



CITY OF  
**PALO  
ALTO**

**CITY OF PALO ALTO**  
**Planning & Transportation Commission**  
**Regular Meeting**  
**Wednesday, May 14, 2025**  
**6:00 PM**

<b>Agenda Item</b>
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Public Comments

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real city planning

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From Neilson Buchanan [REDACTED]

Date Wed 4/30/2025 12:04 PM

To Lait, Jonathan <Jonathan.Lait@paloalto.gov>; Planning Commission <Planning.Commission@PaloAlto.gov>

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**This message needs your attention**

- This is a personal email address.
- This is their first mail to some recipients.

Mark Safe

Report

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Good afternoon, Jonathan and Planning Commission

I just read about friction for the expansion of Palo Alto Commons. I posted the following comments to Palo Alto Weekly online:

*This is a complicated decision of tradeoffs. We all would be better informed and prepared if the staff report projected the number of older citizens in Palo Alto in the near future.*

*Pick a point in time such as 2040 and think about the number of aging baby boomers residing in Palo Alto. This situation is great opportunity for our City Council to implement wholistic planning for land use and avoid project-by-project discord.*

*\*I won't be hanging out with the baby boomers in 2040\*. Unfortunately I was born during WWII.....too early to catch this age wave. Good city planning for land use could adopt planning methods of leading hospitals and health insurers.... ie, *know your demographics and future demand for services.**

Neilson Buchanan

[REDACTED]  
Palo Alto, CA 94301

[REDACTED]

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**your oversight opportunities**

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From Neilson Buchanan [REDACTED]

Date Thu 5/1/2025 7:28 AM

To Lait, Jonathan <Jonathan.Lait@paloalto.gov>; Planning Commission <Planning.Commission@PaloAlto.gov>

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Report

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An interesting dialogue has opened up with the PA Weekly article about Palo Alto Commons' parking needs and impact on adjacent neighborhoods. This is the forerunner for housing built on El Camino Real.

PA Commons' parking is opportunity for PTC to be proactive. I posted the following comments to the PAW article re PA Commons:

*Inadequate parking for staff and visitors seems apparent at Palo Alto Commons and Channing House. I will raise this issue to our Finance Committee, Office of Transportation and City Council? Do they have the will to allocate resources to manage these situations, especially as they plan future large scale, retirement facilities? Will the Council assign these tradeoff decisions to the Planning and Transportation Commission?*

Neilson Buchanan

[REDACTED]  
Palo Alto, CA 94301

[REDACTED]

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**RE: Objection to Comments - 3886 Magnolia Drive #25BLD-00025**

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**From** Petersen, Joe [REDACTED]  
**Date** Sun 5/4/2025 8:06 AM  
**To** Shikada, Ed <Ed.Shikada@paloalto.gov>  
**Cc** Sauls, Garrett <Garrett.Sauls@paloalto.gov>; Perez-Ibardolasa, Val <Val.Perez-Ibardolasa@paloalto.gov>; Gerhardt, Jodie <Jodie.Gerhardt@paloalto.gov>; Colleen Petersen [REDACTED]; Chikashige Nii [REDACTED] Tran, Vickie <Vickie.Tran@paloalto.gov>  
<Planning.Commission@PaloAlto.gov>; ptc@caritempleton.com <ptc@caritempleton.com>; ptc@allenakin.com <ptc@allenakin.com>; forest@voteforest.org <forest@voteforest.org>; Armer, Jennifer <Jennifer.Armer@paloalto.gov>; Yang, Albert <Albert.Yang@paloalto.gov>; Lait, Jonathan <Jonathan.Lait@paloalto.gov>; Mindie S. Romanowsky <[REDACTED]>; Council, City <city.council@PaloAlto.gov>

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Dear Mr. Shikada,

I write to request your prompt attention to a narrow—but important—permitting dispute now pending in the Planning & Development Services Department. My wife and I are seeking approval for a small, aging in place remodel of our lawfully permitted single family home in Barron Park (which was built long before Barron Park was annexed by Palo Alto). That remodel entails lowering an upstairs closet in our primary bedroom and accommodating some displaced utilities under an existing roof line over a permitted “rumpus room.” The project does **not** enlarge the building envelope, add floor area, or replace any space that is “damaged or destroyed.”

Despite the modest scope, the Director has repeatedly and steadfastly invoked Palo Alto Municipal Code § 18.70.100 to require that we “remove all non conformities” dating back to the 1940s construction of the house—effectively forcing a teardown. This position is neither consistent with past practice nor supported by the Code itself. Three key points:

**1. § 18.70.100 is being applied inconsistently.**

I know for a fact (and will demonstrate in litigation if litigation cannot be avoided) that the City selectively invokes Section 100. Such ad hoc enforcement undermines confidence in the City’s permitting process and in fact *is an invitation to corruption*.

**2. § 18.70.100 does not apply on its face.**

Section .100 is expressly triggered when “**additions or enlargements are made to replace damaged or destroyed portions of a non complying structure.**” We are not replacing fire, flood, or earthquake damage—only modernizing interior space to meet accessibility needs. The **more specific and directly relevant provisions—§§ 18.70.080 and .090—control here**, as they have for decades and our plan was meticulously designed to comply with these provisions.

**3. The current stance puts the City at significant legal and fiscal risk.**

By conditioning a permit on removal of long grandfathered features without statutory authority, the City is interfering with vested property rights. Such overreach invites challenges

under both the California and U.S. Constitutions (regulatory-takings jurisprudence), as well as under the Housing Crisis Act of 2019 and the Housing Accountability Act, which limit a local agency's ability to down-zone or impose new standards mid-stream. Litigation would consume scarce staff time and potentially subject the City to attorneys' fees.

### Requested path forward

- **Clarify to staff** that § 18.70.100 is reserved for true replacement of damaged or destroyed space, and that routine interior remodels fall under §§ 18.70.080/.090 **as they have for decades**.
- **Direct Planning leadership** to apply a consistent, written threshold for invoking Section 100 in a manner that is consistent with the City's housing goals.
- **Prioritize small aging-in-place projects** in recognition of the City's Comprehensive Plan goal to enable residents to remain in their homes through all life stages, thereby advancing both equity and sustainability objectives.

The relief we seek is modest: the ability to improve safety and accessibility in our longtime home without being compelled to demolish legally built, character-defining portions of the structure. Timely intervention will spare everyone protracted appeals and public controversy, restore trust in the permitting system, and align City practice with the letter of its own ordinances.

I am happy to meet at your convenience to discuss this matter.

Thank you for your attention.

Respectfully,

Joseph Petersen  
Palo Alto homeowner

Joseph Petersen

Kilpatrick Townsend & Stockton LLP  
1302 El Camino Real | Suite 175 | Menlo Park, CA 94025

Kilpatrick Townsend & Stockton LLP  
3 Times Square | New York, NY 10036

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\* Admitted in California and New York

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## 5/28 Kiku Crossing Tour San Mateo

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**From** Palo Alto Forward 

**Date** Wed 5/7/2025 9:48 AM

**To** Council, City <city.council@PaloAlto.gov>; Architectural Review Board <arb@PaloAlto.gov>; Planning Commission <Planning.Commission@PaloAlto.gov>

**Cc** Feign, Robert <Robert.Feign@paloalto.gov>; Krishnan, Vishnu <Vishnu.Krishnan@paloalto.gov>

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Honorable City Council, Commissioners, and Board Members,

You are cordially invited to a [Kiku Crossing](#) transportation tour and talk. Palo Alto will have affordable housing projects coming to our downtown soon. What can we learn about what works for transportation?

**Wednesday, May 28th from 10:00 - 11:00 a.m.**

**Kiku Crossing, 480 E 4th Ave, San Mateo**

**RSVP here:** <https://secure.hlcsmc.org/a/kiku-tdmi-tour-ahm>



Join us to learn what is working to help people reach their destinations using affordable, sustainable, and efficient transportation options – such as walking, biking, public transit, and carpooling, while also reducing traffic congestion and pollution!

This tour will show how affordable housing can support healthier, more sustainable ways to get around and will include:

- A conversation with the Resident Services Coordinator about how the free transit pass program works
- A look inside the secure resident bike room
- A walkthrough of the 5th Avenue Garage, including public, shared, and private parking areas

This event is co-hosted by MidPen Housing, One San Mateo, Palo Alto Forward, YIMBY Action, Peninsula for Everyone, and Menlo Together.

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Amie Ashton  
Executive Director  
[Palo Alto Forward](#)  


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**Date** Wed 5/7/2025  
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**Cc** Sauls, Garrett <Garrett.Sauls@paloalto.gov>; Perez-Ibardolasa, Val <Val.Perez-Ibardolasa@paloalto.gov>; Gerhardt, Jodie <Jodie.Gerhardt@paloalto.gov>; Colleen Petersen [REDACTED] Chikashige Nii [REDACTED] Tran, Vickie <Vickie.Tran@paloalto.gov>; Planning Commission <Planning.Commission@PaloAlto.gov>; ptc@caritempleton.com <ptc@caritempleton.com>; ptc@allenakin.com <ptc@allenakin.com>; forest@voteforest.org <forest@voteforest.org>; Armer, Jennifer <Jennifer.Armer@paloalto.gov>; Yang, Albert <Albert.Yang@paloalto.gov>; Lait, Jonathan <Jonathan.Lait@paloalto.gov>; Mindie S. Romanowsky <msr@jsmf.com>; Council, City <city.council@PaloAlto.gov>

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Dear Mr. Shikada, I write to follow up on my email below and to respectfully request that you confirm receipt. Respectfully, Joseph Petersen

Joseph Petersen  
[REDACTED]

Kilpatrick Townsend & Stockton LLP  
1302 El Camino Real | Suite 175 | Menlo Park, CA 94025  
[REDACTED]

Kilpatrick Townsend & Stockton LLP  
3 Times Square | New York, NY 10036  
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**Cc:** 'Sauls, Garrett' <Garrett.Sauls@CityofPaloAlto.org>; 'Perez-Ibardolasa, Val' <Val.Perez-Ibardolasa@CityofPaloAlto.org>; 'Gerhardt, Jodie' <Jodie.Gerhardt@CityofPaloAlto.org>; 'Colleen Petersen' [REDACTED]; 'Chikashige Nii' [REDACTED] 'Tran, Vickie' [REDACTED].org>; 'Planning.Commission@CityofPaloAlto.org' <Planning.Commission@CityofPaloAlto.org>; 'ptc@caritempleton.com' <ptc@caritempleton.com>; 'ptc@allenakin.com' <ptc@allenakin.com>; 'forest@voteforest.org' <forest@voteforest.org>; 'Armer, Jennifer' <Jennifer.Armer@CityofPaloAlto.org>; 'Albert.Yang@CityofPaloAlto.org' <Albert.Yang@CityofPaloAlto.org>; 'Lait, Jonathan' <Jonathan.Lait@CityofPaloAlto.org>; 'Mindie S. Romanowsky' [REDACTED] 'City.Council@PaloAlto.gov' <City.Council@PaloAlto.gov>  
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