From: Ronit Bryant [redacted]>
Sent: Monday, October 14, 2024 1:36 PM
To: epc@mountainview.gov
Subject: Agenda Item 6.1

Dear EPC Commissioners,

At your upcoming October 16 meeting, you will be discussing a residential development project on Fayette Drive (Item 6.1).

The staff report notes that the San Antonio Precise Plan outlines a streetscape that includes a 4' wide planter strip and a 6' wide detached sidewalk. After discussions with staff, the developer has agreed to provide a 6' attached sidewalk, with planting between the building and the sidewalk.

To some, this might not seem an important difference. But it is. In our era of climate change and rising temperatures, the kind of tree canopy that is made possible by detached sidewalks and wide planter strips becomes critical. If trees are planted very close to buildings, rather than in a planting strip, they are sure to be small decorative plants not suited to provide canopy (and if they grow a little more, the property owners will remove them because they will say they affect the building).

We must plant trees that will provide canopy - it is a matter of health and livability. You cannot consider a neighborhood walkable if pedestrians and bikers are forced to navigate unshaded hot hard scapes while drivers sit in comfort in their air-conditioned cars.

Do not allow exceptions to the requirements of the Precise Plan streetscape. Trees are critical infrastructure - not an unimportant extra that prettifies a building.

Sincerely,
ronit bryant

Oct 16, 2024

Mountain View Environmental Planning Commission
500 Castro St.
Mountain View, CA 94041

Re: Proposed Housing Development Project at 2645 – 2655 Fayette Drive

By email: epc@mountainview.gov

CC: cityattorney@mountainview.gov; city.mgr@mountainview.gov; community.development@mountainview.gov; city.clerk@mountainview.gov; diana.pancholi@mountainview.gov; citycouncil@mountainview.gov;

Dear Mountain View Environmental Planning Commission and City Staff,

The California Housing Defense Fund ("CalHDF") submits this letter to request that the Commission and city staff comply with their obligations to process the proposed 7-story, 70-unit apartment building at 2645 – 2655 Fayette Drive under all relevant state and federal laws.

The City is requiring this project, and others it is considering, to comply with numerous aspects of its municipal code that together may render the project infeasible. The City's actions are a violation of the Housing Accountability Act ("HAA"). Separately, the City's continued imposition of fees in lieu of a dedication of parkland is in violation of the constitutional prohibition on exactions in excess of the impacts of proposed development.

I. The City Cannot Require Builder's Remedy Projects To Comply with Zoning and General Plan Standards

Density and height standards are not the only development standards that preclude housing development. The HAA requires that (emphasis added) **"**A local agency shall not disapprove a housing development project, including farmworker housing as defined in subdivision (h) of Section 50199.7 of the Health and Safety Code, for very low, low-, or moderate-income households, or an emergency shelter, or **condition approval in a manner that renders the housing development project infeasible for development for the use of very low, low-, or moderate-income households**, or an emergency shelter, including through the use of

design review standards, unless it makes written findings, based upon a preponderance of the evidence in the record, as to one of the following …" (Gov. Code, 65589.5, subd. (d).) Based on our enforcement work, the City has some of the highest park fees in the state. In fact, the City itself has come to the conclusion that they are a barrier to housing. From the City's Housing Element, Appendix D, "The economic analysis that the City conducted as part of this Housing Element Update (see Appendix H) found that Mountain View's park dedication requirements have a moderate to major impact on development costs for rowhouses and a major impact on development costs for multifamily development."

Given the staggering land costs in the City, and the fact that the project must provide 20% low-income housing (directly mitigating the City's shortage of lower-income housing), also requiring more than $70,000 in parks fees per unit is a clear violation of state law. (See Gov. Code, 65589.5, subd. (d).) Even at the "discounted" rate of $54,240, these parks fees are completely uneconomical.

The City's view is that it can apply any/all provisions of its code to this project, provided that they do not pertain specifically to density, based on its reading of Government Code, Section 65589.5, subdivisions (f)(1) and (f)(3). This is incorrect. Subdivision (f)(1) allows cities to apply development standards to housing developments if those standards are "appropriate to, and consistent with, meeting the jurisdiction's share of the regional housing need" and the standards are "applied to facilitate and accommodate development at the density permitted on the site and proposed by the development." The parkland dedication requirement is also not covered by subdivision (f)(3). That provision allows cities to apply "fees and other exactions authorized by state law."

Builder's remedy projects only arise when a City has failed to adequately plan for its share of housing production required under its Regional Housing Needs Allocation ("RHNA"). In this situation, none of a jurisdiction's development standards are consistent with meeting housing production goals, because that jurisdiction has failed to produce a plan to justify its policies at all. And again, the City here has *admitted* (in its Housing Element) that the standard in question is a major factor in making housing development infeasible. There is simply no way that requiring a dedication of parkland from new housing development is consistent with meeting the City's RHNA goals.

Furthermore, in accordance with general interpretive provisions for statutes, and due to statutory construction rules (Code Civ. Proc., § 1859), such general protections of (f)(1) and (f)(3) do not overrule the particular provisions of Government Code, Section 65589.5, subdivision (d). The City may not condition approval to require the project to adhere to these various code sections without making health and safety findings as required by the HAA. (*Id*. at subd. (d)(2).) Finally, the legislature clearly establishes that it is the policy of the State that the HAA shall be "interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, housing." (*Id.* at (a)(2)(L).)

Allowing cities to apply conditions of approval that render affordable housing developments infeasible through strained interpretations is clearly against the policy of the State of California. (See *California Renters Legal Advocacy & Education Fund v. City of San Mateo* (2021) 68 Cal.App.5th 820, 854.)

The City therefore may also not apply various other zoning standards to the project. For example, the City may not require a provisional use permit for the common roof deck, as this is a zoning standard with discretionary approval. The City also may not disapprove the project based on the tree removal permit, as this would constitute a denial under the HAA. (See, e.g., *San Francisco Bay Area Renters Federation v. City of Berkeley et al.*, Superior Court of Alameda County, Case No. RG16834448, Stipulated Order filed July 21, 2017 [see attached] [ruling that the City of Berkeley could not deny an ancillary demolition permit in order to stop a housing development project].) The City also may not condition project approval on any transportation demand management program requirements, or provision of transit passes to residents (which would come out of the project's HOA fees, regardless).

Given that these conditions, in aggregate, have a tremendously adverse impact on project viability, if the City insists on applying these various conditions on the proposed builder's remedy projects, the state law (*id.* at subd. (i)) states clearly that it will bear the burden of proof in court (emphasis added):

> "If any city, county, or city and county denies approval or imposes conditions, including design changes, lower density, or a reduction of the percentage of a lot that may be occupied by a building or structure under the applicable planning and zoning in force at the time the housing development project's application is complete, that have a **substantial adverse effect on the viability or affordability** of a housing development for very low, low-, or moderate-income households, and the denial of the development or the imposition of conditions on the development is the subject of a court action which challenges the denial or the imposition of conditions, then the **burden of proof shall be on the local legislative body** to show that its decision is consistent with the findings as described in subdivision (d), and that the findings are supported by a preponderance of the evidence in the record, and with the requirements of subdivision (o)."

II. The Parkland Dedication Requirement is a Per Se Regulatory Taking Under the Fifth Amendment of the US Constitution, and the In-lieu Fee is an Unconstitutional Condition

The Fifth Amendment of the Constitution prohibits governments from taking private property without just compensation. The Fifth Amendment has been interpreted by the U.S. Supreme Court to prohibit zoning and land use regulations that effectively deprive an owner of protected property rights. (See *Penn Central Transportation Co. v. New York City* (1978) 438

U.S. 104.) Perhaps the most clear cut regulatory taking occurs when a land use regulation allows for a permanent physical occupation of private property. (*Loretto v. Teleprompter Manhattan Catv Corp.* (1982) 458 U.S. 419.) There is perhaps no more obvious example of a violation of the regulatory taking doctrine than the policy enacted by Mountain View here. The City requires, through zoning regulation, that property owners deed their private property over to the City without just compensation, for public use as a park. The fact that this dedication is only required as a condition of approval for residential development does not allow it to escape constitutional scrutiny. The Supreme Court has long held that regulatory conditions on development approvals that would otherwise constitute takings must be reasonably related to mitigating impacts of that development, and roughly proportional to those impacts. (*Nollan v. California Coastal Comm'n* (1987) 483 U.S. 825 (*Nollan*); *Dolan v. City of Tigard* (1994) 512 U.S. 374 (*Dolan*).) The City has established no such relationship because it cannot. A desire to acquire and develop parkland is not an impact of new development to be mitigated, and even if it were, the $70,000 per unit fee (or $54,240, if discounted) is wildly out of proportion to any purported impact. The City is free to acquire property for new parks by acquiring property on the private market, or by use of eminent domain powers providing just compensation to property owners, but it cannot simply enact a regulation requiring that developers give land to the City without just compensation.

The City perhaps enacted the parkland dedication policy under the mistaken impression that it is rendered legal by allowing developers to pay a fee in-lieu of dedicating land for parks. Prior California caselaw had indicated that legislatively enacted fees are not subject to constitutional takings limits. (*San Remo Hotel v. City and County of San Francisco* (2002) 27 Cal.4th 643, 668.) Recently, the U.S. Supreme Court decided that this is definitely not the case. (*Sheetz v. Cnty. of El Dorado* (2024) 601 U.S. 267.) In *Sheetz*, the California Court of Appeal had ruled that a traffic impact fee was not subject to the requirements of *Nollan* and *Dolan*, because it was a legislatively enacted exaction, following the *San Remo Hotel* decision. (*Id.* at 407 .) The U.S. Supreme Court overturned this ruling, finding that fees imposed as legislative enactments are subject to *Nollan* and *Dolan*. (*Id.* at 280.) After the *Sheetz* decision, there is no question that the *Nollan* and *Dolan* standards apply to the parkland dedication and in-lieu fee requirements at issue for this development. Because the City has not established any nexus between new development and the need to acquire and develop parkland, nor that the $70,000 fee is proportionate to any impacts of new housing on parkland, the City is prohibited from applying this policy to new housing development including the current proposal before you.

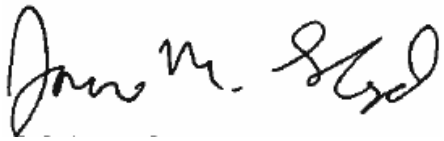
As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. If we do not allow sufficient housing development, more and more Californians will become and remain homeless. CalHDF urges the City to approve this builder's remedy project without imposing the aforementioned conditions, as is required by state and federal

law. If the City declines to heed the above guidance and imposes the park dedication requirements on this or any other housing developments, CalHDF is prepared to bring legal action to invalidate these conditions and the citywide policy.

CalHDF is a 501(c)3 non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

Dylan Casey
CalHDF Executive Director



James M. Lloyd
CalHDF Director of Planning and Investigations

From:	James Lloyd
To:	epc@mountainview.gov
Cc:	, City Attorney; , City Manager; Community Development; , City Clerk; Pancholi, Diana; City Council
Subject:	Re: CalHDF comment re 2645–2655 Fayette Dr for 10/16/24 Env. Planning Commission meeting
Date:	Wednesday, October 16, 2024 11:31:27 AM
Attachments:	SFBARFvsBerkeley.pdf

As a follow up, please see attached a legal case referenced by our letter.

Sincerely,

James M. Lloyd
Director of Planning and Investigations
California Housing Defense Fund
james@calhdf.org

On Wed, Oct 16, 2024 at 10:32 AM James Lloyd <james@calhdf.org> wrote:

> Dear Mountain View Environmental Planning Commission and City Staff,
>
> Please see attached a public comment from the California Housing Defense Fund regarding the proposed 7-story, 70-unit apartment building at 2645 – 2655 Fayette Drive, which the Commission will be hearing tonight.
>
> Sincerely,
>
> James M. Lloyd
> Director of Planning and Investigations
> California Housing Defense Fund
> james@calhdf.org

Zacks Utrecht & Leadbetter, P.C.
Attn: Zacks, Andrew M.
235 Montgomery Street
Ste. 400
San Fransiciso, CA 94104

Berkeley City Council

Superior Court of California, County of Alameda
Hayward Hall of Justice

San Francisco Bay Area Renter Plaintiff/Petitioner(s) VS. Berkeley City Council, City Defendant/Respondent(s) (Abbreviated Title)	No. RG16834448 Order Motion to Enforce Settlement Agreement/Stipulated Order Granted

The Motion to Enforce Settlement Agreement/Stipulated Order filed for Diego Aguilar-Canabal and Sonja Trauss and California Renters Legal Advocacy and Education Fund and San Francisco Bay Area Renters Federation was set for hearing on 07/20/2017 at 09:00 AM in Department 511 before the Honorable Kimberly E. Colwell. The Tentative Ruling was published and was contested.

The matter was argued and submitted, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT:

The Motion of Petitioners San Francisco Bay Area Renters Federation, et al., to Enforce Stipulated Order Granting Petition for Writ of Administrative Mandate is GRANTED.

This action challenges the denial of a permit to construct three residential dwellings at 1310 Haskell Street in Berkeley ("the Project"). (Verified Pet'n., paras. 9-18.) The Project required the demolition of an existing single family home on the property. The project was initially submitted the Berkeley Zoning Adjustment Board ("ZAB") for review on April 8, 2015. (Verified Pet'n., para. 12.) On March 10, 2016, ZAB staff determined that the Project complied with all objective general plan and zoning standards and criteria, including design review standards, in effect at the time of the application. The ZAB also determined that the Project would not be detrimental to neighboring properties. (Id. at para. 13-14; RJN, para 2; Ex. B at pp. 10-16.) On March 10, 2016, the ZAB issued a Use Permit authorizing the Project. The approval was appealed, and, on July 12, 2016, the Berkeley City Council voted to overturn the ZAB's decision, and to deny the Use Permit.

In denying approval of the Project, the City Council did not make the findings called for by the Housing Accountability Act ("HAA" or Gov. Code § 65589.5), which requires that when a proposed housing project complies with the applicable, objective general plan and zoning standards, but a local agency proposed to deny the project or approve it only if the density is reduced, the agency must base its decision on written findings supported by substantial evidence that:

(1) The housing development project would have a specific adverse impact on the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density; and

(2) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the

project upon the condition that it be developed at a lower density. (Gov. Code § 65589.5(j).)

On October 7, 2016, petitioners filed the underlying petition for writ of mandate alleging that City of Berkeley could not lawfully disapprove the Project without making the written findings called for by the HAA. (Verified Pet'n., paras. 9-18.) On October 10, 2016 the parties entered into a settlement and thereafter presented the court with a proposed "Stipulated Order Granting Petitioners' petition for Writ of Administrative Mandamus." ("Order".) The court entered the Order on November 10, 2016.

As set forth in the Order, the parties settled the case on the following terms:

(1) The resolution authorizing the denial of the Use Permit would be rescinded;

(2) The City Council would schedule a rehearing of the appeal of the Use Permit to occur within four months;

(3) In its decision on the rehearing of the Appeal, City would comply with the HAA;

(4) City agreed to conduct an HAA analysis for all pending and future housing construction, including the Project; and,

(5) City agreed to reimburse petitioners' attorney fees and costs.

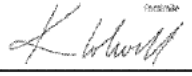
In compliance with the settlement, the rehearing of the appeal took place on February 28, 2017, In advance of the rehearing, City staff submitted a memorandum to the Mayor and City Council, summarizing the issues, referencing the settlement of this case, and making the necessary finding that the Project complied with "all applicable, objective, general plan and zoning standards."

At the rehearing, the City Council complied with the portion of the settlement requiring City to vacate its resolution authorizing the denial of the Use Permit for the Project. The City Council did not, however, comply with its agreement to conduct an analysis under the HAA and make the required findings if the Project was disapproved or scaled back. Instead, the City Council took a different approach, which was to deny the demolition permit needed to construct the Project on the basis that City could not make the required "non-detriment" findings under Berkeley Municipal Code section 23C.08.010.B. (RJN, Ex. 6; Exh. F, reasons 1-5.) Having denied the necessary demolition permit, City concluded that the HAA did not apply (or that the issue of City's HAA compliance for the Project was moot).

Petitioners' motion is granted. In settling this case, City agreed that the HAA applied, as had been alleged in the petition, and that City would reconsider the appeal and conduct the required analysis. Where a proposed housing project complies with a city's general plan and zoning standards, the HAA says City cannot disapprove or condition the project at a lower density unless it provides written findings supported by substantial evidence that the project will have a specific, adverse impact on public health or safety that cannot be mitigated or addressed. It is not a reasonable interpretation of the parties' settlement agreement that City could avoid the HAA analysis it agreed to perform by denying an ancillary demolition permit (for reasons that did not have to do with detriment caused by the demolition of the existing structure, but the construction of the Project).

City describes various scenarios in which it would be undesirable from a policy standpoint to override local demolition controls in favor of the HAA, including in the instance of a project calling for the demolition of an historically or architecturally significant resource to construct a McMansion, or calling for the demolition of 100-unit apartment building in order to construct a 10-unit luxury condominium project. The court need not decide whether the HAA would or should override local demolition controls in hypothetical situations. This project does not implicate the policy concerns raised in City's brief. More importantly, the motion before the court is to enforce the parties settlement agreement. City did more than just agree to rehear or reconsider the appeal. The settlement agreement clearly reflects City's agreement to conduct an HAA analysis for this Project which City must now do.

Dated: 07/21/2017



Judge Kimberly E. Colwell

From: Pancholi, Diana
To: Pancholi, Diana
Cc: Blizinski, Amber; Logue, Jennifer
Subject: FW: 2645-2655 FAYETTE DRIVE, Mountain View, CA- Public Notice
Date: Tuesday, October 15, 2024 4:45:08 PM

Please see a comment below for item 6.1 on tomorrow's agenda.

Diana

From: Wu, Elton H <EWu@sfwater.org>
Sent: Tuesday, October 15, 2024 3:34 PM
To: Tsumura, Jeffrey <Jeffrey.Tsumura@mountainview.gov>
Cc: Wilson, Joanne <jwilson@sfwater.org>; RES <res@sfwater.org>; Leung, Tracy <TLeung@sfwater.org>; Feng, Stacie <SFeng@sfwater.org>
Subject: 2645-2655 FAYETTE DRIVE, Mountain View, CA- Public Notice

Hello Jeffrey,

Thank you for the public notification regarding the housing development located at 2645-2655 Fayette Drive (proposed project). As you are probably aware, the SFPUC's Bay Division Pipeline Nos. 3 and 4 are located adjacent to the proposed project. This SFPUC's Right of Way (ROW) parcel is under license to the City of Mountain View as Fayette Park.

In reviewing the proposed project plans, it appears that the proposed building, including basement, will be setback from the side property line adjacent to the SFPUC parcel. Could you please confirm the width of the setback, particularly at the basement level?

We also noticed that the plans indicate that the *Acer rubrum* will be planted adjacent to the property and along the ROW. Based on the tree canopy study drawing, this tree species has a large canopy that will likely overhang the property line. In the event that the SFPUC constructs or replaces its pipelines, extensive pruning of branches overhanging the SFPUC's side may be needed to allow access for a large crane. This may leave the trees in an unsightly condition. You will notice in Lafayette Park, the trees are planted in containers, so that the trees can be removed for pipeline construction or repair. We would like to suggest that a smaller tree species or shrubs be planted in the side setback of the proposed project adjacent to the SFPUC property.

Please let me know if you have any questions. Thanks.

Elton Wu
Pronouns: He/ Him
Environmental Compliance and Land Planner

SFPUC Water Enterprise
Natural Resources and Lands Management Division
525 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102
cell: (415) 971-7657
ewu@sfwater.org

Hetch Hetchy Regional Water System
Services of the San Francisco Public Utilities Commission

From:	Russell, Rosanna S
To:	Tsumura, Jeffrey; Community Development; , Planning Division
Cc:	Wilson, Joanne; Wu, Elton H; Leung, Tracy; Feng, Stacie; Read, Emily; Herman, Jane; Rodgers, Heather
Subject:	2645-2655 FAYETTE DRIVE, Mountain View, CA- SFPUC"s initial response to Public Notice
Date:	Wednesday, October 16, 2024 4:11:20 PM
Attachments:	Attachments.html

Dear Jeffrey:

I hope this email finds you well.

My colleague Elton Wu forwarded the plans for the proposed housing development located at 2645-2655 Fayette Drive (proposed project) to me. As Elton advised you, the City and County of San Franciso, through the SFPUC, owns the parcel adjacent to the proposed project. I attached to this email the revocable license that the SFPUC issued to the City of Mountain View to maintain Fayette Park on the SFPUC property.

The SFPUC has a long-standing policy prohibiting the use of SFPUC property to fulfill another jurisdiction's open space, setback, parking, or third-party development requirements.

Please confirm that neither the City of Mountain View nor the project applicant has proposed including the SFPUC property to fulfill any of the City of Mountain View's entitlement requirements.

We would appreciate your response by October 23rd.

Thank you.
Rosanna Russell
Real Estate Director

Mountain View P4255-Fayette Park.pdf 23.6 MB

Mountain View P4255-Fayette Park.pdf 23.6 MB

Download Attachments

Rosanna Russell uses Citrix Files to share documents securely.

From: Wu, Elton H <EWu@sfwater.org>
Sent: Tuesday, October 15, 2024 3:34 PM
To: jeffrey.tsumura@mountainview.gov
Cc: Wilson, Joanne <jwilson@sfwater.org>; RES <res@sfwater.org>; Leung, Tracy <TLeung@sfwater.org>; Feng, Stacie <SFeng@sfwater.org>
Subject: 2645-2655 FAYETTE DRIVE, Mountain View, CA- Public Notice

Hello Jeffrey,

Thank you for the public notification regarding the housing development located at 2645-2655 Fayette Drive (proposed project). As you are probably aware, the SFPUC's Bay Division Pipeline Nos. 3 and 4 are located adjacent to the proposed project. This SFPUC's Right of Way (ROW) parcel is under license to the City of Mountain View as Fayette Park.

In reviewing the proposed project plans, it appears that the proposed building, including basement, will be setback from the side property line adjacent to the SFPUC parcel. Could you please confirm the width of the setback, particularly at the basement level?

We also noticed that the plans indicate that the *Acer rubrum* will be planted adjacent to the property and along the ROW. Based on the tree canopy study drawing, this tree species has a large canopy that will likely overhang the property line. In the event that the SFPUC constructs or replaces its pipelines, extensive pruning of branches overhanging the SFPUC's side may be needed to allow access for a large crane. This may leave the trees in an unsightly condition. You will notice in Lafayette Park, the trees are planted in containers, so that the trees can be removed for pipeline construction or repair. We would like to suggest that a smaller tree species or shrubs be planted in the side setback of the proposed project adjacent to the SFPUC property.

Please let me know if you have any questions. Thanks.

Elton Wu
Pronouns: He/ Him
Environmental Compliance and Land Planner
SFPUC Water Enterprise
Natural Resources and Lands Management Division

525 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102
cell: (415) 971-7657
ewu@sfwater.org

Hetch Hetchy Regional Water System
Services of the San Francisco Public Utilities Commission

Rosanna Russell
SFPUC Real Estate Director

I work remotely from time to time. The best way to contact me is to email me at RSRussell@sfwater.org.

LEAGUE OF WOMEN VOTERS®
OF LOS ALTOS-MOUNTAIN VIEW AREA

October 15, 2024

Re: October 16, 2024, Agenda Item 6.1 – 2645-2655 Fayette Drive

Dear Chair Dempsey and Members of the Environmental Planning Commission:

The League of Women Voters (LWV) supports actions that increase the stock of affordable housing. The LWV encourages infill development and increased density along transportation corridors.

The League supports the project as it provides stacked-flats ownership units and family-sized units. This project is the kind of development the City has been trying to encourage in the R3 update process. The project also includes more deed-restricted units and is well-placed near amenities. We thank staff for proactively implementing Housing Element Program 1.8 on park land fee reduction.

As a builder's remedy project, the applicant can waive portions of the below market rate guidelines. We would support additional discussions between the City and developer to see if the project could more closely align with the spirit of the guidelines, such as by including a very low income unit or extending the length of affordability for the below market rate units.

Please send any questions about this letter to Kevin Ma, Co-Chair of the Housing Committee, at housing@lwvlamv.org.

Sincerely,

Katie Zoglin
President
Los Altos-Mountain View Area LWV

C: Jeffrey Tsumura
Diana Pancholi
Amber Blizinski
Christian Murdock

From: hue simpson <[redacted]
Sent: Wednesday, October 16, 2024 12:24:45 PM
To: Tsumura, Jeffrey <Jeffrey.Tsumura@mountainview.gov>
Subject: 2645-2655 Fayette Drive environmental planning commission public input for

This is to protest the removal of several, 6 or 9 (!!) HERITAGE TREES from the site. I pass by the location frequently so I've seen the actual notice posted at the location. NOT MENTIONED in your mailing is the fact of these trees' destruction. I can see that one tree is in fact dead, But there's a grand tall old tree that is apparently a twin to the same kind of tree in the parking lot next door bordering the bank's lot. . The City is selling off such vintage irreplaceable trees. Could not some modification be made to the building plans to allow the best and healthiest trees to live on and become part of the scenery?. I would point you to the grounds at Dinah's Poolside in Palo Alto. What if they'd put down all those trees; but somehow they managed. Thank you for listening.

Hue Simpson
[redacted]