

From: [herb](#)
To: [Council, City](#); [Clerk, City](#)
Subject: November 15, 2021 Council Meeting, Item #AA1 and Item #14: Roth Building
Date: Saturday, November 13, 2021 5:18:03 PM

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Herb Borock
P. O. Box 632
Palo Alto, CA 94302

November 13, 2021

Palo Alto City Council
250 Hamilton Avenue
Palo Alto, CA 94301

NOVEMBER 15, 2021 CITY COUNCIL MEETING, AGENDA ITEMS #AA1 AND #14
#AA1: CONFERENCE WITH REAL PROPERTY NEGOTIATORS, 300 HOMER AVENUE
#14: PALO ALTO HISTORY MUSEUM LEASE

Dear City Council:

Tenant Sublease Rights (Packet Page 271) says that "Subleases shall conform with the conditional use permit the museum has for this facility."

The current Conditional Use Permit and Architectural Review Permit for 300 Homer Avenue were approved December 3, 2018 for a period of two years, with the right to apply for a single one-year extension, after which the permits expire.

A Conditional Use Permit also expires for lack of use for a year.

The proposed project will have to apply for and obtain new entitlements, including a new Conditional Use Permit (CUP), and the application for the CUP cannot be segmented for purposes of environmental review of whatever lease is eventually signed by the City and applicant.

Resolution No. 8057 adopted by the Council on June 4, 2001, expresses the Council's intention to donate the entire 2.41 acres along the Homer Avenue frontage of the former "Main Block" of the Palo Alto Medical Foundation, including the Roth Building at 300 Homer Avenue.

The Council dedicated 2.01 acres of that property (everything except the Roth Building) when the Council determined that none of the dedicated land was needed to provide parking for the Roth Building.

The lease should define how parking will be provided for the Roth Building.

Resolution No. 8057 expressed the Council's intention to dedicate as parkland the remainder of the 2.41 acres when financing plans or mechanism are approved.

You have now approved financing mechanisms and plans including funds from park impact fees that can be used only to acquire and develop parkland that must be dedicated by ordinance according to Palo Alto Charter Article VIII.

The entire Roth Building site should be dedicated as parkland. I suggest the name "Roth Building addition to Heritage Park".

You can't claim that the park impact fees are only for the Roth Building bathrooms, because the project's funding is not divisible.

Now that you have identified the needed financial mechanisms and plans, I urge you to adopt a park dedication ordinance for the site of the Roth Building.

Thank you for your consideration of these comments.

Sincerely,

Herb Borock