

From: [Steven Rouman](#)
To: [Council, City](#)
Subject: Palo Alto Parklet Program
Date: Monday, October 24, 2022 4:00:05 PM
Attachments: [image001.png](#)
[RH Letter re Parklet \(01218718xA4507\)\[3\].pdf](#)

Some people who received this message don't often get email from srouman@rh.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear City of Palo Alto – Please find the attached for your consideration.

Regards –

Steve

STEVE ROUMAN
SVP, REAL ESTATE
C 312.636.2893

RH

October 24, 2022

RH

VIA EMAIL

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

RE: Removal of Parklet Encroaching in Front of 281 University

Dear Palo Alto City Council:

We write to request the immediate removal of the temporary parklet that was erected and encroaches in front of the Restoration Hardware (“RH”) store located at 281 University Avenue, Palo Alto. The parklet was meant to be temporary, initially erected by 271 Local Union to address the extremely unusual circumstances prompted by the COVID-19 pandemic, which had a significant impact on in-store dining and patronage. The Parklet Standards and Requirements provide that “The temporary parklet program allows Palo Altans to more safely enjoy local establishments in an environment that, due to being outdoors, decreases the risk of spreading COVID-19. The parklets also provide an amenity for businesses that may help them continue operations.” The impact of the pandemic on business operations in Palo Alto, specifically, the University Avenue neighborhood, has settled, if not completely resolved, and while the need for the temporary parklets can continue outside of their own facility at the discretion of the dining outlet, there is no justification for any of the parklet to encroach on neighboring businesses, which have also been impacted, and make it worse for them.

The parklet clearly impacts RH’s business as the parklet extends in front of the RH street side windows, restricting and blocking the view of the storefront, which displays furniture and other merchandise to customers. Further, the parklet occupies two parking spots located directly in front of the store, which also impacts the ability of customers to patronize the store. With the holiday season approaching, it is essential that RH be able to display merchandise and advertise to the general public.

Any prior permission granted by RH to erect the parklet was given under the clear premise that this was a temporary measure, designed to assist eating and drinking businesses such as cafes, restaurants, and retail food establishments through a crisis that no longer exists. RH cooperated with the temporary parklet program and has been a good neighbor to the University Avenue community and consented to the temporary parklet program to assist its fellow commercial neighbors. RH now requests that the portion of the parklet that encroaches in front of the 281 University Avenue location, including the parking spaces, be removed. Thank you for your attention to this request.

Very truly yours,

Steve Rouman

Steve Rouman
Senior Vice President, Real Estate

CC: Steve Sinchek

From: [Steve Sinchek](#)
To: [Council, City](#); Steven.Guagliardo@cityofpaloalto.com
Cc: [Nancy Coupal](#); [Shikada, Ed](#); [Burt, Patrick](#)
Subject: Parklet Support from Restoration Hardware
Date: Monday, October 24, 2022 3:37:16 PM
Attachments: [Restoration Hardware Support of Local Union 271 parklet.docx](#)

Some people who received this message don't often get email from ssinchek1@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

To our Honorable Mayor, Vice Mayor and Members of the City Council: This is Steve Sinchek, Owner of Local Union 271.

I am 100% in support of exactly below, listed thoroughly by Nancy Coupal of Coupa Cafe.

As a small business owner for the last 28 years in Palo Alto with multiple locations, I am also writing to you today to direct your attention to a critical component of the Permanent Parklet Program.

Attached are the correspondences over the years we have had with 2 store managers from Restoration Hardware. They have fully supported the parklet program.

Only recently, when Sand Hill Properties purchased the Restoration Hardware location, has there been a concern from Sand Hill, that we are potentially blocking the storefront and limiting parking.

The parking that we are taking up amounts to one additional space. Since the pandemic, Restoration Hardware has been extremely positive about the amount of foot traffic we have brought to University Avenue and their business.

This foot traffic is far in excess to the single parking space that most likely would not be occupied by their customer.

Additionally, Restoration has a loading area in the back alley where folks pull up to for deliveries and pick up.

Thank you for your time and attention to this very important matter,
Steve Sinchek

In Agreement with Coupa Cafe...

PALO ALTO PERMANENT PARKLETS PROGRAM (pg 192 of packet)

In the process of developing a permanent Parklet Program for the City of Palo Alto, it is stated: "The City of Palo Alto has developed a Permanent Parklet Program that will allow for parklet installations in eligible areas of Palo Alto. The program is designed for eating establishments with the intended purpose of **supporting the vibrancy of the public realm and enhancing the civic experience of diners, pedestrians, motorists, and cyclists**".

This is and should be the premise on which any Parklet program is designed and implemented in order to accomplish the goals set out.

We all know the reason that Parklets were established during the pandemic and I believe it is clear that our lives and our community have changed as a result of the pandemic. Parklets and pedestrian friendly streets have become a mainstay of many communities and welcomed in our changed world. Finally, outdoor dining in our City is possible and greatly appreciated by all.

The City Council is to decide again on the rules for Parklets in the City Council meeting on the October 24th agenda. Of utmost concern is the following from page 192 of the Agenda Packet:

"Parklet Neighbor Consent Letter": "During the current pilot parklet program, the City has received complaints from some in the community that **parklets impede the visibility or perceived access to neighboring commercial spaces. This has created some conflicts between a parklet owner's desire to have a more expansive parklet and an adjacent tenant's interest in maintaining visual access to potential customers.** Based on staff **research** of other jurisdictions' parklet programs, there are a variety of approaches that can be used to receive consent (or not) from adjacent neighboring businesses. Generally, there are four approaches":

- 1) City requires a letter of consent for all parklets,
- 2) City requires a letter of consent if the parklet extends over a neighboring storefront,
- 3) **City does not require a letter of consent,** or
- 4) City does not allow the parklet to encroach over the neighboring storefront.

Whether or not visibility or perceived access to neighboring commercial spaces can be determined on a **case-by-case** basis, and in fact a parked car can also block visibility or perceived access. Nevertheless, The City of Palo Alto **is the sole owner of the Sidewalk and the Street**, and the City of Palo Alto intends to charge a fee for the Parklets. This fee is to increase City revenue, and the use of Parklets will also increase Sales Tax for the City by increased sales through the outdoor seating provided on the

Parklets.

The City of Palo Alto is the sole owner/keeper of sidewalks and streets and no private parties may claim the rights over this area. No private property owners nor businesses take over maintenance or repair of the sidewalks and streets. **“Requiring or even Allowing”** the possibility of a “letter of consent from adjacent neighboring businesses” may lead to **undesirable** attempts at **Coercion** or even **Extortion** in the process of **trying to obtain said letter of consent** in some cases. What is to stop a neighbor from demanding financial reward for providing a letter of consent, or prevent neighboring landlords from manipulation of an adjacent business from providing a letter of consent?

There are no safeguards and they would be very difficult to implement.

I urge you to go with option **3) City does not require a letter of consent (pg 192)**

This option #3, is the only safeguard against misuse of opportunity and also fulfills the purpose of the Parklet Program: **“supporting the vibrancy of the public realm and enhancing the civic experience of diners, pedestrians, motorists, and cyclists”**.

I hope you recognize that the majority of Parklets in Palo Alto are already built and those Parklets were established to accomplish the goals of the program. The City should be clear that **“only the City”** should make decisions on permits and fees to benefit the City and its citizens. **Consent from neighboring businesses should NOT be a part of the rules established for permanent parklets.**

Please completely **eliminate** #12 from: VI. PERMIT APPLICATION REQUIREMENTS

12. Letter(s) of Support – A parklet applicant must get a letter of support from the neighboring ground-floor tenant(s) and building owner(s) if more than half of a marked parking space is not in front of the applicant’s storefront, or if any part of an unmarked parking space is not in front of the applicant’s storefront (see Figure 9). [Note to City: Draft template to be provided, still being drafted by staff]. a. If the tenancy and/or ownership of the neighboring property changes, Public Works may require the parklet sponsor to submit an updated letter of support to continue utilizing any space extending into a neighboring frontage regardless of the status of the parklet license at the time of change of ownership/tenancy. b. Consent to occupy neighboring space as part of a parklet permit is revocable by nature; and, if such support is revoked, or if parklet occupancy is not in accordance with the terms of any applicable law, these regulations, and/or any permit requirement, the parklet sponsor is responsible for the removal of any structure placed in the right of way under the parklet permit, including any applicable portion of the parklet permit extending into a neighboring frontage. c. Parklet sponsor must obtain an up-to-date letter of support for any future license renewals as requested by Public Works during future permit renewal processes.

Contrary to what some landlords may say, Parklets have definitely contributed to the livelihood and continued existence of restaurants, which are the primary businesses keeping Palo Alto as a destination for visitors. Retail has suffered as times have changed, and frankly, without restaurants/eating establishments, Palo Alto would not attract visitors to the downtown or Cal Ave area.

Finally, I urge you to extend the date for establishing the incorporation of permanent parklets from June 30, 2023 to be in conjunction with on-street and parking lot dining and retail programs to December 31, 2023 for greater coherence and coordination of goal oriented City programs.

Thank you for your time and attention to this matter.

Best wishes,

Nancy Coupal, Founder and CEO Coupa Cafe

Hi Brennan (from Sand Hill Properties)

Here is the initial confirmation from RH manager, Gigi, who is still there.

I will follow with two more e-mails of additional support, from RH manager, Barbara Turner, that have occurred over the past two years.

Additionally, RH and Palo Alto bikes were the only two retail stores that consistently were vocal and voted at every turn, to support the parklets, given the increase in business they experienced.

Three separate times, the city asked for votes, block by block, and RH supported the parklets and street closures,

The 180 they now have in their outlook, since Sand Hill Properties just purchased the building, is beyond reason.

We invested over 90k in this project with the full support from both the city and RH.

We met with Gigi via zoom to discuss possibilities and are working with RH. Waiting to hear back from them on options we offered.

Best,
Steve

From: Jihan Elgazzar <jelgazzar@rh.com>
Date: June 18, 2020 at 5:06:42 PM PDT
To: Steve Sinchek <ssinchek1@gmail.com>
Subject: Re: Parklet

Hi Steve,
We are all set. Parket is fine but please make sure the tables do not block the windows on the sidewalk.
Thank you,

GIGI ELGAZZAR
GALLERY LEADER, PALO ALTO
O 650 328 4004

RH

On Fri, Jun 12, 2020 at 12:18 PM Steve Sinchek <ssinchek1@gmail.com> wrote:
Hi Gigi

This is Steve Sinchek, your neighbor at Local Union 271.

The city is allowing us, and many restaurants, to build temporary "parklets" which are essentially parking spots that are converted to dining to boost foot traffic downtown.

We are requesting to have the 3 spots in front of our locations to be converted. Given the issue of having a car pulling in and out of 1 spot in front of RH, right next to dining, it would be safest and most vibrant, to convert the last spot to a parklet as well.

Even though this is city property and responsibility, they are asking you, out of courtesy to your business, to simply ok this, in an e-mail.

Unlike sidewalk usage, this will not block your storefront.
Happy to place any type of signage on the parklet for RH as well.
Our insurance covers this parklet so there is zero liability for you involved.

I'd be happy to extend a \$500 monthly dining credit to your team as a sincere thank you for your ok in this team building business effort.

I'll be in tomorrow morning to discuss any questions you might have.

You can also reach me by phone anytime.

Safe wishes,
Steve Sinchek
Local Union 271
650.996.9940

On Jan 28, 2021, at 9:16 PM, Barbara Turner <bturner2@rh.com> wrote:

Hi Steve,

I was going to reach out to you personally to let you know that we are in full support of closing University if only for you, our neighbor. I will submit our vote. Please let me know if there is anything we can do to help. We want to see you and your team members succeed.

Warm regards,

Barbara

--

BARBARA TURNER
ASSOCIATE GALLERY LEADER, PALO ALTO
O 650 328 4004
C 650 384 7527



Steve Sinchek <ssinchek1@gmail.com>

Apr 21, 2021,
2:42 PM

Hi Barbara

Hope all is well!

The city extended the street closure until 10/31 and temp parklet until 12/31.
They are looking into permanent parklet solutions.

Our team wants to continue our thanks and deep appreciation for your support.
We are now fully staffed back at Local Union, in no small part to your team's support.

Please let us know if there is anything we can ever do for you, including signage on the
parklet or adding info to our table tents re RH.

Mon, Jun 21, 2021,
5:02 PM

Barbara Turner <bturner2@rh.com>

to me

Hi Steve,

**I hope you're doing well and enjoying the business up and running at a healthy
pace!**

**PS. I took a call from the city council this morning who are looking for statistics
as to how the closure of University Avenue has impacted our business. I'm
putting together a bit of data to help support the closure indefinitely. If you know
of anything else we may do to support then please let me know.**

Kindly,

Barbara

--

BARBARA TURNER
ASSOCIATE GALLERY LEADER, PALO ALTO

O 650 328 4004
C 650 384 7527

RH

Steve Sinchek <ssinchek1@gmail.com>

Sun, Sep
25, 11:33
AM

to Brennan, Clayton

Hi Brennan

Two more letters of above and beyond support by RH manager, Barbara Turner.

Dated 1/28/21 and 6/21/21

Best,
Steve

From: [Nancy Coupal](#)
To: [Council, City](#); [Shikada, Ed](#); [Guagliardo, Steven](#)
Subject: Permanent Parklet Program Critical Issue
Date: Monday, October 24, 2022 2:49:09 PM

Some people who received this message don't often get email from nancy@coupacafe.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

To our Honorable Mayor, Vice Mayor and Members of the City Council:

As a small business owner for the last 19 years in Palo Alto with multiple locations, I am writing to you today to direct your attention to a critical component of the Permanent Parklet Program.

PALO ALTO PERMANENT PARKLETS PROGRAM (pg 192 of packet)

In the process of developing a permanent Parklet Program for the City of Palo Alto, it is stated: "The City of Palo Alto has developed a Permanent Parklet Program that will allow for parklet installations in eligible areas of Palo Alto. The program is designed for eating establishments with the intended purpose of **supporting the vibrancy of the public realm and enhancing the civic experience of diners, pedestrians, motorists, and cyclists**".

This is and should be the premise on which any Parklet program is designed and implemented in order to accomplish the goals set out.

We all know the reason that Parklets were established during the pandemic and I believe it is clear that our lives and our community have changed as a result of the pandemic. Parklets and pedestrian friendly streets have become a mainstay of many communities and welcomed in our changed world. Finally, outdoor dining in our City is possible and greatly appreciated by all.

The City Council is to decide again on the rules for Parklets in the City Council meeting on the October 24th agenda. Of utmost concern is the following from page 192 of the Agenda Packet:

"Parklet Neighbor Consent Letter": "During the current pilot parklet program, the City has received complaints from some in the community that **parklets impede the visibility or perceived access to neighboring commercial spaces. This has created some conflicts between a parklet owner's desire to have a more expansive parklet and an adjacent tenant's interest in maintaining visual access to potential customers.** Based on staff **research** of other jurisdictions' parklet programs, there are a variety of approaches that can be used to receive consent (or not) from adjacent

neighboring businesses. Generally, there are four approaches:

- 1) City requires a letter of consent for all parklets,
- 2) City requires a letter of consent if the parklet extends over a neighboring storefront,
- 3) City does not require a letter of consent, or
- 4) City does not allow the parklet to encroach over the neighboring storefront.

Whether or not visibility or perceived access to neighboring commercial spaces can be determined on a **case-by-case** basis, and in fact a parked car can also block visibility or perceived access. Nevertheless, The City of Palo Alto **is the sole owner of the Sidewalk and the Street**, and the City of Palo Alto intends to charge a fee for the Parklets. This fee is to increase City revenue, and the use of Parklets will also increase Sales Tax for the City by increased sales through the outdoor seating provided on the Parklets.

The City of Palo Alto is the sole owner/keeper of sidewalks and streets and no private parties may claim the rights over this area. No private property owners nor businesses take over maintenance or repair of the sidewalks and streets. **“Requiring or even Allowing”** the possibility of a “letter of consent from adjacent neighboring businesses” may lead to **undesirable** attempts at **Coercion** or even **Extortion** in the process of **trying to obtain said letter of consent** in some cases. What is to stop a neighbor from demanding financial reward for providing a letter of consent, or prevent neighboring landlords from manipulation of an adjacent business from providing a letter of consent?

There are no safeguards and they would be very difficult to implement.

I urge you to go with option **3) City does not require a letter of consent (pg 192)**

This option #3, is the only safeguard against misuse of opportunity and also fulfills the purpose of the Parklet Program: **supporting the vibrancy of the public realm and enhancing the civic experience of diners, pedestrians, motorists, and cyclists”.**

I hope you recognize that the majority of Parklets in Palo Alto are already built and those Parklets were established to accomplish the goals of the program. The City should be clear that **“only the City”** should make decisions on permits and fees to benefit the City and its citizens. **Consent from neighboring businesses should NOT be a part of the rules established for permanent parklets.**

Please completely **eliminate** #12 from: VI. PERMIT APPLICATION REQUIREMENTS

12. Letter(s) of Support – A parklet applicant must get a letter of support from the neighboring ground-floor tenant(s) and building owner(s) if more than half of a marked parking space is not in front of the applicant's storefront, or if any part of an unmarked parking space is not in front of the applicant's storefront (see Figure 9). [Note to City: Draft template to be provided, still being drafted by staff]. a. If the tenancy and/or ownership of the neighboring property changes, Public Works may require the parklet sponsor to submit an updated letter of support to continue utilizing any space extending into a neighboring frontage regardless of the status of the parklet license at the time of change of ownership/tenancy. b. Consent to occupy neighboring space as part of a parklet permit is revocable by nature; and, if such support is revoked, or if parklet occupancy is not in accordance with the terms of any applicable law, these regulations, and/or any permit requirement, the parklet sponsor is responsible for the removal of any structure placed in the right of way under the parklet permit, including any applicable portion of the parklet permit extending into a neighboring frontage. c. Parklet sponsor must obtain an up-to-date letter of support for any future license renewals as requested by Public Works during future permit renewal processes.

Contrary to what some landlords may say, Parklets have definitely contributed to the livelihood and continued existence of restaurants, which are the primary businesses keeping Palo Alto as a destination for visitors. Retail has suffered as times have changed, and frankly, without restaurants/eating establishments, Palo Alto would not attract visitors to the downtown or Cal Ave area.

Finally, I urge you to extend the date for establishing the incorporation of permanent parklets from June 30, 2023 to be in conjunction with on-street and parking lot dining and retail programs to December 31, 2023 for greater coherence and coordination of goal oriented City programs.

Thank you for your time and attention to this matter.

Best wishes,

Nancy Coupal, Founder and CEO Coupa Cafe

From: [Jenny Kugizaki](#)
To: [Council, City](#)
Subject: Ramona St, Warby Parker
Date: Monday, October 24, 2022 2:22:12 PM
Attachments: [Palo Alto City Council Letter \(2\).pdf](#)

Some people who received this message don't often get email from
jenny.kugizaki@warbyparker.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Members of the City Council,

I hope this email finds you well, my name is Jennifer Kugizaki and I am the District Leader that oversees the Warby Parker located on Ramona Street in downtown Palo Alto .

I wanted to share previous correspondence with you, ahead of the city council meeting this evening, for your further consideration for the future of Ramona Street.

Feel free to reach out if you have any questions.

Best,

--

Jenny Kugizaki
[WARBY PARKER](#)

[We've got your eyes covered.](#)
Follow us: [Instagram](#), [Twitter](#), [Facebook](#)

October 24th, 2022

Palo Alto City Council

250 Hamilton Ave

Palo Alto, CA 94301

Members of the City Council,

I am writing in opposition of, and asking you to vote against, the upcoming city proposal to permanently close Ramona Street. I am writing on the behalf of Warby Parker located at 555 Ramona Street in Palo Alto. As a local business, we ask you to support the business community on Ramona Street by reopening the street to parking, traffic and business visibility.

The past two years we understand there has been a need for outdoor spaces and outdoor dining to support both our local communities safety and the economic interests of local restaurants. Those needs have now changed with indoor dining being allowed, Santa Clara vaccination rates above 85% and indoor mask mandates ending in California on February 15th, 2022. We urge the council to begin the process of reopening our city streets, as you did with University Avenue, and begin the process of returning Palo Alto to its former city plan.

As an essential business that serves the Palo Alto community in their eyecare and vision needs, it is critical that our customers have the greatest opportunity to find and easily access our business. With the closure of Ramona Street, we have seen a negative impact in customer traffic, difficulty in finding our location and navigating disruptive behavior outside our doors from the parklets. While we have continued to hold consistent open hours as a retail business, we have not seen this same consistency in the neighboring dining establishments operating hours. This has created negative traffic on Ramona Street and empty parklets.

We are always in support of the needs of the Palo Alto community. In reviewing all of the community written requests in the City agenda, it is clear that there is an overwhelming support in the continuation of closure on California Ave. Those same comments did not include Ramona Street with the same support and in fact, there was other opposition from other Ramona Street local business owners. With this in mind, we ask you consider these nuances in your voting and reopen Ramona Street for free navigation and traffic.

Thank you for your consideration in taking our economic need as a local business in voting for this important issue that impacts all business owners on Ramona Street.

Sincerely,

Dustin Underwood, Warby Parker Regional Director

Jennifer Kugizaki, Warby Parker District Leader

From: [Jason Villarreal](#)
To: [Council City](#)
Cc: [Guagliardo, Steven](#)
Subject: Permanent Parklet Program Discussion & Direction: Owner Feedback for Today's Meeting
Date: Monday, October 24, 2022 10:53:25 AM
Attachments: [image001.png](#)
[image002.png](#)

Some people who received this message don't often get email from jvillarreal@shpc.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Hello and good morning, City Council Members:

My name is Jason Villarreal and I just started with Sand Hill Properties Company working directly for Peter Pau serving as the COO and Head of Asset Management, Residential. I wanted to introduce myself and get to know the City of Palo Alto team as I'm sure we'll be working and collaborating together and often. I am reaching out to share owner feedback and concern on the Permanent Parklet Program Discussion and Direction from an ownership perspective in regard to our retail building at 281 University Avenue which houses the Restoration Hardware store.

As shown in the picture below, it reflects that the restaurants next door have extended into the parking spots in front of our building where retail customers cannot park reasonably in front of the store to shop nor load items purchased into their car within proximity to the store. In addition, it reduces significant visibility of the store especially when the roll shades on the parklet are rolled down. I understand that during the pandemic outside dining and social distancing was very much needed; however, with the pandemic on the mend it doesn't seem needed as much as most people aren't wearing masks and have been fully vaccinated with boosters. I wanted to connect to see how we can have the restaurants next door retract their outdoor dining space to the end of their building allowing the area in front of our building to go back to parking spots especially with the retail holiday season on the horizon. We agree that requiring a neighbor consent letter is much needed from property owners similar to San Francisco, San Diego, Pleasanton, and Los Altos parklet program.

Thank you for your time and consideration in this matter.

Jason Villarreal
Chief Operating Officer & Head of Asset Management, Residential



2600 El Camino Real, Suite 410
Palo Alto, CA 94306
T: (650) 772-4049
F: (650) 344-0652
JVillarreal@SHPCO.com



From: [rick barry](#)
To: [Council, City](#)
Subject: parklets
Date: Monday, October 24, 2022 9:44:11 AM

Some people who received this message don't often get email from rick@barryrealestate.net.
[Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

I am glad you are extending the parklets to permanent status. I am also very pleased you are addressing some of the people that extend their seating 100 feet past their storefront like local union on university. They are blocking off vacant spaces next to them making it very hard for them to rent out the space. Their business could not be seen from the street and they have their heaters and extra chairs completely blocking off their storefront.

thanks,

rick barry

From: [John Sherk](#)
To: [Council, City](#)
Cc: [Shikada, Ed](#); [Lait, Jonathan](#); [Guagliardo, Steven](#)
Subject: Re: Next Steps on Parklets
Date: Monday, October 24, 2022 8:50:22 AM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Dear Council and Staff,

We renew our plea that you not allocate any more staff time nor money for consultants to study and work on parklets that are temporary no matter the design. Please work toward a truly first class downtown, wait for the economic study to be complete, and refocus on a comprehensive plan - we all want and deserve that. We shared a rendering with you 2 years ago that showed a redesigned University Avenue with wide sidewalks to allow the downtown to use the expanded public spaces for dining, retailing, landscaping, seating/gathering spaces, similarly to how Burlingame had the foresight years ago to reimagine its Avenue into what is now a vibrant retail success enjoyed by residents and guests as well.

Palo Alto needs a big strong move and not a used band-aid. The best game plan to support our retailers, attract the best new retailers, and create the best downtown and a vibrancy our residents and guests will enjoy requires the filling in order of importance:

- 1) Safety is critical. Allocate additional police resources to increase automobile patrols add the walking and bicycle police as we had years ago in addition.
- 2) Cleanliness is critical. Allocate resources to regularly clean the streets and sidewalks (steam clean) in a way to remove the grease and grime that exists.
- 3) Existing infrastructure (e.g. sidewalks and curbs are heaved and cracked) needs repair, existing landscaping needs improvement, etc.
- 4) Retail Zoning Ordinance needs to be updated after studying which blocks are good for retail and being more inclusive of retail that wants to be in Palo Alto as we are very restrictive now.
- 5) Full design and funding identified for a "new downtown".

All the above should be acted upon now and retailers will experience the benefits immediately.

Comments on the current "program":

But before sharing our comments on this Program, please pause and consider what is really needed to aid the return of vibrancy to our downtown. Retailers are still not doing well, brokers know our processes to be the most costly in terms of time and money, safety is a huge concern, and our public infrastructure is old, broken, and dirty. Pursuing this program will only further burden retailers with substantial costs and processes and the outcome will not be better.

I read the staff report and sadly see many of the issues raised previously during outreach meetings with the public still exist.

More cheap individually designed unharmonious wood decks, walls, roofs, lights, heaters, and colors on top of our old sidewalks and sloped pavement that block the flow of water (since the

fine mesh clogs regularly) in the gutters and make great homes for rats are not what we need.

The last thing the City needs is to have to hire more and more staff to manage this program, enforce the rules, and deal with violations, liabilities, and the numerous unforeseen issues and costs that will arise when public land is covered with wood decking.

Will the Building Code be enforced? Will restrooms be added by retailers to maintain required ratios of seats/customers to sanitation facilities? Will all electric be upgraded even if building panels must be upgraded.

The \$2-3k in annual fee for cleaning per parklet area is insufficient. Does this include the regular (daily) clearing of each parklet 1/4" grate to allow stormwater, cleaning water, and irrigation water to not puddle at each parklet? Where did that budget amount come from?

\$3k to remove and restore area and hold private property? Can't imagine that is a sufficient amount and would mean City assumes additional financial liabilities. Who is going to do that? Must be done fast as it will be an eyesore and detrimental to neighbors.

The cost of the last parking spaces must be accounted for. The City should pay the in lieu fee to reduce the retail areas parking stock and to then rent it to retailers. The parking should be replaced with a new parking structure.

What about the added cost of additional PW staff to oversee this program? How is that paid for?

Neighbor consent. Consent must be from property owner since the tenants can change during the use term of the parklet. And from whom on a tenant retailer would you accept "permission"? What happens when that person is no longer with that retailer? What happens when retailer sublets? This is a mess of an issue and will consume a lot of staff time making other processes too slow to attract business.

Results of City code enforcement has been non-existent in the last 2 years. Why should the public think the future will be any different? Staff has tried but many restauranteurs just do what they want.

What happened to the fire safety concerns expressed by the Fire Chief on Ramona Street? Why have the improvements not been completed and the design guidelines implemented?

Please limit how many parklets can exist contiguously and what % of a block can be parklets? There must be public street parking available on each block sufficient to support the non-restaurant retailers and handicap customers as well.

Who wrote this: "program remains a part of Palo Alto's vibrancy through ongoing attention"? The program is not a part of our "vibrancy". Parklets were critical when it was illegal to sit indoors and seating spacing was substantial. The need does not exist any longer.

Parklets started during the Covid shutdown and we have not experienced any retail vibrancy since then. Unless and until we all see the redesign and physical improvement of our downtown, the City will wallow in spending, misallocated resources, and delays to the desired outcome.

On the recommended “plan” details:

Not clear what happens if street has more than 5% slope. The inability to clean under the parklet is a huge problem in the long run. Rats will abound. First class cities are building them out of concrete or using extended sidewalks.

Given the setback constraints, someone should analyze how much seating is possible when ADA guidelines are enforced for the parklet seating area. And if alcohol is to be served and fencing is required all around the parklet. What distance between tables/chairs should be clear for access at all times? Retailers need to know what is likely.

Given few retailers have 40’ of frontage, how many will have 2 parallel parking spaces to use as parklets without impacting the neighboring retailers?

Since new seating increases the useable area (and the City will collect rent for) don’t new parking spaces and parking facilities need to be added to comply with the City’s zoning?

If a new parklet needs existing restricted parking or infrastructure to be relocated, in addition to the City analysis, the property owner and other retailer adjacent to the new location must also approve the relocation.

Construction details: what happens when the existing curb is not level, is full of divots and voids, is not tall enough for brackets and framing per the plan? Will city be providing the corrections?

Signage: each retailer behind a parklet should be allowed the same signage on the parklet.

"Example of Street Furniture" shows parklets that would not comply with the proposed regulations. Roof over sidewalk, more than 20’ contiguous without fire safety zone, chairs on sidewalk. Examples of what is being discussed should be used.

Amplified sound - who will patrol? Impacts are on customers and neighbors and if violated will leave negative impression on shoppers. This should not be allowed.

Item 12: Letters of Support - Can not allow a parklet to infringe upon any part of a retailers frontage without support from the retailer and property owner. A parking space is 20’ or more and to extend in front of a neighbors business 10’ could be +40% of that retailer’s frontage. In this scenario add bike parking or some other neighborhood benefit.

Page 216 - Failure to Maintain - The impacts of such failures are significant. Guests of our downtown are right to expect high quality, clean, and safe streets and sidewalks. Violations of City standards to maintain clean and safe parklets are significant and lasting. The impact is on all retailers of downtown. The need for enforcement and significant fines is critical. This of course means there must be enough budget to staff meaningful code enforcement at all hours of the week.

The City’s limited resources should directed at SAFETY and CLEANLINESS not at continued consultants and staff time studying and then implementing and administering a parcel program that results in the lowest quality environment of the entire Peninsula.

Use of Parklets must be limited to the retailer directly adjacent to it and not to any other subtenant or assignee of retailer or to any other business or entity to protect the retailer in the adjacent space.

We welcome more participation and hope the community will be allowed to not only answer questions over a call but to be a part of a team that can lead us to a far better “program” resulting in a class A vibrant downtown for decades to come.

Respectfully, John

John R. Shenk

C.E.O.

Thoits Bros., Inc.

629 Emerson Street

Palo Alto, CA 94301

650.323.4868

On Oct 21, 2022, at 4:57 PM, Guagliardo, Steven
<Steven.Guagliardo@CityofPaloAlto.org> wrote:

Hello business partners,

I wanted to provide an update on the next steps related to parklets since I know many people are interested.

This Monday, October 24 staff will seek policy input and direction from the City Council on key policy areas related to the implementation of a permanent parklet program.

The staff recommendation is included in the image below, and the full report can be found on packet page 184 of the link

here:<https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/city-council-agendas-minutes/2022/20221024/20221024pccsm-amended.pdf>

<image008.png>

The discussion related to Parklets is Item #10 on the agenda; the time posted on the agenda is 9 PM but it may be before that or later depending on the discussion time spent on earlier agenda items.

This discussion is to provide feedback, direction, and input to City Staff as a permanent parklet program is developed. The formal adoption of a permanent parklet program will take place at a subsequent meeting through an ordinance.

If you would like to share your thoughts on Monday night’s discussion, you have a few options:

- You can show up in person for public comment at City Council chambers at City Hall
- You can participate in public comment remotely through Zoom by using the “Raise hand” feature during public comment <https://cityofpaloalto.zoom.us/j/362027238>
- You can write the City Council in advance through e-mail at city.council@cityofpaloalto.org

Thank you,

<image001.png> **Steve Guagliardo, MPA**
 Assistant to the City Manager – Economic Development
 Office of the City Manager
 (650) 329-2261 (o) | (650) 468-0974 (c)
steven.guagliardo@cityofpaloalto.org | www.cityofpaloalto.org

<image002.png><image003.jpg><image004.png><image005.png><image006.png>

<image007.png>

From: [Allen Akin](#)
To: [Council, City](#)
Subject: 2022-10-24 Item #10 (Parklets), plus AB 2097 considerations
Date: Friday, October 21, 2022 3:28:46 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Council,

The proposed permanent parklet rules seem thorough and thoughtful. I support them.

I'm wary of the conversion of public property to private use without meaningful compensation. With respect to the parklet license fee, Staff provided useful information about per square-foot costs, but did Staff investigate per square-foot revenues? I didn't see that in the Staff Report. Unless the license fees are consistent with revenue as well as cost, they might create distorted incentives that could either favor or disfavor parklets.

Permanent parklets will reduce parking supply in the Downtown area, thus pushing more parking demand out into the adjacent neighborhoods. New projects developed under the terms of AB 2097 will have similar effects, made more significant by the loss of space to parklets.

The current RPP system provides some control over the amount and distribution of commercial parking in the neighborhoods.

To my knowledge, there is no similar mechanism to manage the residential parking demand that will be created as a result of AB 2097. I think it would be wise to establish definitively that housing in the Downtown core is *not* eligible for resident permits in the existing Downtown RPP district. Instead, the core should be a separate RPP district that is managed independently.

Failing to do this will increase traffic, parking, and safety issues in the neighborhoods; reduce quality-of-life for new Downtown residents; and compromise the sustainability goal of minimizing car ownership by residents of underparked or zero-parked projects allowed Downtown by AB 2097. Doing this proactively will set expectations and provide stability for both current residents and new residents.

Regards,
Allen Akin