

**November 11, 2023**

Dear Mayor Widmer and Honorable Council Members and Commissioners:

My name is David Arata, and my family and I own the 23 Oakwood property located in the Town of Atherton. As you know, I submitted a letter to all of you on November 1, 2023, in preparation for the Joint Town Council / Planning Commission Study Session. In that letter, I thanked you for taking the necessary first steps towards achieving the Town's housing goals. I also asked to be a part of the process with the Town, hoping to provide input into the development of the Town's Objective Design Standards. Specifically, I expressed concern that overly narrow or prescriptive development standards could render development infeasible, and I wish to ensure that any new standards both meet the Town's objectives and can result in a marketable product. I look forward to your ongoing discussion of these issues at the public workshop and again ask that you provide formal direction to Staff to coordinate with me as it looks to finalize the development standards that will apply to my property.

In short, I am simply asking that the Town allow flexibility in product type in developing its Objective Design Standards. As noted in the Town's Staff Report for the November 1, 2023, meeting, "greater flexibility from (adopted standards) may be required to facilitate future development". To further that point, it was stated by Town Staff that the large house typology, the design focus of the meeting, is one that "used to be built pre- World War II. . .then kind of stopped". This highlights the risk of only contemplating this one product type when developing the Objective Design Standards; if that one product type cannot feasibly be developed, then the Town is left with nothing. It is my understanding that to comply with the State Housing Element Law's requirements, the Objective Design Standards must enhance the probability that construction of these homes actually takes place, and that they may not act as a "constraint", or as noted by Town Staff at the last meeting, that the Objective Design Standards make the development of new homes "reasonably foreseeable" that can "actually be built", etc.

Should the Town continue to go down this narrow focus on Design Standards, our family feels that we will have an unmarketable property that will not generate interest from developers, as this product is not one, as Staff points out, that is in the existing new home marketplace. Our understanding is that this result would be in direct conflict with the Town's stated housing goals and the State Housing Element Law's requirements.

It was apparent at the last meeting that two items in particular were giving the Council and Commission the largest amount of nervousness, that of 1) building height and 2) the potential for increasing the number of buildable homes via State Density Bonus law. Our family recognizes those concerns and wishes to work with the Town in developing standards that help alleviate those concerns.

It is our understanding that the Town can still meet State Fair Housing Laws by adopting zoning designations and Objective Design Standards that 1) allow for attached, multifamily construction in the production of the homes at a minimum density, and, 2) as long as the minimum density threshold is maintained (in this case, 10 homes per acre / 16 homes total) also allow detached homes that are consistent with this density threshold to be considered as an allowable product type.

Our family wishes to lessen uncertainty of what can be developed on the property and work with Town Staff on Objective Design Standards that contemplate both attached and detached housing types. This

dialogue should give the Town greater clarity and certainty on how its community will develop, while also meeting State housing goals.

Thank you again for your consideration and we look forward to working with the Town.

Sincerely,

David Arata