

Dear Mr. Gutierrez:
Cc: ARB, Gennady

We, the chair and members of the PAN (Palo Alto Neighborhoods) Zoning Committee remain concerned about the 620 Emerson project. The October 30, 2017 comments sent to you by Jeff Levinsky about the plans don't seem to be referenced in your staff report #8690 for February 1, 2018. The following two excerpts from those comments remain relevant to the updated plans:

- 1) The second story layout suggests that the stairway is not part of the floor area of the building. There is a thick dashed line around the landing and storage area tied to the label 200 SF MINOR DENSITY BONUS PER PAMC 18.18.070 but the line does not enclose the stairway. Per 18.04.030(a)(65)(A)(ii), stairways measured at each floor are part of gross floor area. So it appears the plans understate the size of the proposed project and that it may be in excess of legal FAR.
- 2) Page 1 of the plans says FLOOR AREA SEE SHEET A1.12 FOR AREA, but that sheet does not appear to contain any area calculations for the entire building. Let us further add that other submitted plans have always shown calculations floor-by-floor, but these plans do not.

Furthermore, as the project is now described as a replacement, there are indeed concerns as to its eligibility to purchase in-lieu spaces. These include:

- A) The in-lieu law at 18.52.070(c) specifies that "Only sites satisfying one or more of the following criteria, as determined by the director, shall be eligible to participate in the in-lieu parking program." Yet we found no indication in the staff report as to which criteria the director determined the site satisfied.
- B) If the director believes the project satisfies criterion 18.52.070(c)(2) that "[t]he site area is less than ten thousand square feet and it would not be physically feasible to provide the required on-site parking," there should be a thorough explanation in the staff report about physical feasibility. Given that the site currently has three parking spaces, why is the site not physically feasible to provide that many spaces? Through tandem parking, lifts, or a garage-type layout, it could likely provide more.
- C) If the director believes the project satisfies criterion 18.52.070(c)(4) that "[t]he site is located in an area where city policy precludes curb cuts or otherwise prevents use of the site for on-site parking," the report should include and discuss that policy. No curb cuts are needed if the parking remains off the alley. And the city has approved other Downtown projects recently with parking accessed off an alley, so it seems unlikely any policy prevents parking off the alley for this site.
- D) Please note that 18.52.070 begins by saying, "In connection with any expansion of the supply of public parking spaces within the CD commercial downtown district, the city shall allocate a number of spaces for use as 'in-lieu parking' spaces to allow development to occur on sites which would otherwise be precluded from development due to parking constraints imposed by this chapter." Were spaces allocated for in-lieu use in the past that this property would be purchasing and have not already been used by other projects? If not, then any new in-lieu purchases should not occur until new spaces are constructed and allocated for in-lieu use. The staff report should definitely discuss this as well.

Thank you,

PAN Zoning Committee:

Jeff Levinsky, Chair
Rebecca Sanders
Neilson Buchanan
Sheri Furman