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Old Rental History			
Name	Lease Term	Rent PSF vs. Market PSF	Reason for Leaving
Steakhouse	N/A	N/A	Vacant
Buffet	N/A	N/A	Bankrupt
Coffee Shop	N/A	N/A	Foreclosed
Japanese Restaurant	N/A	N/A	Purchased from Bank
Indian Restaurant	N/A	N/A	Vacant & Sold
Present Rental History			
Name	Lease Term	Rent PSF vs. Market PSF	Reason for Leaving
Orchid	6/1/04 - 1/30/06	\$2.00 / \$4.50	Tenants paid \$300k to remodel w/ little traffic.
China Delight	2/1/06 - 1/30/08	\$2.00 / \$5.00	Hidden courtyard restaurant & sold business w/ 6 year extended lease. No Traffic. Every 2 years sold business.
Jade Palace	2/1/08 - 4/30/08	\$2.00 / \$5.00	No visibility, auto & pedestrian traffic. Sold Business w/another 6 year extended lease.
Peking Duck	5/1/10 - 03/30/20	\$2.00 / \$6.00	To convert office shell needed \$200k. Decided to wait w/ the granted Office Ordinance. Refused to extend lease.
Peking Duck	4/1/20 - 4/30/22	\$0.00 - \$0.08 / \$5.00	Tenants w/ side trading business to sustain. Cannot sell business
Peking Duck	5/1/22 - Present	\$0.00 / Vacant	No drive-thru or street dining. Unpaid rent & vacated.

3-DAY NOTICE TO PAY RENT OR QUIT
[California Code of Civil Procedure section 1161(2)]

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Resident(s): Jaff Wai Szeto & Linda Cen

(All Adult Occupants and All Others in Possession)

Premises: 151 S California Ave E101, Palo Alto CA 94306

(Address, Apt #, City, State, Zip Code)

TO RESIDENT(S):

PLEASE TAKE NOTICE that within three (3) days after service upon you of this Notice you are hereby required to **PAY** to the undersigned the rent for the above described premises, of which you now hold possession, amounting to the sum of (\$ 256310), dollars, enumerated as follows:

\$ 82620 DUE FROM 04/01, 2020 TO 12/01, 2020

\$ 90840 DUE FROM 01/01, 2021 TO 12/01, 2021

\$ 37850 DUE FROM 01/01, 2022 TO 05/01, 2022

or **QUIT** and deliver up possession of the premises.

YOU ARE FURTHER NOTIFIED that the Landlord does hereby elect to declare a forfeiture of your rental agreement under which you now hold possession of the above-described premises, and if you fail to perform or otherwise comply with this Notice, will institute legal proceedings to recover rent and possession of the premises which could result in a judgment against you including rent, hold-over rent damages, costs and attorney fees together with treble damages as allowed by law.

SECTION 594 OF THE PENAL CODE OF CALIFORNIA PROVIDES THAT "EVERY PERSON WHO MALICIOUSLY INJURES, OR DESTROYS ANY REAL PROPERTY NOT HIS OWN ... IS GUILTY OF VANDALISM." (A FELONY OR MISDEMEANOR)

"AS REQUIRED BY LAW, YOU ARE HEREBY NOTIFIED THAT A NEGATIVE CREDIT REPORT REFLECTING ON YOUR CREDIT RECORD MAY BE SUBMITTED TO A CREDIT REPORTING AGENCY IF YOU FAIL TO FULFILL THE TERMS OF YOUR CREDIT OBLIGATIONS." California Civil Code section 1785.26(c)(2).

Date: 06/29 22

Robert Lee

Name of Person or Entity rent is payable to:

408-306-1&33

Peggy Lee

Telephone number:

Name of Person or Entity rent is delivered to:

Address for payment:

*If payment may be made in person, the usual hours and days for payment: 12-3 pm

Monday-Friday in person

(Payment may be made by Certified Funds and/or ☐ Cash ☐ Check, pursuant your Rental Agreement.)

UNAUTHORIZED USE PROHIBITED

For Members Only
Apartment Association,
California Southern Cities
Approved Form #F70 - 1/06





Josh Shumsky

CA RE License #01883266

September 21, 2022

City of Palo Alto Planning Department
285 Hamilton Ave., 1st. Floor
Palo Alto, CA 94301

Re: 151 S. California Avenue, Palo Alto, CA - Retail Leasing Efforts

Dear City Planner:

My name is Joshua Shumsky, and I have been actively working to lease the ~3,500 square feet current restaurant space at 151 S. California Avenue in Palo Alto since April of 2019. I have been a retail leasing specialist for the last 9 years, with a prior four and a half years working within the retail companies themselves. Through my leasing of downtown-focused properties in downtown Los Gatos, Mountain View, and the newly created downtown in Cupertino (Main Street Cupertino), I have developed a broad list of fitness, restaurant, and retail tenants as well as a strong leasing outreach program to target established and newly expanding groups, alike. The Palo Alto address and local/regional mix of tenants along California Ave has historically been a strong selling feature for restaurants, fitness/retail uses, and continues to create a real buzz in the market.

Upon execution of the listing agreement, our marketing efforts began immediately, with a focus on the following items: visibility to potential tenants online (Co-Star, Loopnet, Marketing Blasts to the brokerage community and retail users) and finally targeted direct submittals via email as well as phone calls to potential tenants.

Based on the limited availability in the core downtown markets of Palo Alto we expected and initially received interest from groups such as Orangetheory Fitness, who would have been a potential fit for the full 3,500 square feet space, as well as other like users. These inquiries were primarily informational, and what we determined were that few if any were for retail uses. The majority of the calls were for Office /Medical space, which is currently not approved within the existing unit. Furthermore, the fitness and retailer users with which we connected were concerned about the lack of street visibility of the space, due to the location within the courtyard, as well as the unconventional layout of the unit. This particular space has multiple jogs and step backs that make a traditional retail layout challenging.

The space has been vacated by Peking Duck for three (3) months now. We have re-focused our efforts on leasing the space as a turn key restaurant. We have had interest from various restaurateurs such as Taishoken Ramen, All That Shabu, Silverlake Ramen, Yuk Dae Jang, and Chubby Cattle. The feedback that we have received is that the courtyard location lacks visibility. This is a huge negative because there is no car or foot traffic which is vital for restaurants. In addition, there is no street dining area or drive through capabilities. Furthermore, the space is triangular in shape and would be extremely difficult to demise into two smaller units. The restroom core would be impossible to use by a front tenant as it is located to the rear of the space.

Additionally, I created a robust marketing campaign complete with a marketing brochure, marketing e-blast, and prominent listing placement on both Costar and Loopnet as well as on the Newmark Knight Frank website. The feedback we received from this more robust marketing exposure was also initially strong, and with the available

September 21, 2022

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information on the websites the users looking for ±3,500 square feet space were able to see the property understand that this could be a target opportunity. There was some potential interest in demising the premises, but based on the layout of the space and the access point from the courtyard this would be challenging.

This marketing effort led to Tenant's such as Orangetheory driving/touring the site, which provided direct tenant feedback regarding the trade area, the space itself, and the perceived barriers for these types of tenants to lease the property. It also helped to validate which tenant groups are actively expanding in today's retail market. The direct feedback we received on 151 S. California Avenue was that the location is far enough from the core University Avenue downtown to not receive the foot traffic and retail synergy that provides, yet it is close enough to have limited drive by traffic and visibility, sitting off of El Camino Real. It was my perspective that a destination oriented use was the only potentially viable retail target for this property. As mentioned with Orangetheory Fitness, while a few of these fitness groups took a long look at the site, the general consensus remained. With the concern about the limited visibility and challenging configuration, none were willing to take the risk on the property.

Throughout the process we have worked collaboratively with the properties owners to adjust various marketing elements such as price, and ultimately deciding to focus on a "negotiable" pricing structure which was designed to garner the greatest level of interest.

We have ultimately come to the conclusion that a revision to the allowed uses is warranted to include office and medical uses. Although we have never actively targeted that use for the property, we have received multiple office and medical user inquiries for every one retail inquiry.

I appreciate your time in reviewing this letter, and would be happy to address any further questions you may have, upon request.

Sincerely,



Josh Shumsky

CA RE License #01883266

jshumsky@ngkf.com

T 408.982.8490

151 S. California Ave., Palo Alto - Tenant Outreach Report (12/27/2022)

#	Tenant Name	Use Type	Genre	Size	Closest Location	Last Contact	Comments
1	Starbird	Restaurant	Chicken		2,000 Sunnyvale	12/23/2022	Tenant is negotiating a deal within the trade area.
2	Koi Palace	Restaurant	Dim Sum/Asian Noodle		5,000 Cupertino	12/23/2022	Tenant has recently opened in Cupertino. Looking for 5,000 S.F. sites in higher traffic areas.
3	SMUV Lagree Fitness	Fitness	Fitness		1,800 San Jose	12/23/2022	Tenant going to proceed with a new location in Fremont.
4	Carbon Health	Medical	Health/Wellness	2,500-3,500	Sunnyvale	12/23/2022	Active Category. Site does not have enough visibility for Tenant, with lack of convenient parking
5	Pizza My Heart	Restaurant	Pizza		2,000 Palo Alto	12/21/2022	Tenant is located on University Avenue. No interest in relocating to California Ave.
6	Huckleberry's	Restaurant	Breakfast/Lunch		3,500 Livermore	12/20/2022	Tenant likes the location, but was concerned with parking. Has an active offer in Sunnyvale, which would cover the trade area.
7	Pest's Coffee	Restaurant	Coffee		2,000 Palo Alto	12/13/2022	Located in Town and Country Village. Not interested in this site or size.
8	Phiz	Restaurant	Coffee		1,500 Palo Alto	12/13/2022	Site on Alma. Not interested in a space on California Ave at this time.
9	Kewille	Restaurant	Coffee		1,800 San Francisco	12/13/2022	Submitted to broker. Tenant had been quiet during the pandemic as we had seen with many specialty coffee shops.
10	Verve	Restaurant	Coffee		2,000 Palo Alto	12/13/2022	Great Third Wave coffee purveyor. Not interested in locating so close to University Ave.
11	Tech CU	Financial	Financial		2,000 Palo Alto	12/13/2022	Per Broker, Tenant is not currently expanding.
12	US Bank	Financial	Financial		3,500 Menlo Park	12/13/2022	Tenant had been exploring growth via their Union Bank subsidiary. They have been quiet as of late.
13	Blink Fitness	Fitness	Fitness		15,000 N/A	12/9/2022	Tenant is under the equinox umbrella and needs a larger club type setting. Tenant's minimum requirement is 15k S.F.
14	Hapas Brewing	Restaurant	Brewery/Brewpub		4,500 San Jose	11/18/2022	Current brewery is large, in San Jose. Expansion would be in taproom format, and would not need this amount of space.
15	Silverlake Ramen	Restaurant	Ramen		2,500 N/A	11/15/2022	Space is too big
16	Bamboo Asia	Restaurant	Asian QSR		2,000 San Francisco	11/15/2022	Looking to expand, but space is too large.
17	Sauces BBQ & Spirits	Restaurant	BBQ		5,000 San Jose	11/15/2022	Space is too small for Tenant. Sister concept to Plucked Chicken & Beer. Located at Santana Row
18	Madison Reed Color Bar	Personal Service	Beauty		1,500 San Francisco	11/15/2022	Submitted sites to broker. Tenant is actively expanding, but looking at shopping centers and highly visible Downtown Sites. Space is too large.
19	Bike Dog Brewing Co	Brewery/Tap room	Brewery/Taproom		1,800 Sacramento	11/15/2022	No response.
20	Chromatic Coffee	Restaurant	Coffee		1,500 San Jose	11/15/2022	Current location is a roastery and café in San Jose. Tenant has toyed with expanding to additional cafes, but is not currently active.
21	Temple Coffee Roasters	Restaurant	Coffee		2,000 Sacramento	11/15/2022	Multi Unit operator. They showed interest in expanding into the Bay area, but then pulled back during the Pandemic
22	Verizon Wireless	Retail	Communications	2,500-3,000	Palo Alto	11/15/2022	Submitted to broker.
23	F45	Fitness	Fitness		2,000 Mountain View	11/15/2022	Expansion is strategic and based on franchisees within the market.
24	Ben's Barkplace	Pets	Pet Supply		3,000 Campbell	11/15/2022	Tenant signed a lease in Mountain View. No longer holds a need in the market.
25	Silver	Restaurant	Pizza		2,000 Berkeley	11/15/2022	Great local restaurant serving vegetarian pizza.
26	Tasty Pizza	Restaurant	Pizza		2,000 Sunnyvale	11/15/2022	Similar to Curry Pizza House. Strong local operator. Site is too much for them.
27	Hot 8 Yoga	Fitness	Yoga		3,500 San Jose	11/15/2022	Open in Santana Row. Tenant had been looking up the Peninsula. Space too small/buried. Not enough parking.
28	RNG Lounge	Restaurant	Chinese		4,000 San Francisco	11/14/2022	Broker toured space, but did not feel it to be a fit for his client
29	Firewings	Restaurant	Chicken		2,500 San Mateo	10/12/2022	Tenant is looking to grow rapidly. Prefers shopping centers.
30	Xfinity	Retail	Communications		3,000 Palo Alto	10/12/2022	Existing location on Oregon Expy. No interest in a relocation to our site.
31	AT&T	Retail	Communications		1,500 Palo Alto	10/12/2022	Tenant had closed many locations during the pandemic. Open to strategic growth, but focused on small format high traffic locations.
32	Bushido Izakaya	Restaurant	Japanese		3,000 N/A	9/19/2022	Broker toured space, but did not feel it to be a fit for his client
33	Rumble Fish	Restaurant	Japanese		2,500 Mountain View	9/19/2022	Tenant was looking to relocate their location, and toured space with their broker. They decided not to pursue the space due to visibility as well as space square footage.
34	Yucca de Lac	Restaurant	Asian Fusion		3,000 Palo Alto	9/19/2022	Broker toured and took video. Following client discussions, they elected not to pursue
35	House of Pancake	Restaurant	Noodle		3,500 San Francisco	9/19/2022	Broker toured and took video. Following client discussions, they elected not to pursue
36	Aqui Cal Mex	Restaurant	Cal-Mex		3,500 Cupertino	9/19/2022	Tenant is focused on higher foot traffic/visibility with patio
37	Taishoken Ramen	Restaurant	Ramen		2,500 N/A	9/19/2022	Space is too big
38	Daeho Galbi Jim & Beef Soup	Restaurant	Korean		3,500 N/A	9/19/2022	Submitted. Broker was evaluating for Tenant. Liked the trade area, but concerned with visibility
39	Chubby Cattle by the X Pot/Wagyu House	Restaurant	Hot Pot		6,000 N/A	9/19/2022	Space is too small
40	All That Shabu	Restaurant	Shabu Shabu		5,000 N/A	9/19/2022	Space is too small
41	Yuk Dae Jang	Restaurant	Korean		2,500 N/A	9/19/2022	Space is too big
42	Creator	Restaurant	Burger		1,500 San Francisco	9/15/2022	Interesting concept. Needs heavy foot traffic and glassline to the street. Robotic Burger Tenant.
43	Poke House	Restaurant	Poke		1,500 Palo Alto	9/15/2022	Existing location is too close. Space is larger than Tenant needs.
44	Pizza Rev	Restaurant	Pizza		2,000 Turlock	8/15/2022	Concept has halted growth
45	Pizzeria Delfina	Restaurant	Pizza		3,000 Palo Alto	8/15/2022	Great concept. Not interested as they are already in Palo Alto on Forest.
46	Rosie's New York Pizza	Restaurant	Pizza		3,500 San Jose	8/15/2022	Great local operator, not expanding at this time.
47	Subsallicious	Restaurant	Sandwich		1,500 San Jose	8/12/2022	Not a player. They are focused on low cost expansion by targeting 2nd gen sandwich shops
48	Trailhead Cycles	Bicycles	Bike Shop		2,000 Cupertino	7/5/2022	Opened a flagship location in Cupertino. Not interested in another large space. May explore hub and spoke strategy go-forward.
49	Gott's Roadside	Restaurant	Burger		2,500 Palo Alto	6/23/2022	Located at Town & Country Palo Alto. No interest in relocating.
50	Urban Plates	Restaurant	American		4,000 Dublin	6/15/2022	Focused on Whole Foods/Mall anchored sites.
51	Shake Shack	Restaurant	Burger		2,000 Stanford	6/15/2022	Location at Stanford Shopping Center. No interest in another location in the trade area.
52	Pelicana Chicken	Restaurant	Chicken		1,500 Cupertino	6/15/2022	Location open in Cupertino.
53	Barclot Coffee	Restaurant	Coffee		1,500 Campbell	6/15/2022	Tenant struggled during the Pandemic with limited wholesale/office roasting contracts. Not expanding
54	The Woodhouse Personal Service	Health/Wellness	Health/Wellness		6,000 Walnut Creek	6/15/2022	Space is too small for Tenant. They also prefer 2nd level space in high income areas due to rent sensitivity.
55	Locanda	Restaurant	Italian		2,500 Campbell	6/15/2022	Strong East Bay Operator. Just opened space in Campbell. Focused on strategic growth. Will follow up
56	Halal Guys	Restaurant	Mediterranean		1,800 Redwood City	6/12/2022	Great concept. Space is too big. Passing on site.
57	Doppio Zero	Restaurant	Pizza		3,500 Mountain View	6/12/2022	Tenant shut down location in Cupertino during the pandemic. Not in expansion mode.
58	Pizza Bocca Lupo	Restaurant	Pizza		2,000 San Jose	6/12/2022	Located in the San Pedro Square market. Tenant prefers market hall settings.
59	Out of the Barrel	Restaurant	Brewery/Taproom		1,500 Campbell	6/10/2022	Great operator in Los Gatos/Campbell. Needs a smaller space with large patio
60	Burgers & Brew	Restaurant	Burger		4,000 Davis	6/10/2022	Not focused on the Bay Area for now.
61	Twisted Doughnuts and Coffee	Restaurant	Doughnuts		1,800 San Francisco	6/5/2022	No interest in expansion at this time.
62	Zocalo's	Restaurant	Mexican/Tapas		5,000 Sacramento	6/5/2022	Pushing Tenant to expand into the Bay Area. Not confirmed yet.
63	Curry Pizza House	Restaurant	Pizza		1,800 Palo Alto	6/5/2022	On University Ave. Great operator. Space too large. Focusing on 2nd generation pizza locations.
64	The Growler Guys	Restaurant	Brewery/Taproom		3,000 Reno, NV	6/1/2022	Tenant opened a site in San Jose, but it subsequently closed.
65	Blue Bottle	Restaurant	Coffee	1,500 - 2,000	Palo Alto	6/1/2022	Location is too close to this site. Concerned about foot traffic compared to their current site in University Ave.
66	Equator Coffees	Restaurant	Coffee		1,500 Burlingame	6/1/2022	Site is not a target. Space is too big
67	Huskies	Restaurant	Coffee		1,500 Santa Ana	6/1/2022	Tenant was exploring an expansion into Santa Clara County. Not pursuing at this time.
68	Java Cafe	Restaurant	Coffee		1,500 Santa Clara	6/1/2022	Not expanding at this time.
69	Cinnaholic	Restaurant	Dessert		1,200 San Jose	6/1/2022	Tenant is looking to sublease location in DT San Jose. Not expanding with that franchisee.
70	Restore Hyper Wellness	Personal Service	Health/Wellness	2,500 - 3,000	Texas	6/1/2022	Broker feedback is that Tenant is focused on a PA location, but will need other core demand drivers, such as grocery/fitness.
71	Dish Dash	Restaurant	Mediterranean		1,800 Sunnyvale	6/1/2022	Great operator. Focusing on their smaller format Dish N Dash concept due to labor shortage. Site too large.
72	Healthy Spot	Pets	Pet Supply		3,000 San Francisco	6/1/2022	LA Based concept. Focusing on higher visibility/traffic space.
73	Pizza Chicago	Restaurant	Pizza		2,500 Palo Alto	6/1/2022	Tenant is not interested in relocating from El Camino Real. Space is too big/buried.
74	UPS Store	Restaurant	Professional Services		1,500 Palo Alto	6/1/2022	Space too large for Tenant.
75	Ramen Hiroshi	Restaurant	Ramen		2,000 San Ramon	6/1/2022	No interest in expansion at this time.
76	AOPS (High Level Learning)	Education	Tutoring		6,000 Santa Clara	6/1/2022	Tenant doing a deal in Mountain View. Too close to site. Site was too small for Tenant.
77	Poki Bowl	Restaurant	Poke		1,500 Sunnyvale	3/12/2022	Tenant paused expansion until office population returns for lunch business.
78	Bluemercury	Retail	Beauty		1,800 Los Altos	1/15/2022	Not enough co-tenancy for Tenant. Space is too large for Tenant's use.
79	Coltrane's Burger Lounge	Restaurant	Burger		3,500 Belmont	1/15/2022	Not actively expanding.
80	The Everest	Restaurant	Indian		2,000 Sunnyvale	1/15/2022	Tenant operates out of their food truck. Great food, but no interest in brick & mortar.
81	The Bird	Restaurant	Chicken		1,500 San Francisco	1/12/2022	Not interested in the space.
82	Veggie Grill	Restaurant	Plant-Based		2,500 Mountain View	11/18/2021	Space is too large for Tenant's requirement. Focused on high visibility shopping center/mail sites.
83	Brew City Burgers	Restaurant	Burger		2,500 Campbell	11/15/2021	Great local operator. Needs high visibility. Located in Campbell.
84	Alfers Ice Cream	Restaurant	Dessert		1,200 Oxnard	11/15/2021	Not looking at Northern California at this time.
85	Sidcar Doughnuts	Restaurant	Doughnuts		1,800 Santa Monica	11/15/2021	Per broker, Tenant's expansion to Northern California was put on hold due to the Pandemic. They have not re-engaged on Northern California opportunities.
86	Ramen Dojo	Restaurant	Ramen		1,800 San Mateo	11/15/2021	Space is too large

87	Pedego	Bicycles	Bike Shop	1,500	Palo Alto	10/21/2021	Electric Bikes. Already in market. Site is too big to pursue.
88	Hops & Scotch	Restaurant	Craft Cocktail	2,500	Walnut Creek	10/12/2021	Tenant was exploring a South Bay opportunity, but put that effort on pause.
89	65 C	Restaurant	Dessert	2,500 - 3,000	Cupertino	10/12/2021	Tenant needs high visibility end cap units.
90	Mendocino Farms	Restaurant	Sandwich Salad	2500	Palo Alto	10/12/2021	Tenant has a location on Hamilton Ave. No interest in a space this close.
91	C&C Curry House	Restaurant	Vietnamese	1,500	Burlingame	10/12/2021	Space is too large. Prefer smaller units with street visibility
92	Chicken Meets Rice	Restaurant	Vietnamese	1,500	Santa Clara	10/5/2021	Tenant not yet ready to expand.
93	Blue Line Pizza	Restaurant	Pizza	3,000	Mountain View	9/28/2021	Great operator. Looking for heavier foot traffic.
94	Kojo Kitchen	Restaurant	Asian QSR	2,500	San Mateo	9/21/2021	Tenant paused on expansion during the pandemic.
95	Base Color Bar	Personal Service	Beauty	1,500 - 2,000	Los Angeles	9/20/2021	Space is too large for Tenant's need.
96	Dry Bar	Personal Service	Beauty	1,500	Stanford	9/20/2021	Space too large for Tenant. Would require demising. Tenant is also concerned about visibility. Looking for a more dynamic/Grocery anchored property.
97	Fieldwork Brewing	Restaurant	Brewery/Taproom	2,000	San Mateo	9/20/2021	Tenant has used all of their taproom/tasting room licenses from their existing brewery. Unable to further expand for the time being. Tenant also required ±1,500 S.F. of patio.
98	The Bar Method	Fitness	Fitness	1,800	Palo Alto	9/20/2021	Space is too large for Tenant need. Current location in Town & Country.
99	CrossFIT	Fitness	Fitness	3,500	Palo Alto	9/20/2021	Tenant needs significant outdoor space for their workout programs. The site will not work.
##	Arctic Restore	Personal Service	Health/Wellness	2,500	Alamo	9/20/2021	Tenant showed interest in expanding and then pulled back during the pandemic.
##	Float Station	Personal Service	Health/Wellness	1,800	Campbell	9/20/2021	No feedback.
##	Reboot Float & Cryo Spa	Personal Service	Health/Wellness	1,800	San Francisco	9/20/2021	Tenant not currently growing.
##	Serispa	Personal Service	Health/Wellness	2,000	San Francisco	9/20/2021	Not interested.
##	Falsfel Drive In	Restaurant	Mediterranean	1,500	San Jose	9/20/2021	Tenant is unable to support a Palo Alto location.
##	Meso	Restaurant	Mediterranean	6,000	San Jose	9/20/2021	Located at Santana Row. Concept from the owner of Left Bank. Space is too small for Tenant's format.
##	C Casa	Restaurant	Mexican/Tapas	3,000	Emeryville	9/20/2021	Focused on market halls over freestanding restaurant spaces.
##	Luna Mexican Kitchen	Restaurant	Mexican/Tapas	3,000	Campbell	9/20/2021	Two current locations on The Alameda (San Jose) and in the Pruneyard (Campbell). Looking for strategic growth. Need to create a presence, and are concerned with the space location in the central courtyard.
##	Taco Oh	Restaurant	Mexican/Tapas	1,500	San Jose	9/20/2021	Concept not expanding
##	Yoga 6	Fitness	Yoga	3,000	Mountain View	9/20/2021	located over at the Village at San Antonio Mountain View. Not interested in expansion in this zone.
##	Kebab Shop	Restaurant	Mediterranean	1,800	Santa Clara	9/15/2021	Tenant had contracted and is exploring strategic expansion. Space is too large
##	Tacolicious	Restaurant	Mexican/Tapas	1,800	N/A	9/17/2021	Palo Alto location permanently closed. Concept shut down at Santana Row. Not expanding.
##	Sephora	Retail	Beauty	5,000	Palo Alto	9/15/2021	Existing Palo Alto location. No interest.
##	Temescal Brewing	Restaurant	Brewery/Taproom	1,500	Oakland	9/15/2021	No interest.
##	Pure Barre	Fitness	Fitness	1,800	Palo Alto	9/15/2021	Space is too large for Tenant need. No interest in relocating down Cal. Ave.
##	Dog Haus	Restaurant	Hot Dog	3,500	San Carlos	9/15/2021	Tenant was starting to look for new opportunities mid-pandemic, but then went back on pause.
##	Curry Up Now	Restaurant	Indian	1,500 - 3,000	Palo Alto	9/15/2021	On Hamilton Ave. Focusing on higher foot traffic locations. Tenant does have a larger format operation including bar at ±3,000 S.F. Passing on site.
##	Beveri	Restaurant	Mediterranean	2,500 - 3,000	Palo Alto	9/15/2021	Tenant looking to relocate, but is not interested in California Ave. Focusing on San Mateo County/San Francisco markets.
##	Blaze Pizza	Restaurant	Pizza	3,500	San Jose	9/15/2021	Tenant has stopped expansion during the pandemic.
##	Pickled - Chicken & Beer	Restaurant	Chicken	2,000	Pleasanton	9/12/2021	Concept paused on expansion during the pandemic and has not restarted. (Sister concept to Sauced BBQ in Santana Row/Livermore)
##	Asian Box	Restaurant	Asian QSR	1,500	Palo Alto	9/7/2021	located at Town and Country. No interest in relocating. Space too big.
##	Summit Bicycles	Bicycles	Bike Shop	4,000	Palo Alto	9/7/2021	Pushing for Relocation. Tenant not expanding due to inventory shortage, and has no interest in relocating.
##	The Bike Connection	Bicycles	Bike Shop	3,000	Palo Alto	9/7/2021	located down the street. No interest in relocating.
##	True REST Float Spa	Personal Service	Health/Wellness	1,800	Napa	9/7/2021	Space is too large.
##	100% Pure	Retail	Beauty	2,000	Santa Clara	9/1/2021	Not enough co-tenancy for Tenant. Space is too large for Tenant's use.
##	Stacks	Restaurant	Breakfast	3,000	Menlo Park	9/1/2021	Menlo Park location covers this trade area.
##	Bare Bottle Brewing	Restaurant	Brewery/Taproom	2,000 - 3,500	Santa Clara	9/1/2021	Incredible operator. Needs more synergy/visibility.
##	Stein's	Restaurant	Brewery/Taproom	3,500	Mountain View	9/1/2021	Tenant was closing locations during the pandemic. Not expanding.
##	Eureka	Restaurant	Burger	4,000	Mountain View	9/1/2021	Concept struggled financially during the pandemic, and was focused on finishing out existing spaces under construction and keeping current stores afloat. No interest.
##	ROAM	Restaurant	Burger	2,000	San Mateo	9/1/2021	Likes Palo Alto, but not a fan of California Ave.
##	Bird Rock Coffee	Restaurant	Coffee	1,800	Del Mar	9/1/2021	Tenant not looking in Northern California at this time.
##	Roasters	Restaurant	Coffee	1,500	Los Gatos	9/1/2021	Not expanding at this time.
##	Bivd Coffee	Restaurant	Coffee	1,500	Los Gatos	9/1/2021	Not expanding at this time.
##	Rooster & Rice	Restaurant	Dim Sum/Asian Noodle	1,500	Redwood City	9/1/2021	Tenant was in rapid expansion mode pre-pandemic, but pulled back. Focus has been office/daytime adjacent locations.
##	Serious Dumpling	Restaurant	Dim Sum/Asian Noodle	1,500	San Jose	9/1/2021	Founder of Sino/Straits in Santana Row. Concept was in its infancy when the pandemic hit. Tenant working to open San Jose site before returning to growth opportunities.
##	Capital One	Financial	Financial	6,000	Santa Clara	9/1/2021	focusing on highly visible/mall locations. Space is also too small (Capital One Café)
##	Ramen Nagi	Restaurant	Ramen	2,000	Palo Alto	9/1/2021	Already in DT Palo Alto. No interest in relocating
##	La Dolce Velo	Bicycles	Bike Shop	2,000	San Jose	8/17/2021	Great local bike shop. Tenant not expanding due to inventory shortage.
##	Mo's	Restaurant	Breakfast/Burgers	3,000	Campbell	8/17/2021	Need a strong restaurant co-tenancy and foot traffic
##	Mela Tandoori Kitchen	Restaurant	Indian	2,000	San Francisco	8/17/2021	Not expanding at this time.
##	Tomatina	Restaurant	Italian	3,500	Santa Clara	8/17/2021	Concept expansion is on hold.
##	Pho Tastic	Restaurant	Vietnamese	2,000	San Jose	8/13/2021	Tenant not expanding at this time
##	Saigon Alley Kitchen & Bar	Restaurant	Vietnamese	2,500	Sacramento	8/13/2021	No current interest in a Palo Alto location
##	Ramen Parlor	Restaurant	Ramen	2,000	San Mateo	7/13/2021	Tenant is not looking to expand at this time.
##	Lee Sandwiches	Restaurant	Vietnamese	1,800	Sunnyvale	7/13/2021	Space too large. Tenant unable to pursue.
##	Umami Burger	Restaurant	Burger	2,000	N/A	6/12/2021	Tenant not expanding. Location in DT Palo Alto (University Ave) closed.
##	Poke Bar	Restaurant	Poke	1,500	Mountain View	4/18/2021	Tenant paused expansion until office population returns for lunch business.

A-4

PALO ALTO CENTRAL EAST COMMERCIAL HOA BOARD
% Christison Company - Community Management
7901 Stoneridge Drive, Ste 222
Pleasanton, CA 94588
925-371-5700
www.christisoncompany.com

September 22, 2022

To: City of Palo Alto Planning Dept.
On Behalf of: Robert and Peggy Lee
P.O. Box 3183
Los Gatos, CA 94024
Owner of Commercial Unit: 151 California Ave., Unit E101, Palo Alto, CA 94306

Dear City of Palo Alto Planning Managers:

The Board of the Palo Alto Central East Commercial HOA has been asked by the owners of Unit E101, Robert and Peggy Lee, to write a letter to support their petition to allow their unit to be converted into medical office use. They have been renting to restaurant tenants for many years and the last tenant operated the Peking Duck restaurant.

The Board supports this conversion to an office type use as it is believed that it will be an improvement to the HOA community.

If you have any questions or concerns, please contact our property management company listed above.

Sincerely,



Rosemary Selby
President, Palo Alto Central East Commercial HOA Board

AGREEMENT

In consideration for the promises, warranties, and/or covenants set forth in this Agreement, the Parties agree as follows:

1. **Recitals**. The Parties acknowledge the truth of the above-stated Recitals and incorporate them into this Agreement by this reference.

2. **Settlement Terms**. In full and complete satisfaction and settlement of the Dispute, and subject to the Parties' mutual obligations under this Agreement, the Parties agree to the following terms:

2.1. **Lees' Payment of Assessments**. The Lees hereby agree to pay Fourteen Thousand Five Hundred Six Dollars and Seventy-Four Cents (\$14,506.74) to Commercial within thirty (30) calendar days of the receipt of a fully executed copy of this Agreement, as full and final satisfaction of the Assessments.

2.1 (a) The Lees' payment to Commercial shall be made by check made payable to Palo Alto Central East Commercial Association and sent by certified mail or overnight mail to Commercial at PACE – Commercial, C/O Christison Company, 7901 Stoneridge Drive, Suite 222, Pleasanton, CA 94588.

2.2 **Commercial's Settlement Payment to Lees**. Commercial, through its insurance carrier, hereby agrees to pay the Lees a settlement payment of five thousand dollars (\$5,000), within thirty (30) calendar days of the Commercial's counsels' receipt of a fully executed copy of this Agreement.

2.2(a) Commercial's payment will be paid to the Lees by check made payable to "Peggy Lee" and sent to 5736 N. Gladys Ave, San Gabriel, CA 91775. Lees' counsel shall provide a completed W-9 form to process the payment of the Settlement Sum.

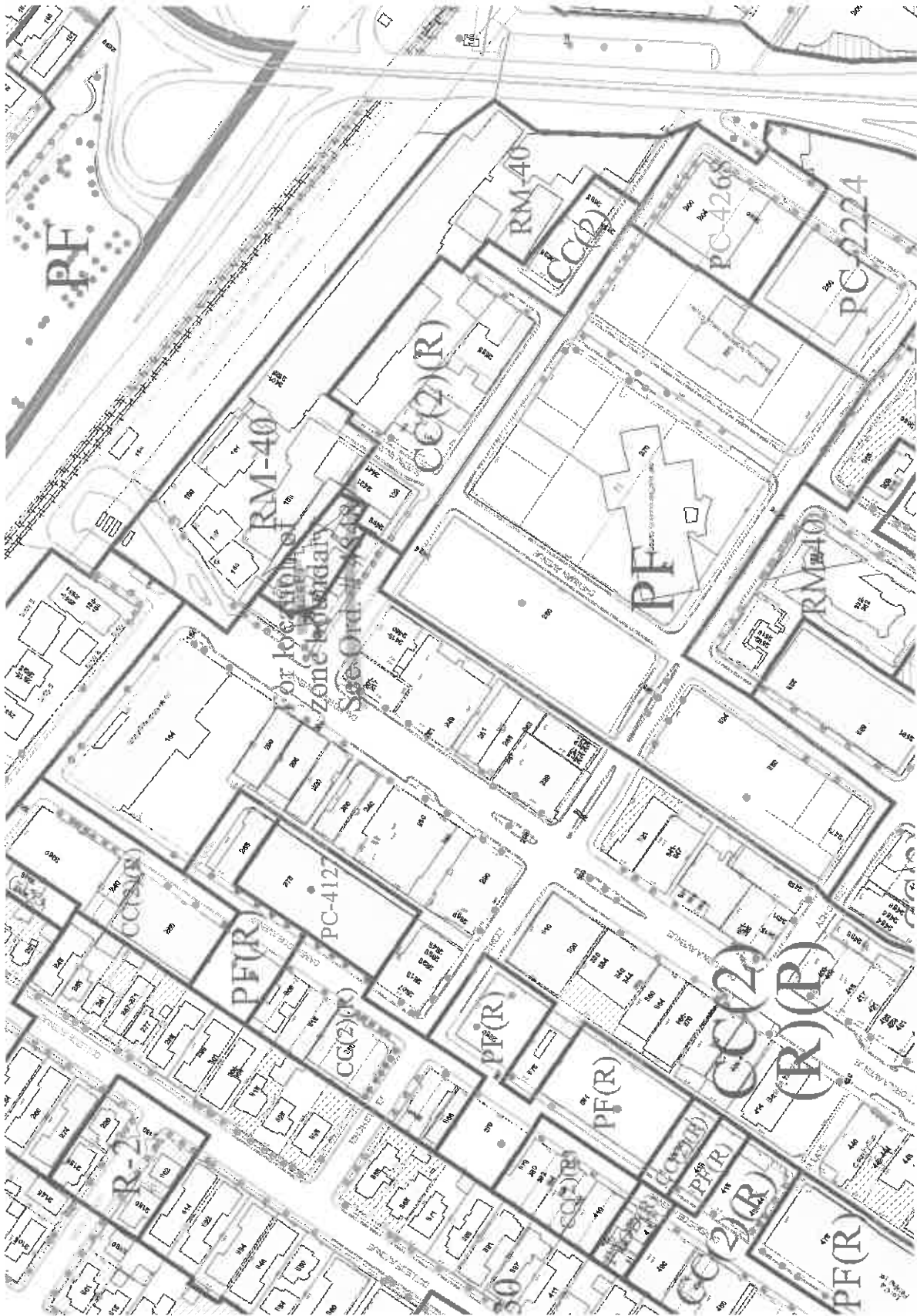
2.3 **Grease Trap Remediation**. Within thirty (30) business days of receipt of this fully executed Agreement, the Lees hereby agree that they will provide Commercial with a copy of a written bid containing a full scope of work from a licensed and bonded remediation company to fully remediate the crawlspace under the Property and to pay for the cost of remediating the same. The Lees further agree to provide seventy – two (72) hours written notice to Commercial of the date remediation work is to begin and agree that Commercial is allowed to observe and inspect the work performed. Commercial hereby agrees to not unreasonably withhold their approval of the Lees' bid for remediation services, but reserves the right to reject the bid. If Commercial rejects the bid, Commercial and the Lees will obtain a bid from a third remediation company to perform the work of remediating the crawlspace. If the Lees fail to obtain a bid within

thirty (30) business days, Commercial will arrange to have Restoration Management Company remediate the crawl space, pursuant to the bid obtained by Commercial for the same, and the Lees hereby agree to pay Commercial for the cost of Restoration Management's remediation within ten (10) business days of receipt of notice of completion of remediation.

2.4 **Grease Trap Inspection.** The Lees hereby agree that they shall provide City Inspector with a written documentation as required by law of cleaning and inspection of all grease traps within the Property on a quarterly basis. Said proof and reports shall be provided Commercial twice annually. With the first proof of reports for the first two quarters due on or before June 30, and proof of reports for the third and fourth quarters due on or before December 31, of each year. The Lees hereby understand and agree that failure to timely provide proof of cleaning and inspection of grease traps will result in fines assessed on those dates following per Commercial's Fine Policy for Major Infractions and Violations. The Lees further agree that the Grease Trap Inspections shall be kept at the restaurant and may be inspected by Commercial upon seventy two (72) hours prior notice. If and when the Property is no longer used as a restaurant no further grease trap inspection will be required.

2.5 **Repair of Damaged Floor Supports.** The Lees hereby agree that the wooden structural support beams located under the area of the Property that was previously occupied by an industrial freezer have not been repaired or replaced since the August 20, 2020, inspection by the City of Palo Alto Planning & Development Services' inspector Kyle Shea. The Lees hereby further agree that within thirty (30) calendar days of the execution of this Agreement, the Lees will retain a licensed contractor. The Lees further agree that within thirty (30) days of remediation of the Property as detailed in Paragraph 2.3 above, said contractor will apply for a permit from the City of Palo Alto Planning & Development Services, or any other governmental entity then responsible for construction related permitting, for work of repair and/or replacement of structural support beams located under the area of the Property where the industrial freezer was previously located. The Lees further agree to provide seventy-two (72) hours written notice to Commercial of the date of commencement of any construction, repair, replacement work that is to be performed pursuant to this Paragraph. The Lees further agree that Commercial will be allowed to observe and inspect any work performed pursuant to this Paragraph. The Lees further agree that within one-hundred eighty days (180) days from the date of issues of the permit that the construction and repair work will be completed. The Lees further understand and agree that the Lees and Lees alone will be responsible for all costs incurred related to permitting, inspections, construction, repair, and/or replacement of said structural support beams. In the event that the City of Palo Alto Planning & Development Services' inspector determines that no permit is required, the Lees hereby agree that they will obtain written confirmation from the City of Palo Alto Planning & Development Services that no permit is needed and no further action is necessary or required.

2.5(a) **Summary of Timing:**



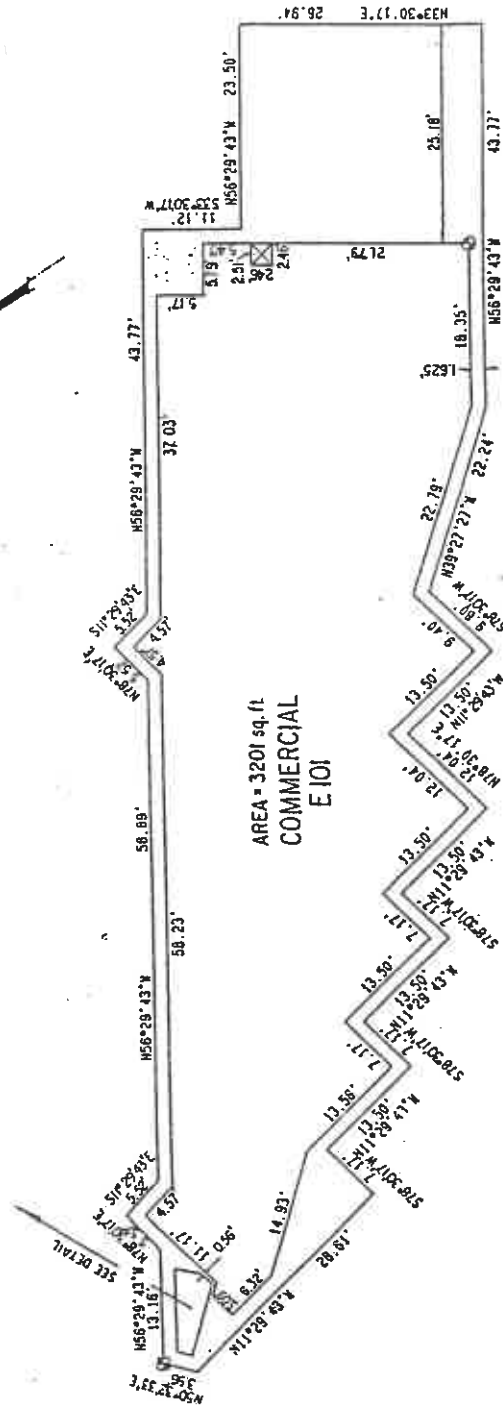
CITY OF PALO ALTO CALIFORNIA

HMM INCORPORATED
 10000 Wilshire Blvd., Suite 2000
 Los Angeles, CA 90024
 Tel: (213) 717-1000
 Telex: 263500 HMM
 Fax: (213) 717-1001



SECTION

1. DIMENSIONED LINES OF THE COMMERCIAL UNIT, AS SHOWN, ARE PARALLEL WITH PERPENDICULAR TO, OR ARE DEFLECTED 45° OR 135° FROM THE BEARING N. 58° 29' 43" W., UNLESS NOTED OTHERWISE.



203461012

BLDG. E



A-7

peggy c lee <peggylee1628@gmail.com>

John Wallace 2004 Summary Study on Bldg E

1 message

peggy c lee <peggylee1628@gmail.com>
 To: peggy c lee <Peggylee1628@gmail.com>

Tue, Sep 27, 2022 at 2:45 PM

John Wallace and (Stichen) 2004 Summary Study on 151 California Ave Building E, Palo Alto

Basically the study was focused on Building E which is the 3200 square-foot building that is interior to the courtyard. It stated that since the 1980s that space has either been a restaurant or vacant. In that time it has been five (5) different restaurants and hard to survive and be successful.

The reason the Wallace Study concludes that retail is not appropriate for the building is because it lacks the four basic elements of successful retail. That is visibility, vehicle traffic, pedestrian traffic and a synergistic relationship with other types of retail or personal service uses. It notes that the visibility is nonexistent from California Avenue into the courtyard. The vehicle traffic is much less in that location than it is on the rest of California Avenue. It is located towards the edge of that retail district. The pedestrian traffic is poor again because people don't walk into the courtyard area. It appears that it is private property and so there is nothing to entice people into that area. Therefore, it lacks a synergistic relationship with the rest of California Avenue. So because it lacks those four elements the study really concluded that the most appropriate use would be for office. They also noted that there are some condominium regulations which require the business to close at 10:00 PM makes it difficult for a restaurant in particular to operate but other types of retail use as well. So they do conclude that office is a more appropriate use for Building E. They believe that those same elements are lacking in at least portions of the rest of the business in that project. So that is what led to the current recommendation.

One of the findings and conclusions of the retail report was that the design the impediments to retail use can't be solved with design changes. The design challenges, the design flaws are so great in terms of a retail use that they can't be fixed. There isn't a way to make that interior space more visible from the street that the design flaws are not fixable.

John J. Wallace

Real Estate Expert

Wallace & Steichen, Inc. San Francisco State University

Palo Alto, California, United States
 39 followers 39 connections

Join to connect



About

John J. Wallace CRE, FRICS is an expert in real estate. During his 40+ years working in the real estate industry he has acquired extensive expertise in real estate economics, appraisal, brokerage, management, acquisition, finance, and planning. He has been retained as a real estate expert witness on more than 50 occasions. His experience has resulted in a thorough understanding of most facets of the real estate industry, with special expertise in retail real estate. He has held a California Real Estate Brokers license since 1975 and has been an appraiser since 1972 and a licensed California Certified General Appraiser since the inception of appraisal licensing in 1985. He is a member of the Counselors of Real Estate (CRE) and is Fellow of the Royal Institute of Chartered Surveyors (FRICS).

Hi Judy—

Thanks for sending me your thoughts regarding the Douglas/Moore request to change the commercial owners' zoning designation. I agree wholeheartedly that the commercial units should maintain the (P) designation. However, they should have the option to convert to office space. Over the five years when I was President of the Homeowners Association and served as President of the Plaza Committee, I heard numerous residents wish these commercial properties were office rather than retail space. We spoke about it during Board Meetings and once our Association wrote a recommendation to the Planning Commission supporting Laura Rasmussen's request to convert her restaurant property.

I know I'd be very happy to see these commercial owners have the flexibility to convert from retail to office space. If the whole first floor was converted to office space, the property would be more aesthetic than it is now. For example, it appears that Douglas and Moore may now be out of compliance with the @ designation—Nina rents office space for her real estate brokerage and they rent out office space to others. However, I don't view their office properties as eyesores or as any other reason for concern to homeowners. To the contrary, their office space looks much more professional than a couple of the retail activities with tacky advertisements aimed at pedestrians. And, Nina's brokerage is a service to homeowners who want to sell their properties.

In general, I don't think many of the first floor commercial owners would convert their properties to office space anyway. Even if they did, there are plenty of other retail amenities on California Avenue and homeowners wouldn't miss much if a handful of owners converted to office space. Also, I think office space would be more complementary to homeowners interests and lifestyles. Residents and offices work during the day and at night, when people are home, the offices would be empty. It'd be more quiet and there might be fewer conflicts between commercial owners and residents. The Residential and Commercial Associations might realize a savings in their Liability Policy if some businesses converted. I'd think that offices would be less risky than restaurants and a tanning salon, which are potential fire and health hazards. There'd likely be less foot traffic from people walking in and out of the courtyard area. Also, if one or both of the restaurants converted, there'd certainly be far less garbage, noise and odors. Probably, the Association would spend a lot less money for garbage pick-ups. And, there would be fewer concerns expressed to the State Alcohol Beverage Control Board about possible violations of one of the restaurants' Conditional Use Permit.

Members of the Planning Commission might feel differently if they lived at Palo Alto Central. Chances are they live in residential neighborhoods, such as Midtown, and don't live in a mixed use area. As multi-use properties become more commonplace in the California Avenue neighborhood, the Planning Commission needs to understand the real-world issues faced by residents in our community.

Anyway, thanks again for keeping me in the loop. I left a phone message with Chris Riordan telling him my opinions.

Warren

Warren K. Beer
Manager, Computer Operations
U.S. Environmental Protection Agency



PLANNING DIVISION

STAFF REPORT

TO: PLANNING & TRANSPORTATION COMMISSION

FROM: Christopher Riordan, AICP
Planner

DEPARTMENT:
Planning and
Community Environment

AGENDA DATE: April 14, 2004

SUBJECT: 2401, 2409, 2417 Park Blvd and 101 California Avenue #D101:
Application by Richard & Sharon Reyes, Eldad & Charlotte Matityahu, Donald Douglas & Nina Moore, and Nortman Weintraub & Deborah London on behalf of Palo Alto Central for a Zoning Map amendment from CC(2)(R)(P), Community Commercial Combining/Retail Shopping Combining/Pedestrian Shopping Combining classification to CC(2) Community Commercial Combining Classification. Environmental Assessment: A Negative Declaration is proposed in accordance with CEQA guidelines. File Numbers: 02-ZC-6, 03-EIA-13.

RECOMMENDATION

Staff recommends that the Planning and Transportation Commission (Commission) recommend approval of an ordinance modifying PAMC Section 18.43.030 and rezoning portions of Palo Alto Central to allow office uses within the rear 50% of Buildings C & D and all of building E (Attachment A).

BACKGROUND

The Commission previously reviewed this project to rezone properties at 2401, 2409, 2417 Park Boulevard and 101 California Avenue #D101 from CC(2)(R)(P) to CC(2) at their meeting of October 8, 2003 and again on February 11, 2004. At the October 8, 2003 meeting, the Commission reviewed three possible project options as recommended by Staff. The Commission reviewed the three options and requested additional information be provided for further consideration of the third option.

At the February 11, 2004, the Commission reviewed and recommended approval, on a 5-0-0-1 vote, of the following Staff recommendation (Attachment D):

- Retain the (R)(P) Combining District for all of Palo Alto Central to ensure the front 50% of each building with street frontage on Park Boulevard and California Avenue (Buildings C&D) is maintained for uses conforming to the (R)(P) Combining district, such as personal service, retail, and restaurants. Any existing office in the front 50% of a street facing space would become legal nonconforming as of the effective date of City Council adoption of such code amendment. If a legal nonconforming use were to be discontinued for at least twelve consecutive months, it would be considered abandoned and could only be replaced by a conforming use.
- Office use would be allowed as a permitted use within the rear 50% of each Building C&D, and within all of Building E. PAMC Section 18.46.040 (Retail Shopping Combining District (R) Regulations) would be modified to allow office as a permitted use.

DISCUSSION

The Commission's action was consistent with Staff's recommendation to modify PAMC Section 18.46.040 (Retail Shopping Combining District (R) Regulations) to allow office as a permitted use. During preparation of the Ordinance, the City Attorneys office suggested an alternative that would accomplish the same objective. Instead of modifying the Retail Shopping Combining District (R) Regulations as discussed above, the Community Commercial Zone (PAMC Section 18.43.030) could be changed to include offices at Palo Alto Central as a permitted use within the rear 50% of each Building C&D and within all of Building E. Staff agrees with the changes as recommended by the Attorneys Office and is of the opinion that it is consistent with the Commission's recommendations. A draft ordinance to modify PAMC Section 18.43.030 and amend the zoning map to delete the (R) Combining District on portions of Palo Alto Central to allow office uses within the rear 50% of Buildings C & D and all of building E is attached to this report (Attachment A).

ATTACHMENTS/EXHIBITS:

- Attachment A: Draft Ordinance with Zoning Map revisions modifying Section 18.43.030 of the PAMC and Rezoning Portions of the property at 2401, 2409, 2417 Park Blvd and 101 California Avenue #D101 to allow office uses in parts of the ground floor of three buildings on that site.
- Attachment B: Negative Declaration and Environmental Impact Assessment
- Attachment C: PAMC 18.43 (Excerpt, Commission Only)



A-9
~~Attachment B~~

City of Palo Alto
Department of Planning and Community Environment
California Environmental Quality Act
MITIGATED NEGATIVE DECLARATION

I. DESCRIPTION OF PROJECT

Date: April 6, 2004

Application Nos.: 03-ZC-06, 03-EIA-13

Address of Project: 2401, 2409, 2417 Park Blvd. & 101 California Avenue #D101

Assessor's Parcel Number: 124-37-22,25 28,29

Applicant: Richard & Sharon Reyes, Eldad & Charlotte Matityahu, Donald Douglas & Nina Moore, and Nortman Weintraub & Deborah London

Property Owner: Palo Alto Central
c/o Nina Moore
101 California Avenue
Palo Alto, CA 94306

Project Description and Location:

The application for zone change applies to property constructed in 1983 as a portion of the mixed-use (commercial/residential) project known as Palo Alto Central, in the California Avenue business district. The CC(2)(R)(P) designation was applied to this property in 1984 as a result of the California Avenue Study. Three of the units, 2401, 2409, and 2417 front on Park Boulevard are occupied by a nail salon, title company, and tanning salon, respectively, and 101 California Avenue #D101 is occupied by both a real estate office and a restaurant. The existing business offices are not permitted on the ground floor under current zoning. All of the units are relatively isolated from the main retail-shopping district California Avenue making it difficult for retail businesses to succeed in these locations due to lack of pedestrian traffic. The commercial condominium owners have experienced hardship due to difficulty of attracting retail tenants and are prohibited from renting their spaces to office uses due to the existing zoning.

The project would modify PAMC Section 18.43 (Community Commercial Zone District) to include offices at Palo Alto Central as a permitted use within the rear 50% of each Building C&D and within all of Building E.

II. DETERMINATION

In accordance with the City of Palo Alto's procedures for compliance with the California Environmental Quality Act (CEQA), the City has conducted an Initial Study to determine whether the proposed project located at 2401, 2409, 2417 Park Blvd. & 101 California Avenue #D101 may have a significant effect on the environment. On the basis of that study, the City makes the following determination:

X

The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.

Although the project, as proposed, could have a significant effect on the environment, there will not be a significant effect on the environment in this case because mitigation measures have been added to the project and, therefore, a MITIGATED NEGATIVE DECLARATION is hereby adopted.

The attached initial study incorporates all relevant information regarding the potential environmental effects of the project and confirms the determination that an EIR is not required for the project.


Project Planner

6 April 04
Date


Current Planning Manager

April 6, 2004
Date

Attachment D: Minutes of the February 11, 2004 Planning Commission Meeting
(Commission Only)
Attachment E: Letters from Applicants (Commission Only)
Attachment F: Email from Judy Glaes, received October 10, 2003 (Commission Only)

COURTESY COPIES:

Richard & Sharon Reyes
Eldad & Charlotte Matityahu
Donald Douglas & Nina Moore
Norman Weintraub & Deborah London
Laura Rasmussen, Silk Road Café Owner
Montoya Jewelers'
Chuck Marsh
Joy Ogawa
Herb Borock

Prepared by: Christopher A. Riordan, AICP, Planner

Reviewed by: Amy French, AICP, Manager of Current Planning

Department/Division Head Approval: 
Lisa Grote, Chief Planning Official

ORDINANCE NO. 4848

ORDINANCE OF THE COUNCIL OF THE CITY OF PALO ALTO MODIFYING SECTION 18.43.030 OF THE PALO ALTO MUNICIPAL CODE AND REZONING PORTIONS OF THE PROPERTY AT 2401, 2409, 2417 PARK BOULEVARD AND 101 CALIFORNIA AVENUE #D101 TO ALLOW OFFICE USES IN PARTS OF THE GROUND FLOOR OF THREE BUILDINGS ON THAT SITE

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Findings and Declarations. The City Council finds and declares that the amendments to section 18.08.040 (the zoning map) and chapter 18.43 (Community Commercial District (CC) Regulations) of Title 18 [Zoning] of the Palo Alto Municipal Code are in accord with the purposes of that title and the Palo Alto Comprehensive Plan, in that retail uses are preserved in the areas of Palo Alto Central facing the pedestrian ways of California Avenue and Park Boulevard, and office uses are permitted facing the interior courtyard, where they will contribute to the vitality of the California Avenue commercial area without detracting from the retail- and pedestrian-oriented character of the area.

SECTION 2. Subsection (m) of section 18.43.030 of Chapter 18.43 (Community Commercial District (CC) Regulations) of Title 18 [Zoning] of the Palo Alto Municipal Code hereby reads as follows:

(m) Medical, professional, and general business offices located on the ground floor of a building, as limited by Section 18.45.070(f), which (1) have been continuously in existence in that space since March 19, 2001, and, as of such date, were neither non-conforming nor in the process of being amortized pursuant to Chapter 18.95 of this code; or (2) occupy a space that was not occupied by housing, retail services, eating and drinking services, personal services, or automotive services on March 19, 2001 or thereafter; or (3) occupy a space that was vacant on March 19, 2001; or (4) are located in new or remodeled ground floor areas built on or after March 19, 2001 if the ground floor area devoted to housing, retail services, eating and drinking services, personal services, and automobile

services does not decrease; or (5) are on a site located in an area subject to a specific plan or coordinated area plan, which specifically allows for such ground floor medical, professional and general business offices; or (6) are located anywhere in Building E or in the rear 50% of Building C or D of the property at the southeast corner of the intersection of Park Boulevard and California Avenue, as shown on sheet A2 of the plans titled "101 California Avenue Townhouse/Commercial/Office, Palo Alto, CA" by Crosby, Thornton, Marshall Associates, Architects, dated June 14, 1982, revised November 23, 1982, and on file with the Planning Department. As used in this subsection (m)(6), "rear 50%" means a maximum of 50% of the square footage of the building, none of which faces Park Boulevard or California Avenue.;

SECTION 3. Section 18.08.040 of the Palo Alto Municipal Code, the "Zoning Map," is hereby amended by changing the zoning of portions of a certain property known as 2401, 2409, 2417 Park Boulevard and 101 California Avenue #D101 (the "subject property") from "CC(2)(R)(P) Community Commercial District With Combining District (2); Retail, and Pedestrian Overlays" to "CC(2)(P) Community Commercial District with Combining District (2) and Pedestrian Overlay." The portions of the property to be rezoned are the rear 50% of the buildings labeled "Building C and Building D" and all of the building labeled "Building E," as those three buildings are shown on sheet A2 of the plans titled "101 California Avenue Townhouse/Commercial/Office, Palo Alto, CA" by Crosby, Thornton, Marshall Associates, Architects, dated June 14, 1982, revised November 23, 1982, and on file with the Planning Department. The subject property, as rezoned by this ordinance, is shown on the map labeled Exhibit "A," attached hereto and incorporated herein by reference.

SECTION 4. The City Council finds that the changes effected by this ordinance are exempt from the provisions of the California Environmental Quality Act (CEQA), per section 15061 of CEQA Guidelines, because it can be seen with certainty that there is no possibility that the project will have a significant effect on the environment.

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SECTION 5. This ordinance shall be effective 30 days after the date of its adoption.

INTRODUCED: September 20, 2004

PASSED: October 4, 2004

AYES: BEECHAM, BURCH, CORDELL, KLEINBERG, MORTON, MOSSAR

NOES: FREEMAN, KISHIMOTO

ABSENT:

ABSTENTIONS: OJAKIAN

NOT PARTICIPATING:

ATTEST:

Donna J. Rogers
City Clerk

J. BURM
Vice Mayor

APPROVED AS TO FORM:

Shirley S. Sledge
Senior Asst. City Attorney
Special Counsel

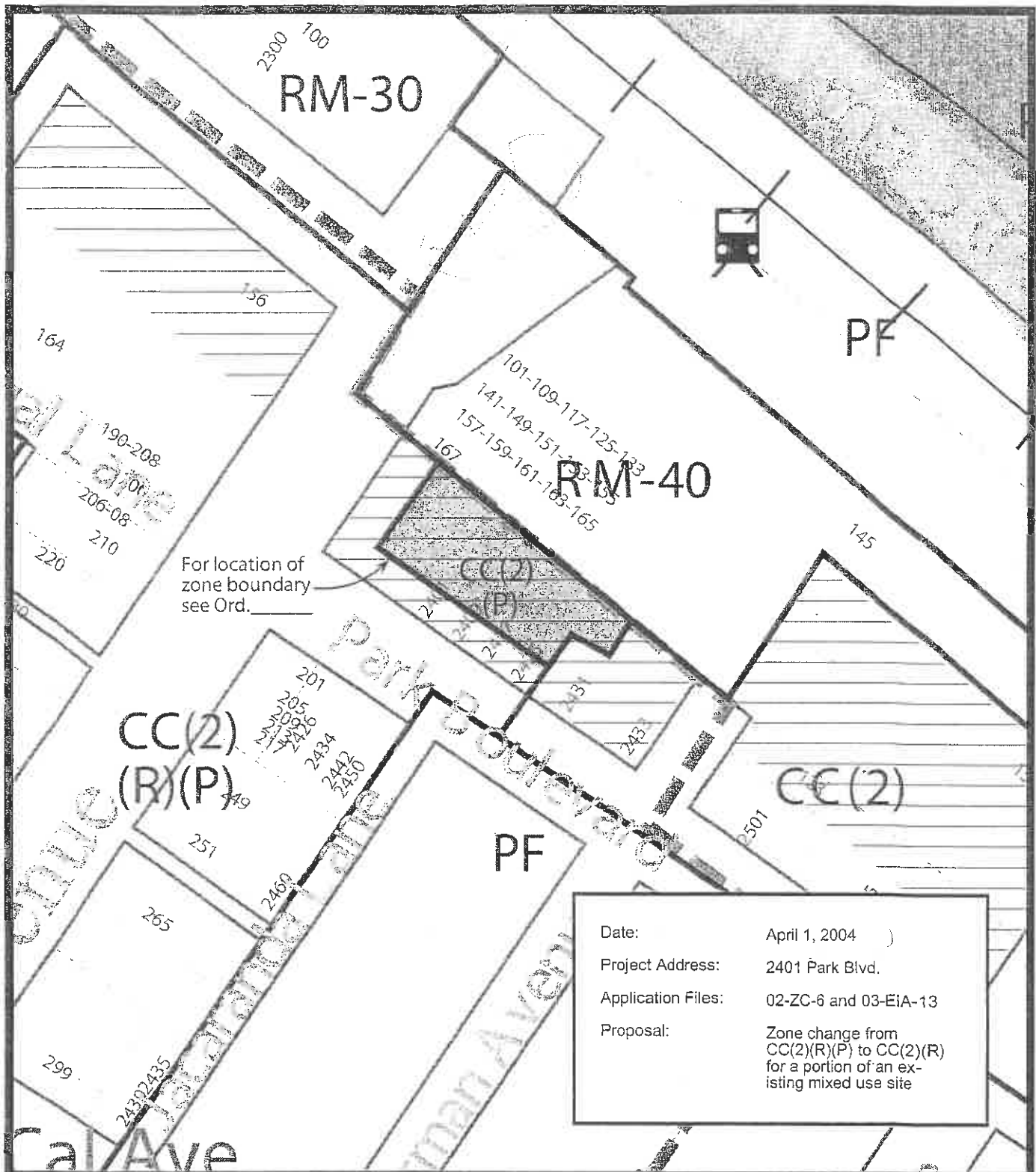
APPROVED:

J. Brest
City Manager

[Signature]
Director of Planning &
Community Environment

[Signature]
Director of Administrative
Services

EXHIBIT "A"



Date:	April 1, 2004
Project Address:	2401 Park Blvd.
Application Files:	02-ZC-6 and 03-EIA-13
Proposal:	Zone change from CC(2)(R)(P) to CC(2)(R) for a portion of an existing mixed use site



The City of
Palo Alto



2401 Park Blvd.

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

