

Kallas, Emily

From: Ellen Hartog <elh109@sbcglobal.net>
Sent: Wednesday, April 23, 2025 8:18 AM
To: Council, City
Subject: The Commons
Attachments: The Commons.pdf

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Honorable Counsel Members,

Thank you for taking the time to read this email and attachment. I hope all the Counsel Members have had a chance to visit the existing condition of the property as it operates today and the effect it has on the adjacent neighbors or driven to the site and tried to park.

The new paint color blue matches the adjacent building, Goodwill's logo blue rainbow. I do not know of any more shocking effect on the neighborhood to see a three story blue structure looming over the one story neighbors.

The previous Conditioned of Approval are been ignored. People care about the neighborhood and this is a complete lack of respect to what was previously gone over by both parties over years of work and compromise is shocking and not neighborly. I also learned that the Commons has violated other sections of the Conditions:

1. Violation of Section 3, Subsection (a)(9):

This section requires the Palo Alto Commons to give preference for occupancy to Palo Alto residents and their families.

2. Violation of Section 3, Subsection (d):

This section requires annual reports of their occupancy/vacancy status, number and age of occupants, number of employees, number of residents and employees use of parking spaces, and copy of renewal license for residential care facility.

An complete Environmental Report should be done to ensure noise, light and air, traffic, parking study and more be done properly.

The visuals should be agreed to by the neighborhood similar to an HOA so that violations will be addressed and not put off by lack of enforcement. This is a huge impact on the neighborhood.

The Commons does not keep their landscaping up toward West Meadow and neither does Goodwill. I walk to El Camino and the bushes collect garbage which is not a pleasant walk.

The Commons taking in Palo Alto residence priority. It may not be known when there is a waiting list.

There are many more factors and I have attached a letter addressing additional items of concern.

Respectfully,
Ellen Hartog
330 Victoria Place
Palo Alto, CA

Honorable members of the Palo Alto City Counsel,

I am a long time resident of Charleston Meadows neighborhood. I recall when the Commons was developed and designed then to maximize its capacity. We had huge debates how the three story complex would impact the neighborhood and how it would impact adjacent properties. It took much comprising to agree on the building massing, giving up the twenty foot setback for open air space with staggered stories at a 10 foot setback. This solution was assured to the adjacent neighbors this would be the extent of building. Thus, we agreed on color, night sky, privacy, landscaping, number of units, number of parking spaces, along with agreements for reports of occupancy annually and commuter passes for employees. Palo Alto residences were to have a priority in occupancy as a benefit to the public as well as providing a monetary amount to Palo Alto.

Unfortunately, this has not been tracked and many promises have been broken along with the actual impact I have experienced personally. I have had to tolerate crowded street parking, blocked driveways, traffic congestion and no parking at the Goodwill – apparently, due to lack of parking at the Commons. Their garage seems to be closed by a gate. Handicap access then not available to visitors. This is the current situation.

Their proposal goes against the compromises made in the past. Any further expansion would need to be outside the 20 foot setback as originally zoned or the ten foot compromised setback with a daylight plane of 3:6 for commercial zoning ordinance. I am completely opposed to this project expansion in the rear. All the work we did in the past was to ensure property owners their legal right to light and air. Any expansion should and could be in the front or infill units at court yards as approved by the Planning and Transportation Commission.

The massing of the proposed addition beyond is in direct opposition to the past COA agreement.

Any further expansion other than what the P&T Board approved creates impacts that are vast and frankly must be thoroughly studied. The owner's noise reports do not reflect all circumstances from train horn reflective noise off a three story wall or the additional emergency sirens at different times of day/night or weather condition, or night sky impact of three stories on neighbors. A complete landscaping study should be prepared to reduce the impacts and precise shadow study to include roofs are a must for any neighbor's solar panels to work. This addition will only exasperate the existing problems, and will create new environmental issues which will need to be studied.

It is wise that this project be thorough investigated and have a proper EIR at any rate. There are so many issues not covered or taken into account.

This development does not add housing to the housing element. The Commons is a for profit corporation by a huge developer from out of state.

Seven single Units are approved now and nine single units more are being asked by the developer which could be relocated to the front. If as currently proposed, this expansion would impact negatively all the single family neighbors along the rear of property parallel to Wilkie Way. Ten single family homes will be far more impacted losing privacy, air, light, view, noise increased and parking which today is already a huge problem for the neighborhood. More importantly homes values will be devalued by hundreds of thousands each. I am

all for senior housing but should be built with consideration of the original Conditions of Approval and relocate the nine units or more to the front. The cost to relocate the units to the front of the property along El Camino Way or East Meadow, which is a real option, the owner says it's cheaper in the rear. Their cost savings will be offset by the neighbor's losses by 10 homes and more off-site parking demand. A complete EIR needs to be done.

Thank you for your time and consideration to please approve the expansion only as previously approved by the Planning and Transportation Commission.

Ellen Hartog
330 Victoria Place
Palo Alto, CA

Kallas, Emily

From: Judy Noice <jelnoice@gmail.com>
Sent: Sunday, April 13, 2025 12:48 PM
To: Council, City
Subject: May 5 meeting re: Palo Alto Commons

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Dear City Council Members,

I am Judy Noice. My address is 4086 Ben Lomond Dr, Palo Alto, CA 94306. My mother is an Elite Care resident at Palo Alto Commons, where I visit her almost every day.

Because of travel, I am unable to attend the May 5 meeting in person. I wanted to let you know about an unpleasant encounter I had with a person on Wilke Way when I was taking my wheelchair-bound mother for a walk at the beginning of March of this year.

My mother and I were on the sidewalk behind Palo Alto Commons. My Palo Alto Commons visitor's badge was on my sweater. As I pushed my mother in her wheelchair, a person came out of the house next to us and asked me if I was from Palo Alto Commons and where did I park?

When I explained that I was a family member of a resident, and I had parked along El Camino Way, the person told us Palo Alto Commons visitors clogged all the parking in the area. I replied that I tried to be respectful of the neighbors and park in the Palo Alto Commons parking lot as much as possible.

The person then asked if I had parked on the street because the underground parking was full. As I was clearly irritated by this interruption of our walk and was trying to move on, the person then backed up onto the yard and told us they really were more upset about Palo Alto Commons staff parking on their street and nearby streets.

I told them I highly valued the talented and caring staff at Palo Alto Commons. I then said I hoped the neighbors and PACommons could figure out a solution to the parking issues for visitors and staff as PACommons provided important senior housing in Palo Alto.

I was trying to maneuver my mother's wheelchair away when the person then started complaining about an addition to Palo Alto Commons taking away all the sunlight in their backyard. At this point, I repeated that I hoped the neighbors and Palo Alto Commons could find a solution to these issues and kept walking away.

Palo Alto Commons provides valuable housing and care for seniors in Palo Alto. Their families and staff are part of the neighborhood. I hope everyone can work together to find solutions for the issues rather than confronting people from Palo Alto Commons who are using public sidewalks for recreation.

Thank you for your time,
Judy Noice

Kallas, Emily

From: Marty Douglas <martydoug3@gmail.com>
Sent: Monday, February 10, 2025 4:41 PM
To: Council, City; Burt, Patrick; Lythcott-Haims, Julie; Lauing, Ed; Stone, Greer; Veenker, Vicki; keithforcouncil2024@gmail.com; georgeglue+ptc@gmail.com
Cc: Kevin Ji
Subject: PROJECT: Palo Alto Commons (4074 El Camino Way)

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Dear City Council members,

I have been following the development and expansion of the Palo Alto Commons ever since it was first built, many years ago. For 45 years, I have lived at 360 Maclane St, three (3) houses from where Wilkie Way dead ends into Maclane St. Our daughter's best friend – from 1st through 12th grades - lived on Wilkie Way, with her backyard now totally obscured from sunlight by the Palo Alto Commons. This facility's continuous expansion, including now wishing to "build out" and fill-in their stacked units, breaks the agreement they made when they 1st built it (having stacked units to allow more sun to residents' backyards). This blatant disregard of their previous agreement demonstrates their indifference for the impact they have on their neighbors. We can not have faith that they will adhere to any further agreements. For that reason alone you can not approve this expansion plan.

In addition, the impact they have on not providing sufficient parking for their staff and visitors has caused overflow to occur up and down Wilkie Way and even onto Maclane street where I live. Especially since they built the Avant independent building, staff and visitors park on Maclane St and sometimes even cut through Jacobs Court as a shortcut to the Avant. This overflow parking on our street has caused parking issues with tradesmen and workers trying to provide services to our home. (We recently had tree service & roofing repairs done as a condition of continuing our homeowners' insurance. The workers had difficulty finding adequate parking for their trucks near our home). Also, with the streets continuously filled with parked cars, the street sweeper can no longer adequately clean on Monday mornings. In the past, my neighbors and I would know to move any cars by Sunday evening so that on Monday mornings the street sweeper could clean (homeowners are paying for this service). Wilkie Way, with its many trees, leaves and seed pods falling onto the ground and clogging the drains, is particularly in need of street sweeping, which can not be done d/t so many parked cars from Palo Alto Commons.

Suggestions:

- 1) Please do not approve the current proposal to "build out" the building, but rather keep the "stacked" units. Instead, either build up or into the interior.
- 2) Require, as a condition of approval, that the facility provide alternative parking sites or transportation options for staff. (More units means more staff, more external care providers, e.g. PT, OT, hospice, and more visitors)
- 3) Perhaps post "No Parking on Mondays for street sweeping" (include the range of months this is done - October-March?)

Thanking you in advance for your consideration of this issue,

Marilyn Douglas

360 Maclane St.

Palo Alto, CA 94306

Kallas, Emily

From: Andie Reed <andiezreed@gmail.com>
Sent: Wednesday, December 11, 2024 11:58 AM
To: Planning Commission; Kallas, Emily
Subject: Palo Alto Commons

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Dear Planning Commissioners,

This project asks for an amendment to a PC from 1989, which would in-fill what was intentionally left as air and sun space back in 1989. It is understandable that the residents living behind the project protest the block of buildings increasing in volume.

PCs are allowed exceptions to typical zoning rules for a few reasons, one of which is that they provide a public benefit. This proposed ordinance identifies the public benefit as "providing a safe place for Palo Alto residents and other seniors to age". Although this is a much-needed service for any community, there is no benefit to the general public; in fact, it infringes on the residential rights next door by adding more traffic and taking away benefits previously enjoyed, like privacy and daylight. It is a commercial operation whose services can be bought at a pretty hefty price. Their donation to Avenidas is commendable, but what price will cover the nearby neighbors' daily privacy loss?

Please note that the parking analysis done by Hexagon is unreliable. Clearly one can always come up with some kind of metric that shows that parking is not problematic, based on nonsensical evidence. In this case, what the study shows is that the garage is underused (only ½ of parking places underground are typically used per this study). If the facility had no parking issue, visitors and employees wouldn't be parking on Wilkie Way.

Although with more units there will be more convalescents and thus more attendants and visitors, there is no proposed increase in parking. The Wilkie Way residents' experience as evidenced by their letters and speeches, as well as friends I know who visit there often, testify that Wilkie Way is already used for overflow parking. And that's before the expansion.

The draft TDM (traffic demand management plan) included in the packet feels generic; checking boxes and using soft terms like "may provide for penalties". My neighborhood's experience with TDMs is that we got left in the dark as the applicant-produced TDM was signed and set in stone without the neighbors' knowledge and input, and discussions regarding seeing how it goes and making adjustments along the way were disregarded.

I would highly recommend the PTC require neighbor input into the TDM before it is finalized. The TDM should include methods to track parking in the neighborhood (instead of only in Palo Alto Commons' parking garage, per Hexagon). Requiring employees to park underground as well as directing visitors to those 55 spots. Sending overflow to Avant's additional 42 spots needs to be specified. Monitoring and reporting should be provided by a

third party, with review by the neighbors, and measures for enforcement or penalties determined and put in the document.

TDMs can end up being words gathered to solve problems near the end of the project's approval process that end up not holding water but get institutionalized without neighbors' input. Before finalizing this document, please make the document reflect neighbors' input and allow for continual review.

Thank you,

Andie Reed

Melville Ave

Kallas, Emily

From: Lily Lee <lee_lilyning@yahoo.com>
Sent: Tuesday, December 10, 2024 1:31 AM
To: Kallas, Emily; Planning Commission
Cc: gsheyner@embarcaderopublishing.com
Subject: Comments on 4075 El Camino Way project

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Dear Commissioners and Emily,

Thank you for the opportunity to comment on the proposed expansion at 4075 El Camino Way. I have lived at 4080 Wilkie Way since 2003. Thank you to so many of the Commissioners for visiting our backyards to see for yourselves the impacts of the current structure so you can better understand the potential effects of the proposed expansion. And I would like to thank Emily for answering so many of my questions.

As I said before, I support senior assisted living at the 7 proposed interior new units. However, I remain concerned about the 9 external units facing Wilkie Way backyards. The 9/2024 Plans show that behind our backyard at 4080 Wilkie Way, 3 points are currently about 18 feet from our back fence. But the new development would add a new first floor room 10'1" from our fence and a 2nd floor dwelling unit 12'7" ft away, both nearly twice as close. I see another neighbor will have a unit 10'9" from her family's back fence.

We heard at the 6/12 PTC meeting that new construction of this type should follow a 20 ft set back with a 45 degree daylight plane. Multiple commissioners asked the City's counsel if that meant that the 20 foot set back should apply to this project. At first she said yes, but the planning staff then said that the City Council has occasionally approved PCs that were inconsistent with relevant municipal code 18.38.150 (see pages 118-122 of the transcript). Thank you for motioning for the ARB to "consider the feasibility, and relative benefits to the residents of Wilkie Way, of increasing the setback for newly constructed units to 20 ft to meet 18.38.150."

City staff explained that in response, "The applicant confirmed that it is not possible to reduce the second floor units in a way that would allow for a 20 ft setback. There needs to be structure under the proposed third floor units, but a 20 ft setback would not leave enough space for the 2nd floor additions to be usable as units. The ARB did not comment on the applicant's justification of the setback. However, they did comment that the three story building with a 10 ft setback and the 45-degree angle daylight plane does meet the zoning requirements and is appropriate next to a one-story residential context. . . . The City Attorney does not determine if a proposed discretionary project is contextually compatible with a neighborhood, that is determined by the ARB."

The above response presumes only one version of the project would be "feasible." However, the applicant could still explore alternative "feasible" options, e.g. reduce the size, configuration, or quantity of second floor units; reduce the size, configuration, or quantity of 3rd floor units to enable 2nd floor units with a 20 foot setback to support those; or instead of creating two 1st floor rooms with 10'1" and 10'9" setbacks, use new smaller rooms on the 2nd floor to serve those functions. If indeed the 20 foot setback is not required to apply, then could 2nd floor units be set back by a distance of, say, 18 feet, with perhaps a reduction in the number and/or size of units, and still support the 3rd floor units? I do not see evidence that the ARB, the applicant, or staff attempted to meaningfully address the PTC's motion. I recommend that the PTC return this motion to the ARB for further followup and consult with the City Attorney to clarify legal ambiguity.

In addition, we note the applicant sometimes does not follow through on prior commitments. For example, for many years, the applicant failed to follow City requirements to submit a TDM Plan and annual reports about occupancy. The applicant told the PTC in June that it had implemented a new parking plan to divert more parking to its underground garage, but two PTC Commissioners, many employees, and visitor told us that onsite parking is unavailable and that Palo Alto Commons told them to park in the neighborhood. I am compiling a list of inconsistencies in the applicant's actions that I will send separately, for the record, to document a fact pattern in detail. Although we support more senior assisted living, alternative providers with a better track record may be better partners for the City.

Parking is one example where the applicant has a mixed record, and I support parking comments already sent by Kai Porter and many other neighbors. I agree with their recommendations that the PTC put in place up front enforceable requirements in its TDM Plan and PC Ordinance to the applicant, e.g. 3rd party confidential surveys of staff and workers, demonstrated parking compliance before approval of TDM, monthly reports to the PTC or ARB, specific dollar amount penalties for noncompliance with an escalation schedule, and a mechanism to enable 3rd party lawsuits by residents.

Due to the contradictory legal interpretations in the record and due to the applicant's history of inconsistency and noncompliance, neighbors representing multiple homes, including ours, have contributed funds to hiring legal counsel.

I recommend to the PTC that you ask the applicant for new plans to address neighbors' concerns more robustly and a revised TDM to address well-established problems before approving this project to move to the City Council. If you would like to visit my backyard again or talk to me further, please contact me at 650-815-9749. Thank you for your attention.

Sincerely,

Lily Lee

Kallas, Emily

From: Lily Lee <lee_lilyning@yahoo.com>
Sent: Tuesday, December 10, 2024 2:46 PM
To: Kallas, Emily
Subject: Re: CEQA question

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Thank you, Emily!

[Sent from Yahoo Mail for iPhone](#)

On Tuesday, December 10, 2024, 11:29 AM, Kallas, Emily <Emily.Kallas@cityofpaloalto.org> wrote:

Hi Lily,

Public services in the CEQA checklist refer mainly to police and fire access. Facilities refer to schools, parks, and other recreation such as libraries. 16 additional assisted living units, at an existing facility, would not affect city-wide emergency response times or access to city facilities in a manner that is not accounted for in the Comprehensive Plan.

Thanks,

Emily



Emily Kallas, AICP

Senior Planner

Planning and Development Services Department

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

www.cityofpaloalto.org

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From: Lily Lee <lee_lilyning@yahoo.com>
Sent: Tuesday, December 10, 2024 11:03 AM
To: Kallas, Emily <Emily.Kallas@cityofpaloalto.org>
Subject: Re: CEQA question

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Thank you, Emily,

I did read the memo. I was wondering about how this quote applies or does not apply to this project?

(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan

On Tuesday, December 10, 2024, 8:47 AM, Kallas, Emily
<Emily.Kallas@cityofpaloalto.org> wrote:

Hi Lily,

I appreciate the invitation, but unfortunately I do not have time in my schedule to accommodate it. Many neighbors have shared pictures with us throughout the process, and I am confident that between the photos and many years reviewing development projects that I have a good understanding of your backyard conditions.

CEQA section 15301 (e)(2) applies as explained in the CE document: Although the proposed project would increase the existing number of units and building area onsite, the new units are for assisted living and

residents of these units would not generate new daily vehicular trips or otherwise result in notable changes to the ongoing use of the facility. The proposed addition represents a negligible increase in use (the number of units increases by 13 percent) and minor alteration of the existing facility (total building area increases by eight percent) compared to existing conditions. Only two new employees would be required to operate the expanded assisted living facility, representing a three percent increase in employees compared to existing conditions.

This qualifies as a negligible expansion for the purpose of CEQA.

The concerns about parking are being responded to as much as possible. The Zoning Code requires .75 spaces per unit for Assisted Living use and Palo Alto Commons is providing that for the proposed total number of units, so we do not have an objective basis to state there is not sufficient parking. The Transportation Demand Management Plan (TDM) will help manage and reduce staff trips, and other changes have been made such as installing a keycard reader to the gated parking, to improve access.

Thanks,
Emily



Emily Kallas, AICP

Senior Planner

Planning and Development Services Department

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

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From: Lily Lee <lee_lilyning@yahoo.com>

Sent: Monday, December 9, 2024 6:56 PM

To: Kallas, Emily <Emily.Kallas@cityofpaloalto.org>

Cc: Kevin Ji <kevinji2021@gmail.com>

Subject: CEQA question

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Hi Emily,

Thank you again for answering our earlier questions. I appreciate it. And I know you are very busy, but I would still like to invite you to my backyard at 4080 Wilkie Way at other days when you are more free to leave the office. If you are nearby, even if we did not make a formal set time in advance, just call my cell at 650-815-

9749. You are very welcome to visit. I am sure other neighbors would welcome you too.

I read the CEQA memo, and I have a question. I found online in CEQA examples of projects that have “negligible or no expansion of use.” It includes these scenarios:

“(e) Additions to existing structures provided that the addition will not result in an increase of more than:

(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or

(2) 10,000 square feet if:

(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan . . . “

(Source: <https://www.law.cornell.edu/regulations/california/14-CCR-15301#:~:text=Class 1 consists of the,of existing or former use.>)

The proposed project would total 6,865 square feet, which exceeds the limit in (e)(1) above. Regarding (e)(2)(A), can you explain how that situation might apply or not in this project?

You have heard many concerns that public parking is not sufficient to allow for the current use, let alone an expanded use. Is that relevant?

And this project includes a 13% expansion of number of units, which is certainly an expansion of use.

I appreciate your help understanding this topic. Thank you!

Lily

Kallas, Emily

From: Kevin Ji <kevinji2021@gmail.com>
Sent: Tuesday, December 10, 2024 12:09 AM
To: Kallas, Emily; Planning Commission
Subject: 12/11/24 Presentation

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Hi Emily,

Per your instruction, I've attached the [presentation](#) I'd like your help to display at the 12/11 PTC meeting 24 or more hours in advance.

Please let me know if you have any questions.

Sincerely,

Kevin



PTC 12_11.pptx



Kallas, Emily

From: Mona He <hermesmh1@gmail.com>
Sent: Tuesday, December 10, 2024 12:09 AM
To: Planning Commission; Kallas, Emily
Cc: Kevin Ji; JamesYahoo Porter; Lily Lee; Jenny Chen; Jennie Chen; Ellen Hartog (wilkie Neighbor); Grace (Yan Feng) Wang; danielpei@gmail.com; Jayashree Divekar 4050 Wilkie; Shashank Divekar 4050 Wilkie Neighbor; garrettchan@hotmail.com; James Cham; james.cham@gmail.com; Jagdish Pamnani; Marty Douglas (neighbor); Natacha Telusca; Tom Huibin Tang; Zhang Fion; simon_weng@yahoo.com; Mona He
Subject: Opposing Palo Alto Commons proposed expansion

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Dear PTC members and Emily,

1. Discrepancies on staff report;

1). Dayline plane is never in compliance. I found out the Dayline plane is always in question and it needs to be correctly stated in the staff report to prevent further confusion.

ATTACHMENT D
ZONING COMPARISON TABLE
4075 El Camino Way, 23PLN-00202

Table 1: COMPARISON WITH CHAPTER 18.16 (CN DISTRICT) AND EXISTING PCs (5116 AND 3775) ⁽¹⁾ Exclusively Non-residential Development Standards		
Regulation	Existing (PC 5116 and PC 3775)	Proposed
Daylight Plane for lot lines abutting one or more residential zone districts other than an RM-40 or PC Zone ⁽²⁾	Complies	Complies

(1) PC 3775 is for Palo Alto Commons, PC 5116 is for The Avant.

(2) The initial height and slope shall be identical to those of the most restrictive residential zone abutting the site line in question.

The proposed is NOT in compliance with current Palo Alto municipal code 18.38.150(e). Staff in the past and continues to mislead the PTC on this specific daylight plane code violation despite neighbors have discussed with staff and pointed out numerous times during the past PTCs, ARBs and in person meetings with staff. The daylight plane currently used on the proposed expansion is 10' setback with 45 degrees height increase. However the current PC daylight plane for PC is 18.38.150(e). It is the maximum height established by a daylight plane beginninag at a height of ten feet at the applicable side or rear site lines and increasing at a slope of three feet for each six feet of distance from the side or rear site lines until intersecting the height limit otherwise established for the PC district.

2). According PC 5116, there is 38 underground parking spaces and 3 surface parking spaces, plus 55 total underground and surface parking spaces. it is clearly discrepancies from PC 5116. There are only 55 parking spaces for Palo Alto Commons NOT 57!!!

Table 2: PARKING CONFORMANCE WITH ZONING CODE			
Type	Chapter 18.52 (For Reference Only)	Existing PC	Proposed
Vehicle Parking	0.75 per Senior Housing Unit (33 spaces)	41 spaces Independent Senior Living (The Avant)	41 spaces Independent Senior Living (The Avant)
	1 per 2.5 beds Assisted Living (57 spaces)	57 spaces Assisted Living (Palo Alto Commons)	57 spaces Assisted Living (Palo Alto Commons)

2. Multiple PC 5116/PC 3775 violations

Palo Alto Commons has currently in violation of its PC 3775 conditions and they need to bring its conditions in compliance before seeking any additional proposed project to be considered for approval.

1). PC 3775 section 3 (b)15.a; (b)15.b; (b) 15.c

" a. Maintenance in a central location of timely information regarding commute alternatives and distribution of same to all new employees. The information should include all relevant transit system timetables, information about ridesharing from RIDES for Bay Area Comauters, Inc. and County Transit, information on the buildings' and the Cityt's bicycle facilities. b. A means to provide or reimburse employees for transit passes. c. Assurance that the property manager will provide each employee with the RIDES car pool match list application form and information package at least once each year."

I talked to the Commons employee at the beginning of November who was still parking in front of my house. She said she had never received any information regarding the transit and carpool information. And they still were told not to park in the underground parking garage and continue on parking in the neighborhood.

2). PC 3775 section 3 (d)Annual Report

" The management shall provide the City with an annual project report with the following information:

1. Occupancy/Vacancy status
2. Number and age of occupants
3. Number of employees
4. Number of residents and employees who use parking spaces
5. Copy of Renewal License for. Residential Care Facility "

Wilkie neighbors have been repeatedly asking city staff and Palo Alto commons regarding the annual information. And we were told there has never been such information ever submitted to the city and Commons has never composed that information for the public. Commons

3.Object to Proposed Categorical Exemption of Project under CEQA.

This proposed expansion cannot not be granted an exception from CEQA. CEQA report is required for this project. Please see Grace and my attorney's letter emailed to PTC and Emily at 4:19pm on Dec 11, 2024 for the detailed legal reasons of objection.

Best regards,

Mona

Kallas, Emily

From: Kevin Ji <kevinji2021@gmail.com>
Sent: Tuesday, December 10, 2024 12:12 AM
To: Planning Commission
Cc: Kallas, Emily; gsheyner@paweeekly.com; Gennady Sheyner; Lee_lilyning@yahoo.com
Subject: Anonymous Letter

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Dear Planning Commission,

I was asked to share this letter on behalf of someone who would like to remain anonymous.

--

December 8, 2024

I often visit a patient at Palo Alto Commons. I am submitting this anonymously because the patient is concerned that this letter could affect how they are treated by staff at the facility.

Only once can I ever remember finding a place to park in the visitor lot for Palo Alto Commons. Sometimes a van belonging to the Palo Alto Commons is parked in one or more of those spaces. Another visitor space is reserved for future residents, and thus not intended for those visiting current patients. Construction materials or other obstructions sometimes occupy other spaces. And then there are always cars I presume belong to other visitors in what few spaces remain.

Not finding a spot in the visitor lot, I then have to exit back onto El Camino Way. There are never any other free places to park anywhere along El Camino Way because you can't park in many stretches and the rest are already filled with cars, probably belonging to customers of Goodwill. The same is true for West Meadow, so I end up parking on Wilkie Way. I heard that neighbors on Wilkie are protesting being used as the effective extension parking lot for Palo Alto Commons and I am sorry that I contribute to their problem. I reached out to them and am grateful that they will submit this letter.

Please note that there are no handicapped parking spaces in the Palo Alto Commons visitor lot and this adds a further problem. When I brought with me a visitor who is mobility-impaired, I had to drop that person off, park on Wilkie, and then literally run back to attend to them.

There are a couple of signs in the Palo Alto Commons visitor lot indicating one can call for parking assistance. However, to place a call safely requires me to first park somewhere. Since there's no place to park in the visitor lot, that means I first have to park on Wilkie. Once I've done that, there's no point in calling. So the signs don't help at all.

I'm sure the staff at Palo Alto Commons want their patients to receive visitors. But by having seriously inadequate visitor parking and no handicap spaces, they are making it much harder for me and others to visit. Fewer visits is detrimental to the health and well-being of those living at the facility.

I urge the city to insist that Palo Alto Common's visitor parking be expanded to meet its present needs so that I and others no longer need to park on Wilkie. Furthermore, if the number of rooms at Palo Alto Commons is to increase, so should the visitor parking accordingly.

Sincerely,

Name Withheld

Kallas, Emily

From: Nia Porter <nial.p.23@gmail.com>
Sent: Monday, December 9, 2024 1:01 AM
To: Kallas, Emily; Planning Commission
Subject: Comment about project at 4075 El Camino Way

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

Dear Commissioners and City staff,

I want to comment on the senior housing behind my backyard.. I have lived at 4080 Wilkie Way since 2007. Growing up, whenever I looked out of my back window or went into my backyard, I saw a huge building with many windows, and I always felt as if people could be watching me from above. The building is 10 ft from my back fence. On the 2nd floor is a common space where people go back and forth all day and night. If I could see them, then they must also be able to see me.

Expanding the building would make the situation even worse. To help make up for this problem for neighbors, it could be good to give more benefits to the community. I do community service volunteer teaching at nearby parks and at the East Palo Alto Arts Center. And my grandma used to live at an assisted living facility. So I wonder if Palo Alto Commons could look into ways to help seniors and the rest of the city together?

I looked at Attachment G of the staff report for the June PTC meeting. I talked at that meeting. The main public benefit they talk about is housing for seniors. At a recent project at Ellsworth and Middlefield, the PTC said that housing is not by itself considered a public benefit. If public benefit is not that high, then can this project still use Planned Community zoning?

Also, I know this project will give in lieu fees to the City. Those are required. But to make up for harming the neighbors, maybe Palo Alto Commons should give more public benefits beyond that. For example, I did see that previously Palo Alto Commons gave a \$100,000 to Avenidas to help low-income seniors. That's great. But they are not doing anything like that this time. In addition, sometimes new development projects give other benefits, like improving nearby parks, lighting, grants to nonprofits nearby or other community programs. I know many residents of Palo Alto Commons may not be able to get around as easily as they used to. But I still sometimes see them walking around our house or being pushed in their wheelchairs enjoying sunshine, flowers, and talking to the neighbors. Maybe they enjoy visiting Robles and Ventura Parks. Could Palo Alto Commons help make the nearby parks nicer or help take care of them? Then that helps their own seniors plus the neighbors.

I also wanted to talk about landscaping. At the October 5, 1987, City Council meeting, "Bob Peterson, Landscape Architect, said the planting along the rear property line was the major concern of the neighbors. The plans showed a predominance of evergreen, moderately fast-growing trees." But I did not remember seeing many trees behind my backyard planted by Palo Alto Commons.

At the 7/18/2024 ARB meeting, the meeting minutes said, "Board Member Hirsch stated that landscaping is critical for privacy. Board Member Hirsch thought it was possible to put some landscaping adjacent to

the fence line to create a higher barrier for privacy on the Wilkie side but not too high to increase shadowing on the neighbors' properties but the applicant needs to coordinate with each of the affected residents."

Palo Alto Commons said at the 7/18 ARB meeting it would match the landscaping to what individual neighbors want. At the 8/2024 meeting with the landscape architect and the neighbors at Palo Alto Commons they said the same thing.

Our house has the largest number of apartments that are already 10 ft away from our back fence, so our backyard is almost totally shaded already. So new trees will not make it worse. Our family and other neighbors told Palo Alto Commons and the City in person and in writing that we want evergreen instead of deciduous trees:

1. 4080 Wilkie - Lily Lee and James Porter
2. 4076 Wilkie - Yang Sze Choo and James Cham
3. 4072 Wilkie - Kevin Ji & Jenny Chan
4. 4060 Wilkie - Yanfeng Wang

I'm glad the landscape architect added more trees to the plan presented in October to ARB. But why did he make all the trees deciduous? The staff report said, "While normally evergreen trees are preferred for privacy, deciduous trees are proposed at the request of neighbors who would like to minimize additional shade in their backyards.." Palo Alto Commons said at the October ARB meeting that the "majority" of the neighbors want deciduous trees because they don't want extra new shade. So Palo Alto Commons made all the new trees deciduous. But if 8 homes are behind Palo Alto Commons, and I know at least 4 families want evergreen, then even if all the other 4 neighbors want deciduous, 4 out of 8 is not a majority. I think it should be easy to plant evergreen trees behind families that like those and plant deciduous trees behind families that like those.

In addition, my family said at the 7/18/2024 ARB meeting that we like green paint that blends into the leaves. Is it too late to make the back green?

These seem like easy things to do to make the new apartments look nicer for the neighbors. It would be great to talk about these things at the Wednesday meeting and then see what Palo Alto Commons can do about it and report back at the next PTC meeting.

Thank you for reading my comments.

Sincerely,

Nia Porter

Kallas, Emily

From: Shashank Divekar <shashankdivekar@yahoo.com>
Sent: Monday, December 9, 2024 2:15 PM
To: Kallas, Emily; Planning Commission
Cc: Jayashree Divekar
Subject: Objection to expansion of Palo Alto Commons at 4075 El Camino Way

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

Dear Planning and Transportation Commission,

Thank you for the opportunity to comment on the proposed project to expand the Palo Alto Commons at 4075 El Camino Way ("project"). Myself and Jayashree cc:ed here are residents of 4054 Wilkie Way and have our backyard sharing the fence directly with Palo Alto Commons.

Assisted living services are important community service. We are hoping that at least 7 units inside the 'project' will not cause physical disruption to the Wilkie neighbors (although they will increase parking/transportation impacts). However, for the remaining 'external' 9 units that will increase into two and three story additions to the existing buildings, we voice our objections as follows:

Parking: Visitors and service providers for Palo Alto Commons residents already often park in the nearby residential streets. Even though Palo Alto Commons stated it implemented improvements in the summer, I still see congested parking, and it will get worse when parking is removed from El Camino Real. In fact, even the Palo Alto Commons bus parks on Wilkie. Please make the new Transportation Demand Management (TDM) Plan stronger and include enforcement for violations. Although the ARB suggested setting up a parking permit system, that would require residents to pay for permits, and it would allow Palo Alto Commons to buy its own parking permits too. So it is unclear if that would be helpful..

Daylight Plane: Given that this is a commercial project, the daylight plane for PCs that are commercial should be 10 ft setback, with a 30/60 angle daylight plane. However, even if we use the residential setback, which is 20 ft setback and 45 degree angle, every new external proposed unit against the Wilkie Way side would violate these limits.

Reduced Natural Sunlight: This imposing building would reduce the amount of natural sunlight we get. This is in clear violation of the required "low-density residential transition" and policies in the *Palo Alto Comprehensive Plan* such as "L6.8: Preserve exposure to natural light for single-family residences" Please consider reducing the number, size, and/or placement of units in a manner that reduces further shading.

Low-Density Residential Transitions: Regardless of whether this project is considered commercial or residential, it is subject to low-density residential transitions. These transitions (such as stepbacks) are part of the municipal code in general and are also specifically in the current Planned Community Zoning that currently applies. These setbacks were also promised to the neighbors in 1986 when the project was first built. Please maintain these stepbacks.

Loss of Privacy : The imposing structure with added units will have significant impact on our family privacy with new residents having clear view of our house and yard. Palo Alto is a treasured city for many reasons, this being one of them, and we would like to keep it that way.

Loss of house maket value: There will be loss of market value to single family residences on Wilkie Way: With increased units and density resulting by expansion of Palo Alto Commons, we as owners will suffer loss of market value to our residences.

Thank you for considering my comments.

Sincerely,

Shashank Divekar

Kallas, Emily

From: James Porter <jporter992003@yahoo.com>
Sent: Monday, December 9, 2024 4:07 PM
To: Planning Commission; Kallas, Emily
Subject: Comments on 4075 El Camino Way (Palo Alto Commons Expansion) 12/11 PTC Meeting

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

Dear Commissioners and City Staff,

Thank you for the opportunity to comment on the proposed expansion at Palo Alto Commons. I have lived at 4080 Wilkie Way for 21 years with the commons as our backyard neighbor.

I support expansion of senior assisted living opportunities. I'm glad that Palo Alto Commons, the "applicant," has proposed 7 interior new units, and I support that in spite of the parking impacts. However, the proposal for 9 additional external units exacerbates existing massing and visual impact from our family room, bedroom and backyard. More workers and visitors exacerbate existing parking congestion, which will only get worse when parking is removed from El Camino Real. We appreciate that the applicant has improved landscaping and window plans to address privacy concerns. However, even after concerns expressed by the PTC 6/12/2024 with regard to massing, closeness of the existing Palo Commons units to Wilkie Way backyards, and uncertainty on daylight plane and setbacks there have been no proposals that would reduce the quantity, size, or placement of the 9 exterior units.

In addition, we have been confused about various legal topics during the PTC and ARB meetings, including the setbacks and the daylight plane, where we heard inconsistent messages, including from the City's counsel. We have heard that the PC could overwrite itself or existing regulation. The original building was built with 10 feet setback at 45 degree. We have heard that the correct up to date 20 foot setback for commercial building can not be applied because it would put the rest of the building out of compliance. But shouldn't there be flexibility there given PC flexibility?

Regardless of the legal requirements, I ask the PTC to consider that the neighbors have already endured a 10 foot setback, and if new construction should follow a 20 foot setback, then out of human sense of fairness, it feels like the wrong direction to allow even more new construction with a 12.5 foot setback. I am not an architect, but I understand that all new 3rd story units would have a 20 foot set back. I was told that without the 2nd floor units for support, the 3rd floor units could not be built. I don't understand that just based on simple geometry. Please help me understand why the project could not still go forward with fewer external units so that it stays within a 20 foot set back? I thought the PTC asked the ARB to discuss what the plans would look like with a 20 foot set back. But the ARB just said that the 10 foot setback was ok. I don't think the PTC should approve this project without getting the answer to the questions they asked in June to the ARB about potential compromise options that reduce the impact of the 9 external units. It would be good to hear more from the ARB and the applicant's architect.

I also have concerns about the parking, so I hope that the PTC will put in specific legal requirements to hold Palo Alto Commons accountable to show that they can do what they promised to reduce parking congestion before you approve this project. I also think you should put in enforcement requirements to make sure they keep their promises after they get your approval. If they don't do what they promise, they should get more penalties. Please be specific about continuing to check yourself (as you have already).

In conclusion, thank you for listening to our recommendation to continue to discuss the proposed project especially to explore further reductions in the number, size, and placement of proposed new external 9 units, especially the 3 2nd floor units with 12.5 foot setbacks.

Thank you,

James Porter

December 9, 2024

Via E-Mail only (planning.commission@cityofpaloalto.org)

Honorable Members of the City of Palo Alto
Planning and Transportation Commission
250 Hamilton Ave.
Palo Alto, CA 94301

**Re: Meeting Date: December 11, 2024
Agenda Item: 2
Project Description: Proposed Zoning Amendment and
Architectural Approval for Palo Alto Commons
Subject Property: 4075 El Camino Way, Palo Alto, California
Report #: 2410-3649
Our Clients: Mona He and Grace (Yan Feng) Wang**

Objection to Proposed Categorical Exemption of Project under CEQA

Dear Honorable Members of the City of Palo Alto Planning and Transportation Commission:

This law firm represents Mona He and Grace (Yan Feng) Wang who own single story residences on Wilke Way. The residences are adjacent to the real property situated at 4075 El Camino Way, Palo Alto (the "**Subject Property**"). For the reasons stated in this letter, Ms. He and Ms. Wang object to the proposed categorical exemption of the project under CEQA, and oppose the project itself in its current form.

The project under consideration by the Commission as Agenda Item No. 2 is defined in the staff report for the December 11, 2024 Planning & Transportation Commission Meeting (the "**Staff Report**") under the heading "PROJECT DESCRIPTION" as follows: "an amendment to the existing PC Zone District (PC-5116) . . ." (the "**Project**").¹

I. The Project is a proposed Zoning Amendment which would alter multiple aspects of the City of Palo Alto Municipal Code. (It is not a mere application for a permit to allow minor physical alterations to an existing facility.) The California Environmental Quality Act Requires Environmental Review of Proposed Zoning Amendments.

¹ See City of Palo Alto Planning & Transportation Commission Staff Report, Item No. 2, Page 2 of 10 (Packet Pg. 11)

The categorical exemption from environmental review under CEQA that is suggested by staff for the Project is inapplicable to the proposed Project. We carefully reviewed the relevant documentation posted by staff regarding the Project, including, without limitation, the document dated October 9, 2024, entitled "Memorandum", which David J. Powers & Associates, Inc. prepared (the "**Powers Memo**"). In brief, the Powers Memo improperly concludes that the requested zoning change application, which is a legislative activity, is categorically exempt from environmental review under the California Environmental Quality Act ("**CEQA**") pursuant to 14 C.C.R. Section 15301. However, 14 C.C.R. Section 15301(e)(2), which is relied upon by the authors of the Powers Memo, applies, by its express terms, only to proposed construction projects, and not to legislative activity.² This inconsistent line of reasoning applied by the Powers Memo and by City staff is false, incorrect, misleading, and, if adopted by the City of Palo Alto would likely be entirely unlawful.

Accordingly, the City of Palo Alto (the "**City**") must conduct an environmental review prior to adopting a zoning ordinance, which according to the Staff Report, will modify each of the following aspects of the City of Palo Alto Zoning Ordinance.³

- The provided units would increase by 16 units;
- **The allowed lot coverage and floor area would increase** to accommodate the approximately 6,890 square foot addition;
- **The minimum setback would decrease** from 8 feet to 6 feet for the southwestern property line adjacent to Goodwill; and
- **The parking ratio provided would reduce** from 0.46 spaces per unit (1.16 spaces per 2.5 beds) to 0.41 spaces per unit (1.01 spaces per 2.5 beds), as no additional spaces are being provided. However, this is consistent with the standard code requirement for this use, which is one space per 2.5 beds." **(Emphasis Added.)**

Proposed Zoning Amendments (and General Plan Amendments) are "Projects" as defined in CEQA. In connection with the foregoing, 14 C.C.R. Section 15378 states, in pertinent part, as follows:

- (a) "**Project**" means . . . any of the following: [¶] (1) **An activity directly undertaken by any public agency including but not limited to . . . enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof . . .** **(Emphasis added.)**

² The Powers Memo also asserts, without explanation, attribution, or legal authority of any kind whatsoever, that a 13% increase in intensity of use is somehow "negligible" for purposes of CEQA. (Powers Memo, Pg. 12)

³ See City of Palo Alto Planning & Transportation Commission Staff Report, Item No. 2, Page 6 of 10 (Packet Pg. 15)

And, Public Resources Code Section 21080 states, in pertinent part, as follows:

- (a) Except as otherwise provided in this division, ***this division shall apply to discretionary projects proposed to be carried out or approved by public agencies, including, but not limited to, the enactment and amendment of zoning ordinances, the issuance of zoning variances,*** the issuance of conditional use permits, and the approval of tentative subdivision maps ***unless the project is exempt from this division. (Emphasis Added.)***

The Powers Memo asserts that the Project (which is an application for a zoning change) is exempt from environmental review under CEQA pursuant to 14 C.C.R. Section 15301, which provides, in pertinent part, as follows:

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, ***or minor alteration of existing public or private structures,*** facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of “existing facilities” itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use. [¶] Examples include but are not limited to: . . . (e) Additions to existing structures provided that the addition will not result in an increase of more than: [¶] (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or [¶] (2) 10,000 square feet if: [¶] (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and [¶] (B) The area in which the project is located is not environmentally sensitive. ***(Emphasis Added)***

Clearly and unequivocally, a proposed zoning amendment that is intended to alter municipal laws relating to zoning restrictions, including, without limitation, reducing property line setback requirements and altering sightlines, ambient light, noise patterns, roadways, traffic, floor area ratios, intensity of use, and reduction of parking requirements, could, and very likely would, have profound environmental impacts, as well as civil and criminal ramifications. The foregoing cannot simultaneously be considered just a “minor alteration of an existing structure” that happens to be located in a zoning district that already permits the intended use. In the current application, the proposed use is expressly prohibited under the existing zoning, hence the need for the requested zoning amendment.

If the state legislature had intended for zoning amendments and general plan amendments to be exempt from environmental review, it could and would have included such legislative activities in the list of statutorily exempt types of projects. Similarly, if the Secretary for Resources had intended for zoning amendments to be categorically exempt from environmental review, the Secretary for Resources would have included such projects in the list of categorical exemptions authorized by Public Resources Code Section 21084, which are published in 14 C.R.C. Section 15300, et seq.

The conclusion is clear and unmistakable. Proposed zoning amendments are specifically INCLUDED in CEQA by statute, because they have great potential to cause significant environmental impacts. Accordingly, the narrow criteria of the categorical exemption set forth in 14 C.C.R. Section 15301, which relate solely to proposed minor alterations to an existing building, without a change of use, do not apply to this proposed Project, which is a proposed zoning amendment that would change multiple aspects of the permitted uses of the Subject Property and would allow activities on the Subject Property that are currently prohibited. Accordingly, environmental review is mandated by CEQA and must be conducted in accordance with applicable laws prior to enactment of any proposed modification of the existing PC Zone District (PC-5116).

II. Potential Significant Environmental Impacts Result from the Project.

Phase 1 of the development of the Subject Property was approved in the late 1980's through adoption of a Planned Community zoning ordinance (City of Palo Alto Ordinance No. 3775). At that time, potential environmental impacts were discussed and mitigated through the use of a terraced building design in which each higher floor was recessed further from property lines, and this design mitigation was incorporated into the applicable zoning ordinance. Multiple members of the community participated in that negotiation and remember the developer's promises that the design would not be altered. And, Phase 2 of the development of the Subject Property was approved in the early 2010's through adoption of a second Planning Community zoning ordinance (City of Palo Alto Ordinance No. 5116). And, the terraced design was carefully maintained at that time.

However, the developer has now come to the City with a proposed Phase 3, which would disregard the very same environmental mitigations that were incorporated into the prior design in order to be able to alter the use of the Subject Property in a manner that was expressly prohibited at each prior phase. Nevertheless, the Powers Memo claims that these requested zoning changes, which would greatly expand the permitted uses of the Subject Property, are merely a "minor alteration" to the Subject Property that cannot possibly result in an environmental impact, and are therefore exempt from environmental review under CEQA. However, given the fact that the previously approved environmental mitigations would be eliminated upon approval of the current Project, it is apparent that the proposed Project would result in significant environmental impacts, *per se*.

A review of the public comment for the Project revealed that there was a proposed alternative design in which the existing facility would be built upwards over the existing third floor rather than outward over the first and second floors. This proposal potentially mitigates some of the resulting environmental impacts to a less than significant level, while achieving the benefits of the same proportional increase in intensity of use. However, the developer apparently rejected that mitigation proposal as not economically acceptable. The upshot is that the developer desires to be permitted to cause an environmental impact in order for the developer to be able to benefit financially. This is precisely the type of environmental cost vs. economic benefit analysis that CEQA is intended to cause to be disclosed to the decision makers prior to deciding upon approval of a proposed project.

Additionally, public comment reveals that the facility is already short of available parking, which results in inconvenience to the residents and neighbors, and causes additional

neighborhood traffic. A further reduction in parking capacity proposed by the application combined with elimination of entire parking areas to be used for staging during construction will only exacerbate the traffic problems that have not been reviewed and mitigated.

Allowing improvements on the second and third floors to encroach closer to property lines will increase noise and ambient light emitted towards neighborhood properties. The additions will also have an adverse impact on the existing daylight plane in violation of Palo Alto Municipal Code Section 18.38.150(e).

And, finally, it is our understanding that the facility, as presently configured, may currently be operating in violation of the applicable conditions of approval of Ordinance 3775 and/or Ordinance 5116, and that numerous complaints have been made to code enforcement with respect to such violations. If the Subject Property is, in fact, currently out of compliance with applicable zoning and/or use permits, then it should not be eligible to receive additional concessions until all such violations have been remedied.

The foregoing are just some examples of the many potential significant environmental impacts that might occur as the result of approval of the Project and the proposed development.

III. Conclusion.

We urge this commission to follow applicable law and refer the matter to staff to prepare a full environmental review as required in accordance with the California Environmental Quality Act. After an appropriate environmental review has been completed, this commission will be better able to make a recommendation to the City Council that is in compliance with the commission's legal responsibilities. Such a recommendation should properly take into consideration possible alternative designs, further mitigations, and/or, if appropriate, adoption of a Statement of Overriding Considerations regarding any significant environmental impacts arising from the Project. Alternatively, the proposed Project must be denied.

If you have question about any of the above, or if we can provide you with any other documents or information, please contact the undersigned.

Very truly yours,

HOGUE, FENTON, JONES & APPEL, INC.



J. Randall Toch
Of Counsel

JRT/ns

cc: Clients

Emily Kallas – Project Planner (via email only: emily.kallas@cityofpaloalto.org)
Sean A. Cottle

December 9, 2024

Via E-Mail only (planning.commission@cityofpaloalto.org)

Honorable Members of the City of Palo Alto
Planning and Transportation Commission
250 Hamilton Ave.
Palo Alto, CA 94301

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The conclusion is clear and unmistakable. Proposed zoning amendments are specifically INCLUDED in CEQA by statute, because they have great potential to cause significant environmental impacts. Accordingly, the narrow criteria of the categorical exemption set forth in 14 C.C.R. Section 15301, which relate solely to proposed minor alterations to an existing building, without a change of use, do not apply to this proposed Project, which is a proposed zoning amendment that would change multiple aspects of the permitted uses of the Subject Property and would allow activities on the Subject Property that are currently prohibited. Accordingly, environmental review is mandated by CEQA and must be conducted in accordance with applicable laws prior to enactment of any proposed modification of the existing PC Zone District (PC-5116).

II. Potential Significant Environmental Impacts Result from the Project.

Phase 1 of the development of the Subject Property was approved in the late 1980's through adoption of a Planned Community zoning ordinance (City of Palo Alto Ordinance No. 3775). At that time, potential environmental impacts were discussed and mitigated through the use of a terraced building design in which each higher floor was recessed further from property lines, and this design mitigation was incorporated into the applicable zoning ordinance. Multiple members of the community participated in that negotiation and remember the developer's promises that the design would not be altered. And, Phase 2 of the development of the Subject Property was approved in the early 2010's through adoption of a second Planning Community zoning ordinance (City of Palo Alto Ordinance No. 5116). And, the terraced design was carefully maintained at that time.

However, the developer has now come to the City with a proposed Phase 3, which would disregard the very same environmental mitigations that were incorporated into the prior design in order to be able to alter the use of the Subject Property in a manner that was expressly prohibited at each prior phase. Nevertheless, the Powers Memo claims that these requested zoning changes, which would greatly expand the permitted uses of the Subject Property, are merely a "minor alteration" to the Subject Property that cannot possibly result in an environmental impact, and are therefore exempt from environmental review under CEQA. However, given the fact that the previously approved environmental mitigations would be eliminated upon approval of the current Project, it is apparent that the proposed Project would result in significant environmental impacts, *per se*.

A review of the public comment for the Project revealed that there was a proposed alternative design in which the existing facility would be built upwards over the existing third floor rather than outward over the first and second floors. This proposal potentially mitigates some of the resulting environmental impacts to a less than significant level, while achieving the benefits of the same proportional increase in intensity of use. However, the developer apparently rejected that mitigation proposal as not economically acceptable. The upshot is that the developer desires to be permitted to cause an environmental impact in order for the developer to be able to benefit financially. This is precisely the type of environmental cost vs. economic benefit analysis that CEQA is intended to cause to be disclosed to the decision makers prior to deciding upon approval of a proposed project.

Additionally, public comment reveals that the facility is already short of available parking, which results in inconvenience to the residents and neighbors, and causes additional

neighborhood traffic. A further reduction in parking capacity proposed by the application combined with elimination of entire parking areas to be used for staging during construction will only exacerbate the traffic problems that have not been reviewed and mitigated.

Allowing improvements on the second and third floors to encroach closer to property lines will increase noise and ambient light emitted towards neighborhood properties. The additions will also have an adverse impact on the existing daylight plane in violation of Palo Alto Municipal Code Section 18.38.150(e).

And, finally, it is our understanding that the facility, as presently configured, may currently be operating in violation of the applicable conditions of approval of Ordinance 3775 and/or Ordinance 5116, and that numerous complaints have been made to code enforcement with respect to such violations. If the Subject Property is, in fact, currently out of compliance with applicable zoning and/or use permits, then it should not be eligible to receive additional concessions until all such violations have been remedied.

The foregoing are just some examples of the many potential significant environmental impacts that might occur as the result of approval of the Project and the proposed development.

III. Conclusion.

We urge this commission to follow applicable law and refer the matter to staff to prepare a full environmental review as required in accordance with the California Environmental Quality Act. After an appropriate environmental review has been completed, this commission will be better able to make a recommendation to the City Council that is in compliance with the commission's legal responsibilities. Such a recommendation should properly take into consideration possible alternative designs, further mitigations, and/or, if appropriate, adoption of a Statement of Overriding Considerations regarding any significant environmental impacts arising from the Project. Alternatively, the proposed Project must be denied.

If you have question about any of the above, or if we can provide you with any other documents or information, please contact the undersigned.

Very truly yours,

HOGUE, FENTON, JONES & APPEL, INC.



J. Randall Toch
Of Counsel

JRT/ns

cc: Clients

Emily Kallas – Project Planner (via email only: emily.kallas@cityofpaloalto.org)
Sean A. Cottle

Kallas, Emily

From: Lily Lee <lee_lilyning@yahoo.com>
Sent: Monday, December 9, 2024 6:56 PM
To: Kallas, Emily
Cc: Kevin Ji
Subject: CEQA question

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

Hi Emily,

Thank you again for answering our earlier questions. I appreciate it. And I know you are very busy, but I would still like to invite you to my backyard at 4080 Wilkie Way at other days when you are more free to leave the office. If you are nearby, even if we did not make a formal set time in advance, just call my cell at 650-815-9749. You are very welcome to visit. I am sure other neighbors would welcome you too.

I read the CEQA memo, and I have a question. I found online in CEQA examples of projects that have “negligible or no expansion of use.” It includes these scenarios:

“(e) Additions to existing structures provided that the addition will not result in an increase of more than:

(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or

(2) 10,000 square feet if:

(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan . . . “

(Source: <https://www.law.cornell.edu/regulations/california/14-CCR-15301#:~:text=Class 1 consists of the,of existing or former use.>)

The proposed project would total 6,865 square feet, which exceeds the limit in (e)(1) above. Regarding (e)(2)(A), can you explain how that situation might apply or not in this project?

You have heard many concerns that public parking is not sufficient to allow for the current use, let alone an expanded use. Is that relevant?

And this project includes a 13% expansion of number of units, which is certainly an expansion of use.

I appreciate your help understanding this topic. Thank you!

Lily

Kallas, Emily

From: Daniel Pei <danielpei54@gmail.com>
Sent: Monday, December 9, 2024 9:20 PM
To: Kallas, Emily; Planning Commission
Subject: Wilkie Resident Concerns on Proposed Expansion of the Common Complex

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

Dear Emily and Commissioners,

I hope this message reaches you well. As someone who has grown up cherishing the quiet and connected community of Palo Alto, I wanted to share some heartfelt concerns about the proposed expansion of the complex near our neighborhood. While the intention behind the project is noble, the impacts on residents like myself cannot be ignored.

The False Promise of Parking Relief

I've noticed some improvement in parking recently, which I've learned is due to the commons strategically instructing staff to avoid parking on our residential streets—perhaps in anticipation of the upcoming vote. But even with this temporary relief, it's still challenging to find parking. This has made me wonder: if parking is barely manageable now, what will happen when the expansion is approved and these limitations are no longer in place? The thought of my family and neighbors struggling even more for parking in front of our own homes feels both unfair and inevitable.

The Impact on Mental Well-Being

One issue that hasn't been addressed enough is the toll this project takes on mental health. Noise pollution from the cooling units alone is exhausting, but it's more than that. The lack of sunlight in our living spaces, the feeling of exposure in our own backyards, and the constant uncertainty of parking make it hard to truly relax in our own homes. Home is supposed to be a sanctuary—a place to recharge. But for many of us, it has started to feel like a battleground for basic comfort and peace.

Compromising the Seniors' Experience Too

It's important to remember that this isn't just about the residents of Wilkie Way. The seniors who live in the complex also deserve a space that promotes their health and happiness. Expanding without carefully addressing sunlight access, noise reduction, and sufficient parking does a disservice to their quality of life as well. Overcrowding and shading their outdoor spaces could take away the serenity and balance they moved here to enjoy.

A Call for Balance and Thoughtfulness

What makes Palo Alto special is the delicate balance between progress and preservation. I know this isn't an easy decision, and I respect the effort that's gone into considering all perspectives. I ask only that you continue to uphold the values that make our city unique: protecting the livability of our neighborhoods while fostering thoughtful development that benefits everyone.

Thank you for taking the time to read my concerns. I truly appreciate your dedication to making decisions that reflect the needs and values of our community.

Sincerely,

Daniel

4060 Wilkie Way Resident



Kallas, Emily

From: Rebecca Sanders <rebsanders@gmail.com>
Sent: Monday, December 9, 2024 9:46 PM
To: Planning Commission; Kallas, Emily
Cc: gsheyner@paweeekly.com
Subject: PTC Meeting - December 11, 2025 - Item #2

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Dear Commissioners:

As I see it:

1. Palo Alto Commons could build these additional units elsewhere on the property. There is room. Is it too expensive? Or just more expensive to build elsewhere?
2. Palo Alto Commons claims they ease homelessness in Palo Alto by providing homes for the elderly. PAC is a for-profit convalescent facility with memory care, and physical therapists. Everyone there has some kind of medical issue. There is no low-income option over there that I am aware of. It is not a residential facility and relieving homelessness is not a mission or core value.
3. Neighbors are being asked to accept less privacy, less sunlight, lower property values, and more traffic and parking so that Palo Alto Commons makes more money. There is no public benefit to the proposed expansion so why should the city make exceptions for Palo Alto Commons.

I support my neighbors in North Ventura. They are doing a great bit of civic engagement and working hard to understand the laws and to advocate. Please respect their efforts by giving them this easy and obvious win. When you got against what you know is the right thing to do, it puts a pall on civic engagement. Please hear the voice of Ventura by recommending the applicant return with an application that does not violate current city building codes.

The people that live in Ventura have a right to expect that our codes are upheld for them, too. The people that work and make money in Palo Alto do not have the right to exploit neighborhoods for their profit. That's good governance. Variances should not be rewarded whimsically at the behest of a for-profit business to increase their profits while offering absolutely no public benefit. It would take a HUGE public benefit to sway Venturans to go for the proposal. We watch our quality of life erode while other wealthier neighborhoods are protected. That is wrong.

Thank you.

Becky Sanders

Kallas, Emily

From: Kai Porter <kaibop22@gmail.com>
Sent: Monday, December 9, 2024 10:00 PM
To: Kallas, Emily; Planning Commission
Subject: Comment about 4075 El Comino Way, especially TDM Plan

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

Dear Commissioners and City staff,

I would like to comment on the project at 4075 El Camino Way. I have lived at 4080 Wilkie Way since 2005. For 19 years, I have seen the huge building behind my fence. To help seniors, I support the 7 internal units that Palo Alto Commons wants to build. I would like to see alternative designs to reduce the effect of the proposed extra 9 external units that would add 4 new 2nd floor units, including 3 more 2nd floor units with 12.5 foot setbacks. I thought that the PTC in June asked the ARB to work with the developer to come up with a plan with 20 foot setbacks, but I don't think that happened.

I also worry about parking and traffic. Palo Alto Commons has not always done what it said it would, and I think you should wait for them to show you they can do a better job before you approve the proposal to send to the City Council. I have walked, biked, and driven, and I have seen a lot of congestion, especially as a student going to and from school, and driving to and from my job. I have seen parking get worse and worse, and I am worried it will get even worse when El Camino Real gets rid of parking. So I was glad to see the TDM Plan finally. But I think it needs some changes before you approve it.

The [parking study](#) only shows how many onsite parking spaces were used at the times of the study. It does not show how many people come to the building? Did they drive there? If so, where did they park? On pp. 51 and 52 of the [TDM Plan](#) is a parking policy. It sounds nice, but at the 6/12/2024 PTC meeting, Palo Alto Commons claimed that it implemented the plan, which included a new sign with a number that visitors could call to open the gate to an underground garage. But two Commissioners said that the person answering the phone asked them to park in the neighborhood. At the 7/18/2024 ARB Meeting, the minutes said, "Board Member Baltay had trouble parking when he visited the site on Wednesday morning; therefore, he agreed there was an issue with parking for visitors and employees overflowing into the neighborhood. Staff should ask for a Transportation Demand Management Plan (TDM). The applicant has not been in compliance with PC 3775's requirement for a parking plan and it was never enforced. The applicant has to provide parking for employees and visitors on site or a plan to the Planning staff's satisfaction to mitigate or reduce impact on neighborhood parking. Employees should not park in front of houses on Wilkie Way. The proposed additional units will increase parking demand."

The parking study was done on a Tuesday, Thursday, and Friday at 9-11 am. But visitors may be more likely on the weekends when they are not at work or school. In addition visitors might arrive more often in the afternoons. Maybe you can look at when visitors register and do a study of those times if not already covered by the March 2024 study.

The TDM Plan has some great ideas to promote transit, bikes, etc., but do some workers live so far away that buses that go from their homes to Palo Alto Commons might not run very often and might take a long time? They may also live too far away to bike. The TDM Plan will do an initial survey to set a baseline and to help plan changes of the plan to make it better. They should have done this a long time ago. Let's see what the survey says before finalizing the TDM plan.

The TDM Plan does not talk about how it fixed the problems that the PTC Commissioners saw themselves in June. It is keeping the gate. The parking study showed the underground garage was not full at those times. But four neighbors talked with nearly 10 Palo Alto Commons employees during summer and fall. The employees said they did not have room to park in the garage. They used to park on Wilkie Way. But recently, their bosses asked them to park instead on Second Street for a few months until the expansion is approved. Then they can return to parking on Wilkie Way. They told neighbors they were afraid that if they reported this, they might lose their jobs, so they did not want to say their names. Our neighbors on Second Street said they have more cars parking now than before.

One visitor said that the senior resident he visits asked him not to complain about parking because he worried that he might get treated worse by Palo Alto Commons staff. In addition, is Palo Alto Commons charging extra money to the senior resident whenever their visitors park in its parking lot? If so, are seniors asking their visitors not to park there?

Many Palo Alto Commons employees have also told neighbors that they did not receive any transit subsidies, as the TDM Plan describes.

The Palo Alto Commons van frequently parked on Wilkie Way. Then, after this concern came up at a public meeting, the van moved to a "guest" parking spot or a "handicapped" spot."

At the 10/17/2024 ARB meeting, the minutes said, "Boardmember Adcock suggested having a regular update of the parking policies." That is a great idea! In fact, I have heard that on another project with concerns, the facility reported back every month on progress. Because in the past Palo Alto Commons did not do what they were supposed to, maybe the TDM Plan should include information about how the City will monitor the TDM annual surveys and reports and other follow-up requirements to the plan. Monitoring should include 3rd party confidential surveys of employees and visitors so they will not get in trouble. In 1987, Palo Alto Commons was supposed to give the City an annual report about occupancy, but it did not.

The TDM Plan talked about administrative penalties for failure to follow the plan after 6 months. The TDM plan should add details, e.g. dollar amounts, and require increases the longer violations continue. The City should use the PC Ordinance or other legal document to ensure enforceability, including by third party suits by residents.

Finally, this is minor, but the "List of Nearby Amenities Within 0.30 or fewer miles" on p. 38 of the pdf, zero of the 45 locations are within 0.30 miles of 4075 El Camino Way. All but three locations are over three miles away. The only location within one mile is the PACCC, 0.5 miles away. Here are a few examples with distances from Google Maps:

- Tamarine is actually 3.8 miles away (not 0.10 miles away)
- Mademoiselle Colette is actually 3.7 miles away
- Palo Alto Dental Group is actually 3.9 miles away
- Like! Hair Salon is actually 3.7 miles away

The table should be fixed before the TDM is finalized.

In conclusion, please do not approve the TDM until Palo Alto Commons fixes these problems. And please don't approve expansion before then either.

Thank you for letting me make these comments.

Sincerely,

Lee Kai Porter
4080 Wilkie Way

Kallas, Emily

From: yanfeng wang <yanfengwang2@yahoo.com>
Sent: Monday, December 9, 2024 10:32 PM
To: Kallas, Emily; Planning Commission
Subject: Wilkie Way Resident's Concerns

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

Dear Emily,
Dear Commissioners,

I hope you're doing well. I'm writing to share my concerns about the 4075 El Camino Way Common located directly behind our backyard. While I support the idea of creating more units, I strongly believe this developer's proposal fails to provide a sustainable solution and sets a dangerous precedent that could harm both the community and the city's reputation.

The issues with this project are significant and unresolved:

1. Traffic and Parking Problems

Caregivers and staff from the common often park on residential streets (see [pictures](#)), leaving little to no space for nearby residents to park near their own homes (see [picture](#)). This has become a daily struggle for my family, and the overflow has only worsened over time. This proposed TDM plan seems to assume the current parking is sufficient, but it fails to reflect the reality we face. Worse yet, the developer has no clear plan for how they would enforce the proposed parking policies, leaving the specifics vague about what happens if these measures fall short. Instead of protecting the rights of neighbors by addressing these issues head-on, this vague plan feels more like a way to execute now and figure out the details later—leaving us feeling unheard and powerless.

2. Noise Pollution

The cooling units from the common have caused constant distress for nearby residents. Our neighbor at 4030 Wilkie Way, for example, endures noise levels reaching 70--100 dBA. 4060 Wilkie way/ 65-70 DBA. During a meeting with Mayor Greer Stone in October, both the mayor and neighbors experienced this overwhelming noise firsthand. For our neighbors, this is more than an inconvenience—it has upended their daily lives. They've Beyond these specific concerns, approving this project as it stands could set a dangerous precedent, encouraging other developers to prioritize profits over thoughtful, community-centered solutions. This approach would undermine the very values that make Palo Alto such a unique and vibrant place to live—sustainability, balance, and respect for the quality of life of its residents been forced to keep their windows shut and blinds closed just so their teenage child can sleep at night. No family should have to live like this. Expanding the building without resolving these issues would only make life harder for families like ours and our neighbors.

3. Loss of Sunlight

The current structure already casts a shadow over our backyard and living areas by 2 p.m. (see [picture](#) taken at 2PM), leaving us in shade for much of the afternoon. The privacy trees we planted help block the two-story building, but with the proposed expansion, an additional three story would rise above the trees—eliminating privacy and blocking sunlight even earlier, possibly by noon. Imagine needing to turn on the lights in your bedroom at 3 p.m. just to navigate your home during the day (see [picture](#) taken at 2PM, the shadow is about 90 ft deep.). That's the reality we'd face, even in sunny California. Instead of enjoying natural light, we'd be forced to live in darkness, reliant on artificial lighting. This expansion wouldn't just harm us—it would also rob seniors in the complex of sunlight in

their outdoor spaces, essential for their health and well-being. Prioritizing profit over such fundamental needs disregards the values that make our community livable and vibrant.

4. **Privacy Concerns**

Our backyard is already fully exposed to the windows of the current complex, leaving us with little privacy in what should be our personal space. During a gathering with City Commissioners in our neighbor backyard, a man from the Common stared directly into our meeting from his window, making it clear how exposed we truly are. This constant lack of privacy has forced my family and our neighbors to keep blinds and curtains drawn during the day, sacrificing sunlight just to feel a sense of security. We've lost the freedom to enjoy our backyards, knowing we are always visible to the residents above. Adding another story would only make this worse, exposing even more of our lives and leaving us feeling like our homes are no longer our own. The thought of losing what little privacy we have left is distressing and deeply unfair.

Beyond these specific concerns, approving this project as it stands could set a dangerous precedent, encouraging other developers to prioritize profits over thoughtful, community-centered solutions. This approach would undermine the very values that make Palo Alto such a unique and vibrant place to live—sustainability, balance, and respect for the quality of life of its residents.

I truly believe that our thoughtful leaders will continue to strengthen public trust in local governance and preserve the values we all hold dear.

Thank you for your time and consideration. I'd be happy to provide further details or share the evidence we've collected to help inform your decision.

Best regards,

Yanfeng Wang
4060 Wilkie Way, Palo Alto Resident



Kallas, Emily

From: Kirsten Flynn <sustainablekir@gmail.com>
Sent: Monday, December 9, 2024 11:49 PM
To: Kallas, Emily
Subject: Planning for 4075 El Camino Way

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Dear Ms Kallas,

I am life long Palo Alto, and I have seen a lot of change, including tall expensive homes going up on Wilkie Way. Now those neighbors want to roll up the ladder behind them, and not allow housing for additional seniors at the Palo Alto Commons. I love my home town, and want to support all of its diverse population.

I strongly support the project to build more units for our seniors at 4075 El Camino Way. For several reasons.

- First of all, if we want families to stay intact in the Bay Area, we need a place for seniors who need supportive housing. We are lucky enough to have my Father-in-Law, an Emeritus professor of Electrical Engineering still alive at 90, but he can no longer live independently. It was challenging to find a nice place for him to live! We all will either- have an elder that needs this kind of housing, or need it ourselves some day. Perhaps both!
- Secondly, unlike any other type of housing, these additional units are unlikely to cause much of a traffic concern. Most seniors who need this type of housing do not drive any longer.
- Thirdly, this is an efficient way to add additional housing for seniors, by putting the units as infill on existing land.
- And finally these housing units will utilize a driveway, parking, a lobby, dining facilities that already exist at the Palo Alto Commons. This makes effective use of existing infrastructure. There is no entrance from Wilkie Way.

I have heartfelt believe that we must look out for our community members, even if there is some small inconvenience from doing so. Are we going to allow housing projects for seniors to be scrapped AGAIN? I think our community can be more supportive, more generous and more inclusive, and provide housing for our neighbors as they age.

Kirsten A Flynn
650-855-9464
cell 650-387-3329
www.sustainablehome.com

Kirsten A Flynn
Frank M. Flynn
650-855-9464
K's cell 650-387-3329
F's cell 650-804-0865
www.sustainablehome.com

Kallas, Emily

From: Kevin Ji <kevinji2021@gmail.com>
Sent: Tuesday, December 3, 2024 9:41 PM
To: Kallas, Emily
Cc: Lee_lilyning@yahoo.com
Subject: Differences Between Versions of the Plans for Palo Alto Commons

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Hi Emily,

Hope you are doing well. I was wondering if you'd be able to tell me what changes have been made between the most recent version of the Palo Alto Common plans and the first version of the plans submitted to PTC in February. It'd be great to have a list of what's concretely different, as there are lots of pages to each plan, making it difficult for me to understand what's changed.

Sincerely,

Kevin

Kallas, Emily

From: hermesmh1@gmail.com
Sent: Tuesday, December 3, 2024 8:15 PM
To: Planning Commission; Kallas, Emily
Cc: Kevin Ji; JamesYahoo Porter; Jenny Chen; Lily Lee
Subject: Re: 4075 El Camino Way -PTC Motion re 20 ft setback?

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Correction " The logic here is Commons has to follow the local law first and secondly they can't build following the law." it should be: The logic here is Commons has to follow the local law first and secondly they can build following the law.

Sent from my iPhone

On Dec 3, 2024, at 7:53 PM, hermesmh1@gmail.com wrote:

Hi Emily and PTC members,

Lily forwarded Emily's email to us. I find it is odd that Commons mentions the 20' setback will not work. 20' setback is wrong. Commons is commercial building, the setback is 10'. If they can't build within the PC ordinance, then they can't build. The logic here is Commons has to follow the local law first and secondly they can't build following the law.

We have the Commons proposal clearly in violation of PC daylight plane. It should be 10' with 6' distance and 3' height increase. It is less than 30 degrees angle not 45 degree. Commons needs to adhere Palo Alto municipal code. No one should be above the law. They need to follow the local law.

I don't understand where 45 degrees angle can be used here. The Wilkie Way side is Commons rear yard not side yard. For rear yard, the setback is 10' and daylight plane is 6' distance with 3' height. This is the PC code. ARB used 45 degree is wrong. I really think city staff has been misleading ARB and PTC for this. Commons expansion proposal has to and must to adhere Palo Alto municipal code. They can't do whatever they want as city staffs telling us.

Best regards,

Mona
Sent from my iPhone

On Dec 3, 2024, at 7:14 PM, Lily Lee <Lee_lilyning@yahoo.com> wrote:

[Sent from Yahoo Mail for iPhone](#)

Begin forwarded message:

On Tuesday, December 3, 2024, 5:09 PM, Kallas, Emily
<Emily.Kallas@cityofpaloalto.org> wrote:

Hi Lily,

The City Attorney does not determine if a proposed discretionary project is contextually compatible with a neighborhood, that is determined by the ARB.

Thanks,

Emily

<image001.png> **Emily Kallas, AICP**

Senior Planner

Planning and Development Services Department

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

www.cityofpaloalto.org

[<image002.png>](#)

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

From: Lily Lee <lee_lilyning@yahoo.com>

Sent: Tuesday, December 3, 2024 5:00 PM

To: Kallas, Emily <Emily.Kallas@cityofpaloalto.org>

Cc: Kevin Ji <kevinji2021@gmail.com>; JamesYahoo Porter

<jporter992003@yahoo.com>

Subject: Re: 4075 El Camino Way -PTC Motion re 20 ft setback?

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

Thank you, Emily. Did the city attorney confirm that?

[Sent from Yahoo Mail for iPhone](#)

On Tuesday, December 3, 2024, 4:48 PM, Kallas, Emily
<Emily.Kallas@cityofpaloalto.org> wrote:

Hi Lily,

The applicant confirmed that it is not possible to reduce the second floor units in a way that would allow for a 20 ft setback. There needs to be structure under the proposed third floor units, but a 20 ft setback would not leave enough space for the 2nd floor additions to be usable as units.

The ARB did not comment on the applicant's justification of the setback. However, they did comment that the three story building with a 10 ft setback and the 45-degree angle daylight plane does meet the zoning requirements and is appropriate next to a one-story residential context.

Thanks,
Emily

<image001.png> **Emily Kallas, AICP**
Senior Planner
Planning and Development Services Department
(650) 617-3125 | emily.kallas@cityofpaloalto.org
www.cityofpaloalto.org

[<image002.png>](#)

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

From: Lily Lee <lee_lilyning@yahoo.com>
Sent: Monday, December 2, 2024 10:57 PM
To: Kallas, Emily <Emily.Kallas@cityofpaloalto.org>
Cc: Kevin Ji <kevinji2021@gmail.com>; JamesYahoo Porter <jporter992003@yahoo.com>
Subject: 4075 El Camino Way -PTC Motion re 20 ft setback?

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

Hi Emily,

I'm sorry I missed the last ARB meeting due to a work trip. I saw in your staff report for 7/18 this excerpt:
<image003.png>

Has the applicant responded to this PTC motion? Did the ARB discuss this topic in its October meeting? I appreciate your clarification.

Lily Lee
4080 Wilkie Way
650-815-9749

<image001.png>

<image002.png>

<image003.png>

Kallas, Emily

From: hermesmh1@gmail.com
Sent: Monday, December 2, 2024 4:45 PM
To: Kallas, Emily; Planning Commission
Cc: City Mgr; Lily Lee; Kevin Ji; Jennie Chen; Jayashree Divekar Wilkie; Shashank Divekar Wilkie Neighbor; Jennie Chen; Natacha Telusca; Ellen Hartog; Grace Wang; Tom Huibin Tang; James Cham; Zhang Fion; wengziming@gmail.com; jpamnani@gmail.com; simon_weng@yahoo.com; lucy_wu711@yahoo.com; garrettchan@hotmail.com; celinewang16@gmail.com; yschoo@gmail.com; jerry_chou_home@yahoo.com; akin@arden.org; cberwaldt@hotmail.com; danielpei@gmail.com; gsheyner@embarcaderopublishing.com
Subject: Re: Palo Alto Commons Schedule Update

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

Hi Emily and PTC members,

I am writing to express my concerns regarding why the Commons project was allowed to hold another PTC meeting without making any meaningful changes to their building design. In the last PTC meeting, there were specific requirements for Commons to revise the setbacks along Wilkie Way. Despite these requirements—and our continued objections to Commons being treated as residential buildings—no substantial design changes have been made.

From what I have observed, the only modification Commons has made is the creation of a few trees as their landscaping plan. Is this truly sufficient to warrant moving the project forward? How can this be justified when the PTC requirements appear to have been disregarded? The ARB's role is to review the architectural design to ensure it complies with city ordinances. Yet, staff seem to have misled the ARB by implying that because Commons is zoned as a PC, they can bypass all City municipal codes and requirements. I strongly disagree with this interpretation.

The truth is that the Palo Alto Municipal Code (PAMC) contains specific provisions dictating how PC zoning rules must be followed. Commons should not—and cannot—be considered above the city's municipal code. These are our local laws, and all developments, including Commons, must adhere to them.

It is the responsibility of city staff to ensure that Commons is following the rules and to remain impartial throughout this process. However, it seems that staff have failed to present the facts accurately and have misled both the PTC and ARB into believing that Commons is in compliance written in staff reports in the past. We, as neighbors, have repeatedly pointed out—both in meetings and emails—that the current interpretation of PC zoning is incorrect.

The Commons project, as currently designed, clearly violates several municipal codes. Specifically:

1. It does not adhere to the building transition requirements from low-density to high-density areas (e.g., the stepped conceptual design).

2. Its backyard setback and daylight plane requirements are violated by approximately 10 feet for setbacks and 3 feet for height increases at a 6-foot distance.
3. Commons is a commercial building, not a residential one, and therefore must comply with the commercial building PC ordinance codes.

City staff's job is to ensure that projects comply with the law and to act as impartial mediators. By failing to enforce the municipal code and allowing the project to proceed without meeting basic requirements, staff are undermining public trust.

We, as residents, expect a fair and thorough review process. Commons cannot be allowed to bypass the rules, and any interpretation of PC zoning must align with the city's ordinances. We urge staff, the PTC, and the ARB to enforce the municipal code and require that Commons make substantial design changes before moving forward.

I am looking forward to hearing back from you.

Best regards,

Mona He

Sent from my iPhone

On Nov 19, 2024, at 5:14 PM, Kallas, Emily <Emily.Kallas@cityofpaloalto.org> wrote:

Hello,

You are receiving this email because you expressed interest in the Palo Alto Commons addition project.

The project has been scheduled for a hearing at the Planning and Transportation Commission on December 11, 2024. The plans are the same as presented to ARB in October, and the Draft TDM plan will be available soon.

The Staff Report will be published on December 4, 2024. All previously received comments will be included in the report, and you are welcome to send new/additional emails as well, both to me or to planning.commission@cityofpaloalto.org.

The PTC hearing is at 6 pm though I do not know its placement on the Agenda yet. The next step after PTC is Council for the final decision, which will be in early 2025 to avoid any potential conflict with the Holidays.

As always, please let me know if you have any questions or comments.

Thanks,
Emily



Emily Kallas, AICP

Senior Planner

Planning and Development Services Department

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

www.cityofpaloalto.org

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[Planning Applications Mapped](#)

Kallas, Emily

From: Kallas, Emily
Sent: Thursday, November 21, 2024 4:01 PM
To: Kevin Ji
Cc: Lee_lilyning@yahoo.com
Subject: RE: 4075 El Camino Way Project Questions

Hi Kevin,

In response to your questions:

1. Beyond the Condition of Approval referencing it in the PC Ordinance, we do not have record of an existing TDM plan.
2. Per PAMC 18.52.050(d), a monitoring program for the TDM is required, and if the trip reduction performance measures are not met, the Director may require program modifications and may impose administrative penalties.
3. The Draft TDM plan is now available on the project webpage:
<https://www.cityofpaloalto.org/Departments/Planning-Development-Services/Current-Planning/Projects/4075-El-Camino-Way>
4. I can provide examples of other TDMs, but this one meets the requirements in terms of what we expect to see in a TDM plan, and was prepared by a consultant who has worked on other projects within Palo Alto. Some minor edits are still needed, but it is not going to change substantially.
5. If you would like to show slides or pictures at a public hearing, you will need to send them to me 1 day prior to the public hearing, and I can share them on the screen during public comment.

Thanks,
Emily



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

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From: Kevin Ji <kevinji2021@gmail.com>
Sent: Tuesday, November 19, 2024 10:25 PM
To: Kallas, Emily <Emily.Kallas@cityofpaloalto.org>
Cc: Lee_lilyning@yahoo.com
Subject: Re: 4075 El Camino Way Project Questions

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

Hi Emily,

Thanks for these answers. I had a few more questions from the neighbors about the TDM plan.

1. What does the existing TDM plan look like?
2. What happens when a TDM plan is violated?
3. Do you have any examples of any TDM plans?
4. Will we be able to comment on the TDM plan before the meeting?
5. In addition, is there any way to make a slide show or other multimedia to be shown at the meeting?

Sincerely,

Kevin

On Wed, Nov 13, 2024 at 11:37 AM Kallas, Emily <Emily.Kallas@cityofpaloalto.org> wrote:

Hi Kevin,

My responses to your questions have been added to your email below.

Thanks,

Emily



Emily Kallas, AICP

Senior Planner

Planning and Development Services Department

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

www.cityofpaloalto.org

**Provide feedback on Planning Development and
Administration services**

From: Kevin Ji <kevinji2021@gmail.com>
Sent: Wednesday, November 13, 2024 8:35 AM
To: Kallas, Emily <Emily.Kallas@cityofpaloalto.org>
Cc: Lee_lilyning@yahoo.com
Subject: 4075 El Camino Way Project Questions

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Hi Emily,

I hope you are doing well and thank you for sending the email with the updates on the project. The neighbors and I had some follow up questions:

1. In the last PTC meeting (6/12), there was discussion about a 20ft setback as a possibility. Can you help me understand the impacts of this? Which units would be affected and what code they are pointing to?

This comment was specifically referring to the potential for a 20ft setback from the Wilkie Way neighbors, where 10 ft is the current setback per the existing PC. I believe the PTC was referencing 20 ft as the R-1 rear yard setback. The Cycle 3 plans presented to PTC already included the 3rd floor being stepped back approximately 20 ft, affecting about 5 units. The 2nd floor adds 4 units facing Wilkie Way, all of which are approximately 12.5 ft setback from the property line, and about 2.5 ft setback from the existing first floor it is built above.

2. Can you help me understand which units are inside the 45 degree daylight plane, but outside the 3/6 daylight plane? How many of these units are there?

This is a little complicated because I had to cross reference between the Cycle 3 and Cycle 5 plan sets, but it appears that at least 2 existing units and an existing stairwell encroach into the 3:6 daylight plane. All new units facing Wilkie Way (9 units) would encroach into a 3:6 daylight plane as well.

3. Do we have a final date for the next PTC meeting? I know you had said tentatively 12/11 and 12/18, but is there a decision on this?

No, this still hinges on when we receive their revised TDM plan, I will know by 11/25 which date it is going on.

Thank you for taking the time to answer these.

Sincerely,

Kevin

Kallas, Emily

From: Laura Perry <perrylaura@yahoo.com>
Sent: Wednesday, November 6, 2024 10:43 AM
To: Kallas, Emily
Subject: Public Hearing on 10/17/24

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

Hello Ms Kallas:

There was a Public Hearing/ Quasi-Judicial re: construction plans for Palo Alto Commons at 4075 El Camino Way (23PLN-00202). I was not able to attend/ log into the meeting on Friday, 10/17/24. My mom is a tenant at Palo Alto Commons.

I'm not sure if this comment is the type of feedback you are looking for but I wanted to share my concern about the project.

My mom has been a tenant at Palo Alto Commons since September 2022. Construction started there sometime in late 2023 and while any construction project is a challenge and for the most part, things have been manageable except for one issue--parking. This is a huge issue and affects families and healthcare workers coming to see patient as well as staff at the facility. There has been storage of construction materials in the garage and around the property which has impacted the ability of family members (and I believe staff) to park either at Palo Alto Commons or the senior living facility, Avant next door. In addition, there is severely limited street parking on El Camino Way and W. Meadow Drive. I have mentioned parking access to the director in the past but there has been no information from the organization about improving parking during the construction.

I hope this information will inform your decision on moving forward with the project.

Thank you,
Laura Perry

Kallas, Emily

From: Lily Lee <lee_lilyning@yahoo.com>
Sent: Monday, October 28, 2024 7:26 PM
To: Planning Commission
Cc: Kallas, Emily; gsheyner@embarcaderropublishing.com
Subject: Neighbors oppose proposed PA Commons expansion at 4075 El Camino Way
Attachments: 2024-10-20 neighbors oppose PA Commons Expansion.pdf

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Hello Planning and Transportation Commissioners,

I would like to share attached signatures from many neighbors opposing the proposed addition of 16 units to Palo Alto Commons at 4075 El Camino Way. Although we appreciate that Wellquest Living has improved landscaping and window plans, these measures are not enough to mitigate the considerable impacts of the proposed project on the neighbors. The neighbors who signed this statement met on October 20, after the ARB recommendation for project approval, and we agreed to jointly express our continued opposition. Thank you very much again to those of you who already visited our backyards. For other Commissioners, we again invite you to come see for yourselves the current quality of life impacts of the existing facility in the transition between commercial and residential zones. The proposed additional units would significantly exacerbate these impacts. Please contact me to set a date/time convenient for you. We look forward to seeing you.

Sincerely,

Lily Lee and neighbors
650-815-9749

From: [jenny chen](#)
To: [Kallas, Emily](#); [Planning Commission](#)
Cc: [hermesmh1@gmail.com](#); [jayashreed@yahoo.com](#); [altairtang@gmail.com](#); [Yanfengwang2@yahoo.com](#); [wkneighbour@gmail.com](#); [Lee_lilning@yahoo.com](#); [Ziming Weng](#); [jennietuchan@hotmail.com](#); [garrettchan@hotmail.com](#); [Chen Jenny](#)
Subject: Opposition to Palo Alto Commons Expansion
Date: Wednesday, April 10, 2024 4:36:40 PM

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

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Dear Emily,

We extend our gratitude for meeting with us, Mona He, Yanfeng Wang, and Jenny Chen, on Thursday, April 4, 2024, regarding the interpretation of Palo Alto municipal code 18.38.150(e) concerning the daylight plane.

During the February 28, 2024 meeting, Palo Alto Planning and Transportation Commissioner Keith Reckdahl provided clarification (video timestamp 3:51:43-3:52:34 [Planning and Transportation Commission | Midpen Media Center](#)), stating, "In the code there are two ways of implementing the daylight plane, PC option or R1 setback option. PC daylight plane starts at 10 feet and ascends at a shallow 30-degree angle. R1 setback on the rear of an R1 is 20 feet. Therefore, the R1 setback optional daylight plane would commence 20 feet into the property. R1 option cannot be applied here due to the current building setback being only 10 feet. PC optional daylight plane must be applied in this case. This could significantly impact the types of units permitted in the rear."

We concur with Commissioner Reckdahl's interpretation of the daylight plane regulation.

Sincerely,

Jenny Chen

From: [jenny chen](#)
To: [Kallas, Emily](#); [Planning Commission](#)
Cc: [hermesmh1@gmail.com](#); [jayashreed@yahoo.com](#); [altairtang@gmail.com](#); [Yanfengwang2@yahoo.com](#); [wkneighbour@gmail.com](#); [Lee_lilning@yahoo.com](#); [Ziming Weng](#); [jennietuchan@hotmail.com](#); [garrettchan@hotmail.com](#); [Chen Jenny](#)
Subject: Opposition to Palo Alto Commons Expansion
Date: Wednesday, April 10, 2024 4:36:40 PM

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

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

Dear Emily,

We extend our gratitude for meeting with us, Mona He, Yanfeng Wang, and Jenny Chen, on Thursday, April 4, 2024, regarding the interpretation of Palo Alto municipal code 18.38.150(e) concerning the daylight plane.

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We concur with Commissioner Reckdahl's interpretation of the daylight plane regulation.

Sincerely,

Jenny Chen

Kallas, Emily

From: hermesmh1 He <hermesmh1@yahoo.com>
Sent: Friday, February 23, 2024 5:33 PM
To: Kallas, Emily
Cc: seanshari@comcast.net; Jayashree Divekar 4050 Wilkie; altairetang@gmail.com; 385wombat@gmail.com; hermemsh1@yahoo.com; Lait, Jonathan
Subject: Re: 4075 El Camino Way - Palo Alto Commons Project

You don't often get email from hermesmh1@yahoo.com. [Learn why this is important](#)

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Hi Emily,

I reviewed a post card regarding public next Wednesday public meeting. I am planning to attend it in person. Would you please let me know exactly where the meeting is at?

I used the link your provided from last email regarding Palo Alto Commons Expansion. But I couldn't tell which was the most updated the plan and what are the changes since the last city council meeting. Would you please send me the most up to day information about their proposal and how they have addressed planning department comments and last city council meeting to do list for them?

From what I can see the plan was dated for 10/27/2022.

As you knew, during our last meeting on November 7, 2023, I am strongly oppose Palo Alto Commons new expansion plan.

Here are some of the reasons:

1. The Commons expansion proposal is in violation of my real property right of enjoyment by completely blocking my property afternoon sun. Which I have already be greatly limited by Commons current second story building about 15 feet apart from my ADU. If proposed third story is built, my ADU and house will lost sun in the afternoon starting at 12:30pm. My backyard grass and plants and trees will die due to lack of sun. With my house and ADU are very close to the existing building, the third story is overpowering my property and I will lost entire skylight which I have been enjoying. All I will see from my backyard would have been an over towering block of wall with many windows that people can over looking my windows. I will have no privacy at inside my house and backyard at all and a total lost of my privacy and enjoyment of my property. Please see attached pictures.
2. The current building has underground parking and it was designed over thirty years ago, with adding new extra two more stories are huge publicly safety concerns. Can it withstand a major earthquake (according USGS, Bay Area is over due for a major earthquake) There are five ADUs at the backyard of Wilkie Way block which next to the proposed expansion building. The distance from the building will be as close as 15' apart(that's my ADU). If during the earthquake, the three story building were clapped, my ADU will be the direct hit by the 30' tall building. Who is responsible to the people living in my ADU and my ADU building itself? Who is responsible the lives who live in the Commons clapped three story building? We are living in the earthquake zone and we have major earthquake overdue to happen in northern California. For Palo Alto single family resident backyard setback requirement is 20 feet. What's the setback requirements for three story building?

3. Currently Commons and Avent buildings HVAC have already made very loud noises that is so loud we can open our windows. With new additions, there will be more powerful HVAC added, I can't imagine how we will sleep at night or work from home or just simply sit in our backyard to enjoy our day quietly.
4. There are cars constantly parking at front of my house on our street and these cars owners are working at Commons and Avant. I had asked some of them why they were parking their cars at our street. I was told that there were not enough parking spaces for them to park at Commons and Avant. With 14 (the latest on the website says 18?) more rooms added without single parking spaces added, there will be more cars parking our street and we won't be able to park cars on our street.
5. 4 of the 14 proposed rooms will be added right behind my house and my neighbor right next to me(4040, 4050 Wilkie). 13 of 14(18?) proposed rooms addition are all added to the existing buildings right next to our Wilkie Way single family one story houses. Please see attached photos. The new addition is at the price of entire block Wilkie Way residents' enjoyment of our lives. I asked Commons why they won't add forth story to their building facing El Comino or East Meadow. They said it is too costly to them to do so. So naturally , the Wilkie way residents become the victims of their money saving proposal! It is utterly absurd that big corporation want to save and make money at the cost of us, ordinarily working class residents who mostly are long time residents of PAL Alto?
6. The new addition next to Wilkie Way all single story houses are very intrusive and the new height felt monstrous in the neighborhood. It doesn't conform our neighborhood appeal.
7. I took some of the pictures from Palo Alto Commons front and it's parking. There seems if plenty of space for them to expand. They could add more parking space at the underground lever and add three or four stories in top of that. It will be facing El Camino. That way, they can add more rooms without put hugh negative impact on the neighboring houses and streets.
8. Ventura neighborhood housing values are Palo Alto most under appreciated. I see my house valued almost the same in the last 10 years vs other neighborhoods have seen tremendous amount of value appreciation in hundred of thousands or in million. With this proposal Commons new additions plan, it will further deprive and decrease our home prices. Commons cannot and shouldn't make money at the lost of our neighborhood home values
9. I heard some neighbors talking about selling their homes because of Commons proposal as they feel that they won't be able to enjoy their backyard peacefully after new additions.









4:47



Today
4:45 PM

All Photos





Sent from my iPhone

On Nov 9, 2023, at 3:29 PM, Kallas, Emily <Emily.Kallas@cityofpaloalto.org> wrote:

Hi Mona,

Thank you for speaking with me at the Development Center today to express your concerns regarding the proposed project.

As we discussed:

Here is the link to the Project Webpage, it will be update when revised plans are submitted by the Architect: <https://www.cityofpaloalto.org/Departments/Planning-Development-Services/Current-Planning/Projects/4075-El-Camino-Way>

Here is the link to the 8/7/23 Council Staff Report and Minutes:

<https://cityofpaloalto.primegov.com/Portal/Meeting?meetingTemplateId=12606> (under Study Session)
<https://cityofpaloalto.primegov.com/Public/CompiledDocument?meetingTemplateId=12611&compileOutputType=1>

I will notify you of any future public hearings, and you will also receive a post card in the mail two weeks prior to any scheduled meeting. A flowchart of the expected project process is here:

<https://www.cityofpaloalto.org/files/assets/public/v/2/development-services/planning-review/7.-maps-zoning/planned-community-review-process-02-03-2023.pdf>. We are on the 5th step, waiting for the applicant to revise the plans.

I'm happy to answer any other questions you may have.

Thanks,
Emily



Emily Kallas, AICP

Planner

Planning and Development Services Department

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

www.cityofpaloalto.org

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Kallas, Emily

From: Shashank Divekar <shashankdivekar@yahoo.com>
Sent: Wednesday, December 6, 2023 11:26 AM
To: Kallas, Emily
Cc: Jayashree Divekar
Subject: Objection to Palo Alto Commons Extension Plan
Attachments: IMG_5862.jpg; IMG_5861 (1).jpg; IMG_6230.jpg

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

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Hello Emily,

This is regarding the extension plan of Palo Alto Commons to add more stories with the addition of 14 rooms.

We live in a single family home on 4054 Wilkie Way, right behind the Commons. We hereby would like to voice our strong opposition to the plan as it significantly affects the value of the property and our privacy. Adding these 14 rooms would create a tall high rise wall with overlooking balconies right behind our backyard fence. Palo Alto has valued schools, unique and prized houses and a great sense of community. We do not want this to be disrupted. The current existing structures at Palo Alto Commons are already a compromise when they were first constructed. There can be no further compromises.

At the Community outreach meeting, we understood that Charlene Kussner from the Commons would model a two-story addition, and we have heard nothing about that. Her offer seems disingenuous and misleading at this point.

We are also writing to ask about the 2 x 4 wooden structures or “sticks” as Charlene referred to them. If the plans are not approved why are they adding the sticks/wood structure? See attached photos. When can they be taken down? They are oppressive and depressing for us and the noise from the ongoing construction is bothersome. If they are not approved, they are also illegal. We are no longer able to use the backyard to relax anymore or for any other family activities that require privacy. As you can see from the photos, the structures already tower over our backyard.

We understood Councilman Lauing to have said at the study session that the rooms and services at the Commons cost \$225,000.00 per year. That is over \$3,000,000 revenue increase for the Commons with the addition of 14 rooms. Though the city will collect more tax revenue, it does not have to be at the expense of the residents along Wilkie Way and W. Meadow. We are also concerned about increase in visitor traffic on our street due to increased residents in those 14 rooms. It is unfair to us to have our lives and quality of life forever altered because of this extension.

PLEASE HELP STOP THIS EXTENSION PLAN OF PALO ALTO COMMONS !!

Sincerely,

Shashank Divekar (650) 681-7494

Jayashree Divekar (650) 681-7495

Kallas, Emily

From: seanshari <seanshari@comcast.net>
Sent: Saturday, January 6, 2024 5:49 PM
To: Lait, Jonathan
Cc: Velasquez, Ingrid; Kallas, Emily; Rice, Danille; City Mgr; hermesmh2@yahoo.com
Subject: Re: 4075 El Camino Way - The Commons Expansion

Hello Jonathan,

I'm happy to say that the "sticks" outlining the proposed expansion are now *down*!

Thank you very much!

Happy New Year!
Sean and Shari McDaniel

On Dec 22, 2023, at 2:42 PM, seanshari <seanshari@comcast.net> wrote:

Hello Jonathan,

I'm sorry to say that the "sticks" outlining the proposed expansion are still up.

Thanks for your communication.
Happy holidays!

Sean McDaniel

On Dec 20, 2023, at 1:31 PM, Lait, Jonathan <Jonathan.Lait@cityofpaloalto.org> wrote:

Hi Mr. McDaniel,

Thank you for your email message below. I understand the poles have been removed. If this is not consistent with your understanding, please let me know. With regard to the pending development application, please continue to coordinate with Emily Kallas the project planner reviewing the application. She can provide you updates and let you know of opportunities to participate in the process going forward.

Thank you,

Jonathan

<image003.png> **JONATHAN LAIT**
Director
Planning and Development Department
(650) 329-2676 | jonathan.lait@cityofpaloalto.org
www.cityofpaloalto.org

[<image004.png>](#)

From: Family <seanshari@comcast.net>
Sent: Friday, December 15, 2023 12:44 PM
To: Council, City <city.council@cityofpaloalto.org>
Cc: hermesmh2@yahoo.com
Subject: Re: 4075 El Camino Way - The Commons Expansion

[Some people who received this message don't often get email from seanshari@comcast.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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

Dear Council Members,

Below is the email and photos that I recently sent to Emily Kallas at the city planning office. My neighbor, who is "cc" on this email, informed that it would be better to send it to you council members as you are the final decision makers.

As you take a look at the photos, you can imagine the invasive nature of the proposed expansion.

I know that many of my neighbors work full-time and it is hard for them to carve out the time to communicate. All that I have spoken to are opposed to this expansion. The compromises were made for The Common's structure and its impact on nearby residents when first built. I have lived with those impacts for 30 years. The Commons already encroaches on our lives and increasing the structural height along the Wilkie Way side of the building is unacceptable.

Thank you for your representation.

Sincerely,
Sean McDaniel

> Hello Emily,
> I am writing to ask about the 2 x 4 wooden structures or "sticks" as Charlene Kussner from the Commons referred to them. When can they be taken down? They are oppressive and depressing for us. We don't go in the backyard to relax anymore.
>
> I have attached some photos for your review and for the council's consideration regarding the appropriateness of this proposed expansion.

>

> At the Community outreach meeting, I understood that Charlene would model a two-story addition, and I have heard nothing about that. Her offer seems disingenuous at this point.

>

> We are still very opposed to the development. I believe Councilman Lauing said at the study session that the rooms and services at the Commons cost \$225,000.00 per year. That is a \$3,000,000 revenue increase for the Commons with the addition of 14 rooms. Though the city will collect more tax revenue, it is unfair that the residents along Wilkie Way and W. Meadow have their lives forever altered.

>

> I hope all is well for you. Thank you for your efforts on our behalf.

>

> Sincerely,

> Sean McDaniel

>

>

>

<image013.jpg>

<image014.jpg>

<image015.jpg>

<image016.jpg>

>

Kallas, Emily

From: James Porter <jporter992003@yahoo.com>
Sent: Monday, October 7, 2024 9:55 PM
To: Charlene Kussner; Yangsze Choo; Tim Davis; Lily Lee
Cc: dbowman@ipaoc.com; Kevin Ji; Kallas, Emily; ntelusca@gmail.com; Jenny Chen; Grace (Yan Feng) Wang
Subject: Re: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

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Thanks Tim and Charlene,

Just a few additional considerations from 4080 Wilkie Way.

- Our family is 100% supportive of evergreen trees.
- Denser foliage is better
- 40 feet height is preferable. We noted some tree suggestions that were 20 feet. This seems to low to obscure the addition at all
- Also could you look at shade tolerant evergreens as we note that the addition may shade the newly planted tree significantly given its position?

We are looking forward to the other tree recommendations.

Thanks,

James Porter

On Monday, October 7, 2024 at 04:58:17 PM PDT, Lily Lee <lee_lilyning@yahoo.com> wrote:

Thank you Tim,

This information is very helpful!

Lily

On Monday, October 7, 2024 at 09:45:27 AM PDT, Tim Davis <tim@wilsondavisassociates.com> wrote:

Good morning everyone,

See my responses to the questions below in **Red**.

1. I thought Charlene said we would be given 3 tree options to review. Will you send us another proposed species to review? **I will research and provide an additional evergreen tree species.**

2. The descriptions are related to Santa Barbara conditions. I was just at Santa Barbara 2 weeks ago. Conditions are not the same as here. Could you please give us information about how the trees would do in the local environment? I'm interested in how quickly they would grow in our environment and how long hardy, resistant to insects/disease, drought tolerant, etc. they would be in our environment. I noticed that the landscape architect is from San Bernardino. Perhaps they could communicate with local arborists? I will in a separate email ask the Santa Clara County extension agents and Canopy nonprofit (which

works with the City of Palo Alto) and cc you. The trees selected were chosen from my reaching out to Moon Valley Nursery northern California location for trees that they grow, and that would be compatible with the Palo Alto location. The Water Use Calculations of Landscape Species (WUCOLS) put out by UC Davis and used by California Landscape Architects for drought tolerance indicate that both species are compatible in the Palo Alto area as a medium water use tree.

3. I like that the *Hymenosporum flavum* is evergreen. That will maximize the screening effect. However, the *Cercis canadensis* is deciduous. Would you suggest some evergreen trees instead? The choice of the *Cercis* was to provide a small tree with colorful foliage to offset the large amount of green foliage. We can substitute the *Cercis occidentalis* for the *Cercis canadensis*, Which is a native variety, however the location that we are proposing is not a suitable location for a native species.

4. I noticed that neither species is native. Native plants that are well-adapted to our local environment can often be more sustainable and support the local ecosystem. Could you suggest some native species? The existing environment would not be suitable for native trees. The existing plant material is not a native plant palette and the existing irrigation would be too much for native plants and if reduce the irrigation so as not to over water the native plants you will stress the non-native plants and risk losing them or vice versa.

Cheers!

Tim Davis, ASLA

Wilson Davis Associates

2825 Litchfield Dr.

Riverside, CA 92503

Ph. (951) 353-2436 ext. 1001

Cell (951) 255-0402

tim@wilsondavisassociates.com

“The bitterness of poor quality is remembered long after the sweetness of low price has faded from memory”

From: Charlene Kussner <charlene@wqliving.com>

Sent: Monday, October 7, 2024 8:05 AM

To: Yangsze Choo <yangszechoo@gmail.com>; Lily Lee <lee_lilyning@yahoo.com>

Cc: Tim Davis <tim@wilsondavisassociates.com>; dbowman@ipaoc.com; Kevin Ji <kevinji2021@gmail.com>; Emily Kallas <emily.kallas@cityofpaloalto.org>; JamesYahoo Porter <jporter992003@yahoo.com>; ntelusca@gmail.com; Jenny Chen <jennyslchen@yahoo.com>; Grace (Yan Feng) Wang <yanfengwang2@yahoo.com>

Subject: RE: Fw: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

Thank you for this response. We will incorporate into our plans.

Charlene Kussner | *V.P. of Development & Asset Management*



charlene@wqliving.com
C: 951.757.2571

Corporate Office: 185 South State Street, Suite 1300, Salt Lake City, UT 84111

CA Office: Wellquest of Menifee Lakes, 29914 Antelope Road, Menifee CA 92586

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Ralph Waldo Emerson

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From: Yangsze Choo <yangszechoo@gmail.com>

Sent: Sunday, October 6, 2024 9:54 PM

To: Lily Lee <lee_lilyning@yahoo.com>

Cc: Charlene Kussner <charlene@wqliving.com>; tim@wilsondavisassociates.com; dbowman@ipaoc.com; Kevin Ji <kevinji2021@gmail.com>; Emily Kallas <emily.kallas@cityofpaloalto.org>; JamesYahoo Porter <jporter992003@yahoo.com>; ntelusca@gmail.com; Jenny Chen <jennyslchen@yahoo.com>; Grace (Yan

Feng) Wang <yanfengwang2@yahoo.com>

Subject: Re: Fw: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

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Hi Charlene and Tim,

We are the residents of 4076 Wilkie Way, and we would like to have a tree at the fenceline with 4076 Wilkie. More screening is preferred by us, especially if it is evergreen.

Best wishes,

Natalie

On Sun, Oct 6, 2024 at 9:49 PM Lily Lee <lee_lilyning@yahoo.com> wrote:

Hello Charlene and Tim,

Thank you for sending the draft revised landscape plan. I have several comments:

1. I thought Charlene said we would be given 3 tree options to review. Will you send us another proposed species to review?
2. The descriptions are related to Santa Barbara conditions. I was just at Santa Barbara 2 weeks ago. Conditions are not the same as here. Could you please give us information about how the trees would do in the local environment? I'm interested in how quickly they would grow in our environment and how long hardy, resistant to insects/disease, drought tolerant, etc. they would be in our environment. I noticed that the landscape architect is from San Bernardino. Perhaps they could communicate with local arborists? I will in a separate email ask the Santa Clara County extension agents and Canopy nonprofit (which works with the City of Palo Alto) and cc you.
3. I like that the *hymenosporum flavum* is evergreen. That will maximize the screening effect. However, the *cercic canadensis* is deciduous. Would you suggest some evergreen trees instead?
4. I noticed that neither species is native. Native plants that are well-adapted to our local environment can often be more sustainable and support the local ecosystem. Could you suggest some native species?

Thank you for considering my comments. Feel free to call if you would like to talk more.

Lily Lee

4080 Wilkie Way

650-815-9759

----- Forwarded message -----

From: **Charlene Kussner** <charlene@wqliving.com>

Date: Fri, Aug 30, 2024 at 7:46 AM

Subject: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

To: Kevinji2021@gmail.com <Kevinji2021@gmail.com>, jennyslchen@yahoo.com <jennyslchen@yahoo.com>, tee_lilyning@yahoo.com <tee_lilyning@yahoo.com>, yanfengwang2@yahoo.com <yanfengwang2@yahoo.com>

Cc: Daniel Bowman <dbowman@ipaoc.com>, Tim Davis <tim@wilsondavisassociates.com>

Good Morning Neighbors on Wilkie Way~

Thank you for coming to the Community meeting last week to discuss planting trees to add more privacy/screening the building from your rear yards.

As we discussed, some residents wanted trees against the building and some did not want added shade in their rear yards.

We have added some trees up against the building, to screen the new units from view. These trees do not add any significant shade impacts, and there is only one tree which adds just a little shade at the fence line, at 4076 Wilkie Way address. We can certainly remove this tree if no added shade is requested.

We appreciate your feedback on this matter.

Please see the attached exhibits as you requested:

3D landscape rendering showing new trees and the building

Landscape Plan with added trees for privacy, screening

Updated Shadow Studies based on adding these trees.

I am here and available for further dialog on this matter.



charlene@wqliving.com
C: 951.757.2571

Corporate Office: 185 South State Street, Suite 1300, Salt Lake City, UT 84111

CA Office: Wellquest of Menifee Lakes, 29914 Antelope Road, Menifee CA 92586

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Ralph Waldo Emerson

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Kallas, Emily

From: Charlene Kussner <charlene@wqliving.com>
Sent: Monday, September 23, 2024 11:11 AM
To: Kallas, Emily
Cc: Daniel Bowman; Steve Sandholtz; Stephen Reller; Li Li
Subject: FW: Palo Alto Commons Community Outreach Meeting updates

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Hi Emily, I have followed up a couple times with our neighbors, this has been our only response to date. (below)

Avant Pipe/Exhaust update: We are working with our contractor, Vance Brown, to increase the exhaust pipe size to 5 inches, and then extend the pipe away from the resident property, around the corner of the building towards our courtyard. This should solve the issue, I have left two messages for that resident, Huibin Tang, with no response. I will document the new piping with photos and video prior to the Oct. 17th ARB meeting.

Thank you!

Charlene Kussner | *V.P. of Development & Asset Management*



charlene@wqliving.com
C: 951.757.2571

Corporate Office: 185 South State Street, Suite 1300, Salt Lake City, UT 84111

CA Office: Wellquest of Menifee Lakes, 29914 Antelope Road, Menifee CA 92586

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From: Kevin Ji <kevinji2021@gmail.com>
Sent: Sunday, September 22, 2024 9:42 PM
To: Charlene Kussner <charlene@wqliving.com>
Subject: Re: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

Hi Charlene,

Thanks for reaching out. Glve me a couple days to chat with the neighbors and I'll circle back with you.

Sincerely,

Kevin

On Thu, Sep 19, 2024 at 2:57 PM Charlene Kussner <charlene@wqliving.com> wrote:

HI Kevin, just following up on this. Any further comments we need to incorporate? Please let me know.

Thanks so much~

Charlene Kussner | *V.P. of Development & Asset Management*



charlene@wqliving.com
C: 951.757.2571

Corporate Office: 185 South State Street, Suite 1300, Salt Lake City, UT 84111

CA Office: Wellquest of Menifee Lakes, 29914 Antelope Road, Menifee CA 92586

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From: Daniel Bowman <dbowman@ipaoc.com>
Sent: Monday, September 9, 2024 9:43 AM
To: Charlene Kussner <charlene@wqliving.com>; Kevin Ji <kevinji2021@gmail.com>
Cc: Tim Davis <tim@wilsondavisassociates.com>; jennyslchen@yahoo.com; tee_lilyning@yahoo.com; yanfengwang2@yahoo.com
Subject: RE: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

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Kevin,

The existing shade plans are on the sheets above the proposed shade plans. It is the one without the green and red areas. Green being the impact from the added trees and red being the impact from the building areas.

Below is the square footages for the proposed added shade at the dates and times that are on the shade plans. Since the sun is always moving, these times are a snapshot of the shadows throughout the year. Dec 21 having the most shade impact during the year and June 21 having the least shade impact. 3 times are taken at noon and 1 at 4pm near sunset (at sunset its 100% shade by definition).

The area of all of the properties along Wilkie Way is 57,110 sf. So the worst case shade impact of these times would add shade to 0.29% of the property areas. All of which will be on roofs for that time (dec 21st at 4 pm).

Square Footages of Shade Impact on Neighbor's Property		
Dates and Times	Area of Added Shade	
	From building addition	From proposed trees

March 21 st at 12 PM	0 sf	28 sf
June 21 st at 12 PM	0 sf	0 sf
Dec 21 st at 12 PM	43 sf (37 sf on roofs)	86 sf
Dec 21 st at 4 PM	157 sf (all on roofs)	7 sf (all on roofs)



DANIEL BOWMAN, NCARB

IRWIN PARTNERS ARCHITECTS

245 Fischer Avenue, Suite B2 Costa Mesa, CA 92626

714.557.2448 | dbowman@ipaoc.com | ipaoc.com

From: Charlene Kussner <charlene@wqliving.com>

Sent: Monday, September 9, 2024 7:40 AM

To: Kevin Ji <kevinji2021@gmail.com>; Daniel Bowman <dbowman@ipaoc.com>

Cc: Tim Davis <tim@wilsondavisassociates.com>; jennyslchen@yahoo.com; tee_lilyning@yahoo.com; yanfengwang2@yahoo.com

Subject: RE: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

Yes, we do. Daniel can send to you this morning.

Charlene Kussner | *V.P. of Development & Asset Management*



charlene@wqliving.com
C: 951.757.2571

Corporate Office: 185 South State Street, Suite 1300, Salt Lake City, UT 84111

CA Office: Wellquest of Menifee Lakes, 29914 Antelope Road, Menifee CA 92586

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From: Kevin Ji <kevinji2021@gmail.com>
Sent: Saturday, September 7, 2024 10:21 AM
To: Daniel Bowman <dbowman@ipaoc.com>
Cc: Tim Davis <tim@wilsondavisassociates.com>; Charlene Kussner <charlene@wqliving.com>; jennyslchen@yahoo.com; tee_lilyning@yahoo.com; yanfengwang2@yahoo.com
Subject: Re: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

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Hi All,

Thanks for this information. I was wondering if you have a shade analysis not against what is being proposed to be built, but what is currently there. Is there any way we can get the square footage of new shade caused by the new construction? It is hard to measure this with these paper print outs.

Thanks,

Kevin

On Wed, Sep 4, 2024 at 9:37 AM Daniel Bowman <dbowman@ipaoc.com> wrote:

The shadow study drawings are on 11x17 sheets. If you print it on 8 1/2x11 (standard) you can either scale it down 50% (so the scale of the drawing would be 1"=100') or you can print it on two 8 1/2x11 sheets to keep it at 1"=50'.

Sheet 1:



Sheet 2:



DANIEL BOWMAN, NCARB

IRWIN PARTNERS ARCHITECTS

245 Fischer Avenue, Suite B2 Costa Mesa, CA 92626

714.557.2448 | dbowman@ipaoc.com | ipaoc.com

From: Tim Davis <tim@wilsondavisassociates.com>
Sent: Wednesday, September 4, 2024 8:03 AM
To: charlene@wqliving.com; Kevin Ji <kevinji2021@gmail.com>
Cc: jennyslchen@yahoo.com; tee_lilyning@yahoo.com; yanfengwang2@yahoo.com; Daniel Bowman <dbowman@ipaoc.com>
Subject: RE: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

Charlene,

Here are the tree descriptions. As for the height when planted that would depend on the size of the tree we intend to install. Most likely it will take 5-10 years to provide the privacy they are hoping for.

Cheers!

Tim Davis, ASLA

Wilson Davis Associates

2825 Litchfield Dr.

Riverside, CA 92503

Ph. (951) 353-2436 ext. 1001

Cell (951) 255-0402

tim@wilsondavisassociates.com

“The bitterness of poor quality is remembered long after the sweetness of low price has faded from memory”

From: Charlene Kussner <charlene@wqliving.com>
Sent: Wednesday, September 4, 2024 6:53 AM
To: Kevin Ji <kevinji2021@gmail.com>
Cc: jennyslchen@yahoo.com; tee_lilyning@yahoo.com; yanfengwang2@yahoo.com; Daniel Bowman <dbowman@ipaoc.com>; Tim Davis <tim@wilsondavisassociates.com>
Subject: RE: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

Good Morning! Thank you for your response.

Daniel and Tim can provide these answers for you.

Charlene Kussner | *V.P. of Development & Asset Management*



charlene@wqliving.com

C: 951.757.2571

Corporate Office: 185 South State Street, Suite 1300, Salt Lake City, UT 84111

CA Office: Wellquest of Menifee Lakes, 29914 Antelope Road, Menifee CA 92586

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From: Kevin Ji <kevinji2021@gmail.com>

Sent: Tuesday, September 3, 2024 11:12 PM

To: Charlene Kussner <charlene@wqliving.com>

Cc: jennyslchen@yahoo.com; tee_lilyning@yahoo.com; yanfengwang2@yahoo.com; Daniel Bowman <dbowman@ipaoc.com>; Tim Davis <tim@wilsondavisassociates.com>

Subject: Re: Palo Alto Commons Community Outreach Meeting: Tree Screening Discussion

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Charlene,

Thanks for sending this over to me. I had a couple of follow up questions.

1. Can you help me understand the scaling on the shadow study? I see that it says 1" = 50'. But how large of a surface is this printed out on? If I were to print this out on a standard letter size paper, I imagine it would be much smaller than if I were to print it out on a large poster board size.
2. Can you attach the blow up on the information about these trees? The information on the plant schedule and the species is too small to see on a computer.
3. What are the growing schedules of these trees? How tall will they start out as and how long will it take them to grow to a height where it will actually provide shade/privacy?

Thanks,

Kevin

On Fri, Aug 30, 2024 at 7:46 AM Charlene Kussner <charlene@wqliving.com> wrote:

Good Morning Neighbors on Wilkie Way~

Thank you for coming to the Community meeting last week to discuss planting trees to add more privacy/screening the building from your rear yards.

As we discussed, some residents wanted trees against the building and some did not want added shade in their rear yards.

We have added some trees up against the building, to screen the new units from view. These trees do not add any significant shade impacts, and there is only one tree which adds just a little shade at the fence line, at 4076 Wilkie Way address. We can certainly remove this tree if no added shade is requested.

We appreciate your feedback on this matter.

Please see the attached exhibits as you requested:

3D landscape rendering showing new trees and the building

Landscape Plan with added trees for privacy, screening

Updated Shadow Studies based on adding these trees.

I am here and available for further dialog on this matter.

Charlene Kussner | *V.P. of Development & Asset Management*



charlene@wqliving.com

C: 951.757.2571

Corporate Office: 185 South State Street, Suite 1300, Salt Lake City, UT 84111

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From: [Lily Lee](#)
To: [Kevin Ji](#); [Kallas, Emily](#)
Subject: Re: Palo Alto Commons project - Timeline? Applicable landscaping/privacy requirements?
Date: Tuesday, September 24, 2024 9:49:49 PM
Attachments: [image006.png](#)
[image004.png](#)
[image003.png](#)
[image002.png](#)
[image001.png](#)
[image007.png](#)

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Hi Emioly,

Thank you for this information. I was wondering if this is still the plan?

Lily

On Wednesday, August 28, 2024 at 11:29:38 AM PDT, Kallas, Emily <emily.kallas@cityofpaloalto.org> wrote:

Hi Lily,

Yes, that timeline is accurate to the process.

Currently, assuming the fastest possible timeline, it would look like this:

ARB 10/17 – this is tentatively scheduled and likely to remain on this date

PTC 11/13

Council 12/16 – this is the last one of 2024

There's a lot of factors that go into this, but this at least gives a sense of what is possible. Many items, such as review of the TDM plan, could delay this schedule. This schedule would not be affected by the election, but if it becomes certain that the PTC would be in 2024 and Council would be in 2025, then any PTC members who win the Council election may choose to recuse themselves from the PTC vote since they can only vote once as either PTC or Council.

Thanks,
Emily

Emily Kallas, AICP



Planner

Planning and Development Services Department

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

www.cityofpaloalto.org

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From: Lily Lee <lee_lilyning@yahoo.com>

Sent: Monday, August 26, 2024 4:59 PM

To: Kevin Ji <kevinji2021@gmail.com>; Kallas, Emily <Emily.Kallas@cityofpaloalto.org>

Subject: Re: Palo Alto Commons project - Timeline? Applicable landscaping/privacy requirements?

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Hi Emily,

Thank you for your speedy and substantive response!

I am attaching the 1st fil as a Word doc. I'm sorry this link did not work for you.

<https://docs.google.com/document/d/1IX-3UxhfHq1EfNYf3d4tordXKVtnTwQYT1oCoOkLozg/edit?usp=sharing>

On Monday, August 26, 2024 at 09:19:42 AM PDT, Kallas, Emily <emily.kallas@cityofpaloalto.org> wrote:

Hi Lily,

I'm happy to provide a project update, and please feel free to share my response with other neighbors.

1. Thank you for sending over the documents, unfortunately I was only able to open 2nd link with the meeting notes, and not the 1st link? If you could please download it and resend it as a Word doc, that would be great.

2. In terms of the 2nd link, thank you very much for the summary since I was unable to attend the meeting. I have a couple additional notes to add:

The Planning Dept. would also prefer screening landscaping to be evergreen, however we are open to neighbor preferences.

The allowed residential fence height is 7 ft (not 6 ft, also this is inclusive of any lattice). 8 ft is allowed where residential abuts non-residential, and with Staff approval. It would be possible to rebuild the 8ft fence, though it cannot be any taller.

There may be Fire Code/egress issues with only having 5ft sill windows in a unit, I will follow up on this. Secondary windows may have a 5ft sill, but I believe each sleeping room is required to have at least 1 egress window.

3. Yes, we are currently anticipating the project will go back to the ARB in October. It is tentatively scheduled for 10/17, though this is subject to change. It does not make sense to return to ARB until we have the revised landscape design, since the ARB specifically asked for that.

4. As a Planned Community Project, the project is not required to meet the code requirements of PAMC 18.24 or 18.40. However, those are starting points for the ARB, PTC, and Council to use to determine if what the applicants are asking for is reasonable and should be approved.

Thanks,

Emily



Emily Kallas, AICP

Planner

Planning and Development Services Department

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

www.cityofpaloalto.org

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From: Lily Lee <lee_lilyning@yahoo.com>

Sent: Sunday, August 25, 2024 3:53 PM

To: Kallas, Emily <Emily.Kallas@cityofpaloalto.org>; Kevin Ji <kevinji2021@gmail.com>

Subject: Palo Alto Commons project - Timeline? Applicable landscaping/privacy requirements?

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

Hi Emily,

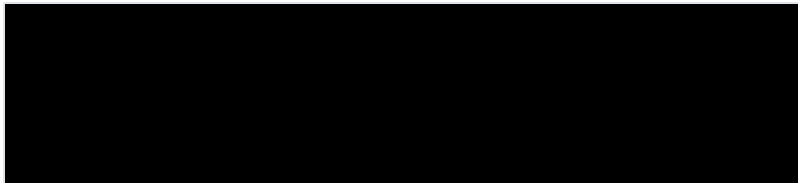
I hope you are well! Some neighbors have requested more information about the bigger picture timeline. I drafted a summary to help them. Would you mind reviewing this and making any corrections or additions? I hope all of us will be less confused that way:

<https://docs.google.com/document/d/1IX-3UxhfHq1EfNYf3d4tordXKVtnTwQYT1oCoOkLozg/edit?usp=sharing>

Also, Charlene told me that she expects to go back to the ARB in 45 days, which means October. I thought they would revise the landscape plan first based on the comments that we gave them. But maybe they do not think they need to make much change?

In addition, here are some notes I took from the 8/22 meeting. I asked the neighbors to add/edit based on what they remember from the meeting. I may not have remembered correctly what Charlene said about a back fence height restrictions and the option for increasing the height if a request for a special permit is granted. I would appreciate your help with making sure I have the right information about that too.

[2024-08-22 Landscape architects Mtg](#)



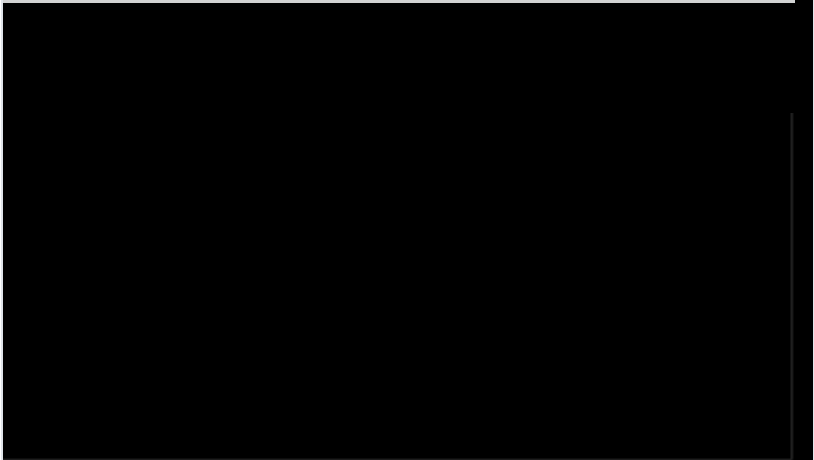


18.40.260 Visual Screening and Landscaping

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I know you are busy. Please do not feel any urgency to respond this week (or even next week) to these questions. But maybe in the next month, if you have some quiet time, I would appreciate your advice. You can respond piece by piece as you have time. And if it is easier for you, of course, call any time. Again, thank you very much for your help! I have learned a lot from you!

Lily

650-815-9749

----- Forwarded Message -----

From: Kallas, Emily <emily.kallas@cityofpaloalto.org>

To: Lily Lee <lee_lilyning@yahoo.com>; Kevin Ji <kevinji2021@gmail.com>

Sent: Monday, July 22, 2024 at 09:29:30 AM PDT

Subject: RE: Summary of Board Member Baltay's conversation with Wilkie Way residents

Hi Lily,

Thank you for the summary. The existing privacy standards are located in two places:

- [18.24.050\(b\)\(2\) Privacy and Transitions to Residential Uses](#). I would specifically look at subsection (D) – the section starting with “Windows: within 30 feet of facing residential windows...”
- [Individual Review Guidelines](#) Guideline 5 (pages 14-15). These are the ones the PTC cited, though the ARB discussed/determined 18.24 would be more appropriate to apply.

Thanks,

Emily



Emily Kallas, AICP

Planner

Planning and Development Services Department

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

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From: Lily Lee <lee_lilyning@yahoo.com>

Sent: Thursday, July 18, 2024 6:20 PM

To: Kallas, Emily <Emily.Kallas@cityofpaloalto.org>; Kevin Ji <kevinji2021@gmail.com>

Subject: Summary of Board Member Baltay's conversation with Wilkie Way residents

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Hi Emily,

Thank you for helping us understand the process. You requested a Summary of Board Member Baltay's conversation with Wilkie Way residents. As I said he reiterated several things he said during the meeting. I did not take notes, but below is what I remember. Kevin, please add/correct:

He thanked us for our input. He said the ARB is taking our concerns seriously and that is why it asked the applicant to come back with many additional tasks and changes in design. He appreciated Kevin's thorough research. Although he does not agree with some of Kevin's interpretation, using the existing code and other guidelines is the best way to influence the process. In that spirit, he recommended looking at the existing privacy standards, which is what he asked the applicant to apply. He said the ARB takes seriously the impacts on parking, noise, privacy, and visual impact. That is why it went beyond usual requirements to recommend no noise producing equipment in the 10 foot setback.

Emily, is this what he was talking about?

[18.40.260 Visual Screening and Landscaping](#)



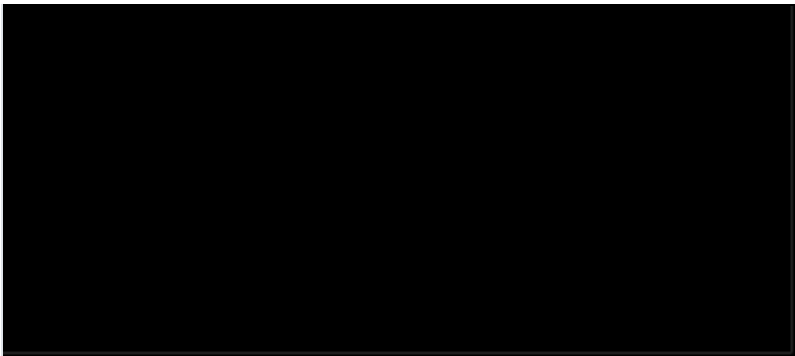
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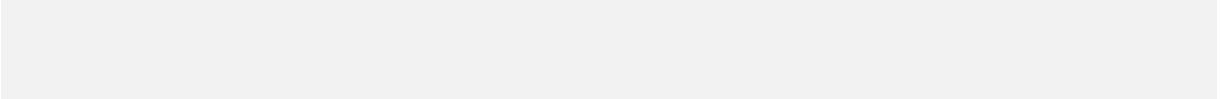
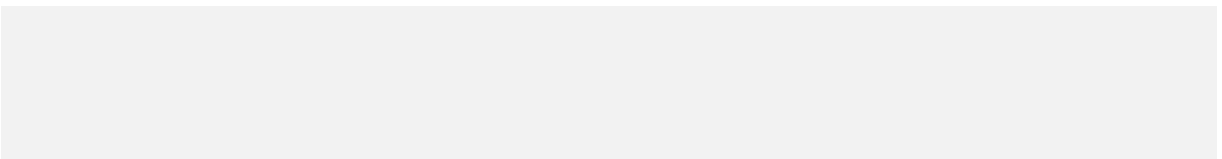


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Thank you again!

Lily

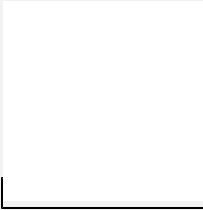


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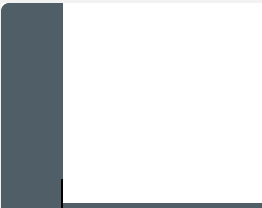
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