From: Aruna Busacca
To: Council, City

**Subject:** Development behind Town & Country Village **Date:** Monday, September 12, 2022 9:35:32 AM

Attachments: image001.png

F5 oppose development letter.doc

Some people who received this message don't often get email from abusacca@crossroadstrading.com. <u>Learn why this is important</u>

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

Please accept the attached letter regarding the proposed development behind the Town & Country Village. Thank you.

### Aruna Busacca

Chief Operating Officer Crossroads Trading Company p. 510-559-9600 ext. 245 www.crossroadstrading.com





1409 5th Street, Berkeley, CA 94710 510.559.9600

September 8, 2022

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

Subject: Proposed Development at 70 Encina Avenue, Palo Alto, CA

Mayor, Vice Mayor, and Councilmembers,

I hope this letter finds you well. My name is Aruna Busacca and I'm the Chief Operating Office with Crossroads Trading Co, the parent company of Fillmore & 5<sup>th</sup>, a retail tenant at Town & Country Village. I'm writing you today to express my concern about the proposed development at 70 Encina Avenue. As I'm sure you are aware, Storm Land is proposing a five story development on a portion of the north parking lot of Town & Country Village, directly behind Jamba Juice. This project is proposed at 55 feet, and up to 70 feet in height with mechanical.

Town & Country Village is a neighborhood of more than 70 brick & mortar retailers, operating in an economic environment that makes sustaining successful brick & mortar retail increasingly difficult. For years, it has been our impression that the City of Palo Alto wanted to do everything they could to protect and enhance the retail experience of this venue. The current proposal for 70 Encina runs counter to that.

Approving a development of this size and scale, that would need variances and exceptions to so many established zoning and land use policies, doesn't make sense to me. Few cities put more effort into their land use policy than Palo Alto, so why such a significant exception to the rules would be made here is hard to understand. If the developer wants to construct a one, two, or three-story building, that seems appropriate for this location. But a five-story, 55 foot tall structure in the middle of a surface parking lot directly adjacent to a historic, single-story shopping center does not.

Ultimately, my hope is that if the proposed project moves forward, three things occur:

- 1. The height is reduced to one, two, or three stories.
- 2. The design of the building is enhanced to reduce its boxy and overwhelming feel.
- 3. The ground floor is used for something other than parking.

I believe these changes will help align this proposed project with both the surrounding area and general standards the City of Palo Alto has for developments in the community.

Thank you for your time and consideration.

Sincerely,

#### Aruna Busacca

Crossroads Trading Co., Fillmore & 5th

From: Dean J. Rubinson

To: Kou, Lydia; Tanaka, Greg; Stone, Greer; Filseth, Eric (Internal); Cormack, Alison; Pat Burt;

pat.burt@cityofpalo.org; DuBois, Tom; Council, City

Cc: Lait, Jonathan; Shikada, Ed; French, Amy; Gerhardt, Jodie; Foley, Emily; James F. Ellis; Melinda Ellis Evers

**Subject:** Letter from Town & Country Village regarding 70 Encina Development Proposal

**Date:** Thursday, September 8, 2022 4:29:10 PM

Attachments: <u>image673799.png</u>

image386166.png

2022-09-08 Palo Alto City Council Letter.pdf

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

Dear Honorable Mayor, Vice Mayor, City Council Members, and City Staff:

Please see the attached letter related to the 70 Encina Development, which is scheduled for a PHZ Pre-screening on Monday 9/12.

Thank you for your attention to this important matter.

Dean

#### Dean J. Rubinson

Partner, Director of Development he/him/his

## **ELLIS PARTNERS**

111 Sutter Street, Suite 800 San Francisco, CA 94104 o: 415.391.9800

m: 415.373.7706 dean@ellispartners.com www.ellispartners.com



This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply email and delete the message. Thank you.

### **ELLIS PARTNERS**

September 8, 2022

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

Dear Honorable Mayor, Vice Mayor, and City Council Members:

Ellis Partners bought Town and Country Village in 2005 and immediately completed a complex and extensive renovation of what was then a struggling rundown property. For the past 17 years, our team has been the careful steward of this treasured community asset. At every stage, even during financial crises and a global pandemic, we have endeavored to make decisions with the architectural and historical legacy of Town and Country Village in mind. As is evident today, all our renovation work, as well as the development of the Trader Joes building, has been consistent with the scale and character of this primarily single-story Hacienda-style center.

Ellis Partners efforts at preserving and improving Town and Country Village have been guided by city policy. There is a specific land use policy for Town and Country Village within the Palo Alto Comprehensive Plan, which states:

Policy L-4.12 - Recognize and preserve Town and Country Village as an attractive retail center serving Palo Altans and residents of the wider region. Future development at this site should preserve its existing amenities, pedestrian scale and architectural character while also improving safe access for bicyclists and pedestrians and increasing the amount of bicycle parking.

This policy has been the guidepost for all our efforts in operating, improving and tenanting this unique and treasured property. As such, it came to us as a shock that an application was submitted for a five-story, 55-foot high, stucco-clad development on a quarter acre site within the north parking area that has been ground leased to Town and Country Village since its development in the 1950s. This proposal is significantly different from the existing scale and architecture that Ellis Partners, based on city policy, has worked to preserve.

Our intent was to continue to ground lease the site and utilize it for parking for our tenants and customers for the foreseeable future. However, it appears that the site is now under contract with a developer who is interested in maximizing the development density on the site, in excess of the citywide height limits and with no apparent regard for the architectural context of this important community gathering place.

We recognize the critical need for additional housing in the city, and we're supportive of appropriately scaled housing developments, but we believe the proposed development is too dense for this location and would negatively impact the character of Town and Country Village that we've worked so hard to enhance.

If residential development is to proceed on this site, despite being prohibited by Comprehensive Plan Policy L2.4.4, it should be carefully designed to a scale and character that is consistent with the existing "pedestrian scale and architectural character" of Town and Country Village. In fact, the development is proposed at approximately 80 dwelling units per acre, which far exceeds the maximum density of 50 units per acre that the city has identified in the Housing Element Site Inventory.

Ellis Partners has engaged Randolph Popp Architects to evaluate the proposed development and to create a set of accurate renderings of how the proposed development would appear to our customers and tenants, and to study alternatives to identify an appropriate scale of residential development for this location. As noted in Mr. Popp's findings, a two-story and potentially a three-story residential development appears to be the maximum height that might be suitable for this setting, creating an appropriate transition from the single-story buildings at Town and Country.

Furthermore, we have engaged our land use attorneys at Jorgensen, Siegel, McClure & Flegel to evaluate the zoning applicable to this proposed development. The project site is currently included in the Palo Alto Zoning Code definition of Town and Country Village Shopping Center, which includes all properties bounded by El Camino Real, Embarcadero Road, Encina Avenue, and the Southern Pacific right-of-way. We have also asked our attorneys to assess whether the Planned Home Zoning (PHZ) process, which was intended to provide the City Council with additional housing opportunities in general compliance with the City of Palo Alto's planning and design review standards, is a suitable path for this proposed development. The legal analysis is included with this letter.

In summary, we understand the critical need for housing in Palo Alto, and truly respect the commitment that the City Council has made to address this need, including the establishment of the PHZ process. While the current Comprehensive Plan clearly states that, "Conversion to residential capacity should not be considered in Town and County Village," we can understand that the Council would re-evaluate this prohibition, given the housing crisis in the area. However, we hope that the Council will carefully evaluate any such residential proposals in light of the stated goal at Town and Country Village to, (per Policy L4.12), "preserve the existing amenities, pedestrian scale and architectural character".

We feel that the 70 Encina proposal will set a precedent for future development at and adjacent to Town and Country Village. Furthermore, the city has spent significant time establishing Objective Design Standards. These standards establish crucial guardrails for urban planning and design that are there to protect property owners and maintain the community fabric. These standards require new projects to "provide harmonious transitions between adjacent structures", which clearly is not the case with the current 70 Encina proposal. As such, we believe that the proposed development should be reduced to a two-story, or potentially a three-story structure, which would be appropriate for a structure adjacent to the low-rise, pedestrian scale of Town and Country Village.

In closing, our objection is not to housing. We would support a thoughtfully designed two or three story structure. Our objection is to the height and massing of this proposed development, that far exceeds what's permitted under the base zoning. The City of Palo Alto puts tremendous effort into their zoning, comprehensive plan, and overall land use policy. That effort has resulted in thoughtful design and urban planning throughout Palo Alto. Our hope is that those same standards will be applied when evaluating the proposal at 70 Encina.

Thank you for your time and please let us know if you have any questions.

Sincerely,

Melinda Ellis Evers, Co-Founder and Partner

James Ellis, Co-Founder and Partner

Dean Rubinson, Director of Development and Partner

Cc: Ed Shikada, Jonathan Lait, Amy French, Jodie Gerhardt, Emily Foley

904 High Street Palo Alto, CA 94301

8 September 2022

Sent via email: city.council@cityofpaloalto.org

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

Re: Proposed Planned Home Zoning Project at 70 Encina Avenue

Honorable Mayor, Vice Mayor, Council Members, and Staff:

In response to the proposal submitted for 70 Encina Avenue, Ellis Partners has retained my services to assist in their understanding of the project and its potential impact on Town & Country Village. Having practiced in this community for over 32 years including serving on the Architectural Review Board, I believe my insight and evaluation could be beneficial as a part of your review of the application. While I am typically a proponent of increasing the availability of housing, I do not feel the proposal offered for this particular site meets the standards our city has set in several critical areas.

I'll preface all of this by stating my general appreciation for the projects Hayes Architects has designed. I think they are a valuable local resource and have enhanced our environment through their work time and again. One notable example of their work was the thoughtful and compatible Trader Joe's addition to Town & Country Village. However, with this project, their client is not Ellis Partners, and the design is not compatible with Town & Country Village.

To support my evaluation of the proposal I have worked with a well-known and widely respected renderer who has developed additional dimensionally accurate views of the building using the information provided in the proposal package. I have attached those images to this letter and, without attempting to alter the building design, believe they represent a range of building heights to help illustrate how a more reasonable two- or three-story proposal might be viewed within the existing context.

As we all know, a new development in Palo Alto is generally obligated to conform to the review standards of the Architectural Review Board and as such, must satisfy findings to be deemed approved. This project falls short in almost every category.

#### **Consistency with ARB Review Standards:**

- Promote orderly and harmonious development of the city
   Our Comprehensive Plan, Municipal Code, and Zoning regulations clearly define what is appropriate regarding orderly and harmonious development within the city. The project is located in the Community Commercial Zoning District which is designed to encourage retail and some commercial uses. Notably, residential use in this area is highly restricted through both Zoning and Comprehensive Plan policy. As can be seen in the attached renderings, a five-story structure, placed in a parking lot, and adjacent to primarily single-story structures, is jarring and out-of-context.
- Enhance the desirability of residence or investment in the city

While there might be some convenience to living in this location, the proposed height and massing in this location is entirely inappropriate. While many would argue that we need housing in any format we can achieve it, I would argue that there are other more appropriate locations. Compromising to allow a PHZ project of this scale at this location sets precedent for ignoring development standards we have agreed are necessary to maintain aesthetic balance across Palo Alto. Indicating encouragement for this type of dramatic change here would result in far reaching impacts that will significantly alter our environment.

- Encourage the attainment of the most desirable use of land and improvements
  Approving a project of this scale and character at this location will result in unintended
  consequences for this street and Town & Country Village. The likelihood of other projects
  similar to this being developed in the near future is slim (Ellis Partners has a long-term ground
  lease) so this would remain an isolated anomaly for the foreseeable future. Based on current
  Zoning and Comprehensive Plan Policies, which indicate the most desirable use of the site is
  retail/commercial, the land use change necessary to achieve this type of development at this
  site would create a condition that is not in harmony with the existing surrounding development
  or what can be reasonably be anticipated for the future.
- Enhance the desirability of living conditions upon the immediate site or in adjacent areas It is challenging to understand how an isolated, purely residential project, could be considered compatible with the adjacent properties. If a coordinated effort here was able to allow a significant land area to be developed for residential use, there might be enough benefit to the nearby retail to balance the visual impact it would cause. At that scale, it could be large enough to allow for transitions to the adjacent context in a way this small parcel cannot. The dimensions of this project site within the context of the single-story and parking lot adjacent uses allows for no reasonable transition to a building at the height proposed. The limited number of units possible simply does not outweigh the negative aesthetic impact the proposal creates. Additionally, the limited setbacks proposed, and overall building layout, will make any future adjacent project even more difficult to accommodate.
- Promote visual environments which are of high aesthetic quality and variety and which, at the same time, are considerate of each other.
  - As stated above, the scale of this project, exaggerated by the boxy massing, represents no acknowledgment of the adjacent environment and is inconsiderate of the low-slung Hacienda style. It is common practice for projects to terrace, or step back, from edges that border on parcels with lesser height. As this site is bordered by single-story and parking lot adjacent uses, the only possible approach would include a significant reduction in overall height. A more appropriate approach, as suggested in the attached images, might be a revised two- or three-story proposal that could transition from the adjacent single-story context and would then be more consistent with nearby 2-story structures.

#### **Consistency with Findings for Approval**

(1) The design is consistent with applicable provisions of the Palo Alto Comprehensive Plan, Zoning Code, coordinated area plans (including compatibility requirements), and any relevant design quides.

As outlined in the letter provided by Land Use Attorney Leigh Prince, this project is inconsistent with both the Comprehensive Plan and Zoning regulations. *This Finding cannot be made.* 

- (2) The project has a unified and coherent design, that:
- (C) Is consistent with the context-based design criteria of the applicable zone district

The project is inconsistent with context-based design criteria for the district within which it is proposed. Notably, the FAR is significantly in excess of what would reasonably be anticipated. This Finding cannot be made.

- (2) The project has a unified and coherent design, that:
- (D) Provides harmonious transitions in scale, mass, and character to adjacent land uses and land use designations

The project does not provide a harmonious transition in scale, mass, or character to the adjacent land uses and land-use designations. The project proposes a 5-story 55-foot high square stucco building amidst parking and adjacent to Town & Country Village, which is primarily a single-story Hacienda style collection of structures. As the images I provided show, the contrast between the two is severe and there seems to be no attempt toward transition. This Finding cannot be made.

- (3) The design is of high aesthetic quality, using high quality, integrated materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.
  - While acknowledging this is a preliminary proposal, my evaluation is that the current design does not suggest it will strive to be of the highest aesthetic quality, using high-quality integrated materials, or incorporating textures, colors, and other details that are compatible with and enhance the surrounding area. Although the immediate context is eclectic, the predominant style is the low-slung architecture of the Town & Country Village. Departing from that in the manner proposed will not unify or allow for a transition that could satisfy this requirement. This Finding cannot be made.
- (5) The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent practical, regional indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained.

Due in large part to the 86.5% site coverage proposed the minimal landscape design does not truly enhance the building or its surroundings. It appears to be only modestly appropriate to the site's function and does not appear to represent a desirable habitat. This Finding cannot be made.

#### **Consistency with Objective Standards**

When evaluated in the context of the adopted Objective Design Standards for the CC Zoning District, and consistent with other requirements listed above, it seems important to understand the direction outlined in Section 18.24.050 Building Massing (underlining added for emphasis):

#### (A) Intent

To create buildings that are compatible with and enhance the surrounding area through the consideration of building scale, massing, and bulk. Massing should create a human-scale environment that is of high aesthetic quality and accommodates a variety of uses and design features. Building massing should include elements that:

- Are consistent in scale, mass and character to adjacent land uses and land use designations
- Provide harmonious transitions between adjacent properties

The project as proposed does not reflect consideration of this Standard and significant modification would be needed in the form of step-back/terracing and height reduction to conform to the many requirements the Palo Alto regulations describe. Note that these are similar and related to the other obligations described above and as I have repeatedly stated, the 5-story box is in no way compatible or consistent with Town & Country Village.

### **Critique of the submitted documents**

A further critique of the submitted documents yields other problematic concerns.

The lowest level of the building, which is primarily a parking garage, is an entirely solid wall for virtually all of the perimeter. While modestly appropriate along Encina, the remainder of the building, which is viewable from all sides, lacks articulation or character at the pedestrian level.

The rendered representation of the building provided by the applicant, both in elevation and perspective, fails to fully clarify the character of this building relative to its context. I think it is important to note that the 2-foot-tall parapet as shown would not be sufficient to screen typical roof-mounted equipment that would need to be placed there. A more common screen height would be closer to 5-7 feet, pushing the total visual height of the building to somewhere in the neighborhood of 60 feet. That height will be approximately 40 feet more than the Town & Country building it is most adjacent to and similarly in contrast to the single-story buildings on the opposite side of Encina. The multi-story buildings shown in the renderings are misleading in that they are far from the project site at a distance of roughly 300 feet (the length of a football field).

In closing, I believe there are many other housing opportunity sites that might be appropriate for this type of development but find the proposal presented for this site to be impossible to support based on established standards for review and approval.

Sincerely,

Randy Popp

Randolph Popp, Architect

## View A

Key Plan



Five Level



Three Level





## View B

Key Plan



Five Level



Three Level





## View C

Key Plan



Five Level



Three Level





## View D

Key Plan



Five Level



Three Level





# View E

Key Plan



Five Level



Three Level





# JORGENSON, SIEGEL, McCLURE & FLEGEL, LLP ATTORNEYS AT LAW

1100 ALMA STREET, SUITE 210
MENLO PARK, CALIFORNIA 94025-3392
(650) 324-9300
FACSIMILE (650) 324-0227
www.jsmf.com

OF COUNSEL KENT MITCHELL

WILLIAM L. McCLURE
JOHN L. FLEGEL
DAN K. SIEGEL
JENNIFER H. FRIEDMAN
MINDIE S. ROMANOWSKY
LEIGH F. PRINCE
DAVID L. ACH
GREGORY K. KLINGSPORN
NICOLAS A. FLEGEL
KRISTINA A. FENTON
CARA E. SILVER
KIMBERLY J. BRUMMER
CAMAS J. STEINMETZ

RETIRED JOHN D. JORGENSON MARGARET A. SLOAN DIANE S. GREENBERG

BRITTNEY L. STANDLEY CHRISTIAN D. PETRANGELO JOSEPH H. FELDMAN DECEASED MARVIN S. SIEGEL (1936 - 2012) JOHN R.COSGROVE (1932 - 2017)

September 7, 2022

Sent via email: City.Council@cityofpaloalto.org

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

Re: Proposed Planned Home Zoning Project at 70 Encina Avenue

Dear Honorable Mayor and City Council Members:

Town and Country Village ("Town and Country") is a specialty retail shopping center that was originally completed in the 1950s. Since acquiring Town and Country, Ellis Partners has been committed to retaining the original character of early western-style architecture with red tile roofs, heavy wood beam and column-supported covered walkways and stately oaks growing throughout. Over the years, Ellis Partners has completed renovations to Town and Country, including the construction of Trader Joe's. These renovations have preserved the low-slung character of Town and Country, while increasing its appeal as one of Palo Alto's primary retail destinations.

Recently, a Planned Home Zoning ("PHZ") project was proposed at 70 Encina Avenue ("project site"). The project site was previously used and permitted by the City of Palo Alto ("City") as a part of Town and Country for parking (although in recent months the owner has fenced off the project site without City approval). The current proposal would rezone the project site from Community Commercial ("CC") to PHZ to allow the development of a 55-foot high five-story condominium building. This proposed project is not only out of character with the adjacent Town and Country buildings, but it is also inconsistent with the City's Comprehensive Plan. Approving the proposed project, even at a more palatable height and scale, would require more than rezoning the project site to PHZ, it would require a Comprehensive Plan amendment and a zoning text amendment. As a result, Ellis Partners opposes the project because as proposed it would detract from this important and iconic pedestrian-oriented retail destination.

City of Palo Alto City Council Planned Home Zoning Project at 70 Encina September 7, 2022 Page 2

### Town and Country Village Includes the Project Site

Town and Country is defined as all properties zoned CC and bounded by El Camino Real, Embarcadero Road, Encina Avenue and Southern Pacific right-of-way – this includes the project site. See Palo Alto Municipal Code Section 18.16.030. Town and Country was originally constructed in phases between 1952 and 1958 including one and two-story buildings, an extensive parking lot, trees and landscaping. From the 1950s to the present (approx. 70 years), the City has considered Town and Country by these boundaries. A recent Planning Commission staff report dated February 10, 2021, included figures showing Town and Country. These figures illustrate how the City and the community at large understand Town and Country – as including the project site.









### Residential is Inconsistent with the City's Comprehensive Plan

Palo Alto's Comprehensive Plan does not support the rezoning of the project site, which has historically been part of Town and Country, from its current CC zoning to PHZ zoning. Comprehensive Plan Policy B-6.6 provides that Town and County should be retained as an attractive, local-serving retail center. Most importantly, Comprehensive Plan Policy L2.4.4 provides that "Conversion to residential capacity should not be considered in Town and Country Village." Rezoning the project site to allow a residential condominium building would violate these Comprehensive Plan policies. As a result, the finding needed to approve the proposed project and rezone to PHZ – that the proposed use would be consistent with the Comprehensive Plan – cannot be made. Palo Alto Municipal Code Section 18.36.060.

If there is a strong desire to alter the long-standing policy regarding preserving Town and Country for low-density retail, approving a PHZ rezoning to allow housing, even at a more palatable height and scale, would require approving a Comprehensive Plan amendment to change the language that housing should not be considered at Town and Country. In addition, a zoning text amendment would be needed to carve out the project site from the definition of Town and Country in Palo Alto Municipal Code Section 18.16.030. Such a significant policy shift should not be undertaken lightly as it may have lasting and precedent setting impacts on Town and Country, potentially undermining this iconic retail center and further eroding the City's dwindling retail uses.

It is Ellis Partners' firm belief that the City Council cannot make the required finding to rezone, absent a Comprehensive Plan amendment and a zoning text amendment. As it currently stands, the Comprehensive Plan provides that residential capacity should not be considered at this location and Town and Country should be retrained as a local serving retail center.

City of Palo Alto City Council Planned Home Zoning Project at 70 Encina September 7, 2022 Page 3

### Neither Consistent with Nor a Reasonable Modification to Existing Zoning

The existing CC zoning for the proposed project site would not allow the development of the proposed project. Palo Alto Municipal Code Section 18.16.040 provides that in the CC zone residential is permitted, but only as part of a mixed-use development or on sites designated as housing inventory sites. The proposed project site is not listed as a housing inventory site (in fact it was administratively removed from the list of potential sites in this Housing Element cycle). In addition, while adding housing would make Town and Country mixed-use as a whole, the premise of the applicant's proposal is founded on separating itself from Town and Country. Therefore, to be permitted the project itself would have to be mixed-use and it is not.

Further, the City Council's policy direction regarding the PHZ has been to look for reasonable modifications to the existing zoning. This project proposes a significant departure from the existing zoning. It proposes a project that is substantially different from and not compatible with Town and Country. See Palo Alto Municipal Code Section 18.38.060 requiring the Council to find the project would be compatible with existing and potential uses on adjoining sites or within the general vicinity.

- 1. <u>Floor Area Ratio</u> The maximum allowable floor area ratio ("FAR") is 0.35 for Town and Country. The maximum FAR for mixed-use development for Town and Country is limited to 0.50 provided that no more than 0.15 shall be residential. The project has proposed a FAR of 2.4 for residential only, <u>far</u> in excess of both the underlying zoning and the existing surrounding retail center. To put it into perspective, the proposed FAR is 6.8 times larger than the allowable FAR for retail and 16 times larger than the allowable FAR for residential in a mixed-use project.
- 2. <u>Site Coverage</u> The maximum site coverage is 50 percent. The project proposes a site coverage of 86.5% or 36.5% percent more than allowable under the existing zoning or allowed for any of the surrounding Town and Country uses.
- 3. <u>Height</u> Although the maximum allowable height is 50 feet in the CC zoning district, the majority of buildings in Town and Country are a blend of one and two stories approximately 18 to 24 feet in height. Thus, 55-feet and five stories is a significant departure from the low-slung character of the retail center.

The proposed project would be the first and likely only building of this type and magnitude for the foreseeable future at Town and Country making it incompatible with the surrounding uses. Given the established retail uses, existing zoning regulations and long-term ground lease, Ellis Partners does not anticipate any significant change to Town and Country, and certainly nothing that would be compatible with the height and scale of the proposed project. Furthermore, the City's Comprehensive Plan programs and policies speak to transitions in scale between developments (Policy L-1.3) and discouraging abrupt changes in scale and density (Policy L-6.7 and Program L6.7.1). The proposed project provides no transition and is an abrupt change in scale from Town and Country buildings and parking which would surround it.

### **Conclusion**

Ellis Partners appreciates the significant amount of time and resources these pre-screening applications consume and thanks City staff and the Council for their time and attention to this matter. Ellis Partners understands the City's need to plan for housing; however, housing development of this height and scale is not appropriate at Town and Country and if approved as

City of Palo Alto City Council Planned Home Zoning Project at 70 Encina September 7, 2022 Page 4

proposed would undermine the look and feel of this iconic retail center. Thus, Ellis Partners respectfully requests that the City Council not to support moving this project forward as proposed.

Sincerely,

Leigh F. Prince

cc: Jonathan Lait, Planning Director (<u>Jonathan.Lait@cityofpaloalto.org</u>)