faith-Based Institutions (surface parking/vacant space)	3149 Waverley St	94306	13220161	0.69	Faith-based institution	16	Lower
Faith-Based Institutions (surface parking/vacant space)	3505 Middlefield Rd	94306	12747042	1.50	Faith-based institution	36	Lower
Total				4.65		110	
GM							
GM	950 INDUSTRIAL ST	94303	14701061	0.54	One story office space (FA	17	Lower
GM	937 INDUSTRIAL AV	94303	14701086	0.57	Two story office space (FA	18	Lower
GM	990 COMMERCIAL ST	94303	14701041	0.79	Two story office space (FA	25	Lower
GM	4030 FABIAN WY	94303	12715010	0.55	Two story office space (F	17	Lower
GM	TRANSPORT ST	94303	14702017	0.66	Surface parking	21	Lower
GM	3940 Fabian Wy	94303	12737023	1.27	Two story office space (FA	40	Lower
GM	3960 Fabian Wy	94303	12737019	0.68	One story vacant office sp	21	Lower
GM	3980 Fabian Wy	94303	12737018	0.69	One story vacant office sp	22	Lower
GM	811 E Charleston Rd	94303	12737016	0.54	One story auto repair (FA	17	Lower
GM	4045 TRANSPORT ST	94303	14701070	0.54	One story office space (FA	17	Lower
GM	4007 TRANSPORT ST	94303	14701097	0.54	One story office space (FA	17	Lower
GM	4083 TRANSPORT ST	94303	14701116	0.51	Two story office space (FA	16	Lower
Total						248	
ROLM							
ROLM	1035 E Me	94303	12710056	1.00	One story office space	32	Lower

ROLM	1051 E Me	94303	12710082	1.07	One story office space	34	Lower
ROLM	1053 E ME	94303	12710081	1.60	One story office space	51	Lower
ROLM	1085 E Me	94303	12710110	1.43	One story office space	45	Lower
ROLM	3600 W Ba	94303	12710076	2.08	Two story office space	66	Lower
ROLM	3500 W Ba	94303	12736031	1.40	Two story office space	44	Lower
ROLM	3460 W Ba	94303	12736029	1.49	Two story office space	47	Lower
ROLM	3350 W Ba	94303	12736040	3.96	Two story office space	126	Lower
ROLM	1020 E Me	94303	12710103	2.50	One story office space	79	Lower
ROLM	1036 E Me	94303	12710094	3.06	One story office space	97	Lower
ROLM	1050 E Me	94303	12710099	2.62	Two story office space	83	Lower
ROLM	1052 E Me	94303	12710084	0.94	One story office space	30	Lower
ROLM	1060 E Me	94303	12710049	1.13	One story office space	36	Lower
ROLM	1066 E Me	94303	12710050	2.15	One story office space	68	Lower
ROLM	1068 E Me	94303	12710051	1.00	One story office space	32	Lower
ROLM	1076 E Me	94303	12710072	1.00	One story office space	32	Lower
Total						902	

From: [Andie Reed](#)
To: [Shikada, Ed](#); [City Mgr](#); [Architectural Review Board](#); [Planning Commission](#); [Council, City](#)
Subject: Castilleja - Unanswered Issues re GFA
Date: Friday, March 4, 2022 8:39:16 AM
Attachments: [GFA5-17-21plans.pdf](#)

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

Dear City Manager Shikada,
CC: ARB, PTC, City Council

I represent neighbors who have very grave concerns that the boards, commissions and City Council are not being provided accurate, essential information to allow for an informed analysis regarding the Castilleja project. We appeal to you to rectify this.

The project states that the school proposes to retain or reduce current gross floor area, which requires a variance. Many buildings over the years have been added to the site without their floor areas being properly counted, and Castilleja's current Floor Area Ratio is significantly in excess of allowed FAR. Because of the many inconsistencies in the plans, we have requested clarification over the past 5 years about this issue from the planning department, and in 5 years, have never received a straightforward answer that would lead to our understanding of why this project is being advanced. In two years of PTC and city council meetings, questions regarding what GFA is being requested versus what is allowed on this site have been asked but not answered accurately if at all.

In March 2021 the city council requested, and the planning department solicited, an official third-party measurement of Castilleja's existing above-grade (GFA) and below-grade square footages. In Nov 2021, the planning department published the **Dudek GFA study**. The school is proposing to demolish 5 buildings and build one large building. Neighbors have noted for 5 years that the proposed large building is unusually massive for the site. This new study shows our instincts were correct.

Please answer the questions below. We respectfully request a response within the next week, as opposed to offering promises that this will be addressed at some future time that never comes.

Questions:

1. Analysis of the Dudek GFA study appears to show that the proposed square footage being requested by Castilleja has increased to a FAR of .479, since volumetrics would be included in any analysis of current GFA. Is that the case? It appears that the allowed FAR for the site is .303. Is that the case? Please translate that to how many square feet of gross floor area is being requested over that allowed by code.
2. In our review of the most recent plans from May 17, 2021, pages G.004 and G.005, it appears that **additional** Gross Floor Area totaling 7,100SF is being proposed but not counted towards GFA (see att'd GFA5-15-21plans).

- a. The pool equipment building at 4,300SF is underground but not under a building nor a part of a building
- b. The lower level main building (LL1) is 2,800SF larger than the first floor building (L1), therefore not fully under the building.

Would these two underground spaces be considered exempt from GFA? I discussed these pages of the plans with the planning director last summer and have brought it up by email and written and oral communications to the PTC, but have not received an explanation.

3. Although it doesn't add to GFA or FAR, it appears, by review of the plans, that the underground square footage, not including the garage, is proposed to increase from 41,000SF to 80,000SF. Please confirm that the school is proposing to increase its underground class space by 39,000SF.

We appreciate that you will ensure straightforward, direct and correct answers are provided, as our experience in this regard has been discouraging.

Thank you,
Andie Reed
PNQL

--
Andie Reed CPA
Palo Alto, CA 94301





CASTILLEJA SCHOOL

1310 Bryant St, Palo Alto, CA 94301

ARB RESUBMISSION #4 10/22/2020

WITH SUPPLEMENTARY INFORMATION #2 DATED 05.17.2021

SUMMARY OF CHANGES INCLUDED IN SUPPLEMENTAL INFORMATION #2 TO PLANNING RESUBMISSION #4 DATED 5/17/2021

1. REDUCING IMPACT TO TREE #89:

A. TRANSFORMER RELOCATED TO EMERSON PARKING LOT

- SEE REVISED ELECTRICAL SHEETS E1.01 & E.401 AND NEW SHEET AB.309 FOR INFORMATION ON TRANSFORMER LOCATION, SCREENING AND CLEARANCES
- SEE REVISED L2.0 FOR NEW LOCATION OF UNPROTECTED TREES 3, 5, & 74 RELOCATED TO ACCOMMODATE NEW TRANSFORMER LOCATION
- SEE REVISED G.031 FOR RELOCATION OF BIKE PARKING SPACES
- SEE REVISED T.3.5 FOR FURTHER REDUCED IMPACT TO PROTECTION ZONE OF TREE #89

B. RELOCATED POOL STAIR

- SEE REVISED SHEET AB.100 AND NEW SHEET AB100B FOR RELOCATED STAIR PLAN
- SEE REVISED T.3.5 FOR REDUCED TREE IMPACT OF TREE #89

2. REDUCING IMPACT TO TREE #87 & #89:

- SEE NEW SHEETS AB.807 & AB.808 FOR DETAILED SECTIONS SHOWING EXCAVATION AND SHORING DETAILS RELATED TO POOL CONSTRUCTION IN RELATION TO THE TREE PROTECTION ZONE

3. REDUCE GFA TO ADDRESS DISCREPANCY IN EXISTING SQUAREFOOTAGE OF CLASSROOM BUILDING PER PERMIT RECORDS AS NOTED IN THE 3.8.21 PLANNING DEPARTMENT MEMO

- SEE REVISED SHEET G.005 FOR REVISED GFA ON LEVEL 1 & 2. AREA REDUCTION IS A COMBINATION OF REDUCED BUILDING FOOTPRINT AND ADDITIONAL OUTDOOR OPEN DECK SPACE ON LEVEL 2. NOTE, WHILE BASEMENT AREA IS NOT COUNTED TOWARDS GFA, BASEMENT FOOTPRINT IS REDUCED TO TRACK WITH REDUCED FOOTPRINT ABOVE GRADE. SEE REVISED G.004.
- SEE NEW SHEET G.006 FOR DIAGRAM SHOWING PERCENT OPENESS OF UPPER LEVEL DECKS

WRNS STUDIO
501 SECOND STREET
4TH FLOOR, STE. 402
SAN FRANCISCO
CALIFORNIA 94107
415.368.2720 TEL
415.368.9100 FAX
WWW.WRNSSTUDIO.COM

ISSUES	DATE	REVISION LIST	DATE
PLANNING SUBMISSION	04/04/2019		
PLANNING RESUBMISSION #1	07/01/2019		
PLANNING RESUBMISSION #2	08/22/2019		
PLANNING RESUBMISSION #3	02/10/2020		
PLANNING RESUBMISSION #4	10/22/2020		
PLANNING INFO #1 TO PLANNING SUB #4	07/17/2021		
SUPPLEMENTAL INFO #2 TO PLANNING SUB #4	05/17/2021		
A		REVISION 1	
		REVISION 1	

AHJ #

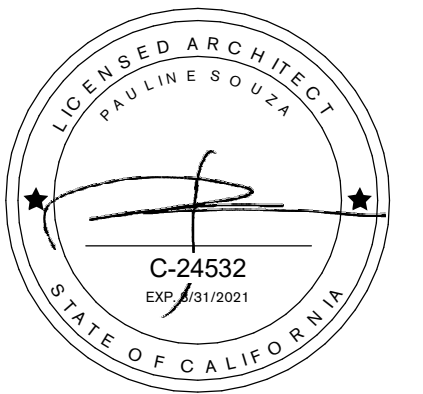
PROJECT NO.: 18043.00

COVER SHEET

G.000

CASTILLEJA SCHOOL

1310 Bryant St, Palo Alto, CA 94301



CASTILLEJA SCHOOL
1310 Bryant St, Palo Alto, CA 94301

KEYPLAN

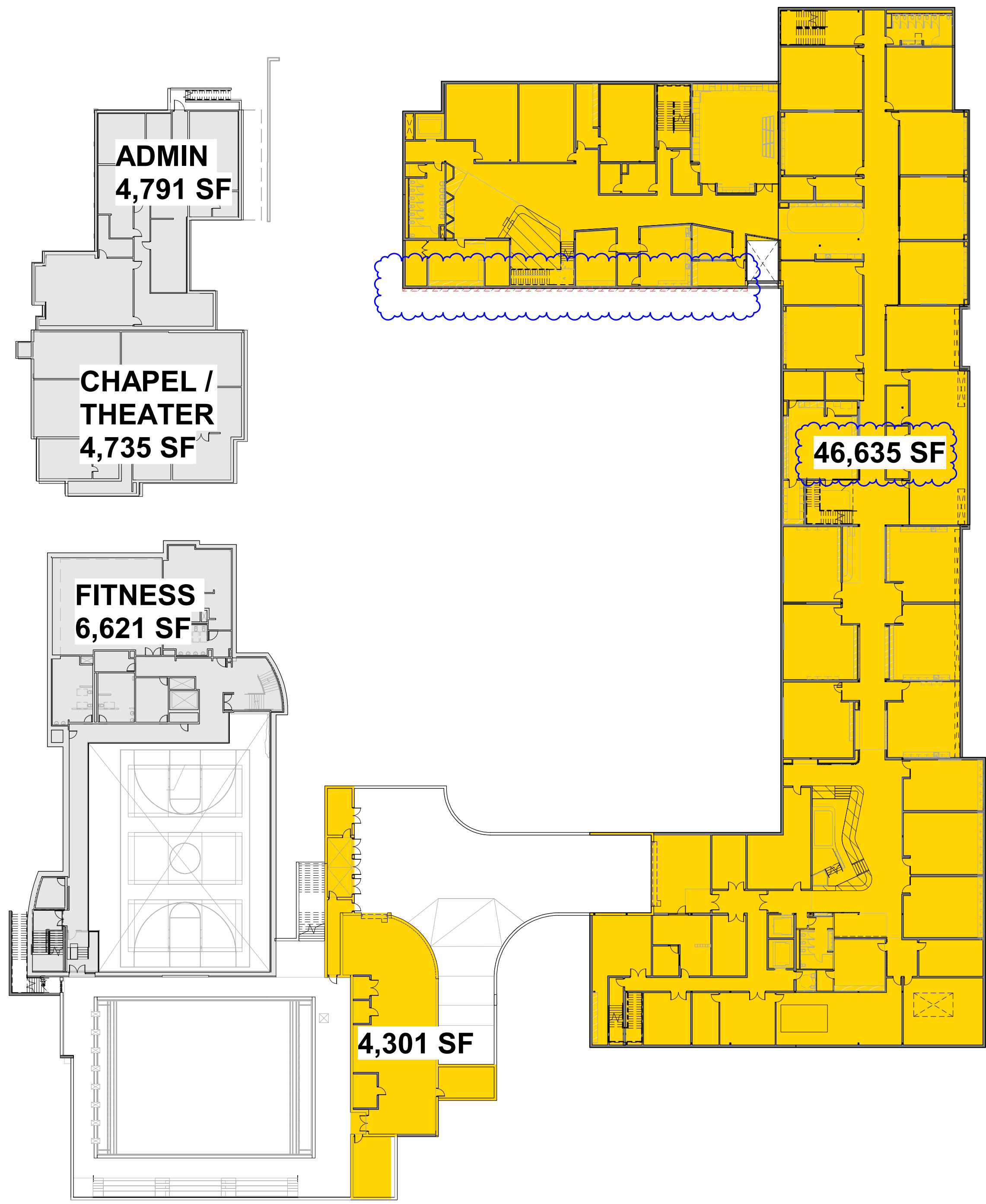
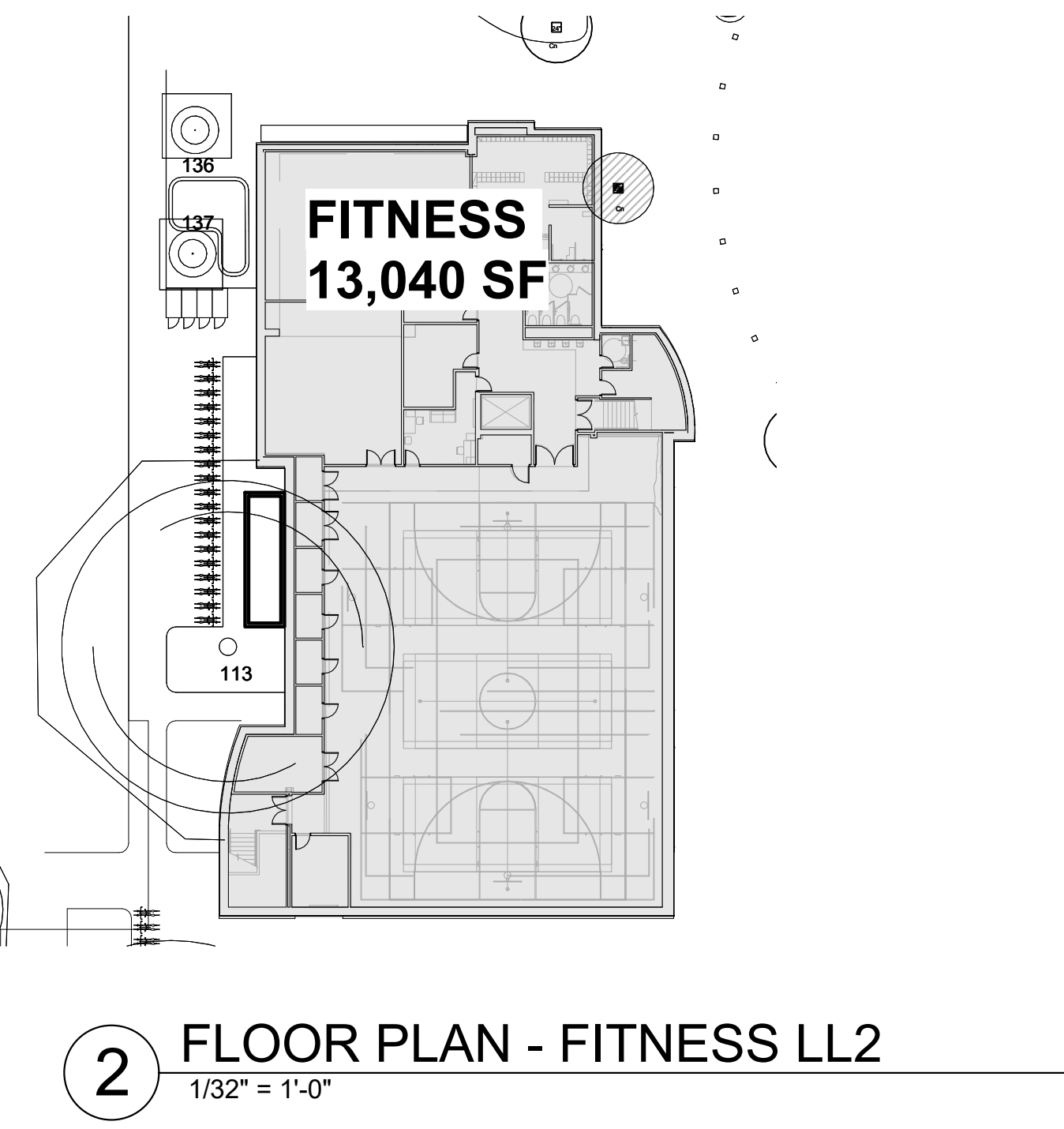
PROJECT NO.: 18043.00
DATE: 10/22/2020
SCALE: 1/32" = 1'-0"

SHEET TITLE:

BELOW GRADE CAMPUS FLOOR AREAS

SHEET NO:

G.004



LEGEND - GFA

- ENCLOSED FLOOR AREA INCLUDED IN GFA
- EXTERIOR DECK & PORCHE AREA INCLUDED IN GFA (L1, L2)
- EXTERIOR STAIRS, NOT INCLUDED IN GFA
- EXTERIOR DECKS/PORCHES, NOT INCLUDED IN GFA
- LOWER LEVEL AREA, NOT INCLUDED IN GFA
- LIGHTWELLS & SUNKEN GARDEN NOT INCLUDED IN GFA
- REDUCED BELOW GRADE FOOTPRINT TO ALIGN WITH REDUCED FOOTPRINT ABOVE GRADE

TOTALS:

	10.22.20 SUBMISSION	5.17.21 SUBMISSION
BELOW GRADE EXISTING (TO REMAIN):	29,187 SF	29,187 SF
BELOW GRADE PROPOSED (EXCLUDED FROM GFA):	51,069 SF	50,936 SF
TOTAL BELOW GRADE:	80,256 SF	80,123 SF

NEW PROPOSED AREA:

BELOW GRADE LEVEL 1 (EXCLUDED FROM GFA)

	10.22.20 SUBMISSION	5.17.21 SUBMISSION
NEW PROPOSED FLOOR AREA:		
ACADEMIC BUILDING:	46,768 SF	46,635 SF
POOL EQUIPMENT/TRASH:	4,301 SF	4,301 SF
TOTAL NEW PROPOSED FLOOR AREA :	51,069 SF	50,936 SF

EXISTING AREAS BELOW GRADE TO REMAIN:

BELOW GRADE LEVEL 1

EXISTING FLOOR AREA TO REMAIN:	
FITNESS:	6,621 SF
ADMIN:	4,791 SF
CHAPEL/THEATER:	4,735 SF
TOTAL	16,147 SF

BELOW GRADE LEVEL 2

EXISTING FLOOR AREA TO REMAIN:	
FITNESS:	13,040 SF
TOTAL	13,040 SF

ISSUES	DATE
PLANNING SUBMISSION	04/04/2019
PLANNING RESUBMISSION #1	07/01/2019
PLANNING RESUBMISSION #2	08/22/2019
PLANNING RESUBMISSION #3	02/10/2020
PLANNING RESUBMISSION #4	10/22/2020
SUPPLEMENTAL INFO #2 TO PLANNING SUBMISSION #4	05/17/2021

REVISION LIST	DATE
1 REVISION 1	MM/DD/YYYY



CASTILLEJA SCHOOL
1310 Bryant St, Palo Alto, CA 94301

KEYPLAN

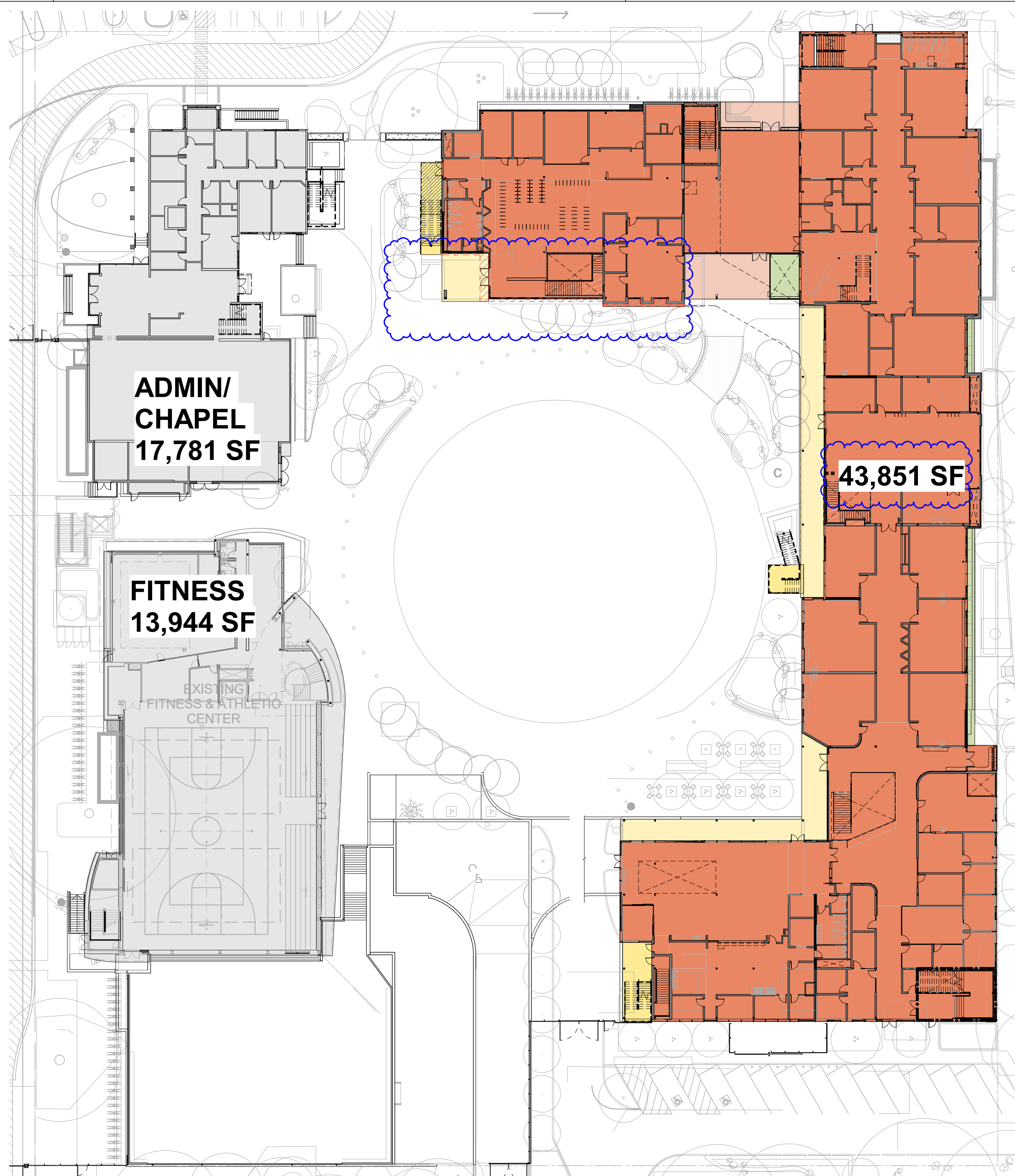
PROJECT NO.: 18043.00
DATE: 10/22/2020
SCALE: 1/32" = 1'-0"

SHEET TITLE:

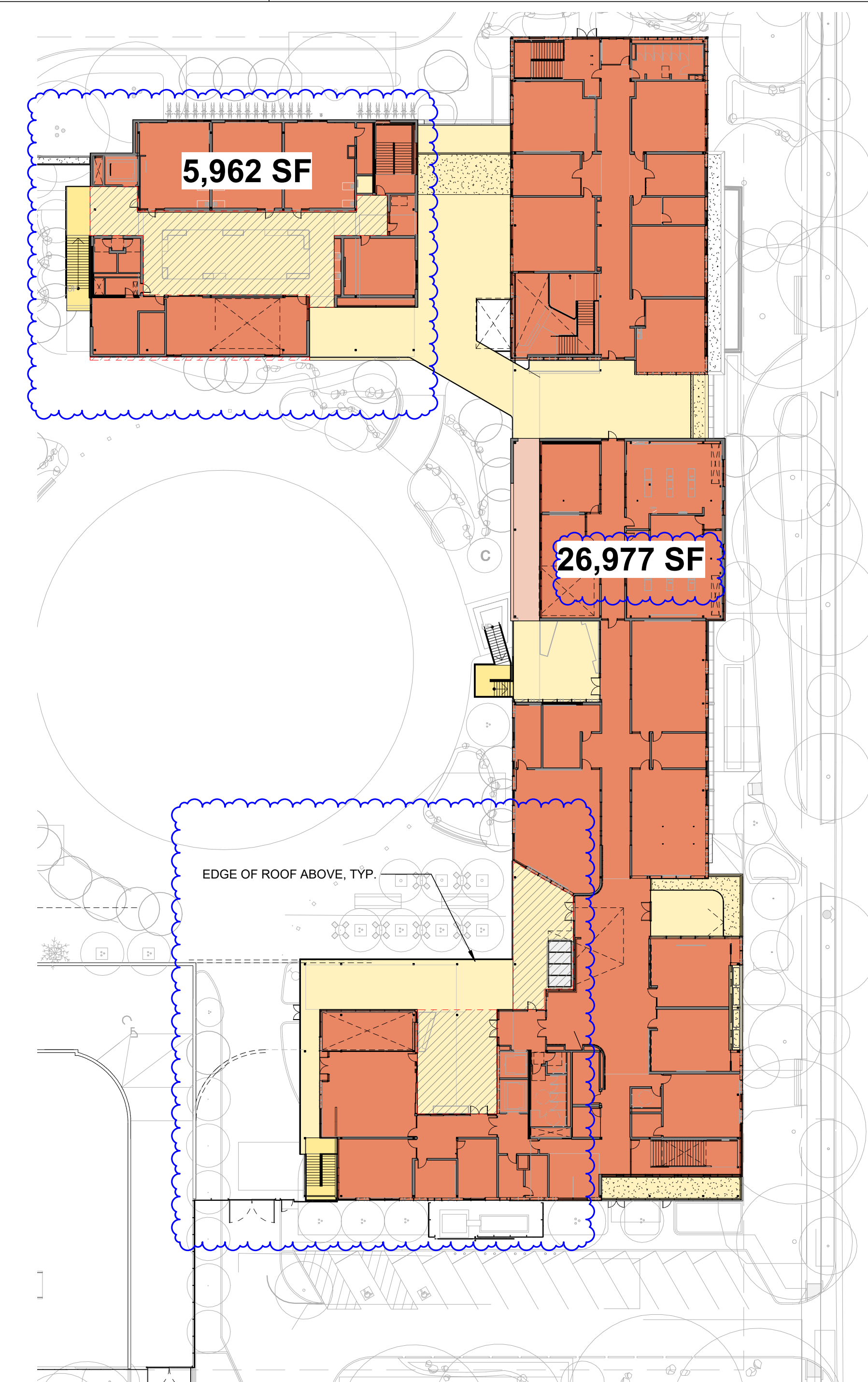
ABOVE GRADE CAMPUS FLOOR AREAS

SHEET NO.:

G.005



2 FLOOR PLAN - L1
1/32" = 1'-0"



1 FLOOR PLAN - LEVEL 2
1/32" = 1'-0"

NEW PROPOSED AREA:

	10.22.20 SUBMISSION	5.17.21 SUBMISSION
LEVEL 1	44,028 SF	43,851 SF
LEVEL 2		
LIBRARY / ARTS BUILDING:	8,437 SF	5,962 SF
MAIN ACADEMIC BUILDING:	29,477 SF	27,607 SF
TOTAL	37,914 SF	33,569 SF
GRAND TOTAL	81,942 SF	77,420 SF

EXISTING AREAS ABOVE GRADE TO REMAIN:

ADMIN/CHAPEL:	17,781 SF
FITNESS:	13,944 SF
TOTAL	31,725 SF

LEGEND - GFA

- ENCLOSED FLOOR AREA INCLUDED IN GFA
- EXTERIOR DECK & PORCHE AREA INCLUDED IN GFA (L1, L2)
- EXTERIOR STAIRS, NOT INCLUDED IN GFA
- EXTERIOR DECKS/PORCHES, NOT INCLUDED IN GFA
- LOWER LEVEL AREA, NOT INCLUDED IN GFA
- LIGHTWELLS & SUNKEN GARDEN NOT INCLUDED IN GFA

REDUCED FOOTPRINT, NOT INCLUDED IN GFA
SEE G.006 FOR ROOF TRELIS DIAGRAM

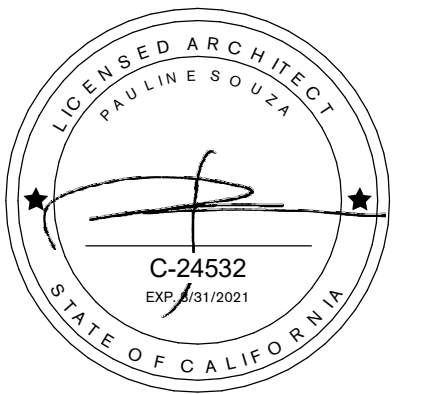
TOTAL AREAS:

	10.22.20 SUBMISSION	5.17.21 SUBMISSION	TOTAL GFA DELTA
NEW PROPOSED ABOVE GRADE:	81,942 SF	77,420 SF	
EXISTING TO REMAIN ABOVE GRADE:	31,725 SF	31,725 SF	
TOTAL ABOVE GRADE:	113,667 SF	109,145 SF	4,522 SF

- NOTES:**
- PER 2/27/2018 CUP SUBMITTAL, 84,572 SF ALLOWABLE AS REPLACEMENT AREA FOR BUILDINGS TO BE DEMOLISHED
 - LOWER LEVEL AREA HAS BEEN EXCLUDED FROM AREA CALCULATION, PER PAMC 18.12.090 (b)
 - PORCHES ON GROUND FLOOR THAT ARE LESS THAN 10'-0" IN DEPTH EXCLUDED FROM AREA CALCULATION, PER PAMC 18.04.030-65 (D)(v)
 - DECKS ON SECOND FLOOR THAT ARE LESS THAN 50% COVERED ARE EXCLUDED FROM AREA CALCULATION, PER PAMC 18.04.030-65 (C)(vi)
 - LIGHTWELLS THAT ARE LESS THAN 3'-0" DEPTH EXCLUDED FROM AREA CALCULATION PER PAMC 18.12.090 (c)
 - SUNKEN GARDEN THAT ARE LESS THAN 200 SF EXCLUDED FROM AREA CALCULATION PER PAMC 18.12.090 (c)
 - UPPER DECKS THAT ARE MORE THAN 50% OPEN EXCLUDED FROM AREA CALC PER PAMC 18.04.030.65.C.vi

5/19/2021 11:27:49 AM

ISSUES	DATE
PLANNING SUBMISSION	04/04/2019
PLANNING RESUBMISSION #1	07/01/2019
PLANNING RESUBMISSION #2	08/22/2019
PLANNING RESUBMISSION #3	02/10/2020
PLANNING RESUBMISSION #4	10/22/2020
SUPPLEMENTAL INFO #2 TO PLANNING SUBMISSION #4	05/17/2021
REVISION LIST	DATE
1 REVISION 1	MM/DD/YYYY



CASTILLEJA SCHOOL
1310 Bryant St, Palo Alto, CA 94301

KEYPLAN

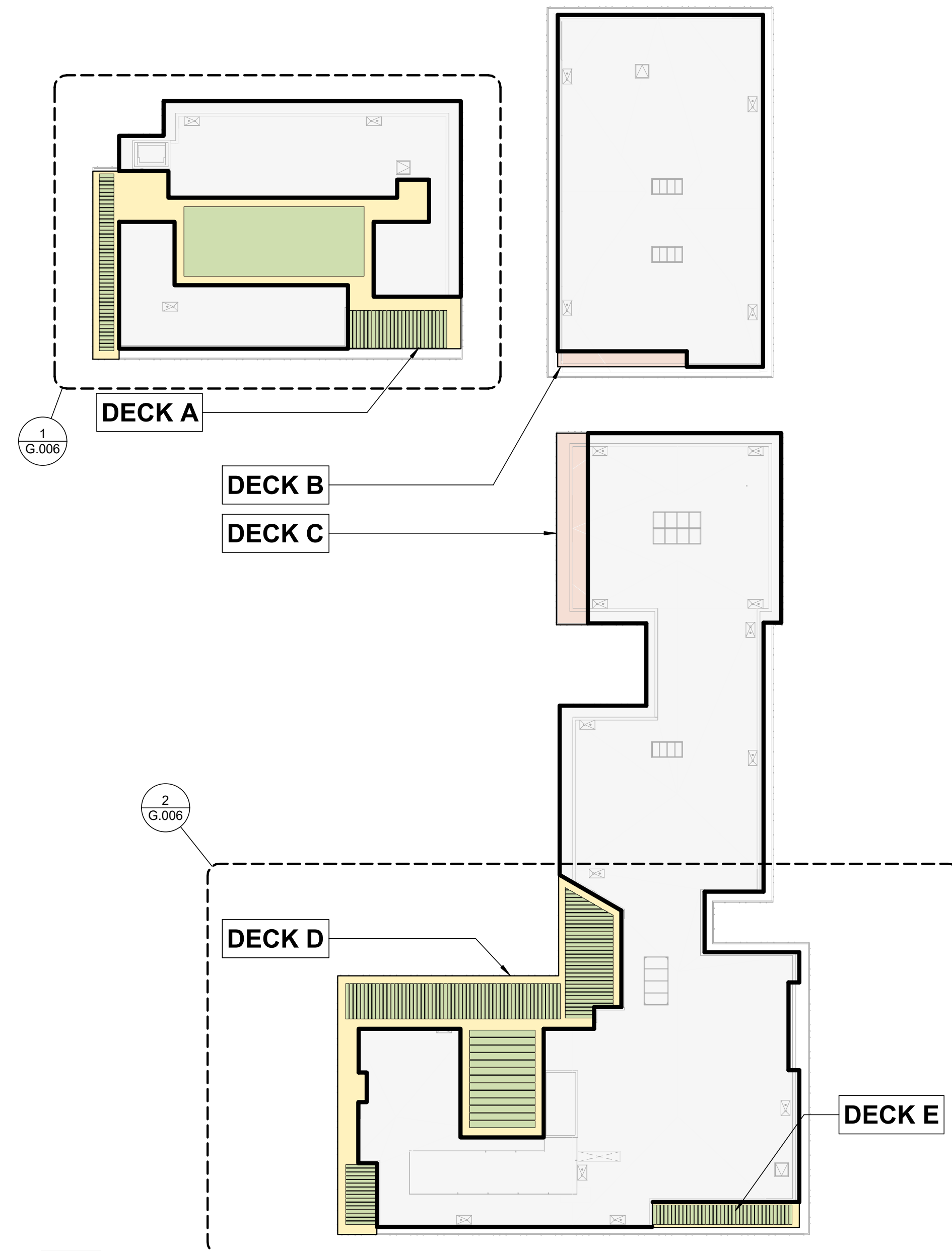
PROJECT NO.: 18043.00
DATE: 10/22/2020
SCALE: As indicated

SHEET TITLE:

ROOF OPEN AREA
DIAGRAM

SHEET NO:

G.006



- EXTERIOR DECKS LESS THAN 50% COVERED NOT INCLUDED IN GFA
- EXTERIOR DECKS GREATER THAN 50% COVERED INCLUDED IN GFA
- OPEN AREA ABOVE (CONTRIBUTES TO % OPEN, SEE BELOW)
- TRELLISED AREA ABOVE (CONTRIBUTES TO % OPEN, SEE BELOW)

NOTE: PER PAMC R-1 TECHNICAL REPORT, EAVES AND OVERHANGS THAT ARE A CONSISTENT DEPTH AROUND THE PERIMETER OF THE BUILDING DO NOT COUNT TOWARDS THE GFA. UPPER DECKS THAT ARE MORE THAN 50% OPEN EXCLUDED FROM AREA CALC PER PAMC 18.04.030.65.C.vi.

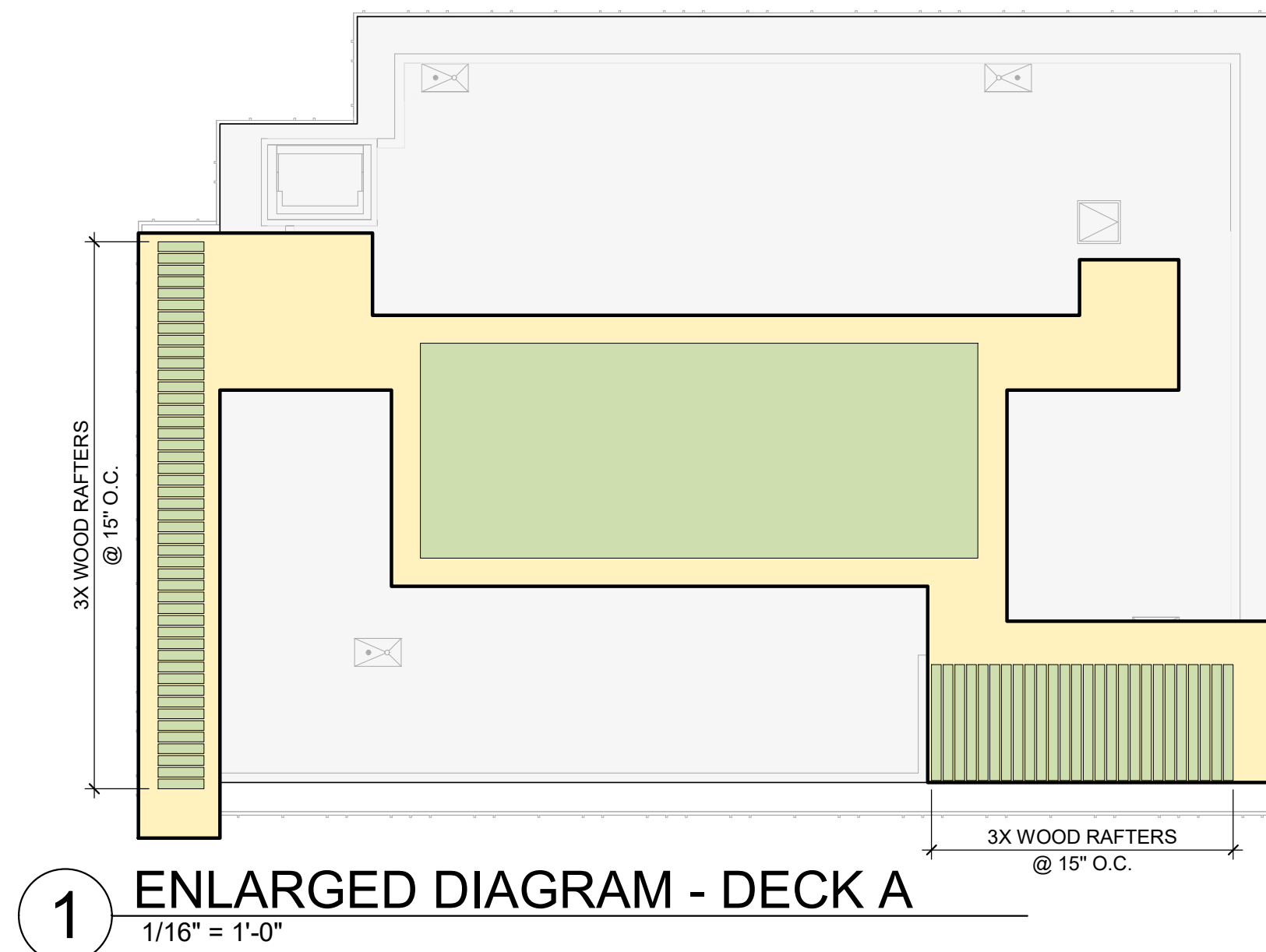
DECK A: NOT INCLUDED IN GFA
 TOTAL TRELLISED AREA: 3,654 SF
 OPEN AREA: 1,948 SF
 PERCENTAGE OPEN: 53%

DECK B:
 TOTAL COVERED AREA: 219 SF

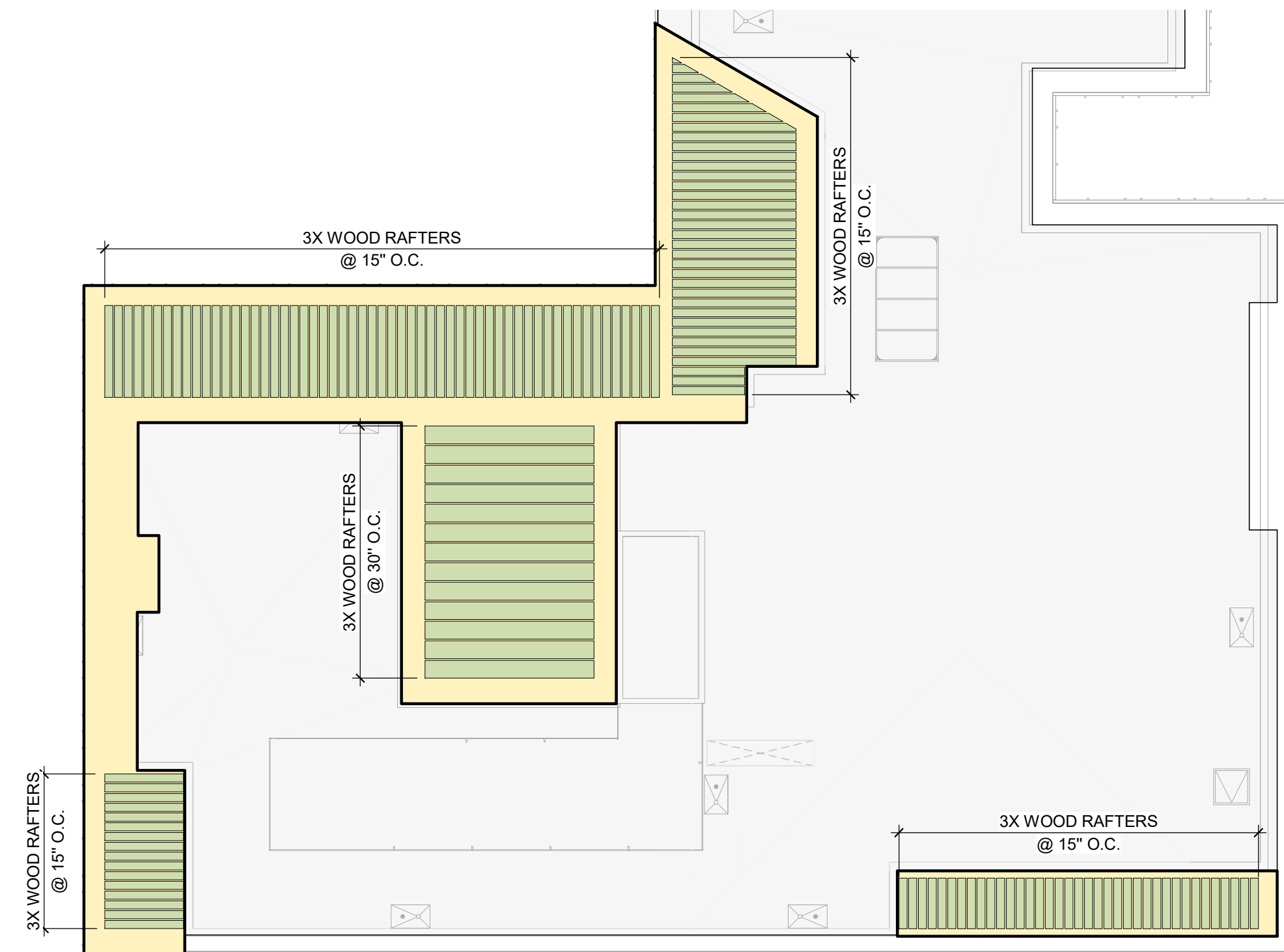
DECK C:
 TOTAL COVERED AREA: 661 SF

DECK D: NOT INCLUDED IN GFA
 TOTAL TRELLISED AREA: 3,812 SF
 OPEN AREA: 2,004 SF
 PERCENTAGE OPEN: 53%

DECK E: UNOCC. AREA, NOT INCLUDED IN GFA
 TOTAL TRELLISED AREA: 407 SF
 OPEN AREA: 250 SF
 PERCENTAGE OPEN: 61%



1 ENLARGED DIAGRAM - DECK A
1/16" = 1'-0"



2 ENLARGED DIAGRAM - DECK D
1/16" = 1'-0"



DECK D