

To: [City.Council@cityofpaloalto.org](mailto:City.Council@cityofpaloalto.org)

From: Sheri Furman

Re: January 19, 2021, Agenda Item #2

Dear Council Members:

Palo Alto Neighborhoods (PAN) fully supports truly affordable housing, but 2951 El Camino Real is not an example of how to achieve it. This complex's height, density and massing:

- A. Violate current zoning Laws
- B. Are out of proportion to the character of the adjacent single-family neighborhood
- C. Exceed what the City's own development tools to incentivize housing allow (namely HIP and PHZ)

The Council should say NO to 2951 because it:

1. Violates the law of the City.
2. Encourages other developers to **keep asking for more and more beyond what our laws allow.**
3. **Disincentivizes** other developers to build now **and instead to wait for yet more giveaways.**
4. Makes developers unequal before the law. "Compadres" and "Olive Garden" complied, but 2951 doesn't want to.
5. Victimizes homeowners and renters. Anyone who lives within 150 feet of a commercial or mixed-use zone anywhere in the City could confront new height and massing.
6. Drives up the price of commercial/mixed-use land **and even R-1 sites** because giveaways add value to the land.
7. Higher prices make it harder for non-profits like Alta Housing to buy land. It will make it harder for the City to create affordable housing, as is being proposed by many residents. What if we want to issue bonds or use a proposed new business tax to build BMR housing and address the camper crisis? The value of the upzoned land will make it very hard for beneficial builders to acquire land.
8. Steady up-zoning of properties along El Camino Real disproportionately affects neighborhoods nestled behind El Camino Real in South Palo Alto. Upzoning is not allowed in other neighborhoods, why in these neighborhoods?
9. Municipalities are obligated to look after the long-term health, diversity and viability of its community; therefore, providing developers with massive giveaways is not compatible with sustaining a robust civic life nor solving the problem at hand, the need for more affordable housing.
10. Furthermore, the housing crisis was not caused by the residents, but by the previous Council Members and City Manager who encouraged runaway office development as a source of funds for the city. Palo Alto now suffers from a 3-1 jobs-to-housing imbalance, the highest housing costs in the land, and high property values. 2951 El Camino Real not only does not abide by our laws, but makes it harder to supply large amounts of affordable housing.



Here are some of the specific ways [2951 ECR](#) violates the City's Zoning Code including HIP and PHZ tools:

- Upzones R-1 to Dense PC
  - Violates our Comprehensive Plan to change zoning in this manner
  - Violates the NVCAP consensus to preserve or only slightly upzone R-1
- Exceeds 35 ft. Height Limit within 150 Ft. of Low-Density Residential
  - Violates §18.13.150(b) for PCs
  - Violates the NVCAP consensus to retain the 35 ft. transition zone
- Exceeds Other Height Limits (proposes 58 ft. maximum)
  - Violates CS Zone general 50 foot height limit per §18.16.060(b)
  - Violates R-1 Zone 30 foot height limit per §18.12.040(a)
- Exceeds Allowed Floor Area (proposes 2.55 FAR)
  - CS Zone allows 1.0 FAR per §18.16.060(b)
  - R-1 Zone allows 0.43 FAR per §18.12.040(a) for the sites in the project
- Exceeds Allowed Footprint (proposes 63%)
  - CS Zone allows 50% per §18.16.060(b)
  - R-1 Zone allows 35% for multistory homes per §18.12.040(a)
- Eliminates Current Ban on Underground Garages in R-1 per §18.12.060(e)

We respectfully request that Council insist that developers adhere to the zoning codes and make use of the tools that the city has provided to incentivize housing development.

Thank you.

Sheri Furman  
Becky Sanders  
PAN Co-Chairs