

**From:** [herb](#)  
**To:** [Council, City](#)  
**Subject:** December 6, 2021 Council Meeting, Item #10: New Downtown Parking Facilities  
**Date:** Saturday, December 4, 2021 5:16:07 PM

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

December 4, 2021

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

**DECEMBER 6, 2021 CITY COUNCIL MEETING, AGENDA ITEM #10  
NEW DOWNTOWN PARKING FACILITIES**

Dear City Council:

The Environmental Impact Report (EIR) for a parking garage at 375 Hamilton Avenue is no longer valid now that the City is developing a Downtown Coordinated Area Development Plan that is subject to environmental review pursuant to the California Environmental Quality Act (CEQA).

Evaluating the parking garage at 375 Hamilton Avenue separately from the rest of the Downtown Coordinated Area Plan is segmenting a project in violation of CEQA.

There are multiple other sources of funding for the proposed garage in addition to those mentioned in the staff report (ID #13363).

Other parking structures in the Downtown were financed in part by assessment districts. The parking garage proposed for 375 Hamilton Avenue can also be financed by a combination of in-lieu fees and a bond paid for over time by an assessment district.

Property owners should an in-lieu parking fee for each street parking space used by a parklet. That payment would being in over \$9 million.

Property owners should also pay an in-lieu parking fee for the additional demand created by the parklets when the seating capacity of the parklets is added to the seating capacity inside the property, at the rate of one in-lieu fee for each additional seated customer space.

This proposal appears in open session after a lawsuit by Chop Keenan related to the use of in-lieu parking fees.

I just don't know whether this proposal was developed before or after Keenan's lawsuit.

Herb Borock

**From:** [herb](#)  
**To:** [Council, City](#); [Clerk, City](#)  
**Subject:** December 6, 2021 Council Meeting Item #10: New Downtown Parking Facilities  
**Date:** Saturday, December 4, 2021 5:46:33 PM

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**This letter includes copy editing corrections to my prior letter sent to City Council.**

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

December 4, 2021

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

**DECEMBER 6, 2021 CITY COUNCIL MEETING, AGENDA ITEM #10  
NEW DOWNTOWN PARKING FACILITIES**

Dear City Council:

The Environmental Impact Report (EIR) for a parking garage at 375 Hamilton Avenue is no longer valid now that the City is developing a Downtown Coordinated Area Development **Plan** that is subject to environmental review pursuant to the California Environmental Quality Act (CEQA).

Evaluating the parking garage at 375 Hamilton Avenue separately from the rest of the Downtown Coordinated Area Plan is segmenting a project in violation of CEQA.

There are multiple other sources of funding for the proposed garage in addition to those mentioned in the staff report (ID #13363).

Other parking structures in the Downtown were financed in part by assessment districts. The parking garage proposed for 375 Hamilton Avenue can also be financed by a combination of in-lieu fees and a bond paid for over time by an assessment district.

Property owners should **pay** an in-lieu parking fee for each street parking space used by a parklet. That payment would **bring** in over \$9 million.

Property owners should also pay an in-lieu parking fee for the additional demand created by the parklets when the seating capacity of the parklets is added to the seating capacity inside the property, at the rate of one in-lieu fee for each **four** additional seated customer **spaces**.

This proposal appears in open session after a lawsuit by Chop Keenan related to the use of in-lieu parking fees.

I just don't know whether this proposal was developed before or after Keenan's lawsuit.

Thank you for your consideration of these comments.

Sincerely,

Herb Borock