PRESENTATION OUTLINE

• Overview of Work-to-Date
• Refresher: Framework for Practices
• Refresher: Policing Practices and Citywide Practices
• Recap of October Next Steps
• Updated Mission Statement
• Recommendations based on October Next Steps
• Council Discussion and Feedback
• Ad Hocs Created and Have Met Over the Summer and early Fall – Members:
  • Police Policy Manual, Data, and Hiring – Vice Mayor Tom DuBois and Councilmembers Alison Cormack and Lydia Kou
  • Public Safety Alternative Models – Councilmembers Liz Kniss and Greg Tanaka
  • Police Accountability and Transparency – Vice Mayor Tom DuBois and Councilmember Eric Filseth
  • Citywide Diversity & Inclusion – Mayor Adrian Fine and Councilmembers Alison Cormack and Liz Kniss

• Most recent updates at City Council were August 24, September 28, & October 26
  • Links in staff report here:
    https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=61327.01&BlobID=79088

• Updated police policy at the November 2, 2020 meeting
REFRESHER: RACE & EQUITY FRAMEWORK

Community Engagement & Learning
- HRC 8cantwait and report out
- Gain community input
- Seek to understand people’s experiences with PAPD
- Community learning sessions

Data Collection
- Learn workflow
- Review Policy Manual
- Review data: uses of force & calls for service
- Request & review any other data
- Review legislation

Gaps Identification
- Identify processes & policies where current practice could be improved
- Identify areas desired for changes
- Community feedback

Policy Direction
- Based on gaps and Ad Hoc suggestions, Council to provide policy direction on improvement areas
- Staff to recommend most effective implementation tools

Framework: Sequence of work ahead
Policing Practices and Citywide Practices (Lead Department)

- **Policing Practices**
  1. Public contact data collection and trend analysis (PD)
  2. Officer deployment priorities and practices for non-violent calls (PD)
  3. Officer conduct investigations and transparency (PD/CAO)
  4. Discipline and accountability (PD)

- **Citywide Practices:**
  1. Hiring and promotions, including board/commission appointments (CM/HR)
  2. Board/commission engagement with race and equity issues (Council)
  3. Continuous learning and improvement (CM/HR)
  4. Norms and expectations of conduct (CM)

**Timeline:**
- Initial Direction by End of 2020
- Extends into 2021
RECAP OF OCTOBER NEXT STEPS

The list below is the City Council list of interest areas from October 26 meeting:

1. Adoption of the draft mission statement for all citywide diversity and inclusion work
2. Council engagement on the demographic data collection and reporting
3. Pursue participation in Santa Clara County’s PERT Program; continue exploration of a potential CAHOOTS model and/or MCRT with regional partners
4. Develop a policy on timing and circumstances of records release of disclosable investigations
5. Expand the duties of the IPA beyond the current scope of officer involved shootings (OIS), taser use, and complaints
6. Prepare an annual report on Revised Use of Force Investigation which includes de-escalation
The list below is the rest of the City Council list of interest areas from October 26 meeting:

7. Incorporate police reform into legislative priorities for 2021
8. Send all citywide and policing practices work to the Policy and Services Committee for next year to focus on diversity and inclusion more broadly
9. Follow up related to the upcoming negotiations for the Memorandum of Agreement with the Palo Alto Peace Officers Association
10. Reinforcing the desired culture in the Police Department and throughout the City
11. Ensure continued adherence to existing policy on “duty-to-report”
The Citywide Diversity and Inclusion Ad Hoc created a draft mission statement to be the guide for the ongoing race and equity work for the City. The updated mission statement is:

The City of Palo Alto is committed to creating a respectful, fair, and professional workplace and city. We will identify prejudices, eliminate inequities, welcome many perspectives, and use a collaborative approach to create an environment that works for everyone. The City's commitment to achieve equity in Palo Alto is the shared responsibility of our residents, organizations, governments, and other institutions.

Previous Version: The City of Palo Alto is committed to creating a respectful, fair, and professional workplace and city. We will identify inequities and prejudices, welcome diverse perspectives, and use a collaborative approach to create an environment that works for everyone.
a) Adoption of the mission statement as a guiding statement of the City’s commitment to make equity a foundational principle in the City’s operational work.

b) Direct staff to expedite implementation of the new police records management system with quarterly reports to Council, and to return with the necessary agreements for the records management system allowing for Racial and Identity Profiling Act (RIPA) implementation.

c) Starting after the full implementation of the RMS and the first data collection period, direct staff to resume annual data collection and analysis of police contact data similar to the previous Stop Data reports.
RECOMMENDATIONS, continued

d) Direct staff to work with Santa Clara County on implementation of participation in the Santa Clara County Psychiatric Emergency Response Team (PERT) program and the Mobile Crisis Response Teams (MCRT) program and to return to the City Council with any necessary agreements for program participation.

e) Direct staff to develop/update a policy on the timing of records release related to investigations that qualify for public disclosure under SB 1421 and AB 748.

f) Direct staff to amend and expand the current Independent Police Auditor’s (IPA) scope of services to include all administrative use of force reports where a baton, chemical agent, TASER, less-lethal projectile, canine, or a firearm is applied, and all cases where the subject’s injuries necessitate any treatment beyond minor medical treatment in the field.
RECOMMENDATIONS, continued

g) Direct staff to maintain an every six (6) months schedule for IPA reports to City Council containing reviews ready at the time of the report; and for the IPA to provide an audit workplan to the City Council for approval.

h) Direct staff to include use of force information to the regular Supplemental Report submitted to the City Council as a cover memorandum to each IPA report.

i) Refer the police reform legislative priority thoughts and input to the Policy and Services Committee who will be discussing the City’s legislative priorities in December 2020.

j) Refer all race and equity work to the Policy and Services Committee for citywide diversity and inclusion practice areas and policing practice areas. (also linked to a Policy and Services CEDAW Recommendation)
k) Direct staff to return in the fall of 2021 with parameters, proposals, and strategies prior to engaging in Palo Alto Peace Officers’ Association negotiations.

l) Direct staff, in coordination with the City’s overall diversity and inclusion efforts, to conduct a workforce demographic assessment as baseline information and to pursue an employee assessment to measure City workforce culture. *(also linked to a Policy and Services CEDAW Recommendation)*

m) Policy & Services CEDAW Recommendation: Direct Staff to proceed with a community summit on gender equity issues and next steps in Palo Alto
CITY COUNCIL DISCUSSION AND ACTION

Staff recommends that the City Council provide the aforementioned direction on the City of Palo Alto's Race and Equity work relating to:

• Adoption of a Mission Statement
• Direction on Police Data Collection, Alternative Response Resources, Use of Force Reporting, and Future Labor Agreement Negotiations
• Citywide Workforce Assessment
• Organization of Future Race and Equity Work Beyond 2020
Presentation Overview

• Project Overview
• Background
  • Site Context
  • Housing Incentive Program
• Proposed Project
  • Comprehensive Plan Amendment
  • Zoning Text Amendments
  • Architectural Review
  • Subdivision
  • Variance
• Environmental Impact Report
• Recommendation
Project Overview

A. Mixed-Use Development Project (Applicant)
   • Comprehensive Plan Amendment
   • Zoning Text Amendment
   • Subdivision
   • Variance
   • Architectural Review

B. Housing Incentive Program Expansion (City)
   • Comprehensive Plan Amendment
   • Zoning Text Amendment

Environmental Impact Report
Background

City Council Pre-screening
• October 15, 2018
• May 20, 2019

Planning & Transportation Commission
• September 11, 2019
• August 12, 2020

Architectural Review Board
• August 15, 2019
• January 16, 2020
• August 20, 2020

Community Meeting (Applicant Sponsored)
• August 6, 2020

Environmental Impact Report Scoping Meeting
• September 11, 2019

Draft EIR Circulation
• July 31 – September 14, 2020

Final EIR
• October 30, 2020
Site Context

Oshman Family Jewish Community Center

The Greenhouse Residential PC

788 SAN ANTONIO ROAD (PROPOSED)

Marriott Hotels
Proposed Project

788-796 San Antonio Mixed-Use Project
- Two parcels totaling approximately one acre
- Four-Story Building with two levels of basement parking
- 102 dwelling units & 1,803 SF of commercial
- 2.0:1 FAR & 68% site coverage
In order to implement the development project the following is necessary:

- Comprehensive Plan Amendment
- Zoning Text Amendments
- Architectural Review
- Subdivision
- Variance
The 2015 - 2023 Housing Element identifies several of the properties within the Program Area as “Housing Inventory Sites”.

- **Land Use Policy L-2.4**
  - Use a variety of strategies to stimulate housing, near retail, employment, and transit, in a way that connects to and enhances existing neighborhoods.

- **Amend Program L2.4.1**
  - Amend the Housing Element to **eliminate** housing sites along San Antonio Road between Middlefield Road and East Charleston Road and increase residential densities in Downtown and the California Avenue area to replace potential units from the sites eliminated.
To implement the Development Project and future development projects in the Program Area to facilitate more housing production the following are to be considered:

• Extend the Housing Incentive Program (HIP) to the Project Site
• Amend Citywide definition of gross floor area
• Amend retail preservation requirements for CS districts Citywide
Extend Housing Incentive Program

- Establish waiver to allow up to 2.0:1 FAR for housing projects and no maximum lot coverage
- Eliminate maximum housing density requirement
- Allow rooftop gardens to count towards required open space
- Exclude the first 1,500 SF of retail/retail like floor area from parking requirements
Amend PAMC 18.04.030 Definitions:
• (65) (B) Non-residential & Multifamily Exclusions: For all zoning districts other than the R-E, R-1, R-2 and RMD residence districts, “gross floor area” shall not include the following:

• vi. In subterranean parking garages: Areas designed and required for electrical and fire equipment rooms, and other areas designated for similar purposes that do not increase the intensity of the use of the site; this exclusion only applies to the minimum area need for equipment rooms, and similar purposes to comply with current code requirements.
Amend PAMC 18.40.180 (c) Waivers and Adjustments; and Exemptions as follows:

• (4) Exemptions. The following uses shall be exempt or partially exempt from the provisions of this Section 18.40.180, as provided below shall not apply to:

• (C) A high-density residential or mixed-use project in the CS zone district, but not within the Ground Floor (GF) or Retail (R) combining districts, shall be required to replace only 1,500 square feet of an existing Retail or Retail-Like use. For the purposes of this partial exemption, high-density shall mean 30 or more dwelling units per acre.
San Antonio Road Elevations

August 2019

January 2020

Current Proposal
Corner Perspective

August 2019

January 2020

Current Proposal
Elevation Opposite Leghorn Street (Interior Side)

August 2019

January 2020

Current Proposal
Elevation Opposite San Antonio Road (Rear Elevation)

August 2019

Current Proposal

January 2020
Architectural Review

- Three Meetings
- ARB Recommended Approved 5-0
- Minor additional work by subcommittee
  - Reconsider corten steel material and/or provide additional details;
  - Consider substitution for redwood or provide more information on the life cycle of maintenance;
  - Reconsider bright white paint color with earth tone color;
  - Consider making the “ribbon” element a uniform thickness;
  - Consider making corner (Leghorn/San Antonio) more visually architectural.
  - Consider adding relief through changing materials;
  - Consider locating the bicycle wash facility in the basement;
  - Review the use of blue oak trees with Urban Forestry Division; and
  - Consider an alternative to the vertical window in the stairwell.
Planning & Transportation Commission

• The PTC recommended approval of the project:

  • Provide a robust Transportation Demand Management (TDM) document;

  • Consider intersection improvements at San Antonio Road and Leghorn Street; and

  • Council consider creating a corridor plan along San Antonio Road linking land use and transportation issues
Subdivision (PAMC Title 21)

Request for lot merger, airspace condominium subdivision for 102 dwelling units, 1,803 SF retail space, and common areas

- Parkland dedication (Subdivision for projects with more than 50 units)
  - Prefer payment of in-lieu fee of $4.7 million
- Affordable Housing
  - 15% of total (15.3 units)
  - Project proposes 16 units
- Specific “reverse” findings for consideration
Variance PAMC 18.76.030

• Development Project proposes pedestrian ramp that would protrude 14 feet into 24-foot special setback along San Antonio Road
• Ramp is the only accessible access to the building
• A strict application of the 24-foot special setback to the applicant’s project site would deprive the property of privileges enjoyed by other property in the vicinity and in the same zoning district as the subject property
  • Other properties along San Antonio have the same setback, however, not a second Special Setback along Leghorn such as the subject property
• Condition of approval to address potential future mobility improvements along San Antonio Road
Housing Incentive Program

For residential mixed-use projects....that are consistent with the Architectural Review findings:

- Maximum total FAR not to exceed
  - CS Zoning Along El Camino Real 1.5:1 FAR
    - Base CS allows 1.0:1 FAR
  - CC2 Zoning (California Avenue) 2.0:1 FAR
  - CD-C Zoning (Downtown) 3.0:1 FAR
- May waive maximum lot coverage
  - Base CS allows up to 50%
- No maximum density
  - Base CS allows up to 30 units/acre
Environmental Impact Report (CEQA)

- Notice of Preparation & Scoping Meeting – September 4 through October 7, 2019
- Draft EIR circulated between July 31, 2020 and September 14, 2020
- Since July 1, 2020, Transportation impacts are analyzed using Vehicle Miles Traveled and not by Level Of Service

- Impacted topics include:
  - Air Quality
  - Cultural Resources
  - Greenhouse Gas Emissions
  - Noise

- Biological Resources
- Geology & Soils
- Hazards and Hazardous Resources
- Tribal Cultural Resources

- Mitigations proposed to reduce impacts to less than significant except for Cultural Resources
• Development Project results in the demolition of a building that is eligible for listing in the California Register of Historic Places.
• While mitigation includes measures such as historic and photographic documentation and interpretative website, the demolition of the building would result in a significant and unavoidable adverse impact.
• A Statement of Overriding Consideration would need to be made by the Council
• For the Program Area, where demolition or modifications are proposed to structures over 45 years in age, a Historic Resources Evaluation shall be prepared to determine the structures’ eligibility on the local or state historic registers.
Transportation

• Change in evaluation of transportation impacts for CEQA documents circulated after July 1, 2020—from LOS to VMT.

• VMT refers to the amount and distance of automobile travel “attributable to a project.”

• VMT impacts attributable to residential projects in Palo Alto may be considered significant if a project exceeds a level of 15 percent below existing (baseline) County home-based VMT per resident (11.33 miles per resident)

• VMT was found to be 11.19 miles per resident < 11.33. **No Significant Impact.**
Recommendation

Staff recommends the City Council take the following action(s):

• **Adopt a Resolution** certifying the Final Environmental Impact Report, adopting California Environmental Quality Act findings, a Statement of Overriding Considerations and a Mitigation, Monitoring and Reporting Program (Attachment B);

• **Adopt a resolution** amending Comprehensive Plan Land Use Element Program L2.4.1 (Attachment C);

• **Introduce an Ordinance** approving text amendments to the Palo Alto Municipal Code Title 18 (Attachment D); and

• **Adopt a Record of Land Use Action** approving the requests for a Tentative Map, Variance and Architectural Review based on findings and subject to the conditions of approval (Attachment E)
Recommendation

Staff recommends the City Council take the following action(s):

- **Adopt a Resolution** certifying the Final Environmental Impact Report, adopting California Environmental Quality Act findings, a Statement of Overriding Considerations and a Mitigation, Monitoring and Reporting Program (Attachment B);
- **Adopt a resolution** amending Comprehensive Plan Land Use Element Program L2.4.1 (Attachment C); with revisions;
- **Introduce an Ordinance** with direction on revisions approving text amendments to the Palo Alto Municipal Code Title 18 (Attachment D) specific to development project site; and
- **Adopt a Record of Land Use Action** approving the requests for a Tentative Map, Variance and Architectural Review based on findings and subject to the conditions of approval (Attachment E)
788 San Antonio Housing
Palo Alto City Council
November 16, 2020
Project Overview

• Mixed Use Development
  – Housing Incentive Program
  – Residential: 102 units
  – Retail: 1,800 sq ft ground floor
  – Structure: 4 levels above grade, < 50 ft
  – Parking: 2 levels below grade, 126 spaces (20 retail)
  – Bike: 102 long-term, 18 short-term
  – Open Space: 3,200 SF courtyard, 3,300 SF roof deck
Project Overview

• Inclusionary Housing
  – 16 units @ 15% contribution
  – Strategic Economics Study, June 2020

• Rental Product
  – Project plan is build all units and rent
  – Subdivision Map would provide a potential condominium conversion in the future to sell units, timing uncertain
Retail & Bicycle Parking
Open Space
Housing Near Jobs
Housing Near Transportation
Project Objectives

• Comp Plan listed Housing Opportunity site
• Serve a range of renters & income levels
• Encourage alternative transportation uses, i.e. bicycle-centric ground level
• Local Control
  – Use HIP rather than SDBL
  – Contribute to City housing production goal of 300 units/year
Community Benefit

• Terner Center, March 2020 *

  “Projects in the greater San Francisco Bay Area... increased by 22.4% to an average of almost $600,000 per unit in the past 3 years.”

• Proposed Units: 16

• Est. Value: $9,600,000

Community Benefit – Valuation

• Wilton Court
  – 59 units, 100% affordable
  – Per Unit Cost: $807,441*
  – City Financing: $19,188,737 *

• 788 San Antonio Rd
  – 16 units affordable
  – Implied Value ∴ $12,919,000
  – City Financing: $0

* https://www.treasurer.ca.gov/ctcac/meeting/2020/20200414/staff/7/CA-20-487.pdf
788 San Antonio Mixed Use

Thank you!
## Site Development Evolution

<table>
<thead>
<tr>
<th></th>
<th>Existing Zoning</th>
<th>Oct 2018 SDBL/RM-40</th>
<th>Mar 2019 1.5 FAR</th>
<th>Proposed 2.0 FAR</th>
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<tbody>
<tr>
<td>Total Units</td>
<td>16</td>
<td>48</td>
<td>64</td>
<td>102</td>
</tr>
<tr>
<td>Market Rate</td>
<td>14</td>
<td>41</td>
<td>54</td>
<td>86</td>
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<tr>
<td>BMR</td>
<td>2</td>
<td>7</td>
<td>10</td>
<td>16</td>
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<tr>
<td>Retail Sq Ft</td>
<td>5,555</td>
<td>-</td>
<td>1,730</td>
<td>1,800</td>
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<tr>
<td>Office Sq Ft</td>
<td>4,371</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Unit Mix</td>
<td>All 2-bed</td>
<td>(21) 1-bed</td>
<td>(46) 1-bed</td>
<td>(32) studio</td>
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<tr>
<td></td>
<td></td>
<td>(27) 2-bed</td>
<td>(18) 2-bed</td>
<td>(66) 1-bed</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(4) 2-bed</td>
</tr>
</tbody>
</table>
Regional Housing Needs Allocation (RHNA) Methodology Discussion
Objectives for Tonight

Staff Presentation
• Proposed Regional Housing Needs Allocation (RHNA) Methodology
• Questions & Answers

Discussion & Action
• Direction to Staff
• Motion on Draft Letter
• Discussion of Advocacy
• Discussion of Appeal Process
Proposed RHNA Methodology – Baseline Allocation

• Households 2050 from the Plan Bay Area 2050 Final Blueprint selected as the RHNA baseline allocation

• Jurisdictions projected to have more housing growth between now and 2050 receive a larger RHNA baseline allocation than jurisdictions projected to have less housing growth in Plan Bay Area 2050 modeling
Proposed RHNA Methodology – Bottom-Up Approach

STEP 1: Group RHND by income

STEP 2: Factor weight = units allocated by factor

STEP 3: Calculate jurisdiction’s units from each factor
### Proposed RHNA Methodology – Potential Palo Alto Allocation

#### Potential 6th Cycle RHNA Allocation for Palo Alto Using Option 8A High Opportunity Areas Emphasis & Job Proximity*

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Potential RHNA Allocation (New Housing Units)</th>
<th>Percent of Housing Units in Income Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Low</td>
<td>2,573</td>
<td>25.6%</td>
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<tr>
<td>Low</td>
<td>1,482</td>
<td>14.7%</td>
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<tr>
<td>Moderate</td>
<td>1,673</td>
<td>16.6%</td>
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<tr>
<td>Above-Moderate</td>
<td>4,330</td>
<td>43.1%</td>
</tr>
<tr>
<td>Total</td>
<td>10,058</td>
<td>100%</td>
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</table>

ABAG calculated that Palo Alto had 27,629 households in 2019. The City’s 5th Cycle RHNA Allocation is 1,988 housing units. *This table reflects the housing units shown for Palo Alto in the materials released by ABAG on October 25, 2020.*
Proposed RHNA Methodology – Staff Analysis & Comment Letter

• Policy Areas of Concern
• Procedural Areas of Concern
• Data Areas of Concern
Proposed RHNA Methodology – Staff Analysis & Comment Letter

• Policy Areas of Concern

  • 2050 Baseline Allocation Inappropriate for Eight-Year RHNA Cycle

  • Methodology Should Include a Cap to Address Development Feasibility

  • Methodology Promotes Urban Sprawl in Unincorporated Areas
Proposed RHNA Methodology – Staff Analysis & Comment Letter

• Procedural Areas of Concern

  • COVID-19 Pandemic and Recession

  • Embarcadero Institute September 2020 Report
Proposed RHNA Methodology – Staff Analysis & Comment Letter

• Data Areas of Concern
  • Regional Growth Strategies Mapping and Modeling Accuracy
Proposed RHNA Methodology – Advocacy

- 5 City comment letters submitted on RHNA methodology
  - August 11, 2020
  - August 26, 2020
  - September 17, 2020
  - September 30, 2020
  - October 14, 2020

- Encourage discussion of additional Council engagement with local and regional officials to provide input into the RHNA process
**Proposed RHNA Methodology – Appeals Process**

- Process and criteria set forth in Government Code Section 65584.05

- Appeals are filed within 45 days of the release of draft RHNA allocations
  - Jurisdictions can appeal another jurisdiction’s draft RHNA allocation
  - Jurisdictions can appeal their own draft RHNA allocation

- Recent 6th Cycle RHNA appeal example:
  - Southern California Association of Governments (SCAG) received 52 appeals
### RHNA and Plan Bay Area 2050 Key Milestones

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Plan Bay Area 2050 Final Blueprint</td>
<td>December 2020</td>
</tr>
<tr>
<td>Draft RHNA Methodology to HCD for Review</td>
<td>January 2021</td>
</tr>
<tr>
<td>Final RHNA Methodology, Draft Allocation</td>
<td>Spring 2021</td>
</tr>
<tr>
<td>RHNA Appeals</td>
<td>Summer 2021</td>
</tr>
<tr>
<td>Final Plan Bay Area 2050</td>
<td>September 2021</td>
</tr>
<tr>
<td>Final RHNA Allocation (Post-Appeals Process)</td>
<td>Winter 2021</td>
</tr>
<tr>
<td>Housing Element Due Date</td>
<td>January 2023</td>
</tr>
</tbody>
</table>

*Dates are tentative and subject to change*
Staff Recommendation

1. Discuss and provide direction to staff as appropriate on the Regional Housing Needs Allocation (RHNA) process

2. Direct staff to submit a comment letter to the ABAG Regional Planning Committee on the proposed RHNA methodology (Attachment A)

3. Discuss possible City Councilmember engagement with other elected officials or representatives

4. Provide initial direction to staff on preparation for a possible appeal of the RHNA methodology