

From: [Aram James](#)
To: [ParkRec Commission](#); [Planning Commission](#); citycouncil@mountainview.gov; [Greer Stone](#)
Subject: Re: Dates for DA debate 5-4 at 7pm-8:30 pm & and the sheriff's race 5-
Date: Sunday, April 17, 2022 8:01:16 PM

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DISTRICT ATTORNEY SHERIFF'S RACES

**JOIN US FOR
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DISTRICT ATTORNEY
AND SHERIFF.**

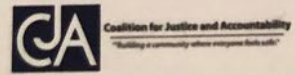
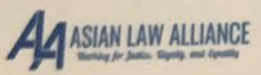
Santa Clara County District Attorney Forum:
Wednesday, May 4, 2022 - 7:00pm-8:30pm
registration link tinyurl.com/28ambh69

Santa Clara County Sheriff Forum:
Wednesday, May 11, 2022 - 7:00pm-8:30pm
registration link tinyurl.com/3vjn376s

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*If you have questions for any of the candidates, please
submit them through the registration links.*

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> Sent from my iPhone

From: [Aram James](#)
To: [Sajid Khan](#); [Jeff Rosen](#); citycouncil@mountainview.gov; [Council, City](#); [Joe Simitian](#); [Jay Boyarsky](#); [chuck jagoda](#); [Winter Dellenbach](#); [Planning Commission](#); [ParkRec Commission](#); [Shikada, Ed](#); [Human Relations Commission](#)
Subject: When General Grant Banned the Jews
Date: Sunday, April 17, 2022 11:34:43 PM

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From: Chuck Jagoda to others::
Very interesting history.

Shalom, Yall!

My Passover present to you on Easter is this true story that is largely unknown.

<https://www.youtube.com/watch?v=6mkuqLxSgiM>

After you read it, it will be less unknown!

Happy Passover!

Rabbi Chaim

From: slevy@ccsce.com
To: [Steve Levy](#)
Subject: Fwd: Bay Area Economic Update
Date: Monday, April 18, 2022 10:41:14 AM
Attachments: [April 18, 2022 Economic Update.docx](#)

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Bay Area Economic Update and Outlook—April 15, 2022—Slower Job Growth in March and Some Good News in the Report

The Bay Area added 13,100 payroll jobs in March down from 22,100 in February but is still outpacing the nation in job growth over the past 12 months after the sharp job losses in 2020.

The highlights:

- Bay Area jobs increased by 6.2% between March 2021 and 2022 compared to a 4.5% increase in the nation and 6.4% gain in California.
- The Bay Area unemployment rate in March 2022 was 2.9% compared to 2.7% in the pre-pandemic low.
- More workers returned to the workforce in March and non-traditional job growth continues to outpace payroll job growth drawing workers back to the labor force and pushing unemployment levels down.
- April 2022 brings major crosscurrents to the global, national and regional economy with the Russian invasion of Ukraine, rising interest rates amidst continuing high inflation and the ongoing Bay Area challenges of housing, transportation and competitiveness.
- Bay Area jurisdictions have been given large increases in their housing goals for the next eight years as a result of state legislation and policy to reduce overcrowding and increase affordability. Each jurisdiction is in the process of updating their Housing Elements in 2022 to meet state and regional policy goals and requirements.

Steve

650-814-8553

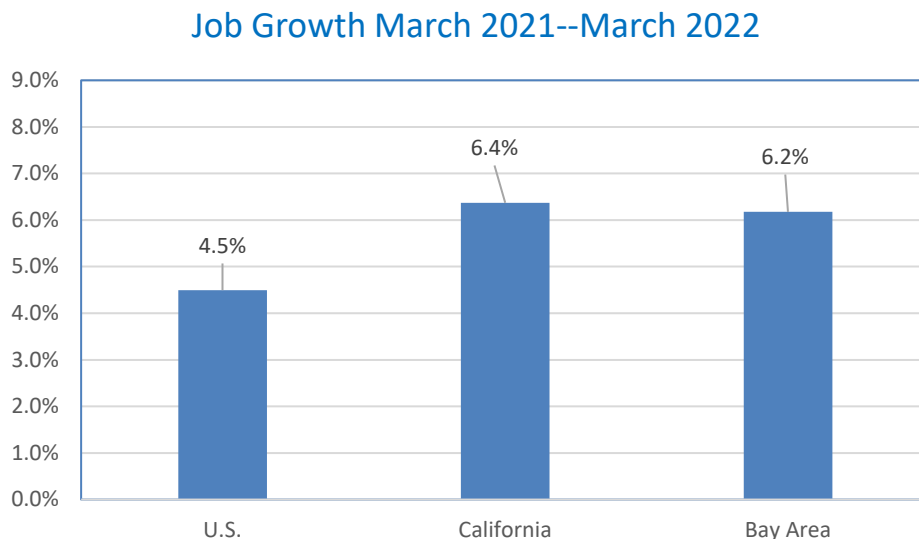
Bay Area Economic Update and Outlook—April 15, 2022—Slower Job Growth in March and Some Good News in the Report

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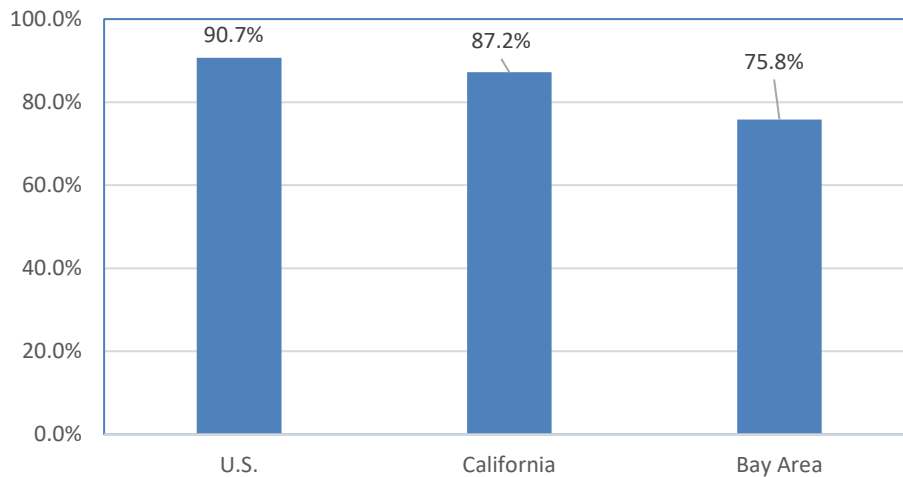
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The Bay Area Outpaced the Nation in Recent Job Growth



Bay Area payroll jobs increased by 6.2% between March 2021 and March 2022 outpacing the U.S. 4.5% growth rate. The region still lags the nation and state in the % of jobs recovered since April 2020 as a result of the large job losses in 2020.

Jobs Recoverd by February 2022 as % of Losses



By March 2022 the region had recovered 77.8% of the jobs lost between February and April 2020. This is a lower recovery rate than the state and nation, though the region has closed the gap in recent months.

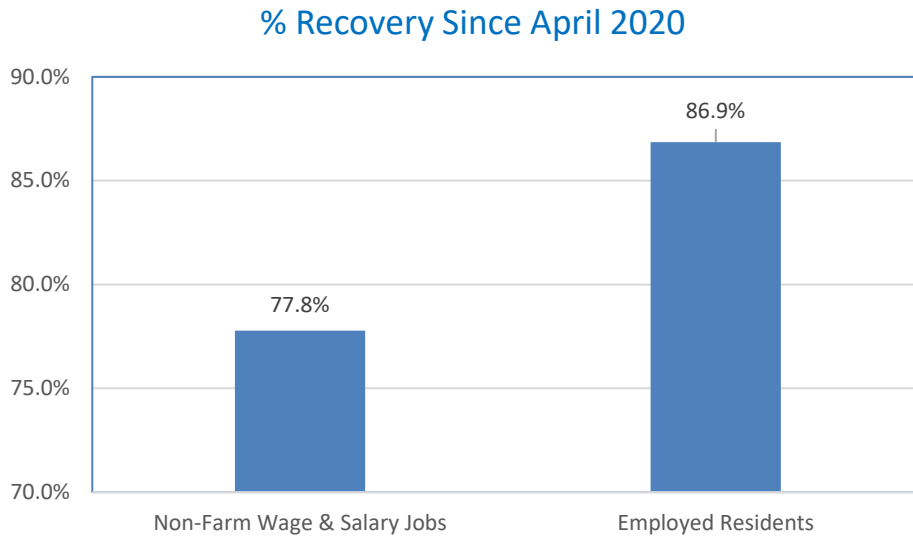
The Bay Area added 231,600 jobs in the past year led by a gain of 93,000 in the San Francisco metro area though SF has recovered just 73.8% of the jobs lost between February and April 2020. The San Jose metro area added 59,200 jobs and by March 2022 had recovered 82.4% of the jobs lost between February and April 2020. The Oakland metro area added 55,300 jobs.

Metro Area Job Trends (Thousands)

Metro Area	Feb 20	Apr 20	Mar 21	Mar 22	% Recovered
Oakland	1,201.9	1,003.6	1,109.1	1,164.4	81.1%
San Francisco	1,204.7	1,017.9	1,062.8	1,155.8	73.8%
San Jose	1,172.5	1,011.4	1,084.9	1,144.1	82.4%
Santa Rosa	211.1	171.9	191.2	201.9	76.5%
Napa	75.3	57.3	66.3	71.2	77.2%
Vallejo	143.3	121.5	130.8	136.3	67.9%
San Rafael	117.2	91.8	104.7	107.7	62.6%
Bay Area	4,126.0	3,475.4	3,749.8	3,981.4	77.8%

Source: EDD, non-farm wage & salary jobs seasonally adjusted

While the region has recovered just 77.8% of the non-farm wage & salary jobs lost between February and April 2020, it has recovered 86.9% of the decline in the number of residents with jobs. The explanation for the gap between the two measures is an increase in self-employment jobs, most likely gig work jobs.



Unemployment Rates Fell to 2.9% in the Region in March 2022 from 6.5% in March 2021.

The lowest rates were in the San Rafael and San Francisco metro areas (2.4%) followed by the San Jose metro areas (2.5%) in March 2022.

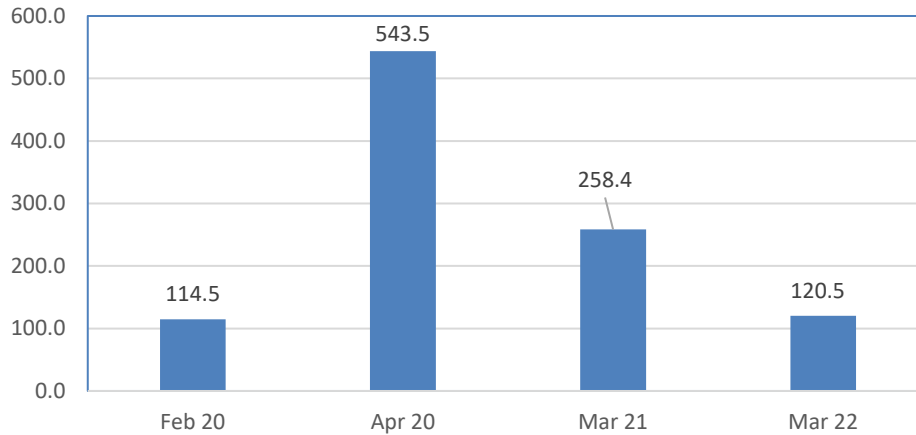
Unemployment Rates

Metro Area	Feb 20	Apr 20	Mar 21	Mar 22
Oakland	3.0%	14.6%	7.3%	3.3%
San Francisco	2.2%	12.5%	5.8%	2.4%
San Jose	2.6%	12.4%	5.8%	2.5%
Santa Rosa	2.8%	15.4%	6.7%	3.0%
Napa	3.2%	17.8%	7.3%	3.2%
Vallejo	3.9%	15.7%	8.7%	4.6%
San Rafael	2.4%	12.1%	5.4%	2.4%
Bay Area	2.7%	13.7%	6.5%	2.9%

Source: EDD

The number of unemployed residents has fallen sharply from the April 2020 high and from March 2021 to 120,500 in February 2022 close to the pre-pandemic low in February.

**Bay Area Unemployment
(Thousands)**



But 58,700 Workers Have Not Rejoined the Workforce Since February 2020

Residents who are not in the labor force are not counted as unemployed. As a result, the number of unemployed residents can decline while some are still prevented by choice or lack of child care or work in industries that have not fully recovered. However, more workers are now returning to the workforce with an addition of 24,800 in March and 170,800 over the past 12 months.

Metro Area Labor Force (Thousands)

Metro Area	Feb 20	Apr 20	Mar 21	Mar 22
Oakland	1,402.2	1,332.2	1,344.8	1,389.5
San Francisco	1,043.3	978.0	961.8	1,024.6
San Jose	1,087.7	1,039.8	1,036.3	1,080.5
Santa Rosa	256.0	241.0	240.7	249.1
Napa	72.5	66.3	67.6	70.1
Vallejo	207.5	200.4	198.3	202.6
San Rafael	137.9	123.5	128.1	132.0
Bay Area	4,207.1	3,981.2	3,977.6	4,148.4

Source: EDD

Industries Were Affected Differently

Four sectors—Manufacturing, Transportation and Warehousing, Information and Professional and Business Services—exceeded pre-pandemic job levels in March 2022 and Construction and Education and Health Care Services were close to full recovery. On the other hand, the Leisure and Hospitality sector recovered only 66.8% of lost jobs by March 2022 though travel and tourism are now picking up again. The Government sector still has fewer jobs now than in April 2020.

San Francisco Bay Area Non-Farm Wage & Salary Jobs

	Feb 20	April 20	Mar 21	Mar 22	Apr20-Mar 22	
					Job Change	% Of Feb-Apr Loss
Construction	215,600	152,300	203,100	210,200	57,900	91.5%
Manufacturing	364,500	339,600	358,300	371,500	31,900	128.1%
Wholesale Trade	115,500	103,800	105,300	106,900	3,100	26.5%
Retail Trade	330,800	258,800	303,900	313,900	55,100	76.5%
Transp. & Wareh.	112,100	99,500	109,400	115,600	16,100	127.8%
Information	242,400	238,800	245,600	255,600	16,800	466.7%
Financial						
Activities	201,900	190,800	190,400	193,100	2,300	20.7%
Prof& Bus Serv.	798,300	740,600	759,300	803,500	62,900	109.0%
Educ & Health						
Serv.	636,400	563,600	606,700	628,700	65,100	89.4%
Leisure & Hosp.	441,200	208,500	272,800	363,900	155,400	66.8%
Government	488,500	471,800	454,700	468,400	-3,400	-20.4%
Total Non-Farm	4,093,000	3,468,700	3,725,800	3,964,300	495,600	79.4%

Source: EDD not seasonally adjusted

Housing Permits Rebound to 2019 Levels in 2021

Housing permit levels were up 35.5% in 2021 over 2020 levels and equaled permit levels in 2019. In the first two months of 2022, permit levels were slightly above comparable 2021 months. There are positive and negative trends going forward. On the one hand, each week brings new large housing proposals and approvals. At the same time mortgage rates and prices and rents are surging.

This year all Bay Area cities are required to update their Housing Elements to meet greatly increased regional and local jurisdiction housing goals. Below is a link to a report released on March 18th that I prepared at the request of the Silicon Valley Community Foundation to help residents understand and engage in their city's Housing Element update process. Although the report focuses on

five Midpeninsula cities—Cupertino, Menlo Park, Mountain View, Palo Alto and Sunnyvale—it has broad applicability for other communities. The report is part of an engagement effort led by SV@Home with local partners.

https://www.siliconvalleycf.org/sites/default/files/publications/Housing_Report_2022.pdf

Residential Building Permits

Thru February

			Contra		
Alameda	2019	730	Costa	2019	662
	2021	472		2021	810
	2022	833		2022	468
Marin	2019	89	Napa	2019	34
	2021	34		2021	37
	2022	60		2022	54
San Francisco	2019	831	San Mateo	2019	290
	2021	541		2021	138
	2022	378		2022	326
Santa Clara	2019	1095	Solano	2019	89
	2021	382		2021	258
	2022	490		2022	527
Sonoma	2019	415	Bay Area	2019	5839
	2021	282		2021	4693
	2022	445		2022	5158
			% Change	22 vs 21	9.9%
				22 vs 19	-11.7%

Source: CHF and CIRB

From: joshorenberg@gmail.com
To: [Council, City](#); [Transportation](#); [Planning Commission](#)
Subject: Presentation to be Made for Written Record
Date: Tuesday, April 19, 2022 5:14:35 PM

Some people who received this message don't often get email from joshorenberg@gmail.com.
[Learn why this is important](#)

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Hi city council members. I and several others will approach the Rail Committee tomorrow afternoon with various angles on the issue of enforcing a quiet zone at the Alma St Palo Alto Ave intersection. A template presentation for written record is below. Thanks for your time.

Josh

Unnecessary Noise and Neighborhood Quality of Life

Thank you for your time this afternoon. I am here to present a community request to create a quiet zone at the Alma/El Camino train crossing.

The train horn negatively impacts the quality of life of many residents throughout the Downtown North and Linfield Oaks communities in both Palo Alto and Menlo Park.

For some citizens train horn noise interrupts their sleep and for others it interferes with activities requiring focus or quiet. This impact may be felt by people of all ages: babies, young children, adolescents and adults. Research has linked poor sleep quality to poor health outcomes including obesity, hypertension, coronary artery disease, diabetes, inflammation, decreased concentration, poor control of emotions, depression and suicidality. (1) In addition, young kids and babies waking up during the night crying puts further undue burden on the parents, interfering with their sleep even more.

This disruption occurs countless times a day; every weekday there are a total of 52 trains passing each direction for a total of 104. These passings span the time period from 5:01 AM to 1:06 AM, every 10-15 minutes during rush hour. The official decibel level of

the train horn ranges from 96-110 dB. For a comparison that is almost as loud as a jet aircraft at 500 ft and several decibels louder than sirens at 50 ft. (2)

However, the train horn is unnecessary. The intersection already qualifies to be a quiet zone because of the gate with a median at the Alma/El Camino intersection. When a train approaches, the gates go down and the lights turn on. And, while safety is our main concern, it is also helpful to note that according to the FRA's train horn rules the city is not liable for any accidents occurring due to the enforcement of a quiet zone.

Our team at 101 Alma created a petition for this proposal and received 219 signatures so far and could get significantly more if we put fliers at people's houses who are not yet aware of the petition. Because of the significant detriment to quality of life and the ability to meet safety standards, we propose creating a quiet zone at the intersection. This has been done in countless other communities throughout the US as well.

We seek council support by June 1st for the 2023 fiscal year. This process will be greatly simplified due to the possibility of piggybacking on Menlo Park's quiet zone project; Menlo Park is currently hiring a consultant to analyze the eligibility of three of their train intersections for quiet zones. Also, there was a study done by Palo Alto in 2017 about the eligibility of the Alma St intersection for a quiet zone which could expedite the quiet zone application process by providing a significant amount of required information.

Thank you for your time.

Brooke Partridge and Nancy Larson, Spokeswomen
Josh Orenberg, Coordinator

(1)

- A study published in the Journal of the American Medical Association (JAMA/Internal Medicine, 2020),

researchers found that poor sleep quality is associated with weight gain and higher body mass index, which can lead to health issues such as high blood pressure, type 2 diabetes, and coronary artery disease. https://www.healthline.com/health/healthy-sleep#TOC_TITLE_HDR_1

- In studies at Stanford Medicine, older adult participants who reported poor sleep had a 1.4 times greater chance of death by suicide within a 10-year period than those who reported sleeping well. <https://med.stanford.edu/news/all-news/2017/06/sleep-disturbances-predict-increased-risk-for-suicidal-symptoms.html>
- Sleep deprivation increases the likelihood teens will suffer myriad negative consequences, including an inability to concentrate, poor grades, drowsy-driving incidents, anxiety, depression, thoughts of suicide and even suicide attempts. Among young adults at risk for suicide, highly variable sleep patterns may augur an increase in suicidal symptoms, independent of depression, a study from Stanford has found. <https://med.stanford.edu/news/all-news/2017/06/sleep-disturbances-predict-increased-risk-for-suicidal-symptoms.html>

(2) <https://railroads.dot.gov/environment/noise-vibration/horn-noise-faq> #2

From: [Wong, Tim](#)
To: [Rob Nielsen](#); [Council, City](#); [Planning Commission](#); [HeUpdate](#); [Lait, Jonathan](#)
Subject: RE: Housing element groundtruthing - South Palo Alto along El Camino Real
Date: Wednesday, April 20, 2022 11:51:32 AM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Dear Mr. Nielsen,

Thank you for your continued interest in the Housing Element update. City staff will review your comments in the letters.

Any other questions, please let me know.

Thanks.

Tim



Tim Wong

Senior Planner

Planning and Development Services

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

www.cityofpaloalto.org



Service Feedback

From: Rob Nielsen <crobertn@yahoo.com>
Sent: Wednesday, April 20, 2022 11:23 AM
To: Council, City <city.council@cityofpaloalto.org>; Planning Commission <Planning.Commission@cityofpaloalto.org>; HeUpdate <HeUpdate@CityofPaloAlto.org>; Wong, Tim <Tim.Wong@CityofPaloAlto.org>; Lait, Jonathan <Jonathan.Lait@CityofPaloAlto.org>
Subject: Housing element groundtruthing - South Palo Alto along El Camino Real

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Here are two housing element groundtruthing reports: one on some extra sites in south Palo Alto and one on Middlefield Road south of Oregon

Thank you for your time and attention.

Best regards,
Rob Nielsen

April 20, 2022

Dear Palo Alto City Council, Palo Alto Planning and Transportation Committee, Palo Alto Housing Element Working Group, and City Staff:

As an addendum to my report of March 20, 2022, "Housing element groundtruthing - South Palo Alto along El Camino Real," I am including four other south Palo Alto locations, covering six parcels in the inventory, including some on San Antonio Road

Nita Ave., APN 147-09-056, 50 lower-income units

320 San Antonio Road, APN 147-09-069, 24 lower-income units

These adjacent sites are two of the three parcels on the Palo Alto side of the former Mayfield Mall and HP offices, near Alma and San Antonio. The full complex is split roughly 80:20 between Mountain View and Palo Alto. From 2006 to 2012, the entire complex was under consideration for a housing proposal of 450 units, with 45 on the Palo Alto side. [Although the Palo Alto part of the project received ARB and PTC approval](#), the proposal was downsized then later abandoned after change in ownership. [The property was eventually purchased by Google, who continues to use it as an office park.](#)

As the nearest Palo Alto locations by foot or bike to the San Antonio Caltrain Station and close to San Antonio Center shopping, these two parcels would be superb choices for housing.

Here is the Nita Ave. location. Slightly over half the parcel is used for parking and a driveway, with the remaining portion left undeveloped.



The 320 San Antonio location is a vacant site.



Both parcels have been identified for lower-income housing with a combined total of 74 units. One parcel (Nita) would represent a discontinuance of existing use for a nonvacant site. For the developed portion, we do not expect an owner that put the money and effort into its current use to discontinue that use. This leaves around one and a quarter acres of vacant land at the two sites, [whereas the original HP project envisioned development on over four acres on the Palo Alto side](#). We hope that something can be worked out for the vacant land but suggest that estimates be lowered accordingly.

Leghorn St, APN 147-05-012, 27 lower-income units



This parcel is the back lot of Hengehold Truck Sales + Rentals. The main parcel, APN 147-05-102 at 762 San Antonio Road, is not in the inventory. The two lots are inseparable for Hengehold to do its business—a similar problem to the ones noted for the McLaren and Volvo dealerships in my March 20 report, "Housing element groundtruthing - South Palo Alto along El Camino Real." It should be removed from the site inventory.

916 San Antonio Road, APN 147-01-008, 10 moderate-income units
San Antonio Road, APN 147-01-105, 3 market-rate units



APNs 147-01-105 and 147-01-108



910 San Antonio Rd (APN 147-01-107)

Parcel 147-01-105 consists of the 25 feet to the right of the gray building that is shown on the left side of the top photo. It is 170 feet deep. Parcel 147-01-108 at 916 San Antonio Road also starts at the street and contains the "Vive Hangar" structure in the rear on the right side of the same photo. The occupant of 910 San Antonio Road (APN 147-01-007) appears to control the use of these two parcels. Since that parcel has not qualified for the inventory, we suggest that these two parcels be removed.

APN 137-24-019, Arastradero, 7 moderate-income units

This is the back lot of the McLaren dealership discussed in the Housing element groundtruthing - South Palo Alto along El Camino Real" report of March 20. It has now been removed from the inventory through its inclusion in a supplement titled "Administratively Removed Sites."

561 Vista Ave, APN 137-37-004, 20 lower-income units



This 0.65-acre parcel, which also uses the 4102 El Camino Real address, is the site of a faith-based institution, but it is not included in the inventory's list of such institutions. The congregation has been active since 1976 and considers the current location its home. As such, we expect it to continue using the building, leaving only the parking lot for housing—which would almost surely fall short of the 0.5-acre minimum for lower-income units.

We suggest the working group look at other locations for additional lower-income units and housing at faith-based institutions.

Rob Nielsen

Housing element groundtruthing: Middlefield Road south of Oregon

April 20, 2022

Dear Palo Alto City Council, Palo Alto Planning and Transportation Committee, Palo Alto Housing Element Working Group, Jonathan Lait, Tim Wong

I recently toured proposed sites on Middlefield Road listed in the draft Housing Element site inventory. I covered all non-pipeline sites on a two-mile stretch from Oregon Expressway to San Antonio Road plus several sites within two blocks of Middlefield. I also added one nearby faith-based institution. I am heartened to find that the working group has identified 16 sites including eight sites to support 274 units of much-needed lower-income housing.

However, to ensure that the identified housing has a realistic chance of being developed, based on an accurate accounting, I point out several sites with errors or constraints to consider. Baseline data itself is better than in our other reports: I found only one site and also note one faith-based institution that differs from the presumed profile.

3902 Middlefield Road, APN 147-08-048, 102 low-income units

3900 Middlefield Road, APN 147-08-049, 6 moderate-income units



These two parcels make up the Charleston Shopping Center, a 14-store shopping center anchored by the Piazza's Fine Foods grocery store. Other establishments include several restaurants, an ice cream parlor, a coffee shop, and a pet food store. The number of new housing units shown in the inventory equate to the assumed density over the entire lot acreage. As 3902 Middlefield (13 of the 14 stores) is a proposed site for lower-income housing, it is subject to the showing of substantial evidence of discontinued use for nonvacant sites as explained in the letter from Robert Chun on February 22, 2022.

The tenants here have stable businesses—most have survived the pandemic—and we thus do not expect to see the current use as a shopping center discontinue. If anything, business could grow as there is currently a pipeline project across the street on 525 E. Charleston as well as two new neighborhoods

nearby envisioned in the GM and ROLM strategies (the shopping center is 1.0 miles from the intersection of East Meadow Circle and East Meadow Drive and 0.8 miles from midblock Commercial St). Another indication of the owner's intent to continue current use is its active search for a new tenant following the recent departure of a restaurant.



Like several other sites in this report, we think the likelihood of a change in current use is low and suggest the working group prepare for this possibility by using a larger buffer in its inventory.

2811 Middlefield Road, APN 127-34-098, 41 low-income units

The Midtown Safeway is the first of six sites at the intersection of Middlefield and Colorado. Its inclusion in the inventory makes four grocery stores in total (Molly Stone's and Country Sun are also included). It is a stable business that has operated at this location for several decades and proved to be invaluable during the pandemic. The closest other grocery stores are Piazza's at 1.5 mi., the Market at Edgewood at 1.7 mi., and Molly Stone's at 1.7 mi. (1.4 mi. by foot or bike).

Many multi-family units have developed in the nearby areas and stretching along Middlefield to a small, but popular shopping center at Loma Verde, thereby making this part of town more walkable than first appears. Should Safeway leave, this situation could reverse.



We believe that grocery stores perform an essential community service and should therefore be encouraged to maintain their current use if their business is stable, as is the case here. The necessity of doing so becomes even stronger once the growth inherent in the housing element is considered. We also think the likelihood of a change in current use is low and suggest the working group prepare for this possibility by using a larger buffer in its inventory.

2754 Middlefield Road, APN 132-55-029, 13 lower-income units



This five-store shopping center is across the street from Safeway. Siting residences here would make a lot of sense given the nearby shopping district. On the downside, several stores leasing space here have stable, long-term businesses, including the Wells Fargo anchor, and the site owner may not wish to discontinue their current use.

2801 Middlefield Road, APN 127-34-052, 4 moderate-rate units

706 Colorado Ave, APN 127-34-092, 4 market-rate units

708 Colorado Ave, APN 127-34-054, 3 market-rate units



These three inventory sites adjoin the Safeway site, as well as each other, with total projected yield of 11 units. They fit the profile of sites with low business that could be converted to housing, especially the middle site.

2741 Middlefield Road, APN 127-34-095, 5 moderate-income units

This is a secondary parcel that supports a main parcel, but only this parcel is included in the site inventory. Specifically, the main entity (APN 127-34-032) consists of three businesses (two currently active) leasing space accessible from Middlefield Road. The parcel in question (127-34-095) has access on Colorado Ave and contains office space for those three businesses and some related parking. It cannot be treated separately from the main parcel.



View from Middlefield



Parcel is a separate but connected building facing Colorado Ave



Mailboxes are for business on the other (Middlefield) parcel

A further complication is that this parcel serves as a driveway to the realtor next door, which implies a possible lease involving a third APN (127-34-102) is involved in this entity.



We suggest that this site be removed from the site inventory.

Faith-Based Institutions

There are many faith-based institutions in this section of Palo Alto, and the following subset of five have been selected for the site inventory:

- 1985 Louis Rd, 003-50-022, 26 lower-income units
- 2490 Middlefield Rd, 132-01-083, 11 moderate-income units
- 2890 Middlefield Rd, 132-03-193, 18 lower-income units
- 3149 Waverley St, 132-20-161, 16 lower-income units
- 3505 Middlefield Rd, 127-47-042, 36 lower-income units

Sites like these are good ways to add needed housing with the aid of valued community institutions. However, as stated in the letter of March 30, 2022, from Scott O'Neil, we believe the approach used to obtain unit counts systematically overplans for housing such as in the amount of parking replaced and site-specific situations.

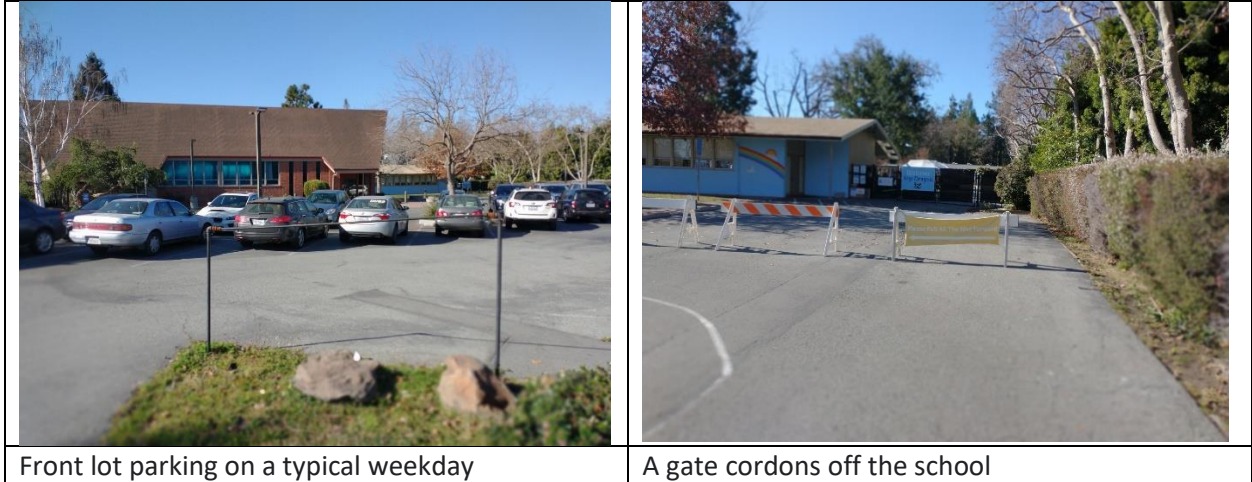
The following photos show the parking situation during service on days of worship for the five institutions (Sundays in March in all cases). Each institution has its own needs to retain a certain amount of parking, some more than others. We suggest that staff and the HEWG work with these institutions to get more realistic estimates.



2890 Middlefield Rd (First Christian Church), APN 132-03-193, 18 lower-income units

This is the best location of the five in several respects: it is the closest to a commercial district (Midtown) and has no directly neighboring single-family housing (bordered by a creek, public park, apartment complex, and Middlefield Rd.) However, the land available for housing is reduced by the presence of the Keys School’s lower campus, located in the rear two-thirds of the site behind a gate.

The inventory accounts for this by using a lot size of 0.76 acres on a lot assessed at 2.9 acres by the county. This too may be optimistic given the points on entanglements and constraints in Mr. O’Neil’s letter described above and the weekday parking situation.



3505 Middlefield Road, APN 127-47-042, 36 lower-income units

The faith-based institutions are often represented as ones with declining congregations which now have spare land available as a result. This church does not fit that profile. It does have a large parking lot, but when I attended one Sunday in March, it was mostly full. There is also an office building in the middle of the parking lot and a nearly finished project that is encroaching into part of the parking lot.

The best source of information is not my groundtruthing, but the institution itself. I would recommend that staff solicit their views and maybe those of some others not on this list.

Discontinuance of current use of nonvacant sites

As explained in the letter from Robert Chun on February 22, 2022, when identifying nonvacant sites for lower-income housing, the city is required to demonstrate that it has made its findings “based on substantial evidence that the use will likely be discontinued during the planning process.” This needs to be done for the following eight sites in the area.

- 4151 Middlefield Rd
- 3902 Middlefield Rd
- 3505 Middlefield Rd
- 2890 Middlefield Rd
- 2811 Middlefield Rd
- 2801 Middlefield Rd
- 2754 Middlefield Rd
- 1985 Louis Rd

Other sites surveyed

I also surveyed these three sites and found no particular problems:

- 4201 Middlefield Rd, 10 moderate-income units
- 4151 Middlefield Rd, 22 lower-income units
- 3200 Middlefield Rd, 8 moderate-income units

Rob Nielsen

From: [Robert Chun](#)
To: [HeUpdate](#); [Council, City](#); [Planning Commission](#)
Cc: [Lait, Jonathan](#); [Wong, Tim](#); [Campbell, Clare](#); [Yang, Albert](#); HousingElements@hcd.ca.gov
Subject: Letter from Palo Alto Forward on Housing Element
Date: Thursday, April 21, 2022 11:30:49 AM
Attachments: [April 21 Palo Alto Forward Letter.pdf](#)

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

Hope you are doing well! On behalf of Palo Alto Forward, I've attached a letter that addresses the realistic development capacity of the City's site inventory in light of existing governmental constraints on housing, past development trends, and existing market conditions.

Please share this letter with the members of the Housing Element Working Group, as well as the City Council and the PTC. As always, thank you all for your work on the Housing Element.

Warm regards,

Robert Chun
Board Member, Palo Alto Forward



April 21st, 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:

CC: California Department of Housing and Community Development (HCD)

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.

This letter is focused on the realistic development capacity of the sites in the City's draft Housing Element, especially in light of existing governmental constraints on the development of housing. As you know, the City is required to assess the "realistic development capacity" of each of the sites in the Housing Element site inventory.¹ The City must also analyze "potential and actual governmental constraints" upon the development of housing, including: "land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, local processing and permit procedures, and any locally adopted ordinances that directly impact the cost and supply of residential development."² As part of this analysis, HCD requires cities to consider past "development and/or redevelopment trends" and "housing market conditions."³ After watching the last year of Housing Element Working Group meetings, we are concerned that these requirements have not been met in Palo Alto.

To assist the City with this important effort, we have prepared an analysis of "development and/or redevelopment trends" and "housing market conditions" to better understand what type of housing is financially feasible in Palo Alto. We reviewed recent 100% affordable housing developments that were proposed or approved, as well as mixed-income developments that were proposed through the Planned Home Zone (PHZ) process. For each project, we reviewed the development's floor-area-ratio (FAR), height, density, and parking.

We found that none of these 100% affordable or mixed-income developments are likely feasible under the development standards proposed by the City's 6th cycle Housing Element. For that reason, we are concerned that the City's 6th cycle Housing Element has not sufficiently addressed serious governmental constraints on the development of 100% affordable and mixed-income housing.

¹ See Government Code section 65583.2(c)(2).

² See Government Code section 65583(a)(5).

³ See [HCD Guidebook](#) pg. 25.

I. 100% Affordable Housing Is Not Feasible Under Proposed Development Standards

To evaluate what development standards are required to make 100% affordable housing feasible in Palo Alto, we studied existing and proposed 100% affordable developments. As the Palo Alto Weekly recently noted, the City’s “only major 100% affordable-housing development in recent years has been Wilton Court, a 59-apartment complex at 3705 El Camino Real.”⁴ But there are other data points available for review. For example, Charity Housing recently filed an application for a 129-unit affordable housing project at 3001-3017 El Camino Real. And Santa Clara County has been developing two below-market-rate projects in Palo Alto at 231 Grant Ave. (teacher housing) and 525 E. Charleston Road (Mitchell Park).⁵ Together, these four developments help us understand the extent to which the City’s proposed development standards are feasible for 100% affordable housing. The data are reported in Table 1 below.

Table 1: Feasible Standards for 100% Affordable Housing

Name	Charities Housing (3001-3017 El Camino Real)	SCC Teacher Housing (231 Grant Ave.)	Mitchell Park (525 E. Charleston Rd.)	Wilton Court (3705 El Camino Real)	Average
FAR	2.7	1.9	1.3	1.8	1.9
Height	59'	55'	49'	50'	53'
Density	113 units per acre	80 units per acre	64 units per acre	127 units per acre	96 units per acre
Parking	0.82 spaces per unit	1.02 spaces per unit	No parking required ⁶	1.08 spaces per unit ⁷	0.97 spaces per unit

The above data show that a 100% affordable housing development in Palo Alto is likely only feasible with a floor-area-ratio (FAR) of 1.9 or greater, a height of 53' or greater, a maximum density of 96 units per acre or greater, and a minimum parking ratio of 0.97 spaces per unit or fewer. And even these development standards may be too restrictive. To ensure that Wilton Court was financially feasible within the City’s development constraints, Palo Alto had to contribute more than \$20 million.⁸ Also, both County projects benefited from free land, since the developments were located on land already owned by Santa Clara County. This suggests that the calculated figures (e.g., FAR of 1.9, height of 53') are highly conservative, and it will take more flexibility to ensure that 100% affordable housing independently pencils out in Palo Alto.

⁴ Gennady Sheyner, [Affordable housing project pitched for former Mike's Bikes site](#) (March 1 2022)

⁵ As County projects with sovereign immunity, neither are subject to Palo Alto’s land use authority.

⁶ Mitchell Park qualified under AB 1763 as a Special Needs Housing Project and was less than ½ mile away from a major transit stop. For that reason, no parking was required for residential units.

⁷ Wilton Court analysis excludes the 21 units (25% of total) that are reserved for residents with intellectual or developmental disabilities. If we include those residents, the ratio is 0.69 spaces per unit.

⁸ Gennady Sheyner, [Palo Alto boosts affordable-housing project with \\$10.5 million loan](#) (Jan 19 2020), Palo Alto Weekly

Unfortunately, the City imposes development standards that make 100% affordable housing impossible in many, or perhaps all, areas of Palo Alto. Table 2 compares the averages described above with the City’s current development standards, including modifications proposed by City’s 6th cycle Housing Element. One important piece of context is that the City has created an “Affordable Housing Overlay” which relaxes some development standards for 100% affordable housing, but only within certain commercial zones.⁹

Table 2: Feasible vs. Proposed Development Standards for 100% Affordable Housing

Standard permits feasible development

Standard inhibits feasible development

AH stands for 100% affordable housing

Development Standard	Avg. for 100% Affordable Projects (see Table 1)	Commercial Zones: ¹⁰ CD, CS, CN, CC (AH Overlay applies)	Residential Zones: ¹¹ RM-20, RM-30, RM-40 (AH Overlay does not apply)	Conclusion
Maximum Residential FAR	1.9	Normally 0.5 to 0.6. But the AH Overlay increases to 2.0.	0.5 to 1.0	Highly likely that existing FAR is a governmental constraint to AH, <i>except</i> where the AH Overlay applies
Maximum Height	53'	Normally 35' to 50'. But the AH Overlay increases to 50' except within 150' of a residential district.	30' to 40'	Highly likely that the existing height maximum is a governmental constraint to AH across the City
Maximum Density	96 units per acre	Normally 20 to 30 units per acre, except in CC(2). But the AH Overlay removes the maximum entirely.	Normally 20 to 40 units per acre. The 6th cycle Housing Element may increase some sites to 50 units per acre.	Highly likely that existing max. density is a governmental constraint to AH, <i>except</i> where the AH Overlay applies
Maximum Parking	0.97 spaces per unit	Normally 1 space per 1 bedroom unit and 2 spaces per 2 bedroom unit. But the AH Overlay reduces to 0.75 spaces per unit.	1 space per 1 bedroom unit and 2 spaces per 2 bedroom unit	Highly likely that existing parking mins. are a governmental constraint to AH, <i>except</i> where the AH Overlay applies

⁹ For Affordable Housing Overlay, see [Municipal Code Chapter 18.30\(J\)](#)

¹⁰ For commercial development standards, see [Municipal Code Chapter 18.16.060](#)

¹¹ For multi-family residential development standards, see [Municipal Code 18.13.040](#)

The City’s development standards (even with the proposed modifications of the 6th cycle Housing Element) broadly make 100% affordable housing infeasible.¹² As a preliminary matter, the existing Affordable Housing Overlay is likely insufficient to make affordable housing feasible, because it imposes a restrictive height limit on 100% affordable housing developments. To ensure feasibility, most 100% affordable developments must have a height of at least 55’, which ensures that the development can maximize residential space while providing parking or other amenities. For example, both the developments at 231 Grant and 525 E. Charleston, as well as the proposed development by Charities Housing, have a height of 55’. And even then, the County developments needed significant subsidies in the form of free public land. Given these empirical “development trends” and “market conditions,” the City should increase the maximum height for buildings with 100% affordable housing as part of its 6th cycle Housing Element.

But the larger problem is that 100% affordable housing is not feasible outside of commercial zones, where the Affordable Housing Overlay does not even apply. This is particularly problematic because the City’s 6th cycle Housing Element locates most of its lower and moderate-income units in areas where the Affordable Housing Overlay does not apply. For example, the City’s “Multi-Family Allowed Sites” strategy proposes to accommodate 307 lower and moderate income units, but 173 (or 56%) of these units are located in zoning areas (e.g., RT-35, RT-50) where the Affordable Housing Overlay does not apply.¹³ As shown below, this problem is present across nearly all of the City’s key Housing Element strategies.

Table 3: Housing Element Strategies Locate Most Lower and Moderate Income Units Outside Affordable Housing Overlay

Strategy	Total lower and moderate income units	Total lower and moderate income units located outside Affordable Housing Overlay
“Multi-Family Allowed”	307	173 (56%)
“Upzoning”	1,018	351 (34%)
“CalTrain Station”	485	180 (37%)
“Transit Corridor”	148	49 (33%)
“Faith-based Institutions”	148	148 (100%)
“GM”	427	427 (100%)
“ROLM”	902	902 (100%)
Total	3,435	2,230 (64%)

¹² For certain projects on certain sites, the state density bonus may create additional flexibility. But in most cases, the bonus will not be enough to ensure feasibility. And because the application of the law is highly project-specific (e.g., based on affordability and proximity to transit), and because it is a state policy, we exclude it from this analysis. See [Municipal Code Chapter 18.15.030](#); [Government Code Section 65915](#).

¹³ Based on “Attachment-A_Full-Sites-Inventory-3.15.22” available at paloaltohousingelement.com

If the City desires to designate these and other sites as appropriate for lower / moderate-income housing, it needs to extend the Affordable Housing Overlay (with an increased maximum height limit) to these sites. Otherwise, the realistic probability of development of affordable housing on these sites is effectively zero, and these sites are ineligible for inclusion in the Housing Element.

II. Mixed-Income Housing Is Not Feasible Under Current Development Standards

To evaluate what development standards are required to make mixed-income housing feasible in Palo Alto, we studied developments that were proposed through the City's "planned home zone" (PHZ) process. In early 2020, the City Council "expressed interest in learning from home builders what it takes to create more housing opportunities in Palo Alto."¹⁴ Accordingly, it unanimously established the PHZ process, through which the City invited developers to propose mixed-income developments in exchange for flexibility on certain zoning standards, including height, density, and parking.¹⁵ Critically, the City required that developers "include 20% below market rate (BMR) units across a range of area median income (AMI) levels and ensure more housing units are produced than net new commercial jobs created."¹⁶

The strict requirements of the PHZ reflected the City's desire to only approve projects that create housing "net of demand" -- where the additional housing units exceed the additional number of jobs served by commercial space. But despite significant interest from developers, none of the PHZ developments were ever approved by the Council, and developers largely withdrew from the process "based on negative feedback" from the Council.¹⁷ The Council later ended the PHZ's applicability to lower-density residential zones.¹⁸ Strangely, the City's current view is that "in the mid-Peninsula, the economics of private developer investment now make for-profit mixed-use projects with positive 'net-of-demand' affordable housing nearly impossible without subsidies."¹⁹ This view is, of course, belied by the numerous, subsidy-free PHZ proposals that sought to create precisely that type of mixed-income housing in Palo Alto.

While none of the PHZ proposals have been approved, they are key to understanding what it would take to catalyze mixed-income development in Palo Alto, as the City has sought to do in its 6th cycle Housing Element. The Palo Alto Weekly cites five different projects that were proposed through the PHZ process.²⁰ As before, we reviewed each of these five proposals to determine their FAR, height, density, and parking. The data is collected in Table 4.

¹⁴ See e.g., [City Council Staff Report](#) (March 18 2021)

¹⁵ Gennady Sheyner, [Hungry for housing. Palo Alto brings back divisive zoning method](#) (February 3 2020), Palo Alto Weekly

¹⁶ [City Council Staff Report](#), 6/23/2020

¹⁷ Gennady Sheyner, [Despite signs of promise. Palo Alto's newest housing tool fails to deliver](#) (February 17 2022), Palo Alto Weekly

¹⁸ Gennady Sheyner, [By curbing 'planned home' zone, Palo Alto steers housing plans away from single-family neighborhoods](#) (April 13 2021), Palo Alto Weekly

¹⁹ [City Council Special Meeting](#) (Feb 28 2022), pg. 241

²⁰ We excluded a sixth project (2239 Wellesley) because of its unusual base zoning. Unlike other PHZ projects, 2239 Wellesley was located in a single-family R-1 zone. As a result, it is not comparable to the other PHZ projects, which were proposed in higher-density areas of the City.

Table 4: Feasible Standards for Mixed-Income Housing

Address	660 University Ave	955 Alma St.	2951 El Camino Real	3997 Fabian Way	3150 El Camino Real	Average
FAR	2.3	2.7	2.5	2.8	3.0	2.6
Res. FAR	1.9	2.1	2.4	2.8	2.9	2.4
Com. FAR	0.4	0.6	0.1	0.0	0.1	0.2
Height	45'	50'	54'	67'	55'	54'
Density	142 units per acre	150 units per acre	103 units per acre	135 units per acre	123 units per acre	131 units per acre
Parking	0.9 spaces per unit ²¹	0.7 spaces per unit ²²	1.2 space per unit ²³	1.3 spaces per unit	1.3 spaces per unit ²⁴	1.1 spaces per unit
% of Affordable Units	20% of units serving very-low, low, and moderate incomes	20% of units serving very-low income, moderate-income, and workforce	20% of units, though income distribution unspecified	Effectively 25% (10% of units for very-low income + full in-lieu housing fees)	20% of units, though income distribution unspecified	20-25% of units

The above data shows that in Palo Alto, a developer will likely seek to build a particular mixed-income project if permitted to build with a residential floor-area-ratio (FAR) of 2.4 or more, a height of 54' or more, a maximum density of 131 units per acre or more, and a minimum residential parking of 1.1 spaces per unit or fewer. Critically, such a development would likely be able to designate 20% of its units for very-low, low-, and moderate-income households. However, the City's 6th cycle Housing Element proposes development standards that make such mixed-income housing impossible in many, or perhaps all, areas of Palo Alto. Table 5 compares the averages described above with the City's current development standards, including modifications proposed by City's draft 6th cycle Housing Element.

²¹ Excludes commercial parking. The project did not detail exactly how many spaces would be allocated between the residential and office use. To isolate residential parking, we have assumed that the project provides 1 commercial parking space per 250 square feet, or 37 commercial spaces. The total parking is 103 spaces, so this leaves 66 spaces for residents, or 0.94 spaces per residential unit.

²² Excludes commercial parking

²³ Excludes commercial parking

²⁴ Excludes commercial parking

Table 5: Feasible vs. Proposed Development Standards for Mixed-Income Housing

Standard permits feasible development

Standard inhibits feasible development

Development Standard	Avg. for Mixed-Income Projects (see Table 1)	Commercial Zones: ²⁵ CD, CS, CN, CC	Residential Zones: ²⁶ RM-20, RM-30, RM-40	Conclusion
Residential FAR	2.4	0.5 to 0.6	0.5 to 1.0	Highly likely that existing FAR is a governmental constraint to mixed-income housing.
Height	54'	35' to 50'	30' to 40'	Highly likely that existing height maximum is a governmental constraint to mixed-income housing.
Density	131 units per acre	Normally 20-30 units per acre except in CC(2). The 6th cycle Housing Element may increase some sites to 40 units per acre.	Normally 20 to 40 units per acre. The 6th cycle Housing Element may increase some sites to 50 units per acre.	Highly likely that existing density maximum is a governmental constraint to mixed-income housing.
Parking	1.1 spaces per unit	1 space per 1 bedroom unit and 2 spaces per 2 bedroom unit	1 space per 1 bedroom unit and 2 spaces per 2 bedroom unit	Highly likely that existing parking minimums are a governmental constraint to mixed-income housing.

As demonstrated above, the City’s development standards (even with the proposed modifications of the 6th cycle Housing Element) likely make mixed-income housing infeasible across the entire City.²⁷ Not one of the studied mixed-income proposals would come close to meeting the City’s proposed development standards. For that reason, it is clear that the City’s present development standards (even after the proposed modifications of the 6th cycle Housing Element) represent serious governmental obstacles on the development of such housing.

²⁵ For commercial development standards, see [Municipal Code Chapter 18.16.060](#).

²⁶ For multi-family residential development standards, see [Municipal Code 18.13.040](#)

²⁷ For certain projects on certain sites, the state density bonus may create additional flexibility. But in most cases, the bonus will not be enough to ensure feasibility. And because the application of the law is highly project-specific (e.g., based on affordability and proximity to transit), and because it is a state policy, we exclude it from this analysis. See [Municipal Code Chapter 18.15.030](#); [Government Code Section 65915](#).

III. Conclusion

This analysis demonstrates that Palo Alto’s proposed development standards will block precisely the form of affordable and mixed-income housing that the City has sought to encourage. Indeed, none of the 100% affordable or mixed-income developments that we studied would likely be feasible under the development standards proposed by the City’s 6th cycle Housing Element. If Palo Alto proceeds with its current plan, it is guaranteed to miss its 6th cycle RHNA goals -- especially for lower and moderate income households -- just as the City is on track to miss its 5th cycle RHNA goals for those same households.²⁸

This finding has significant legal consequences. As we have emphasized, Palo Alto has statutory obligations to assess the “realistic development capacity” of each of the sites in its inventory, based on “potential and actual governmental constraints” on the development of housing, “market conditions,” and “development and/or redevelopment trends.” Unless the City engages with this data, the City will not have an adequate evidentiary basis to justify its assumed 80% realistic development capacity under Government Code section 65583.2(c)(2). Nor will the City be able to claim that it has identified and removed “potential and actual governmental constraints” on the development of housing under Government Code section 65583(a)(5). Unless the City changes course, we are concerned that HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585(i).

To avoid the serious consequences of such a finding by HCD, we urge the City to include the following common-sense, data-driven changes in its 6th cycle Housing Element:

1. Increase maximum height for residential development from 50’ to 60’. This change would align the City’s zoning code with the building code for Type V (wood-framed) construction, which is one of the most popular and affordable forms of residential construction.²⁹ This change would also improve affordability by spreading expensive land costs across a greater number of units.
2. Increase maximum FAR for residential development to at least 2.5. This would incentivize the development of new housing rather than lucrative office space, which can often earn 50-100% more revenue per square foot than housing.³⁰ This is a key step to restoring balance to the City’s jobs-to-housing ratio, which in

²⁸ In the 5th cycle planning period, Palo Alto’s Housing Element was required to plan for 1,401 units of lower and moderate income housing. We are now nearly two-thirds of the way through the 5th cycle, and the City has approved only 203 such units, or less than 15% of its RHNA target. See [HCD APR](#).

²⁹ [The Hard Costs of Construction: Recent Trends in Labor and Materials Costs for Apartment Buildings in California](#) (March 2020), Turner Center for Housing Innovation (“Type I projects, which are typically over 5-7 stories and constructed with steel and concrete, cost an average of \$65 more per square foot than other types of construction, like Type V over I (i.e., wood frame floors over a concrete platform”).

³⁰ In Palo Alto, the available data suggests that commercial development can earn 80% more than residential development. For example, Class A/B office space in Palo Alto earns an average of \$86 per square foot each year ([link](#)). But the average residential rent in Palo Alto is only \$47 per square foot each year ([link](#)). To incentivize the development of housing, planning standards must ensure that new housing is advantaged with more flexible planning standards, including higher maximum floor-area-ratios.

recent years has exceeded 3.5 jobs for every 1 unit of housing.³¹

3. Right-size parking minimums to 0.75 spaces per 1-bedroom unit and 1.5 spaces per 2-bedroom unit, with additional flexibility for housing located near transit or where residents can use shared parking in nearby garages and other facilities. The City's own survey of existing parking usage indicates that these ratios are sufficient to meet demand, and developers are free to build more.³² This would improve the affordability of new housing, since each parking spot can cost more than \$80K to construct, which is then charged to residents via increased rent.³³
4. Eliminate residential density limits. Other planning tools, such as maximum FAR and height, are sufficient to limit the physical dimensions of a building. This change would enable a greater diversity of homes and households without significantly changing the physical character of a neighborhood.³⁴ At a minimum, however, the City should bring any density limits in line with observed data on feasible residential development in Palo Alto (e.g., raising to 140+ units per acre).

We also ask that the City consult with HCD and key local stakeholders who have not yet had an opportunity to meaningfully participate in the Housing Element process:

1. Invite HCD staff to present to the Housing Element Working Group, Planning & Transportation Committee, and City Council. In particular, HCD staff members David Zisser and Melinda Coy have issued a standing offer to present on Housing Element requirements. [See link](#). We believe that City officials and staff would benefit from the opportunity to hear from HCD staff members and ask questions about the statutory requirements of the 6th cycle Housing Element.
2. Survey local affordable and market-rate developers about the financial feasibility of development in Palo Alto. In particular, the City should ask developers to assess the extent to which the City's existing regulations of height, FAR, density, and parking are "governmental constraints" to the development of housing.

³¹ [Jobs and Housing](#) (March 2017), SV@Home

³² See [Multifamily Residential Parking Requirements](#), City of Palo Alto, 5/30/2018, pg. 10 (noting that "for market rate units...the surveyed parking demand rate suggests that 0.75 spaces per studio and 1.5 spaces per 2-bedroom unit would be appropriate to meet demand.")

³³ For example, the 100% affordable development at 801 Alma Street in Palo Alto was required to construct 60 parking spots at a cost of \$80,000 each. But the development only has 50 units, and only ~51 spaces are regularly used. The unused nine parking spaces cost Eden Housing and its residents more than \$700K in unnecessary expenses. See [GreenTRIP Parking Database](#).

³⁴ Eliminating density limits would also minimize waste. Despite the state's worsening housing crisis, many Californians live in housing that is simply too large for their needs. There are nearly 2.7 million spare bedrooms in the state, or 20 uninhabited bedrooms for every homeless individual. See [link](#).

We would welcome the opportunity to discuss this analysis with City staff and officials. As indicated in our previous letters, 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

From: [Aram James](#)
To: [Shikada, Ed](#); [Council, City](#); [Dave Price](#); [Braden Cartwright](#); [Emily Mibach](#); [Bill Johnson](#); [Gennady Sheyner](#); [Jonsen, Robert](#); [Binder, Andrew](#); [Sean Allen](#); [Joe Simitian](#); [Greer Stone](#); [Portillo, Rumi](#); [Rebecca Eisenberg](#); [EPA Today](#); [Planning Commission](#); [Sajid Khan](#); [Jeff Moore](#); [Jeff Rosen](#); [chuck jagoda](#); [Jay Boyarsky](#); [Iadoris cordell](#); [Vara Ramakrishnan](#); [EPA Today](#)
Subject: Time to insist on a transparent hiring process for our next police chief - city manager Ed Shikada must stop hiding the ball re the hiring process he intends to use in the hiring of our next police chief
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Sent from my iPhone

From: slevy@ccsce.com
To: [Lait, Jonathan](#); [Wong, Tim](#)
Cc: [Sheryl Klein](#); [Planning Commission](#)
Subject: Memo on HE update program review and strengthening
Date: Thursday, April 21, 2022 6:50:21 PM
Attachments: [Strengthening the Programs and Policies for HE Update.pdf](#)

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some thoughts and concerns

CENTER FOR CONTINUING STUDY OF THE CALIFORNIA ECONOMY

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www.ccsce.com

DATE: April 21, 2022

TO: **Jonathan Lait, Tim Wong, Sheryl Klein and Ed Lauing**

FROM: Stephen Levy

SUBJECT: Strengthening the Programs and Policies in the HE Update

Here is what I know as I think about this challenge.

--PA like most cities failed to meet its 5th cycle RHNA goals for most income groups.

--Now the goals are three times higher

--PA adopted several incentive programs including new zones for AH, for moderate income housing, for portions of San Antonio, a PHZ and other measures.

--Yet very few if any new proposals of any size besides the ones by the county, the SB35 AH proposal and one on Middlefield and University have come forth.

--I believe all or nearly all recent proposals and approvals for large numbers of new units have been at densities in the 80 to 100+ range

--Staff understands that new housing faces substantial challenges and that feasibility and fiscal analyses are important as shown by language in the staff memo for the DTN housing grant on pages 5 and 6.

<https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/city-council-agendas-minutes/2022/20220418/20220418pccsmamended-linked.pdf>

--Yet, I do not see an analysis of constraints or feasibility analysis in any of the Housing Element updates that provide a foundation for developing programs and policies that will bring forth proposals on most, if not all, of the identified sites in the HE update site inventory.

Conclusion

Major, specific and credible new and additional programs are needed now to both achieve our RHNA goals and submit a well thought out and credible draft HE update.

Concerns and Possible Responses

- 1) Staff's reliance on the "useful economic life formula" to designate non-vacant sites as viable will not be adequate for HCD. I find this unconvincing and did not hear this mentioned in the HCD discussion of non-vacant sites. I do not know of any outreach to owners to verify any interest in converting. The local papers are full of stories about the high hurdles to create incentives for conversion. And in one case on Fabian Way when an owner wanted to convert a job site to housing, the council did not give a strong go-ahead. And there may be environmental constraints as well on at least some of these sites.

I would a) ask HCD about what they need to see that these sites are viable, b) invite owners to discuss needed incentives and c) develop strong program incentives for these sites.

- 2) I understand that most, if not all, large housing projects that have been approved recently have large increases in density compared to what is in the site inventory as well as other variances including parking and retail requirements.

Programs should be developed for these sites that have minimum densities of 75 units/acre, with some kind of expedited or by-right approval and other incentives on top of what the city has done that has so far failed to bring forth substantial new proposals besides county and SB 35 proposals.

- 3) I expected to see an analysis of constraints and project feasibility but have not seen them to date. This is a HE update requirement.

I would conduct 2 or more independent feasibility analyses (I thought Stanford has agreed to fund ULI for one). I would invite more developers to come to public working group and PTC meetings and inform both bodies about the findings from outreach to developers conducted in the last RHNA cycle.

My perspective is that this is the only way to develop credible programs and policies that respond to actual constraints and what is needed to make projects feasible.

- 4) The height limit is a constraint that can be carefully addressed. Raising the height limit in specific locations and for specific purposes (e/g, extra BMR units) had support at the Comp Plan committee and with some in the HE update working group.

I would develop a targeted and limited program to raise height limits per the above criteria.

Ending Comments

- 1) Palo Alto is not alone in facing these challenges. There is no need to make the city a villain but there is a clear need to greatly improve the existing incentives. The city has made some good attempts but the evidence is clear that more is needed now.
- 2) I would not use the schedule as a reason to submit what is now a woefully inadequate response to the law and the real need in our community. You have already found that extra time was needed to develop and review another round of programs. Another month or two still gets the draft to HCD well before the end of the year and probably avoids a needlessly negative, but likely today in its current form, response from HCD.

From: [Lait, Jonathan](#)
To: slevy@ccsce.com; [Klicheva, Madina](#)
Cc: [Sheryl Klein](#); [Planning Commission](#); [Wong, Tim](#)
Subject: RE: Memo on HE update program review and strengthening
Date: Friday, April 22, 2022 7:53:14 AM
Attachments: [image001.png](#)
[image003.png](#)
[image011.png](#)
[image002.png](#)
[image005.png](#)
[image010.png](#)

Thanks for your email, Steve. I appreciate your comments and agree more work is needed. We are in fact working on a number of items included in your letter and developing other programs too. We'll share our progress at the next working group meeting and this will continue to evolve as we go through the public process.

By way of this email, I'll ask [@Klicheva, Madina](#) in my office to find some time for us to meet, in person if you'd prefer, to learn more about your concerns and consider options to address them. Please feel free to include others in the meeting too.

Thanks again for reaching out and participating in this process.

Jonathan

JONATHAN LAIT

Director

Planning and Development Services

(650) 329-2679 | jonathan.lait@cityofpaloalto.org

www.cityofpaloalto.org



From: slevy@ccsce.com <slevy@ccsce.com>
Sent: Thursday, April 21, 2022 6:50 PM
To: Lait, Jonathan <Jonathan.Lait@CityofPaloAlto.org>; Wong, Tim <Tim.Wong@CityofPaloAlto.org>
Cc: Sheryl Klein <sklein@altahousing.org>; Planning Commission <Planning.Commission@cityofpaloalto.org>
Subject: Memo on HE update program review and strengthening

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some thoughts and concerns

From: [Aram James](#)
To: [Rebecca Eisenberg](#); [Shikada, Ed](#); [friendsofcubberley94303@gmail.com](#); [Salem Ailuni](#); [Jack Ailuni](#); [Stump, Molly](#); [ParkRec Commission](#); [Planning Commission](#); [bibrauer@aol.com](#); [councilmember.tanaka.office@gregtanaka.org](#); [Josh Becker](#); [citycouncil@mountainview.gov](#); [friendsofgrannies@grannies.com](#); [wilpfpeninsulapaloalto@gmail.com](#); [Angie Evans](#); [Holman, Karen \(external\)](#)
Subject: The use of a police canine unit should be banned in Palo Alto -with the possible exception for search and rescue missions
Date: Saturday, April 23, 2022 3:43:50 PM

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See below edits to my previous email. aram

On Apr 23, 2022, at 12:19 PM, Aram James
<abjpd1@gmail.com> wrote:

April 23, 2022

From: Aram James long time Palo Alto
resident, attorney and community activist

To: City Manager Ed Shikada

Re: Qualities I would like in our next police chief

Dear City Manager Ed Shikada:

As you know I attended all three of your listening sessions regarding qualities Palo Alto community members would like in their next chief. I made detailed comments during the five minutes that you allowed each speaker to have.... to express their view pointsat each of the sessions.

Starting yesterday I began giving you written suggestions re the particular qualities I personally want in our next chief. Yesterday, as you recall, I suggested

our next chief should ban the use of Tasers in Palo Alto and sent along a video for you and other to watch on the subject.

If you ask or request me to do so I can send you and others additional articles highlighting the very real dangers that Tasers pose to public safety both to members of our community and our police officers that actually use a taser on another human being.

Today I am suggesting that our next chief ban the use of any canine unit in Palo Alto with the possible exception of using canines for the very limited use of search and rescue missions.

I am requesting that you and other city officials become fully informed on how very dangerous canine units are both in Palo Alto and across this country.

To assist you in learning more re the very real dangers posed to both community members and members of law enforcement that are attacked by police weaponized canines....I am providing you and other city officials the link. (see below) to the Pulitzer Price winning 13 part series: ***Mauled: when police dogs are weapons.***

Certainly I would hope that any candidate for our next police chief would be asked their views on both banning Tasers in Palo Alto as well as banning canine units with the exception I noted above.

As the individual most responsible for overseeing our police I would hope that you would take the time to read the full series linked to below.

Best regards,

Aram "Ban Canine Units Now" James

<https://www.themarshallproject.org/2020/10/15/mauled-when-police-dogs-are-weapons>

From: [Aram James](#)
To: [Perron, Zachary](#); [Jonsen, Robert](#); [Sean Allen](#); [Greer Stone](#); wilpf.peninsula.paloalto@gmail.com; peninsula_raging_grannies@yahoo.com; [Roberta Ahlquist](#); [Vara Ramakrishnan](#); [Portillo, Rumi](#); [Council, City](#); [ladoris cordell](#); [Jay Boyarsky](#); [Jeff Moore](#); mike.wasserman@bos.sccgov.org; [Joe Simitian](#); [Sandy Perry-HCA](#); melissa.caswell; gmah@sccoe.org; [chuck jagoda](#); [Planning Commission](#)
Subject: Qualities I want in our next police chief -obligation for officers to intervene -and severe discipline for those who fail to do so
Date: Sunday, April 24, 2022 12:13:42 AM

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>
> April 24, 2022
>
> From: Aram James long time attorney (statebar # 80215), long time Palo
> Alto residentand long time community activist
>
> To: City Manager Ed Shikada
>
> Re: Obligation for officers to intervene and severe discipline, firing or prosecution for officers who fail to
intervene when supervisors or fellow officers engage in acts of racially discriminatory policing, acts of police
brutality and other acts of misconduct.
>
> The Palo Alto Police Department is plagued with recent cases where an officer-has brutally attacked an innocent
community member while other officers have stood by and chief Robert Jonsen has failed to discipline the officers
who at the scene failed to take steps to intervene: Robert Jonson has engaged in such a pattern of malfeasance on
the job that city manager Ed Shikada should long ago have fired Robert Jonsen as our chief.
>
> 1. The Wayne "The Fuse" Benitez case is one example. Benitez brutality beat Gustavo Alvarez at the Buena Vista
Mobile Park in Barron Park and then lied by failing to mention the beat down in his police report.
>
> 2. Three or four other members of the PAPD stood by at the scene and never mentioned the vicious beat down in
their police reports or attempted to intervene while Benitez conducted his beat down.
>
> 3. Of course our heroic police chief Robert Johnson never took any disciplinary action against the stand by and do
nothing officers.
>
> 4. In addition our city manager did nothing to disciple chief Robert Jonsen despite the fact that city manager Ed
Shikada is his boss.
>
> 4. Both Shikada and Jonsen are arguably complicit in failing to punish the officers who failed to intervene.
>
> 5. Agent Nicholas Enberg released a vicious weaponized canine on an innocent sleeping man, Joel Alejo, ordering
the dog to bite Mr. Joel Alejo multiple times without basis to do so.
>
> 6. Other officers were present while this torture by weaponized canine was allowed to occur and the other officers
failed to take action to pull both the canine and Enberg off Mr. Joel Alejo.
>
> 7. Both Enberg and the other officer or officers at the scene were never disciplined by chief Robert Jonsen. And
again city manager Ed Shikada took no action to discipline or fire the chief for his dereliction of duty.
>
> 8. All candidates for the next chief position must be asked if they are will to implement an absolutely duty to
intervene when the officers under the chief's command see supervisor or fellow officers engaged in acts of
misconduct.

>

> 9. In addition each candidate must be asked about there willingness to enforce swift discipline on the offending officers including firing them from their jobs and referring their cases to the district attorney for prosecution.

>

> Sincerely.

>

> Aram” Best Police Practices Advocate “ James

From: [Kerry Yarkin](#)
To: [Planning Commission](#); [Lait, Jonathan](#); [Shikada, Ed](#); [Burt, Patrick](#)
Subject: Analyze the variance
Date: Monday, April 25, 2022 1:16:42 PM

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

Dear Commissioners, City Manager and Mayor:

I request that the Commission review the variance findings that were published Nov. 2021. This week's hearing should have delved into why the CITY staff is supporting a variance and their reasoning for this support. I was not happy that the meeting was cut short Wed., and 1 Commissioner appeared to be stalling the Commission from doing their work. If Castilleja knew about this under counting of square feet, shouldn't they be held accountable for covering this up? It doesn't make sense to me that the actual variance (I think it is 47,000 sq. feet) was never verified by the CITY, nor the PTC when it was voted to deny in 2020. The City prides itself on transparency, accountability, and not encouraging "spot zoning". Please focus on this glaring omission and finish your deliberations on Castilleja.

Thank you for your hard work,
Kerry Yarkin
Leadership Palo Alto 2015