



PLANNING & TRANSPORTATION COMMISSION MINUTES

=====MEETINGS ARE CABLECAST LIVE ON GOVERNMENT ACCESS CHANNEL 26=====

1 *Wednesday, December 1, 2004 at 7:00 PM*

2 *SPECIAL MEETING*

3 *City Council Chambers*

4 *Civic Center, 1st Floor*

5 *250 Hamilton Avenue*

6 *Palo Alto, California 94301*

7
8 **ROLL CALL: 7:00 p.m.**

9
10 **Commissioners:**

11 *Phyllis Cassel - Chair*

12 *Bonnie Packer – Vice-Chair*

13 *Karen Holman - absent*

14 *Patrick Burt*

15 *Michael Griffin*

16 *Annette Bialson*

17 *Lee I. Lippert*

18
19 **Staff:**

20 **Steve Emslie, Planning Director**

21 *Dan Sodergren, Special Counsel to City Attorneys*

22 *Lisa Grote, Chief Planning Official*

23 *Chris Magnusson, Planner*

24 *Diana Tamale, Staff Secretary*

25
26
27 **AGENDIZED ITEM:**

28 1. 901 San Antonio Road

29
30 Chair Cassel: May I call the meeting to order, please? Thank you. This is the Special Meeting
31 of the Planning and Transportation Commission of December 1, 2004. Would the Secretary
32 please call the roll? Thank you.

33
34 The next item on the agenda is Oral Communications.

35
36 **ORAL COMMUNICATIONS.** Members of the public may speak to any item not on the agenda
37 with a limitation of three (3) minutes per speaker. Those who desire to speak must complete a
38 speaker request card available from the secretary of the Commission. The Planning and
39 Transportation Commission reserves the right to limit the oral communications period to 15
minutes.

Chair Cassel: I have no cards and that will complete that item.

CONSENT CALENDAR. Items will be voted on in one motion unless removed from the
calendar by a Commission Member.

1 Chair Cassel: There are no items on the Consent Calendar.

2
3 **AGENDA CHANGES, ADDITIONS AND DELETIONS.** The agenda may have additional
4 items added to it up until 72 hours prior to meeting time.

5
6 Chair Cassel: There are no additions, changes or deletions and there is no old or continued
7 business.

8
9 Tonight we are holding a public hearing to review a proposed Planned Community zone located
10 at 901 San Antonio Road. The request has been filed by Joseph McCarthy of BRIDGE Urban
11 Infill Land Development for initial review of the proposed PC involving the development of
12 approximately 227 housing units within a 4-acre parcel. Would the Staff please make a report?

13
14 **NEW BUSINESS:**

15 **Public Hearing:**

- 16
17 1. **901 San Antonio Road [04-PC-02; 04-DEE-01; 04-PM-02; 04-EIA-06]**: Request by
18 Joseph McCarthy of BRIDGE Urban Infill Land Development (BUILD) for initial review
19 of the proposed project involving the development of approximately 227 housing units
20 (160 market rate condominiums and 67 below market rate rental units) within the 4-acre
21 parcel owned by BUILD. Review processes to implement this project would involve the
22 rezoning of the existing 4-acre parcel to a Planned Community (PC) District; a
23 Comprehensive Plan Amendment to Mixed Use; a Tentative Map to subdivide the parcel
24 and create condominium units; a Design Enhancement Exception or Variance to exceed
25 the 50-foot height limit within the proposed PC zone district; a potential Variance to the
26 Special Setbacks along Fabian Way and San Antonio Road; approval for demolition of
27 the existing office building; and the certification of an Environmental Impact Report
28 (EIR). This project concept was previously reviewed by the City Council. No
29 environmental assessment is required for this initial review. A draft EIR would be
30 required for continued Commission review. Existing Zone District: GM. Proposed Zone
31 District: PC.

32 **SR Weblink:** <http://199.33.43.1/portal/cityagenda/publish/planning-transportation-meetings/3955.pdf>

33
34 Mr. Chris Magnusson, Planner: Thank you and good evening Chair Cassel and members of the
35 Commission. At the City Council meeting in mid June of this year BRIDGE Urban Infill Land
36 Development, also known as BUILD, in conjunction with the Campus for Jewish Life, also
37 known as CJL, presented their development concepts for the redevelopment of the prior Sun
38 Microsystems site at 901 San Antonio Road. This meeting was conducted as a preliminary
39 review of the project concepts in order for the applicants to introduce an overview of the
40 concepts to the City Council and members of the public and obtain their feedback in preparation
41 of future formal development applications for both parcels. In July of this year BUILD
42 proceeded with an application for rezoning of their parcel and Comprehensive Plan amendments
43 for the entire 12-acre site.

44
45 As a first step in the PC district review process an initial review of the project's preliminary
46 drawings by the Commission is required by City Ordinance and the reason we are in attendance
47 this evening. Specifically this initial review of BUILD's PC district application is required in
48 order to comment on the proposed residential development and recommend whether or not the

1 project development should continue along with the site's environmental analysis and
2 preparation for a future formal review by the Architectural Review Board after the completion of
3 a Draft EIR.
4

5 Although still general in nature this initial hearing tonight differs from the June prescreening
6 meeting with the City Council in that this is the first of two hearings required for a PC
7 application. The City Council prescreening was an elective hearing designed to bring forward
8 any large policy questions or issues with the potential application.
9

10 This proposed project involves the development of approximately 226 housing units, 160 market
11 rate condominiums and 66 below market rate rental units within the four-acre parcel owned by
12 BUILD. Review processes to implement this project would involve the rezoning of the existing
13 four acre parcel to a Planned Community district, a Comprehensive Plan amendment to Mixed
14 Use for the entire 12 acre area, a Tentative Map to subdivide the BUILD parcel and create
15 condominium units, a Design Enhancement Exception or Variance to exceed the 50 foot height
16 limit within the proposed PC zone district, a potential Variance to special setbacks along Fabian
17 Way and San Antonio Road, approval for demolition of the existing office building and the
18 certification of an Environmental Impact Report. No environmental assessment is required for
19 this initial review meeting however, a Draft EIR is required to be completed prior to formal ARB
20 review and the second Planning and Transportation Commission meeting. The site's existing
21 zone district is currently designated as GM or General Manufacturing. This proposed
22 development was included in the Charleston/Arastradero Road Corridor Plan and the applicant
23 has indicated they will pay their fair share of the transportation improvements called for in that
24 plan. Housing Sites Inventory for the designation of 200 future dwelling units to be generated
25 from 6.5 acres of the total 12-acre area is also required. Currently the unmet housing need is 453
26 units most of which need to be in the moderate-income range. These 453 units are all that
27 remain of the original 1,397 total need. Considering the site is entirely residential and the entire
28 senior rental complex is considered affordable housing the primary public benefit proposed is the
29 designation of 31 below market rate units beyond the site's 15% requirement, which would equal
30 34 units. Ultimately Bridge Housing Corporation would control the operation of this complex
31 and build a for-profit subsidiary of Bridge Housing Corporation would oversee the market rate
32 housing as a proposal to subdivide the four acre parcel of purposes of separate ownership.
33

34 The site's proposed open space is designated above the parking garages within decks, private
35 balconies and a landscape emergency vehicle access area. The total square footage has been
36 provided in the Zoning Compliance Table of your packet. Information related to noise from the
37 adjacent Loral property or elsewhere will be addressed as a component of the project's EIR in
38 addition to other potentially significant impacts. A tree evaluation and inventory has been
39 prepared by certified arborists and covers an analysis of the entire 12-acre area. This document
40 will also be analyzed as part of the project's EIR.
41

42 In terms of the building height the existing building on the site is approximately 96 feet tall.
43 Current zoning standards do not permit a building height greater than 50 feet in either the
44 existing GM or the proposed PC zoning districts. The site is located in a flood plane that is not
45 suitable for underground parking. BUILD proposes to construct under-building or podium
46 parking and buildings with articulated roofs up to a maximum of 56.5 feet at the tallest portion.
47 Because the site is large, next to a freeway, near industrial uses and currently occupied by a
48 building much taller than the proposed buildings that have portions higher than 50 feet may not

1 have adverse impacts. This will be evaluated in detail in the Environment Impact Report. The
2 City's ordinance required the building height be measured from the lowest point of adjacent
3 ground elevation of the finished surface of the ground paving or sidewalk between the building
4 and the line five feet from the building. Sheet A3.5 of the applicant's plan set delineates this
5 measurement with the tallest case scenario. The applicant's presentation will include specific
6 information as to how building height varies across the site and within both structures.

7
8 Staff has received two written documents from the public since the hearing notices were mailed
9 and has provided you with copies as well as with copies of the new zoning district comparison
10 chart which provides a further comparison of the requirements of the PC district and the
11 applicant's proposed figures with the regulations of the RM-30 and RM-40 Multi Family
12 Residential districts.

13
14 Finally, Staff requests that the Planning and Transportation Commission comment on the
15 proposed residential development in this initial review meeting and recommend that the site's
16 environmental analysis continue and the application be forwarded to the Architectural Review
17 Board for formal review following the completion of a Draft EIR. This is request is made in
18 conformance with the Planned Community district regulations as indicated in the Municipal
19 Code Section 18.68.065B. Staff has summarized key issues to provide a framework for
20 comments as indicated in the Staff Report. The applicant is here to make a presentation on the
21 BUILD site as well as a brief presentation on the CJL site to supplement information, address
22 how the two site edges meet and provide a greater context for the BUILD parcel. Thank you.

23
24 Chair Cassel: Does anyone else on the Staff wish to make any comments? Thank you. Does
25 anyone here have any clarifying questions they wish to ask from Staff at this time? No? Then
26 we will proceed to the applicant. If anyone would like to speak on this item they should
27 complete a card, which can be obtained from the Secretary. Complete it and turn it in to her.
28 Thank you very much. Would the applicant care to speak? I granted the applicant ahead of time
29 20 minutes to talk because I thought there was a great deal to talk about. You obviously don't
30 need to use that time if you don't wish to.

31
32 Ms. Lydia Tan, Applicant, 360 W. Charleston Road, Palo Alto: Thank you very much for
33 allowing us to make this presentation to you tonight. My name is Lydia Tan I am with Bridge
34 Housing Corporation and with BUILD as well. I just wanted to introduce some other folks from
35 the Bridge and BUILD team who may be helpful as you ask questions tonight. The first is Tritzi
36 Nemith who is Director of Development Investment for BUILD. Also Joe McCarthy is a Project
37 Manager for BUILD. Ben Metcalf who is a Project Manager for Bridge Housing Corporation
38 and Ben will be working on the affordable senior project. So that is the Bridge and BUILD team
39 here tonight.

40
41 What we will talk about tonight is a little bit about who we are and what we are planning, a little
42 bit about the history of the project to date. Then Rob Steinberg from the Steinberg Group, our
43 architects, is going to talk more about the actual proposal and the public benefits that we are
44 planning on providing for the project.

45
46 So first about Bridge Housing Corporation if you are not familiar with us we are a non-profit
47 housing corporation. We are based in San Francisco but we are established to address the
48 affordable housing crisis throughout the Bay Area. Since then our mission has expanded to

1 pretty much all the high cost areas in California. We are down in Southern California and in the
2 nine Bay Area Counties as well. In the 21 years we have been in existence we have built about
3 11,000 homes. We currently house about 30,000 residents in all of our homes and the build of
4 those units are affordable at low, very low and moderate income ranges. So it is really very
5 important to us to make sure that we are continuing to help with the affordability crisis in the
6 Bay Area in a very high quality way. Sites like the Sun Microsystems site are ideal for what we
7 are doing in that there is already infrastructure in place. There are great community benefits.
8 There are great recreational opportunities and being right next to what the CJL is planning on
9 providing on their site is exactly the kind of project Bridge likes to be involved with. Since our
10 beginning we have managed to be very successful at what we do and because of that we were
11 asked by CalPers, the California Public Employees Retirement System, to become an investment
12 manager for them. Our mission with CalPers is a little bit different. CalPers was interested in
13 investing in urban infill situations, development opportunities within California and we felt that
14 worked really well with what we were trying to do which is to provide some affordability in
15 those sorts of development opportunities that wouldn't otherwise be provided. So I think you
16 will see that in the proposal that we are providing.

17
18 Just very quickly on the background of this particular project we became involved with this site
19 back in the spring of 2002 when the Campus for Jewish Life approached us about providing
20 some financing to help them acquire the property which was ultimately acquired in May of 2002.
21 You might recall that we ended up coming through the City Council process for a subdivision
22 and it ended up acquiring a four-acre parcel that we are here with you tonight on earlier this year,
23 March of 2004. As you can see since 2002 we have been having regular conversations both with
24 the City in terms of Staff, City Council, we have also had a number of community meetings as
25 well small group and also very large group community meetings starting back in the fall of 2002
26 we had our first meeting at the Green Meadows Neighborhood Association. This past summer
27 we had a whole series of community meetings that were advertised at large and we had some
28 great turnout, we had some fabulous input to some of the concepts that we will be presenting
29 here today and certainly that input has helped inform what we are proposing to you tonight. You
30 will also notice that we have been doing some work with the Regional Water Quality Control
31 Board and earlier this year, in April of this year, we were removed from the Board order that was
32 on the rest of the Sun Microsystems site. So we are no longer subject to any sort of action with
33 the Regional Water Quality Control Board and that is subject to our following a mitigation plan,
34 which I think we will talk about a little bit more later on but that will also be reviewed as part of
35 the CEQA process as well. So with that just in terms of the background I think I will turn it over
36 to Rob who will talk a little bit more about our specific proposal.

37
38 Mr. Rob Steinberg, Architect, 1130 Bryant Street, Palo Alto: Good evening Madam Chair and
39 Commissioners. My name is Rob Steinberg I am President of the Steinberg Group Architects. I
40 am very happy to be with you this evening. This is a large complex planning project and what I
41 would like to do is to give you an overview of the whole site and then really primarily focus my
42 comments on the BUILD proposal.

43
44 The entire site is made up of 12 acres and it is broken really into two pieces, the Campus for
45 Jewish Life that has approximately eight acres and there are two uses on those eight acres. There
46 is a community center component about 150,000 square feet and there is a senior retirement
47 community of about 275,000 square feet. Then there also is the project that we really want to

1 focus on this evening, which is four acres it is the BRIDGE residential and that also has two
2 components to it. It has a for sale component and it has an affordable senior apartments.

3
4 The site just to get everybody oriented is bounded by San Antonio Road, East Charleston and
5 Fabian. It is just off Highway 101. There is an out parcel here on the corner and there is another
6 parcel here. The four acres that we want to focus on tonight for BUILD is right here. You can
7 see the existing building that Staff mentioned is almost 92 feet tall. That building as part of our
8 proposal would come down. This is the site looking directly down on it and I wanted to show
9 you this view because you can see that the site is really surrounded and is on the edge of an
10 industrial area. There is residential nearby but not tangent to it and this is the 12-acre site. The
11 BUILD site, the four acres that we want to talk about tonight, is right here and this is the
12 footprint of that existing taller building.

13
14 I thought it might be helpful to just show you a few images across the street on San Antonio,
15 across the street on Fabian, this is the out parcel, and we refer to it as the Kentucky Fried
16 Chicken Site. You can see that it is a combination of one two-story buildings, I would say fairly
17 nondescript architecture. Next. This is actually off-site looking back into our site. This is San
18 Antonio Road looking north towards 101. You can see that there is pretty good landscape and
19 screening along the edge. This is a view again looking north on Fabian into the site with the
20 existing building. Actually when you stand on the site itself it is almost its own little island there
21 because it does have landscaping that kind of buffers that from its edges and its neighbors.

22
23 I would like to in terms of just setting the context for this start by talking about the Campus for
24 Jewish Life, which is eight acres of the 12-acre site. I thought that would be helpful to really
25 focus in on the BUILD parcel. The community centerpiece is about 115,000 square feet and the
26 largest components of it are cultural spaces, fitness and preschool. There are a variety of other
27 school age, teens and community agencies that are on this site but those are really the three major
28 components. Then there also is a retirement community proposed that is a combination of both
29 independent and assisted living. It would be approximately 165 units but I will tell you this is
30 kind of a moving target we are early on and we wanted to get in front of you and share with you
31 our thoughts as the project was developing not at the end of the process. So if we come back to
32 you and these numbers are a little different I want to point that out to you. There also would be
33 approximately 40,000 square feet of commons and dining and community support for the
34 seniors. This is an early illustrative site plan that shows the entire 12-acre site. San Antonio
35 Road is up at the top, this is Charleston and Fabian and the four acres that we want to focus on
36 tonight is BUILD but we can take one second and talk about the eight acres for the Campus for
37 Jewish Life. It is organized that the senior housing component is primarily here and the
38 community center component works into this area. There is a formal sort of a ceremonial formal
39 front door on Charleston that attempts to reach out and integrate to the community. Really at
40 Fabian and Charleston where there is a stop light this is what we are envisioning is our primary
41 front door. It is a shared drive that comes into the site that gives access both to the JCC as well
42 as to the BUILD parcel. There is a town square and pedestrian streets that link a series of
43 gardens and outdoor spaces as part of that project.

44
45 So hopefully that has given you a little framework now I would like to really focus in on our
46 subject for this evening, which is the four-acre parcel for BUILD. That as I mentioned has two
47 components to it. It has a for sale component that is combination of one, two and three bedroom
48 both flats and townhouses because we want to have a nice variety of living options. The project

1 is proposed to be built in two phases. As you heard a moment ago from Lydia the target here is
2 attainable sales prices not the high-end range of the market but attainable sales prices. Parking is
3 going to be provided both on garages on the site as well as shared use agreements with the
4 adjacent Campus for Jewish Life. There also is a senior affordable rental component, about 66
5 units. This includes development of the affordable component, the 15% affordable component,
6 about 34 units but in addition to that there are another 31 units beyond that 15% required below
7 market rate component.

8
9 So this is a view of the four-acre parcel. San Antonio is here, the Campus for Jewish Life that
10 we just talked about is adjacent to it here, this is Fabian and there are two points of entry into the
11 site this shared driveway with the Campus for Jewish Life that allows people to come from the
12 stop light at Fabian and underneath the building there is a parking structure underneath all of
13 this. There also is a secondary access that separates the project like a frontage road from Loral,
14 which is located, you can see the edge of it, here to the north. That provides again access below
15 the building to parking garage as well as a drop off for the senior component.

16
17 A couple of things that I would like to point out to you are there really are three distinct
18 neighborhoods. There is a for sale neighborhood here, a second one here and the senior
19 component here. Each one of these neighborhoods has slightly different massing. The elements
20 to the south always step down so that we are maximizing the light into the courtyards. If you
21 look carefully at the plan you can see that there are single loaded buildings here just with
22 hallways where everybody is facing away from Loral, the same thing here where there is a lower
23 element and all the units are facing towards the western foothills. Then where the Loral building
24 steps then there are some units oriented in the other direction. So we are trying to be very
25 sensitive to our relationship with Loral. There are stoops and entrances and front doors that
26 address the street on Fabian and on our shared driveway. I wanted to just let you know that there
27 also is both public and private open space that exceeds the standard requirements.

28
29 There are some really wonderful opportunities on a site like this. The ability to redevelop a site
30 that does not have very sensitive residential neighborhoods is an unusual opportunity here in
31 Palo Alto. We are actually reducing the traffic from the previous use and to be able to take
32 advantage of existing infrastructure is a very unique opportunity. But it would be fair to say that
33 there are also some challenges that we have to deal with as well. You heard a little bit about
34 those from Chris in the Staff Report. FEMA, the flood plane requires that the first floor of the
35 units be elevated above where existing grade is so that kind of pushes our building out of the
36 ground. The second thing that we are wrestling with a little bit is the Regional Water Quality
37 Control Board says that because of the site conditions we cannot, which you would normally
38 think of on a site like this, we cannot excavate to put the garage below grade. The garage has to
39 be on top of existing grade. So again that is putting some upward pressure on the height of the
40 building, which is a little bit unusual. Then I think it would be fair to say that with the adjacent
41 industrial uses we have to be thoughtful in how we deal with that. So this sort of a diagrammatic
42 building section. Existing grade is here where the gray line is but the flood plane is up several
43 feet. So we have to elevate the first floor of the building and in fact we have to elevate the
44 garage as well. So in order to respond to what we feel are pretty extraordinary circumstances
45 from both FEMA and the Water Quality Control Board we are going to ask for consideration for
46 either a Design Enhancement Exception or a Variance in order to design a project that we think
47 is going to be the most sensitive and the most thoughtful and the most aesthetic building that we
48 can do. What that will do is allow us to enhance the design by having the ability to manipulate

1 the roof forms a little bit, to vary the massing and I think it is fair to say that we have met in a
2 study session similar to this with the Council and there was a level of receptiveness to exploring
3 that possibility because of these conditions that I am sharing with you.
4

5 Before we go to far I just wanted to tell you that we are not asking for the entire site to be
6 excepted but we are asking for exceptions in limited and individual areas. On Fabian for
7 example our heights are within the 50 feet. On San Antonio Road again our heights are within
8 the 50 feet. But we do have a condition on this part of our site adjacent between one of our
9 neighborhoods where we are pressed on our height and we have a second condition again
10 internal to our site that is pressing the height limit and we have two modest conditions backing
11 up to Loral again where we are pressed with our height requirements. Part of the reason that you
12 see the height requirements where we are struggling at that end of the site is the site is sloping
13 from the south, which is over here to this edge. So that puts additional pressure on that part of
14 the site.
15

16 I wanted to just take one more minute if I may and tell you that we have looked very carefully at
17 the Comprehensive Plan and we wanted to tell you that we believe that the proposal that we have
18 in front of you this evening is consistent with we believe at least 30 if not more goals, policies
19 and programs from our Comprehensive Plan. I just wanted to touch on one or two for you. I
20 wanted to tell you that one of the policies identifies and asks to implement a variety of strategies
21 for housing densities and diversities in appropriate locations, emphasizing and encouraging
22 affordable and attainable housing. H-3, promote opportunities for a diverse population including
23 low, very low, moderate income residents particularly with special needs. Encourage creative
24 integration of parking by providing for shared use of parking, which we are also doing.
25

26 Finally, I just wanted to say that I think that there are a variety of public benefits that this
27 proposal has incorporated that we think have merit that I also wanted to share with you. I
28 wanted to tell you that we are promoting a variety of housing types geared specifically towards
29 entry level and affordable seniors. The magnitude of this house we believe will help alleviate the
30 jobs/housing imbalance, minimizing traffic, reducing the traffic from what was previously on the
31 site. We believe the increased affordability beyond the requirements of the 65 very low income
32 31 additional units is significant. In fact, so significant that is going to resolve almost 60% of the
33 City's unmet need for very low affordable units. This is my last slide. We fully intend to pay
34 our share of the fees for the Charleston/Arastradero improvements. We believe the idea of smart
35 growth developing existing sites with infrastructure has tremendous merit. So this is our
36 proposal, we are very proud of it and we very much appreciate the opportunity to share this with
37 you this evening.
38

39 Chair Cassel: Annette.
40

41 Commissioner Bialson: I have one question for you since we do have to address the issue of site
42 access. Will you have any other access besides those two driveways you showed? Is there some
43 way that people can go through the Center for Jewish Life through the entrance from Charleston
44 onto your site? In other words, is there some access to the circle you have there?
45

46 Mr. Steinberg: The primary access points will be here and along here. We are trying to limit the
47 amount of vehicular access from Charleston because it is a short block, left turns in we are
48 concerned are going to raise issues and so quite honestly we are trying to take advantage of the

1 stop light not only for BUILD but for the Campus for Jewish Life as well to move the traffic off
2 and around. There is shared parking. There will be approximately 100 cars of shared parking
3 under the CJL and there is an entrance that will lead you into that parking garage. So to answer
4 your question, yes, there is access there but I think we want to work with the environmental
5 people and we want to be sensitive. The last thing in the world we want to do is to create a
6 problem on Charleston.

7
8 Commissioner Bialson: So there is access off Charleston into the garage. Is there also access to
9 that circular area that you are showing? In other words, could someone come off Charleston and
10 you could get to that area?

11
12 Mr. Steinberg: You could conceivably come off of Charleston, go in the underground garage,
13 travel underneath the podium and get out here and go out this way and you could conceivably
14 come in Charleston underneath the podium, under the underground garage and we are exploring
15 with the City and the traffic the possibility of an exit out onto San Antonio as well. There is not
16 currently that option available but we certainly would like to pursue that as well.

17
18 Chair Cassel: Bonnie.

19
20 Vice Chair Packer: You said there would be an underground garage under CJL facilities but
21 there cannot be an underground garage on the BUILD or is it the podium garage under CJL and
22 where would that be if we know that yet?

23
24 Mr. Steinberg: Pardon me I used my words loosely. There is parking underneath the CJL at
25 grade. So the CJL is up on a podium and the same thing is there is parking under BUILD and
26 that is also up on a podium. So there is no underground parking, excuse me.

27
28 Chair Cassel: Does anyone else have a question for the applicant? Thank you very much. Wait,
29 Bonnie has another question for you.

30
31 Vice Chair Packer: I had another question. In the drawings when I looked at parking plan and it
32 still may be very rough but it looked like tandem parking was being contemplated. Was my
33 analysis correct? And could you also speak to the parking ratios that you are proposing?

34
35 Mr. Steinberg: Yes I can. We are exploring a variety of parking options currently. We are
36 exploring tandem at the CJL for the senior component we are actually exploring valet parking.
37 That is something that is being done at Classic Residents by Hyatt now and they think that there
38 is some real merit to that for safety reasons as well as efficiency. So we are exploring a whole
39 host of parking options.

40
41 The parking requirement for the for sale housing I was going to do it in my general numbers but
42 I appreciate your assistance too. We are meeting the parking requirement. Let's start with a
43 global picture. There are 429 cars required including guest parking for the project, 429. We are
44 providing 325 on site and 96 shared. The parking for the for sale housing is consistent with the
45 City standards. The parking that we are asking for on the senior is seven-tenths of a car per unit.
46 That is not a number that we dreamed up because that is what fit but through a long history of
47 doing projects of this nature for the senior of what is actually been required.

1 Chair Cassel: Are there any other questions? Annette.
2
3 Commissioner Bialson: I am under the impression that although we are seeing a building
4 description there for the below rate housing that is not yet something that we have financing for.
5 Is that something that we are going to be building after or what is the sequence because I
6 understood this was a phased project?
7
8 Ms. Tan: It is and the financing for the below market rate affordable senior piece is not as
9 current as the financing for the attainable for sale piece. The attainable for sale piece will be
10 conventionally financed. We will use CalPers dollars as equity and we will go out and get a
11 commercial bank loan. That is very easy to do. The for sale piece will be contributing a
12 significant amount of financing needed to make the affordable piece work but there are also
13 funds outside of BUILD that we will also have to go after. There is something called low
14 income housing tax credits, there is funding from HUD specifically for very low income seniors,
15 there is a number of other local and county sources as well that we are going to try to use to help
16 augment what BUILD is contributing towards the project. So it will take a little bit more time
17 for us to get that together.
18
19 Commissioner Bialson: Are you ready to commit that you would actually accomplish that
20 financing and make those buildings a reality for us?
21
22 Ms. Tan: We are, the model that we are proposing we have talked to Staff a little bit about, it is
23 the same model that was used for the medical center where there was a site that was deed
24 restricted, was donated to a non-profit, the non-profit went out and got additional funding to
25 make the project happen and it is happening. So that would be a similar model that we are
26 proposing here.
27
28 Chair Cassel: Are there any questions? Lee, did you have a question?
29
30 Commissioner Lippert: Yes. The BMR units, the additional ones that we have beyond the
31 required number are those being used to augment or supplement the units that would be required
32 for the CJL site?
33
34 Ms. Tan: They are not.
35
36 Commissioner Lippert: Okay, so those would be on their own for the four acre site.
37
38 Ms. Tan: Right. We are each taking care of our own requirements.
39
40 Chair Cassel: Let me get a clarification. I thought we were asking questions of the applicant.
41 Does everyone want to wait to ask questions of the applicant until later as well as the Staff?
42
43 Commissioner Griffin: I guess my question is how do you distinguish which ones you ask of
44 Staff and which of the applicants. I am really not caring too much who answers the question as
45 long as I get an answer.
46
47 Chair Cassel: If you have a specific question you know is for the applicant go ahead and ask it
48 now.

1
2 Commissioner Griffin: All right I shall.
3
4 Chair Cassel: If you don't we will go back and ask them later.
5
6 Commissioner Griffin: I would like to know what is the actually maximum height of the
7 structure, the actual ridge top height, as opposed to the 50% number. In other words, we
8 measure height to the center of the slope of the roof and what I am asking for is the height of the
9 ridge, the maximum.
10
11 Ms. Tan: I am hearing it is 62 feet.
12
13 Commissioner Griffin: I am sorry I can't hear you.
14
15 Ms. Tan: I am hearing that it is 62 feet at the highest point.
16
17 Commissioner Griffin: Fifty-two feet.
18
19 Ms. Tan: Sixty-two. You remember the diagram that Rob showed you earlier that the ridge
20 heights are all different so that 62 would occur at the very highest point not throughout the
21 building.
22
23 Commissioner Griffin: I appreciate that. One of you mentioned that the site sloped from the
24 high point on the southerly side of the property and it slopes towards the Bay and therefore most
25 of the high elevations that we are looking at are on the north side against the Loral property. Am
26 I saying that right?
27
28 Mr. Steinberg: Yes.
29
30 Commissioner Griffin: Have you explored other solutions to solve penetrating our 50-foot
31 height limit? That is a leading question because I am confident that you have. Would you mind
32 sharing some of the alternatives that you have looked at to try to avoid going beyond the 50-foot
33 level?
34
35 Mr. Steinberg: To answer your question yes we have looked at different alternatives. One
36 alternative would be to put flat roofs on these buildings. I think that there are aesthetic issues
37 related to that. There are issues of getting a positive water drainage off of those roofs with a for
38 sale product that is a serious issue to us. We have looked at lowering the floor-to-floor heights
39 for this produce to less than what typically would be built in the market, which we weren't keen
40 on. The fact that we are providing attainable housing it is our preference not to provide anything
41 less or with less dignity than market rate housing. So we have been resisting that but that is an
42 alternative. We have looked at the alternative of working with the Regional Water Quality
43 Control Board in order to penetrate the ground level and that doesn't seem to be an option. We
44 have looked at the option of taking floors off of the building, which have serious consequences
45 to the viability of the project. So we are exploring, we are continuing to explore but our options
46 are beginning to narrow down as we look at them.
47
48 Chair Cassel: Pat.

1
2 Commissioner Burt: How many feet does the flood plane cause you to elevate your foundation
3 from the adjacent grade?
4

5 Mr. Steinberg: It varies because the grades vary but in the range of four to five feet. If you look
6 at what our problem is it is in the range of four to five feet.
7

8 Commissioner Burt: When you were talking about reducing the height from floor to floor was
9 that looking at reducing the ceiling height within the units or was it looking at are there
10 alternatives on going to other structural materials or designs that would reduce the floor to floor
11 without reducing the ceiling height?
12

13 Mr. Steinberg: Not if we were to stay focused on our goal to provide attainable housing. So yes
14 we could do all this in concrete, which would give us a lower floor-to-floor height, but it would
15 raise our costs so dramatically that it would negate the whole mission of the project. So no is the
16 answer to your question.
17

18 Chair Cassel: Thank you. Now I think we will try to go to the rest of the public hearing. I
19 believe that the Secretary would like to have the applicant also complete one of these cards. I
20 think they would like those of you who spoke to also complete a card for them.
21

22 I have four cards at the present time. If there is anyone here who would like to speak would you
23 please go to the Secretary, ask for a card and complete it. She will give it to me and then I will
24 announce your name. There are four people who would like to speak you have up to five
25 minutes to speak if you wish to speak. The first person is Jean Wilcox and the second will be
26 Robert Moss.
27

28 Ms. Jean Wilcox, 4005 Southerland Drive, Palo Alto: Good evening. I live in the Charleston
29 Gardens neighborhood, which is adjacent to the new project. Members of the Planning and
30 Transportation Commission, I would like to welcome Bridge Housing to my neighborhood and
31 look forward to working with you as you move forward with the planning process. Although I
32 feel very positive about the proposal I do have some reservations which I hope can be addressed
33 during the approval process. Because of groundwater problems Bridge will need to request a
34 Variance, which will allow them to build over the City's 50-foot height limit. This however is
35 not the only height problem. Elevator shafts and air conditioning equipment may take some
36 areas of these buildings up to and exceeding 60 feet. I understand that height generated by such
37 infrastructures is legal under our Municipal Code but I would like the Planning and
38 Transportation Commission to be aware of exactly how high these buildings may go bearing in
39 mind they are adjacent to single story neighborhoods. Comparisons have been made to the
40 present Sun building, which is 96 feet high. This building was controversial and unpopular at the
41 time it was built. Palo Alto has had a 50-foot height limit since the mid 1960's. Bear in mind
42 that Bridge Development may only be the first of several requests to exceed the 50-foot height
43 limit and therefore your decision on this issue will be watched very closely. It has already been
44 disclosed that the new police building will exceed the 50-foot height limit and there are future
45 proposals to build along Fabian Way on several former Loral sites. These sites have the same
46 plumes of groundwater above which they will have to build. Granting Bridge their height
47 Variance sets a huge example of where our City intends to go with regard to its 50-foot height
48 limit in the future.

1
2 Our neighborhood is also concerned about the reduced number of parking spaces requested. We
3 are so close to the new housing development and CJL's proposed theater that our neighborhood
4 streets may be used for parking particularly for evening events when the shared parking on the
5 Bridge buildings and CJL buildings is not available. Increased traffic will cut through our
6 residential neighborhood. We know this because when it was Sun Microsystems traffic going
7 east on San Antonio Road would avoid the lights at Leghorn and Charleston by turning left onto
8 Middlefield then right onto Montrose. To help alleviate the increased traffic on both Charleston
9 and nearby local residential neighborhood streets I would like to support the request of both
10 Bridge Housing and the CJL for an entrance and exit on San Antonio Road to accommodate at
11 least westbound traffic. This will help mitigate the impacts of increased traffic on both
12 Charleston and the nearby residential neighborhoods. Thank you.
13

14 Chair Cassel: Thank you. The next person to speak is Robert Moss to be followed by Ellen
15 Fletcher.
16

17 Mr. Robert Moss, 4010 Orme Street, Palo Alto: Thank you Chairman Cassel and
18 Commissioners. The proposal before you tonight has a number of major problems but
19 fortunately there are solutions if you are willing to require that the development be built for the
20 good of the community and not to mostly enrich the developer. Most of the relaxations that they
21 require are frankly designed to maximize profit and to damage the community and the
22 environment. I will give you a couple of examples. When that property, which I am extremely
23 familiar with, was used for industrial use there were four entrances one on San Antonio, two on
24 Charleston and on Fabian. The proposal to have all of the entrances on Fabian is a guaranteed
25 traffic disaster. It means that everybody approaching from 101 is forced to go down Charleston
26 and down Fabian in order to get in. There should be an absolute requirement to have an access
27 road from San Antonio. There should be an absolute requirement to have an access road from
28 Charleston. No dispute, no argument with the developer just require it.
29

30 The density is excessive 1.8 FAR is far more than the community and the neighborhood can
31 handle. Fortunately there is an easy way to eliminate the excess density. Remove the fourth
32 floor, the top floor of the building reducing the density by approximately 25% and eliminating
33 the encroachment above our sacrosanct 50-foot height limit. This also will reduce traffic and
34 will allow adequate parking because the proposal to have under parking by 100 spaces and 96
35 shared parking spaces is an absolute guarantee for parking and traffic disaster. When JCC was at
36 Terman every time they had an event without exception there was overflow parking into the
37 neighborhood. The only place you can have overflow parking from this site is to go across
38 Fabian or across Charleston into residential neighborhoods. This site is adjacent to two
39 residential neighborhoods, which will be severely impacted by the overflow parking.
40

41 One of the things I find most objectionable and I go back a long time on this, is having all of the
42 BMR units, 100% of them, for seniors only. The basic principle of BMRs in Palo Alto at one
43 time was all developments shall have similar BMRS throughout the development. You were not
44 supposed to have the BMR units segregated. You were not supposed to have them all one
45 bedroom or studios and the market rate units something else. The BMR units should be
46 distributed between the senior units and the other units. Otherwise we are unfairly burdening the
47 community and we are not getting the job/housing imbalance that we are looking for because
48 you are not creating low cost housing for workers.

1
2 One of the points that was raised was do they have financing for the BMR units. The way it is
3 structured now with all of the BMR units being built if and when they can get financing if you
4 give them a PC and allow them to violate the existing zone and they come back later and say
5 sorry folks we can't get financing the City is basically screwed because we have given them
6 something that they are not entitled to under the existing zoning and they are not giving us back
7 the BMRs because they can't raise the money. How are we going to recover that? Are we going
8 to make them tear down some of the existing buildings in order to get back with the zoning? I
9 don't think so. If you are going to allow anything like that then you have to insist that the BMR
10 units be built simultaneously and that should be a condition of any approvals.

11
12 Finally, it is important that when we have a project like this built we look at the entire not just
13 the four acres but the entire 12 acres and how it is going to interact with the Campus for Jewish
14 Life, their parking and their traffic problems. Don't look at this in a void. Look at it as an entity
15 and look at the other developments that are going on in the Charleston corridor and how that is
16 going to impact traffic. We have to look at this as a system not as an individual piece. Thank
17 you.

18
19 Chair Cassel: Thank you. Ellen Fletcher to be followed by Sally Hamilton.

20
21 Ms. Ellen Fletcher, 777-108 San Antonio Road, Palo Alto: Hi, this is my neighborhood. I just
22 have one comment about analyzing the traffic impacts. I hope what will be used as a base is
23 what the traffic was when those buildings were all occupied and the fact that the traffic then was
24 concentrated in the commute hours morning and evening and it had severe impacts. This project
25 will generate trips I am sure throughout the day so it won't be concentrated like it had been
26 before. So I look forward to this project going in it sounds like a great project. Thank you.

27
28 Chair Cassel: Thank you. Sally Hamilton to be followed by Michael Lyzwa.

29
30 Ms. Sally Hamilton, 183 Ferne Avenue, Palo Alto: Good evening. I am delivering a statement
31 for the Green Meadow Community Association that has been approved by our elected Board.

32
33 Our Association has taken no position for or against this project. We are very interested, as you
34 know, in understanding the aggregate impacts of this project and multiple other high-density
35 projects that have been proposed or are projected in South Palo Alto and the neighboring
36 portions of Mountain View. To this end we would like to ask that the following information be
37 included in the proposed Draft EIR for this project specifically an origin-destination study for all
38 the trips to and from the CJL and BUILD residences. This is of particular concern because we
39 understand the majority of CJL current membership comes from Los Altos, Los Altos Hills, Palo
40 Alto and Mountain View, in other words west of 101 and it is not likely these commuters are
41 going to use the 101 to get to CJL or BUILD. They are more likely to travel via San Antonio
42 and Charleston/Arastradero. In addition we need to keep in mind that funding for the overall
43 Charleston/Arastradero Corridor is not a certainty and neither is approval of the plan beyond the
44 current trial even if funding becomes available. Citing this plan and payment against this plan
45 for mitigation will work only if the plan is implemented in full therefore there should be alternate
46 mitigations proposed if the Charleston/Arastradero plan fails to move forward for any reason.
47

1 We would like the EIR to analyze impacts on certain intersections San Antonio/Charleston, San
2 Antonio/Middlefield, Charleston/Middlefield, Charleston/Alma, San Antonio/Central and El
3 Camino/ San Antonio. In addition we believe that we need to look at the impacts on public
4 schools. Unlike some older parts of Palo Alto housing in our South Palo Alto neighborhoods
5 was developed in the mid to late 1950s. The young couples and families that moved there over
6 40 years ago and put their kids in the school there no longer have school age children and many
7 of the homes we think will turn over to the next generation of users of the school system. Our
8 analysis of the last Census of 1990-2000 reflects the bubble of coming household transition
9 because of the distribution age shift towards older head of households. Overall households only
10 went up about 3.5% in our zip code but growth in households 75 and up went up about 20% over
11 that same ten-year period. We don't think it is going to get any less. As a result this is a strong
12 indicator of potential higher rates of future turnover due to the aging demographics and a
13 corresponding likely influx of families. It is unclear whether or not the current Palo Alto School
14 District projections incorporate this impending demographic shockwave and if the school district
15 has not we may have significantly overestimated the existing excess capacity in South Palo Alto
16 which will have an impact on children there and others moving into the community. With so
17 many people reaching the age when a single family home may become a burden it is really good
18 that developers like BUILD and CJL are proposing residential projects with support facilities
19 that specifically target this demographic however, it is reasonable to assume that those same
20 factors could trigger a larger number of single family home sales which could exacerbate this
21 bubble effect. We hope that the EIR will investigate this possibility in detail. Thank you for
22 giving our concerns your consideration.
23

24 Chair Cassel: Thank you. Michael Lyzwa to be followed by Joy Ogawa.
25

26 Mr. Michael Lyzwa, 144 Kingsley Avenue, Palo Alto: First of all I am very taken by the
27 proposal tonight. I think the architect and applicant have done a very creative and compatible
28 job in providing a wonderful solution for housing in a mixed-use proposal. I think that Palo Alto
29 is in great need of housing. I know my wife and I would pretty much like to welcome the JCC
30 and this solution to our area. We think that attainable housing is appropriate on this site. We
31 believe that the proposal of removing a 93-foot building is a wonderful solution and the fact that
32 they are exceeding the 50-foot height limit as a consequence of flood plane is not a problem
33 whatsoever. I think that the system as proposed by them is a very good solution and I think it
34 will provide a lot of the needed housing that we are in such desperation to have in our
35 community. So I would urge you to support it and I think that the applicant has done an
36 excellent job in this proposal. Thank you.
37

38 Chair Cassel: Thank you. Joy Ogawa.
39

40 Ms. Joy Ogawa, Palo Alto: Sorry I don't have anything prepared so it is not going to read very
41 smoothly. I do have one question to start with and that is there is something about an
42 amendment, a Comprehensive Plan amendment, to make it mixed use and I just wondered what
43 it is about this project that is mixed use. It is just not clear to me. So maybe somebody can
44 clarify that for me.
45

46 One thing that popped out at me, Bob Moss made some really good points that I obviously
47 haven't thought of myself because I haven't had a chance to really read the Staff Report. One
48 thing that concerns me is the 0.7 parking spaces per unit for the senior rental housing. That is

1 extremely under-parked. The problem that I see is that this is not near transit. It is really not
2 near transit. So the things that you can point out for something like Alma Place where they can
3 get away with lesser parking and the applicant said something about at their other projects 0.7
4 worked. Well, where are these other projects located? Are they located where there is public
5 transit? This is really not a public transit oriented place. I know that if I were living there I
6 would want my car and I can't get along with 0.7 parking spaces for my car. I need one parking
7 space for my car. They have pointed out that they have this 96 spaces of shared parking but that
8 depends a lot upon what the Campus for Jewish Life's parking is going to be like. Are they
9 going to be under-parked? Are they going to be fully parked? Are they going to provide extra
10 parking? So the dynamic there makes a big difference as to how that shared parking is really
11 going to work. I think it is hard to evaluate it separately in this project. Maybe they are planning
12 on having a 24-hour shuttle or something that shuttles the seniors around but if that is the case
13 that needs to get fleshed out and somehow be a condition if you are going to be under-parked by
14 that much. Maybe Campus for Jewish Life is going to have a shuttle for their seniors. Are they
15 going to let Bridge Housing senior use that free? Is it going to be available for Bridge Housing
16 seniors as well? These are questions that I think need to get fleshed out before you can authorize
17 an 0.7 per unit parking when in fact it is 1.5 or more that is required. That is way under-parked
18 for some place that is not transit oriented. I hope you give this a lot of thought and can come up
19 with some good answers. Thanks.

20
21 Chair Cassel: Thank you. Would the applicant like to have a three-minute summary to comment
22 on anything or a closing comment?

23
24 Ms. Tan: Thanks. I really don't want to add much to the presentation. I didn't realize we were
25 going to get three minutes so thank you. Just a couple of things. I just want to reiterate we really
26 are trying to provide the most amount of attainable and affordable housing as possible on the
27 site. It is part of our mission as Bridge. It is certainly part of our agreement with CalPers. We
28 feel like we have done a really good job of trying to listen to what the community has asked for,
29 deal with our site constraints and come up with a proposal that we think is going to be a very
30 high quality of life onsite but also meet a lot of the goals that the City has outlined in the Comp
31 Plan and the Housing Element. Just very quickly on the parking issue it is a question that the
32 Staff has asked of us in terms of the .7 ratio that is only on the senior housing piece, the
33 affordable senior housing piece, Bridge has developed and owns and manages about 1,300 units
34 of housing that is specifically for exactly this target income population in Northern California.
35 We have properties certainly in high transit areas like San Francisco and Oakland but we also
36 have a number of projects in areas that are similar to Palo Alto, Foster City, San Jose even more
37 suburban places like Walnut Creek and Pinole and Hercules where there is really no transit at all.
38 We find that this particular income group and age group starts to give up their cars at a fairly
39 early rate and they find other ways of accessing services that they need. Certainly providing that
40 kind of hard data as to what our experience has been in similar situations is something we have
41 provided to Staff and I sure will come through during the environmental review process. So
42 thank you very much for your time.

43
44 Chair Cassel: Thank you. Let me bring it back to the Commission. Do we have questions of
45 Staff or any other questions we want to work with? Shall I start with you, Lee?

46
47 Commissioner Lippert: I guess it is really for the applicant even though you said Staff.
48

1 Chair Cassel: All right, I didn't close the public hearing on purpose. Go ahead.

2
3 Commissioner Lippert: With regard to the possibility of a shuttle bus a lot of the senior housing
4 in the Downtown area even though it is near transit has a shuttle bus and the City even has a
5 shuttle bus that they use. Is it within the realm of possibility that there would be a jointly
6 operated shuttle bus for the Bridge housing and the Campus for Jewish Life?
7

8 Ms. Tan: Well, it is something we have talked on and off about with CJL but there have been
9 absolutely no commitments. So it is certainly something we will continue to have a conversation
10 with the Campus for Jewish Life about. I do know that there are other transit services that are
11 available to low income seniors in Palo Alto that we would certainly want our residents to take
12 advantage of. We have had a number of conversations with the City about the possibility of
13 extending the City shuttle it sounds like a remote possibility but something we will continue to
14 have conversations with the City about. We have also talked to the City about going and talking
15 to VTA about extending bus service back to the site which is something that went away about a
16 year or so ago. The bus has been rerouted off of Fabian but once we get a little bit closer the
17 City thinks that given the amount of residents that will be at this particular parcel we have a
18 really good chance of getting the bus to come back on Fabian.
19

20 Commissioner Lippert: What about financing it through the condominium building through the
21 condominium fees that would be paid and then on the rental units including a portion that would
22 be included in the rental of those units.
23

24 Ms. Tan: Well we can look at anything. It is pretty expensive to run a shuttle. If you look at the
25 City's budget as to what they use to run their shuttle just up and down Charleston it is a pretty
26 big number. So anything that we do to end up burdening either the homeowners or the senior
27 rents are simply going to have a detrimental impact on our ability to provide affordability. It is
28 something we will definitely take a look at though.
29

30 Chair Cassel: Pat, do you have a question?
31

32 Commissioner Burt: Yes, I will ask a couple and then maybe if it loops back I will have some
33 more. First, can Staff at this time give any comparisons of the formulaic trip generations from
34 the existing structure if it were fully occupied versus what we anticipate from these two adjacent
35 uses?
36

37 Ms. Lisa Grote, Chief Planning Official: We don't have the detail of that but that is something
38 that would be looked at closely in the Environmental Impact Report. We will be looking at the
39 trip generation rates, the parking requirements for the circulation pattern of the building that has
40 been there on the site and then comparing that to the proposed developments on the site.
41

42 Commissioner Burt: At this time we don't have anything based upon just standard formulas that
43 give us seat of the pants sort of notion?
44

45 Ms. Grote: We don't have that in front of us tonight.
46

47 Commissioner Burt: Okay.
48

1 Chair Cassel: Shall we go around with one question each that we agreed to? Bonnie.

2
3 Vice Chair Packer: Maybe this question will be for Staff. In terms of when we look at this
4 project in the future I understand the two sites are going to have separate applications and will be
5 looked at at separate times but will there be an opportunity for us to figure out, well let me put it
6 this way. If we are going to have to make a decision in the future on the BUILD project without
7 knowing what is going to happen at CJL and there is going to be issues like shared parking or
8 other kinds of sharing that goes on how are we going to look at this together and get a sense of
9 the commitment of one property owner to another property owners?

10
11 Ms. Grote: We do anticipate that CJL will be making a Planned Community application in the
12 future. In the meantime the Environmental Impact Report will be looking at the BUILD site in
13 detail and will be looking at the CJL site at what is called a program level. So it is less specific
14 but it does take into account at least to date known square footages for the community facility,
15 known square footages for the childcare facility and other square footages for what is known
16 now. That would be analyzed at a program level so that there can be the two pieces of the site
17 fitted together. It is anticipated that there may be some additional environmental review on the
18 CJL portion once that application is made so we would be following up with additional review.

19
20 Vice Chair Packer: Ms. Tan, did you want to help respond to that question?

21
22 Ms. Tan: It doesn't help you with that kind of overall picture question but I just want to let you
23 know that as part of our acquisition of the four acre parcel that the CJL site right now has deed
24 restriction easements on it which allow us both the shared parking and shared access for the
25 driveway. So I just want to let you know that right now there is a legal binding agreement
26 between the two of us.

27
28 Chair Cassel: Thank you. Michael. Did someone down there want to say something? Did
29 someone on the Staff want to make a comment?

30
31 Ms. Grote: Yes we do. We have been provided with some very preliminary traffic trip
32 generation numbers so I wanted to look those over and then give those to you. It is based on
33 what was presented to the City Council so some of these numbers have changed a bit but it
34 would give you a ballpark.

35
36 Chair Cassel: Thank you. You have a question, Michael?

37
38 Commissioner Griffin: I would like to also express frustration at trying to give this project
39 proper review without having access to a better understanding of exactly what the JCC is
40 proposing. Other Commissioners and members of the public have talked about this. I feel
41 strongly that we would benefit up here particularly in trying to analyze the parking situation if
42 we had a better feel for what is going to be proposed next door. That is a comment. I will move
43 on to my question. The applicant is asking for mixed-use land designation, which would permit
44 office, commercial, retail in addition to housing. I am presuming that some of these non-
45 residential uses are going to be for administrative offices for the building itself but what would
46 you be thinking of in terms of commercial? I noticed in the applicant's presentation you had
47 reserved 7,000 square feet for commercial. Could you share with us a little bit what your
48 thoughts might be? A grocery store or something of that nature? I won't lead you.

1
2 Mr. Steinberg: That was for the CJL component of the site. I want to make that clear number
3 one. Number two, the current thinking for that is two things we have in mind one is a café, some
4 sort of food service, restaurant to be determined and the second would be a modest or small gift
5 store as part of the community center/cultural center. That is the current thinking. There has
6 been discussion in connection with the food service that there might be some sort of take-out
7 food service but these are very preliminary thoughts at this time.

8
9 Chair Cassel: Annette.

10
11 Ms. Sandy Sloan, 1100 Alma Street, Menlo Park: I am Sandy Sloan, the attorney for CJL and
12 BUILD. The Staff can elaborate on this but the mixed-use designation under the Comp Plan I
13 believe says that is mixed use for mixed uses within a site or adjacent sites. After discussing this
14 with Staff, Staff felt it was appropriate to have both sites changed on the Comprehensive Plan
15 diagram to mixed use. The EIR at the programmatic level is addressing the Comp Plan change
16 for both sites to mixed use and then two PC zones under the mixed-use designation.

17
18 Chair Cassel: Thank you. Annette. Go ahead, Lisa.

19
20 Ms. Grote: Thank you. That is exactly right. We are recommending that the sites be looked at
21 together and that they both have their Comprehensive Plan Land Use changed to mixed use. In
22 response to Commissioner Burt's question about the trip generation rates in the report that was
23 presented to the Council the existing use AM peak hour number of trips would be reduced by
24 176 trips. It would go from 457 trips to 281 on the overall site in the AM peak. In the PM peak
25 it would be reduced by 61 trips from 433 to 372 so a reduction of 61 trips overall.

26
27 Commissioner Bialson: With regard to the other adjacent use, which is the Loral building, do we
28 know what the building is used for? Is it office or is there research that goes on there?

29
30 Ms. Grote: It is a combination of office and research and development. One of the topics in the
31 EIR will be any impact from noise that is generated from Loral onto these new uses on this site
32 and also any vibration that would occur during construction that might affect the existing uses at
33 Loral and how to mitigate those.

34
35 Chair Cassel: Lee. Pat.

36
37 Commissioner Burt: What would be the locations or prospective locations of the elevator shafts
38 and HVACs and would they increase the building height beyond that that is created by the
39 roofline?

40
41 Ms. Grote: Chris probably has a little more detail on the exact locations but the zoning
42 ordinance does allow for up to 15 feet of additional height for elevator towers, stair towers, and
43 mechanical equipment. So it is possible that, again we do measure the height from the midpoint
44 of a pitched roof in an industrial district or multi-family district so it could extend portions of the
45 building up to 15 feet. Chris probably has some more specific detail.

46
47 Commissioner Burt: I will even point you in the direction I am going to be inquiring which is
48 given that not all of the roof height is being proposed to exceed our 50 foot limit are there ways

1 in which those additional protrusions beyond the 50 foot limit could be located to minimize the
2 additional height that they would provide?

3
4 Ms. Grote: Again the applicant may have some additional information but let us look at the
5 plans and see.

6
7 Chair Cassel: While they do that, Bonnie do you have another question?

8
9 Vice Chair Packer: I do but Lisa is concentrating on something else. I have a question about the
10 BMR issue that was raised. There are two things one it was mentioned that this model is kind of
11 like what happened in the SOFA I area where one parcel was developed as fully affordable and
12 the condos did not have the BMR. So the BMR was shifted into one place. Is that concept
13 consistent with the City's position on how BMRs should happen?

14
15 Ms. Grote: I think BMRs have been approached in a number of ways over the years. Certainly
16 they have been concentrated in one location most recently in Oak Court which is in SOFA I and
17 then also they will be concentrated in the Opportunity Center which provides a variety of
18 services as well as below market rate units. They were certainly concentrated in the SRO, Single
19 Room Occupancy, facility that is on Alma. So they have been concentrated together in one place
20 in a number of projects. There are other ways to approach BMRs and that is to disburse them
21 throughout a development that is another option but it is not unusual to see them concentrated in
22 one location. Frequently it makes it easier to manage when they are in one location. So there are
23 proponents of that approach.

24
25 Chair Cassel: Lisa, can I follow up on that? I think some of this is not comparing like items.
26 The Opportunity Center was built specifically as a low and very low income project and not as a
27 mitigation for some other project. So I would not have considered that a BMR concentration in
28 that same way as if you are building a development of 100 units and a certain percentage of them
29 are within that unit then they have usually been scattered but not always. Obviously the Palo
30 Alto Medical Foundation site was an example where a different kind of mitigation has taken
31 place. I think there are other situations, we did a senior high income community on Middlefield
32 Road and in that case bought a site offsite where we got more units by doing that. So because
33 we have gotten more units we sometimes have done something else.

34
35 Ms. Grote: That is true. Also when the Planned Community was approved on Everett which
36 was I think 24 or 27 single family homes the four below market rate units associated with that
37 project were located across the street together but in a separate building and it was specifically
38 designed for those units. So there have been a variety of approaches to below market rate units.

39
40 Chair Cassel: Go ahead, Lee.

41
42 Commissioner Lippert: I have a follow up really on Pat's question. In residential neighborhoods
43 we do allow for certain projections into daylight plane when it is in a flood plane area, when a
44 house needs to be currently raised up. So would this not be consistent with what we allow in
45 other residential areas?

46
47 Ms. Grote: I think the concept is the same. Currently in R-1 areas you can have half of the
48 height that is required to meet the flood plane requirement in additional height. So if you have to

1 raise the elevation or raise your building by three feet you can have an additional foot and a half
2 to accommodate that. So it is kind of splitting the difference. The concept is like that in this
3 case. I don't know that the values are absolutely the same but the concept is the same and we
4 still are looking at location of elevator shafts and stair towers.
5

6 Chair Cassel: Michael.
7

8 Commissioner Griffin: All right. Commissioner Bialson has already paved the way on this item
9 but I am going to ask the applicant again to clarify the issue involving financing for the senior
10 housing. If we do approve the zoning request and the project does go forward is there a
11 possibility that you would build two of the components and not the senior component of your
12 project if financing doesn't come through? I guess I am understanding that the answer to that is
13 that you would not.
14

15 Ms. Sloan: I will take a crack at that and maybe Lydia will want to add something. I also
16 worked on the community working group project and if any of you are familiar with low income
17 housing projects putting the financing together is an amazing piece of work. I mean for
18 community working group for example there was money from the City of Palo Alto, Santa Clara
19 County, San Mateo County, HUD, tax credits, the State of California and the documents were
20 flying. Sometimes you have to apply and then immediately build but you have to bring all these
21 different pieces together. So I think the model of SOFA I and Oak Court is a perfect one which
22 is that the project was allowed to proceed as long as the Oak Court site was deed restricted for
23 affordable housing only and I believe, correct me if I am wrong Staff, that it was even deeded to
24 the City or the Palo Alto Housing Corporation so nothing else could have been built there except
25 below market rate housing. Yes the development lagged but the people that owned that parcel
26 were committed to low income housing and committed to finding the financing but you cannot
27 find that financing overnight. I don't think it makes sense to us to without hold development of
28 needed housing and attainable housing while you are searching for the financing for that. We
29 expect to lag only about six months or a year.
30

31 Chair Cassel: Bonnie has a follow up question to that.
32

33 Vice Chair Packer: A follow up for you Ms. Sloan. One of the items that are going to come
34 forward is the subdivision for the condominium air spaces. At that time you mentioned the deed
35 restriction for affordable housing that applied to Oak Court. Would it make sense at that time to
36 add a similar deed restriction for the part that is going to be for the senior affordable housing?
37 Would that be one way to satisfy these concerns? Is that legally doable?
38

39 Ms. Sloan: Yes I think it is. Right. Good idea.
40

41 Chair Cassel: Annette, do you have another question? Lee, do you have another question?
42

43 Commissioner Lippert: I had a question for the architect, Rob. You had mentioned that the
44 parking would have to be elevated up out of the flood plane as well. Is that correct?
45

46 Mr. Steinberg: The parking has to be protected and so there are a variety of different ways to
47 that but the parking cannot be open and susceptible to flooding.
48

1 Commissioner Lippert: How is that going to be achieved? Is it going to be elevated or is it
2 going to be built out of imperious material?
3

4 Mr. Steinberg: We are looking at raising the enclosed part of the garage above the flood plane
5 and bringing the ramp up to a height that exceeds the flood plane and then ramping back down.
6 So there are a number of ways to accomplish that and that is what our current thinking is at the
7 moment.
8

9 Commissioner Lippert: As a follow up to that is it possible to actually put some of the parking
10 out from under the building, in other words build out as surface parking, it all doesn't need to be
11 covered parking, correct? And actually build some of the units above the base flood elevation at
12 grade level thereby reducing the building mass in some places.
13

14 Mr. Steinberg: Because of the soil's condition we cannot build at grade. We are required to
15 have an interstitial space between the ground and the units of approximately three feet. So we
16 have half a garage that we are paying for for openers. So to pay for that cost and then to go in
17 another direction doesn't really make a lot of sense in this particular case. It is a very unique site
18 that is caught in this conundrum between the flood plane and the soil's condition and not being
19 able to build on grade. All of these make this really pretty unique.
20

21 Chair Cassel: Pat.
22

23 Commissioner Burt: Can Staff comment on the public and private open space elements? I think
24 it was alluded to that they exceed the City requirements and when I look at these I am not
25 following it unless the housing segment is being integrated with the CJL elements for open
26 space.
27

28 Ms. Grote: At this preliminary stage it appears that they are proposing close to 65,000 square
29 feet of open space and it is actually 64,886. So that would be in a combination of rooftop areas,
30 ground level areas, private patios and some decks. The requirement would be approximately
31 52,000 if you were developing under a standard RM-30, 30 units per acre, zoning district. In the
32 PC, in the Planned Community, zone district there is not an open space requirement. So when
33 we compare it to RM-30 or RM-40, which is slightly less, it is only 35,000 square feet of open
34 space we do that for comparative purposes because in a PC there isn't a required usable open
35 space.
36

37 Commissioner Burt: If you were to compare the density of development in what would be
38 allowed in the RM-30 and the corresponding open space that is required for an RM-30 how does
39 this project compare and have you looked at essentially the quality of the proposed open space
40 when you are talking about rooftops and things like that? Has Staff really looked at what that is
41 going to mean in terms of the usability of that space?
42

43 Ms. Grote: Again, at this preliminary level we haven't done that detailed analysis but we will be
44 doing that analysis partially in the EIR and then also as part of our more complete review that
45 comes to you and to the Architectural Review Board after the Environmental Impact Report is
46 complete. The 30 units per acre are what are required for 52,000 square feet of open space. This
47 proposal is at 56 units per acre roughly and that is with 65,000 square feet of open space. So we
48 would need to do that comparison in more detail.

1
2 Commissioner Burt: That will be part of your follow up?
3

4 Ms. Grote: Yes, absolutely.
5

6 Commissioner Burt: Thank you.
7

8 Ms. Grote: Also in response to your previous question about the stair towers it appears that there
9 are three of them. Again these are preliminary plans but it appears that there are three of them
10 that are in areas of the building that would exceed the 50-foot height limit. As part of a design
11 solution we can discuss that with the applicant and see if there is some way to relocate those or
12 modify them somehow.
13

14 Chair Cassel: Michael.
15

16 Commissioner Griffin: This is a question for the applicant. In at least two places in the
17 materials that we read for this evening you make mention of the fact that this is a noisy location
18 and that one of the benefits of your project would be the fact that the project would block the
19 noise to the neighborhood. You didn't mention the source of the noise and I am wondering if
20 you could elaborate on that.
21

22 Ms. Tan: The source of the noise is actually Loral. When they are moving their satellites and
23 doing some of the other work that they do there they have received complaints from some of the
24 neighbors in the area. They have actually expressed that concern to us as one of their concerns
25 they wanted to make sure we addressed when we looked at the design of our project. So as Rob
26 pointed out we have single loaded corridors and since we are mindful of this issue we are making
27 sure that both design and materials provide that real acoustic barrier.
28

29 Vice Chair Packer: Lydia, I have a question on that. One of the noisy areas of Loral is right next
30 to where the senior housing is proposed. Have you thought about putting the senior housing near
31 Fabian or what are the mitigations to deal with that noisy corner where there seems to be
32 generators and steam and all kinds of stuff coming from Loral?
33

34 Ms. Tan: The senior building has been all over the site. It has been on Fabian. It has been in the
35 middle. It has been on San Antonio. We sort of settled on San Antonio as being the ideal
36 solution to the puzzle that we have been trying to work with. So we have looked at all areas of
37 the site. I think whether it is senior or the for sale housing for families they are all going to have
38 the same issues around noise and so we really do think that whatever is in that corner site has to
39 have the right design and the right materials used to make sure they are acoustically protected.
40

41 Chair Cassel: I have a question that dealt with the seniors being in the back corner. That has to
42 do with social isolation and it has to do with pedestrian access. If they are in the back corner if
43 you do get any kind of public transit that is a long ways for them to walk. If you don't it is still a
44 long ways for them to walk to get to any place and it seems more isolating. I couldn't quite
45 understand why they would be put in the back corner.
46

47 Mr. Steinberg: As Lydia mentioned we have explored all different places. One of the key
48 reasons that we have chosen to locate them in that location is that permits them at that podium

1 level to come directly over to the JCC and take advantage of all of the programs, all of the
2 services without having to go down and cross that shared driveway and come back up. So it was
3 that pedestrian connection to the community center functions that we felt was a huge plus to
4 locate them in that location. That is number one. Number two the amount of trips and car
5 activity from the seniors we think will be less than the market rate or the attainable. So to locate
6 them on the front of the site and to have everybody and their cars constantly going past them to
7 get to their homes was a second reason that we began to shift them to that location. So it really
8 primarily the major driver was we wanted the seniors to be able to at a pedestrian, convenient
9 way go directly across and be able to take advantage of all of the community center services.

10
11 Chair Cassel: Will they have access to food services over there? You have another senior
12 program on the other side.

13
14 Mr. Steinberg: The relationship of food service and what access to which programs is something
15 that we will get worked out between the two applicants in those two projects but that certainly is
16 something under discussion. What we wanted from a physical point of view is to encourage the
17 mix of these uses from a physical point of view as much as possible.

18
19 Commissioner Griffin: Could Staff help me with access to the Sun site off of San Antonio
20 Road? At one time I thought there was a dedicated lane that you could take in the southbound
21 direction that would allow you to access the Sun site directly off of San Antonio Road. Is that
22 still there? Is that still operating?

23
24 Ms. Grote: It has been closed. It used to be there and it is now closed.

25
26 Commissioner Griffin: I am wondering what the proximity of that preexisting entry ramp and
27 the private drive that the applicant has indicated would be constructed or otherwise allowed for
28 that separates the Loral property from their site. Where all of this is going is that I too share the
29 concern about lack of access from San Antonio Road and the resulting extra traffic circulation
30 required to turn the block at Charleston and then again at Fabian. Am I clear in what I am trying
31 to get at here?

32
33 Chair Cassel: You can see up there it looks like it wasn't exactly next to the project. When I
34 went out there this morning it farther over onto the CJL site.

35
36 Commissioner Griffin: Perhaps the applicant could point out the location of the private drive for
37 starters.

38
39 Chair Cassel: Are you a little confused about the question?

40
41 Mr. Steinberg: Perhaps.

42
43 Chair Cassel: I think let's see if I can phrase this for you, Michael. You want to know where the
44 current drive is in relationship to what is proposed up there and what they are proposing where
45 that is where there would be access to go underneath if they could develop it.

46
47 Commissioner Griffin: I am thinking of a surface access that would incorporate your proposed
48 private drive which I thought you had indicated would run between your property and Loral and

1 that there might be a possibility of linking that private drive with the preexisting entry ramp on
2 San Antonio.

3
4 Mr. Steinberg: The existing access from San Antonio currently is going south and a right turn in
5 only. It is our desire and we had some very, very preliminary discussions with the City where
6 we had the sense that they would entertain working with us to accommodate also an exit out.
7 There are some challenges because of the turn at Charleston, because of the activity on the
8 corner parcel including I think we heard from a neighbor today that there are a number of us that
9 would like to pursue that option. If you walk the site one of the issues is this is the freeway exit
10 and the location of this connection to San Antonio I think may be problematic but our hope
11 would be that there is a precedent. That access was engineered at one point and if we could look
12 at organizing that and getting an exit out too we think that might be the most realistic way of
13 responding to that opportunity.

14
15 Commissioner Griffin: Well that ultimately is what I am trying to press for which is the fact that
16 you would indeed pursue some sort of.

17
18 Mr. Steinberg: We would really like to do that we think that would be a very, very positive.

19
20 Commissioner Griffin: Good for you.

21
22 Chair Cassel: Lee, do you have any more questions? Pat, do you have another question?

23
24 Commissioner Burt: If it was found that the shared parking proposal was inadequate to serve the
25 two different functions are there any opportunities to provide for contingent parking
26 requirements or that they be addressed some way through either mandated trip avoidance
27 programs such as shuttle funding or the ability to build additional parking on the site? Any of
28 those things that if we were to approve both the shared parking and the reduced senior parking
29 and it didn't work out what could we then do?

30
31 Ms. Grote: Well there are transportation demand management programs that look at alternative
32 forms of transportation, shuttles, bus passes, carpooling requirements and things like that for
33 employees. So there are some options there. There is also an opportunity to have offsite parking
34 agreements as long as the parking is within 500 feet of the site and it is a long-term agreement.
35 So there is that possibility. If there is extra parking at Loral or some other adjacent close site
36 within 500 feet. So there are those opportunities.

37
38 Commissioner Burt: So will you be coming back with some of those things as contingent
39 options?

40
41 Ms. Grote: We will look closely at parking in the Environmental Impact Report. We will have
42 mitigation measures should it be found that they are needed for parking and then some
43 contingencies if it is found to be needed in the future.

44
45 Chair Cassel: Bonnie.

46
47 Vice Chair Packer: I don't have any more questions. I am ready to make comments.

1 Chair Cassel: Anyone else have more questions? Michael.

2
3 Commissioner Griffin: I would like to follow up on this issue of the shuttle, which has come up
4 a few times this evening. We are all aware that the VTA is apparently not in the position of
5 adding any bus routes in the near term what with the financial condition. Is the applicant
6 actively discussing the possibility of operating a shuttle or cooperating with the City's shuttle
7 program in order to provide some sort of public transportation to those people in light of this
8 70% of required parking situation we are looking at on the senior housing site?
9

10 Ms. Grote: Some discussion has taken place. There have been no commitments yet or no
11 resolution at this point but yes there have been discussions and we will continue to discuss that
12 as the project review evolves.
13

14 Chair Cassel: Are there any more questions? We are about ready for bringing it back. Would
15 you mind people if we took a five minute break? Thank you.
16

17 The buzzer has rung it has been five minutes and I would like to have everyone sit down please
18 so that we can proceed. I would like the conversation in the audience to please cease. If you
19 would like to continue talking there is space out in the other room. Thank you very much.
20

21 I would like to close the public hearing at this time and bring it back to the Planning Commission
22 for our comments or discussion. I want to thank all of you for asking almost all of my questions
23 so I didn't have to answer any. I think you did a nice job of covering all my concerns. In our
24 discussion as I looked at it we have a couple of areas we want to be sure we cover. Some of
25 them are the building constraints we have been talking about, effects on the surrounding
26 neighborhood, the BMR requirements and the public benefits. Who would like to start?
27 Annette.
28

29 Commissioner Bialson: In general I think the project is an excellent one. I had some concerns
30 that I think have been generally answered. I am comfortable with the assurance that the BMR
31 units will be built if we do something similar to what we have done in the past and get a deed
32 restriction on the parcel that is going to be used. I initially had some concern that no BMR units
33 were integrated into the for sale units but as I look at it in recognition of the great need we have
34 in this community for below market senior housing and the fact that additional units are being
35 granted as part of this project, 30-plus additional units, I have no problem with the BMR units
36 not being integrated in the for sale ones.
37

38 With regard to the .7 parking for the senior component of this project I thought long and hard
39 about that but I am comfortable with it given some of the experience I have had especially
40 recently with senior housing and with seniors who would be attracted to this sort of housing both
41 low income and senior designated. I think the .7 is acceptable. I am also comfortable with the
42 shared parking with CJL. I recognize that there might be isolated events going on very
43 infrequently that might result in some additional parking demand other than what is provided on
44 the campus but I think that CJL is very familiar with those projects or events requiring more
45 parking and I think we can rely on them to provide the additional parking. The adjacent land
46 uses are not such that they would be occupied at the time that CJL and the housing that we are
47 dealing with here at the BUILD site is fully needing parking. So I think that will be
48 accommodated.

1
2 The 50-foot height limit intrusion I am also comfortable with that. I am sure that the architect in
3 conjunction with our Architectural Review Board will be able to find some way to minimize the
4 intrusion but the amount that has been discussed here is acceptable to me given that this is such
5 an unusual site and that we are trying to accomplish some attainable cost housing.
6

7 I am just looking at my notes here. I see this as a very unusual project and I am interested in
8 having it more fine-tuned the next time it comes before us but in general I am comfortable with
9 it.
10

11 Chair Cassel: Michael.
12

13 Commissioner Griffin: I share Commissioner Bialson's appreciation for the project and I feel
14 that the public benefit is a right on hit. I do feel that we might consider conditioning the project
15 in such a way that the applicant has to put up the BMR units within a certain timeframe so that it
16 is not an open ended situation as to when those senior BMR units will be constructed.
17

18 The traffic patterns are a little tricky at the site. I would feel a lot better if there was some sort of
19 access on San Antonio Road. Given the lack of VTA routes and the inability of VTA to provide
20 any public transit to the site for some years to come I think it is absolutely a requirement that
21 some sort of shuttle arrangement be worked out with the City. There are other aspects, the
22 overall height of the project is a concern but I am willing to let that one go I think considering
23 the fact that most of the height penetrations seemed to be on the Loral side as opposed to some of
24 the other more visible elevations. So all in all I am really looking forward to seeing this project
25 succeed and hope that it gets massaged a bit by ARB tomorrow morning.
26

27 Chair Cassel: Bonnie.
28

29 Vice Chair Packer: I agree with my colleagues' comments so far and incorporate them by
30 reference so to speak but I would like to add a couple of points. I am hoping as the EIR explores
31 some of the mitigations that they explore the use of shuttles and TDM measures and CJL may
32 want to enter into a long term agreements for offsite parking to handle the big events issue. I do
33 have one thing I disagree with Michael a little bit on putting a time constraint on the affordable
34 housing, the BMR project, would probably make it difficult considering the way the financing
35 requests and putting together the financing packages go. It isn't always that simple to do that
36 because of the timing and the application requests and the point systems and all this stuff that
37 you have to do to get affordable housing money. However, the suggestion that we were
38 exploring about putting a deed restriction on that site might work to ensure that it remains a site
39 only for affordable housing. I also would like to see the circulation in the area studied and
40 hopefully the EIR will explore that and explain to us when it comes to a decision point what is
41 going work on San Antonio, Charleston and Fabian in terms of moving the traffic around. I
42 think the height penetrations are justifiable and make sense and are not there to add any more
43 density. The density is exciting and appropriate for Palo Alto and I look forward to this
44 additional housing. The other thing though is I am a little concerned with because they are two
45 separate legal entities the CJL and the BUILD project that the agreements between them and the
46 covenants and restrictions that are running with the land are clearly explained to us so that there
47 is a level of comfort when later down the line we have to look at this for final decisions that we
48 have this level of comfort that these things are really going to happen such as shared parking and

1 the driveway access and the other ways that for example if the seniors in the senior project are
2 going to have access to the dining rooms in CJL. Some of these things we would like to see but
3 at this point I feel confident the applicant and CJL can be working together and coming up with
4 wonderful uses for this 12.2-acre area.

5
6 Chair Cassel: Pat.

7
8 Commissioner Burt: I would like to support for the most part the comments made by fellow
9 Commissioners so far. As we have all recognized it is difficult to look at one portion of this
10 project, the attainable and affordable senior housing, separately from the CJL. In that vein as we
11 have looked at the reduced parking for the senior housing one of the things that I think would be
12 important is that we try to provide services adjacent to that housing that would enable those
13 seniors to not necessarily need cars or for any of those residents to reduce their trips we have a
14 proposed café at the CJL. I would very much like to see an exploration of a minimal mom and
15 pop sort of store incorporated within the café as a condition of approval when we go forward
16 because frankly I think it is really vital that we don't require those residents to get in their car to
17 get a loaf of bread or a quart of milk every time they need to do a minimal shopping. We really
18 to my knowledge I don't think have any adjacent walkable services in that area and we could
19 have enough of a critical mass that we just incorporate it in the café function. I think that could
20 be quite a bit of a trip reduction. Also regarding the height issue we have a number of issues that
21 we are weighing we certainly have an existing structure that if we were not going forward with
22 this program is 96 feet. So we have a significant improvement in the overall reduction in height
23 by the replacement building. We also have the mandated elevated grade at the foundation level,
24 which really in a way creates a definition of building height that is greater than the structure
25 itself. It certainly makes the top that much taller than the natural grade and yet the building itself
26 isn't as much taller. I think that is an important consideration. On the other hand we do have a
27 concern on the precedent of breaking the 50-foot limit. The concern that I have is that we are not
28 only looking at allowing it for the senior affordable but for a for profit albeit what is defined as
29 attainable units but they are not the same tradition that we have had on Variances that we have
30 granted some pure affordable units. So we may not be able to avoid that 50-foot envelope but
31 any things that we can do to minimize that I think we should continue to explore and work
32 closely with the architects to try to keep those protrusions to a minimum. Then finally, within
33 the DEIR I presume that we will have an origin/destination analysis. Is that part of it? Great. I
34 know that some of the comments that talked about that and the impact on adjacent intersections
35 and I am seeing Staff acknowledge that that would be part of it and that is great. Thank you.

36
37 Chair Cassel: Lee.

38
39 Commissioner Lippert: I am going to try a stab at a motion.

40
41 Chair Cassel: What we do here is make our comments and then a motion is to move it forward.

42
43 Commissioner Lippert: Okay, I will make my comments and then I will make a motion.

44
45 Chair Cassel: Go ahead and then I will make my comments after your motion.

46
47 Commissioner Lippert: I am pretty much in agreement with what my colleagues have said here.
48 One other thing that I think can be thought about or should be considered is our body has the

1 ability to require applicants to provide story poles on projects and in this case it is a rather tall
2 project. But we already have in some way a facsimile story pole already there in the way of a
3 rather tall building. So in order to alleviate some of the concerns of the neighboring community
4 and so that this Board and Commission can see this maybe we could have several benchmark
5 markings placed on the existing building indicating what the maximum height of the building is
6 going to be in those areas where it is going to occur as well as marking on there what the
7 maximum height of the equipment screens would be and also show what the minimum height of
8 the building might be in certain adjacent locations. So that will give us a pretty good benchmark
9 as to how this building would be viewed from both San Antonio Road as well as from Fabian
10 Way and even from the adjacent neighborhood. They should be able to see it pretty clearly as to
11 whether it is a concern or not.

12
13 Commissioner Burt: Lee, we might have some competition on who gets to tag the building.

14
15 Chair Cassel: Of course that could give you some general heights it can't be exactly there
16 because the building doesn't cover the whole space.

17
18 Commissioner Lippert: The good news is that where the building is located however is where
19 the maximum height of the development is so I think that that will really address and alleviate
20 most of the concerns that we might have as a board or the neighbors.

21
22 Chair Cassel: Now you are going to make a motion?

23
24 MOTION

25
26 Commissioner Lippert: Yes. I would like to just make a motion that this move ahead and that an
27 EIR be drafted and that several things be considered. One is making sure that the senior housing
28 site that the proper language is put in place that dedicated that site for senior development and
29 that it can't be used for any other purpose. That in addition to that the appropriate easements are
30 outlined both on this site and the adjacent site for access to that site. With regard to the BMR
31 units that that is properly addressed I think as far as I am concerned the required BMR units
32 should be pay as you go or financed as you go with the development until the point that the
33 senior housing is built then it can go anywhere it needs to go. The last part of my motion is that
34 a study be done with regard to a shuttle for that site.

35
36 Chair Cassel: Is there a second? Let me see if I can reword that motion because you have a lot
37 of pieces in there I think. We move this forward to the Architectural Review Board and for the
38 Draft Environmental Impact Report to be done or the Environmental Impact Report should be
39 done. That there be a deed restriction for the senior housing. Where I lost you was and I am
40 wondering if we are supposed to be doing this at this time. I think the motion is just simply to go
41 forward and I think you may be getting into more detail with the BMR units. Let me check with
42 the attorney, is this okay?

43
44 Commissioner Lippert: The BMR units, can they be pay as you go?

45
46 Chair Cassel: The question is the motion is usually quite simple on a first review and our
47 comments are all added into everything.

48

1 Commissioner Lippert: Okay.
2
3 Mr. Dan Sodergren, Special Counsel to City Attorney's: That is probably the best way to go in
4 this case is to move it forward to the ARB and then these other items would be simply
5 comments.
6
7 Chair Cassel: All your comments are considered and they look at all of them. Is that okay?
8
9 Commissioner Lippert: Okay.
10
11 Chair Cassel: So the motion will simply be to move this forward to ARB with the development
12 of the Environmental Impact Report and all of our comments are to be included.
13
14 Commissioner Lippert: That's fine.
15
16 Chair Cassel: Michael is going to second that.
17
18 SECOND
19
20 Commissioner Griffin: Second.
21
22 Chair Cassel: I haven't had a chance to make my comments I would like to do that. I would like
23 to pretty much just reinforce what everyone else has been saying. I am very concerned about
24 those seniors in the back units being isolated and so I am very concerned about the bridge across
25 and how that is going to be working. I am also concerned about something other people haven't
26 mentioned and that is what the appearance is going to be at grade with all of this on podium. I
27 am sure the ARB will work with that nicely. I have a feeling that there is another piece that has
28 not been said and I suspect that the Fire Department is going to be very concerned about having
29 other accesses onto this site so I suspect that our concern that there be other entrances and exits
30 will be met in some way to meet the Fire Department needs for safety access. I am somewhat
31 concerned about play areas because although this says open space and our PC area allows for
32 that I don't again I don't know how this fits into the CJL and I am hoping that by the time this
33 comes back to us we have a much better sense of what the integration is going to be with the
34 other site. It came as a ten-acre site and we were told it was going to be developed relatively
35 together. So I am hoping we will have more information by the time this comes back about how
36 some of those services will be met and what will be over there. Otherwise I will just reinforce
37 what other people have been saying. Thank you.
38
39 MOTION PASSED (6-0-0-1 with Commissioner Holman absent)
40
41 Now is there any other discussion about the motion? There being no other discussion I will call
42 for the vote. All those in favor please say aye. (ayes) That motion passes unanimously with
43 Karen Holman absent. That closes that item.
44
45 I want to thank everyone for a good presentation and a lot of work. We thank you very much for
46 bringing this forward and good luck going ahead.
47
48 We have no minutes to approve at tonight's meeting.

1
2 **APPROVAL OF MINUTES: None.**

3
4 Chair Cassel: Are there any announcements or comments by the Commissioners?

5
6 **COMMISSION MEMBER QUESTIONS, COMMENTS, AND/OR ANNOUNCEMENTS.**

7
8 Chair Cassel: I would like to encourage everyone to go tomorrow night if you have not already
9 been to one of the zoning R-1 discussions that are being held in the community. The next one I
10 think is at Community Center.

11
12 Mr. Steve Emslie, Planning Director: No, Cubberly.

13
14 Chair Cassel: Cubberly.

15
16 Mr. Emslie: H-5.

17
18 Chair Cassel: H-5, that is helpful because that is a bigger place than finding it at Lucie Stern.
19 The room was overflowing last night for the discussion, which was very encouraging.

20
21 Pat or did someone down here want to say something?

22
23 This weekend we are going to see a site up in the hills. The announcement and directions should
24 be in your packet. I am sure they are going to have directions for us. We need to call the owner
25 of the site so he knows we are coming so they can be sure they have the dogs inside and the gate
26 open. If you can't come at that time please let us know because again you will need to call and
27 make arrangements. We have talked to the City Attorney about this because you will in fact
28 have to talk to the owner in order to go up and see the site. He said he felt this was the best way
29 to proceed of all the options that we had. You will have to go up and say hello to him. I thought
30 maybe for four hours or six hours just keep them in but they are asking us to call.

31
32 Anything else? Thank you everyone.

33
34 **NEXT MEETING:** Regular Meeting of December 8, 2004.

35
36 Chair Cassel: I will adjourn the meeting.

37
38 **ADJOURNED: 9:30 P.M.**