



CITY OF PALO ALTO CITY COUNCIL TRANSCRIPT

Special Meeting
January 30, 2017

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:07 P.M.

Present: DuBois arrived at 5:15 P.M., Filseth, Fine, Holman, Kniss, Kou, Scharff, Tanaka, Wolbach

Absent:

Closed Session

1. CONFERENCE WITH CITY ATTORNEY-EXISTING LITIGATION
Subject: Buena Vista MHP Residents Association v. City of Palo Alto, Santa Clara County Superior Court, Case No. 115-CV-284763
Subject Authority: Government Code Section 54956.9(d)(1)

Mayor Scharff: Now, we're going to go into Closed Session, a conference with City Attorney, existing litigation, Buena Vista residents versus City of Palo Alto, Santa Clara County Superior Court, Case Number 115-CV-284763. I need a Motion to go into Closed Session.

Vice Mayor Kniss: So moved.

Council Member Wolbach: Second.

MOTION: Vice Mayor Kniss moved, seconded by Council Member Wolbach to go into Closed Session.

Mayor Scharff: Vote on the board. That passes on an 8—with one Council Member, Council Member DuBois, absent.

MOTION PASSED: 8-0 DuBois absent

Council went into Closed Session at 5:07 P.M.

Council returned from Closed Session at 6:06 P.M.

Mayor Scharff announced no reportable action.

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Special Orders of the Day

2. Selection of Applicants to Interview on February 1, 2017 for the Historic Resources Board, the Parks and Recreation Commission, and the Planning and Transportation Commission.

Mayor Scharff: I guess the next thing is the Special Orders of the Day, which is selection of applicants to interview on February 1st, 2017, for the Historic Resources Board, the Parks and Rec Commission, and the Planning and Transportation Commission. Who are we missing? I think we're just missing Eric. Eric. At places, we have a list of people. If you look on two, we have a list of people that have applied. We now have 11 people for Parks and Rec, and we have 13 for Planning and Transportation Commission. What I'm going to suggest is that we don't re-interview anyone for Historic Resources Board. It's the same number of people; there's no new applicants. Would you rather us vote at the next Council meeting or the Council meeting after that, if you're Staff?

Beth Minor, City Clerk: The Council meeting after that, on the 13th.

Mayor Scharff: The preference is we vote on the 13th. What I'm going to suggest we do on the Parks and Rec and the Planning and Transportation is that we interview all the candidates who are new, and all the candidates that have been interviewed have the option to interview, if they want to, a second time. That way anyone who wants to interview, who's applying, gets to interview for the position, but they don't feel like they have to if for some reason they don't want to.

Council Member Holman: Second that.

Mayor Scharff: Wait, it's not finished yet. On the Planning and Transportation, instead of doing 15 minutes we do 10 minutes like we did the first time we went through these interviews. We did 10 minutes. I just want to make sure we're consistent with what we did last time, which was 10-minute interviews. Do I still have your second? That's seconded. Any discussion?

MOTION: Mayor Scharff moved, seconded by Council Member Holman to:

- A. Interview all new applicants for the Parks & Recreation Commission and the Planning & Transportation Commission; and
- B. Interview all previously interviewed applicants for the Parks & Recreation Commission and the Planning & Transportation Commission if they would like a second interview; and

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C. Limit Planning & Transportation Commission interviews to 10 minutes.

Vice Mayor Kniss: Yes. Since I'm not doing the math that quickly in my head, just tell me how much time is there, that we're actually going to put into it, if everybody wants to be interviewed again?

Mayor Scharff: 6:00 to 10:00 roughly, maybe 10:30 because we may have a little break.

Vice Mayor Kniss: So 4 1/2 hours?

Mayor Scharff: Roughly, yes.

Vice Mayor Kniss: Is there a strong reason to interview everyone who has already been on tape and has been interviewed before? I'm mostly interested in new Council Members.

Council Member Fine: I've had a chance to review the videos, and I'm comfortable with those interviews as is.

Vice Mayor Kniss: If there's support for it, Mr. Mayor, I would suggest that we not interview everyone who has been interviewed before and that we take up the new candidates.

Mayor Scharff: How does my seconder feel about that?

Council Member Holman: Speaking to my second. I actually think we ought to give any of the applicants who want to be interviewed the opportunity to be interviewed according to the original Motion. Two reasons. One is it's a little different watching an interview than being able to ask your own questions. Yes, this is a significant time constraint. If I can make a reference to our Code, when one's asking for a variance, one can't create one's own hardship and then ask for a variance. I'm just going to refer to that and say I think we've created our own hardship. I think the polite and reasonable thing to do is offer the opportunity to any applicant.

Mayor Scharff: That would not be accepted as a friendly. If you want to get a second to it, I'm happy to have an Amendment.

Vice Mayor Kniss: If all the new members really feel strongly about it, I'm okay with it. We just interviewed them in the fall. I recognize and certainly am familiar with them, but I don't think anyone should be not given their day in court if the three new people on our board wish to do so.

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SUBSTITUTE MOTION: Vice Mayor Kniss moved, seconded by Council Member XX to interview all new applicants for the Parks & Recreation Commission and the Planning & Transportation Commission.

SUBSTITUTE MOTION FAILED DUE TO THE LACK OF A SECOND

Mayor Scharff: Tom, I see your light on. Do you need to talk?

Council Member DuBois: Is there a second (inaudible)?

Mayor Scharff: No, there wasn't a second for Liz's Motion.

Council Member DuBois: Even though I was at all these interviews, September is a lot further away than November. If somebody wants to interview, I think they should have a chance.

Mayor Scharff: If we could vote on the board. That passes unanimously.

MOTION PASSED: 9-0

Vice Mayor Kniss: Mr. Mayor, could I suggest we start at 5:00 instead of at 6:00?

Mayor Scharff: I thought of starting at 5:00, but ...

Vice Mayor Kniss: Or even 5:30.

Mayor Scharff: I'm happy to start at 5:30 possibly, but I know we may or may not be able to get people in because they were told to keep the evening open from 6:00 onwards. There may be some people—I don't know if it's a hardship on Council Members. If it would be a hardship at 5:30, just quickly raise your hand. It's a hardship on Council Members, on at least two of them. I think we should just start at 6:00. I'm sorry. Moving on.

Agenda Changes, Additions and Deletions

Mayor Scharff: Agenda Changes and Deletions, I don't think we have any.

City Manager Comments

Mayor Scharff: City Manager Comments.

James Keene, City Manager: Thank you, Mr. Mayor and members of Council. First item I want to share with you is that we had a really, really nice recognition of service both to our retired Police Chief, Dennis Burns, and Assistant Chief, Bob Beacom, last week at the Elks Lodge. A lot of folks

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from all over the community and beyond our community showed up and really gave a nice send-off and a lot of stories and respect. Remembrances were shared by people there. That being said, we're out in the initial stages of our Police Chief recruitment. I'll be sharing with Council over the next month or so the process we'll be using. We have fortunately got a revamped command Staff under the direction of Interim Police Chief Ron Watson. I just thought it would be beneficial for the Council to meet them briefly here. I would ask Ron to come up and introduce folks to the Council.

Ron Watson, Interim Police Chief: Mayor Scharff and Council Members, Ron Watson, Interim Chief of Police. I want to thank the City Manager for the opportunity to introduce some of the new command members for the Police Department to a new City Council. For myself, I've been with the City for the past 27 years, been on the management team in the Police Department for the past 10 years. Four of the last five years, I oversaw the patrol division, which is the largest division in the Police Department. It's between 80 and 90 employees and all the folks you see out in uniform that do most of the operational level of work. Patty Lum, who could not be here tonight, is the Acting Assistant Chief of Police right now. She oversees all the daily operations in the Police Department. Patty's been with the Police Department for the past 25 years and last year oversaw the patrol division. I'm going to let the rest of the team briefly introduce themselves and tell you a little about them. First up will be Captain Zach Perron.

Zach Perron, Police Captain: Mr. Mayor, Council Members, my name is Zach Perron. I started with the Police Department as an Explorer Scout back in 1994 and was born and raised here in town. I've been a police officer now for 19 years. I currently oversee our detective division. For the two years before that, I was our Public Affairs Manager and did all of our public-facing social media, website and other items like that. Thank you.

Andrew Binder, Action Police Captain: Mr. Mayor, Council Members, good evening. My name is Andrew Binder. I'm a 19-year police veteran. I'm currently an Acting Captain in charge of the field services division, which is our operations, our patrol division. Prior to that, I was in charge of the day shift, day shift watch commander. Thank you.

Charlie Cullen, Director of Technical Services: Mayor Scharff and distinguished Council Members, my name's Charlie Cullen. Like Zach, I grew up here in Palo Alto, graduated from Palo Alto High School. I'm the Director of the technical services division. Technical services includes 911, records, crime analysis and most of the technology for the Department.

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Mr. Watson: I just wanted to say thank you, and we look forward to working with you in the months to come while the City Manager looks for a new permanent Police Chief.

Mayor Scharff: Thank you very much.

Mr. Keene: I did want to share, since the police just happen to be here, more about COPS but of a different sort. We did get a question from a Council Member over the weekend. I thought I'd provide a verbal response to the entire Council tonight; I didn't have time to be able to put it in an email. It really was just in regard to State and Federal funding. It was prompted by the COPS funding item on Consent for tonight. I did just want to share with the Council that the only Federal funding received is an occasional reimbursement from the Federal Bulletproof Vest Partnership program. This program provides reimbursement to agencies for the purchase of bulletproof vests for officers. We try and seek reimbursement any time we qualify. It's a bit of hit or miss on that. The ongoing funding we get from the State is the annual COPS program to supplement new equipment or programs as outlined in the Staff Report. Some of this funding, of course, can be pass-through Federal funding from the feds who go through the State. We do occasionally get grants through the Office of Traffic Safety and the Alcohol Beverage Control, ABC, for enforcement of traffic or alcohol-related offenses. The proportion of our City Budget that has had any Federal funding in the Police Department is extremely small. From the Fire Department, I did want to share that residents of our community can now request a free home safety visit from the Fire Department. This free risk-reduction program includes individual fire safety training, strategies for limiting slip-and-fall injuries, installation of smoke alarms, and establishing a fire escape plan. Specific emphasis will be on citizens in higher-risk categories for fires and injuries including residents over the age of 65, families with young children, and those with mobility or sensory impairment. Neighborhood fire and medical crews provide this service and advice. The U.S. Fire Administration data shows that adults over age 65 have 2 1/2 times greater risk of dying in fires than the general population. The Fire Department's goal is to reduce our community's risk while supporting independent living. As we all know, the senior population over 65 is the fastest-growing portion of our demographics as a City. Two other items to report. One is just a reminder of a really interesting conversation that the City's Human Relations Commission will hold this Thursday, February 2nd, from 7:00 to 9:00 p.m. at the Palo Alto Arts Center auditorium. It is the first in a series of forums called Being Different Together: Deepening Community Conversations and will focus on individual and community identity as well as commonalities and differences. The goal of the forum series is to create an opportunity to build relationships with

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others and develop a dialog about respect for differences and diversity in Palo Alto. RSVPs are required, so please contact Mary Constantino at mary.constantino@cityofpaloalto.org or call 650-463-4906. I think just on the heels of the Council Resolution that you unanimously adopted about the values of our City as a welcoming and inclusive community, this is a nice session that the HRC is holding. Finally, just an update for folks. We have posted this on our website. It does deal with the Edgewood Plaza hearing related to the appeal of the daily fine that the City has levied against the property owner for failure to meet the terms and requirements of having a grocery store in the shopping center. It has been rescheduled from tomorrow until Monday, February 13th, at 9:30 a.m. We don't have a room yet, but it will be here at City Hall. As I mentioned, we've posted all of the information related to Edgewood Plaza on the City's website at cityofpaloalto.org/edgewood. The hearing is a hearing held by an independent Hearing Officer to hear the arguments. The Hearing Officer is either able to close the hearing or ask for more information but, in any case, would be issuing a decision within 30 days as required under the Code, once the hearing is closed. That's all I have to report.

Mayor Scharff: Thank you.

Oral Communications

Mayor Scharff: Now, we move onto Oral Communications. We have several speakers. The first speaker is Mark Petersen-Perez. You'll have three minutes.

Mark Petersen-Perez: When I think back on my career in financing and in public speaking—I taught public speaking for over 25 years. Much different audience; much, much different audience. There would be maybe 200, 300, 400 in attendance. I'd make them laugh. I'd make them cry, and I'd make them get angry with me. I'm sure that has been the case with many of you here today. What got me angry is when I heard from Ron Watson that Patty Lum is going to be the Acting Police Chief. Let me tell you something. I was accused of some vicious, horrible crimes in this community. The Palo Alto Police Department kind of labeled me as a Brock Turner. That's how serious it was. Now, why am I getting angry? Because Patty Lum called my mother looking for my whereabouts. At the time, my mother was 80 years old, and she was in tears when I came home that evening. I was angry because there is no room, absolutely no room whatsoever, for an abusive police officer to remain on this force. If I had my choice, I would terminate her employment because my mother has said nothing negatively about the Palo Alto Police Department all these years, over 10 years. You know what she would tell me? Mark, have respect for these officers. Mark, these officers

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are different. Never a negative word. Ron Watson as the Acting Police Chief needs to pay my mother a visit and personally apologize to that woman. She's 92 years old. Now, speaking publicly, I've learned to switch gears rapidly. That's—extemporaneously is the word I'm trying to get out. I taught my students to do that, to move quickly on their feet and to demonstrate power, pitch and modulation. Have I demonstrated that to you this evening? Do I come through loud and clear? I'm just a little bit angry that Patty Lum or Patty Lump of human flesh is the Acting Police Chief. She should be terminated.

Mayor Scharff: Sea Reddy to be followed by Stephen Levy.

Sea Reddy: Good evening, City Council, Honorable Mayor, Vice Mayor and citizens of Palo Alto. I am going to talk about something just as disturbing, but we need to talk about it. We're at a crossroads. We have seen on the television over the weekend how approximately 109 people were subject to additional questions and interrogation and being in the airports and all that. Waiting is a great thing. We want to make sure that nobody does any harm to us. There is 13 million people that have come to this country just like me, that have been here, that have not been vetted properly. Some of them have been; some of them haven't been. I think it would be wise for the President and the team to vet all the people in the country who might harm us. You never know. Proper resources need to be put to make sure that we are safe, and the country. Fortunately, we have right here a great team, two miles from here at Stanford. Dr. William Perry was the Defense Secretary. He's working on nuclear arms reduction. This is a fantastic time to work with the Soviets to try to get to the arms reduction. It's going to be monumental. I think it's time we do this. We want to keep the world a safe place, and the opportunity is here. I worry about this, and I am sleepless sometimes. The countries that have nuclear material and how they go about doing things, what they shouldn't be doing, harming us. Thank you.

Mayor Scharff: Thank you. Stephen Levy.

Stephen Levy: I'd like to thank you, Mayor, for at the Retreat on Saturday letting the people who wanted to speak, speak on time and before the item. I hope that's a precedent we can carry forward. I'm really lucky. I live a block away, so I can go back and forth between Channel 26 and basketball. When I see you're on, I can walk right over. There are lots of people that have really busy schedules. I hope in the future that we have set times for public comment at the start of an item. I know an item can run later. To come here and not know whether we're going to listen to you first or the Staff first is a huge burden. I hope we can do that. I want to follow up on what Council Member Wolbach said at the Retreat. I usually don't think of

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the Council getting involved in national affairs. That's a little abstract to me. What Cory said about the threats to civil and human rights—we're just in this massive infringement. It's both a moral issue, as we see our leaders around here talk about it, and it's an economic and quality of life issue for us particularly in Palo Alto and the center of innovation. Thanks, Cory. I hope we can find some way to bring that up on the Agenda and so some action around it.

Mayor Scharff: Thank you.

Consent Calendar

Mayor Scharff: Now, we move to the Consent Calendar. I don't have any speakers on the Consent Calendar. If I could get a Motion to approve the ...

Vice Mayor Kniss: Move approval.

Mayor Scharff: ... move approval. I'll second that.

MOTION: Vice Mayor Kniss moved, seconded by Mayor Scharff to approve Agenda Item Numbers 3-4.

3. Approval of the Acceptance and Expenditure of Citizens Options for Public Safety (COPS) Funds on Various Law Enforcement Equipment and Approval of a Budget Amendment in the Law Enforcement Services Fund.
4. Resolution 9664 Entitled, "Resolution of the Council of the City of Palo Alto in Collaboration With the Cities of Redwood City, Menlo Park, and Mountain View Directing Staff to Participate in Sub-regional Planning on Bike Routes."

Mayor Scharff: If we could vote on the board. That passes unanimously.

MOTION PASSED: 9-0

Action Items

5. Comprehensive Plan Update: City Council Review & Direction Regarding the Draft Land Use & Community Design Element and the Revised Draft Transportation Element.

Mayor Scharff: Now, we're on our first Action Item and only Action Item, the Comprehensive Plan Update. Do we have any public speakers? If you want to speak on this item, I would appreciate it if you could get your cards

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in now. You'll each have two minutes. Our first public speaker is Annette Glanckopf, to be followed by Grant Dasher.

Annette Glanckopf: Good evening, Mayor Scharff and Council Members. Although I'm on the Comp Plan task force, these are my individual comments. I did send you a letter on this, so I'll just highlight some areas. First, our three neighborhood retail centers are very important and need to be preserved. Yes, retail is changing, but we still need local, walkable retail. The barrier right now is high rents and redevelopment. Touching on three points. Childcare does not belong in the three neighborhood centers, Midtown, Charleston and Edgewood. It's busy; they don't have a place to play; cars are moving around. There's noise, traffic, etc. Two, I do not support housing in Town and Country, nor do I support it in Midtown or in Charleston Plaza. Edgewood already has housing. Goal 3, do not allow small-scale retail in residential areas other than those that are there now, such as in Downtown, for a number of reasons. Caps are important and effective tools for controlling and guiding growth. I have commented on that. The development requirements and community indicators are not ready for prime time; although, there are some very, very good ideas in the table. I prefer to have caps. As far as building heights, keep the 50-foot height limit to preserve our quality of life. I do support retail with housing above. In those cases, I don't think you need an expansive, large first floor because most of the retail that will focus there will be small, retail-like coffee shops, doctor offices, nail salons, etc. As far as land use on Point 9, let's think seriously about larger front setbacks. They shouldn't be at the sidewalk along El Camino. On point 10, immediately start Action, develop a group for the Fry's concept plan. Finally, there's a lot of good language in the Comp Plan now. On the very last comment on Page 98, I support retaining language of a previous policy, preserve the scenic qualities of Palo Alto roads and trails for motorists, cyclists, pedestrians and equestrians. Thank you.

Mayor Scharff: Thank you. Grant Dasher to be followed by Greg Schmid, former Vice Mayor Greg Schmid.

Grant Dasher: Hi. I'm Grant; I live in Midtown. I really want to thank the Citizens Advisory Committee and the Council for all the hard work that's gone into this. I moved to the City relatively recently, but I know there's a lot of hard work that's gone into this process. I'm happy to get involved, at least at this late time. I wanted to talk briefly about caps and, if I have time, about heights. I think I really understand the appeal of caps, but I think they're a bad policy initiative for a couple of reasons. This City is considered the jewel of Silicon Valley, not just because of its strong residential community and schools but also because of the fact that some of

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the most famous companies in the history of the world have their origins here. That's not something that many cities can say. Think about that. Some of the most famous in the history of the world. I think when we send a message that we put in housing caps and things like this, we create an incentive for these businesses to move elsewhere, whether within the Valley or to San Francisco or to other communities entirely. The relationship between residential and office/R&D is actually a synergistic one. It contributes to a strong tax base that allows us to maintain a super low residential property tax. A lot of communities can't do that because they don't have that alternate source of revenues. Additionally, I think it generates demand for the retail sector in the Downtown region that sustains the kind of retail that a lot of people want. Net-net, it's good. On height limits, I think the debate on this is a little straw man at times. Relaxing the height limit and building a 70-foot building does not convert us into the financial district. We have regions of the City which have relatively compact development, and I would like to see some experimental taller buildings. I think they could be architecturally integrated into the City. We can solve what is a massive housing crisis. There are senior citizens who are banking on the equity in their homes to support their retirement, who cannot do that when they leave without moving out of the City, because there's nowhere for them to buy into that's smaller. I think it's vital that we confront the housing crisis by relaxing the height limit. Thank you so much.

Mayor Scharff: Thank you. Former Vice Mayor Greg Schmid to be followed by Jessica Clark. If we could refrain from clapping, we sort of have a rule against it.

Greg Schmid: Good evening, Council Members. Tonight's a special night, your first opportunity to really talk about land use and transportation together. L-8 was a policy in the current Comp Plan that does that, talks about the two. It states explicitly commercial growth limit to minimize deteriorating traffic conditions within the City. You discussed the other day the Citizens Survey. The Citizens Survey clearly identifies deteriorating traffic and parking conditions. If you look at the historical numbers in that survey, traffic flow, ease of parking, ease of car travel, housing options, the 2016 numbers were all 15-30 percent beneath the levels of the previous five years. Five years below that, they are between 30 and 55 percent beneath. We're in the midst of deteriorating conditions. What does L-8 say? It said there should be a growth cap of 3.2 million square feet. The current proposal before you says, we've only used 1.5 million, so it leaves us with 1.7. Those are only under monitored conditions. If you take total nonresidential growth, there's actually two million other square feet that have gone into hospitals and not-for-profits. The Veterans Hospital, the Palo Alto Medical Clinic, the Stanford University Medical Center actually took two

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million square feet. There's none left. Even if you take only the monitored piece, the monitored piece of 1.7 million over the next 15 years means 113,000 square feet per year, 50/50 as it's put in here. That is twice the number that we've had over the last 27 years, two times as high. I ask you to look at the bottom of Page 10 in the City Manager's Report, the last two lines. They say explicitly that transportation demand management should reduce trips to current offices. Weigh this. Be explicit in your discussions and your votes tonight about whether traffic mitigations deal with the current deteriorating conditions or just new conditions that will come. Thank you.

Mayor Scharff: Thank you. Jessica Clark to be followed by Nga Pham.

Jessica Clark: Hi. I want to strongly urge the Council to please be bold and aggressive when you're considering all the limiting laws and policies currently in place that have done nothing but perpetuate the housing crisis. While trying to preserve the so-called quality of life and the aesthetically pleasing ambience of Palo Alto's suburban lifestyle, we've done nothing but chip away at the very foundation and glue that holds this City together. If we do not want to take away from our open spaces, then the only option we have is to densify and build up. This can be done in smart, meaningful ways. We just need to be willing to try. We need to be creative and innovative. We must be open to building all types of housing. We need height limits flexible in areas it makes sense. We need mixed-use developments. We need ADUs. We need cluster housing. We need it all. On the topic of childcare/daycare usage in any of these potentially new properties, the absolute last thing you want to do in this City is put limitations and restrictions on whether or not a daycare center or home is allowed. Affordable childcare in Palo Alto is nearly impossible to find. I lost my home daycare due to the housing crisis. I currently know of two more daycares that will most likely be closing their doors within a year and looking for another city to live in. This is just one example of what I mean when I say we're chipping away at the foundation of our community. Over the past few months, I've attended many local events and forums, listened to various panels on the issue of housing. I must say it's completely embarrassing and almost shameful when Palo Alto is put in the spotlight compared to our neighboring cities. We look like elitists, like we're better than everyone else, like it's not our problem to fix. We're not addressing the crisis head-on like our neighbors. We can and must do our part. Tonight, I strongly urge Council to be bold, aggressive and swift when you're considering all of the limiting policies standing in the way of us truly taking care of our community as a whole. Please act quickly. So many of us are running out of time.

Mayor Scharff: Thank you. Nga Pham to be followed by Elizabeth Lasky.

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Nga Pham: Hi. My name is Nga Pham. I am here representing Mothers for More Housing. It's a new UMB [phonetic] group. I'm actually not from Palo Alto, but I am a housing builder. Mostly this came as a response to the complete scarcity of housing for young families. I know, first-hand experience, how it affects people like me. I was sent over a memo of what the regional UMB group supports. That's expanding housing sites. Although, what they're supporting is multifamily housing at the Stanford Shopping Center, the multifamily housing at Stanford Research, etc., etc., at Stanford University Medical Center, I understand those pieces of land and tracts are comingled. Because Stanford owns their own land and they set their own rules, that's not really within the City confines, but I'm all for that. What I'm seeing on this map for the intensification process is the SOFA I and SOFA II caps, the areas that are in beige, that are multifamily responsive. That seems to pale in contrast to the single-family color coding, which pretty much takes up two-thirds of the zoning. I know you guys collect most of the tax monies from office, and that's ...

Mayor Scharff: That was the buzzer, just so you do need to wrap.

Ms. Pham: What I'm suggesting is that you do accommodate for more small families by expanding more multifamily in the Oregon Expressway or letting that be up-zoned more easily. That can connect and "T" into ...

Mayor Scharff: Thank you.

Ms. Pham: ... that area.

Mayor Scharff: Stephen Levy to be followed by Elaine Uang. Did I forget Elizabeth Lasky? Elizabeth, come on. I ...

Stephen Levy: Elizabeth's first, right?

Mayor Scharff: She was. Elizabeth, Stephen, Elaine.

Elizabeth Lasky: Thank you for listening to me. I'm Elizabeth Lasky, and I also represent Mothers for More Housing. Regarding the Comp Plan, I understand that childcare is being challenged as a legal use of some commercial spaces. As a mother, you can imagine where I stand on that. Also as a mother with a growing family, I oppose limits on residential development, whether it be the height limit or restrictions of multifamily zoning. We need to help the housing supply meet the real demand of young families today. A two-bedroom apartment around here goes for more than \$3,000 a month. A single-family house hasn't been affordable by many single families in 20 years. At least an apartment would be more dignified than the families I know who squeeze into sublet bedrooms. Thank you.

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Mayor Scharff: Thank you. Stephen Levy to be followed by Elaine Uang.

Mr. Levy: I think on behalf of all of us, thank you again for allowing all of us to speak early. Three topics: positive engagement seeking opportunities with Stanford; action on your fourth Priority from the Retreat about the fiscal health; a general attitude of flexibility in a Plan that goes to 2030 in times and situations we can't possibly anticipate. It has to be true that if you're thinking of housing opportunities or opportunities where TDM programs are likely to succeed, they are on City lands owned and operated by Stanford. I think a positive attitude like we had with the Medical Center can bring benefits to everybody including a good chunk of money to help us with infrastructure. You have a bunch of land use policies about that. Fiscal is one sentence. Fiscal impacts are all through your land use. If we're thinking about the City Budget, hotels are the first thing that come to mind, but all of those policies are made better by land use choices that raise revenue. Last, be flexible where you can. Restricting things, not knowing what's going to happen in 15 years, is just against everything I know as a long-term regional planner. Flexibility, I think, is a watch word.

Mayor Scharff: Thank you. Elaine Uang to be followed by Olya Kransykh.

Elaine Uang: Hi, good evening. I am Elaine Uang. I am a member of the CAC, but I'm speaking tonight as an individual. These thoughts are my own. I want to just thank you all for reviewing this. This is an incredibly complex document. It's very detailed. A lot of work has gone. I sit on the transportation subcommittee for the CAC, and I think the product that you're seeing for the Transportation Element is actually quite good. I was not able to weigh in as much on land use, and I just want to share a few thoughts with you and push for some of these Staff options that have been outlined in the Report. Regarding land use housing sites, the Stanford Shopping Center and Town and Country are probably the two priorities that we should really consider. They're close to services and very transit accessible. I think next would be to consider SRP and the Stanford Research Park-El Camino corridor, which is adjacent to California Avenue. Reconsidering San Antonio sites is also a good idea, since it's now very close and adjacent to North Bayshore, and we know what Mountain View is going to be doing in that area. I would also like to echo Steve Levy's comments about flexibility, in particular on height limits but also density limits for housing. Let's think the Hotel President on University Avenue, which is basically the only housing project we have on University. It's 7 stories tall, 192 units per acre. Let's also think a little bit more about potential multifamily sites. Can we think about existing multiuse family designations? Is RM-15 the right thing or can it shift to RM-20 or RM-30 just to allow one or two smaller units on the same parcel? Can we think about R-2 lots that might be bigger, near Downtown,

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near Cal. Ave., that can accommodate linking land use and transportation? You've mentioned this in your deliberations. It's so important. I think area plans are the one big piece that we've overlooked in the Comp Plan discussion. Area plans are the primary tools to integrate heights, square footages, building volumes, community design and align all of these things with sustainable transportation policies, like the transportation demand management and the Transportation Management Association, transit benefits, Caltrain, VTA, SamTrans, and also thinking about biking and walking infrastructure. I encourage you to think about those for Downtown, including SOFA, and all of California Avenue, not just Fry's, at a minimum. Thanks.

Mayor Scharff: Thank you. Olya to be followed by John Kelley.

Olya Kransykh: Good evening, Council Members and my fellow Palo Altans. I have lived in this area for 20 years, went to Stanford both undergrad, grad and SHP just down the road for high school. I have a degree in sustainable design and construction from Stanford University. I'm deeply passionate about sustainability. I work now in the built environment industry for that specific reason. One of the largest impacts to greenhouse gas emissions is transportation, as you know, single occupancy vehicles. The amount of those cars we have on roads are directly related to our land use policies. I'm here today to speak to you and echo Stephen's comment about flexibility and planning for the future and planning for those of us who would like to see Palo Alto thrive. I think we have an opportunity here to do so while preserving the single-family communities. I would like to see us focus on the multifamily sites that we have, commercial zones, and providing flexibility for what they can become. I would like to see more walkable retail and housing near services. I think we can accomplish that here with many of the policies that are before you for review, including loosening the height limits, providing opportunities for, as Elaine mentioned, the special plans to create more flexibility. Again, that's the message. We need to create more flexibility for what we can build so that we can see thriving communities here in the future. Thank you very much.

Mayor Scharff: Thank you. John Kelley to be followed by Lynn Melena.

John Kelley: Mayor Scharff, Vice Mayor Kniss, Council Members, I'm not going to do the thing about how many times I've been here before, because that's beginning to sound like a broken record. I want to thank you for really stepping up to the plate tonight and talking about housing and transit and the Comp Plan as a single unit. First of all, I just want to associate myself with the remarks of Grant Dasher, Stephen Levy and Elaine Uang. They know the details of this far better than I do. What I'd like to

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communicate to you, as I've tried to do before, is why is housing important and why is loosening the restrictions on commercial development important. When people talk about the quality of life in Palo Alto, there's just one very simple answer for me. It is not parking. It is not having a series of green lights going down Middlefield. It is not being able to get to and from 101 or 280 as quickly as possible. It is one very simple thing. It is people. It is each of you who are going to vote on this stuff tonight. It's all the people here. It's even the people with whom we disagree. The thing that's most important for me about people is friends and family. What we've been doing with the housing policies that we've had for the last 20-odd years—we've been destroying diversity. We know it's happening nationally. We are really dealing with related issues here. Are we simply going to be a community of the most wealthy in the world or are we going to be a community that respects continuity of families, continuity of friendships and continuity of the people living here? We've had our sons come back and forth and live with us for month and sometimes close to a year since they've graduated from college. I've got a mother who's living here in town. I've had a father and a mother and brother and a great-aunt who have all lived in town. One of them used to manage the President Apartments. If we don't do something dramatically about housing, families are going to be torn apart, and we're going to lose what's most vital and what's greatest about Palo Alto, our friends and our family. Thank you.

Mayor Scharff: Thank you. Lynn Melena to be followed by Mark Mollineaux.

Lynn Melena: Mayor Scharff and members of the Council, my name is Lynn Melena. I'm representing the League of Women Voters of Palo Alto tonight with a letter that we have sent you. The League of Women Voters of Palo Alto congratulates the Citizens Advisory Committee and the Planning Staff for all their hard work in bringing these draft Comprehensive Plan Elements to you tonight. We also applaud the City for involving a broad spectrum of the public to weigh in on the process consistent with the League of Women Voters' position of ensuring maximum opportunity for public input at all stages of the update process. You are being asked to provide guidance on multiple policy issues in particular as you evaluate the many options before you within the draft Land Use and Community Design Element. The League encourages you to consider the League's longstanding positions on housing. These include improving the diversity of housing, opportunities for all economic levels, ages and ethnicities; increasing the number of multiple family units in areas that provide access to transportation services and shopping; support of mixed-use development with a combination of diverse housing types, office and retail; and most importantly efforts to encourage the development of housing that is more affordable for all. To accomplish

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these important goals, the Zoning Code should be geared for increasing the housing supply by allowing smaller units, accessory dwelling units, realistic parking requirements, and rethinking height limits where appropriate. As you provide guidance on the draft Transportation Element, we encourage you to consider the League's positions that support measures and options to promote the efficient flow of traffic; minimizing the use of single-occupant autos; and encourage the use of alternative transportation modes. The League also supports a transportation system that offers viable alternatives to single-occupant vehicle use that is multimodal, efficient, convenient, reliable, effective, equitable, accessible to all people, particularly those who are transit dependent, and safe for vehicles, pedestrians and bicycles. Thank you.

Mayor Scharff: Thank you. Mark Mollineaux to be followed by Dan Garber.

Mark Mollineaux: Hi there. Mark Mollineaux. I graduated from Stanford, and now I live in Redwood City. Zoning is a State right—the State of California resides in Sacramento—but it's entrusted to all cities to implement their own zoning with the thought that each city will be able to do that correctly for its own good but also serve the regional good and serve the State good. However, the zoning plan here, all of the options, I would say, don't begin to serve the regional or State good. It really only serves the local good of Palo Alto. There's some system that makes this inevitable. Who has standing to approve this? It's not people from outside of Palo Alto who can't afford it. It's only Palo Alto residents and people who aren't outside Palo Alto. People who work here—they may be the people serving you in all the businesses here in Palo Alto, even well-paying jobs—still can't afford to live in Palo Alto. We want to be welcoming to immigrants who seek opportunity. They have no say in that they're coming into a place that has enough housing for them. A second thing that makes this inevitable is the financial scheme. Due to the economics of Prop 13, every city in the Peninsula has the incentives to build all businesses, all commercial zoning, no housing. It's a broken system. It's inevitable Sacramento is going to have to do something about this. There's more renters every year; there's less homeowners every year. Sacramento has a bunch of bills right now to take away the local zoning power. I guess the thing is I think Palo Alto needs to see what their role is to influence Sacramento. My personal charge is I'd like to hear what Palo Alto's recommendations are to Sacramento, because the system doesn't serve Palo Alto sustainably for the future. I'd like to see what you think is a sustainable path forward that serves Palo Alto and serves the region and makes locals and people who would like to be Palo Alto locals both happy. Thank you for your time.

Mayor Scharff: Thank you. Dan Garber to be followed by Rita Vrhel.

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Dan Garber: I'm Dan Garber. While Co-Chair of the CAC, these comments are mine alone. While I've stated them at various meetings, they are offered this evening hopefully a little more succinctly. There's a lot to talk about. I'm only going to talk about one thing. The Land Use Element is purposely broad. Zoning too is designed to address large areas of the City, but neither tells us how a project that faces, for instance, both University Avenue and side streets should turn a corner. In fact, what is right for one corner isn't likely to be the same as another corner on the same block. Neither the building height nor the amount of commercial area that can be built, while important for other reasons, will answer the question posed above. Bluntly, 20 years ago it mattered less what a corner on University and Cowper looked like versus, say, University and Kipling a block away because, with few exceptions, we kind of knew what we were going to get. For any number of reasons, today it matters more precisely because we don't. With one exception, as tools neither the Comp Plan nor the zoning address this level of focus, which is what we need to do today to navigate the diversity of opinion that surrounds these decisions and currently separates the interests of our town from the interests of many of its property owners. One doesn't know what to ask for, and the other doesn't know what should be offered. The exception is the only tool that will allow the City to define with specificity what a particular part of the City should be down to a detail that would give both the City and the property owner the confidence that a solution will be supported by both. Area plans do not enjoy the popularity of other policies. As exceptions to more general policy, program and zoning, I argue that area plans get us closer to what we want, the use, occupancy, height, density, sizes, shapes, down to the detail and locations of doorways and driveways if we want to. It will be argued that area plans are political, cumbersome, take a long time, and are expensive. In other words, exactly what Palo Alto wants when it is determined to get to a decision that sticks. University Avenue including the Transit Center and Cal. Ave. should be a part of the Comp Plan programs.

Mayor Scharff: Thank you. Rita Vrhel to be followed by Whitney McNair.

Rita Vrhel: Good evening. I would encourage you, first of all, to keep the office cap. It seems like what we're talking about tonight is a housing crisis, which most likely is a result of overbuilding of office space. In the last 10 years, we've seen more and more employees come into Palo Alto and fall in love with our City. Now, they want to live here. I don't blame them; it's a great place to live. If we're going to build more housing, which we will, please let's do it in a measured, thoughtful way so that the beauty of Palo Alto can be retained and try to minimize the transportation that will come out of more houses. I think the first thing is to keep the office cap. If we keep building more office space, we're going to have more employees, and

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we're going to have more of a housing crisis. This is a regional problem as we know. We can go to Mountain View, Menlo Park and Redwood City and see housing, housing, housing. Everybody is complaining that there is not enough. I hope you'll keep the 50-foot height limit. I hope that you will recognize the need for Code enforcement when these buildings are built. I hope you keep retail protection. Thank you.

Mayor Scharff: Thank you. Whitney McNair to be followed by Tiffany Griego.

Whitney McNair: Good evening, Mayor Scharff and members of the Council. My name is Whitney McNair. I sit on the Citizens Advisory Committee, representing Stanford University. I'm also on the land use subcommittee. Tonight, I'm speaking on behalf of my position as the Director of Land Use Planning for Stanford. As a member of the Palo Alto community with a vested interest in both the economic prosperity of the City and shared goal to ensure growth occurs in a thoughtful and sustainability manner, Stanford has been closely following this Comprehensive Plan Update process. Palo Alto's Comp Plan Update process is designed to build community consensus as to how we manage future growth while preserving quality of life for City residents. This critical endeavor includes actively engaging with a variety of stakeholders including Stanford University for a positive, mutually beneficial outcome. This brings me to Item B in the list of questions Staff has asked you to answer. That question is which policies should be carried forward in the Comp Plan regarding an annual limit, if any, on new nonresidential development. You see in the options on Page 2 of the Staff Report that option that causes us the most serious concern for the future of the Research Park and that we ask you to reject tonight, Policy L-1.15. Under that policy, the Research Park would be subject to a Citywide 50,000-square-foot annual cap unless a "cap on peak period auto trips to the Research Park is established and enforced." We've asked the CAC what this trip cap would consist of and how it would work, and we haven't really gotten that fully addressed. We respectfully suggest that's because a trip cap for the Research Park is not feasible. The Research Park is comprised of 150 companies, about, and not a single employer like Stanford University or other large employer like Google or Facebook. We've also—just quickly to sum up. We have proposed an alternative that's in the Staff Report. We would accept a cap of 50,000 square feet annually to start off with and also suggested that the City authorize an exemption for the Research Park in whole or in part from the growth cap if the City and Stanford could reach mutual agreement on defined performance standards related to addressing auto trips.

Mayor Scharff: I think we're ...

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Ms. McNair: That's it. Tiffany Griego is going to give some more specificity.

Tiffany Griego: Thank you. Good evening. My name is Tiffany Griego. I'm Managing Director of Stanford Research Park for Stanford University. We are truly committed to providing alternative transportation to and from the Research Park so that our employees get out of their cars. Research Park companies tell us and have demonstrated through their active support of our SRP TMA that they need better transportation alternatives so they can hire and retain top talent. In our presentation to you on the tentative date of March 6th, you will hear about programs that we've launched and receive early data about our efforts. Companies tell us that development caps and trip caps undermine the confidence that they will continue to adapt and thrive in Palo Alto. Therefore, we are actively partnered with them to explore transportation measures in the Research Park, and we want to engage with you as the City as our partner in this effort. We do believe that a Research Park-wide traffic program requires and deserves careful thought and analysis, so that we both support the health of the businesses in the Research Park while building trust and improving the quality of life within our community. We appreciate your recognition that the Research Park is warranting a unique solution, and we agree that the Research Park is unlike any other part of town and presents unique opportunities as well as challenges. Establishing an effective TDM program does take time and experimentation. Based upon what we're learning from our early TDM efforts, we expect individual businesses seeking development permits in the Research Park to be able to work with a no net new trips concept for new development, and that is what we see in Program T-1.2.2. We are working on some minor revisions to that program because we do believe we can design a policy for the Research Park that would mitigate new peak hour trips from the new discretionary permits through a combination of offering TDM and partnering with our TMA to reduce the balance of trips. We do hope to engage with you as partners in the forthcoming months on this theme, because we think we can set ambitious goals like I'm describing today. Thank you.

Mayor Scharff: Thank you. Justine Burt to be followed by Bob Moss.

Justine Burt: Good evening, Mayor Scharff and City Council Members. I rent in Crescent Park. I want to suggest two small tweaks to the Comprehensive Plan that could open up more housing options for middle-income families and finish bringing Palo Alto into the 21st century. That has to do with the sharing economy and mobility as a service. Think about how cool it would be if four families could come together and buy a \$2 million house. There's a lot of them that have cracked, sloping foundations. Put in a four-plex and spend \$2 million to build that four-plex, and then each unit

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would be \$1 million per family. That would be something, crazy as it is, that would be a little more affordable than the \$2 and \$3 million bottom-end housing options that are available. This is part of the true sharing economy, which is something where people come together to do something that they cannot accomplish separately. What it would take is to rezone within a mile of the train stations. Almost the whole City is zoned for R-1 at this point. The only areas that are zoned for R-30 or R-45 are ones that already have multifamily housing on it. There's zero options right now to do this thing I have the vision for, and three other families want to come together with us to do this. The other part of this would be mobility as a service, which is where you shift away from personally owned modes of transportation. A lot of us would like to not have to have two cars, but just have one car and get Zipcar or some other car share when we actually need it. There are seven buses that come into Downtown Palo Alto. There's the Caltrain. This City is very bike-friendly, easy to walk around. Let's go for mobility as a service, and let's change the zoning so some of us can maybe afford to buy here. Thank you.

Mayor Scharff: Thank you. Bob Moss to be followed by Hamilton Hitchings.

Bob Moss: Thank you, Mayor Scharff and Council Members. Staff asked you to suggest which policies and programs you'd like them to pursue in the final Comprehensive Plan. I'd like to make some suggestions tonight as to which ones you should urge them to work on. Under "A", the cumulative cap, Policy L-1.10, maintain the cap of 1.7 million square feet. Under "B," the annual limit, maintain Policy L-1.14, the annual limit of 50,000 square feet Citywide on office development. Policy L-1.16, allow exemptions for small offices, 5,000 square feet or less, or medical facilities. Under "C," maintain the Stanford Shopping Center parking with multifamily housing as Policy L-4.7 suggests. Item 5, which is a policy for multifamily housing in the Research Park, would be interesting. We had housing zoned in the Research Park many years ago. Stanford said under no circumstances would they build housing there. I think that's still their policy, so I don't think that's going to work. Although, it'd be nice. Building height, Policy L-6.7, maintain the 50-foot height limit. The Downtown cap, Program L-1.16.2, retain the Downtown cap of about 45,000 square feet. Maintain the specific developments in the Comprehensive Plan per Table L-1. Under childcare, I think typical uses in the neighborhood commercial areas for childcare would be acceptable. Under the Land Use Element Items, "H," create new opportunities for retail in residential and mixed use, Program L-1.16.5 and L-1.12.5.

Vice Mayor Kniss: Thank you very much. Hamilton Hitchings.

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Hamilton Hitchings: The following are my own opinions, even though I'm on the CAC. I often drive down Hamilton Avenue, not because it shares the same name as I do. When I do, I pass so many new office buildings. I don't pass a single new multiunit housing. We keep talking about how we want housing, but we're not building it. One of the reasons all these new office buildings are going up and no one is building housing is because office has a higher ROI. It rents for a higher dollar per square foot. That's why so many new office buildings have been built in Palo Alto. We aren't getting the office buildings we all say we want so badly. That's why I believe an office cap is necessary to enable this multiunit housing. Otherwise, office will continue to be built specifically for the Downtown, Cal. Ave. and El Camino. I'm not talking about for Stanford Research Park, because something separate needs to be done there. Also, we need to rezone for housing. I love Karen's statement that you should zone for what you want. When we talk about transportation, the key metric is single occupancy vehicles. It solves so many problems simultaneously, reducing the number of trips, parking, traffic and greenhouse gas emissions. It's good for employee retention. It's good for retail, and it's good for the residents. When you look at the Transportation Element, think about that. A lot of folks have talked about childcare being available in our three small neighborhood centers. I have sent my kid to childcare at the Learning Center in Palo Alto. We looked at all the centers. Childcare is allowed in residential neighborhoods, also in churches. I can tell you the shopping centers just don't have enough space, and it would be more expensive. The last thing I'd say is we got a lot of consensus on these elements you're looking at, but there are a few places where we didn't. For those, that's why you have choices available to you as the Council.

Mayor Scharff: Thank you. Lisa Van Dusen to be followed by Stephanie Munoz.

Lisa Van Dusen: Good evening, Mayor Scharff, Vice Mayor Kniss and Council Members. I'd like to talk about two things in particular. It's really a lens on what you're doing. One is social equity, and the other one is climate change. Neither of those are particularly easy subjects or topics that people like to think about. If you look at what you're doing and the decisions you're making through those lenses, you will be making more thoughtful decisions. Last week where I work, Silicon Valley Social Venture Fund, SV2, we had three executive directors of affordable housing organizations, from HIP Housing, SV@Home and the Community Legal Services of East Palo Alto. There was one theme, two themes really, that came through in what they talked about. One, the need for creativity and the opportunity that that presents. A second was that the biggest obstacle was political will. As I look at each of you, I think you are really ultimately the keepers of our

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political will. Back to the social equity and the climate change. I hope that you know that you do have people in the community, many, who have your backs as you make what might feel like bold decisions. Yesterday, I was in conversation with somebody that I'd never met before, who grew up in Palo Alto, who really had given up on Palo Alto as a place that would make bold decisions. I said in the conversation, "I believe we are a community that will do the right thing and that will make our community inclusive and climate resilient." This Plan is the opportunity to think ahead to 2030 and what we want to have in place. It's not a place and a time to turn back the clock. It's a time to look ahead to the kind of community and the kind of vision that we want and the kind of community that we all want to live in. I hope that you do that with the creativity that we're known for and the social equity and the climate lens that we need to look through. Thank you.

Mayor Scharff: Thank you. Stephanie Munoz to be followed by Shani Kleinhaus.

Stephanie Munoz: Good evening, Vice Mayor Kniss and Council Members. You've all heard the expression he who calls the tune must pay the piper. I think the principle that you have to keep in mind when you're thinking about housing isn't is it too many offices or too few houses. The principle is the person who is making the money from the money-producing unit, that office, is the person that ought to provide the housing. They have to have people work there. They can make other arrangements if they're very large. Google has the buses that come. Basically, I think you'd be well advised to insist that anybody that puts up more than half a dozen offices should put in half a dozen bedrooms nearby. The land is there. They can be attractive; they should be attractive. It would in the long run help the businesses because they wouldn't have to keep raising salaries and raising salaries so that people could work. You could, of course, start with yourselves. The teachers that we employ, the firemen, the policemen, but especially the teachers, there are a lot of them. We could build (inaudible) housing, and that housing could pay for itself. It could be a good investment. It needn't be some bare bones, block house thing. It could be really nice. I think we ought to do it. The other thing is we should build tiny units for people who are willing to live within a small space and without a car. Thank you.

Mayor Scharff: Thank you. Shani Kleinhaus to be followed by Stuart Soffer.

Shani Kleinhaus: Good evening, Mayor Scharff, Council Members. Shani Kleinhaus. I'm on the CAC, but I speak as a resident tonight. I wanted to comment on the neighborhood centers and ask you not to allow housing in our neighborhood centers that still do not have housing. The reason is that we are going to have a lot more people. We are going to densify. We are

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going to have more people here. Our neighbors are doing the same. Mountain View is adding a lot of housing to North Bayshore. The centers that we have that are commercial will need to grow, but they need to grow in providing more retail and in providing small office spaces for professional people. If we put housing in them, like we did at Edgewood and Alma Plaza that would prevent us from actually using them in the future as the commercial centers that they should be and for retail. The recommendations of the CAC mostly was not to develop those, Midtown and the other ones, Town and Country and Charleston Center. I would appreciate it if you leave them without housing. The other thing I wanted to say is there were a lot of interpretation of what quality of life means. To me, it's the trees. I would support retaining the height limit but, if the height limit is going to be changed, then maybe the setbacks should be expanded so there's more room for trees and a little bit of nature next to the buildings. Thank you.

Mayor Scharff: Stuart Soffer, who's our final speaker.

Stuart Soffer: Good evening, ladies and gentlemen. I'm Stu Soffer. I live in Menlo Park; I've an office on University Avenue, Downtown Palo Alto. I'm here to talk about the safety and security of valet parking in Lot R, which I've parked at for at least five years now. As you know, if there are no spots available, the cars are double-parked on the ramps, and they're double and triple parked on the floors themselves. That opens you up for lots of problems. A year ago, someone backed into the side of my car getting out. Just before Christmas, my car was broken into in Lot R on the valet floors. Last week, as I was parking, three cars had been broken into on the fifth floor at the top. I asked the valet parkers, do they report this. They said they only report it to their boss, their management. They don't know if it's ever reported to the City. I suggest that for all the fees one pays for the permit and for Business Improvement District and some other fee I get, I think it should be safe and secure to park your car in Downtown Palo Alto. Let me say, I thought I was in Menlo Park, listening to the prior speakers. I'm really impressed how Menlo Park can get the same development done with just five Council Members versus nine.

Mayor Scharff: Thank you. Now, we return to Staff for a presentation.

Hillary Gitelman, Director of Planning and Community Environment: : Thank you, Mayor Scharff and Council Members. I'm Hillary Gitelman, the Planning Director. I'm joined tonight by Elaine Costello to my right, Joanna Jensen to her right, and then behind us Elena Lee of our Staff. We do have a presentation to try and introduce the item this evening. I recognize we've put a heavy load on you with a long recommendation section with a lot of

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different moving parts. I hope this introduction will be helpful. As you know, we've been working on the Comp Plan Update for quite some time, starting in 2008. The Planning and Transportation Commission referred their recommendation to the Council in early 2014, and then the CAC was formed in 2015 and has been meeting since then. I wanted to thank Council Members Fine, Tanaka and Kou for their participation in these different contexts. All of tonight's information won't be new to you because we've had some participation from even the new Council Members along the way. We're not going to give you a long, detailed breakdown of the whole history and background tonight, but we do want to acknowledge all of the work that's gone into the products you're seeing this evening, particularly the work of the Citizens Advisory Committee. You're going to look at transportation and land use. We also wanted to reiterate just the importance of this endeavor. The Comp Plan is something that's not only required by State law, but it's something that expresses the collective vision of a community. It is used as a decision-making tool for the duration of the planning period. What you ultimately adopt as the Comprehensive Plan will be used by you and other decision-makers at the City to make good decisions for many years to come. We call this a Comp Plan Update partly because there's some fundamentals that we're not changing, that I think Palo Alto is very happy with. This is reflected in our Land Use Map. We're not making radical changes here. I think we've identified one or two little corrections we need to make to the map, but there are no real policy changes when it comes to the use of land in Palo Alto. We're using a process that encompasses three parallel tracks. On one track, the Citizens Advisory Committee has been assimilating the PTC's recommendations, the existing Plan and community input along the way. On another track, the City Council has given us guidance on vision, goals and some of the key issues, like those we'll discuss this evening. On a third track, we're doing the environmental review that needs to be done any time a public agency adopts a new plan like the Comp Plan. This year, our hope is that the Council will review the work products sent forward by the CAC and be in a position to refer a draft to the PTC for their public hearings and review before your break for the summer. That's predicated, of course, on getting your input on the questions that we've posed for you this evening. If we do that and if the PTC can hold hearings over the summer, we will be in a position to bring to you a Plan for adoption before the end of the year. Just a quick review. This slide shows the current Comp Plan organization into the various chapters or elements of the Plan and the changes that are proposed. Again, very minor in terms of the organization of the Plan. Also the structure of the Plan in terms of the role of vision statements, goals, policies and programs is not proposed for change. We know the Council has talked several times in the past about the overabundance of programs in the draft materials we're bringing forward. We wanted you to know that we will, in

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one of the next work products you see, bring all those programs together and prioritize them. There are so many that we will have to identify those that rise to the surface for implementation and those that we'll get to them if we can. Tonight's goal is to get your guidance on these two critical elements of the Comprehensive Plan. As you know, when we set out on the CAC process, there was an anticipation that the CAC would potentially have majority and minority opinions on controversial subjects. Instead, the CAC really elected to go in a different direction and outline policy choices for the Council. This turned out to be a very constructive way to frame the issues. We're bringing you this evening the choices that the CAC has outlined. The materials we've provided to you include the Land Use and Community Design Element and the Transportation Element, both in clean version and in tracked versions. The Land Use Element has not changed since the Council saw it November. That hearing in November was really an introduction to the Land Use Element. We are really not in a position to make changes and incorporate the Council's comments until we get your guidance on some of the issues we've outlined for you tonight. We did summarize your comments in an attachment to the Staff Report. Of course, we'd appreciate hearing if we missed something significant. The Transportation Element that we've presented to you has changed since it last came to the Council. We received many thoughtful and useful comments on the element. Those are also summarized in an attachment to the Report. We used those comments to inform the next version or the next draft of the Transportation Element. That's provided to you this evening. We anticipate there will continue to be some revisions to a few of the policies in there as we finish the EIR process and adjust mitigation measures and make some small additional changes. We look forward to your input on that element tonight after we get through the land use choices. Elaine is going to take us through the next few slides, and then I'll come back and talk to you a little more about the growth management options before you.

Elaine Costello, Management Partners Consultant: Hi. The CAC worked very, very hard on this Land Use Element. They held 17 meetings of the CAC, five meetings of the CAC as a whole and 12 subcommittee meetings. They went through it in a lot of detail. The good news is that that resulted in a lot of consensus on their part. When we heard from the Council in November, there seemed to be a lot of agreement, which we've listed here, on some areas that seemed like they worked for most folks. Those included the highest quality development with the least impacts. Housing that's affordable was a big issue; how to do it differed. In general, there was consensus there should be increased housing, especially for seniors and others with special needs. High standards for urban design, protecting neighborhoods, and supporting local retail were some of the themes where there appeared to be a consensus at both the CAC and at the Council. There

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was also a desire to preserve open space and the urban forest. We heard that repeatedly, the importance of the urban forest. There was a consensus to update the growth management, not quite so much consensus about how to do that. You have a number of choices about that tonight. One of the things that did come out was that there was a desire not to put growth controls on retail. There was a recognition of the changing situation of retail since the Comp Plan was originally done. There was a desire and a very strong consensus to regularly assess the influence of both existing development, existing residents and new development and residents and employees on the livability of the community, how well was it doing over time. There are policies in the Land Use Element that address that. In the Transportation Element, which was reviewed by the Council, again there was quite a bit of consensus. These changes have been made. Again, there was consensus at the CAC as well about reducing reliance on single occupancy vehicles and then supporting transit, an interesting phased approach to parking. If demand lessens over time, requiring less parking, we kind of call that the poised for change policy. There wasn't a consensus that we were ready to do it now, but there's a willingness to keep looking at it and be ready to do it in the future. Also using both level of service and vehicle miles traveled and prioritizing pedestrian and cyclist safety were some of the ones where there was consensus. The areas where tonight there are a number of options, Hillary is going to discuss those. I'm going to turn it back to Hillary.

Ms. Gitelman: Thanks, Elaine. If you go through the recommendation section of the Staff Report, you can see we have options in ten different categories. They're on these two slides. I'm just going to go through them because we're going to get into some depth on these. We can come back to them as we move through the recommendation. The first category is the cumulative growth cap. This is the famous Policy L-8. The CAC outlines four possible approaches to this. The first would be basically eliminate the cap and, instead of a cap, monitor ongoing development and adjust development standards as needed over time. The second option was to carry forward the existing cap, which currently consists of about 1.7 million square feet, but make it specific to office/R&D, not all nonresidential development. Continue to exempt the Stanford Medical Center area. Currently the Citywide cap, we call it Citywide but it only applies to those monitored areas that are illustrated in a map in the Comprehensive Plan. This would constitute a shift. It would really apply Citywide except for the SUMC area. The third option was the same as Number 2 but also suggested that it not only look at office/R&D but look potentially at hotels. Number 4 was the same as either Number 2 or Number 3 but with some additional thought about potential exemptions from the square footage limit. There wasn't a lot of specificity about that. I think we're going to breeze through all of these, and then we'll

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come back and focus on the questions specifically. The next one was the annual limit. Again, there were four options outlined by the CAC. The first one was simply eliminate the annual limit, the 50,000 square feet per year of office/R&D that's currently implemented through an Interim Ordinance. The second option was to maintain that annual limit, but make it Citywide minus SUMC which, again, would constitute a change. The third was the same as the above except including the Stanford Research Park except it could be exempted if there's a trip cap. Number 4 was the same as both of those above with some different approach to exemptions than is currently contained in the Interim Ordinance. Of course, you heard this evening from one of the speakers that Stanford offered an alternative proposal that is also outlined in the Staff Report. Housing locations is another set of options that we've outlined for you. They include some of the ideas you've heard from speakers this evening: the idea of adding housing on the El Camino frontage of the Stanford Shopping Center; the idea of adding housing on the El Camino frontage of Stanford Research Park; the idea of eliminating housing sites along San Antonio Road and increasing densities Downtown and California Avenue area that we've talked about before; then, Town and Country and the SUMC and the western part of the Research Park. I think these are all ideas that have come up before. When we brought this item to you last in November, you heard a number of options about the height limit. These are presented for you here. Again, there are four: maintaining the current height limit; allowing the height limit to go up to 55 or 60 feet, this is the change I like to call "55 is the new 50;" allow building heights up to 65 feet to facilitate multifamily housing in areas served by transit; then, allow unspecified building heights if needed to facilitate a mix of multifamily housing. I should note that at that Council meeting in November there was an additional suggestion by some Council Members to just omit the height limit from the Comp Plan. Currently, it's not in a policy in the Comp Plan; it's in some of the explanatory text in the Comp Plan. The Council could decide to perpetuate that and just keep it in the descriptive narrative but not have it as a policy statement. Here's my "55 is the new 50" drawing. The Downtown cap is the last growth management strategy. This is currently contained in a program, Program L-8, in the Comprehensive Plan. The options outlined by the CAC include eliminating this cap; then retaining it as it currently exists with about 45,000 square feet less, but focusing it on office/R&D. Three is the same but with an exemption. Four is the same but would add hotel with an additional square footage exemption. I think we could continue going through the rest of these, but I'll look to the Mayor. Do you want us to finish up or do you want us to ...

Mayor Scharff: Not really.

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Ms. Gitelman: I'll start talking about the options, and we can dig deeper when we get to them. Thank you.

Mayor Scharff: That concludes the Staff Report?

Ms. Gitelman: Yes.

Mayor Scharff: First of all, I'd like to thank the CAC for all their hard work on this. I know it's been a lot of effort. It's been a yeoman's effort, as they say. I know you've met over and over again. I know you guys have put your heart and soul into it. I actually found it very useful, the way it was all laid out. I think it was a really good job. I also want to thank Staff for their hard work on this as well. Now, we return to Council. What we're going to do first is talk about several items. We're going to talk about all the caps, so that would be "A," the cumulative cap. It would be "B," the annual limit, and it would be "E," the Downtown cap. We'll take that first, and then we'll probably do building heights after that.

Council Member Filseth: Questions first?

Mayor Scharff: No, no questions. You can ask questions if you put your light on, and that kind of stuff. You can make comments, questions, motions, all that. We have a lot to get through tonight. I'm sort of hoping we can be efficient. Council Member Wolbach.

Council Member Wolbach: Let me also say thank you to Staff and thank you to the CAC, and thank you also to the members of the public who, whether as part of the CAC or just on your own, decided to come and offer your input. Of course, we've had a lot of public input over the last couple of years on this. I think it's deeply appreciated by all of us. Looking to the Mayor just for clarification before I move forward with my questions and possible motions on the process here. If I have any motions I wanted to suggest relating to caps, now would be a time that I could do that?

Mayor Scharff: Yes, now would be the time to do it.

Council Member Wolbach: Can I ask a couple of questions prior to (crosstalk)?

Mayor Scharff: Yeah. You don't have to make a Motion. I'm just saying you can make motions or questions or comments, all of that.

Council Member Wolbach: Let me start with a couple of questions. If it would be okay with the Mayor, I'd like to ask a question of the Stanford team if there are any members of the Stanford team that are still here.

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Mayor Scharff: That's fine. Go ahead.

Council Member Wolbach: There was a couple of letters that we've gotten from Stanford. We heard another member of the public state that Stanford has a strict policy of no housing in the Stanford Research Park. I see these letters from you suggesting that actually something quite different might be possible in the Stanford Research Park, even perhaps a future that basically redesigns Stanford Research Park as a neighborhood perhaps paralleling what Mountain View is at least exploring in their North Bayshore area, which is probably the closest parallel that they have to our Stanford Research Park. My question is does Stanford have a policy of no housing in the Stanford Research Park or is there a possibility at some point in the future for the City of Palo Alto and Stanford to sit down at the table, perhaps through something like a coordinated area plan process, to have a serious discussion about maybe adding more housing in the Stanford Research Park and the necessary infrastructure improvements that would need to happen there. Maybe as part of that discussion, talk about trip limits that might accompany that. Is that something that Stanford is open to discussing seriously.

Ms. Griego: Thank you. Tiffany Griego, Managing Director of Stanford Research Park. I think the comment had to do something with historic conversations, maybe two decades past. That's how I interpreted that comment. There is not a prohibition on housing in Stanford Research Park. In fact, housing is currently zoned in Stanford Research Park as a conditional use. That is currently what the Zoning Ordinance indicates today. You all are probably familiar with the Mayfield Development Agreement, which is also a 2005, 25-year, forward-looking development agreement between the City of Palo Alto and Stanford, which really hits at this partnership arrangement I think you're talking about. That is when Stanford agreed to build a community benefit, the soccer fields, as well as committed to building 250 housing units in exchange for transfer of development rights of the commercial footage that was otherwise displaced by the housing units. We did write you a letter today. I think that's what you're getting to. It really is, quite frankly, to address what we saw in the Staff Report, which—I forget which sections it showed up in. L-5.4.1 is where the Staff Report indicates exploring housing along El Camino Real or along the western edge of Stanford Research Park. We wanted to feed back into the conversation that we have not been in discussions with the City about specific locations for housing. We're not familiar with those specific locations that seem to be alluded to in that policy, which is what prompted us to write the letter. What we said to you in the letter is that we actually hear the cry for housing from our own companies as well. They struggle to recruit and retain top talent, largely due to the lack of housing at entry-level price points in Palo Alto. With that we could envision a future in the Research Park where we

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could weave in a vibrant workplace as well as a living place. Instead of simply pursuing housing on unbuilt parking lot sites, which is somewhat how the language read to us in the Comp Plan draft, we would rather open up a dialog with the City about creating an actual high-quality community and designing it as if we have the freedom to think about a blank slate and think about really what is the best community and living environment over the long term. We want to make sure that, if we are able to strike a mutually agreeable arrangement for incorporating housing in the Research Park, it's a community we would all want to live in, and it would be appropriate for Palo Alto. As for the specific mechanism, we have not even begun to think about—I think you mentioned coordinated area plans. I mentioned the development agreement, because that's a past mechanism we've used together. That might be an appropriate one. There's just room for, I think, pursuing and exploring at this point in time. Does that answer your question appropriately?

Council Member Wolbach: That does. I appreciate that. Actually also I appreciate you taking time to explain that. It's important for us to note that openness by Stanford to consider something that a few of us and a lot of people in the community have hinted at or stated that we'd like to have on the table for future discussions, I appreciate that Stanford is now making very clear that they're also open to that discussion at some point in the future. I think that that ...

Ms. Griego: I should also say I spoke on behalf of Stanford Research Park specifically, not to the other sites that have been mentioned this evening. Thank you.

Council Member Wolbach: Thank you. I think that's important for us to consider. We'll come back to that probably more under the housing sites. I did just want to make sure we're thinking about that when we're talking about Stanford Research Park as part of any of these. It's certainly an area with potential for substantial change in the future. I appreciate Stanford being open to that discussion. I'm probably going to try my hand at a Motion on this one, but I just wanted to say a couple of framing comments. One is we have multiple caps here. I appreciate that the Mayor has lumped them together, so we can talk about the annual limit, the cumulative cap and the Downtown cap together. The questions that I'm thinking about are, first, what are the goals we're trying to achieve; secondly, what are the best mechanisms to achieve those goals; third, Is the Comprehensive Plan or an Ordinance or some other mechanism the appropriate time to pursue that. With the cumulative cap, that's something that's been in the Comprehensive Plan. I think we should actually keep some form of cumulative cap moving forward. On the Downtown cap, we've almost run up to the edge of that. I

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actually think if we're going to have further office development or office and R&D development in the future in Palo Alto, Downtown is probably still one of the smartest places to put it. I would suggest actually eliminating the Downtown cap. As far as the annual limit, for those who have been paying attention, over the last couple of years I have gone from skeptical to tentatively supportive to actually very supportive of an annual limit on office and R&D development. Through a lot of conversations up here on the dais and with people in the community, I've really been persuaded by the arguments. As we've looked at some of the other options, I've realized that it's a solid and a good option for metering the pace, the rate of change in the community that so many of us are concerned with. Also, limiting office and R&D development helps us funnel the demand for development toward uses that we want to see more of, like housing. I think an annual is an important thing to carry forward. It's not currently in the Comprehensive Plan. It's currently actually just an Emergency Ordinance. We don't even have a permanent Ordinance. My inclination is perhaps the right thing to do with the annual limit is move it from an Emergency Ordinance into a regular Ordinance. That gives us a little bit more flexibility than putting it into the Comprehensive Plan, but makes it a lot more permanent than what we have right now. It's actually going to be expiring, I believe, within this year because it's a two-year Emergency Ordinance that we passed a couple of years ago. I'm really worried about that running out. It has proven to be effective at slowing office development. I think that's important to carry forward. I don't think the Comprehensive Plan is the right place to do it, though. I think an Ordinance, a regular Ordinance, is the right place to do that. If we don't move forward with it being in the Comp Plan, I would like to direct Staff to, unless it's already planned to come back to us, have that come back to us to be a regular, permanent Ordinance. We can talk about whether we want to make tweaks to it based on our experience of the pilot, which has been very informative and useful for all of us. Going back to the cumulative cap, I really do appreciate that the Citizens Advisory Committee has laid out a number of policy options for us. My preference here is for Option 2. If you look at Packet Page 14 or Page 1 of the Staff Report, that's Option 2, which would basically maintain the existing cap. I think Option 2 on the cumulative cap. Annual limit, don't add it to the Comp Plan, but separately direct Staff to make sure that comes back to us as a regular Ordinance. The Downtown cap, get rid of it. With that, I'll put that into a Motion. For Question A, we pick Option 2. For the annual limit, direct Staff to bring that back separately from the Comprehensive Plan but as a regular Ordinance, and to eliminate the Downtown cap.

Mayor Scharff: I'll second that.

Vice Mayor Kniss: Second. Go ahead.

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Mayor Scharff: I'll second it.

Vice Mayor Kniss: You beat me to it.

MOTION: Council Member Wolbach moved, seconded by Mayor Scharff to direct Staff to include in the final Draft of the Comprehensive Plan Update:

A. Cumulative Cap:

Policy L-1.10 would maintain a Cumulative Cap of 1.7 million square feet, which is the square footage remaining under the existing cap, focus the Cap on Office/R&D uses and apply it citywide rather than only in "monitored areas." It would also exempt medical office uses in the Stanford University Medical Center (SUMC) area (the current cap does not apply to this geographic area), and require annual monitoring to assess the effectiveness of development requirements and determine whether the cap and the development requirements should be adjusted; and

B. Annual Limit:

Direct Staff to return with a permanent Ordinance addressing the Annual Limit, separate from the Comprehensive Plan Update; and

C. Downtown Cap:

Eliminate the Downtown cap found in existing Program L-8 and focus on monitoring development and parking demand.

Council Member Wolbach: I'll just speak to it briefly. Actually I think that I have spoken to it enough. I'll let my seconder and others weigh in.

Mayor Scharff: I fully agree with Council Member Wolbach. I think it's important to do two things. I think it's important to have the total limit of 1.7 million. I think that's an important cap. I think as we move forward, that lets the community know that we're continuing along the path we've laid forward over the long term, and we're sticking with that. I agree that we should eliminate the Downtown cap. I think if we are going to put office space somewhere and R&D, you want to put it near transit. Downtown has excellent transit options; it probably has the best transit options in the City. I want to remind people when we look at businesses that locate in the Downtown—if you look at Palantir and Amazon, their single-use occupancy for traffic is 80/20. That's really amazing. That means 80 percent of the people are not driving, only 20 percent are. If we're looking at the best places to do trip reduction, it's Downtown. Nowhere else in the City comes

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close to that. Eliminating the Downtown cap makes the most sense. I'm going to support that. I also agree that we should have a 50,000-square-foot limit along the lines of the Ordinance we have, but there's some tweaks and stuff, and we should come back with some options. We need to get that calendared, I think, fairly quickly because I don't think we necessarily want it to expire. I'll just tell you my own thoughts on that. I don't think we need to be prescriptive tonight because I actually think what we should do is have a thorough vetting of this and a thorough thought of it. I for one think we need to do away with the beauty contest part of this and have it as first-come-first-serve basis. That'll make a big difference to the way it's operated and to the way it works. So far the whole beauty contest thing has been sort of a failure. I also think we should have some rollover provisions—I'm not sure what the right ones are—if we don't use it up. In my view, the whole purpose of this is to level it out, that we have growth at a certain rate as opposed to huge amounts of growth. I think we should look at different options on that. With that, I'm going to support the Motion. Go on.

Council Member Wolbach: Since I didn't speak, may I?

Mayor Scharff: Yeah.

Council Member Wolbach: Since I didn't speak before, let me just ask a quick question. Is the Stanford Research Park included in the 1.7? If we go with Option 2, I just want to get clarity about that.

Ms. Gitelman: Yes, it is.

Council Member Wolbach: If it's okay with the seconder, I'd like to amend that to exclude the Stanford Research Park from that. There are already limits on how much Stanford Research Park can develop.

Mayor Scharff: I'm not going to accept that. I think the 1.7 was included with—I think of that, 900,000 is roughly in the Stanford Research Park with the rest of the City. That would be a big change. I'm not going to accept that. I'm happy if you want to—I forgot. If you want to ask the question. Go ahead, what was the question? You said find out.

Vice Mayor Kniss: The inquiry is can we find out. Is that 900,000, which is what Stanford has left under their current zoning, included in the 1.7 million? That will be very germane to this question, to the Motion.

Ms. Gitelman: Stanford Research Park has always been included in the monitored areas that fall under the cumulative cap, the 3.2 million square feet that originally was put in place. Now, there's 1.7 left. We don't think it's unreasonable, given the zoned capacity in the Research Park that they

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would continue to remain part of that. I can't tell you exactly, if they do that and everyone else does their zoned capacity, where we'd be. Given the track record we've seen for development in the City and in the Research Park, we think 1.7 is reasonable with Stanford Research Park included.

Mayor Scharff: I did have a question too. The 1.7 million, does that include retail or not? It does not, right?

Ms. Gitelman: The proposal from the CAC is only office/R&D.

Mayor Scharff: Not hotels and not retail.

Ms. Gitelman: That's correct.

Mayor Scharff: I just wanted to make sure on that. Vice Mayor Kniss.

Vice Mayor Kniss: I'm going to support the Motion. I'll associate a lot of comments with those of Council Member Wolbach. I want to put this in perspective for a minute. We're talking about something that we really thought about, long and hard, before we put it in a couple of years ago, which is the 50,000 square feet, which does limit. I've talked about this a lot before. We have averaged about 50,000 square feet a year for 30 years. If you look back, that's about literally where we've gone. That starts with the 3.5 from 1986. Looking at that, though, over the weekend I thought, "What does 50,000 square feet look like?" Do you have an answer?

Ms. Gitelman: What does 50,000 square feet look like?

Vice Mayor Kniss: I actually have an answer. Why don't I give it to you? I was really curious, so I called Chop Keenan and said, "What two buildings Downtown would give us roughly 50,000 square feet?" I mentioned those two because they're both relatively new. One is the Thoits building going up on the corner of University and Cowper. That's about 26,000 square feet. The other one is Mr. Keenan's, which has gone up on Forest and High Street essentially. If you put those two together, those will add up to the 50,000 square feet; however, only one of them actually is counted in our square footage. Correct? I just believe that Mr. Keenan's building is included. It's a new building. There was nothing there before. That was a vacant lot. The Thoits building was there. Whatever was there before, just so the audience understands this, does not add into the cumulative cap. Am I making that clear or am I muddying the waters on it?

Ms. Gitelman: You're right as it applies to the cumulative cap. The office limit has always just—the annual limit has always just been office/R&D. The

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drug store or whatever was there would not be relevant to the Thoits building square footage for the annual limit.

James Keene, City Manager: In other words, if both of those buildings were built in the same year, they would count to the 50,000-square-foot office cap but not the cumulative.

Vice Mayor Kniss: Interesting. Whatever was there before, if we replace it, we're continuing to add to that square footage.

Ms. Gitelman: For the annual limit, not for the cumulative cap, not for the 1.7 million.

Vice Mayor Kniss: That's very helpful to know that. With that in mind, I'm still continuing to support the Motion. We need to know about what amount of square footage that is. I would certainly get rid of the beauty pageant. That's very difficult and very subjective. Objectively, I think the limit—I think you probably included accumulation, didn't you, in your Motion. The 50,000 square feet could accumulate for—did you indicate a length of time?

Council Member Wolbach: No, because Mayor Scharff had a good idea, which was when it comes back to us, have some options there about tweaks such as adding some rollover perhaps up to two or three years, look at maybe eliminating or tweaking the beauty contest. Those are things that we could discuss when it comes back to turn the Emergency Ordinance into ...

Vice Mayor Kniss: For the final?

Council Member Wolbach: That'll be a part of a separate discussion, separate from the Comprehensive Plan, so I don't want to discuss that too much at this point. We're really talking about the Comp Plan, saying that's important but let's do it as an Ordinance rather than the Comp Plan. We may or may not, but that will be a future discussion.

Vice Mayor Kniss: I understand where you're going in that point. Thank you very much. As I said, I think it's very helpful to know what that square footage looks like.

Council Member Wolbach: Also, I just wanted to ask, with the seconder, if you're comfortable with L-1.161 or—I was actually just suggesting we scrap it and just get rid of the Downtown cap.

Mayor Scharff: Yes, I think it's fine to scrap the whole thing. Council Member Filseth.

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Council Member Filseth: Thanks very much. I actually had a question first on the Downtown cap. On the Downtown cap, can you remind me what's covered under that? Is it all nonresidential or does it include residential?

Ms. Gitelman: Currently, it's all nonresidential.

Council Member Filseth: All nonresidential.

Ms. Gitelman: The CAC discussed if it was going to be maintained, focusing it on office/R&D only or office/R&D plus hotel.

Council Member Filseth: Got it. Let me make a couple of comments in general about this and then come back to the Motion here for a second. Last weekend we discussed over the weekend at the Retreat the National Citizens Survey, which gave us all some pause. It appears that over half the community thinks that we're not acting in their best interest and that Palo Alto is headed in the wrong direction. Yes, people think Palo Alto is a great place to live, and that's a very high number. It's also gradually declining and has hit what, for it, is its lowest point this year. I think we need to understand why that is. I think it's a pretty good guess that it's not because we let Facebook get away to Menlo Park or that we haven't densified the City fast enough. I think it's much more likely it deals with the things that come up at the top of people's lists all the time, Citywide surveys and so forth, traffic, parking, cost of housing, particularly people that get priced out and can't live here. I think we need to focus on those and anticipate future issues based on our land use decisions, which may include school demand, increasing need for senior services. We had the lap swimmers here last week, worrying about crowding in Rinconada pool. Ongoing pressure on retail versus, as one of the speakers tonight mentioned, we're probably going to need more of it in the future as our City grows. We need to keep focus on those things. The trickiest ones are going to be the ones where there is conflict between those goals. As we proceed tonight, we need to act with considerable deliberation and care. The things we should keep before us are the things that we believe a majority of the community—our best guess of what a majority of the community wants, including the 80 percent of residents that never email us or show up here in City Hall and all that kind of stuff. As well, we ought to put a lot of emphasis on the areas of consensus from the CAC. This is a very valuable thing that we ought to keep in front of us. Finally—I'm going to come back to this—we need to be very judicious. I'm glad the discussion has gone in this direction about what belongs in the Comp Plan versus in coordinated area plans versus just in the Codes. All those things have different abilities for the City to make changes and adjust as our needs change and as our understanding evolves. With respect to this particular Motion, most of it's good. I particularly agree with

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the issue of the 50,000-square-foot annual limit continuing as a regular Ordinance as opposed to being in the Comp Plan. The advantage of that is the Comp Plan theoretically is going to last for 13 years. On the other hand, this update has taken the better part of a decade, so it might be considerably more than 13 years. It's not obvious to me that 13 or 20 years from now we won't encounter a circumstance where we need to get more than 50,000 square feet in some year. It makes sense for that not to be baked into the Comp Plan. On the other hand, I don't think we should eliminate the Downtown cap. I don't want to shut off discussion of this whole thing at this point, but at the appropriate point I'd like to make what's going to be, I assume, an unfriendly Amendment that we can vote on. Whether now (crosstalk).

Mayor Scharff: Now would be the time if you're talking, because ...

Council Member Filseth: If I do that, we're going to shut down discussion on all this stuff. We're just focused on that.

Mayor Scharff: That's correct.

Council Member Filseth: I'd like a cue from the Mayor when. If you want to do it now, that's fine. Comments on that are the Downtown area is about as vibrant as it needs to be. It's in a good space right now. I don't think it needs to be much denser and more vibrant. In terms of density, several of us traded emails with a couple of the tech business owners on the Cal. Ave. discussion a week ago. They've got 85 employees and 9,500 square feet, which is like 120 square feet per employee, so it's pretty dense. 50,000 square feet is a lot of employees. Finally, yes, it's true that's there higher use of mass transit in the Downtown area than there is in other parts of the City. Adding space does not reduce trips. It may increase it more slowly in the Downtown area than other places, but it doesn't reduce trips. It won't help. With that, I'm going to let other people talk.

Mayor Scharff: I think you should make your Amendment. What I really want to avoid is having to do second rounds without motions and that kind of stuff.

Council Member Filseth: It might be friendly. In that case, let me propose an Amendment, maybe it's friendly or not. We retain the existing Downtown cap of—is it 45,000 square feet? At least for the course of this Comp Plan Update, which is nominally 13 years. We exempt residential and retail from it.

Council Member Wolbach: (Inaudible).

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Council Member Filseth: Correct. Residential is already exempt from it, because it's nonresidential.

Council Member Wolbach: Actually I will not accept that Amendment.

Council Member Filseth: Then why did you say you would?

Council Member Wolbach: (Inaudible).

Mayor Scharff: Now, we need a second if you have one.

Council Member Filseth: Now, we need a second.

Council Member DuBois: I'd second.

AMENDMENT: Council Member Filseth moved, seconded by Council Member DuBois to replace Part C of the Motion with, "retain the existing Downtown Cap for 45,000 square feet and exempt retail from the Cap."

Mayor Scharff: Council Member DuBois was seconding that. Would you like to speak ...

Council Member DuBois: Could you just clarify? Are you choosing one of the four options or are you creating a new Option?

Council Member Filseth: That's a good question. Not office/R&D. The Downtown cap.

Council Member DuBois: I would support and propose Option 4.

Council Member Filseth: I'll exempt hotels as well. Basically, it limits it to office/R&D. Which Page are we on?

Mr. Keene: Page 16 in the Packet.

Mayor Scharff: Page 16 or Page 3. Look at this. This is much easier.

Council Member Filseth: I think it's Number 2.

Council Member DuBois: Would you accept an Amendment to make it Number 4 with the new hotel, additional caps for hotel?

Council Member Filseth: Additional caps for hotels.

Council Member DuBois: I think it was proposed by our Mayor originally.

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Council Member Filseth: Are you proposing that hotels be covered under the cap or be extraneous from the cap?

Council Member DuBois: I think Option 4 is 45,000 square feet for office and R&D and then 50,000 for hotels.

Mr. Keene: You'd be imposing a cap on hotels that don't exist now.

Council Member Filseth: I will accept that.

INCORPORATED INTO THE AMENDMENT WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Amendment, "and hotels" after "exempt retail."

Council Member DuBois: Are you going to speak to it?

Council Member Filseth: I think I've already spoken to it.

Mayor Scharff: You've spoken to it. Council Member DuBois.

Council Member DuBois: First of all, it's pretty radical to just blow away the cap and say we're not going to have any cap, when we recognize all the issues we've been dealing with Downtown. We talked about trying to encourage residential Downtown. Shifting the cap so it only applies to office and R&D will actually open up Downtown to other uses. Just removing the cap will continue to perpetuate a focus on office development. Again, Mayor Scharff had proposed Option 4 the last time we discussed this. We have discussed this several times.

Mayor Scharff: I don't think so.

Council Member DuBois: He's convinced me that hotel revenue Downtown would make sense. That's why I was pushing for Option 4.

Mayor Scharff: I think I just need to respond to that. I was not pushing for any caps on hotels. I've never had that ...

Council Member DuBois: You added the exemption and a new category to allow hotels Downtown when we had the discussion.

Mayor Scharff: Are you done? Now, I have lights from Council Member Fine and Council Member Holman. Council Member Fine, no. Council Member Holman, you want to speak to this Amendment or can we vote on this? I'll keep you in line for the rest when we come back, both you and Fine, if you ...

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Council Member Holman: It says Downtown cap of about 45,000 square feet. Is that 25 or 60? What does the language "about" come from?

Ms. Costello: It's actually the language in the policy. The language in the policy that this is referring to says specifically limit new office development in Downtown to 45,619 square feet. I think the overhead just tried to summarize that, but the ...

Council Member Holman: This is referring specifically to Program L-1.16.4 on Packet Page 63. Correct?

Ms. Costello: Yes.

Council Member Holman: Is that the intention?

Ms. Costello: The two options are Option 2 and Option 4, yes.

Council Member Holman: I just want to make sure, maker and seconder, that's the intention.

Council Member Filseth: Yes.

AMENDMENT RESTATED: Council Member Filseth moved, seconded by Council Member DuBois to replace Part C of the Motion with, "Program L-1.16.4 would retain a Downtown Cap of about 45,000 square feet for Office/R&D similar to Program L-1.16.2, and would also cap new hotel development at 50,000 square feet."

Mr. Keene: I'm assuming that that Packet Page is the same Packet Page as Packet Page 16, which other folks have in their Packet. Thanks.

Council Member Holman: No, because Packet Page 16 was the generic references. Packet Page 63 is the actual Comp Plan language. It's more detailed.

Mayor Scharff: Council Member Holman, are you finished? If we could vote on the board. Before you vote, we're voting on the Amendment. A yes vote is for the Amendment. A no vote is against the Amendment. That fails on a 5-4 vote with Council Members Wolbach, Kniss, myself, Tanaka and Fine voting no.

AMENDMENT AS AMENDED FAILED: 4-5 DuBois, Filseth, Holman, Kou yes

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Mayor Scharff: Now we're back to the main Motion. In line on the main Motion, I had Council Member Holman. I had Fine too, but you actually had your light on five seconds before he did.

Council Member Fine: I would be supporting this overall Motion. Thank you, Council Member Wolbach. I think you described it well. I also do want to thank Staff, the CAC and all our citizens for getting us this far. Just a broad comment before I make a quick Motion. The fact that we, here on City Council, are essentially getting a multiple choice test on our Comprehensive Plan says something to the need to make some hard, concrete decisions and move forward with these so we can get this done this year. Two quick amendments, and we'll see if they're friendly or not. On "A," I'd like to make an Amendment that we remove the Research Park. On "C," I support as a whole, but I'd like to—I'm not sure if it's initiate with Staff, but a specific area plan for Downtown.

Mayor Scharff: You'd like to do a specific area plan?

Council Member Fine: Yes, initiate.

Mayor Scharff: Do you have a second for the amendments?

Council Member Wolbach: We should probably take them separately. Mayor, if that's okay? Let's do one at a time. On the first one, I will not accept that as a friendly Amendment. If you get a seconder, happy to hear the arguments pro and con, but I'm not going to support it (crosstalk).

Council Member Fine: Does anybody want to support that?

AMENDMENT: Council Member Fine moved, seconded by Council Member Tanaka to add to Motion Part A, "with the exception of the Stanford Research Park" after "apply it citywide."

Mayor Scharff: Do you want to speak to your Motion?

Council Member Fine: Very quickly. I think the dynamics and economics of the Research Park are unique in our City. The cumulative cap there may not apply. There are different build-outs as we've seen in the past five or 10 years, and there may be in the next 20 years where Stanford is quickly developing a large parcel.

Mr. Keene: Was there a second?

Mayor Scharff: There was a second. Tanaka seconded it.

Council Member Fine: I think there are different dynamics there.

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Mayor Scharff: Council Member Tanaka, do you want to speak to your second? No. Does anyone else need to speak to this or can we just vote on it? Council Member Filseth.

Council Member Filseth: I have a question on this for Staff. The 1.7 million square feet currently is all nonresidential uses, and that includes the Research Park. Right?

Ms. Gitelman: Yes. That is currently included in the ...

Council Member Filseth: If we split out all other uses and focus the cap only on R&D—we split out retail and hotels and doctors' offices and chiropractors and CPAs and everything else—haven't we just effectively raised the cap on office space? It would be a reasonable assumption that before that maybe office/R&D would have been two-thirds or three-quarters of the 1.7 million, but now it's all of it. Haven't we just raised the cap if we do that?

Ms. Gitelman: Not necessarily. Under the way we do it currently, if you have a big warehouse building or a big retail store and you convert it to office, it doesn't count towards the cumulative cap. Under this new suggestion, where we're only counting office/R&D, it would count. Let's say you have a huge warehouse, 100,000 square feet, and you convert it to R&D space. Under our current cumulative cap, it wouldn't count because we're monitoring both and we're counting both warehouse space and R&D. With this proposal, it would count; 100,000 would count against the cumulative count on office/R&D. See what I mean?

Council Member Filseth: The warehouse would already have been nonresidential space, right?

Ms. Gitelman: It's the conversion. If you converted ...

Mr. Keene: What this is really saying, for the most part, if there is redevelopment now, that doesn't count against the cap. If there is redevelopment, that would count against the cap. You have some ...

Council Member Filseth: I see. What Council Member Fine is proposing is that we take the Research Park, which has 1 million square feet left to go or 800,000 or something like that, out of the 1.7. What you've said is that, on the other hand, redevelopments would be considered part of the 1.7, which they aren't already. I think I'm going to vote no on the Amendment. First of all, I don't think we're going to hit the 1.7 million anyway, no matter what. There's 800,000 square feet left in the Research Park. That basically raises the cap to 2.5 instead of 1.8. That's a big increase.

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Mayor Scharff: Speaking to the Amendment only, Council Member Holman.

Council Member Holman: A couple or three things. If we're not clear on what the language means and what conversion is versus new square footage, we're not looking at adopting something that we're going to be able to translate, interpret and enforce and implement in the future. If the language needs to be amended—this is to the Amendment because it's trying to get clarity on the Amendment so we know what the heck we're voting on. If Policy L-1.10 needs to say what counts—I think it does—towards the cumulative cap and what doesn't count towards the cumulative cap, we can be more informed about the Amendment and the policy itself. I would look to Staff to provide some language that clarifies and informs us on what we're voting on.

Mr. Keene: Mr. Mayor?

Mayor Scharff: Yes.

Mr. Keene: I think we could do that without having to get it maybe wordsmithed exactly. The way the Motion would be worded as it relates to the cap would say "any new office/R&D will count towards the 1.7 million cap." We don't have to go back and fix the language on the existing because this is going to supersede it.

Council Member Holman: Any new, but conversion—my interpretation, if you have a 100,000-square-foot warehouse and you convert that to office, it's new office.

Mr. Keene: That's right. Any new office counts against the cap.

Ms. Gitelman: I would say this language is included in Policy L-1.10 on Packet Page 61, at the top. It suggests that it would be a Citywide cap on office/R&D minus the SUMC. It would maintain a Citywide cap of 1.7 million new square feet of office/R&D development, new square feet of office/R&D development exempting medical office uses associated with the SUMC.

Council Member Holman: What were you saying didn't count when you had a warehouse conversion to office? When does that not count?

Ms. Gitelman: Under today's rules, the rules that are in place today about the cumulative cap, a conversion wouldn't count because we're monitoring all nonresidential, not just office/R&D.

Council Member Holman: Thank you for the clarification. I'm agreeing with Council Member Filseth on this. We're just raising the ante. This wasn't

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what came forward from the—not to say that we can't make some different kind of recommendations than the recommendations that came forward. This wasn't part of the discussion as far as I can tell. I don't have Minutes. As far as I can tell, it wasn't. I think it's a pretty significant change from what came forward, for us to just do that on the fly here at the dais. I will not be supporting the Amendment.

Mayor Scharff: If you need to speak to the Amendment. Council Member DuBois.

Council Member DuBois: Just to underline—I think it's been underlined. This is an increase of about 1 million square feet at a cap that will probably not be reached. I would just like to say I feel like we're getting off to a poor start tonight. We've had multiple meetings on this. It's going to be a shame if on these kind of major issues we're going to have 5-4 votes all night and remain split. As Council Member Filseth pointed out, we had some pretty important areas of consensus. One of them being high-quality development with the least impacts. We've had 17 community meetings. It just seems like bad governance to sit up here and add in another 1 million square feet kind of on the spur of the moment. I'm extremely concerned about the way this meeting is going. I'll just say that up front. Obviously, I'm not going to be supporting this Amendment.

Mayor Scharff: Council Member Kou.

Council Member Kou: Just to shed light on the number of square footage. The medical offices in the SUMC area, how many square foot was built over there or approved?

Ms. Gitelman: It's over—I didn't bring the number with me. It's 1.7 or 2 million square feet. It's a huge project that has been already entitled. It's already underway.

Council Member Kou: I understand that. That one is unmonitored and that has the 2 million additional square footage, and now we're adding another million for the Research Park. That's a little bit too much even.

Ms. Gitelman: I just found the number. It's 1.3 million square feet.

Council Member Kou: Thank you.

Mayor Scharff: Council Member Wolbach.

Council Member Wolbach: A couple of things. I wasn't going to weigh in but, after hearing some of the comments from my Colleagues, I felt I had to

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on this Amendment. I'll not be supporting the Amendment. I just think that the suggestion that we're off to a poor start because we might not be unanimous on everything is—that actually does a disservice to the conversation we're having here, the conversation we're having with the public, with the CAC and with the Staff and with each other. We'll probably have some more 5-4 votes, but we might also have some 7-2 votes. Hopefully, we'll actually get some unanimous votes. I hope that because somebody has an idea, we don't diminish that or dismiss that as in some way inappropriate just because we might disagree.

Mayor Scharff: With that, we'll vote on the board.

Mr. Keene: Just voting on ...

Mayor Scharff: The Amendment. Vote on the Amendment. Notwithstanding Council Member DuBois' comments, it is a 7-2 vote.

AMENDMENT FAILED: 2-7 Fine, Tanaka yes

Mayor Scharff: Now, we're back to the original Motion. Are we ...

Mr. Keene: Mr. Mayor ...

Mayor Scharff: Adrian had another ...

Mr. Keene: I'll defer, but I wasn't sure that "B" was absolutely clear. It doesn't speak to the 50,000 square feet. I thought that was the intent. Direct Staff to return addressing the annual limit or is that leaving that open? I'm just saying so (crosstalk).

Mayor Scharff: Why don't we clarify the Motion as the City Manager requests?

Council Member Wolbach: Briefly to clarify. Direct Staff to return with options for making permanent the annual limit Ordinance including consideration of a 2-3-year rollover. Actually, do we want to mention that or leave it all out?

Mayor Scharff: I would just (crosstalk). Why don't you just say 50,000 (crosstalk).

Council Member Wolbach: 50,000-square-foot annual limit and options for amending it based on experience with the pilot. Leave it to Staff to suggest options. I don't want to get into trying to have that conversation tonight.

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Mr. Keene: That's fine. I don't even know if we need direction on the options. We can come back and do that (crosstalk).

Mayor Scharff: We don't need directions on the options. That's for a separate meeting. I don't want to have a long discussion tonight about what that looks like.

Mr. Keene: I just wanted 50,000 in there for clarification.

Council Member Wolbach: Thank you.

Mayor Scharff: Not now.

Council Member Wolbach: It'll be a vibrant discussion, and we should have that but the Comp Plan is not the place and tonight's not the night.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace Part B of the Motion with, "direct Staff to make permanent the Annual Limit Ordinance of 50,000 Square Feet, separate from the Comprehensive Plan Update."

Mayor Scharff: Did you have another ...

Council Member Fine: One last one, hopefully less contentious. On Item Number C, I'd like to make an Amendment that we also direct Staff to initiate a community-driven specific area plan for the Downtown area.

Ms. Gitelman: If I can just clarify. We do have a program already in this draft Land Use Element that calls for a coordinated area plan in Downtown. I don't know if that would be sufficient, but I wanted to point that out.

Council Member Fine: Sufficient unless I get support enough. That's all.

AMENDMENT: Council Member Fine moved, seconded by Council Member XX to add to Motion Part C, "and initiate a community driven Specific Area Plan for the Downtown Area."

AMENDMENT WITHDRAWN BY THE MAKER

Mayor Scharff: We're back to the main Motion. I'm going to clear the board. We need to take that out. Council Member DuBois.

Council Member DuBois: I'm going to talk about the annual prioritization process. We've been calling it the annual limit, but it was really to look at quality design, which is something we've agreed we wanted to do.

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Mayor Scharff: Council Member DuBois?

Council Member DuBois: Yeah. Do you want me to make the Motion first or something?

Mayor Scharff: No. I was going to say the Option—I don't really want to get into the different options we could do of what that looks like if we're going to come back with a separate Ordinance. If you're going to make ...

Council Member DuBois: No, I think it belongs in the Comp Plan so I'm going to speak to that. There's a lot of things in here that get implemented in Ordinances. The Comp Plan is just the start. I believe this needs to be in the Comp Plan. It captured a lot of what we set out as our goals. I don't think we can say it's a failure since it's never been used. We've never hit the limit yet. Again, there was a suggestion of first-in-first-out, but that makes no sense. It was really focused on getting higher-quality projects similar to a process that Mountain View uses. My Substitute Motion would be for the annual limit—that we would go with Option 2 including the Stanford proposal of an additional 50,000 feet for the Research Park with the ability for them to roll that over. I think the one thing that was missing was up to the cap of the amount of available space in the Research Park.

Council Member Holman: I'll second if the maker is not accepting that, of course. I'll second.

AMENDMENT: Council Member DuBois moved, seconded by Council Member Holman to replace Part B of the Motion with, "Policy L-1.14 would perpetuate the interim annual limit of 50,000 square feet of Office/R&D and expand it to apply citywide, except that an additional 50,000 square footage allocation would be provided for the Stanford Research Park (SRP), and that allocation could be carried forward to future years if unused, up to the existing allowable square footage in the SRP. Stanford University Medical Center (SUMC) would be exempt from the annual limit. This exemption could be clarified to apply only to approved uses only if desired."

Council Member DuBois: Again, just to speak to this real quickly. Pulling any one of these out and saying, "We'll just implement it as an ordinance," the Comp Plan goes through an implementation cycle, and we will implement them as Ordinances. Nothing prevents us from replacing the Emergency Ordinance. It's kind of a separate process from the Comp Plan. The extensive discussion we've had about this process with the annual—I kind of (inaudible) calling it a limit. We've rarely hit 50,000. I think Liz said in 30 years we've rarely hit it. It was really to prioritize projects and encourage higher-quality development. That's key to the Comp Plan. It's what the Comp Plan's about.

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Mayor Scharff: Council Member Holman, do you want to speak to your second?

Council Member Holman: Yes, please. I have one quick question for Staff about it. What would be used for the baseline determinations for traffic?

Ms. Gitelman: Maybe you could explain a little more what your question is. I'm not sure I follow.

Council Member Holman: Talking about annual performance measures. What are we using as a baseline to decide what the new trips are or what the net new trips are not impacting or negatively impacting or increasing?

Ms. Gitelman: You're talking about the Stanford Research Park proposal?

Council Member Holman: Yes.

Ms. Gitelman: We would have to work that out. In the Comprehensive Plan, what we're looking for is broad policy direction. There would have to be an implementing Ordinance that would have to flesh out the specifics of the program.

Council Member Holman: Would the maker of this Amendment accept a "baseline traffic measure would be established"?

Council Member DuBois: I'm sorry. I was talking to the Clerk.

Council Member Holman: I was just wondering if you would accept as an Amendment to this to indicate that a baseline traffic measure would be identified?

Council Member DuBois: For the Research Park?

Council Member Holman: Yeah, for the Research Park.

Council Member DuBois: Yes.

INCORPORATED INTO THE AMENDMENT WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Amendment, "establish a baseline traffic measure for the Stanford Research Park."

Council Member Holman: Thank you. I'll be supporting this obviously. While I have the floor real quickly. I think it's going to be important for us— Mr. Mayor? Mr. Mayor? Mr. Mayor?

Mayor Scharff: Yes.

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Council Member Holman: I think it's going to be very important as we go forward here that we vote on each part of this Motion separately, to break it out into three parts.

Mayor Scharff: I'm not willing to do that. I think we're spending too much as it is. I think we need to move on.

Council Member Holman: It's going to in huge ways impact the outcome. I'll be supporting this Amendment.

Mr. Keene: You're going need to clean up the language there on the addition, the last sentence.

Mayor Scharff: Council Member Filseth.

Council Member Filseth: I think there's some good stuff in this Amendment, but I don't think this belongs in the Comp Plan. I'm probably not going to support it.

AMENDMENT AS AMENDED RESTATED: Council Member DuBois moved, seconded by Council Member Holman to replace Part B of the Motion with, "Policy L-1.14 would perpetuate the interim annual limit of 50,000 square feet of Office/R&D and expand it to apply citywide, except that an additional 50,000 square footage allocation would be provided for the Stanford Research Park (SRP), and that allocation could be carried forward to future years if unused, up to the existing allowable square footage in the SRP. Stanford University Medical Center (SUMC) would be exempt from the annual limit. This exemption could be clarified to apply only to approved uses only if desired. Establish a baseline traffic measure for the Stanford Research Park."

Mayor Scharff: If we could vote on the Amendment. That fails on a 6-3 vote with Council Members DuBois, Kou and Holman voting yes. The remaining Council Members voting no.

AMENDMENT AS AMENDED FAILED: 3-6 DuBois, Holman, Kou yes

MOTION AS AMENDED RESTATED: Council Member Wolbach moved, seconded by Mayor Scharff to direct Staff to include in the final Draft of the Comprehensive Plan Update:

A. Cumulative Cap:

Policy L-1.10 would maintain a Cumulative Cap of 1.7 million square feet, which is the square footage remaining under the existing cap, focus the Cap on Office/R&D uses and apply it citywide rather than

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only in "monitored areas." It would also exempt medical office uses in the Stanford University Medical Center (SUMC) area (the current Cap does not apply to this geographic area), and require annual monitoring to assess the effectiveness of development requirements and determine whether the Cap and the development requirements should be adjusted; and

B. Annual Limit:

Direct Staff to make permanent the Annual Limit Ordinance of 50,000 Square Feet, separate from the Comprehensive Plan Update; and

C. Downtown Cap:

Eliminate the Downtown Cap found in existing Program L-8 and focus on monitoring development and parking demand.

Mayor Scharff: Now, we're back to the main Motion. I see no lights on the board. If we could vote on the board on the main Motion. That passes on a 5-4 Motion with Council Members DuBois, Kou, Filseth and Holman voting no.

MOTION AS AMENDED PASSED: 5-4 DuBois, Filseth, Holman, Kou no

Mayor Scharff: I'm actually tempted to go to something less controversial, but I'm not going to. Childcare, that's what I was thinking next. I wanted to take a break and do childcare, but I wasn't sure that wouldn't be controversial. I think the next thing really is building heights. I think we need to take that up and do that. I'm going to clear the board. We'll come back on building heights, if anyone wants to speak on building heights. Vice Mayor Kniss.

Vice Mayor Kniss: Let me take a stab on building heights. Maybe not surprisingly, I think that this actually doesn't belong in the Comp Plan. We've never had building heights in the Comp Plan before. This is currently an Ordinance. Could I ask either Jim or Hillary to say something about it currently as an Ordinance, how long it has existed, and so forth. We don't have much history in here regarding this height limit which has been carved in stone now for, I think, 40 years or more.

Ms. Gitelman: I don't know how far back it goes, but we know it goes back before the last Comp Plan, because it's mentioned in the text of the current Comp Plan that was adopted in 1998. It's been around.

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Vice Mayor Kniss: Can you give us an idea of what that text was then? You know what, it doesn't matter. I think it actually goes back to the early '70s. Could I ask a member of the audience, if Bob Moss is still here? Bob, can you be our historian for a minute and tell us when the height limit began? I think it's '72 or '73.

Mr. Moss: Actually I believe it was in '78 because that was the first time we had a Comprehensive Plan that actually looked at everything. The Plans we had before that were kind of little bits and pieces. In 1977, '78, we got together and put an entire Plan together.

Vice Mayor Kniss: Could we agree on 40 years?

Mr. Moss: Yeah. It's been over 40 years. I'm always reminded of what the late Mayor said about the Comprehensive Plan. He said he liked it because it was comprehensive, it was only a plan, and it could be amended at any time.

Vice Mayor Kniss: Thank you, Bob. I appreciate that. Looking at that, I'm going to just jump right in and make this as a Motion. I believe that currently and staying as an Ordinance we should maintain the current 50-foot height limit, but—let me just stop there. That's the Motion, and then I'll make some comments if I get a second.

Council Member Wolbach: Second.

MOTION: Vice Mayor Kniss moved, seconded by Council Member Wolbach to maintain the current 50-foot height limit separate from the Comprehensive Plan Update, continuing as an Ordinance.

Vice Mayor Kniss: Having a second, if I may make a couple of comments?

Mayor Scharff: What's your Motion?

Vice Mayor Kniss: The Motion is to take this out of the—let's see if we can make this a little smoother so that we can discuss it. The Motion is to maintain the 50-foot height limit and to maintain it as an Ordinance.

Mayor Scharff: That's a little confusing because ...

Vice Mayor Kniss: That's why I'm try to un-confuse it.

Mayor Scharff: I think the Motion would be—you don't have to do anything. There's already an existing Ordinance. I think the Motion could be to not put it in the Comp Plan and continue to have the Ordinance.

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Vice Mayor Kniss: I think separate from the Comp Plan Update is fine. The reasons. Now speaking to the Motion, which will ...

Mayor Scharff: It's not to maintain the current 50-foot height limit. It's to separate it from—to not put it in the current Comp Plan ...

Vice Mayor Kniss: It is not to put it in the Comp Plan, but to ...

Mayor Scharff: ... and keep the existing Ordinance.

Vice Mayor Kniss: ... keep the 50-foot height limit that we have had now, we agree, for about 40 years. Are we now agreed on this?

Council Member Wolbach: No (inaudible).

Vice Mayor Kniss: Let's get it right before we have a discussion.

Council Member Wolbach: I agree.

Vice Mayor Kniss: My goal is to maintain the current 50-foot height limit, separate it from the Comp Plan Update because it is currently an Ordinance and can continue to be an Ordinance.

Mayor Scharff: I think the simplest thing to do and the cleanest thing to do would be just simply to say to not address height limits in the Comp Plan.

Vice Mayor Kniss: No. That isn't what I want. I want to keep the current 50-foot height limit.

Council Member Wolbach: Can I ask a question of Staff?

Mayor Scharff: Sure.

Council Member Wolbach: Is it possible for Staff to do a Control-F on the existing Comp Plan to find the existing Comp Plan's language on height limits? I think our goal was not to change that, whatever that is. If it's silent, to maintain silence. If there is a current reference, to maintain that reference.

Ms. Gitelman: We'll find it.

Vice Mayor Kniss: I don't see how this could be that complicated.

Mayor Scharff: I don't either.

Council Member Wolbach: Would the maker accept a slight Amendment?

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Vice Mayor Kniss: If I like it.

Council Member Wolbach: Maintain any but only existing language in the 1998 Comp Plan regarding height limits.

Vice Mayor Kniss: As long as we're not running into anything that's really going to ... I think that's an acceptable—I would like to look at it. My goal, so that we're all clear on this, is to maintain the height limit, to maintain it as an Ordinance. I think what that does is it allows more flexibility. That would be a comment, not in the Motion. Do you want to wait until they dig it up?

Council Member Wolbach: Has Staff been able to find anything in the—still looking.

Mayor Scharff: Is that your Motion then? Are we ...

Vice Mayor Kniss: That's my Motion. Any but only existing language ...

Mayor Scharff: The second part would go ...

Vice Mayor Kniss: ... I'm sure it's fine, but it's a little difficult to vote on it when we don't have it in front of us.

Mayor Scharff: Right. I agree. I didn't think there was any language in the Comp Plan.

Council Member Wolbach: I didn't either.

Vice Mayor Kniss: I didn't think there was either.

Council Member Wolbach: Hillary said earlier she thought it was.

Ms. Gitelman: It's just taking a while to download the 1998 version. Just to clarify, it's not in a policy or a program in the Comp Plan currently. It's in some explanatory narrative.

Council Member Wolbach: Can you do Control-F on the hard binder?

Mayor Scharff: I would prefer that we just have it in an Ordinance frankly ...

Vice Mayor Kniss: It's probably cleaner.

Mayor Scharff: ... than what it says. (Crosstalk).

Vice Mayor Kniss: Why don't we do that. Can we just take that out?

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Council Member Wolbach: Suggest whatever you want.

Vice Mayor Kniss: Just take it out.

Council Member Wolbach: (Inaudible).

Vice Mayor Kniss: It says maintain the current 50-foot height limit separate from the Comp Plan Update, continuing as an Ordinance.

Mayor Scharff: I think that's fine.

Ms. Gitelman: Mr. Mayor, we found the reference. This is on Page L-7 of the current Comp Plan. Again, it's in the narrative; it's not in policy. It says the Citywide 50-foot height limit has been respected in all new development since it was adopted in the 1970s. Only a few exceptions have been granted for architectural enhancements or seismic safety retrofits to noncomplying buildings.

Council Member Wolbach: (Inaudible).

Vice Mayor Kniss: I think we can leave it out. The understanding is that it has existed for a very long time. It has worked well. That's my goal, to keep it as is, as an Ordinance which we have agreed has far more flexibility than even we have currently used. Are you still comfortable with that, Council Member Wolbach? In that case, I don't think I need to speak to it any further. I think the old Comp Plan spoke to it the best and said it's existed now for close to 40 years. It has worked well. If it continues as an Ordinance, we have flexibility with it. During that length of time, I can think of at least three buildings that have gone over the 50-foot height limit, including the JCC. Those were done after a great deal of discussion. That's my comment.

AMENDMENT: Council Member Wolbach moved, seconded by Council Member XX to replace in the Motion, "the current 50 foot height limit separate from the Comprehensive Plan Update, continuing as an Ordinance" with "any but only existing language in the 1998 Comprehensive Plan relating to height limits."

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

Mayor Scharff: Council Member Holman.

Council Member Wolbach: (Inaudible).

Mayor Scharff: Sorry. You get to speak to your second.

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Council Member Wolbach: For me, this is kind of like how I felt about the annual limit. I think it's important. It should remain an Ordinance. I don't think it needs to be added as a policy or a program into the Comprehensive Plan. It hasn't been a policy or program in the Comp Plan in the past, and I don't think that's necessary. It's very clear to all of us up here on the dais how important it is to the community. This Motion is simple and doesn't change the status quo and doesn't risk a substantial change for the community.

Mayor Scharff: Council Member Holman.

Council Member Holman: I think we're maybe losing sight of something tonight. That is—that's what it seems like anyway—the Comprehensive Plan is a policy document. If our policy is to retain the 50-foot height limit, then it belongs in the Comprehensive Plan. It can then be reaffirmed in a zoning document. Having such things as height limits, just like having development limits, is a policy, so it belongs in the Comprehensive Plan. I don't think finite details about every little nick-knack belong in the Comprehensive Plan because those are development standards that actually belong more specifically and more finitely in a Zoning Ordinance. A height limit, given the community dialog about this over decades, is a policy, and we need to be clear on that policy. With that, I will making an Amendment. I would move that we include Policy L-6.7, which would maintain the current 50-foot height limit in the Comprehensive Plan and add to that "with potential limited exceptions for the Fry's and Cubberley site."

AMENDMENT: Council Member Holman moved, seconded by Council Member Kou to add to the Motion, "include Policy L-6.7 and add possible, limited exceptions to the Fry's and Cubberley sites.

Mayor Scharff: Second from Council Member Kou. Do you wish to speak to your second?

Council Member Holman: Give Staff just a moment to get it up here. While they're putting it up there, I'll say that we shouldn't forget that we have—coming back to the Council at some point in time, we have a PC process. Where there are limited places, very exceptional places, where we might want to exceed the 50-foot height limit, it could be addressed that way. We also have Density Bonus Laws that in some ways and in many ways actually constrain our ability to control things such as height limit. I think we're going to lose more and more control as time goes on. I don't have confidence over the life of the Comprehensive Plan that we're going to be able to maintain that without some kind of more firm standards. To add with some possibly limited exceptions, to the City Clerk, at the Fry's and

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Cubberley sites. That's why I think it belongs in the Comprehensive Plan; it's a policy.

Mayor Scharff: Council Member Kou, speak to your second.

Council Member Kou: It's been in the current Comprehensive Plan for about 40 years.

Mayor Scharff: It hasn't. It's not in the ...

Council Member Kou: It's not, but the text is in it. Let me reword. The text is in there. Let's make it firm and have it as a policy. Everything that Council Member Holman had said makes sense.

Mayor Scharff: Council Member Fine.

Council Member Fine: I will not be supporting this Amendment. In contrast to Council Member Holman, I'm not sure I'm comfortable including a specific unit measure as our height limit in the Comprehensive Plan, because I'm not sure it will serve our City well over the next 15-20 years. I believe keeping it outside the Comprehensive Plan, as has been done, is a way to allow us to identify flexibilities we need in the future. It could be Cubberley and Fry's. It could also be affordable housing or it could be another Public Safety Building perhaps or a nonprofit space. I'd prefer to go with the original Motion. I'll be not supporting this one.

Mayor Scharff: Council Member Filseth.

Council Member Filseth: I find myself in the same space as Council Member Fine here. I'm certainly not prepared to repeal and replace it tonight. At the same time, I don't think we should ban it outright. We don't know what our needs are going to be 10, 15 years from now. The way it is has worked reasonably well for many years now. I'm okay with proceeding that way.

Mayor Scharff: I'm going to speak briefly to it. It has worked reasonably well. There's an interesting community conversation regarding the height limit. I personally support 55 feet for retail. That's something that would be worth doing. We need to have community conversations on that before we move forward. We'd have better retail, better architecture and a better sense of place in Palo Alto, and people would enjoy that better. Not putting it in the Comp Plan and leaving it in the Ordinance allows those conversations to take place over time. That's something that's really important for the community. I don't think breaking the 50-foot height limit is something people will do without thought and deliberation. We haven't done it for 40 years.

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Council Member Filseth: You've got to fight.

Mayor Scharff: You've got to fight, no really. I think it's a divisive issue. I do hear different reasons when people talk about what they want. Frankly, it may be something that at some point goes to a vote of the people about what they want. Putting it in the Comp Plan could limit the ability to go to the people to do that without changing the Comprehensive Plan. I'm going to vote no on the Amendment. Council Member Wolbach, did you have your light on?

Council Member Wolbach: Again, we're just speaking to the Amendment currently, correct?

Mayor Scharff: Yes.

Council Member Wolbach: I'm not going to support the Amendment. Basically I'll just associate my comments with those of Mayor Scharff with the exception of I'm not currently convinced that 55 is something we should go to. I've always been very clear, since before I joined the Council, that even if we were to start from scratch and ask the question, what would be a good height limit if we didn't have one, would 50 feet be the right one? I'm not sure. Probably not. It's what we have, and we've had it for a long time. It's served us very well. I'm not interested in—as many controversial stands as I take, that's not one that I think is super important for us to change. As I've said for the last couple of years, I haven't heard a lot of people from the community saying it needs to change, it should go up. That's actually started to change in the last 6-12 months including tonight. We've heard a lot of people, a lot of groups that I didn't expect to weigh in on this, starting to say that we should actually change the height limit or we should look at changing the height limit. This Motion says we're not looking to change that; we're not trying to change it. We're leaving the door open for that conversation in the future. Council Member DuBois and I have both spoken on this dais in the past about maybe letting the public decide through a ballot measure. There's been discussion about maybe going up to 55 feet to give a little more space to ground-floor retail. There's been discussion about going up to 65 feet for affordable housing. I still think it's not something I'm interested in changing, but I don't want to foreclose those conversations. What the community is telling us about this issue has changed, I think, very dramatically in the last few months. I don't think now would be the appropriate time to say we're not going to continue that conversation.

Mayor Scharff: Council Member DuBois.

Council Member DuBois: (Inaudible).

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Mayor Scharff: Let's vote on the Amendment. That Amendment fails on a 6-3 Motion with Council Members DuBois voting yes, Council Member Kou voting yes and Council Member Holman voting yes.

AMENDMENT FAILED: 3-6 DuBois, Holman, Kou yes

Mayor Scharff: Now, we're back to the main Motion. If we could vote on the main Motion. That passes on a 7-2 vote with Council Member DuBois voting no and Council Member Holman voting no.

MOTION PASSED: 7-2 DuBois, Holman no

Mayor Scharff: How do people feel about a five-minute break?

Vice Mayor Kniss: That would be very nice.

Mayor Scharff: Let's just take a five-minute break, but let's try and come back in five minutes.

Council took a break at 8:49 P.M. and returned at 9:00 P.M.

Mayor Scharff: The next item we'll be taking up is childcare. I believe we have almost all our Council Members back. I see no lights yet, if anyone wants to weigh in.

Vice Mayor Kniss: On childcare?

Mayor Scharff: On childcare. Council Member Wolbach.

Council Member Wolbach: I'll move "G2." That would mean to exclude childcare from the list of typical uses in neighborhood commercial areas.

Vice Mayor Kniss: I'll second that.

MOTION: Council Member Wolbach moved, seconded by Vice Mayor Kniss to direct Staff to exclude from the final draft of the Comprehensive Plan Update "child care" from the list of typical Neighborhood Commercial uses.

Council Member Wolbach: I'll speak to it. I was moved by the comments by Annette Glanckopf earlier. I'm happy to take her considerations and move forward with "G2."

Mayor Scharff: Do you wish to speak to your second, Vice Mayor Kniss?

Vice Mayor Kniss: Let me say this. This is difficult. For those of us who have searched for childcare in the past or are searching for it at the present,

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I know this can be tempting. Having listened to a number of people who have written us on one side or the other, it really makes more sense for us to exclude childcare from that particular list. At the same time, I know and I'm very sympathetic with those who are looking for childcare and perhaps hoping at some point it's going to be easier to find it. I certainly also want to mention that any of the companies that provide childcare, I know the workers are grateful for that. I'm grateful that they do it.

Mayor Scharff: I see no lights on the board. I'm going to take a second and just let everyone take a (inaudible). If no one else wants to speak, I'm happy for that, and we can vote. Council Member Filseth.

Council Member Filseth: Is somebody from the CAC here? What was the argument in favor?

Mayor Scharff: Is there anyone from the CAC who wishes to speak in favor? The other side. Adrian wants to speak.

Council Member Fine: Summing up what some folks on the CAC were saying, childcare is a very expensive service to find in Palo Alto. Sometimes, the most convenient neighborhood-focused childcare may be in your neighborhood actually or at one of the neighborhood-serving commercial centers. We shouldn't be restricting this in a blanket way, but maybe it would be a neighborhood-by-neighborhood or neighborhood commercial center by commercial center analysis.

Mayor Scharff: Council Member Filseth, do you want to speak further or are you done?

Council Member Filseth: I'm probably done. We should have as little regulation as possible but not less, if that makes sense.

Mayor Scharff: Council Member Fine, are you done or do you want to speak?

Council Member Fine: The argument I just presented to you is the one that I kind of favor as well. There should be limited childcare facilities in some neighborhoods or neighborhood commercial centers. I won't be supporting this Motion. I do think there are opportunities where it works. Although, there are also opportunities where it's a quality of life issue for other neighbors. I think there's a balance there.

Mayor Scharff: Council Member Tanaka.

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Council Member Tanaka: Just out of curiosity, in terms of childcare definition, as I recall there's a Gymboree in the Midtown Center. Is that a childcare or not?

Ms. Gitelman: I don't think that counts as childcare. I would have to go back to the Zoning Ordinance, which we can look up here if you need specifics.

Council Member Tanaka: As a parent, my kids are older now so it's not quite as big of a deal. I do recall it being extremely difficult to find childcare here in Palo Alto. Having one near your house is actually kind of key, especially when the parents are working. I too am not going to support this Motion.

Mayor Scharff: Council Member Holman.

Council Member Holman: I appreciate the Motion and will be supporting it. Just to reiterate very briefly what Annette Ashton said. We need to preserve our neighborhood centers for the retail and personal services we're going to be needing so much, especially as the population grows. Childcare is not really a very good mix in a retail shopping center for a number of reasons.

Mayor Scharff: Seeing no lights, if we could vote on the board. That passes on a 6-3 Motion with Council Members Filseth, Tanaka and Fine voting no.

MOTION PASSED: 6-3 Filseth, Fine, Tanaka no

Mayor Scharff: That deals with childcare. Now, I think we go back to housing sites. I believe we didn't do housing sites yet.

Vice Mayor Kniss: You are on Page 2?

Mayor Scharff: Page 2C, which is ... Council Member Fine.

Council Member Fine: Thank you. I don't believe in the Comp Plan we should be purposely restricting specific sites from potential future housing, particularly multifamily housing. I'll make a Motion that the Comp Plan leave open or consider all of these sites for housing.

Council Member DuBois: I'll second that. Are you saying you're accepting all the things under "C" here?

Mayor Scharff: Yes, I think that's what he's saying.

Council Member DuBois: I would second that.

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MOTION: Council Member Fine moved, seconded by Council Member DuBois to direct Staff to include in the final draft of the Comprehensive Plan Update:

- A. Pursue multifamily housing at the Stanford Shopping Center, provided adequate parking is maintained, as alluded to in Policy L-4.7 (the language could be strengthened); and
- B. Pursue multifamily housing in the Stanford Research Park, particularly along the El Camino Real frontage as alluded to in Program L-5.4.1 (the language could be strengthened); and
- C. Reinstate the language in previous Policy L-33 (now Policy L-4.12 and Program L-1.12.3) about housing potential in the Town & Country area; and
- D. Include a new program to pursue multifamily housing near Stanford University Medical Center (SUMC) and/or in the western part of the Stanford Research Park.

Council Member Fine: I'll just speak to it. Given our housing crisis and the lack of multifamily housing, which could meet it, we do need to keep all options on the table. I don't believe the Comp Plan is the right place to take them off the table.

Council Member DuBois: I would speak to the second. I would ask if the maker would consider the language that Stanford provided about rather than specifying locations in their areas—they actually proposed language here about letting them explore various options that would include residential but not specifying that it be along El Camino. Some of these policies were extremely specific. They offered more general language.

Council Member Fine: I would accept that.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace Part B of the Motion with, "Program L-5.4.1 explore with Stanford University various development options for adding to the Stanford Research Park a diverse mix of uses, including residential, commercial hotel, conference center, commercial space for small businesses and start-ups, retail, transit hub, and other community-supporting services that are compatible with the existing uses, to create a vibrant innovation-oriented community." (New Part E)

Council Member Fine: I'm just noticing as Staff is typing it up. I didn't intend to include "C." I think San Antonio should be a potential housing site.

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I thought all these lists were saying consider this one, don't consider this one. All should be considered.

Council Member DuBois: I did intend to include that. We need to encourage housing near transit. There's been a lot of discussion about that. The point of that was in our Housing Element, we had specified an area that was pretty underserved. It's kind of our last semi-industrial space. Either we can split that out or I can ...

Mayor Scharff: I'll tell you what. Why don't we take a separate vote on that issue?

Council Member DuBois: Okay.

Mayor Scharff: We'll come back to that and take a separate vote on that issue. I would second your Motion on that, Tom. We'll wait on that.

Council Member Fine: Take out "C" for now.

Council Member DuBois: That's it.

Council Member Fine: I would accept Council Member DuBois' change about housing sites in Stanford.

Mayor Scharff: Can we get that language, Tom? Sorry, Council Member DuBois. Do you have it?

Council Member DuBois: That would be in "D", right?

Council Member Fine: "B," particularly along El Camino Real frontage. Are you saying ...

Council Member DuBois: The language they had—I guess Hillary has it.

Ms. Gitelman: I think the easiest thing to do is add it as a separate item and just say with regard to "B" and "D" above use language similar to this or something.

Council Member DuBois: You want to just replace "B" and "D" with "E"?

Ms. Gitelman: We could. There's another thought in "D" that refers to the Medical Center area. I'm sorry. Council Member DuBois, would you like that language in lieu of "B"? Is that what you're proposing?

Council Member DuBois: I think it makes more sense, if that's acceptable to Council Member Fine.

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Council Member Fine: It's acceptable.

Mayor Scharff: Let's see where we are on this. Council Member Fine, Council Member DuBois, have you both spoken to your Motion?

Council Member DuBois: Yeah.

Mayor Scharff: That's means we're now at Council Member Kou.

Council Member Kou: Council Member DuBois had said what I wanted to express, which is to use Stanford's language. Thank you.

Mayor Scharff: Council Member Holman.

Council Member Holman: I would like to see "C" eliminated or actually refined such that housing at Town and Country Village would be limited to second-floor office replacement.

Vice Mayor Kniss: If you make it an Amendment, I'll second it.

Council Member Holman: First, we'll see if the ...

Mayor Scharff: First of all, would you accept it or not?

Council Member Holman: I'm sorry?

Mayor Scharff: Council Member ...

Council Member Fine: I would accept that.

Mayor Scharff: Maybe we could get the language.

Council Member Holman: Housing potential in Town and Country Village would be limited to second-floor office conversion.

Council Member Fine: Let me ask you a quick question about that. Would it only be limited to second-floor housing or would there be the potential of adding second, third, fourth-story housing at Town and Country?

Council Member Holman: There are many Comprehensive Plan policies and programs that talk about recognizing and preserving Town and Country Village and attractive retail service, talks about preserving the scale of it and everything.

Council Member Fine: Exactly. I think the point is you don't want ground-floor housing at Town and Country. Is that correct?

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Council Member Holman: That's correct.

Council Member Fine: I think that would be more specific and more what I would like to see in this.

Council Member Holman: It's a shopping area; it's a shopping center. We don't want housing on the ground floor.

Council Member Fine: Right, I completely agree. As it's written right now, it's limiting housing to second floor at floor office conversions, which I think is a bit limiting. I would prefer to have housing potential there, above the ground-floor retail. There's a small difference. If it's limited to second-floor office, then that's all it could be. It couldn't be a third floor.

Council Member Holman: That's correct.

Council Member Fine: Then I don't accept it. I'm sorry.

Council Member Holman: Again, that's guided by many of the other policies and programs that are in the Comp Plan.

Council Member Filseth: You don't want third-floor housing?

Council Member Holman: No.

Council Member Filseth: Why not?

Council Member Holman: I'll repeat it again. Because of several other Comprehensive Plan policies and programs that talk about preserving the character of Town and Country Village.

Mayor Scharff: Council Member Holman, I actually agree with you, but maybe we'll come back to it. Go ahead and make the Amendment.

Council Member Holman: I can't hear you.

Mayor Scharff: We'll come back to it and make an Amendment, because I actually agree with you. We'll come up with something as I think about it.

AMENDMENT: Council Member Holman moved, seconded by Vice Mayor Kniss to add to the Motion Part C, "which would be limited to second floor office conversion."

AMENDMENT WITHDRAWN BY THE MAKER

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Mayor Scharff: Anything else on that? Let's see. I actually agree with Council Member Holman on the Town and Country. We just may have a disagreement, me and Council Member Fine, on it. I view Town and Country as the place that has the worst traffic in the entire place in Palo Alto. I don't really see, until we solve the ingress and egress, the densification of Town and Country. I find it is not the place where I would like to see a densification in new housing right now. Town and Country is a wonderful place that works really well, and I actually like the current architecture and the way it works and the way it looks. I think it's iconic in some ways. I would move that we delete Paragraph C and do not support housing at Town and Country.

Vice Mayor Kniss: That's what I would agree with.

Mayor Scharff: Council Member Holman will second that.

AMENDMENT: Mayor Scharff moved, seconded by Council Member Holman to replace Part C of the Motion with, "not support housing in the Town & Country area."

Mayor Scharff: No. Council Member Holman—I thought Council Member Holman—I didn't realize she had a second. Are you willing to withdraw your Motion?

Council Member Holman: I'll withdraw the Amendment if we can come up with better language.

Mayor Scharff: The language was that we would delete "C" and that we would not support housing at Town and Country. I appreciate the second, but it was actually Council Member Holman who seconded it. Since I got the second, I am going to speak to my Motion. I spoke mostly to it. Again, I do feel that Town and Country is a special place. It's one of the last places that has this history of Palo Alto feel to it. It's been redeveloped in a really great way. I wouldn't want to see housing there and take away the character of that. I also do think that, given the traffic situation especially with Trader Joe's and how that's gone in there, finding parking there at all is virtually impossible. I always ride my bike there, frankly, because it's quicker than going anywhere else. It's so difficult to get in and out. The way traffic flows on Embarcadero, we haven't fixed that issue. I'm not sure if there is a fix to it. We've looked at it several times; we actually voted recently on that. I think it would be a mistake to build housing there. I support housing in all these other places, but I don't think it's the kind of place we just need to put housing. Council Member Holman.

Council Member Holman: I'm good.

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Mayor Scharff: Council Member Kou.

Council Member Kou: Thank you for that. I will support this Amendment. In addition to everything that you said, Mayor Scharff, Palo Alto High School is there also. With the traffic congestion over there and the ingress and egress, not having further density in that location is very important to keep the safety factor.

Mayor Scharff: Council Member Wolbach.

Council Member Wolbach: I'm looking for the actual language that would be reinserted into ...

Mayor Scharff: Do you want me to come back to you? I'll (crosstalk).

Council Member Wolbach: I'll speak to this. I'll not be supporting the Amendment. Even though I don't think Town and Country Village is currently prepared for housing, there is a potential for that at some point during the lifecycle of this Comprehensive Plan. I would like to not foreclose that opportunity. I will not be supporting this Amendment.

Mayor Scharff: Vice Mayor Kniss.

Vice Mayor Kniss: I am supporting it. It's probably the shopping center I'm most familiar with. You wait for three lights frequently to get there. I can't imagine what would happen that would be different that would actually allow housing to go there. In truth, if they came to us for housing, I think I'd probably say I don't think that's a good idea. That's very limited on parking, so that they have valet parking at noon time, which indicates just how crowded it is. There's one other aspect of this that I wanted to bring up. Council Member Tanaka has talked a lot about curation, which wasn't something I was very familiar with as far as curating a shopping center. That's one that they have definitely curated and well. I think it's three to four years now perhaps. That was a dying shopping center. Whomever took it over from the last person who managed it completely redid it in such a way that it is not only frequented but over-frequented. I think it's a great example of really good retail in our City. I would certainly like to keep that retail. They do have some small offices on the second floor. I think this is one of those areas that, as I said, I would not support for housing.

Mayor Scharff: Council Member Filseth.

Council Member Filseth: I actually wanted to ask a question of Staff. Council's had a lot of concern over the last few years about conversions of

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retail to office space. Is there much incidence of conversion of retail to housing? Is that something that you see a lot of?

Ms. Gitelman: No.

Council Member Filseth: Not a huge concern at this point that, if we allow this, all of our retail will go away to housing.

Mayor Scharff: Council Member Fine.

Council Member Fine: Just one last thing. Vice Mayor Kniss, I appreciate your comment about waiting for three lights. It can be very hard to get into Town and Country and to find a parking spot, which is why I'd love to live above those shops someday.

Mayor Scharff: Let's vote on the board. We're voting for or against the Amendment right now.

Vice Mayor Kniss: For the Amendment doesn't support housing.

Mayor Scharff: That passes on a 5-4 vote, the Amendment, with Council Member DuBois voting no, Council Member Kou voting yes, Council Member Wolbach voting no, Vice Mayor Kniss voting yes, Mayor Scharff voting yes, Council Member Filseth voting yes, Council Member Tanaka voting no, Council Member Fine voting no, and Council Member Holman voting yes.

AMENDMENT PASSED: 5-4 DuBois, Fine, Tanaka, Wolbach no

Vice Mayor Kniss: That's our most colorful board tonight.

Mayor Scharff: That's why I read them all out. Now, we're back to the main Motion, which includes the Amendment. I promised Council Member DuBois I would come back to him for his—yes, you want to make your Amendment?

Council Member DuBois: I thought we were going to vote on that separately at (crosstalk).

Mayor Scharff: What did you say?

Council Member DuBois: I thought we were going to vote on San Antonio separately (crosstalk).

Mayor Scharff: Yeah, we're going to vote on it separately. You're correct. Let's vote on this, and then we'll vote on San Antonio separately. I see lights now, three lights. Council Member Wolbach.

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Council Member Wolbach: I'd like to suggest a couple of friendly amendments. In "A" and in "D," I'd like to suggest that we change the word "pursue" to "explore." It's a subtle change. I think Stanford—if they have anyone here, I think they do. We could ask them. It would give us that flexibility without being as prescriptive. I'm certainly in favor of having a thorough pursuing, but I think "explore" just leaves it a little bit more open.

Council Member Fine: I'm looking for another way to say yes, I'd support that.

Mayor Scharff: We're now changing ...

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in Parts A and D of the Motion, "pursue" with "explore."

Council Member Wolbach: That was accepted. On "A" and "D," "pursue" becomes "explore."

Mayor Scharff: In "A," it becomes "explore" too?

Council Member Wolbach: Yeah. The two words that are currently in bold, let's change those to "explore." Where it said the "western part of the Stanford Research Park" is probably a little confusing. Actually, we could get rid of that western part now because the new "B" is all encompassing of all of the Stanford Research Park. I'd actually recommend that in "D" after "SUMC" put a period and get rid of the rest if the maker and seconder ...

Council Member Fine: Accept that.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove from Motion Part D, "and/or in the western part of the Stanford Research Park."

Council Member Wolbach: Just to clean it up. Aside from that ... I would actually suggest adding something to "A," which is to—where it would say "provided adequate parking and vibrant retail is maintained." It's unlikely, as we just heard, to see conversion, but I want to make sure that if any housing were to be added in the future at the shopping center, it would be in addition to the strong retail center that (crosstalk) ...

Council Member Fine: Agreed.

Council Member Wolbach: ... important to City finances.

Council Member Fine: Yes.

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Council Member DuBois: I'll accept this one, but I feel like we're over wordsmithing at this point.

Council Member Wolbach: I thought it was worth mentioning. I appreciate your indulgence. That's all I've got. Thanks.

Mayor Scharff: Council Member Filseth.

Council Member Filseth: I was going to do the "explore" thing.

Mayor Scharff: Council Member Holman.

Council Member Holman: Question asked and answered.

MOTION AS AMENDED RESTATED: Council Member Fine moved, seconded by Council Member DuBois to direct Staff to include in the final draft of the Comprehensive Plan Update:

- A. Explore multifamily housing at the Stanford Shopping Center, provided adequate parking and vibrant retail is maintained, as alluded to in Policy L-4.7 (the language could be strengthened); and
- B. L-5.4.1 Explore with Stanford University various development options for adding to the Stanford Research Park a diverse mix of uses, including residential, commercial hotel, conference center, commercial space for small businesses and start-ups, retail, transit hub, and other community-supporting services that are compatible with the existing uses, to create a vibrant innovation-oriented community; and
- C. Not support housing in the Town & County area; and
- D. Include a new program to explore multifamily housing near Stanford University Medical Center (SUMC).

Mayor Scharff: Let's vote on the main Motion. That's our first unanimous vote.

MOTION AS AMENDED PASSED: 9-0

Mr. Keene: Let's have 10-0.

Mayor Scharff: Now, Council Member DuBois on the San Antonio housing sites.

Council Member DuBois: I would just move it as written in the Staff Report.

TRANSCRIPT

Mayor Scharff: Can we get the language up there? I'll second that.

MOTION: Council Member DuBois moved, seconded by Mayor Scharff to direct Staff to include in the final draft of the Comprehensive Plan Update, a new program to eliminate housing sites along San Antonio Road and increase residential densities in Downtown and the California Avenue Area to replace potential units on the sites eliminated.

Council Member DuBois: I think I spoke to it already.

Mayor Scharff: Why don't you speak again? I don't remember what you said.

Council Member DuBois: Again, we've talked about this one multiple times. There's a lot in the Comp Plan about encouraging housing near mass transit. The San Antonio section is pretty far from current schools. It's not really served by transit. It's also our last nursery, our last semi-industrial area in the City. We've discussed this, I think, multiple times over the last two years, to look at moving the sites in our current Housing Element to Downtown and to Cal. Ave., which is what this is saying.

Mayor Scharff: I'll support that. As the seconder, we've had several discussions—this goes back, I believe, when Karen and me were on the RHNA Housing Committee back in 2012, I think, or '13. I think it was '12 that we started talking about this. Council's talked about this for a long time, about moving those sites over. There has been—that would actually be a change in where we've been thinking about that. I don't think this is being anti-housing or anything. We've talked about keeping the same number of units in the Housing Element or even increasing it at other times. We've been looking at other housing sites, but those are probably not the best housing sites. I've got Council Member Holman. No, okay. Council Member Filseth.

Council Member Filseth: I understand the principle here. I'm not ready to ban housing along San Antonio corridor. This Comp Plan is going to last a long time. We don't know what ABAG and MTC and RHNA are going to come back with in the future. I think it's too constricted to ban it at this point.

Mayor Scharff: Vice Mayor Kniss.

Vice Mayor Kniss: For consistency, I'm going to vote no. I don't think you'll be surprised. I voted no on this before. I think there is still some good housing sites along San Antonio Road. The Green House, which is right on the corner of San Antonio and Middlefield does very well. They have—I've forgotten how many units—I think 200 units. People certainly like to live

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there. Somehow they get from the Green House on San Antonio Road, closer to 101, and seem to do quite well. As I said, I've said it before and I'll say it again, I'll probably be the last woman standing.

Mayor Scharff: Council Member Wolbach.

Council Member Wolbach: I'm going to surprise a couple of people. I'm actually going to support this one. As Council Member DuBois pointed out, there's some light industrial uses, especially on the east side of San Antonio. I also think that there's a lot of potential for hotels in that area, which have a much lower traffic impact than housing or retail or just about any other use. That's important because I'm very sensitive, living in that part of town and using San Antonio as my regular egress from 101 to go home, to the traffic on San Antonio. I don't think that's the best place, given the current transportation scenario, for housing. It might be in the future, but the focus here is on not eliminating housing but decreasing housing in one place and equally increasing it somewhere else in the City by focusing on even more housing in the Downtown/Cal. Ave. areas, closer to our Caltrain stations. I think those are the most appropriate places to put the housing. It's not a net loss of potential housing sites. I think that's important to understand.

Mayor Scharff: Council Member Fine.

Council Member Fine: I won't be supporting this Motion. I think it is important to maintain the flexibility of having housing on San Antonio. Nonetheless, I actually do hear some of the concerns here about this being one of our last mid-range, light industrial, commercial areas. That is important to our City's character and to the business environment here. I would just put it to my Colleagues that the better way to protect that is actually to protect those uses rather than to prohibit a new use. I don't think it's actually that one use shuffles out another. There are new modalities of design and housing and mixed use where you actually are mixing light industrial or office space like we have on San Antonio with housing. I will not be supporting this.

Mayor Scharff: In listening to the comments here, I think I need to put something in context I don't think people understand. When we did the Housing Element, you have to have a certain number of housing sites. When you have housing sites—we need to have new housing sites, and that was the concept of taking this off being a housing site. If you make this a housing site, people basically have the right to build on that nursery, to build in that area. What we're doing by removing this as a housing site is creating flexibility as opposed to taking away flexibility. By passing this—I just want to get Director Gitelman to weigh in for a second. We're not saying we could

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never zone this for housing. It just wouldn't be on the housing inventory sites, which is very different than zoning for housing. We're not banning housing on San Antonio. We're actually not banning housing on these sites. What we're not doing is saying that on these sites you have a right to build on them because they're in the Housing Element. We're actually creating more flexibility by doing that. That's what we would be doing. In fact, by putting this in here, they wouldn't actually necessarily be not zoned housing, and we wouldn't be banning it. You'd still actually be able to build on the housing sites there; they just wouldn't be our Housing Element sites unless we come back to Council and change the zoning on those particular sites. I just want to make sure I stated that correctly.

Ms. Gitelman: I think the Mayor stated it correctly. There's one nuance, which is housing sites that are listed in our Housing Element are permitted slightly greater densities in some cases. Where normally the zoning would allow 15 units to the acre, if it's a housing site in our Housing Element, it's allowed 20 units to the acre. You're right that these sites would still allow housing.

Mayor Scharff: By not changing, eliminating these housing sites, what we're agreeing to do is raise the density of housing on those sites, and we're saying they have to be available for housing even if at the time we decide we don't want it to be. By taking it out of the housing sites, we are in fact providing more flexibility and not banning it. I don't know if that changes anyone's mind, but I just wanted people to understand what we are attempting to do here.

Council Member Fine: That's helpful actually. Thank you, Mr. Mayor.

Mayor Scharff: Council Member Holman, did you just put your light on?

Council Member Holman: Just a quick clarification. When you and I were on the Regional Housing Mandate Committee, we recommended that the—I believe that was then—SummerWinds site actually not be a housing site. That was because—the reason I bring it up is just not to clarify that but also to address Council Member Fine's comment about how you protect something is not to zone for it and to do things that protect it. Just to kind of clarify that. We've done that.

Mayor Scharff: Council Member Kou.

Council Member Kou: I just want to say that eliminating housing sites along San Antonio is very limiting since we have a lot of the high-tech businesses that are not far away. If we're going to be improving our bicycle boulevards, etc., those are means for them to get from San Antonio over to the other

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side of the Bay and to a lot of the big companies out there. I'm not sure I can support this Motion.

Mayor Scharff: We should vote. That passes the Amendment on a 6-3 vote with Council Members Kou, Kniss and Filseth voting no.

MOTION PASSED: 6-3 Filseth, Kniss, Kou no

Mayor Scharff: I think we're done with housing sites except for—no, I think we're done with housing sites. What do we have left here? I think the next thing we have is development requirements and community indicators. I see Council Member Fine's light on.

Council Member Fine: On the CAC, we had a lot of discussion about this. As you'll see in the plan, there's actually about two pages of tables, of development indicators, community indicators. I think some of them are helpful for our City and our Staff to consider. I don't think they're ready for flight yet in the Comp Plan. A number of community members actually wrote in about that. I'll move that we go with Option 3, which would not address development requirements in the Comp Plan.

Vice Mayor Kniss: Second.

MOTION: Council Member Fine moved, seconded by Vice Mayor Kniss to direct Staff to eliminate from the final draft of the Comprehensive Plan Update Development Requirements and Community Indicators.

Mayor Scharff: Do you want to speak further to your Motion?

Council Member Fine: I think these indicators do have promise. I don't think we're ready to bake them into the Comp Plan.

Mayor Scharff: Vice Mayor Kniss. Vice Mayor Kniss.

Vice Mayor Kniss: Hang on a second.

Ms. Gitelman: Mr. Mayor, can I just make a clarifying question? There are two things being addressed in this section, development requirements that would be imposed on new development and community indicators which would be things we would monitor over time. I'm just trying to understand. Council Member Fine, the third option would eliminate the development requirements from the Comp Plan and would maintain this concept of indicators. Is that right?

Council Member Fine: I'd also like to add "would not address development requirements and would eliminate the community indicators."

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Ms. Gitelman: Thank you.

Council Member Fine: Thank you.

Vice Mayor Kniss: I'm supporting this very much for the same reasons that Council Member Fine just articulated. I also looked at this, and I could see a great deal of Staff work. Having listened to our City Manager, I realized that we probably may create more work than we mean to. In this case, I'd say let's not do it and eliminate those indicators.

Mayor Scharff: Council Member Wolbach.

Council Member Wolbach: I have a clarifying question for the maker, the seconder, and for Staff. Option 3 as listed on Page four of the Staff Report or Packet Page 17 reads "the third option would not address development requirements in the Comp Plan." If one looks at Option Three on Page 210 in the clean version—that's Page L-39, Packet Page 210—it says Option 3. I think that tracks. You've got Options 1, 2, and 3 here. It says "Option 3, use community indicators along with a cumulative cap and an annual limit and Downtown cap," two of which we've just said are not going in the Comp Plan, but do not use development requirements. This is very different ...

Mayor Scharff: It's not the third Option. I think it's just simply eliminate development requirements and community indicators in the Comp Plan. I think that's your Motion.

Council Member Fine: You have it right, Mr. Mayor.

Mayor Scharff: If we could just change that.

Council Member Wolbach: I just want to make very sure that it's not the Option 3 that's seen in the policies and programs or in the draft text at all.

Mayor Scharff: Council Member Kou. No, you didn't have your light on. Council Member DuBois.

Council Member DuBois: I had a question about this. There were comments, but I couldn't quite read it with the changes. The idea of these development requirements and community indicators were that they were going to be used either in lieu of or in conjunction with the caps or to potentially change the caps over time. Is that right?

Ms. Gitelman: That's right. The idea was the development requirements would be imposed on new development, and the community indicators would monitor the overall community, not just new development but the existing

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community. We would use those as ways to evaluate whether the growth management systems we have in place are achieving the desired results.

Council Member DuBois: We had two options for growth management. It was caps or it was the community indicators. The way we're heading is we're going to get rid of both. I put it to my fellow Council Members that we're essentially getting rid of all caps. We're also getting rid of all quality of life indicators. I'm not really sure what we're attempting to do. When we go back to the scenarios that we've been considering, I think those scenarios were tied into these as well or one of them was at least.

Ms. Gitelman: I think the Council's earlier Motion retained the Citywide cap and the annual limit, just put it in an Ordinance rather than in Plan language.

Council Member DuBois: We'll have those limits, but we won't—again, we talked about this pretty extensively. The community indicators were metrics for us to track our progress against the Comp Plan over time to see how we were doing. It's not making a whole lot of sense to me that we would just drop that. I think the Staff Motion there was to consider what to do with the development requirements, are they complete enough or do they need more work. I'm not going to support the Motion as written.

Mayor Scharff: Council Member Filseth.

Council Member Filseth: I just have a question. I actually liked a lot of the community indicators. I thought there was some interesting stuff in the development requirements too. If it doesn't go in the Comp Plan, what's the path forward with that?

Ms. Gitelman: Of course, if it's not in the Comp Plan, it doesn't mean that this couldn't be the next evolution of the Performance Report or some kind of ongoing monitoring effort, the next evolution of the monitoring we already do.

Mayor Scharff: You could direct Staff to come back as a non-Comp Plan item at some point when they're ready.

Council Member Filseth: We could do that. Is that where you guys are going? The Mayor points out we could direct Staff to come back with a follow-on revision of this at some future time.

Mayor Scharff: Outside of the Comp Plan.

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Council Member Filseth: Outside of the Comp Plan. Is that something that's appropriate to do tonight?

Ms. Gitelman: I think we'd be happy to give that some thought. There may be an opportunity to have that conversation as the annual Performance Report evolves into its next iteration.

Council Member Filseth: Give me some language on that.

Ms. Gitelman: Direct Staff to consider a community indicator program as part of the next iteration of the annual Performance Report or in lieu of another ongoing monitoring effort.

Council Member Filseth: Or as part of another ongoing monitoring effort. Will the maker of the Motion accept that as a friendly Amendment?

Council Member Fine: I would.

Mayor Scharff: Would the seconder accept that?

Council Member Filseth: Thank you.

Mayor Scharff: Was I the seconder? No. Vice Mayor Kniss was. Would you accept that as a—Council Member Fine accepted it as a friendly Amendment. Would you ...

Vice Mayor Kniss: Yeah.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "direct Staff to consider a Community Indicator Program as part of the next iteration of the Annual Performance Report or another on-going monitoring effort." (New Part B)

Mayor Scharff: Vice Mayor Kniss would. I still see some lights. Council Member Holman.

Council Member Holman: As I read—there seems to be a little discrepancy here, as I read it. As I read Option 3 on Packet Page 70, it says "use community indicators along a cumulative cap, annual limit and Downtown cap but do not use development requirements." How I read that is kind of a two-part point. How I read that is to say get rid of development requirements and use—just get rid of development requirements. How I read the Motion up here is eliminate development requirements and community indicators in the Comprehensive Plan. Council Member Fine, you made this. What is your intention here?

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Council Member Fine: I just didn't believe these were fully vetted through the CAC or through our Staff or by this Council to be yet included, which is why I did accept the Amendment from Council Member Filseth. I think it's helpful that we can direct Staff to look at these, run with them, see if they need to be improved, and then come back to us in the annual performance review. If we like, at that point we should look at an Ordinance across the City that would affect them. I don't think they are ready to be in the Comp Plan as currently specified in those tables you're looking at there.

Council Member Holman: As I understood it, the community indicators—I'm a little less familiar with how the development requirements were vetted—were vetted quite a lot by the CAC.

Ms. Gitelman: There was a lot of discussion at a subcommittee of the full CAC, and then it came back to the CAC a couple of times.

Council Member Holman: I'm going to propose a Substitute Motion here, which would be Option 1 and change the last part of it, "but develop details through"—let me ask a question of Staff. What is a later program? Usually things are through the Zoning Ordinance or Zoning Code. Is that what you're intending here by "a later program"? I don't know what you mean by that.

Ms. Gitelman: What we're saying is we would include a program in the Comprehensive Plan Update that called for a Zoning Ordinance to effect these requirements.

Council Member Holman: A later Comp Plan program. Can we clarify that? Details through a later Comp Plan program. Option 1, which would actually reference Tables L-1 and L-2, and Staff would return making any comments—you're going back to the CAC with this too or just coming back to Council? Coming back with any comments you have on adding those two. One comment on the community indicators. VMT is referenced actually throughout the Comprehensive Plan, but specifically this Motion wherever VMT is referenced LOS should accompany it. If I have a second to that, then I will speak to the ...

Mayor Scharff: Do we have a second?

Council Member Kou: Second.

SUBSTITUTE MOTION: Council Member Holman moved, seconded by Council Member Kou to direct Staff to include in the final draft of the Comprehensive Plan Update: to articulate the purposes and topics for development requirements in the Comprehensive Plan, but develop details

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later via Comprehensive Plan program and reference tables L-1 and L-2 and include Staff comments regarding these tables and include references to Vehicle Miles Traveled (VMT) wherever Level Of Service (LOS) is included in the Comprehensive Plan.

Mayor Scharff: Council Member Kou.

Council Member Holman: The other reason that I want to do this is because I don't want us to be in a situation where it seems like we're not going to be adopting development standards and community indicators. The other thing is—one could argue with me about that or not—under Option 1, Policy L-1.17.1, 17.2, Policy L-1.18, a lot of these policies and programs underneath that first option talk about community character and holding development to the highest development standards in order to maintain Palo Alto's livability and achieving the highest quality development with the fewest impacts. I think that's really important. I think it's really important to the community. I've never heard anybody in the community argue for eliminating any of that. I think it's important to have those goals and policies in the Comprehensive Plan. Again, it's a policy document. That's why I'm proposing the Substitute Motion.

Mayor Scharff: Council Member Kou.

Council Member Kou: Council Member Holman has just articulated very well. I'll let her language stand.

Mayor Scharff: Fair enough. Council Member Wolbach.

Council Member Wolbach: I will be voting against the Substitute Motion, but I'm also going to be proposing an alternative Substitute Motion after this is voted upon, if it is not successful, which will hopefully provide a compromise option that will be amenable.

Mayor Scharff: Council Member DuBois.

Council Member DuBois: I was initially in support of the original Motion. I think Council Member Holman has convinced me on the Substitute Motion. As I read this, we're not putting these in stone in the Comp Plan. We're putting these in as reference documents to be fleshed out during the implementation of the Comp Plan. There's been a lot of discussion about performance benchmarks. I think this is a pretty good list, both on the development requirements and the community indicators. It was pretty much a compromise, I think. There are a lot of things here in the development requirements. Some of them are existing Ordinances, not really changes, our Green Building Code, our Landscaping Code. It also got

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to key indicators, again, that we're seeing in this National Citizens Survey about reducing trips, about connectivity, about preserving affordable housing. I think it's a good thing to build off of. Because we're not saying that it's fully baked, I think I can support the Substitute Motion.

Mayor Scharff: Let's vote on the Substitute Motion. That fails on a 5-4 Motion, with Council Members DuBois, Kou, Filseth and Holman voting yes.

SUBSTITUTE MOTION FAILED: 4-5 DuBois, Filseth, Holman, Kou yes

Mayor Scharff: We return to the main Motion, but Council Member Wolbach has indicated that he has a Substitute Motion.

Council Member Wolbach: This is a surprisingly complex one. I'd actually move we simply adopt Option F1. Sorry, my mistake. "F1" with a couple of amendments. Sorry. Let me clarify. Adopt Option F1 excluding the programs and including only the policies.

Mayor Scharff: What Page are you on so we can follow?

Council Member Wolbach: If you look in Packet Page ...

Vice Mayor Kniss: Seventeen.

Council Member Wolbach: Yeah. I'm looking at the clean version, so that would be Packet Pages 205-206. It would basically be adopt Option 1, Policy L-1.17 and L-1.18 but excluding the programs to make it a little bit more general, a little less prescriptive.

Mayor Scharff: Eliminating the programs.

Council Member Wolbach: Right.

Mayor Scharff: We wouldn't be adopting those tables in the—there would be no tables.

Council Member Wolbach: The tables would not be adopted, but it would leave open the option for how we go about developing those in the future. It would move in that direction but with a little bit more flexibility and less specificity.

Vice Mayor Kniss: Don't eliminate it entirely but work on it in the future.

Council Member Wolbach: Right. I'm hoping this provides a compromise.

Mayor Scharff: The programs are not included.

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Council Member Wolbach: It would not include the programs. L-1.17.1 program, L-1.17.2 program and also the programs under L-1.18 would not be included. Again, trying to keep this a little bit more general.

Mayor Scharff: My understanding of this—Director Gitelman, if you could just confirm this. All that would occur is you would have Policy L.17. There would be no programs. You would create an implementation plan that would be outside of the Comp Plan.

Ms. Gitelman: That's right. If you adopt just the policies and not the programs, you would be stating it is the policy of the City to hold new development to the highest standards and to monitor key community indicators on a regular basis. It would be for us outside the Comp Plan to determine exactly how to do that.

Mayor Scharff: Those community indicators would then come to Council, and we'd have to develop them.

Ms. Gitelman: That's right.

Council Member Wolbach: Do I have a second?

Vice Mayor Kniss: I'd second it, but I can't because I'm second to Adrian.

Council Member Wolbach: Can the maker of the original Motion not second a Substitute Motion?

Vice Mayor Kniss: I think Robert's Rules say you cannot.

Mayor Scharff: She would have to withdraw her second.

Council Member Wolbach: Would anyone else who wants to see community indicators retained in some form in the Comp Plan like to second this Motion as a compromise?

Council Member DuBois: Can we see the original Motion again, please? I think I prefer the original there.

Council Member Holman: I'll second.

SUBSTITUTE MOTION: Council Member Wolbach moved, seconded by Council Member Holman to direct Staff to include in the final draft of the Comprehensive Plan Update to articulate the purposes and topics for development requirements in the Comprehensive Plan, but develop details later via an implementation program excluding Comprehensive Plan Programs.

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Mayor Scharff: You do have a second.

Council Member Wolbach: Thank you, Council Member Holman. Now that I have a second, I'll speak to it if I might. I think this is a better approach to this question. I don't think putting it in the annual Performance Report, which is created by the Auditor's Office, is the appropriate way to direct Staff to develop this. I do think having development requirements referenced, that we do expect the highest level of quality development requirements in Palo Alto is an important policy. A lot of that happens out of Peter Pirnejad's shop, out of the Development Center. We've seen great work on that. I want to make sure we identify that we want to continue to head down that road. The things listed under the policies in L-1.17 and L-1.18 are important. I think they're important but guiding policies. They're not overly specific. I just think doing it this way, which would probably come through the Planning Department and the Development Center rather than something attempted through the Auditor's Office, just makes more sense from a Staff workflow perspective. To each their own.

Mayor Scharff: Council Member Holman, do you want to speak to your second?

Council Member Holman: Yeah, just quickly. Going back to the line I mentioned earlier, the purpose (inaudible) the development requirements in the Comp Plan but develop details through a later program, meaning Comp Plan program. Does that mean that Staff would come back or could come back with some of the things that are in the existing programs, that we would add based on what's in the Policies L-1.17 and L-1.18?

Ms. Gitelman: If I'm understanding you right, the answer is yes. We would have the policy that we want these great development requirements and we want community indicators, but it would be determined at a later date between the Staff working with the Council exactly what those would be and how they would be implemented.

Council Member Holman: In programs, Comp Plan programs?

Ms. Gitelman: I think the Motion would be to omit the programs, but we would still have to implement them, and it would be outside the Comp Plan.

Council Member Holman: I was hoping for something a little bit different than that. I'm sadly going to have to remove my second. Sorry.

SECOND WITHDRAWN BY THE SECONDER

SUBSTITUTE MOTION FAILED DUE TO THE LACK OF A SECOND

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MOTION AS AMENDED RESTATED: Council Member Fine moved, seconded by Vice Mayor Kniss to direct Staff to include in the final draft of the Comprehensive Plan Update:

- A. *Eliminate Development Requirements and Community Indicators in the Comprehensive Plan; and*
- B. *Direct Staff to consider a Community Indicator Program as part of the next iteration of the Annual Performance Report or another on-going monitoring effort.*

Mayor Scharff: Seeing no second, let's vote on the board on the original Motion. That passes on an 8-1 Motion with Council Member Holman voting no.

MOTION AS AMENDED PASSED: 8-1 Holman no

Mayor Scharff: I just need a second to make sure that we've—I believe we're down to Number H.

Ms. Gitelman: Mayor Scharff, if I can just introduce this briefly. When we assimilated all the comments we got from the Council in late November, we picked out the things that we thought there might be consensus on. I apologize if we got this wrong. We were really hoping on this slide, the next slide and in your Staff Report, Item H were things that there was general agreement about.

Mayor Scharff: I think you got it wrong, but we'll go through it.

Vice Mayor Kniss: Can I make a comment, just a comment?

Mayor Scharff: Sure, go ahead. Let me finish. Let me tee it up first, unless you wanted to tee it up in the comment. Let me just tee it up. I'm actually thinking about it's 10:00 and we still need to do the Transportation Element and we still need to look through—there's probably other things that people have comments on, or motions, in the rest of the Comp Plan, the land use part of it. I'm thinking about using on this and going forward what we were doing earlier. If someone wants to make a Motion on any of these items, we can vote. The maker of the Motion, if he gets a second or she gets a second, can speak to the Motion. I don't think the seconder needs to speak. Then, if you want to have discussion on the item—I mean that sincerely—put on your yellow light. If we don't get five members, then we'll discuss the item. Otherwise, we can just vote on the item.

Vice Mayor Kniss: You're going through all 11 of these?

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Mayor Scharff: Yes, but that's why I'm doing it that way. There's nine Council Members—that's what we're going to do. The first thing I'm going to take is Number 2, because we can come back to reduce the number of programs. That's too broad. The first thing is create new opportunities for retail/residential mixed use and pursue conversion of some non-retail commercial FAR to residential FAR as alluded to in Policy L-6. This policy will be separated into Programs L-1.6 and whatever. If anyone wants to make a Motion to support that.

Vice Mayor Kniss: So moved.

MOTION: Vice Mayor Kniss moved, seconded by Council Member Holman to direct Staff to include in the final draft of the Comprehensive Plan Update to create new opportunities for retail/residential mixed use and pursue conversion of some non-retail commercial Floor Area Ratio (FAR) to residential FAR as alluded to in Policy L-6.12, this policy will be separated into two Programs, Program L-1.16.5, and Program L-1.12.3.

Mayor Scharff: Who made the Motion?

Vice Mayor Kniss: I did.

Mayor Scharff: Kniss. Let's vote on the board on that, Number 2.

Council Member Filseth: Is she going to speak to it?

Mayor Scharff: If you want to speak to it ...

Vice Mayor Kniss: Nope.

Mayor Scharff: That passes on an 8-1 vote with Council Member Tanaka wanting more discussion on the item.

MOTION PASSED: 8-0-1 Tanaka abstain

Mayor Scharff: Number 3 would be include Policy L-2.3 about encouraging a mix of housing types and sizes designed for greater affordability and Policy L about encouraging a mix of smaller housing types. Anyone want to make that Motion?

Council Member Wolbach: So moved.

MOTION: Council Member Wolbach moved, seconded by Council Member Fine to direct Staff to include in the final draft of the Comprehensive Plan Update, Policy L-2.3 about encouraging a mix of housing types and sizes

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designed for greater affordability and Policy 3.4 about encouraging a mix of smaller housing types.

Mayor Scharff: Council Member Wolbach, second by Council Member Fine. Do you want to speak to your Motion at all? Let's vote on the board. That passes unanimously except for Council Member DuBois who wanted more discussion on the matter.

MOTION PASSED: 8-0-1 DuBois abstain

Council Member DuBois: Could you just slow down a little bit? These are important things, and we're just (inaudible).

Mayor Scharff: Item Number Four, which is include Policy L-3.5 and associated programs and L-3.5.1 regarding ways to minimize displacement of existing residents.

Council Member Holman: (Inaudible).

Mayor Scharff: Council Member Holman moves that.

Council Member Fine: Second.

MOTION: Council Member Holman moved, seconded by Council Member Fine to direct Staff to include in the final draft of the Comprehensive Plan Update Policy L-3.5 and associated Program L-3.5.1 regarding ways to minimize displacement of existing residents.

Mayor Scharff: Seconded by Council Member Fine. Let's vote on the board. That passes unanimously with Council Member Tanaka wanting more—so far, Hillary, you're doing well.

MOTION PASSED: 8-0-1 Tanaka abstain

Mayor Scharff: Include policies and programs like Policy L-4.1, Program 3.2 blah, blah preserving ground-floor retail space.

Vice Mayor Kniss: I'll move that. That's an easy one.

Council Member Wolbach: Second.

MOTION: Vice Mayor Kniss moved, seconded by Council Member Wolbach to direct Staff to include in the final draft of the Comprehensive Plan Update, policies and programs like Policy L-4.1, Program L-3.2.1, and Program L-6.12.4 about preserving ground floor retail space.

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Mayor Scharff: Second from Council ... Shall we vote on the board? We can take a few seconds if you want to look it up quickly. That's fine. You've taken a look at it.

Council Member Wolbach: We're at "H5," right?

Mayor Scharff: Yep, "H5." Do people feel they've had enough time to look at it or not? We can have more discussion if people want to. Just hit the abstain button. That passes on a 5-4 vote with four Council Members wanting to abstain. With Council Members Kou, Scharff, Filseth and Holman abstaining, but that passes.

MOTION PASSED: 5-0-4 Filseth, Holman, Kou, Scharff abstain

Council Member DuBois: I'll move Number 6.

Vice Mayor Kniss: Second.

MOTION: Council Member DuBois moved, seconded by Council Member Kou to direct Staff to include in the final draft of the Comprehensive Plan Update, maintain Policy L-3.3 and/or Policy L-3.6 (some repetition can be eliminated) and associated Program L-3.3.1 about preserving existing housing that is affordable, such as small cottage clusters, removing from Program L-3.3.1, "and the replacement of rental housing units with ownership housing units."

Council Member DuBois: I would like to speak to it.

Mayor Scharff: Go ahead.

Council Member DuBois: I agree with the policy. I would actually amend the program. Overall it talks about discouraging loss of housing units. I think that's pretty clear. The second part of the program focuses on preventing replacement of rental with ownership housing. I think that goes too far. As long as we preserve housing units, we shouldn't discourage ownership.

Mayor Scharff: You want to go ahead and make a suggested Amendment to that?

Council Member DuBois: I would suggest that we amend Program L-3.3.1 to delete "and replacement of rental housing units with ownership housing units."

Mayor Scharff: We went through those pretty quickly. My intention actually was to go back when we look at the actual things. If you had wording

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changes on stuff, I was actually going to allow an up or down vote on people's suggested wording changes later. We can do that now, because you made the Motion. We have it on the board? Do you have it? Do you want to tell them again? Why don't you get them exact language? Shall we vote on the board?

Council Member Fine: Just a quick question. This is to stop the City from discouraging the conversion of rental to owners. Is that correct, what you've just done?

Council Member DuBois: Yeah. It's to be neutral on rental versus ownership.

Council Member Fine: Thank you.

Mayor Scharff: That passes on a 6-3 vote with Council Members Kou, Wolbach and Tanaka voting no—abstaining. Sorry, abstaining.

MOTION PASSED: 6-0-3 Kou, Tanaka, Wolbach abstain

Mayor Scharff: Now we're on Number 7, which is include Program L-1.16.15—we will fix the numbering—this is the TDR program with residential. If you want—you'll move it? People probably need a few seconds to find it.

Vice Mayor Kniss: Do you need a second?

Mayor Scharff: We do need a second.

Vice Mayor Kniss: I'll second it.

MOTION: Council Member Wolbach moved, seconded by Vice Mayor Kniss to direct Staff to include in the final draft of the Comprehensive Plan Update, Program L-1.16.5 (we will fix the numbering problem here) or L-7.12.1 (some repetition can be eliminated) to revise or consider revising the Transferable Development Rights (TDR) Program Downtown to create bonus residential rather than commercial square footage.

Mayor Scharff: Seconded by Vice Mayor Kniss.

Council Member Wolbach: Can I speak to it?

Mayor Scharff: Yeah.

Council Member Wolbach: I just think it's important that we consider the option of the TDR program to encourage residential development as opposed

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to just using it for commercial. One of the critiques of the TDR program has been that it encourages commercial development when what Palo Alto really needs more of is residential. I think it's worth at least an exploration. It doesn't mean we have to end up doing it.

Vice Mayor Kniss: Associate with the maker's comments.

Mayor Scharff: We're not actually doing that, but okay. Let's vote on the board. That passes on a 7-2 vote with Council Members Filseth and Tanaka voting to have more discussion.

MOTION PASSED: 7-0-2 Filseth, Tanaka abstain

Mayor Scharff: I will move the next one, which is Number 8. I'm actually going to move something slightly different. I'm going to move that we include a program to explore increasing hotel FAR from 2.0 to 3.0.

Council Member Tanaka: I'll second that.

MOTION: Mayor Scharff moved, seconded by Council Member Tanaka to direct Staff to include in the final draft of the Comprehensive Plan Update, a program to explore increasing hotel Floor Area Ratio (FAR) from 2.0 to 3.0.

Mayor Scharff: You can have a friendly Amendment.

Council Member Wolbach: I'd suggest a friendly Amendment, that it be 3.0 in Downtown and 2.5 in other areas.

Mayor Scharff: Fair enough. I'll make that the Motion.

Council Member Wolbach: Does your seconder?

Mayor Scharff: Do you agree?

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "in areas inside of Downtown and 2.5 in other areas."

Mayor Scharff: If we could vote on the board.

Council Member Wolbach: Wait, let's make sure we've got it 2.5.

Council Member Holman: I don't support it, but it's not right yet.

Mayor Scharff: Thank you, Council Member Holman, for that. It should say inside Downtown.

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Council Member DuBois: Can I ask a question?

Mayor Scharff: Yes.

Council Member DuBois: Do we have FAR 3.0 anywhere?

Mayor Scharff: Probably not.

Ms. Gitelman: I don't believe so.

MOTION AS AMENDED RESTATED: Mayor Scharff moved, seconded by Council Member Tanaka to direct Staff to include in the final draft of the Comprehensive Plan Update, a program to explore increasing hotel Floor Area Ratio (FAR) from 2.0 to 3.0 in areas inside of Downtown and 2.5 in other areas."

Mayor Scharff: You've got it now. Let's vote again. Include a program to explore hotel FAR from 2.0 to 3.0 in areas inside of Downtown and 2.5 in other areas. That passes on a 5-3 vote with one person wanting more discussion, Council Member Filseth. Council Member DuBois voted no, Council Member Kou voted no, and Council Member Holman voted no.

MOTION AS AMENDED PASSED: 5-3-1 DuBois, Holman, Kou no, Filseth abstain

Mayor Scharff: Now, Number 9 is maintain Policy L-4.10 regarding enhancing the pedestrian environment along El Camino Real and Program L-9 specific to sidewalk width and building design. Does anyone want to champion that?

Council Member DuBois: I'll move that.

MOTION: Council Member DuBois moved, seconded by Council Member Holman to direct Staff to include in the final draft of the Comprehensive Plan Update, Policy L-4.10 regarding enhancing the pedestrian environment along El Camino Real and Program L-9.4.1 specific to sidewalk widths and building design.

Mayor Scharff: Council Member DuBois. Do you want to speak to it?

Council Member DuBois: Do I need to?

Mayor Scharff: No, you don't.

Council Member DuBois: I'm not sure people know what it is.

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Mayor Scharff: Who seconded it, by the way?

Council Member DuBois: This is increasing setbacks kind of in line with the Grand Boulevard initiative along El Camino.

Mayor Scharff: Who seconded it? I missed that. I saw hands over there. Council Member Holman?

Council Member Holman: (Inaudible).

Mayor Scharff: You both did.

Council Member DuBois: I'd also say we have a Council memo on this from a couple of years ago that we still haven't acted on.

Vice Mayor Kniss: Can I make a quick comment?

Mayor Scharff: No. You can ask for more discussion. That doesn't pass.

MOTION FAILED: 4-1-4 Fine no, Filseth, Kniss, Scharff, Wolbach abstain

Council Member DuBois: (Inaudible) go to discussion?

Mayor Scharff: We go to discussion because we have—yeah, we go to discussion. I'm going to take the no as a discussion when it doesn't pass.

Vice Mayor Kniss: I'm glad to speak to it.

Mayor Scharff: Vice Mayor Kniss.

Vice Mayor Kniss: I remember this one very well. This, as I recall, did go to Planning. Am I right, Greg Tanaka? This one not only went to Planning, but my recollection is Planning didn't support it. Here is what I recall. Hillary, correct me if I'm wrong. Because the El Camino owners, the owners of the lots there, where the lots are frequently shallow and small, said they felt that that would be a negative for them as far as utilization of the land. I'm going to use the word "taking" very hesitantly. In some ways it could be considered a taking. That is my recollection from the last time we had this conversation. Not that it wouldn't look much better wider and so forth, but I recall that we included the owners and those who were involved in El Camino retail extensively.

Mayor Scharff: Council Member DuBois. I thought your light was on. Maybe I just didn't put it on (crosstalk).

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Council Member DuBois: I would just say, just to be clear, we're not making a decision whether to do this or not. I think we're considering a program that would evaluate it.

Ms. Gitelman: If I can interject, Mayor Scharff?

Mayor Scharff: Yes, go ahead.

Ms. Gitelman: There are really two things referred to in this item, a policy which would make it a policy of the City to pursue these wider sidewalks, etc., and a program that is, as Council Member DuBois suggests, just consider and investigate whether we could do it. This does suggest both.

Mayor Scharff: Council Member Wolbach.

Council Member Holman: Do I get to speak to my second?

Mayor Scharff: You do. I apologize. I'm confused.

Council Member Holman: Thank you. Council Member DuBois remembers correctly. This was the subject of a Colleagues' Memo that I've mentioned a lot of times. It actually was written and submitted in 2012. It's been a long time hanging out there. Mayor Scharff, you were one of the signers on that Colleagues' Memo.

Mayor Scharff: I was.

Council Member Holman: It talks about wider sidewalks. It talks about the South El Camino Design Guidelines. It talks about the Grand Boulevard vision. Just a few things, because I pulled this up in anticipation of this. How buildings address the street, and a quote from the South El Camino Design Guidelines. Narrow sidewalks and poor aesthetics negatively impact the business environment. It goes on with all kinds of things, talking about walkability, what makes for safe transit and attraction of pedestrian activity. We talk about, let's just say, the corner of El Camino and Page Mill. There are lots of comments made sometimes—there are some comments made sometimes about how nobody ever walks there, so we don't need a wider sidewalk there. Nobody is ever going to walk there if they don't have a wider sidewalk there, for instance. These wider sidewalks and better setbacks are just key. Policy L-4.10 captures not a lot but a fair amount of—not all but a fair amount of what we're trying to achieve by very studied recommendations from Grand Boulevard and South El Camino.

Mayor Scharff: Council Member Fine.

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Council Member Fine: I agree with Council Member Holman. Our streets particularly along El Camino need a lot of work here in Palo Alto. I'm hesitant to put widening sidewalks as a policy, however. On some places in El Camino that might be the right thing to do. In other areas, I concur with Vice Mayor Kniss that we have these very small lots. There may be a land aggregation issue where we're really actually—by requiring wider sidewalks, we're actually not getting the type of design on El Camino that we ultimately want. I think it's a broader policy decision whether we want wide sidewalks or not. I do like Council Member DuBois' idea about this could be a program that we support. I just don't feel it rises to the level of a policy.

Mayor Scharff: Council Member Tanaka. Council Member Filseth.

Council Member Filseth: I think what's been said so far makes sense. The one thing I would say here is that the City has not adopted the Grand Boulevard initiative. I don't think it should show up in the Comp Plan.

Mayor Scharff: Is that a yes vote or a no vote?

Council Member Filseth: Sorry?

Mayor Scharff: Is that a yes vote or a no vote?

Council Member Filseth: I think it's a vote that we strike that language out. Also, the Grand Boulevard is kind of old at this point, isn't it?

Council Member Holman: No.

Mayor Scharff: Vice Mayor Kniss, did you want to speak again? I guess you spoke.

Vice Mayor Kniss: I spoke.

Mayor Scharff: Council Member Wolbach.

Council Member Wolbach: I think I'm not going to be supporting the Motion, but I'm open to having this conversation outside of the Comprehensive Plan, an Ordinance, Zoning Code, etc. I don't think it's necessary to put it in the Comprehensive Plan at this point.

Mayor Scharff: Council Member Holman, did you put your light back on?

Council Member Holman: I did. I was wondering if I could get support for—it doesn't look like it's going to pass as a policy. City Staff suggested if it was a program, then it isn't a directive to implement it but to more consider it. Would that be more indicating what you're saying?

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Ms. Gitelman: Yeah. The Council could keep Program L-9.4.1.

Council Member Holman: Which I cannot find.

Mayor Scharff: Could we have the Motion back up there?

Ms. Gitelman: Packet Page 98.

Council Member DuBois: Packet Page 229. The policy there is very general.

Mayor Scharff: Packet Page what?

Council Member DuBois: Page 229, at the top.

Council Member Holman: I'm not sure that L-9.4.1 is—it doesn't address some of the things that are addressed in the policy. If we could make the policy, 4.10, a program so it's not so directive but includes more of the conditions.

Mayor Scharff: Council Member Holman, you need to make—it's your Motion, right?

Council Member Holman: I think it was Council Member DuBois' Motion. I seconded it, I do believe.

Mayor Scharff: It's Council Member DuBois, seconded by Council Member Holman.

Council Member DuBois: That's the program, that one I pointed you to. It is kind of split a little bit oddly.

Council Member Holman: My suggestion would be then to convert Policy L-4.10 to a program. I'm wondering if you would accept that. It includes, like I said—I don't need to repeat myself.

Council Member DuBois: That's acceptable to me.

MOTION: Council Member DuBois moved, seconded by Council Member Holman to direct Staff to include in the final draft of the Comprehensive Plan Update converting Policy L-4.10 regarding enhancing the pedestrian environment along El Camino Real to a Program and maintain Program L-9.4.1 specific to sidewalk widths and building design.

Council Member Holman: Thanks.

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Mayor Scharff: Are we going to vote on the new Motion? That fails on a 5-3 vote with one abstention. That's Council Members DuBois, Kou and Holman voting yes. Council Member Fine abstaining.

MOTION FAILED: 3-5-1 DuBois, Holman, Kou yes, Fine abstain

Mayor Scharff: We are now back to ...

Council Member DuBois: I would move this next one.

Mayor Scharff: Which is eliminate program regarding preparation of a coordinated area plan for South El Camino?

Council Member DuBois: Yeah.

Mayor Scharff: Do you know what Packet Page 4.2.1 is on?

Council Member Filseth: Seventy-five.

Council Member DuBois: Could I speak to this?

Mayor Scharff: Did you get a second? I just need to make sure. I don't see a second yet.

Council Member Filseth: Second.

MOTION: Council Member DuBois moved, seconded by Council Member Filseth to direct Staff to eliminate from the final draft of the Comprehensive Plan Update Program L-4.2.1 regarding preparation of a Coordinated Area Plan for South El Camino (pp. L-48 through L-49).

Mayor Scharff: Seconded by Council Member Filseth. Now, you can speak to it, yes.

Council Member DuBois: I think I made this comment when we reviewed this before. I believe this is a very old idea that's already been implemented. My comment was I think we're beyond this. If you look at the map on Packet Page 214—since this Comp Plan originally came out, there's been a creation of a private school, senior housing facility, a new daycare, restaurants, a new mixed-use building. I just think it's completely out of date. This is also where Buena Vista is. There's a new spa. I'm not really sure how we would redevelop it in a way beyond how it's developed. This is a very specific area that we're talking about. That's my only comment. I just think it's out of date.

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Mayor Scharff: I see no other lights—there were no other lights supposed to be. Let's vote on the board. That passes on a 6-2 vote with Council Member Filseth wanting more discussion. Council Members DuBois, Kou, Wolbach, Kniss and myself and Council Member Holman voting yes.

MOTION PASSED: 6-2-1 Fine, Tanaka no, Filseth abstain

Council Member Holman: I'll move Number 11 with one minor Amendment.

Mayor Scharff: What's the Amendment?

Council Member Holman: The one minor Amendment is instead of "where possible" start the quote with "avoid abrupt changes in scale and density."

Council Member Filseth: I'll accept that.

MOTION: Council Member Holman moved, seconded by Council Member Filseth to direct Staff to restore in the final draft of the Comprehensive Plan Update, existing Policy L-6 language about preserving neighborhood character ("avoid abrupt changes in scale and density between residential and non-residential areas and between residential areas of different densities. To promote compatibility and gradual transitions between land uses, place zoning district boundaries at mid-block locations rather than along streets wherever possible.") This is in lieu of the new language proposed in Policy L-6.11.

Mayor Scharff: You'll accept that. Let's vote on it. That passes on a 5-4 vote with Council Members DuBois, Kou, Kniss, Filseth and Holman voting yes.

MOTION PASSED: 5-2-2 Scharff, Wolbach no, Fine, Tanaka abstain

Mayor Scharff: Council Member Wolbach.

Council Member Wolbach: I'd like to move that all programs be removed from this element and maintained for reference and further discussion outside of the Comprehensive Plan.

Council Member Holman: What?

Council Member Wolbach: Number H1.

Mayor Scharff: For land use.

Council Member Wolbach: I'll need a second. "H1." The suggestion was to reduce the number of programs overall and use the implementation section

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of the Plan to indicate the relative cost and priority of each. I'm suggesting that we take a strong stance on—if I get a second, I'll ...

Vice Mayor Kniss: I gave it three times.

MOTION: Council Member Wolbach moved, seconded by Council Member Fine to direct Staff to remove from the final draft of the Comprehensive Plan Update, all Programs from the Land Use Element, not required by State Law to be taken up at future dates as policy discussions and use the implementation section of the Plan to indicate the relative cost and priority of each Program.

Council Member Wolbach: I got a second. You seconded it already.

Vice Mayor Kniss: Yes.

Council Member Wolbach: Actually Kniss had already seconded it. To speak to it briefly. A lot of us, Council Member DuBois, myself, others ...

Mayor Scharff: Wait. It's all programs in the land use section, because that's not in the Motion.

Council Member Wolbach: Remove all programs from the Land Use Element. Let me ask the Director. Are there any Land Use Element programs which are legally required under State Ordinance?

Ms. Gitelman: I'll have to go through them carefully.

Council Member Wolbach: Let me amend this a little bit. Remove all programs from the Land Use Element not required by State law, to be taken up at future dates as further policy decisions and open to tweaking the language. The idea is to trim the Comprehensive Plan substantially, starting with this element. We talk a lot about wanting to see a shorter, cleaner, simpler, more usable document. When you think about the success of the United States Constitution, part of its beauty is that it's simple, it's concise. It provides general policy direction, is not overly prescriptive. As I was going through this document looking at all the programs, I found a tremendous number, which I thought were questionable, that I thought needed further discussion. I knew we weren't going to have time to have all that discussion tonight. It's almost 10:30. This is not the first time that we've talked about this element. The programs that have been presented to Council, many of them are interesting. I support maybe the majority of them. I appreciate the work that the CAC has done in providing them to us. They've framed future discussions. They will help frame the discussions that we'll have over the period and lifecycle of this Comprehensive Plan. I don't

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think they need to be in the Comprehensive Plan. I think the goal of the Comprehensive Plan is to lay out our values, our vision, our high-level policies. Specific programs and the implementation, etc., is not the job of the Comprehensive Plan. We all know that the existing Comprehensive Plan is too long. The existing Comprehensive Plan has too many programs, some of which were implemented, some of which weren't. We know the existing Comprehensive Plan has something in there that everybody can point to, to justify just about anything. I'm looking to make this Comprehensive Plan, especially this most important element, short, concise, usable and high level rather than prescriptive.

Mayor Scharff: Let's vote on the board. That passes ...

MOTION FAILED: 4-2-3 DuBois, Kou, no, Filseth, Holman, Scharff abstain

Council Member Holman: Mr. Mayor?

Mayor Scharff: Yes.

Council Member Holman: I'm going to lodge a complaint about this, because this is an enormous decision to be made on an up or down vote with no discussion. It's a huge, enormous decision to be made with this kind of vote.

Mayor Scharff: I agree with you. On that basis, I will change my vote so that we can have some discussion. I actually think discussion is a worthwhile thing on this. I will let the—do you wish to speak further to your Motion?

Council Member Wolbach: I think I've already spoken to it. I'd like to reserve the option to speak again on this item.

Mayor Scharff: I will let you speak again if necessary. We had—who was the seconder? Council Member Fine, why don't you speak to your second?

Council Member Fine: I agree with Council Member Wolbach. I think our Comprehensive Plan should be a document where we focus on goals and policies. Programmatic stuff is nice to have as ideas. Many of the programs in here would serve the City well as templates going forward to fulfill our goals and policies. Having served on the CAC and worked on a number of Comp Plans in different cities, with respect to all the volunteers on the CAC and the PTC, there's a lot of stuff in here programmatically that may be at odds with our purposes actually. There's a little bit of a grab bag that sometimes repetition on the CAC would get a program into the Comp Plan. I don't believe that's a good way to build programs that our City is going to

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pursue. I do think it would be helpful to have these programs in an appendix or something where they could be referenced, but just keep this element focused on the goals and the policies that we have all diligently looked at.

Mayor Scharff: Council Member Holman.

Council Member Holman: I almost don't know where to start on this one. Seriously, if this was a direction we were going to go and we were just going to focus on goals and policies, we should have had this discussion a year ago or more. We have three members of the CAC here. I think others were here earlier. While we can sit here and say we respect and appreciate the work that the CAC has done, I don't know how that can possibly be true. It's not possible. It's so inconsistent with this action. I don't mean disrespect to my Colleagues. I'm, as a friend of mine would say, gobsmacked at this Motion. I'm truly gobsmacked. Look at all the time that the Staff has put in on developing programs, that we've had consultant time spent on this, all the money and time that has been wasted developing programs that now we are just like "we don't need them, we don't want to do them." This is not the time to be taking this action. I also don't think it's a prudent action to be taking. The prior Comprehensive Plan had goals, policies, and programs. The problem that we had with it was that there were some conflicting ones. What we should be working towards in this document is eliminating any conflicts. The last time this came to the Council we talked about how the language could be trimmed, because some of it is a bit flowery. Some of it is redundant. I vehemently oppose this Motion. I don't think I've ever said that at the dais before. I vehemently do oppose this Motion.

Mayor Scharff: Council Member Fine.

Council Member Fine: I've spoken.

Mayor Scharff: You spoke already. Vice Mayor Kniss.

Vice Mayor Kniss: Karen, I sympathize with this; however, I spent a lot of time over the weekend looking at the programs. Every one of the programs, to me, looked as though it had more Staff time spent on it than I could imagine we could possibly do on each one of those policies. They are extensive. There are many—I didn't count how many new programs there were, but there are any number of new programs. If we are really trying to trim down this document and make it a really usable document, I didn't see how we could do that number of programs that's included in it. I don't remember how many programs there were. Hillary, do you remember how many new programs there were?

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Ms. Gitelman: I don't have a count for you, I'm afraid. There are a lot.

Vice Mayor Kniss: There were many; many, many.

Ms. Gitelman: There are lots.

Vice Mayor Kniss: Each one of those, I don't know exactly how much Staff time it would take. If we're not going to vote on this tonight, if we're putting it off for whatever reason, I would certainly want a full accounting of the programs, what they're going to cost, how many more Staff are going to be needed to implement those.

Mayor Scharff: We're going to vote.

Vice Mayor Kniss: Pardon?

Mayor Scharff: We're going to vote.

Vice Mayor Kniss: Just qualifying it. That was the part, to me, that sort of reminded me of an architect who designs the house without thinking about what it might cost. This seemed to me as though wonderful programs got put into it, but somehow you have to have a Staff member who's going to oversee every one of those programs. I don't know how that got lost along the way. I'm puzzled by it as well. I thought there were an unusual new number of programs.

Ms. Gitelman: I'm sorry, Mayor Scharff. Can I just clarify the Motion?

Mayor Scharff: Absolutely.

Ms. Gitelman: Is it to eliminate the programs entirely from the Comp Plan or to move them all into a implementation appendix?

Mayor Scharff: The way I understood the Motion—correct me—is it's to remove all programs not from the Comp Plan, from the Land Use Element, which is what we're discussing tonight, not required by State law, and that those programs are to be taken up at a future date as policy discussion and use the implementation section of the Plan to indicate the relative cost and priority of each program. The way I understood this would work, in reading this, is there would be an implementation section where all those programs would be, but they wouldn't necessarily mean we're going to do them. Staff would have to come forward and say, "Now, we're going to implement Program such-and-such," or "We think we should implement Program such-and-such," or Council Members could write a Colleagues' Memo or whatever, at which point the implementation of that would move forward. Staff wouldn't have to spend the time on it or move forward on it if there was no

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push from either a Council Member or from—it was either Council or Staff driven, there would be no move to move forward on that. Since I'm speaking, I guess I'll speak in general. I am sympathetic to the fact that the CAC put a lot of work into this. I do not think the work is lost. I think the work is going into an implementation section at which point the differences—instead of having a Comp Plan that we say here are all these programs we're going to do, and we know we're not going to do them since we didn't do them in '98, we're honest about it and say here's a bunch of programs that a lot of people put a lot of time and thought into and think we should do, but none of these have been vetted frankly by Council in a careful and thoughtful discussion of each of them. If Staff thinks we should move forward or a Council Member thinks we should move forward, at that point we'll move forward. I actually think I'm going to support this, which I did before, because that was my thinking on it. My thinking is we're not losing it. We can still implement all these. The work is being respected because it's not being thrown away, it's not being deleted. It's being put to the side and saying over the next 13 years or longer, as these implementations become feasible with the Staff time and Staff work, we will move forward on them, assuming the Council wants to. It'll come to Council for a full vetting. I actually think that makes a lot of sense, and that's why I'm going to support the Motion. Council Member—who has not spoken? I'm getting a little confused. Council Member Tanaka has not spoken, and Council Member DuBois has not spoken. Right?

Council Member Tanaka: I hear the opposition to this Motion. I definitely understand. On PTC, we took the first cut at this, and we talked about a lot of programs. I know a tremendous amount of Staff work and time has been put into it, which is good. The reality is—I've seen the Comp Plan being used to justify or not justify a project time and time again. The biggest problem with the Comp Plan is that it contradicts itself. It's massive. It's unwieldy and hard to use. There's an old adage of less is more. Very much in this case, less is more. What happens when you have such a bloated Comp Plan—the problem is that the okay and bad crowd out the great, the good in the Comp Plan. Like has been said by others, we're not throwing the work away. It's giving us a good starting-off point, jumping-off point for other things. It's not gumming up the Comp Plan with programs that contradict each other and just make this document not very easy or clear to use. I'm going to be supporting this.

Mayor Scharff: Council Member DuBois, you've been waiting.

Council Member DuBois: I've been advocating to reduce and prioritize programs. I think that's quite different than eliminating all programs. I think we're removing our commitment to implement programs, and that's

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kind of the purpose of the Comp Plan. It's totally appropriate for Council to give guidance to Staff to prioritize. We're not funding all these programs. We will discuss which ones we're going to implement. It's truly a slap in the face to the CAC. It's changing the rules two years into a process that a lot of people spent a lot of time and effort on. We agreed at the very beginning that Council wasn't going to write the Comp Plan. This is an attempt to micromanage the Comp Plan and approve programs one-by-one. It's just not a way to lead. We're going to have to talk about our role as a Council at our offsite. One of those rules is oversight. I just think this is a huge failure in oversight. Our existing Comp Plan—we started off—we have an award-winning Comp Plan. We said we were going to make minor changes to it. Now, we're going to strip out every program in that Comp Plan. It's mind boggling, as Karen said. I'm going to obviously vote against this. I don't think we should be micromanaging. We don't need to vet each and every program. We know not all the programs are going to be implemented. I'm sure costs, timing, priorities are going to come into it. I would just say for those of you that want to vote for this, if you want to be consistent, we should remove all programs from all elements. We know that land use is our most controversial element. I feel it's becoming politicized here tonight. We're actually not trying to do what's best for the citizens of Palo Alto. If this is really a value-based decision, I suggest we be entirely consistent and we remove all programs from all elements.

Mayor Scharff: Council Member Filseth.

Council Member Filseth: This is a massive change. Wish I had more than five minutes to think about it here. My reaction after five minutes is I actually agree with the spirit of it. I actually think it makes sense. If we had discussed this a month ago or a week ago when it came out or something like that even, I'd have loved to go through it one-by-one and make sure—one of the things we do is we sort of mix a little bit up, stuff that goes in programs and policies. Make sure if we tear all the programs that we're not taking out something that's important to be there. Maybe we aren't; I just don't know. I would want to go through the whole thing and see that. I actually want the CAC people to go through and do that too. I worry a little bit about that. If we tear out all the programs, we're going to end—I agree with Council Member DuBois. It seems odd to do it for one element but not all the others. I actually like the thought process for the whole thing. With that said, what do we really—I guess I don't understand exactly what the path forward would be with the programs. A question is what are we really achieving by doing that. We're going to take the programs out. Are we going to use them or not use them or throw them away, say it's a waste of some cost? If we say we're going to toss them out and start over on implementation, that's one thing. If we say we're going to

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put them all in one section and we're going to go through and prioritize program-by-program, that seems like a useful exercise to me. On the other hand, in the old Comp Plan, we didn't get to every program. We put all kinds of programs in there that we didn't get to. We probably won't get to a lot in this either. That doesn't seem that different. Maybe it's a question of formatting. We've got the policies here, and all the programs are in one big implementation section. As I read this, I'd like to see the programs under the policies. How am I going to compare this program about this aspect with that policy? I'd like to see them altogether. I'm reluctant to throw the switch on this without more thought, and not just from us on Council. Actually I'd like Arthur and Dan, the Chairs of the Comp Plan Committee, to give their two bits on it too. That's all. In principle, I like the idea, but I'm afraid to throw the switch on it with 10 minutes of discussion.

Mayor Scharff: Council Member Fine. Nope. Council Member Wolbach.

Council Member Wolbach: A couple of things. Actually I was starting to make the Motion for the whole Comp Plan because I do think we should do this for the whole thing. We're talking about the Land Use Element right now, so the Motion's for the Land Use Element. I wish the idea had occurred to me a year ago; I would have suggested it then. As we're going through trying to get this done and looking through this and thinking about—I forgot to mention this earlier. Thinking back to what we did with the S/CAP, it's not perfectly analogous. The S/CAP was long; it was unwieldy. It got some edits at the Staff level, came back to us with a lot of the details pulled out, a lot of the programs, the implementation pulled out of the S/CAP to be in a separate document, not thrown away, not disregarded, not dismissed, not a slap in the face, still respected and still to be utilized, still to be implemented as appropriate. We have a cleaner, simpler, more direct document that we can actually, as a Council, make decisions on and make progress on, rather than trying to go through each and every program, which would keep us here until 5:00 a.m., or we'd have to have a couple more meetings like this one. I do see Chair Garber is here.

Mayor Scharff: I'm not going to allow it.

Council Member Wolbach: I do think the depictions of the Motion offered by—I just have to say this. The depictions of the Motion as offered by Council Members Holman and DuBois do not accurately reflect either the Motion before us or the stated reason for the Motion. I appreciate that not everybody is going to support it. I appreciate that it's controversial. The idea that it's essentially a formatting and prioritization change is completely dismissing a tremendous amount of Staff work and CAC work and community input is just not accurate. I'm not saying hit delete. I'm saying

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hit Control X and then Control V in another document. With that, I hope we can move forward.

Mayor Scharff: Council Member Holman.

Council Member Holman: I was just trying to google to get some guidance on what's typical in a General Plan. Maybe this is a question for the consultant and maybe for Hillary too. What's typical to have in a General Plan? What I find online just in a simple search from University of Washington, from various other cities—land use, I looked for that—is goals, objectives, policies and programs. What's typical?

Ms. Costello: I'm sorry. That is typical, to have all of those goals, policies, programs in a General Plan. I would say that this Comp Plan Update has probably more programs than I'm used ...

Council Member Holman: No one's going to argue with that.

Ms. Costello: ... to, but it is the general policy. I will say that there are communities where the implementation—where the programs are considered implementation, they are pulled out so that the policies read just as policies. That is not uncommon. Those components, I can't think of one that doesn't have them. There was the exception for legal things. There are things in here that we would have to sift through and keep at some higher level than just referred to later. I hope that answers your question.

Council Member Holman: We can't backtrack here, but I do wonder. I have to wonder how the process and the product would have been different if this had been the original guidance. I have to wonder that. I hope that all of you would have to wonder that too. It's very different. This has taken a detour off Route 66 into some blue highway that nobody's ever been on before, not in this City. If anybody knows what a blue highway is. Reminder to—Jim does, I'm sure. This is a Comprehensive Plan that goes to 2030, but in all practical reality it's going to go well beyond 2030. Look at how long we've been doing this Comprehensive Plan. We're well out of date. It isn't like every program that's in here—I don't want to speak for everybody, but I think I've heard comments from pretty much everybody that we think the language can be honed down, there's some redundancy. We could make it shorter. That was one of the things that—even in a phone conversation with Hillary last week just to get some general guidance on what we were doing tonight, that was one of the directions they were looking for. That's what we gave them direction about before. That's something we're going to be addressing. I have to say also that a lot of the things that come forward to the Council, we look to the Comprehensive Plan, and we say regularly consistent with Policy blah, blah, Goal blah, blah,

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Program blah, blah. We use those as benchmarks for how we review proposals. If we take them out and put them in some other reference document, that means what I don't know, haven't digested or even how can we because this is quite a surprise. I don't know where that leaves us. Maybe the two biggest things are what would the policies and goals have looked like if this had been the direction a very long time ago, and the other is I still find it to be a great waste of our CAC resource, Staff resource and consultant resource. I really worry what kind of impact this will have on getting other citizens to volunteer for another kind of—we talk about we want to do coordinated area plans. Who's going to volunteer if this is the outcome that comes out of this meeting?

MOTION RESTATED: Council Member Wolbach moved, seconded by Council Member Fine to direct Staff to remove from the final draft of the Comprehensive Plan Update, all Programs from the Land Use Element, not required by State Law to be taken up at future dates as policy discussions and use the implementation section of the plan to indicate the relative cost and priority of each Program.

Mayor Scharff: Seeing no lights, let's vote on the board. That passes on a 5-4 vote with Council Member DuBois, Kou, Filseth and Holman voting no.

MOTION PASSED: 5-4 DuBois, Filseth, Holman, Kou no

Mr. Keene: Mr. Mayor?

Mayor Scharff: Yes.

Mr. Keene: If I just might make a comment. I can't say that I necessarily understand all the motives or objectives from the different things that have been said on both sides of this issue. I would remind the Council that, even though you're adopting your direction on the Plan right now, this is not the final adoption of the Comp Plan. This is going to continue to go through a process through the rest of this year, 'til October. I would just say that it doesn't preclude the fact that there could be things in the implementation section that would get advanced even concurrent with the final adoption. The people are going to have the opportunity to look at those items. Clearly there isn't really, just from my reading of it, an absolutely clear—I'm responding to what Council Member Filseth said—logic within even the land use section about programs. There are policies that have no programs. There are policies that have a whole bunch of programs. This idea of looking at how you reconcile in a consistent way what you want to have, I would just say there's nothing that keeps Council Members or anybody else from looking at the programs between now and when you adopt this finally and

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making your case that—it's like you were saying. It could be a Colleagues' Memo or whatever.

Mayor Scharff: We need to do the Transportation Element. I'm opening up the Transportation Element. Council Member DuBois.

Council Member DuBois: This meeting was originally supposed to be our time to look at transportation and land use and how those intertwined. Here we are at 11:00, and we haven't talked about transportation at all. I have quite a few concerns about a lot of transportation policies, kind of a long list. We've spent the whole night on the one element. I think I'll just go ahead, again to be consistent, and make the same Motion that Council Member Wolbach made, that we remove all the programs and move them to the implementation plan rather than try to go through them one at a time.

Mayor Scharff: I'll second that.

MOTION: Council Member DuBois moved, seconded by Mayor Scharff to remove all Programs from the Transportation Element.

Council Member Dubois: Again, I think this is kind of crazy to do this two years in, but I think we should be consistent if we're going to do it.

Mayor Scharff: Do you want to speak to your Motion? Let's vote. You can vote to have more discussion on that or not. That passes on a 6-1 with two people requesting more discussion. Council Member Holman voted no. Council Member DuBois voted yes, Council Member Kou voted yes, Council Member Wolbach voted yes, Vice Mayor Kniss wanted more discussion, I voted yes, Council Member Filseth wanted more discussion, Council Member Tanaka voted yes, and Council Member Fine voted yes.

MOTION PASSED: 6-1-2 Holman no, Filseth, Kniss abstain

Mayor Scharff: Anything regarding the policies or the goals on the Transportation Element? If anybody wishes to advocate that what was previously a program on the Transportation Element could come back. There's a third option here, since it's late, that we could continue the Transportation Element to another night, where we discuss it more fully. I'm open to any of those kind of motions.

Vice Mayor Kniss: Could I make a comment?

Mayor Scharff: Vice Mayor Kniss.

Vice Mayor Kniss: This would hardly be the first time I've said this. We just don't make our best decisions after 11:00. Also, we don't make our best

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decisions when there are four people left in the audience. If transportation isn't at the top of our list of what we're concerned about, I don't know what is. We've agreed that traffic is the biggest problem in our community even more, I think, than housing. To bring it up at 11:00 with an absolutely empty chamber is really puzzling to me. I don't expect everyone to stay, but there's not a soul left here that really is going to be engaged. I would suggest another night. If others are willing to just plow on through, I guess we could do it.

Mayor Scharff: Hillary, is there anything on the Transportation Element that you would need us, other than the Motion just passed, if we didn't continue this to another night fairly soon?

Ms. Gitelman: No. I think we could defer this to another night and not lose time. Our goal, as I indicated earlier, is to try and get a recommendation on all the elements by the time you go on our summer break.

Mayor Scharff: I will move that we continue this item, the Transportation Element, to a date uncertain.

Council Member Filseth: Second.

MOTION: Mayor Scharff moved, seconded by Council Member Filseth to continue the Revised Draft Transportation Element to a date uncertain.

Mayor Scharff: Seconded by Council Member Filseth. If we could vote on the board. Yes, you want to speak?

Council Member Wolbach: Yeah. I think it's just procedurally ...

Mayor Scharff: Go ahead.

Council Member Wolbach: I actually and others may have other suggestions. You were suggesting going through the Transportation Element, if there are any other recommendations or changes. I actually had other recommendations and changes, and others may have as well, regarding the Land Use Element that we didn't get to yet. By continuing this item, do you mean both elements or just the transportation?

Mayor Scharff: I was just continuing the Transportation Element at this point.

Council Member Wolbach: If we have additional comments or motions related to the Land Use Element, how do you want to handle that, Mayor?

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Mayor Scharff: We'll come back to it. We can decide if we want to continue on the Land Use Element. Council Member Holman.

Council Member Holman: My question was along the lines of Council Member Wolbach's question. When you say we can come back to it, why would we not—I'm trying to get some clarity here. Would we not continue land use and transportation tonight?

Mayor Scharff: That might be a separate Motion. I need to talk to Director Gitelman about that issue, about where we are on that. Right now, the Motion is to continue the draft Transportation Element to a date uncertain. If you could vote on the board.

MOTION PASSED: 9-0

Mayor Scharff: We have a schedule that we need to get done. I don't know how many more comments people have on the Land Use Element. They would only be commenting on the policies and goals. I would rather finish that tonight, unless there's huge amounts. I suggest that we try and go to 11:30. If it goes beyond that—there's not that many policies and goals left on this Land Use Element. We've discussed almost every point. I'm not going to entertain stuff we've already discussed. It has to be something that we didn't hit. We can't go back to items that we've already gone through on that long list. If there are items that we have not discussed in here, that are policies or goals, or frankly if you want to argue that a program should be a policy in some way, I would entertain that as well. I think that would only be fair. Council Member Holman.

Council Member Holman: I'm going to move that we continue the Land Use Element to a date to be determined. Reason being that I'm not prepared to know how to comment on the other things given what we did earlier this evening.

Council Member DuBois: I'd second that.

MOTION: Council Member Holman moved, seconded by Council Member DuBois to continue the Land Use Element to a date uncertain.

Mayor Scharff: That's fair enough. Let's vote on the board.

Council Member Filseth: Can I comment on it first?

Mayor Scharff: Sure. Anyone can comment. I didn't mean to ...

Council Member Filseth: That makes a lot of sense to me actually, particularly that we just said we're going to take half an hour. If we're only

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going to take half an hour, I'd rather do the half an hour at some other day when I've had a chance to peruse what we just did. I still don't understand what we just did.

Mayor Scharff: Council Member Wolbach.

Council Member Wolbach: Actually it's a question for Staff. I meant to ask this before we voted on the earlier substantial Motion to pull out programs and put them in a separate component. If we bring this back at another date, would that provide an opportunity for Staff and consultants to take a peek through the programs and see if there were any there that really ought to be listed as policies according to the Staff and consultant's views?

Ms. Gitelman: I think we were going to suggest that, if the Land Use Element is going to come back to you, we get a chance to go through it, implement the changes that you've adopted as motions earlier this evening, take out the programs and do as you suggest, if there are any programs that should have been policies, make those kind of changes. We'd bring you back something that would be a little easier to review.

Council Member Wolbach: I appreciate that.

Mayor Scharff: I think it's a good plan.

Council Member Wolbach: I'll support the Motion.

Mayor Scharff: Let's vote on the board. That passes unanimously.

MOTION PASSED: 9-0

Inter-Governmental Legislative Affairs

None.

Council Member Questions, Comments and Announcements

Mayor Scharff: With that, we're now at Council Member Questions and Comments. Seeing no lights—Council Member Fine. No. Council Member Filseth.

Council Member Filseth: What did we just do again?

Mayor Scharff: Seeing no other lights, the meeting's adjourned.

Adjournment: The meeting was adjourned at 10:59 P.M.