



Planning & Transportation Commission Action Agenda: December 14, 2016

Council Chambers
250 Hamilton Avenue
6:00 PM

Call to Order / Roll Call 6:07 pm

Commissioner Fine absent

[Note-did not record]

Oral Communications

The public may speak to any item not on the agenda. Three (3) minutes per speaker.^{1,2}

Chair Alcheck: [Recording starts in progress] it's an opportunity for Oral Communications, members of the public who submit a card can speak for a few minutes on any topic. I don't believe we've received any cards; cards specific to Oral Communications or cards specific to an agenda item? Yeah, ok. So let's move on.

Agenda Changes, Additions, and Deletions

The Chair or Commission majority may modify the agenda order to improve meeting management.

Chair Alcheck: Are there any changes, additions or deletions that we need to let anyone know about? Good.

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1

2 **City Official Reports**

3 1. Assistant Director's Report

4 2. 2016 and 2017 Planning and Transportation Commission Meeting Schedule and
5 Assignments
6

7 Chair Alcheck: Ok, why don't we start with the report from the Assistant Director then?

8

9 Jonathan Lait, Assistant Director: Great, thank you. Just wanted to this is the last Planning and
10 Transportation Commission (PTC) meeting of the year. Just wanted to thank the Commission
11 for all of your work and support over the year and I'm looking forward to 2017 and to
12 Commissioner Tanaka, congratulations and good luck next year with your new duties and
13 responsibilities. I'd also like to thank Commissioner or Vice-Chair Asher for attending the City
14 Council meeting on Monday for the Council's discussion on the housing impact fee ordinance,
15 the two ordinances that went forward. The City Council did adopt the ordinances and included
16 the PTC recommendation to lower the fee for rental units to \$20 a square foot. And that's it,
17 that's the end of the report. Thank you.

18

19 Chair Alcheck: Ok, I'm going to just remind my fellow Commissioners to email our secretary
20 their availability, their basically three months they would like to be present for Council
21 meetings and let her know. I think before we jump in I'll just say that I'll acknowledge that this

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1 is our last meeting together Mr. Tanaka, Commissioner Tanaka. And it's also our last meeting
2 with Commissioner Fine who couldn't be here tonight. But it's been really wonderful serving
3 with you, I'm sure I speak for everybody and it's not really goodbye because you're just moving
4 upstairs, if you will. So good luck to you and let us know if there's anything we can do.

5

6 **Study Session**

7 Public Comment is Permitted. Five (5) minutes per speaker.^{1,3}

8 **Action Items**

9 Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal.
10 All others: Five (5) minutes per speaker.^{1,3}

11 3. Review and Recommendation to the City Council for the Creation of a New
12 Residential Preferential Parking (RPP) Program in the Evergreen Park and Mayfield
13 Neighborhoods Bounded by Park Boulevard, Caltrain Rail Corridor, Oregon
14 Expressway, Page Mill Road and El Camino Real
15

16 Chair Alcheck: Ok, alright so why don't we get started with Item Number 3 to review the
17 Residential Preferential Parking (RPP).

18

19 Jonathan Lait, Assistant Director: If you could just give us one minute to get set up we'll be
20 ready.

21

22 Joshuah Mello, Chief Transportation Official: Good evening Chair, Commissioners; my name is
23 Josh Mello. I'm the City's Chief Transportation Official and currently I represent the City's entire
24 Parking Department. So unfortunate I don't have anybody else to bring with me, I'll be doing

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1 the presentation on the Evergreen Park Mayfield RPP program. This is the first step before you
2 bring the program to City Council on January 23rd. So I'm going to do a very brief presentation
3 and I think there's more that we can all benefit from in the question and answer (Q&A) session
4 and hopefully we can help mold this into something that we can then bring to City Council.

5

6 So a little bit of background on how we got here today; as you know there's a citywide RPP
7 ordinance that has a very specific set of steps that are required in order for a neighborhood to
8 implement an RPP program. Those steps are outlined in the ordinance which is linked in the
9 staff report I provided, but generally it has several findings that need to be made including
10 nonresident vehicles interfering with the use of a street by neighborhood residents, that this
11 interference occurs at frequent intervals, and also this congestion and nonresident vehicle
12 occupancy creates noise, traffic congestion or other disruption. It also urges staff to look at
13 other options before moving into an RPP program immediately and implement any parking
14 strategies that may be feasible.

15

16 So back in March of this year we received a resident petition from the stakeholders in the
17 Evergreen Park neighborhood who self-organized and circulated a petition which is one of the
18 first steps in the RPP ordinance. In April if you remember we brought to you four separate
19 petitions that were submitted by residents and you made a recommendation to City Council
20 that we move forward with Evergreen Park and Southgate. We then went to City Council in

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1 May and brought your recommendation forward and City Council concurred and directed us to
2 move forward with the Evergreen Park RPP. They also directed us to implement some
3 engineering and Transportation Demand Management (TDM) projects and programs in
4 Southgate before moving forward with a Southgate RPP program.

5

6 Immediately following the City Council meeting we began to collect data including daytime
7 parking occupancy counts for all of the entire Evergreen Park neighborhood as well as
8 surrounding neighborhoods. And these counts are taken at three points in time during a typical
9 weekday. We also began the stakeholder process planning, Council directed us to use a
10 stakeholder process to determine the program design and also determine the number of
11 permits that should be issued to employees of merchants and retail establishments in the Cal
12 Ave. Business District. Between July and November we undertook a fairly extensive
13 stakeholder process and we also conducted several supplemental data collection efforts as the
14 conversation evolved with the stakeholders in the community we noticed gaps in some of our
15 data and we were able to supplement that data collection through the months of July and
16 November. That concluded with a public meeting where we presented the draft program
17 design to the greater community in October and then we are bringing this to you this evening
18 for your consideration. And we look forward to moving on the City Council and then
19 implementation with a goal of beginning enforcement in April of 2017.

20

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1 The stakeholder process in this case kicked off with a community workshop at the Palo Alto
2 Unified School District (PAUSD) headquarters on July 14th. We had very good attendance at
3 that meeting. At that meeting we presented some of the parameters of the current Downtown
4 RPP Program with the recognition that that would not be a one size fits all program and we
5 could not just duplicate all of the Downtown parameters for the Evergreen Park program.
6 Residents in a breakout session following our presentation were able to provide some input as
7 to what some of the major issues are in their community around parking and parking
8 occupancy. They also provided us with a very important feedback on what they think would
9 and would not work from the Downtown RPP Program.

10

11 August 25th we held a resident focus group at a church in the neighborhood. This focus group
12 was oriented strictly towards the residents and what the residents may feel are the most
13 important issues around an RPP program. We gained some very important feedback. At that
14 meeting the residents submitted a draft resolution that was resident generated that is also
15 included in your packet. September 25th we convened a business focus group meeting in order
16 to ascertain what some of the issues and concerns of the business community may be. We
17 heard very good feedback at that meeting as well and came to understand some of the
18 challenges that the businesses have around parking in the Cal Ave. Business District.

19

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1 On July 14th we held or I'm sorry, that should be October 14th we held our community
2 workshop Number 2 at the PAUSD headquarters. At that workshop we presented the draft
3 program design which is before you this evening. We presented the all of the parameters of
4 the program including number of permits, permit prices, strategy for employee permit
5 distribution and sales, enforcement hours, and a whole host of other program parameters. And
6 we also received very good feedback from the residents at a breakout session following the
7 presentation at that meeting.

8
9 Finally, we mailed out a 1,652 surveys on October 31st and we gave the residents three weeks
10 to respond to that survey. The deadline was immediately before the Thanksgiving holiday. We
11 did have a couple hiccups with the survey and we were able to FedEx some additional surveys
12 to some multifamily buildings that due to mailing errors had not received the surveys. We've
13 received a fairly decent response from that. In the survey which is also including your packet
14 we outline what the proposed parameters of the program would be, the proposed boundaries,
15 and also asked folks whether they would support or not support the implementation of such a
16 program.

17
18 Going quickly through some of the data collection and I know you'll likely have some questions
19 about specifics around this data so I'll go through quickly and then we can come back to it. We
20 collected daytime occupancy counts for the Evergreen Park neighborhood that was the first

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1 data collection effort. We do three separate counts we do morning, midday, and evening. In
2 Evergreen Park we found that the midday is the busiest time of day for parking occupancy.
3 There are thirteen blocks that are over 85 percent occupancy at specific periods and 85 percent
4 occupancy is generally the rule of thumb used for parking management in higher density
5 downtown business districts. It's by no means perfect measure for a residential area; however,
6 there is no other guidance out there around what you know as far as thresholds for parking
7 occupancy and residential neighborhoods that are more similar to Evergreen Park so that's the
8 rule of thumb we've been using to date. 85 percent occupancy or below generally means that
9 there is more than two spaces per block available so one space per side, generally when you
10 start to get over 85 percent that means people are not able to find a parking space on the block
11 of their destination. And not surprisingly we found that blocks near California Avenue and El
12 Camino Real have the highest occupancy. The further you get from those two corridors the
13 lower the occupancy is.

14

15 The next round of data collection was an Evergreen Park night time, an overnight data
16 collection. This was done at 11:30 p.m. when most residents would generally be home and the
17 reason we did this was to determine the estimated number of resident vehicles that are parked
18 in the neighborhood. Now granted there is probably some long term Caltrain parkers and some
19 Stanford students that may leave their vehicles overnight as well so we'd want to subtract some
20 of that as we begin to get into these numbers. With this count we found that 44.7 percent of

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1 the available curb space was occupied, so a little bit under half of the curb space is utilized by
2 residents of the neighborhood assuming that the overnight count is an effective measure of the
3 resident demand for the parking. Again not surprisingly College Avenue has the highest
4 nighttime occupancy. That street is mainly comprised of multifamily housing units so there
5 tends to be more of a parking demand from the residents there. So we found a higher
6 occupancy along College Avenue.

7

8 Throughout this process we struggled with how large the district should be and how we should
9 deal with the California Avenue Business District. Initially we discussed dividing the California
10 Avenue Business District in half and only allowing businesses North of Cal Ave. to purchase
11 Evergreen Park permits. If we were to include the entire California Avenue Business District we
12 did not think it was fair that Evergreen Park should bear the entire burden of spillover parking
13 from employees in the California Avenue Business District. So one of the decisions that we had
14 to make was how large the district should be and how the businesses within the California
15 Avenue Business District should be treated. So in the end we made the decision to expand the
16 area to include the Mayfield neighborhood which is south of the California Avenue Business
17 District and really has an odd assortment of parking regulations: time of day restrictions,
18 loading zones, and then a lot of unregulated or two hour parking. And there is actually a lot of
19 multifamily housing on the west side of this neighborhood so we included that area and

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1 immediately upon making the decision that we would propose including this we did some
2 parking occupancy counts in Mayfield as well.

3

4 The daytime count in Mayfield again we found the midday was the busiest time of day. So this
5 is when most of the businesses are open and customers are visiting the businesses so that's not
6 surprising. We found eight blocks over the 85 percent occupancy at specific periods of the day.
7 And then this was interesting, the blocks near El Camino Real actually had the highest
8 occupancy. We didn't really see as much demand on the California Avenue side in Mayfield as
9 we did on El Camino. And I think the night time occupancy counts explains some of that;
10 there's a lot of multifamily housing along Grant closer to El Camino, so the overnight counts
11 showed a lot of occupancy closer to El Camino as well. We actually found lower occupancy
12 overnight in the Mayfield area, only 36.5 percent of the available space was occupied. The
13 block of 400 Grant Avenue exceeds 85 percent occupancy overnight which is fairly unusual and
14 again that's a lot of multifamily housing and we also would need to discount any long term
15 Caltrain parkers or Stanford students from these numbers as well.

16

17 The survey results are on this slide. As I mentioned earlier we mailed out 1652 surveys to
18 residential units. We did mail some out by mistake to business enterprises; those were not
19 included in the final tally. So there were actually 1,800 surveys mailed out. We re-verified it
20 after the receipt of the surveys and discounted 200, so 1652 were from residential units. We

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1 had a 20 percent return rate, 32 percent from Evergreen Park and 13 percent from Mayfield.
2 And of those 20 percent that were returned 72 percent support the program in Evergreen Park
3 and 60 percent support the program in Mayfield for an average vote of support of 68 percent
4 between the two neighborhoods.

5

6 So now I'm going to give you an overview of the recommended program design. This is a draft
7 program design for your review and comment. The boundaries are proposed to be the parcel
8 boundaries for the properties along the north side of Park Boulevard, the Caltrain rail corridor,
9 Oregon Expressway and Page Mill Road, and El Camino Real. We are proposing two employee
10 parking zones, a Zone A which is shown in blue and would essentially be the Evergreen Park
11 neighborhood and then an employee parking Zone B which is the green area also known as
12 Mayfield. We are recommending keeping the existing two hour commercial parking in the core
13 of the California Avenue Business District. That's shown in brown.

14

15 The parameters of the program are very similar to the Downtown RPP. The proposed
16 parameters, excuse me. The enforcement hours would be Monday through Friday 8:00 a.m. to
17 5:00 p.m. Resident parking permit stickers three would be available annually at \$50 each; three
18 per household. Resident parking permit hang tags two annual hang tags would be available for
19 \$50 each and then residents would also be able to purchase up to fifty daily permit hang tags at
20 \$5 each per year. For employee permits there would be 250 total annual permits and they

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1 would cost \$149 each. This is the same price as the garage and lot permits for the California
2 Avenue Business District and we would recommend allocating 125 permits to each of the
3 employee parking zones so Zone A would have 125 permits and Zone B. would have 125
4 permits.

5

6 For employee parking permit priority we really struggled with the direction we got from Council
7 and also the wishes of a lot of the community members were to limit employee permits to so-
8 called merchants or retail establishments. That would require us to perform some kind of
9 verification using an employer classification code. We don't really have classification codes for
10 a lot of you know all of the businesses there'd likely be some that were straddling two different
11 classifications and it would be up to city staff or to use their judgment or we would have to
12 come back with some type of language in the resolution that actually got a little more clarity,
13 provided a little more clarity as to how we would identify retail and merchant establishments.
14 So what we're recommending instead is to give priority to low income employees.

15

16 Low income employees work in all types of businesses even offices have janitors and custodians
17 and cafeteria workers and others who would qualify as low income, but they might not
18 necessarily be considered as working for merchants or retail establishments. We would also
19 like to give priority to those on the wait list for the garages on the Cal Ave. Business District.
20 There's currently 249 folks on the wait list the last time I checked. And the low income permits

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1 would be available for \$50 per year which is the same price for the Downtown RPP low income
2 employee permits. And then finally there'd be unlimited daily permits available for employees
3 only to purchase at \$5 each. And we recommend these because we want to provide employees
4 the opportunity to take different modes of transportation on Monday they may take Caltrain,
5 but on Wednesday they may want to park and we don't want to incentivize them driving every
6 day by making the annual permit the only available option for them. So this allows a little more
7 flexibility for employees' schedules and different commuting patterns.

8
9 So this is where it gets a little bit complicated, we're recommending a cap of 250 employee
10 annual permits. Throughout the life of the Downtown RPP we've conducted occupancy studies
11 which determine how many employees are parked on the street at any given point in time.
12 And it's we usually do the midday when most of the employees are on parked on street that are
13 going to be there that day. We've shown that about, we've documented about 35 percent or
14 less of the employee permit holders show up on any given day and are on street at any point in
15 time. So if we were to sell 100 permits only about thirty-five employees would show up at a
16 particular point in time. So in Evergreen Park the 250 number represents after you take into
17 that 35 percent figure we estimate that about 15 percent of the available overnight capacity
18 would be occupied so there's a little over half of the space that's vacant in Evergreen Park
19 overnight so that means about half the space is not being used by residents. So the 250

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1 number represents fifteen percent of the available overnight capacity. It also is roughly equal
2 to the number of people that are on the wait list in the Cal Ave. Business District.

3

4 And during the business focus group we heard that the wait list is so long I think it's over a year

5 right now that typically a lot of the service workers are fairly short term. They don't stay

6 employed at one place for an extremely long time. A lot of their employees leave before they

7 reach the top of the wait list. So they're having a lot of them are really struggling with where to

8 direct their employees to park, so we think we'd like to make a concerted effort to clear that

9 wait list and help people find parking that's legal and within the regulations of the City of Palo

10 Alto and I think there's a lot of people that might be jumping around right now testing the

11 boundaries of enforcement and I think we need to clear that waiting list if possible.

12

13 We're not recommending an employee parking permit reduction at this time. If you remember

14 there was quite a bit of discussion around the Downtown RPP about ratcheting down the

15 number of employee permits over time. The number that's been discussed is 10 percent per

16 year. When we made that recommendation to Council we tied it directly to the 30 percent

17 single occupancy Vehicle (SOV) reduction goal of the Downtown Transportation Management

18 Association (TMA). We also tied it into the additional supply that will be created Downtown by

19 the garage on Lot D. We don't feel that we're at that point in the Cal Ave. Businesses District

20 where we can recommend a reduction in employee permits without ramping up our TDM

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1 efforts and doing a thorough look at what that increased supply with the parking garages
2 associated with the Public Safety Building will do to the demand. I think we're recommending
3 this as a one year pilot program so I think it would make sense to look at a reduction in
4 employee permits in future years of the program as we get a better handle on the demand and
5 the supply in the Cal Ave. Businesses Direct.

6

7 We're also not recommending eligibility areas. So for the Downtown RPP we created areas just
8 outside the district that were called eligibility areas and these allowed individual streets to self-
9 organize and petition the Planning and Community Environment Department for admission into
10 the RPP and it did not require Council action. It allows them to administratively opt in and we
11 did that Downtown in an attempt to anticipate where spillover would occur and get out in front
12 of that and allow residents to quickly become part of the RPP program. For Evergreen Park and
13 Mayfield generally there are fixed boundaries and barriers around the entirety of the district.
14 To the east you have the Caltrain corridor, to the west you have El Camino and on the other
15 side of El Camino is the College Terrace RPP which is already in place so there is very little
16 opportunity for spillover. We do think that there may be potential spillover in Old Palo Alto and
17 Ventura, but we think it would be wise to let them organize their own RPP programs with
18 different parameters from Evergreen Park and Mayfield.

19

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1 There are some kind of unsettled concerns that are ongoing from the resident business
2 community. The expansion of the boundary to include the Mayfield area, as you know the
3 original petition was just Evergreen Park. So as we, I mentioned earlier as we started to think
4 about the details of the program and how it would work we felt that adding Mayfield was a
5 necessary component to this program. There's also been a little bit of debate about what
6 happens with the businesses along El Camino Real. Are they considered part of the Cal Ave.
7 Business District? Are they eligible for permits? We're recommending it; they should be
8 eligible for permits, but the permit cap would ultimately limit the number of employees parking
9 in the neighborhood. Their employees have they already cannot park across El Camino in
10 College Terrace so if we were to exclude them from the Evergreen Park/Mayfield RPP they
11 would be, have very limited opportunities for parking, especially some of the older structures
12 that were built before some of our newer parking standards.

13

14 There's also a difference of opinion on hours of enforcement. We're currently recommending
15 8:00 a.m. to 5:00 p.m. The residents have asked for a 6:00 a.m. to 7:00 p.m. We've done a lot
16 of thinking about this and we think we could stretch to 6:00 p.m. potentially and not require
17 additional staffing. One of the reasons 8:00 a.m. to 5:00 p.m. works is it only requires one shift
18 of enforcement officers. If we go beyond that eight hours we would need to have a separate
19 shift and it would basically double the cost because we can't have somebody come in and just
20 work a couple hours we'd have fairly extensive staffing costs.

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1

2 There's also a concern that employees will bunch towards the Cal Ave. Business District. We
3 think that may be an issue. We don't want to see a scenario where all of the employees park
4 on the blocks closest to Cal Ave., but during the Downtown RPP we had to first get a handle on
5 how many employees were parking where and we can't do that without permits to identify
6 who's an employee and who's a resident. During the Phase 1 of the Downtown RPP we were
7 able to identify bunching on the blocks closest to the Downtown core and if you remember
8 Phase 2 of the Downtown RPP program includes fairly small linear zones that radiate from the
9 Downtown core. Some of them are only a block wide and that was done to better distribute
10 employees so that's something we may need to advance in the future with Evergreen Park and
11 Mayfield once we get a handle on where the bunching is occurring.

12

13 There's also a little bit of difference of opinion on the number of employee parking permits
14 available in employee parking Zone B. The resident generated resolution recommended only
15 10 percent of curb space should be allocated to employee parking. And then I think you'll hear
16 tonight there's a couple of businesses that are unique and their situations are rather unique
17 and throughout the development of the Downtown RPP program some of the most difficult
18 types of businesses to accommodate were doctor's offices, dentist's, real estate offices, and
19 kind of nontraditional things that you don't typically find in a downtown and don't have some
20 of the same... they don't have a lot of the same demands that a downtown business would

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1 have. So we're still trying to figure out the best way to deal with some of those and I think
2 you'll hear tonight from a couple of those businesses.

3

4 Next steps we're hoping to bring a program forward to City Council on January 23rd and receive
5 direction to move forward. Immediately following that meeting we would begin fabricating
6 signs and selling permits and our goal is to begin enforcement on April 1, 2017. This is
7 concurrent with the Downtown RPP Program also starts in April. So we would hope to roll
8 them both out at the same time. And with that I will take any questions or comments.

9

10 Chair Alcheck: Ok before we do that I just want to acknowledge that Commissioner Gardias
11 arrived shortly after the roll call. And... staff should we proceed with comments from the
12 community and then follow it up with opportunities for [unintelligible] for Commissioners to
13 ask questions?

14

15 Mr. Lait: Yeah, well unless there's any questions on the presentation from the Commission this
16 would be a good time to open up to the public hearing.

17

18 Chair Alcheck: Does anybody have any very specific questions or can we address questions
19 actually after comments? Ok, alright. Why don't we start with the comments, how many
20 speaker cards do we have? We have 12 speaker cards. Ok, let's set the time to three minutes

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1 per speaker card and if you could call the first speaker and then the person right after so that
2 they know they're up. Ok?

3

4 Vice-Chair Waldfogel: Sure, thank you. First speaker is Paul Machado followed by Karen.

5

6 Paul Machado: Good evening, Commissioners. A few months ago this Commission
7 recommended an RPP for Evergreen Park. The proposal before you was the response. It calls
8 for selling 125 commercial permits in both Evergreen and Mayfield neighborhoods for a total of
9 250 permits for a one year trial period. Residents and staff met several times during the RPP
10 process and residents requested the number of commercial permits in the RPP area be reduced
11 and phased out over a five year period. It was the residents' belief that if a commercial permits
12 were not phased out over time the proposal before you was merely for a permanent 250 car
13 commercial neighborhood parking lot.

14

15 As you are aware the City is suffering from both parking problems and major traffic congestion.
16 Encouraging 250 people a day to commute to our city is counterproductive. Next Monday the
17 City Council will vote on a new parking garage for the California Avenue area. The parking
18 spaces created by this garage will not only replace the parking the lost with the construction of
19 the nearby Police Station. It will also add about 150 more additional parking spaces in what is
20 now in the, over what now exists in the area. It is further noted that a major developer in

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1 California Avenue told residents at a community meeting that TDMs do not work without an
2 effective RPP in place. Without an effective RPP employees will continue to drive to work and
3 park in the neighborhoods. The developer said he was powerless to prevent this from
4 happening; therefore, with the construction of the new garage and the implementation of
5 effective TDMs the phasing out of commercial parking in Evergreen Park and Mayfield
6 neighborhoods over a five year period not only protects the neighborhoods, but reduces traffic
7 congestion. Accepting the RPP proposal with a five year phase out of commercial permits
8 appears to be appropriate and is recommended.

9

10 And tonight we found out when we went to the various meetings that we were eligible for one
11 free parking permit and three we could buy for \$50 apiece. And tonight, dated today, that is
12 changed and they cancelled the one free resident parking permit and we can only buy three
13 annual permits at \$50 apiece. So that's a concern which I wasn't aware of until tonight. Thank
14 you.

15

16 Vice-Chair Waldfogel: Thank you. Karen followed by Marla Marnoza.

17

18 Karen [no last name given]: Good evening, Commissioners. Thanks for your consideration of
19 the Evergreen Park/Mayfield RPP and we really appreciate the work of Josh and Hillary and Sue
20 Ellen on this proposal. And let me first say that I support this proposal as a minimal first step.

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1 We see this as a pilot program and we hope that in a year we'll be back to talk about this and
2 look at making a more significant program that will help the residents really achieve a little
3 more balance in terms of parking in our neighborhood.

4

5 I see there's four major concerns to this proposal. The first is as Paul said, today is the first time
6 we learned that the City has decided to eliminate the one free parking space for the residents.
7 This is a bait and switch tactic that I seriously object to. When the proposal was sent to the
8 neighborhood residents in that survey it said that they would get one free permit per
9 household. To take that away after they already voted for it I find very objectionable and a
10 significant problem. People would not have voted for this in many cases if they knew they'd
11 have to pay for every permit. And I find that really unacceptable behavior on the part of the
12 City.

13

14 The second thing that concerns me is giving 19 percent of our spaces in Evergreen Park to
15 nonresidents and probably more like 40 percent of the spaces in the Mayfield area to
16 nonresidents. We're making our neighborhood a commercial parking lot and I have serious
17 objections to that especially if it's not significantly reduced over the next 5 years down to zero.
18 We realize that the City has serious problems with parking, but five years is plenty of time to
19 address that problem and remedy it. The other thing of course is the clumping problem and

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1 we'd really like to see that reduced over the after the first year because it seriously affects the
2 residents on California Avenue and College. Thank you for your help.

3

4 Vice-Chair Waldfogel: Thank you. Marla Marnoza followed by Terry [Holtsummer].

5

6 Marla Marnoza: Hi. I'm the 30 year resident of Oxford Avenue and like many residents in our
7 community I've seen particularly in the last couple of years an incredible parking problem and
8 traffic congestion. I don't think that the Commission fully understands the despair the residents
9 are at this point experiencing. I have a number of concerns and I would like to start with the
10 concern that the previous speaker addressed as to the free residents' parking permit that was
11 taken away from us. And the second concern I have of course is the employee parking which
12 would make our neighborhood a paid parking lot.

13

14 I think the California Avenue District and the University Avenue District are not the same. The
15 California Avenue District is much smaller, it's only four blocks, it borders or so it borders on
16 one side on El Camino Real which has public transportation on the other side the Caltrain
17 station is readily available. It's not like University Avenue that people have to go under the
18 underpass and go to University and it's kind of really inconvenient. It's very convenient
19 actually.

20

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1 So how does this particular proposal encourage the employers to have their employees taken
2 public transportation? It seems to me that this particular proposal is not consistent with the
3 policy of the City of Palo Alto that been having for a number of years when issuing permits for
4 business structures they have reduced the parking because the employees are going to take
5 public transportation. This particular proposal doesn't encourage that at all. As a matter of fact
6 it encourages our neighborhood to become a paid parking lot and I don't think that's the
7 direction we would like to go as a citizen, as businesses, as the City of Palo Alto [members to
8 go]. So I'm asking you to strongly reconsider the number of the employee issued permits. I
9 don't think it's really reasonable to expect the 250 permits should be issued for business
10 employees. This is just way too much.

11

12 Secondly, the vacancy rate in the evening was counted at 11:30 p.m. How many people should
13 be waiting till 11:30 p.m. to park in front of their house? I don't think that's reasonable. So I
14 thank you for your attention and for listening to our concerns and I hope you take them into
15 consideration.

16

17 Mr. Lait: Excuse me, excuse Me Vice-Chair? Chair, if it's possible there's I think there's an
18 opportunity for us to perhaps clarify about the free annual parking pass. I suspect you'll get a
19 number of other speakers and there might be an opening for us to just clarify that issue if we
20 may?

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Mr. Mello: Yeah, if I could permit there's a the permit pricing is mentioned in two places in the resolution. We're going to correct that. As proposed the residents would be eligible for one free permit. The problem is the resolution addresses that in two different places so it's confusing and the at places memo was addressing one of the sections of the resolution. So just to clarify, the program as outlined in the survey where each household would be eligible for one free permit is what is before you tonight.

Vice-Chair Waldfogel: Thank you for that clarification. I think we all had that question. Let's see, we have Terry Holtsummer followed by David Schrum.

Terry Holtsummer: Ok, good evening, Commissioners. I just wanted to come tonight to voice my support for the planned RPP for Evergreen Park and Mayfield. I actually live in the Mayfield neighborhood and I have seen and felt daily the effects of commercial parking and traffic congestion in my neighborhood. Often when I come home at night, I'm a schoolteacher in Palo Alto, I park along Park Boulevard and in the Grant area and when I try to park in this area even in 3:00 and 4:00 in the afternoon most of the parking spaces in my neighborhood are gone. And most of them are gone until after 6:00 p.m.

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1 I would strongly urge the adoption of this RPP program with some reasonable adjustments.
2 One of the key adjustments must be this detailed plan to reduce commercial parking permits
3 every year. As other speakers have already said giving commercial people 250 parking spaces
4 every year is just asking them to... allowing them to park in our neighborhood on a really
5 permanent basis. We should be trying to encourage the businesses as much as possible in
6 reducing commercial employee parking either through other methods or some way of reducing
7 that and making sure that the parking spaces that are there especially in Mayfield are for the
8 residents that live in the area.

9

10 Another key adjustment I'd like to see made some people already mentioned it was the
11 enforcement hours. Someone said that the enforcement hours are 8:00 a.m. to 5:00 right now,
12 but I'd like to see this extended to an earlier time 6:00 a.m. to 7:00 p.m. at least because you
13 have to remember a lot of people are using those areas around the neighborhoods to avoid the
14 Caltrain parking fees. And parking in our neighborhoods, and parking in our areas, and taking
15 the train so they don't have to pay the fee for the parking lot and so they need to extend those
16 hours to make sure that the proper residents have access to those parking areas and that at
17 those times.

18

19 I won't mention some of the area, other areas, but I strongly urge the adoption of this program
20 with some improvements that need to be made. And more input, very quickly more input from

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1 the community. I feel like some of our residents I live at Palo Alto Central which is the largest
2 condominium complex in the area. We weren't properly notified of these programs and these
3 adjustments and we hope that in the future they will be notifying us more directly. Thank you.

4

5 Vice-Chair Waldfogel: Thank you. David Schrum followed by Reza Riahi.

6

7 David Schrum: David Schrum, I live on Oxford Avenue, been in the neighborhood for 45 years,
8 watched this go from a quiet residential neighborhood where our streets were available to us
9 to it being a parking lot for the commercial district. The thing I really want to emphasize after
10 reading the report that you received is that the people in the neighborhood feel very strongly
11 that this is an issue of fairness and this is this is exactly what we count on our government to
12 assist us in securing for ourselves. One has a reasonable expectation that when one buys a
13 residential property in a place like Palo Alto or rents one that one is going to have access to
14 street parking for one's visitors, guests, and even one's own family. And the people in the
15 business district have a similar reasonable expectation that their streets will be primarily used
16 for them and there's... to allow the streets of the neighborhood to become an extension of the
17 business district is to corrode the setting for a human community in a way that makes it more
18 difficult for neighbors to be neighborly, people to come together with a spirit of community to
19 take care of the community because we feel that the thing outside our door is no longer an
20 extension of our homes, but it's rather a pathway for an invasion. And there's a vast literature

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1 on this that the people in your Planning Department can tell you about and bring you examples
2 of if you want to read it.

3

4 What one hopes is that this program as it evolves will take greater cognizance of that kind of
5 damage and will give the neighbors, the residents, an opportunity to reconstruct that little
6 piece of the earth as our territory, our earth, our home, our place to take care of, our place to
7 meet and greet on the street rather than be dodging the vehicles of people who do not know us
8 and who don't share the same kind of concern for us that we share for each other. So please
9 understand it's an issue of fairness and while that wasn't reported to you in in the staff report
10 it's something that people in our neighborhood care about very much. So sure, take it as it is
11 now rather than reject it, but please fix it over time so that once again our neighborhood
12 becomes ours. Thank you.

13

14 Vice-Chair Waldfogel: Thank you. Reza Riahi followed by Stan **Belaits**.

15

16 Reza Riahi: Good evening, Commissioners; thank you for giving us the time to speak to you on
17 this topic. My name is Reza Riahi and I'm an endodontist in Palo Alto. I'm also the President of
18 the Mid-peninsula Dental Society. Our Dental Society encompasses Mountain View, Los Altos,
19 Palo Alto, Menlo Park, and Atherton. I've been approached by a lot of our members who are

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1 very concerned about the way the RPP is being implemented, particularly in the Downtown and
2 now as it's expanding to other parts of the town.

3

4 I wanted to just provide some information about how it's affecting health care providers and in
5 particularly dentists. We have to about 280 active dentists who are involved in our Dental
6 Society which includes those cities that I mentioned. Dental offices in general are fairly static in
7 growth or grow very slowly. In fact when I had my executive director look up numbers of
8 dental practices over time the number of practices in Palo Alto, dental practices, have declined
9 over time because of the cost of probably having an office there, the leases and so forth. We
10 are, we rely greatly on our staff. We have highly trained staff that come in from long distances
11 to provide care. And if you look at we actually conducted a survey of our own we have
12 employees that come all the way from believe it or not Folsom, they come from Santa Cruz,
13 they come from all parts of East Bay where there is no real mass transit at this point to bring
14 them here.

15

16 Ninety some odd percent of our staff are female. That means they just by nature our
17 assistants, our staff are female, so late at night walking long distances to get to a train station is
18 not safe. We don't feel comfortable. I didn't even have time to go change today because we
19 see emergency patients last minute so our staff have to stay with us so it's very difficult for
20 them to walk outside when it's dark in winter for long distances to get to their, to mass transit.

-
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2 So in general we're not here to speak against RPP. We understand the concern of the residents
3 that they do have to have parking. We just want to make sure that you understand that all
4 businesses aren't the same. Dental practices have been a part of the fabric of City of Palo Alto
5 for decades and they're not really growing to be causing or be active in causing the congestion
6 that you're seeing today. We just want to make sure if there's any possibility for the
7 Commissioners or for the Planning Department to consider a subset of permits that do not go
8 down to zero for health care providers or dentists because if we lose our staff we will have to
9 move. And so locally, the access to local health care or dental care would be lost that way.

10 Thank you.

11

12 Vice-Chair Waldfogel: [Unintelligible] followed by Tim [Malkay].

13

14 Stan [Belaits]: Good evening all, I'm Stan and I want to preface this by the fact that we're all
15 very fortunate to live and work here and that doesn't go unnoted that I'm a dentist here and
16 I'm here to offer a little bit of the perspective as the last point on the slide affected it. This is a
17 program any regulation can help any city going forward and I lived in many places in the United
18 States and over time I understand the implications of regulation. I just wanted to offer
19 residents and fellow councilman an opportunity to gain a little bit of an insight into our business
20 which is unique. It's an essential field and California Vehicle Code they refer to, when they refer

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1 to RPP there are some subsections that refer to essential employees and the way this has been
2 addressed in other cities across the states was that when permits were in question in areas
3 similar to ours employees were guaranteed to be able to purchase these permits going forward.
4 And as Reza Riahi noted our businesses are quite a bit different. We're not growing in
5 numbers. We serve mostly Palo Alto residents. Most of our offices are not taking new patients
6 and for a lot of them it's months wait to come in. And we're also different in that a lot of us
7 offer parking. So we actually take congestion off the streets and that's what we provide for our
8 patients. We serve emergencies and after hours for our patients as well. We have highly
9 trained staff so it's not a transient community and those are some of the things that make us
10 different. So we will appreciate it going forward as this program evolves there is a provision
11 that we'll always be eligible to buy these permits. As again our numbers haven't changed and
12 it's an essential service that we provide. Thank you.

13

14 Vice-Chair Waldfogel: Great, thank you. Tim [Malkay] and Patrick Sallery.

15

16 Tim [Malkay]: Hi, good evening and thank you very much for listening to our concerns. I'm also
17 a dentist. I have been practicing, I practiced in Stanford over in Lois Road and now I practice on,
18 in the, on the edge of the Evergreen neighborhood. When I built my office I was assured that I
19 would have eight parking spaces so that I had one for each one of my patients at the maximum
20 time. No or excuse me, 12 parking spaces so I could have one for one of my patients at any one

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1 point in time coming and going. Now with this if RPP was taken down to zero where we would
2 have no parking at all. What that would require me to do as a provider to stay in business is to
3 have my staff park in the lot and move my patients to the neighborhood because they would be
4 less than two hours so they would be A-Okay. That's not helping the situation at all.

5
6 And so I think that there's got to be some way we can work out a solution to protect the
7 environment of the community to keep a planning of having dentists in Palo Alto because if you
8 send dentists out of Palo Alto they cannot come back. There's just no way we can get staff in
9 this community to pay them the salaries to stay in this community and not travel long
10 distances. It's just way too much. So I'd like at least some consideration as my two colleagues
11 had said to somehow allow us some stability in terms of our parking issues going forward.

12 Thank you.

13

14 Vice-Chair Waldfogel: Thank you. Patrick Sallery and Tommy [Derrick].

15

16 Patrick Sallery: My name is Patrick Sallery. I've lived in Evergreen Park since 1949 and I just
17 wanted to say that this RPP is not just a neighborhood issue. It's not just a Not in My Backyard
18 (NIMBY) kind of thing. The RPP can affect the overall amount of traffic coming into the area
19 because it will as it goes It'll force the people over time if they realize that we're having the
20 draw down in five years or whatever time it picks down and whether it goes to 0 or 10 percent

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1 they have that time to prepare for what they're going to do and know that they're not going to
2 able to keep the neighborhood as a parking lot. I think it was in 1993 they built their one of the
3 parking lots. It's existing now on California Avenue and that was going to solve the traffic
4 problems and it obviously hasn't. And if we don't have something in this plan from right now
5 starting at the beginning when it comes time to draw things down nobody's going to have made
6 any plans for that.

7

8 I think it was about a year ago Stanford and some other large agencies came and addressed the
9 City Council and they talked about the carrot and the stick. And I think it sort of come to the
10 carrot on the stick. There were two different sticks involved at any rate. One holds a carrot
11 and the other whacks a horse when the horse is no longer interested in the carrot. And so you
12 can look at the RPP and the permits that the business can get as more or less a reward, it's
13 something they can look forward to a place they can park, but if there's not a stick behind that
14 they're not it's not going to work. They need more motivation so that the draw down would
15 work as a carrot and the stick and so I think we need something along those lines, some sort of
16 draw down written into this instead of put off. And also it'd be good if something could, we
17 know what the distribution is roughly and it would be good if something could be used some
18 way that could be drawn down now otherwise we're going to keep the keep everything the way
19 it is where everything on College and Oxford are just over crowded and along El Camino. Thank
20 you.

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Vice-Chair Waldfogel: Thank you. Tommy [Derrick] followed by [Christian Peace].

Tommy [Derrick]: My name is Tommy [Derrick] I live on Leland Avenue. I've been in Evergreen Park for about 40 years. I've been before you more than once. It would be lovely to see this come to a final round and so I strongly urge you to recommend to the Council a yes vote on this.

Some people would like to pit this, categorize this as residents against merchants; absolutely not the case. Many of the merchants on California Avenue are very desirous of this program because it provides a new massive amount of two hour parking for their customers, same for patients. We believe it's the business responsibility to cover the parking situations for their employees. We welcome their customers, their patients into our neighborhood on two hour limit. I live very close to a restaurant that today had major difficulty with their customers parking for a special event that was going on because my whole block more than Josh's numbers was 100 percent parked mostly by employees by eight o'clock in the morning. And so the [noon of minutes Sundance] people circled and circled and circled the block trying to find a space. If we had a lot of open spaces available and so on it would not have been an issue.

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1 Set that aside there are two or three things that I think would improve this resolution. Section
2 3 talks about hours and days of enforcement. You heard them mention that we ask for a 6:00
3 to 7:00. The reason we asked for 6:00 to 7:00 is that's really what 8:00 to 5:00 enforcement is.
4 You got two hours so you can come at six o'clock and park there late no matter who you are or
5 what you are no permit necessary. You can park after 3:00 and stay right on through. So we
6 will be asking the Council and we urge that be included. Five year phase outs really important.
7 I could go through one for you. Yellow lights on, I'll call it quits. Make it happen guys. Thank
8 you.

9
10 [Christian Peace]: Good evening Commissioners, thanks for considering our RPP. This has been
11 quite a journey for everyone: the residents, the staff, the merchants. I guess making an RPP is a
12 little like making sausage. You don't really want to look under the covers too much. It's not
13 perfect, but I urge you to accept it as it's been presented by staff. There's a lot of concerns. I
14 think if we plan ahead after that year and are prepared with the City, the staff, and the
15 merchants for a crisp evaluation based on data after that year we can look at these issues in an
16 honest way and make a judgment how to proceed from there and adjust this program as
17 needed. Thank you very much.

18

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1 Vice-Chair Waldfogel: Thank you. Andrew [Nepamuchino or musino], Doria Summa, and then
2 just a question; Wolfgang Dreger is it to speak on this agenda topic or something else? Ok, then
3 you'll be after Doria Summa.

4

5 Andrew [Nepamuchino]: Ok, I'm here today to comment on the terms of the Evergreen Park
6 proposed RPP program as currently written. As many Evergreen Park residents will agree we
7 expect this RPP program to be a substantial improvement over our current situation. If the
8 options are to take it as written or take nothing at all of course I'll endorse it as written;
9 however, I do want to suggest that the program will be more fair if we issue 100 percent of the
10 permits to residents. People in the business district caused this problem in the first place by
11 failing to allocate enough space for parking and under this plan we the residents are paying for
12 their error. This is a classic example of externalities. If businesses and commercial real estate
13 owners want to internalize their costs they can provide their own space for parking and in the
14 meantime at least pay for parking procured from off site. To illustrate this point please
15 consider that if we neighborhood residents start parking cars in business district spots for our
16 use they'll be furious. I trust that everyone here can understand how any and all business
17 district parking in a neighborhood is a clear violation of the Golden Rule.

18

19 Lest anyone think that business district parking and Evergreen Park is without cost please
20 consider that as a bicyclist when streets are fully parked coming out of a driveway is far more

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1 dangerous. As we know from psychological principles anonymity decreases cooperation. If
2 somebody in the neighborhood is driving with a heavy foot I can go and discuss it with her or
3 him. I have much less recourse if somebody outside the neighborhood is driving dangerously.
4 Furthermore people who commute in from elsewhere have less of a vested interest in the well-
5 being of the neighborhood. When I was just a small boy residents of Evergreen Park worked
6 with your predecessors to reduce through traffic in the neighborhood; thanks to their efforts I
7 enjoy a much safer and more pleasant home environment today. Nonresident parking in the
8 neighborhood erodes these gains. All of the hundreds of nonresident vehicles represent traffic
9 into and out of the neighborhood and this traffic is a substantial portion of all total
10 neighborhood traffic. Thanks for considering these views.

11

12 Vice-Chair Waldfoegel: Thank you, Doria Summa followed by Wolfgang Dreger and then any
13 others? I... that's the last one I have. Any others anyone would like to bring forward?

14

15 Doria Summa: Good evening, Chair and Commissioners, I'm Doria Summa. I live in College
16 Terrace so I just want to preface my comments by saying you should definitely do what you
17 think is right and what the people in these neighborhoods tell you they want, but I do live in
18 College Terrace very close to El Camino so I have a little bit of experience with this. So I had a
19 few concerns. I was concerned with the discrepancy between the colleague's memo and what
20 staff had presented and I appreciate that they included Mayfield to make it more fair to

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1 Evergreen Park, but I did think it was clear in the colleague's memo that this was to be for
2 merchants only not for other commercial tenants on in the Cal Ave. Business District.

3

4 It was unclear to me from the staff report that the day passes for business for the commercial
5 people would be unlimited just for those who had purchased permits for those businesses that
6 had purchased permits or for everybody in the Cal Ave. Business District and I think either way
7 that could be overwhelming to the residential streets and might really result in the streets
8 being really fully parked all the time. And without having it distributed the close in streets to
9 Cal, closer into Cal Ave. would really be parked fully all the time and I worry that that would
10 also displace people from the retail establishments. Especially at lunchtime it's very hard for
11 people to find parking spots to go to all the restaurants on Cal Ave.

12

13 I also I appreciate the reason for including El Camino on the eastside for this, but I do think that
14 any of the businesses, the blocks that are in the parking district have already paid into the
15 parking district and should be fully parked so I'm not sure why they should be included. And
16 lastly I am concerned in staff report it said with regards to an annual reduction it was decided
17 that that wouldn't be appropriate here because it was different than Downtown because there
18 was not an in place TMA or TDM. This is very puzzling to me. I think we all know that the Cal
19 Ave. business area has been identified as place ripe for densification and the reason is because
20 it's close to fixed transit. This staff report and there's Pedestrian and Transit Oriented

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1 Development (PTOD), even the new ADU exemption area, also the rail corridor study, all of
2 these have wanted to pile density in that area so it was surprising to me that the staff report
3 would describe the train service there as not robust and it to be under served by express buses.
4 Thank you. And please do what the residents need.

5

6 Vice-Chair Waldfogel: Thank you. Wolfgang Dreger and then Christopher Joy.

7

8 Wolfgang Dreger: Good evening. I am Wolfgang Dreger and I live in the neighborhood of
9 Evergreen Park for about 15 years now. I urge the Commission to adopt this resolution for the
10 moment as is, but I would also encourage a few modifications. First, I hope the clarification
11 from tonight is correct that every resident actually does get one free parking permit because
12 this is what we when we as a group worked with the City to work out this resolution also
13 communicated to the rest of the neighborhood. So it's a little bit astonishing that tonight I
14 come in and saw this on the piece of paper that suddenly there's no more single residential
15 permit, but as you clarified and I hope that's true that's not the case.

16

17 I encourage also a phase out over five years simply because we are a residential neighborhood.
18 There's as the previous speakers have already indicated we are a residential neighborhood. We
19 do not invade into the commercial part and so we hope and expect the same to happen the
20 other way around. And there's a new garage going up right next to the planned police building

-
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1 and with a net increase of 150 spots for an investment of a couple million dollars the City's
2 always talking about height limits and things like that. Why can't you please build a garage with
3 a few more net additional spots and this would make a huge impact especially for Mayfield the
4 smaller part of this RPP and of course also for Evergreen Park. So please make sure that when
5 you build a new parking garage in the area that it's really efficient and effective and serves a
6 purpose and it's not just there to say oh we built anyway a garage.

7

8 There's a lot of concern about the El Camino businesses. They do have their parking lots on
9 their premises. So they have already ample parking available for their staff and for their
10 employees and also for of course for the customers. In addition when you look from El Camino
11 towards Ash they are these cut off barriers, Oxford, Leland, and Park and half of that is [any
12 already] outside of the permit parking program boundaries. And that's anyway free parking in
13 addition for them so they're pretty well served in my opinion.

14

15 Another thing is the 8:00 to 5:00 limit. We definitely want to urge you to consider 6:00 to 7:00
16 p.m. because as people already did the math it's essentially 8:00 to 5:00 anyway. And when it's
17 just a single shift ok then please add one hour and do it from 9:00 to 7:00, but it's really against
18 these day parkers from startups. This is the main influx of people and we as a neighborhood we
19 never ever have anything against small businesses like well appreciated dentists, cobblers,
20 bakeries, etcetera. And they don't cause the problem. It's the startups and their employees

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1 and you can see when people park there for a whole day or longer when they come back they
2 have all their laptops. These are not hard working dentists. Thank you, good night.

3

4 Vice-Chair Waldfogel: Thank you. Last card I have is Christopher Joy.

5

6 Christopher Joy: Thank you and I'd like to echo that man's comments that it's not the dentists
7 that are that caused this problem. I mean it's like the number of us have been shrinking and
8 I've been in practice for 35years at 668 Homer Avenue and the people from the church up the
9 street used to park in my lot on Sundays and I didn't mind and people at night would use my lot
10 as well, but now as you raise the value of the parking we have it posted now you get towed if
11 you park in the lot and such. So I like my neighbors, I want to be a good neighbor, but I also
12 have a staff that can't afford to live here and they commute from Hayward, San Jose, they're
13 women, they've been with me for 20 years. I've watched them raise their families and for them
14 it's just not possible to like walk long distances and things, take community and take public
15 transportation if you're going to get home and have any life with your family. So again it's not
16 an all or nothing as it relates to residents and businesses and I urge you to consider that when
17 you make your deliberations. Thanks.

18

19 Chair Alcheck: Ok, what I would like to do tonight is ask my Commissioners to discuss the...
20 discuss this issue with one round of sort of comments. I'm going to start on this side and come

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1 this way if that's alright. And what I would love to hear are specific areas... I, please take time
2 to ask staff questions if you have questions, but as you're making your comments it would be
3 very helpful if we had some specific areas identified where you think there are opportunities for
4 improvement or if not then be concise. Ok, Commissioner Rosenblum why don't you kick us
5 off?

6
7 Commissioner Rosenblum: Yeah, first thanks to staff for preparing this and thanks for so many
8 residents for coming out and voicing concerns and engaging in this process. The way I look at
9 this there's a structure that we're going through. We're looking at the boundaries, we're
10 looking at the cost, the time for enforcement, and whether or not certain businesses should be
11 included over others, and what should the costs for both residents and service workers or
12 employees be and the number of permits given out. Before going into the areas I'm
13 comfortable with or uncomfortable with I wanted to understand more about your learnings
14 from the Downtown RPP and particular the way I think about this is a balancing act.

15
16 Later this evening we're going to talking about retail preservation and specifically ground floor
17 protection. And it's supposedly so that we all love retail and we're trying to make this town
18 have vibrant retail, but we talk to any retailer and you say what is difficult about being a retailer
19 in Palo Alto the first thing that comes up is employees. It's hard to attract them. They come
20 from far away. We have to pay them a lot. They leave because it's very difficult to commute

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1 this long distance for again probably not very high wages. And this is harder for employees
2 probably to park and so we're trying to find a balancing act between something that makes the
3 neighborhood special. I live Downtown and I live Downtown so I can live within walking
4 distance of these places, but I also recognize that it's probably harder for me to park than when
5 I lived much farther away.

6
7 So my question for staff is based on the learnings that you've had for the downtown RPP there
8 was already information there about the proportion of permits that were being used on daily
9 basis and I want to make sure I understand this correctly. There are people the residents that
10 came that said 250 permits given out for employees. We will have 250 people parking in our
11 neighborhood on a daily basis. It seemed from the Downtown experience that you get 30 to 40
12 percent on a daily basis that are parking in the neighborhood so if 230 or 250 permits are issued
13 you'd expect to get 30 percent of them on a daily basis in the neighborhood. Is that, is... am I
14 understanding that correctly?

15
16 Mr. Mello: So we've conducted regular occupancy counts throughout the life of the Downtown
17 RPP Phase 1 and Phase 2 programs. Before our recent count on December 1st we were finding
18 about 30 to 40 percent of annual employee permit holders would show up during the midday
19 on an average weekday. And the midday is the busiest period so you could say that's the peak.
20 We just did a count on December 1st and we actually found that only 20 percent of the

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1 employee annual permit holders were actually parked on street, so 420 out of roughly 1,900
2 permits that have been sold.

3

4 Commissioner Rosenblum: Ok, so you'd expect about 80 to 90 of the 250 or so permits that [are
5 capped] to be on a daily basis (interrupted)

6

7 Mr. Mello: Yeah the number that we used in the staff report was we assume 35 percent which
8 is ninety permit holders. Now there would also be two hour parkers, visitors of households,
9 contractors, as well as a small number of daily employee daily permit parkers.

10

11 Commissioner Rosenblum: And what is the learnings been if anything from the Downtown
12 employers particularly those service businesses? So a gentleman just said for we don't want to
13 hurt the cobbler's, the dentists, I assume like small restaurants, etcetera. So those that were
14 truly concerned about their low income employees in particular have you had feedback from
15 those businesses Downtown if this has had any effect on employee retention, on their ability to
16 run a business?

17

18 Mr. Mello: I mean I've we've held several employer workshops when the permit sales were all
19 out we held one for Phase 2 and we get ongoing feedback. I mean some of the big takeaways
20 for me have been that a lot of the employers are actually stepping up and purchasing permits

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1 for their employees. There's a couple of large businesses Downtown that have done that. I
2 think we struggle a little bit educating some of the small businesses about the RPP program and
3 the options for employee permits. Generally the employer workshop that we put on most
4 recently was fairly the positive the feedback it was more about questions. I didn't hear a lot of
5 negative feedback.

6

7 I think one of the things that employers have struggled with is the low income permits are only
8 available for employees. The employers cannot purchase low income permits, they have to
9 purchase the full price permits. So that it's a little bit difficult. A lot of the low income
10 employees English may be their second language or they may not be as computer savvy so they
11 have some of the employers have actually had to set up accounts for their employees and then
12 buy their permit through the website on site at the business.

13

14 Commissioner Rosenblum: So I'm just trying to just trying to summarize it had there has not
15 been any outcry. There's been more questions, confusion, some issues with implementation,
16 but not really an outcry from the business community around this makes it hard to retain
17 employees, etcetera?

18

19 Mr. Mello: So we reached the permit cap about a month and a half ago Downtown and we're
20 starting to hear some concerns from some employers Downtown, some new businesses that

-
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1 assumed that permits would be available and we're at the permit cap right now.

2

3 Commissioner Rosenblum: I see.

4

5 Mr. Mello: So we have recently heard a little bit of a concern.

6

7 Commissioner Rosenblum: And one final question now that you're actually selling permits for
8 businesses Downtown what has the mix been? So we just heard from a gentleman these are
9 tech workers that are coming in. This, these are not the local restaurants, for example. Has
10 there been any learnings about the mix of types of businesses that are parking in the
11 neighborhood?

12

13 Mr. Mello: I don't have those numbers on hand. I do know that the low income permits were
14 fairly popular. They represented a fairly significant portion of the total employee permits sold.

15

16 Commissioner Rosenblum: Ok.

17

18 Mr. Mello: But I don't have a breakdown by business type.

19

20 Commissioner Rosenblum: Thank you. Those are my questions for now.

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Commissioner Tanaka: And thank you also putting this together and thank you everyone for coming out. I think this is a very important program. So I want to ask staff some questions around the survey. So how do these results compared to the results that we saw for Downtown or College Terrace in terms of buy in?

Mr. Mello: So both of those programs were implemented before I joined the City. My understanding with Downtown is that it was under the threshold initially of 50 percent and they actually had to reduce the RPP district boundary, the area, and then resurvey in order to get above that 50 percent threshold. So I think the Downtown one was not as decisive as this survey was the first go around.

Commissioner Tanaka: Ok.

Mr. Mello: College Terrace I'm not familiar with the results of the survey for that.

Commissioner Tanaka: Ok. Ok and [unintelligible] in terms of response rate.

Mr. Mello: I mean I would hazard to guess I... I'm not a statistician so I'm not sure what a typical response rate is for a mail survey. I think if folks were very concerned about the program

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1 they'd probably take the time to complete the survey and mail it in. I think non-responses are
2 probably units that were vacant or people that were out of town or folks that were not
3 interested one way or the other how the program was implemented or not. So I don't
4 necessarily know that. We didn't get a lot back so we didn't have a lot of mail errors. We did
5 have a couple for some of the larger apartment buildings (interrupted)

6

7 Commissioner Tanaka: But do you know, do you know what the response (interrupted)

8

9 Mr. Mello: And we resent those.

10

11 Commissioner Tanaka: Do you know what the response rate was for this versus Downtown?

12

13 Mr. Mello: I don't.

14

15 Commissioner Tanaka: Ok, and then is this program cost neutral?

16

17 Mr. Mello: No.

18

19 Commissioner Tanaka: Ok. How about the other programs?

20

-
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1 Mr. Mello: No, none of the parking programs are cost neutral.

2

3 Commissioner Tanaka: Ok. How much is it going to cost the City.

4

5 Mr. Mello: I think we estimated about \$250,000 to \$300,000 per RPP per year.

6

7 Commissioner Tanaka: Ok.

8

9 Mr. Mello: But we're going to bring numbers to Council. We have to decide on the boundaries,
10 hours of enforcement before we can put together a package of costs.

11

12 Commissioner Tanaka: Ok, so in terms of enforcement what is the current enforcement in let's
13 say College Terrace versus Downtown versus what you're proposing here.

14

15 Mr. Mello: I'm sorry, could you repeat the question?

16

17 Commissioner Tanaka: So what I'm trying to do is I'm trying to get a comparison between the
18 different RPPs. So what is enforcement in College Terrace in terms of number of days/hours
19 versus Downtown versus what you're proposing here?

20

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1 Mr. Mello: So I don't know what the enforcement hours are for College Terrace that's not
2 underneath the citywide RPP ordinance. That was actually created before so it didn't go
3 through the same type of stakeholder process that's outlined in the citywide ordinance.
4 Downtown is from 8:00 to 5:00 and that's based on (interrupted)

5
6 Commissioner Tanaka: [Unintelligible] seven days a week, five days a week, what is it?

7
8 Mr. Mello: It's Monday through Friday 8:00 to 5:00 and I did want to clarify one of the
9 comments that we heard about Caltrain commuters during the public comment. The
10 enforcement begins at eight o'clock. So if someone were to arrive at 6:00 a.m. and leave their
11 car there they would be ticketed at 10:00 a.m. after the two hours elapses after the
12 enforcement begins at eight.

13
14 Commissioner Tanaka: I guess the reason why I'm asking is because I actually live in College
15 Terrace and there [unintelligible] there is the hours that we are allowed to park there, right?
16 Without a permit for more than two hours and then there's the actual enforcement in terms of
17 when do the when does the police actually go around and ticket people. And in College Terrace
18 I don't believe it's five days a week. I think it's maybe like two days a week. That's why I'm
19 asking, is it really five days a week in Downtown or not?

20

-
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1 Mr. Mello: So Crescent Park and College Terrace are enforced by the Police Department.
2 Downtown and we would propose Evergreen Park and Mayfield as well are enforced by a
3 private contractor and they are extremely strict. They are assigned to the RPP district all day
4 long, Monday through Friday from 8:00 to 5:00. And it's specific staff members who are
5 charged with enforcing RPP. That's why the 8:00 to 5:00 allows for one shift of workers. If we
6 were to go past 5:00 or start earlier than 8:00 there's a potential we would need to have an
7 additional shift of enforcement officers. And they're not doing other things, they're only
8 enforcing RPP.

9

10 Commissioner Tanaka: Ok because I... this is not our first RPP in the City, right? This is what,
11 our fourth?

12

13 Mr. Mello: It would be the third.

14

15 Commissioner Tanaka: The third, ok.

16

17 Mr. Mello: Crescent Park is a no overnight parking program. It's a little bit different.

18

19 Commissioner Tanaka: Ok. Because I think what would be really interesting to see a
20 comparison between all the different programs, right? In terms of cost neutral, in terms of

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1 how... how much in the hole is it digging the City, right? In terms of how much buy in you got
2 from the residents in terms of response rates, in terms of how many people said yes, I think in
3 terms of the types of enforcement, right? So I... because just look at this in the abstract. If this
4 was the very first program that's one thing, but this is not, right? We've done many of these
5 before and so we should learn from them and know what's effective and what's not effective.
6 And so I would expect to have that data readily available because to do that without... to make
7 these kind of decisions without having the data I think is not really learning from the past. And
8 then if you were to contrast the concerns of the businesses compared to what you saw in
9 Downtown how would you compare that?

10

11 Mr. Mello: So the Evergreen Park/Mayfield stakeholder process was much more accelerated
12 then the Downtown process. For the Downtown RPP there was actually a stakeholder group
13 there was convened and they met over a multi-year period, I think a two year period. That
14 include business, included business representation. In the case of Evergreen Park the
15 stakeholder group was the residents who organized the petition. We had a business focus
16 group meeting and some business owners attended the two public workshops, but there was
17 not nearly as much interaction with the businesses in the Cal Ave Business District as there was
18 for the development of the Downtown RPP Program. And that's partly because we learned a
19 lot through this, the two years stakeholder process for the Downtown RPP meeting with the
20 different types of businesses, retail and office and services such as dentists and doctors' offices.

-
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1 So I don't know if I could contrast the two, but I would say we learned a lot through the
2 Downtown stakeholder process and we were able to streamline the Evergreen Park process a
3 little bit in order to get something out there a little bit quicker.

4

5 Commissioner Tanaka: Would you characterize that you have done more outreach to the
6 businesses or you heard more from businesses in the Cal Ave. area than you did Downtown or
7 less?

8

9 Mr. Mello: Well I think [unintelligible] less just the design of the stakeholder process. It wasn't
10 intentional thing. The RPP Downtown was the first program so it was a very long and involved
11 stakeholder process with many, many more meetings than we had for the Evergreen
12 Park/Mayfield program.

13

14 Commissioner Tanaka: Because what I've heard from the attendees tonight is there's been
15 more than one person who said that the outreach wasn't very good. I heard it from maybe
16 three or four people who said the outreach wasn't very good. And that's what I'm asking, and
17 that's [why I'm crazy] about these response rates because I'm trying to figure out is that really
18 true or not. And if you don't know what it was in other RPPs there are, their concerns may be
19 valid and maybe there wasn't enough out reach. I don't know, but this is a it's a very important
20 program and I really think it's important to make sure the constituents understand what's going

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1 on and truly making sure you have buy in. And because you don't, you can't give me
2 comparative data to other programs I'm concerned about whether what I heard tonight is true
3 or not. So I mean you don't have hard data, but what's your feel in terms of is this
4 representative of the most of the people in the area or you think that that there are some holes
5 in our outreach?

6

7 Mr. Mello: I can tell you that the Evergreen Park neighborhood was highly involved and I'm sure
8 they will agree that they were involved throughout the process. And I think they actually
9 walked around and helped notify their neighbors of the survey, the mail survey. We did not
10 mail the survey to the business district. We did send it to residential units within the businesses
11 district, but businesses do not receive (interrupted)

12

13 Commissioner Tanaka: But why not though? Why not? I mean business would be directly
14 affected, why not get their feedback as well?

15

16 Mr. Mello: The ordinance does not specify... you know it specifically calls out mail surveys being
17 sent to residential units. They're the ultimate survey participants according to (interrupted)

18

19 Commissioner Tanaka: Well I mean we can make decisions based on the residents, but it would
20 be good to know how because the businesses are going to be severely impacted as well, right?

-
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1 A lot of we heard several dentists here who said they'd be severely impacted because a lot of
2 their employees are female, not necessarily high paid, right? So wouldn't it be important to
3 hear their voice as well?

4

5 Mr. Mello: Yeah we did not send mail surveys to any of the businesses and if we did we didn't
6 tally them in the final results. That's something we could look at in the future if... there may be
7 a separate mail survey for the businesses. I will say the Mayfield neighborhood was not part of
8 the original petition process. That was a decision that staff made to add that neighborhood in
9 order to prevent two things: to prevent Evergreen Park from bearing the entirety of the burden
10 of employee parking and also to anticipate spillover employee parking into the Mayfield
11 neighborhood which includes quite a few residential units. All of the residential units in the
12 entire our proposed RPP district received mail surveys or we attempted to mail employees,
13 sorry, mail surveys. There is a typical loss rate with any type of mass mailing like that, but we
14 did verify addresses. If we heard from anyone that surveys were not received we mailed those
15 back out. In one case we actually express mailed a bunch of surveys so the resident can walk
16 around to his neighbors and give them the surveys.

17

18 Commissioner Tanaka: So I know in College Terrace it was done block by block face, right? So
19 what's the thought about that in this kind of program?

20

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1 Mr. Mello: So one option is to instead of rolling the program out for the entire district from the
2 beginning you could recommend that we create eligibility areas. So for Downtown RPP we
3 created eligibility areas that were at the fringe of the district and that allows people to
4 administratively opt in to the program without having to go to Council. So it makes it a lot
5 easier to implement when they start to see employees spill over into the neighborhood.

6

7 Commissioner Tanaka: But I think you recommended that we don't do this for this program,
8 correct?

9

10 Mr. Mello: Well so if you weren't confident that there was enough input from the Mayfield
11 neighborhood one option could be to make the Mayfield area an eligibility area and not put
12 them into the program from the beginning. But we're not recommending any eligibility areas
13 as presented tonight.

14

15 Commissioner Tanaka: Sure. Because it's it has a response rate about 2 to 3x less, right? And
16 its approval rate was 60 percent. So while it's majority it's hard to know whether that's truly
17 representing everyone's opinion. And it looks like some of the people that are parking there
18 are actually people who live there. Ok, that's all the questions I have. Thank you.

19

20 Chair Alcheck: Alright, thank you Mr. Mello for the presentation. Did I just before I get started

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1 you said something earlier when you started and maybe I heard [unintelligible]. What did you
2 mean by you are the entirety of the... you represent the... what was that?

3

4 Mr. Mello: We currently have two vacancies and they both are in the Parking Division within
5 Transportation.

6

7 Chair Alcheck: So you are the entirety of the division?

8

9 Mr. Mello: Yes. Currently we're working quickly to get those positions filled.

10

11 Chair Alcheck: Ok, I'm going to start with the survey. Can you identify the boundary of the
12 survey for me?

13

14 Mr. Mello: Every residential unit within let me just find the map here.

15

16 Chair Alcheck: Actually I'll make it really simple, is this the boundary?

17

18 Mr. Mello: No. So that the dark black line that'd shown on the map on the slide up on the
19 screen.

20

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1 Chair Alcheck: That's the boundary of the survey?

2

3 Mr. Mello: That's the boundary of the survey. Every residential unit within that boundary
4 received a survey.

5

6 Chair Alcheck: That's what I thought. Would you mind putting this one up for me?

7

8 Mr. Mello: Sure.

9

10 Chair Alcheck: Ok, so I'm doing this for all of us. Is there anybody in the audience from
11 Mariposa? Anybody live on Mariposa? How about Sequoia? I imagine not. I'm going to make
12 a quick point here. Oddly Park Boulevard seems to be very parked, right? It's the farthest
13 street on this map from Cal Ave. that's I mean I'm not including the edge of the map, but right
14 in the middle to the left if you can't see it Park Ave is parked and it struck me why would Park
15 Ave. be so heavily parked or excuse me, Park Boulevard, be so heavily parked and Park Ave. be
16 right next to it be green. Can you guys see that? If you look at Page 7 of the handout actually
17 it's a little easier to look at the page. It just struck me as odd that those two streets could co-
18 exist and be so different. It made me wonder if we apply a permitted parking program to
19 everything from Park Boulevard south. I hope that's the right direction, southeast? Southwest?
20 South. Would Sequoia Avenue essentially become a red parking area because clearly people

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1 are parking on Park Boulevard and not on Park Avenue because it's more convenient. This
2 could have been just that day or not.

3

4 The point of trying to make is that there is no such thing as a program that doesn't have
5 impacts that we aren't, that we will foresee. There are going to be some unintentional
6 consequences and one of those consequences I would argue because there's randomly people
7 parking on Park Boulevard and right next to El Camino Real and I imagine there are some
8 businesses there is that because of course the nighttime is [unintelligible] different. It's all...
9 not to sort of make the point, but the next slide shows you the exact opposite, right? So if you
10 look to the next slide Park Avenue now is red and Park Boulevard is green. Now the question
11 isn't what's going to happen to Park Boulevard and Park Avenue when you start this program
12 because both of them are within it, the question is what happens to Sequoia.

13

14 I would argue Sequoia is very likely to be heavily impacted and why do I feel very strongly about
15 that? Because when we did a residential parking program I don't know if that's the right
16 terminology in Crescent Park what we saw is that they did it block by block and it moved
17 parkers from one block to the next block to the next block to the next block and every six weeks
18 we got another street that wanted to be a part of it. It grows. Everybody gets really annoyed.
19 When you move your parking problem to their street they want to be a part of the survey. Now
20 I'm not suggesting we widen the survey because it might not work out for the people who are

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1 most impacted, but it's an issue. It's an issue.

2

3 Mr. Mello: If I could Sequoia and Mariposa are in the Southgate neighborhood and we will be
4 moving forward with an RPP in that neighborhood immediately following the implementation
5 of Evergreen Park.

6

7 Chair Alcheck: I imagine the response rate in that survey will be higher as soon as you
8 implement. Look, when I read the report I thought that the response rate was pretty low.
9 Twenty percent struck me as very low which is which initially I thought maybe the survey
10 expanded to this entire area because that would that could possibly be one of the reasons why
11 this response rate was so low. The fact that the survey area was even smaller makes it a
12 concern. It is a little bit of a concern. We want as much input as possible. I don't know what it
13 means and then not only was the response rate low, but the no's were high. I don't want to for
14 any just so we're clear here I'm not suggesting there isn't a problem. There's a problem. We
15 need to figure out how to solve it. I just thought that 104 out of 330 respondents saying no was
16 also I wouldn't I would have expected ninety percent of respondents to be concerned. So there
17 is that was also... that surprised me. I mean let me just pick your brain for a minute. Did, is that
18 what you expected?

19

20 Mr. Mello: The response rate?

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Chair Alcheck: No, that a third of respondents would oppose an RPP.

Mr. Mello: The Downtown one was very close initially. That survey had to be re-administered because there was a lack of support during the first survey and the boundaries were actually shrunken order to remove the areas that had voted against. And we actually thought going into this that Mayfield would have a lot less support than it actually showed in the survey and we were considering how we were going to address that with the program design (interrupted)

Chair Alcheck: So then I guess I shouldn't be so surprised. You're suggesting that you actually feel that the response was strong in favor of the RPP?

Mr. Mello: Yeah. I mean we are asking people to start paying for something that they now get for free and I think generally across any discipline that is generally not a favored solution.

Chair Alcheck: That's a great point. Ok, so I'll sort of opine on some of the comments and some of the things that we're going to get to tonight. Hours of enforcement, there's a dramatic difference between what happens at night and what happens during the day and I would I think there's a question as to whether there is a dramatic difference between what happens at 9:00 a.m., noon, and 5:00 p.m. I imagine that anybody arguing for longer hours of enforcement

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1 believes that the problem isn't acute at noon; it's acute from 7:00 to 9:00. That said there is a
2 part of this there's a lot of things here I think we could work on, but I'm sort of loath to
3 essentially increase the cost of the program so dramatically to address enforcement hours until
4 we think we've got it right. So that's where I stand on that. I have a question about Caltrain. Is
5 the Caltrain lot typically full?

6
7 Mr. Mello: It's I mean the times I've observed it it's half to three quarters full, but we could get
8 numbers from Caltrain on what their utilization is. There's a \$5 fee for daily parking there and
9 then a \$55 fee for an annual pass on Caltrain.

10
11 Chair Alcheck: So I think it's safe to assume that there are Palo Alto residents not necessary in
12 this community that are driving to this **Cal station [note-Caltrain]** to take it and I assume, I think
13 it's safe to assume that maybe there are individuals who are avoiding the daily cost by parking
14 in the neighborhood. If you had told, if you had said that the Caltrain lot is full then what do we
15 do with that? Because their inability to park somewhere means another car on the 101 or on
16 the 280 or somewhere else on our roads and it's just another piece of this that I think we have
17 to keep in mind.

18
19 One of the issues I think that we're going to deal with tonight is the phase out of permits. So
20 with respect to that my take is that we haven't yet reviewed the RPP Downtown which is

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1 unfortunate because one of the things, I think one of the reasons why we approached the
2 implementation of the RPP Downtown as a pilot project and a phased project is because there
3 is a lot of unknowns here. We don't quite know what who's going to suffer, how they're going
4 to suffer, and every and this isn't just as simple as giving residents what they want. The issue
5 here is figuring out how we can achieve sort of the desired goals without creating a whole
6 **nother [note-not a word]** set of problems that could upset people who serve our community
7 and live in our community. So I know that the City Council is supposed to review the possibility
8 of phasing out employee permits Downtown in February. I wonder if is that something that's
9 going to come to us as well? It may not and it's not the answer to that question isn't really
10 relevant for tonight, but my point is it would be interesting to have discussed that process
11 before incorporating it into an ordinance that's part of a pilot program since the last time we
12 went through this we weren't really comfortable from the outset creating a phase out. So I'll
13 just say that.

14

15 Ok so the last sort of element of this that concerns me is so there's sort of two pieces of
16 information you've provided tonight which I assume we've surprised you in the process of the
17 Downtown RPP that of the total number of permits you sold in the Downtown a far greater, a
18 far fewer number of them are being utilized on a daily basis. That I assume or it sounded like
19 you were suggesting that was something you didn't anticipate when we went through the
20 Downtown RPP.

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Mr. Mello: We anticipated it, but we didn't have an exact number. I mean we're all really learning in this process and that's why we've been pretty focused on implementing pilots first because I think there's a learning process for not only staff, but for the community, for the businesses, the residents of the neighborhood we need to figure out where that balance is and you can't really design a program from the beginning that's going to work perfectly from day one.

Chair Alcheck: Right.

Mr. Mello: So that's why we've learned a lot of lessons in the Downtown program that we've been able to use for the development of the Evergreen Park, but we're still learning.

Chair Alcheck: So I'll give you an example of some of the information that I wish I understood better from this report. For example, the number of parking permits you sold Downtown is roughly... what was the number? Yeah. It wasn't clear to me if there was some formula like you got to 1,900 Downtown because there are X number of what, commercial square feet or whatnot? How did we get to 250 in Cal Ave.? Is how what is that relationship? One of... I'll just say before you answer, one of the questions for me going through this packet was what if that

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1 number's wrong? What if that number's too high or what if that number is really low? So if
2 there is that information including it in the packet or sharing with us now would be valuable.

3

4 Mr. Mello: Sure. So it's we did a similar calculation for Downtown, but I'll explain how we
5 calculated the 250 for Evergreen Park and Mayfield. Let me get to my page here. So for
6 Evergreen Park and Mayfield (interrupted)

7

8 Chair Alcheck: Wait, will you just share what page you're on?

9

10 Mr. Mello: I'm on packet Page 18. The parking occupancy and supply and the employee parking
11 permit sections, packet Page 17 and 18. So there's a total supply within both Evergreen Park
12 and Mayfield of 1,017 on street parking spaces. And we calculate that by taking the legal curb
13 space and dividing by 22 which is the length of a typical parking space. So smaller cars you can
14 actually fit more cars so we're kind of 22 is the longest typical vehicle that would park on street,
15 passenger vehicle. So that means that there's 590... so and then we did an overnight parking
16 survey where we determined how many of those spaces were being used by residents because
17 we wanted to assume that there was a demand from the residents and we didn't want to
18 infringe on that demand because then we would start to see residents unable to find parking.
19 So what's left over after you subtract out the number of vehicles that are parked overnight was
20 592 spaces.

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Chair Alcheck: Ok.

Mr. Mello: And 250 permits we would expect 90 people to show up on a given day that represents fifteen percent of the available space after you subtract the employees, I mean the residents that are using the space. So that means that 85 percent of the available space is then left over for contractors, two hour parkers, household visitors, service employees, anybody else who may be visiting the neighborhood. So we think, we actually think that it's a fairly low number of employee [unintelligible] I think they'll be significant capacity left over even with those 90 employees that are parking on those 1,700 spaces.

Chair Alcheck: Ok, so if the number 250 has no relationship to the number of employees down there is, but it is based on what you're seeing except that in theory the 592 overnights may leave during the day and the overwhelming amount of people that are parking there during the day may be... let's say, I don't know, do we have a number of how many people are parking there during the day?

Mr. Mello: We do. I don't have a grand total. It's in the raw data from the surveys. It would be under 1,017.

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1 Chair Alcheck: Right. Is it like, can you ballpark it?

2

3 Mr. Mello: It would be six... Well I mean there are some blocks that are 80 over 85 percent
4 approaching 100 percent occupancy. So there's some that are well, well below 35 percent. So
5 if I had to guess I'd say maybe 60 percent of the space so 600, 700 vehicles during the day.

6

7 Chair Alcheck: So this isn't... ok, so I just want to see sort of how. This is an example of sort of
8 trial and error. We're going to put 250 parking spaces out there and if they all go away in the
9 first three weeks then we know that number might be wrong. And to address some of the
10 concerns of the dental community which showed up in numbers tonight what happens then?
11 What happens if we implement a pilot and suddenly we have a problem with service staff in
12 this community being able to park? I mean I guess what they could do in theory is park on
13 Sequoia until the Southgate RPP occurred which is a walk, but what happens then? Are, is it
14 worth suggesting some process if the 250 mark is off?

15

16 Mr. Mello: I think you could recommend that we do some type of survey of the businesses after
17 the implementation and maybe try to ascertain whether this is creating a hardship for them.

18

19 Chair Alcheck: Ok.

20

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1 Mr. Mello: And then we could when we move to a permanent program we could bring forward
2 some recommendations based on that survey.

3
4 Chair Alcheck: Ok. Alright. The last thing I want to mention is that if you live on new Mayfield
5 or College Ave., well hold on, let me put up the map. Let's put up the map of the three zones.

6 Ok, so in in practice you'll have 250 permits, 125 allocated to the khaki color and 125 allocated
7 to the blue. If I were an employee and I had a permit to park in the blue my first and I worked
8 in the brown area let's just describe it as that, as the core, Cal, then I'd want to be on College
9 Ave. And I imagine that I mean the map showed that there were individuals who wanted to
10 park on Park Boulevard in great numbers, but you get my point. We're not really doing
11 anything to help the individuals who are closer in terms of spreading out the use.

12
13 One way we did that Downtown is through subzones, right? I think a more perfect RPP here
14 might accomplish that because 125 cars could park right on College Ave. or [unintelligible] yeah,
15 College Ave. could be completely parked. And none of the residents on College Ave. could
16 benefit from the RPP, but Leland Ave. might be really great. And I don't know that that's the
17 goal of the program. I think the goal of the program is to distribute 125 cars on College Ave, on
18 Oxford Ave, on Stanford Ave, on Leland Ave, and Park Ave. If each one of those five streets had
19 to take 20 cars and we have side streets as well then there it might be easier. So there's a way
20 to do that, right? You could zone it out.

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So that would be one of my suggestions tonight is that we incorporate a approach where it's not just blue it's a rainbow of colors and 125 permits were actually divided into 25 per rainbow color. It's going to a little harder to enforce I imagine, but it's I think immediately going to I don't want to ask how many people here are from College Ave. or Oxford Ave., but I imagine that the response rates as you approach closer to California Avenue were higher on the survey and those individuals are not going to be benefiting if 125 cars park on their street.

Mr. Mello: Just a couple points related to that. Based on our typical show rate for employee permit holders we're really looking at only about 45 employees showing up.

Chair Alcheck: Right.

Mr. Mello: For each of the two zones.

Chair Alcheck: That's if our number is right though.

Mr. Mello: Yes. And then my second point would be for the Downtown RPP we had to do exactly that. We created a very thin employee parking zones that radiated out from Downtown and they got a little bit bigger the further from the core because we during Phase 1 we

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1 recognized that people were clustering along the first blocks. That creates a great deal of
2 complexity for employees who have to buy a permit that's specific to a zone and it also creates
3 some enforcement complexity.

4

5 Chair Alcheck: I'll just sort of pose this to my fellow Commissioners. Is do we want to entertain
6 this notion or do we want to revisit that, do we want to have the pilot program be six months
7 long so that we can revisit this specific issue? Because if you know... So the last thing I want to
8 throw out there is I'd love to know whether Commissioners agree that when these permits get
9 allocated to the businesses if we were to do this rainbow program could somebody and let's say
10 the rainbow goes brown then blue then green then red and then orange, orange being the
11 farthest from Cal Ave. Is there a protection, is there a way for us to ensure that one employer
12 doesn't get stuck with orange, that there's some sort of lottery involved where you could you
13 might have one spot that's farther away, but some of your other spots... These are the things
14 that I think could drive some employers crazy is that they could suddenly get in this tertiary
15 area. So I don't, you don't necessarily need to respond to that just now because I want to know
16 if we're even going to discuss the rainbow idea, but that's one idea that I'd love to get sort of
17 fellow Commissioner comments on. Alright, go ahead.

18

19 Mr. Mello: If I could jump in here we Commissioner Tanaka we did some research and we found
20 the response rate for the Downtown RPP survey; 4,500 households were surveyed and their

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1 response rate was thirty-two percent and it was split about 50-50. So then the program was
2 adjusted to a point where only the blocks that had a majority were put into the first phase of
3 the program.

4

5 Chair Alcheck: Ok, thank you. Alright, go ahead Commissioner Waldfogel [Note-Vice-Chair].

6

7 Vice-Chair Waldfogel: Thank you. I want to thank our entire Parking Department for showing
8 up today. It's a great showing. Also just want to call out to a couple of the public comments to
9 Mr. Riahi and the dentists appreciate you coming out and raising some issues that frankly I
10 wasn't aware of previously. So it's and I'll come back to that a minute and two comments Mr.
11 Schrum and Mr. [Nepamuchino] I mean the comments about corroding community and
12 anonymity decreases cooperation I think were also really telling. So they tell us something
13 about the neighborhood outlook. Also someone brought up an interesting point, could you just
14 comment about the businesses that are paid into the parking district? I'm actually not familiar
15 with what the parameters of that currently are in the Cal Ave. District.

16

17 Cara Silver, Senior Assistant City Attorney: So there is currently a parking assessment district in
18 the California Avenue area. The City issued a number of bonds years ago. Those bonds have
19 since been paid off and the bonds were used to build parking garages. The people who the
20 businesses in the area who paid into the assessment district received credit for parking spaces

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1 that were satisfied through the parking garages that were built with the bonds. And so those
2 current, those properties that have been previously assessed are essentially grandparented in
3 for a certain number of parking spaces that had been done in connection with that original
4 formation of the assessment district and construction of the parking garages.

5

6 Vice-Chair Waldfogel: Thank you. And are we proposing that those businesses be eligible for
7 permits or that they not be eligible for permits?

8

9 Ms. Silver: I believe that they everyone would be eligible.

10

11 Mr. Mello: Yeah there's also an assessment district Downtown and those businesses are eligible
12 for the Downtown RPP permits. We're proposing a similar structure.

13

14 Vice-Chair Waldfogel: Ok so we've set a precedent. Whether it's good or bad we've set a
15 precedent. Ok, great. And then just one final semi-numerical question, I doubt we'll have an
16 answer to this, but do we just know roughly how many healthcare... dentist's businesses, I
17 mean so how many businesses have the problem that we heard about from Mr. Riahi and the
18 dentists and do we know just order of magnitude is it 100 employees that we need to deal or
19 10?

20

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1 Mr. Mello: I couldn't hazard a guess. I will tell you that we heard the same concern from
2 dentists along Middlefield Road when we implemented Phase 2 of Downtown RPP so I think it's
3 a recurring problem with the RPP programs.

4

5 Vice-Chair Waldfogel: Would it be possible to ask Mr. Riahi to say something about that or?

6

7 Chair Alcheck: Do you by any chance have any information about the total number of dentists
8 that are working in this area? Would you mind coming up to the stand? I should rephrase, not
9 just dentists, dentists and your staff.

10

11 Mr. Riahi: So we did conduct a survey for the Downtown area. We haven't had a chance to
12 address these two areas yet, but for the Downtown area we have give me one second, I have to
13 pull it up. So 27 dental offices were affected by the Downtown RPP, 292 employees total; out
14 of 292 employees 276 are female and that's the number I have. And [date] between the 27
15 practices we also pooled the number of Palo Alto residents that they see as patients based on
16 their ZIP codes, 43,000 Palo Alto residents are patients in those 27 practices.

17

18 Chair Alcheck: So just clarification there 292 total potential employees, do you... and that's
19 Downtown. I mean do you just so we can appreciate this do you believe that the Downtown
20 dental practice is larger or smaller than the California Avenue dental practice?

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Mr. Riahi: I think Downtown is larger.

Chair Alcheck: Ok.

Mr. Riahi: By what magnitude I don't know. I can come back to you with the actual numbers. The problem is not us getting... we purchase, most of the dentists purchased permits for their employees. That we have we've done it for the last year and a half. What scares us is a reduction of this to zero as we lose parking for employees basically means we cannot stay here to provide the care we need to provide. That's what scares us. Other than that we understand the cost of doing business in Palo Alto and we're not against RPP. We understand the concerns of the residents. That's all we, we just want to know if you guys can consider a subspecialty of health care providers.

Chair Alcheck: Ok, thank you.

Mr. Riahi: Thank you.

Vice-Chair Waldfogel: Thank you very much. I really appreciate that. So here's my thought on this. I mean I think we should need to find some way to accommodate I wonder if we can

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1 accommodate dental offices or health care providers in the two hour districts in some fashion.
2 I mean we do have another degree of freedom here which is that we could accommodate, we
3 could create some kind of permit for essential health care workers to be in the business district
4 and to park in the business district. So I think we could solve both objectives concurrently. So
5 at least I would appreciate exploring that as a possibility.

6
7 I mean generally I support what's in front of us. I would very much like to see a five year phase
8 out. I think subzones are something that we whether we implement it today we need to be
9 pretty agile to respond if the if the fears turn out to be true. That's all I've got.

10

11 Chair Alcheck: Commissioner Gardias would you like to share your thoughts?

12

13 Commissioner Gardias: Sure, thank you. Thank you very much again same comment for
14 showing up in force and thank you very much for reaching out to the neighborhood. Good job.

15

16 I think there is Achilles' heel of this report and which is basically in the week numbers. You can
17 refer, I could refer you to the discussion that we had when we were implementing initial RPPs
18 when Jessica Sullivan was here with us and we had the conversation or I had the conversation
19 with her and [concerned] that there would be something like a balance sheet provided of the
20 parking spots and the claimants to those spots. And my expectation would be that if staff

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1 comes back again with another either update or a new extension of the RPP there would be a
2 balance sheet with those numbers provided. So I wish that this was followed, but you want to?

3

4 Mr. Mello: Could you clarify what would be on that balance sheet?

5

6 Commissioner Gardias: Right, I mean you can refer to this discussion, but it's very simple, right?

7 So the balance sheets like a financial balance sheet has a left and right side debits and credits
8 which is pretty much the assets and claimants to those assets. Assets are organized or just are
9 sorted along the for liquidity and then they claimants are organized within the ownership
10 rights. So however you're going to organize it it's up to you, but I think that there should be a
11 solid count of the parking lots within either attractiveness or however you're going to
12 categorize it and then the number of those that park currently on those available slots. That
13 will be the balance sheet before the parking program implementation. There should be
14 another one after the program is released. And then between those two there will be of course
15 number, there will be a difference between those that didn't that because of different reasons
16 are not parking there.

17

18 And so there should be a following question: what happened with those that are suddenly not
19 parking because we introduced restrictions? Where did those people go, right? So those
20 people were maybe going to the Southgate and might be going maybe there may be a spillover

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1 effect to other neighborhoods, but pretty much the difference between those two will show
2 you the impact on some other areas. And there would have to be some scientific explanation
3 because there are people there maybe there are going to other neighborhoods, they may be
4 abandoning cars altogether and just using public transportation, there may be carpooling or
5 there may be taking different means of transportation and we would need to have explanation
6 for that. That would allow us to understand what's the effect of the of the parking program. So
7 I would appreciate if for the next time if you could just, if you agree with this I think it's a
8 reasonable request, if you could just provide us the numbers in the pretty much balance sheet
9 format that would pretty much address variety of those questions like for example of the 250
10 number, where does that come from, right? So that's my main ask to you.

11

12 Mr. Mello: So that actually is a fairly complex request. We don't have a lot of those data points.
13 The closest thing we have to identifying users right now is the overnight parking survey that
14 demonstrates what the overnight demand is and we've had to infer that the overnight demand
15 represents the resident demand. We cannot tell who a vehicle belongs to when we do a
16 parking occupancy survey. We will be able to tell that once permits are issued because we'll
17 have resident permits, employee permits, and then unpermitted vehicles which are the two
18 hour parkers so we can certainly bring that kind of sheet back after the pilot is completed and
19 we have the data points and we could also put together something like after the Downtown
20 RPP. But ultimately I think we need a comprehensive parking management plan for the Cal

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1 Ave. Business District. We don't have a lot of those data points at all and a parking
2 management plan would allow us to do, delve a little bit deeper and address some of the those
3 issues. We're doing one for Downtown right now and ultimately I'd like to do a similar
4 management plan for the Cal Ave. Businesses Direct.

5

6 Commissioner Gardias: Right. I understand that you may have some reservations, but I would
7 like to encourage you. Not, we will of course not to hold you accountable for the errors, but it
8 would [at least] show that the [pop] forward how we can approach this program in a scientific
9 way. And I think that my colleagues would appreciate the count. I'm sure that Eric would like it
10 very much. But, (interrupted)

11

12 Mr. Mello: Sorry, one more point and in regard to the number 250 that's explained on Page 17
13 and 18 of the packet (interrupted)

14

15 Commissioner Gardias: Right, yes, I understand.

16

17 Mr. Mello: How that calculation was derived.

18

19 Commissioner Gardias: But if we had it in front of us, right, comprehensive set of numbers it
20 would allow us just to juggle with those numbers in a variety of ways, right, create statistics for

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1 our understanding. Of course there is a number of the issues that you may or obstacles that
2 you may face on the road toward creating one, how to identify the claimant's, right, but there is
3 a number of approaches that you can take. Statistical one, as long as you provide some
4 footnotes so we can understand where the numbers are coming from at least we would have
5 the comprehensive set of numbers. So that's my ask to you, right?

6

7 There is another thing that I would like now I have a couple of scattered comments if you still
8 have a moment. So number one is that I think that there is I don't know if you've ever thought
9 about this, but I think there is opportunity to tie the employer surveys to the parking
10 applications because I know that there was a problem with enforcing or with obtaining the
11 business data because of the employee server, but if you just give a carrot and stick and you say
12 that ok well if you apply for a parking spot then you would need to fill out the survey. If you are
13 not, if the survey is not on the file you are not eligible for the parking. This would immediately
14 increase, just give you a boost to the survey program so that then just provides with the better
15 data.

16

17 So that's another comment. Couple of other small items... those are rather asks that I would
18 like you to clarify for us. How do you verify current the low income employees?

19

20 Mr. Mello: Sorry. I believe it's through a pay stub and/or a letter from the employer stating

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1 what the salary is.

2

3 Commissioner Gardias: Ok, so I'd like to just for your understanding clarify one aspect that
4 there is a difference of a parking spot although it may be negligible for employer versus
5 employee. Because for the first one it's a tax deductible expense and with the if it's a
6 corporation this is 32 percent plus 6 or 7.5 percent of California and that's pretty much tax
7 deductible. For an employee it's out of pocket, right? Unless they have a cafeteria plan that's a
8 totally different story. So I would recommend that, but that may be for our separate session
9 that this should be somehow thought through and probably also make it simpler. My
10 recommendation would be just to allow the employers to apply for the permits and then
11 distribute them within the among the office or their enterprise. It's of course not the discussion
12 for today, but it's my recommendation. I think it would simplify the administration on your side
13 and then you would offset the burden of some administration that you currently like a
14 verification of the low income you would just pretty much impose the burden on the employers
15 as opposed to yourself, right? And that's this comment.

16

17 And then a couple of other small items; I think that if you come to us next time it would be fair
18 and this I refer to the comments that I heard from the upcoming Council Member,
19 congratulations again Greg Tanaka, that ask about the cost neutrality. Would be nice to have
20 the set of the numbers that would just tell us what would be the cost of the parking spot if

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1 those RPP programs would be cost neutral, right? Because otherwise what we're doing today
2 somebody else pays for somebody else's parking program in this neighborhood. It may be
3 other neighborhoods or it may be coming from the State, from the City income, but
4 nevertheless right it's not somebody else pretty much pays for this neighborhood eligibility for
5 the parking.

6
7 Mr. Mello: So we could probably have those numbers for the Council meeting on January 23rd.
8 So if you wanted to make a recommendation that we provide a cost structure that's revenue
9 neutral when we present to Council we could certainly do that.

10
11 Commissioner Gardias: Of course. I think it would be interesting for Council, but I'm sure that
12 we would appreciate this if you're going to come back to us with a follow up session. Thank
13 you very much.

14
15 Chair Alcheck: Ok, it's sort of always been my firm belief that perfect can be the enemy of good.
16 So what I would like to do right now is if there is support for it is I'd like to put a Motion that
17 suggests that we recommend to City Council the RPP as it's written. And what I would like to
18 do is very efficiently make suggestions on excuse me, make amendments to that
19 recommendation to improve it in the ways that this Commission sees fit. I think we can do
20 that.

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Mr. Mello: If I could just recommend one change to the resolution based on the confusion around the free permit for households.

Chair Alcheck: Yeah.

Mr. Mello: Before you make that Motion on packet Page 25 the first paragraph, Item Number 1, it should read each resident living within the Evergreen Park/Mayfield RPP may receive up to three annual permit stickers as well as up to two transferable annual permit hang tags and the cost is covered in Section 8 down at the bottom and it clearly says the one, one permit is free. The confusion is the word purchase and the Item Number 1 should be changed to receive.

Chair Alcheck: Ok, so noted. Please make that note. And we'll operate under that revised ordinance language. I just want to set out from the beginning here this the goal here will be to see if we can achieve an ordinance that we're all comfortable supporting. If through this process of suggested amendments we don't get there we will still have the opportunity to vote it down, but let's see if we can get it there. And what I would like to suggest is our amendments can essentially follow a process where staff we ask staff to provide Council with this version of a section of this and I don't know that we need to review it again. So is there anybody willing to make a Motion?

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MOTION

Commissioner Rosenblum: I make a Motion to... I make a Motion to recommend to Council they adopt the RPP program as written with the amendment, amended language around received versus purchase of the problems.

SECOND

Chair Alcheck: Ok, I'll second that Motion and I'd like to open up the floor for any amendments.

Commissioner Rosenblum: Can I speak though to (interrupted)

Chair Alcheck: Yes you can speak to your Motion. Sorry.

Commissioner Rosenblum: So I think that I might be in the minority here. I think that actually the presentation is pretty data rich. The one piece of data that I think is missing is on the impact to employers in the area. We have a number of dentists here, but I don't necessarily see dentists as different from restaurant owners, toys shop owners, cobblers. They have people that come in for the day to work and they have customers that come in for shorter

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1 periods. So I think that there's a lot of them that have concerns and it would be good to see
2 those addressed.

3

4 Now I like the Motion or I like the ordinance as written though. And just to speak to it, first I
5 think the methodology used to determine the number of permits that would be given for
6 businesses is fairly generous. So after getting down to getting out all the residents uses down
7 to 600 that are unused to still have 85 percent be free for other uses I think is actually quite
8 conservative. Second, the phase out at this stage doesn't make a lot of sense to me. This can
9 be revisited over time as we see what happens, but right now again the businesses should
10 continue to be there given the cap that you already put for what I would consider a low ceiling.
11 I don't see that being a necessary step.

12

13 The boundary looks logical and especially I agree with Commissioner Alcheck [Note-Chair] that
14 this problem will just get shifted the next district which also has an RPP in the works. And the
15 enforcement hours look reasonable. The case that was given around Caltrain parkers, they'll be
16 ticketed within two hours. That to me does not seem like a major enforcement problem.
17 Similarly based on your usage maps at seven o'clock map most streets are down to yellow and
18 green with still a one street red abutting the night time business of Cal Ave., but for the most
19 part the pressure has been relieved. So the enforcement hours also look reasonable to me. So
20 I make the Motion that we adopt the resolution to Council as written.

-
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2 Chair Alcheck: Thank you. I won't, I don't have much to add. I just want to reiterate one
3 comment which is that I also am convinced I think I approach this with the notion that maybe
4 the response rate was low, but I found that the information presented tonight compelling. That
5 this is not something we typically get a high response rate when you ask individuals to pay for
6 something that's going to potentially create a higher number of opposition. So I don't feel that
7 the survey itself is problematic. That's all I'm going to add because I had said that that was
8 problematic earlier and I don't feel that way anymore. I would like to open it up now if there is
9 anyone including the maker of the Motion is... has this opportunity who would like to make
10 any... I'm, we're going to treat them as unfriendly, Unfriendly Amendments to the Motion.

11

12 Vice-Chair Waldfogel: I realize that this may not need to be part of the ordinance language
13 because my understanding is the ordinance is just for the one year trial. That's all we're
14 authorizing. I would like to add some advisory language around this for the, to the Council
15 around three issues and maybe I'll just take them one at a time.

16

17 Chair Alcheck: Please.

18

19 Vice-Chair Waldfogel: The first one is to propose and I'll, I'm going to test the first five year
20 phase out, see if I get a second for a five year phase out recommendation.

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Chair Alcheck: So can you clarify?

UNFRIENDLY AMENDMENT #1

Vice-Chair Waldfogel: That we phase out employee parking over a five year period so because there's no other district in town where we've permanently built nonresident parking into the RPP structure. In the Downtown district we have a definitive... at least the neighborhood believes we have a definitive plan with a date certain for phase out of employee use. In College Terrace it's resident only. In Crescent Park it's resident overnight. So this would be unique if we don't provide some direction for a phase out. So might I get a second on that?

UNFRIENDLY AMENDMENT #1 FAILED

Chair Alcheck: Is there anybody wanting to second a five year phase out? Ok seeing none [unintelligible].

UNFRIENDLY AMENDMENT #2

Vice-Chair Waldfogel: Ok, well let me just try on a phase out that's concurrent with the

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1 Downtown, with the Downtown RPP phase out. Any second for that?

2

3 Chair Alcheck: Ok, hold on. So that's a little complicated because there isn't a phase out
4 currently in Downtown and that meeting is going to take place after (interrupted)

5

6 Vice-Chair Waldfogel: Right, but when that's adopted to recommend that this RPP, that this RPP
7 receive the same consideration that Downtown RPPs receives for its phase out. That these be
8 taken together.

9

10 Chair Alcheck: Ok, so let me just ask staff a quick question. Do you anticipate that this item will
11 be in front of City Council before the phase out question on the Downtown RPP will be in front
12 of City Council?

13

14 Mr. Mello: Yes. The Evergreen Park/Mayfield RPP is being considered by Council on January
15 23rd and we're currently scheduled to present the Downtown RPP permanent program on
16 February 6th.

17

18 Chair Alcheck: Ok, so the timing is problematic because they will have not actually reviewed the
19 Downtown parking phase out at before having reviewed this recommendation which is to align
20 the phase out with that one. I mean I can we can see if there's a second, but is there a way

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1 maybe we can... is there some other idea they can make this work?

2

3 Commissioner Gardias: No. I just want to clarify about our rules. Have a clarification about our
4 rules because I thought that if there is a Motion on the floor the first is Friendly Amendment
5 and then, but it looks like you are seeking for a second from whom? Are you looking
6 (interrupted)

7

8 Chair Alcheck: I'm treating (interrupted)

9

10 Commissioner Gardias: [Unintelligible] additional Motion that would replace the initial one
11 (interrupted)

12

13 Chair Alcheck: No.

14

15 Commissioner Gardias: Because I just... [Unintelligible-crosstalk]

16

17 Chair Alcheck: No, no.

18

19 Commissioner Gardias: Amendments to the Motion that was (interrupted)

20

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1 Chair Alcheck: And we're treating them as unfriendly; all of them.

2

3 Commissioner Gardias: I'm sorry. I don't believe that we have this right to just change the
4 rules.

5

6 Ms. Silver: You can modify the sort of the practice on voting on amendments if the Chair elects
7 to conduct it that way.

8

9 Chair Alcheck: I can, here let me just clarify. As a seconder of the Motion in order for an
10 amendment to be treated as friendly both individuals who supported the initial Motion would
11 have to accept an amendment as friendly. I am unequivocally asserting that I wouldn't accept
12 any amendments as friendly in an effort to create a process by which we can vote on each item
13 individually as opposed to waiting till the end of this process. So this way we can figure out
14 whether there is support, we can go through the process of asking if the amendment would be
15 treated friendly by the individual maker and by the seconder, but I'm going around I'm making
16 the process more efficient by suggesting we treat each amendment as unfriendly.

17

18 Commissioner Gardias: Right, I understand, but there is a possibility of created of proposing
19 substantive Motion that would receive a second and in this case it would pretty much would go
20 against the Motion that's on the floor. So (interrupted)

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Chair Alcheck: Right, there's always (interrupted)

Commissioner Gardias: And that's pretty much that wasn't clear in this process.

Mr. Lait: So Chair if I may?

Chair Alcheck: Yeah, go ahead.

Mr. Lait: So to that point that would be a Substitute Motion and if there was a Substitute Motion made and a second to that then that is the Motion that's on the floor and that's the one that has the... takes precedence and would be voted on and if it failed you would go back to the original Motion.

Chair Alcheck: So right now we have a Motion on the table and I'm asking if there are any individuals that would like to propose amendments to it. At any time someone could propose a Substitute Motion which would then take precedence, but what I'm hoping is that we can work within the confines of the process.

Commissioner Gardias: Right, but this wasn't clear. So if because I in this case, right, I would

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1 like to restart the process because after this clarification we know that there could be a
2 substantive Motion on the floor which was not clear in the initial proposal.

3
4 Chair Alcheck: Ok, we don't need to restart the process because any time you can make a
5 substantive Motion, a Substitute Motion, excuse me, but right now Commissioner Waldfogel
6 [Note-Vice-Chair] is proposing an amendment to the Motion that's currently on the floor. As
7 soon as he's done if you'd like to make a Substitute Motion you could or if you'd like to propose
8 an amendment to the Motion you can, but we're not really out of process yet. So what I'd like
9 to continue. So what I'm proposing to you is I can, we can ask for the second if you'd like on the
10 suggestion or if there's a way that you can rephrase the language so that maybe it works with
11 the timeline I'm giving you that chance.

12
13 Vice-Chair Waldfogel: Ok, I'm just looking for a language that... I'm looking for language that
14 endorses phase out as part of this process because I otherwise this would stand unique as the
15 only RPP in the City that does not have some intent of phase out. So perhaps you have some
16 thought on this so?

17
18 Mr. Mello: So the Downtown RPP pilot did also not have a phase out, but by the time the
19 Evergreen Park/Mayfield RPP comes up for a vote to make it permanent there may have been a
20 phase out established Downtown. So I think the timeline works, but we're talking a year from

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1 April 2017 when Council would be considering a phase out in the Evergreen Park/Mayfield RPP
2 program. After the pilot has elapsed when they make the program permanent that would be
3 the time. So I think you could recommend that at the time that Council makes the Evergreen
4 Park/Mayfield RPP permanent they implement a consistent phase out. I guess a phase out
5 that's consistent with what was done in the Downtown RPP.

6

7 UNFRIENDLY AMENDMENT #2 FAILED

8

9 Vice-Chair Waldfogel: Yeah, that's too far in the future for me to worry about honestly. Ok, it
10 doesn't sound like we have a lot of enthusiasm for phase out at this point or phase out
11 direction. That's unfortunate, but I just wanted that to be clear.

12

13 UNFRIENDLY AMENDMENT #3

14

15 Chair Alcheck: Ok, I'll suggest an amendment. It's difficult for me to ascertain whether the 250
16 is an accurate number or not. That's the one issue here I'm a little uncomfortable with. I want
17 to suggest based on the experience we've had Downtown so it sounds like in Downtown it's
18 been eight months, right?

19

20 Mr. Mello: It started in September of 2015.

-
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Chair Alcheck: Ok, so it's been over a year.

Mr. Mello: Yes.

Chair Alcheck: It took us over a year and when did we hit the cap?

Mr. Mello: The cap was only established as part of Phase 2. So there was no cap during Phase 1 and we hit the cap about a month and a half ago. So Phase 2 rolled out in April 1st of 2016.

Chair Alcheck: Ok, so if the here's my suggestion, the cap wasn't, was... if the cap if the equation to determine the cap that was used Downtown was used here that same methodology and it took a year to hit that cap or more to hit that number in Downtown. My question is or my suggestion would be that we create a period of time where any employee application for a permit would be granted without cap for let's say three months. So we would give employers three months to submit applications for employee permits. Now my understanding is those there are currently employee permits in the parking lots, right?

Mr. Mello: Yes. There's a separate permit that is available for purchase for the garages and lots.

-
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1

2 Chair Alcheck: And those are priced?

3

4 Mr. Mello: The Downtown garages and lots or the Cal Ave. (interrupted)

5

6 Chair Alcheck: No, the Cal Ave.

7

8 Mr. Mello: The Cal Ave. garages and lots an annual permit is \$149.

9

10 Chair Alcheck: So they're the same price?

11

12 Mr. Mello: Yes.

13

14 SECOND, VOTE

15

16 Chair Alcheck: So my suggestion would be that... Well, ok. So I have two suggestions. I do I

17 think there is and I'll get the second one later. There should be a some differentiated pricing to

18 encourage parking in the, it would be a problem if the parking in the garages went down and

19 the parking in the streets went up. But my point is that my concern is that there will be an

20 issue and it will take a year for us to address it with dental staff or any health care staff. That's

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1 my big concern. And I know that we think only 90 people will be there, but if the real number
2 of employees is 600 then 200 will be there or 220 and that is, that's my concern. And so I'm
3 inclined to my proposal is that for the first three months the program there is no cap and we
4 determine whether or not we even hit it. If we're so convinced, I'll make the case real quick, if
5 we're so convinced the number is right like it is Downtown then we should hit the cap. This
6 would basically be a failsafe.

7

8 So that's my proposal. I would need a second. Ok, we have a second. No he I'm assuming
9 they're unfriendly. It's an Unfriendly Amendment. So I need a second for this Unfriendly
10 Amendment. Ok, so I have one. I don't need to speak to it any more. Would you like to speak
11 to the... ok. Ok, so the way this works is that we're going to vote on this amendment right now
12 and see if their support for it. So if you don't want to speak to the suggestion then we'll do
13 that.

14

15 Ok, all in favor of this proposed amendment say aye. Two; and all opposed? Ok, so it fails.

16

17 Any other amendments on the table? Oh sorry, I'm sorry. The light situation is a little
18 problematic. Commissioner Tanaka.

19

20 UNFRIENDLY AMENDMENT #3 FAILED (2-3, Commissioner Fine absent)

-
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2 Commissioner Tanaka: Ok, so largely I think this program is headed in the right direction. So I
3 do support it, but as someone that's going to be gone to Council next year I and it's something
4 I've told everyone here many times I actually think that we should empower the Planning and
5 Transportation Commission (PTC) more. I think that more decision making should happen here
6 so by the time it hits Council most of the loose ends are taken care of. And so my only
7 reluctance on this program is that there are some loose ends. Like we don't know the
8 financials, right? So that's something which it means on Council we would have to [beat] the
9 financials. We don't know what the business community really thinks because we didn't look at
10 the survey. They really didn't survey them. So that's also another loose end.

11

12 And so that's my only kind of caveat here is that I would actually like PTC especially going
13 forward to actually get a lot of these loose ends tied up so by the time it hits Council it's almost
14 like on a Consent Calendar. Now of course I'm just one of nine so there's probably going to be
15 a lot of other opinions, but that's what I would like to see. Is like more, the stuff more fully
16 fleshed out because Councils going to be looking at a lot of other issues as well and it would be
17 good if PTC could take on this role. So that's my desire.

18

19 Now with that said I do have a few thoughts here. So first thought is and it's a really first a
20 question to staff. So we have these surveys, do we know where the surveys came from? Like

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1 what street people are on, what block face? Or is it just anonymous?

2

3 Mr. Mello: We have addresses and we're currently geocoding all of those addresses by parcel.

4

5 Commissioner Tanaka: You don't have like a map that shows a percentage of yeses on block
6 faces.

7

8 Mr. Mello: We will, yes. We don't have that currently. It's taking time to geocode each survey.

9

10 Commissioner Tanaka: Ok, so here is something I would desire of staff going forward is I think
11 the PTC should have the information that Council has. So it shouldn't be like ok we have to
12 make decisions with less information than what Council get. Because if you want the PTC to
13 actually make better decisions they need to know what's going on too, right? So that's first my
14 desire is that we I would have liked to see the financials here and I would have liked to have
15 seen where the how the survey results are by block face by block face.

16

17 Because we don't have that we have to make some decisions kind of with missing data. I would
18 propose that Mayfield because it only has a 13 percent response rate which is about a third or 2
19 to 3x less then Evergreen Park or what we saw Downtown. And it also has a very low yes
20 response rate that that one becomes a block face by block face what was the term used?

-
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Mr. Mello: An eligibility area.

Commissioner Tanaka: Eligibility area, yeah. Eligibility area. And (interrupted)

Chair Alcheck: Hold on. I like where are you going. Can we make it a specific amendment and then parse out the... I think you're coming up with another suggestion.

Commissioner Tanaka: Ok let's do one at a time.

Chair Alcheck: Yeah.

UNFRIENDLY AMENDMENT #4

Commissioner Tanaka: Ok, so my amendment is that Mayfield is the eligibility area and it comes in block face by block face.

Chair Alcheck: Ok, does anybody need any clarification on what that means?

SECOND

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Commissioner Rosenblum: I'll second that.

Chair Alcheck: Ok, we have a second. Would anybody like to speak to it?

Commissioner Rosenblum: I think Commissioner Tanaka already expressed it, but it is a very low set of data they received back, very low response rate, low set of data. I think it should be eligible for the reasons stated which is that the problem will just get shifted into their neighborhood. It's important, but they don't have data to actually define the boundary properly. So I support having a block face by black face surveyed eligibility.

Chair Alcheck: Ok, I'm... staff I'll let you.

Mr. Mello: Yes, for the eligibility areas in the Downtown RPP we held those permits in reserve. I would assume you'd expect us to do the same for so we would hold 125 permits in reserve until specific streets in Mayfield opted in and then we would release those permits.

Chair Alcheck: Ok.

Commissioner Tanaka: Sorry, wait so what are you saying? So I guess what I'm saying is I'd like

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1 to see the College Terrace style opt in where people if over 50 percent people like buy in.

2

3 Mr. Mello: Yes and what I'm saying is (interrupted)

4

5 Commissioner Tanaka: I see some streets there that are red at night, red [unintelligible] during
6 the day and I bet you those are residents. And those reasons may not appreciate having to pay
7 for parking suddenly.

8

9 Mr. Mello: Yes so for eligibility areas in the Downtown RPP we assigned a permit number to
10 each street based on the supply and we held those permits in reserve until that particular street
11 opted into the program. So if we were to move forward with Mayfield as an eligibility area we
12 would only release 125 permits for Zone A. And then when Zone A, Zone B opted in we would
13 release 125 permits or we would release a prorated amount based on the street that opted in.

14

15 Commissioner Tanaka: So are you saying that block face by block face gets voted in or you
16 saying the whole thing all at once?

17

18 Chair Alcheck: Hold on. Hold on a second. This is your amendment.

19

20 Commissioner Tanaka: Yeah.

-
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Chair Alcheck: So you can decide (interrupted)

Commissioner Tanaka: What my amendment is (interrupted)

Chair Alcheck: But what we would need to provide staff is clarity.

Commissioner Tanaka: Yeah.

Chair Alcheck: Because right now they have 125 permits assigned to the blue area and 125 assigned to the khaki area. So if we're going to treat the khaki area as a block face then 125 permits aren't going to be issued and only 125 are going to issue the blue. And then if for example Grant Avenue decided to initiate then a third of the 125 would be available and then if Grant to (interrupted)

Commissioner Tanaka: Oh.

Chair Alcheck: Does that make sense?

Commissioner Tanaka: Yeah, that's fine.

-
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Chair Alcheck: Ok, that's what he's suggesting. Ok, alright so are you comfortable voting at this point? Ok great; all those in favor?

Commissioner Gardias: I just I need a clarification because I [unintelligible] if you don't mind just restating this in a simple way so we can follow? Thank you.

Commissioner Tanaka: So basically what I'm proposing because of the very low response rate we got from Mayfield that it's an eligibility area. And what that means is that each block face is voted in with a 50 percent majority, a 50 percent higher majority or higher majority in order to be in this program and that the employee permits get prorated in. The amount of employee permits get prorated in according to the block face.

Chair Alcheck: Would staff provide I think we have a question on the dais.

Vice-Chair Waldfoegel: Yeah, I'm sorry. How would that get initiated? So what would Grand Avenue need to do say to opt in? I mean directionally I'm kind of neutral on this, but I'd just like understand how hard it would be for Grand Avenue to be included if they need to be or wanted to be.

-
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1 Mr. Mello: So the way the eligibility area process works for the Downtown RPP is a street is
2 designated as an eligibility area by Council and then a street can for, you know, assemble and
3 submit a petition to the Director of Planning and Community Environment and then if the
4 petition meets the threshold of 50 percent then we send a mail survey out. And typically we
5 want a 70 percent response rate in order to admit street into the RPP. And then that can be
6 done administratively by the Director without having to go to Council. So it's a much shorter
7 process and the signs can be installed and enforcement can begin through an administrative
8 action.

9

10 Chair Alcheck: Ok. Are there any other questions about this?

11

12 Commissioner Gardias: Yeah because I just want to understand it, right? Because it just looks
13 more riskier than it sounds. That I think that I can imagine a scenario that pretty much all
14 blocks would opt out and then suddenly from the employer perspective there is no parking area
15 in the blue and khaki zone.

16

17 Chair Alcheck: What this is saying (interrupted)

18

19 Commissioner Gardias: That's right. Ok so, but so it would take a blue zone out of that
20 employer parking eligibility fully.

-
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Chair Alcheck: No, no. There will be 125 permits available immediately upon implementation of this RPP in the blue zone. In the khaki zone it will remain as it is today and primarily because we feel, because the proposed, because the people who already spoke to the Motion feel that there wasn't enough of a response rate. If you agree with them then that amendment will take place. If you don't then it won't. Essentially what will happen is Grant Avenue would have to participate in a process by which they would apply to be included in the RPP if they wanted to. Because the proposal of the amendment doesn't feel that there's enough information to suggest that they even wanted to in the first place he wants them to go through a secondary process to participate.

Commissioner Gardias: Are we talking about employer permits or just a full participation to RPP?

Chair Alcheck: We're talking about the restrictions that would only allow people to park there if they had a permit so essentially those streets would be unrestricted. Employees could park there, anybody could (interrupted)

Commissioner Gardias: So the entire program, right?

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1 Chair Alcheck: Entire program. Yeah, yeah. Ok, I'm going to put this to a vote. All those in
2 favor of the proposed amendment please say aye and raise your hand. Ok that's three. All
3 those opposed? Abstentions? Ok, we have three in favor, [two and zero] nays, and one and
4 two abstentions, excuse me. Can you proceed with...

5

6 UNFRIENDLY AMENDMENT #4 PASSED (3-0-2-1, Commissioner Fine absent)

7

8 Commissioner Tanaka: Thank you. So the second one is I think that and I'm trying to think of
9 this one as amendment or something totally different, but so maybe staff you tell me. But I
10 think the PTC should see or should discuss and make a recommendation on the Downtown
11 phase out. So I'm not quite sure where that fits in, but I think that's something that the PTC
12 should do before Council sees it.

13

14 Commissioner Gardias: If I don't know what's the procedure right now, but if that is the intent
15 which was originally intent by Commissioner Waldfogel [Note-Vice-Chair] I would second it if
16 that's a place for, room for seconding this amendment.

17

18 Chair Alcheck: So just so before (interrupted)

19

20 Ms. Silver: I'm sorry, did you say Downtown phase out or...?

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Commissioner Tanaka: Downtown phase out. Yeah, the Downtown (interrupted)

Ms. Silver: Ok.

Chair Alcheck: Hold on. Before we get clarification I think what the proposal is: is there, do we have, can our recommendation include delaying this on Council's calendar (interrupted)

Commissioner Tanaka: I'm not saying delaying it. I'm just saying that I think the Downtown phase out is something that the PTC should look at and (interrupted)

Chair Alcheck: Right. So that's calendared for February 6th or something. So you in theory would like this to come up after that date?

Commissioner Tanaka: No, I don't care. My main point is I think the PTC should look at look and make a recommendation on the phase out in Downtown before a Council sees it.

Chair Alcheck: Yeah that... Ok.

Ms. Silver: So that is, that's not really agendized for this meeting.

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2 Commissioner Tanaka: Ok, ok. So then we'll...

3

4 Chair Alcheck: We don't currently have a phase out on the program.

5

6 Commissioner Tanaka: Ok, that's fine. Ok.

7

8 Chair Alcheck: Ok.

9

10 UNFRIENDLY AMENDMENT #5

11

12 Commissioner Tanaka: So the next one here is I like the idea, I forgot who made the
13 recommendation, but I like the idea of the permits, employee permits being distributed among
14 employers, to them rather than to the employees directly. So I forgot who made the
15 recommendation? But yeah, Commissioner Gardias, a great idea; so I'd like to propose it as an
16 amendment.

17

18 SECOND

19

20 Commissioner Gardias: Second.

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Chair Alcheck: Can I just ask a point of clarification? What happens if an employer, if a small business owner who doesn't appreciate the process or is uninformed doesn't get a permit and their employee needs one... would, would it, are you suggesting that that employer, that employee has to just deal with their boss. I mean I'm just curious. Could an employee purchase a permit or?

Commissioner Tanaka: Actually I'd like to ask Commissioner Gardias. This was his idea. What would you recommend?

Commissioner Gardias: Well, I would just shift the burden to the employers. That's the premise and just offloaded from our duties. That's number one and that would their headache, not ours. And I think that the same question you may ask what happens if the employee is not informed, right, and doesn't apply for a parking permit. So I think that employers they have more understanding of their business. There would have to be some sort of appropriate proportional assignment of the parking slots to those employers that participate in the survey and are eligible for this parking program and they would apply and they would receive them.

Chair Alcheck: Ok. Any questions about this? Alright then lets (interrupted)

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1 Mr. Lait: Well I'm sorry, we're... we didn't hear the Motion or the amendment.

2

3 Chair Alcheck: The current amendment is that this program, correct me if I'm wrong, but I
4 believe the current amendment is that this that the purchasing of the employee the permits for
5 employees be made available only to employers as opposed to employees. That is that current,
6 would staff like to comment on this?

7

8 Mr. Mello: Yeah I have a couple comments on this. First during the development of the
9 Downtown RPP there was a concern that some of the larger businesses would purchase
10 employee permits wholesale and that the benefits of the permits would not be seen by some of
11 the service workers at restaurants and smaller businesses. So I think that's where in the
12 Downtown RPP that's why there are some restrictions around who can purchase employee
13 permits. Also the majority of the employee permits are stickers, decals that are affixed to a
14 vehicle for the entire annual, the entire year that the permit is valid. If employers were to
15 purchase these they would only be able to distribute them to one employee and then they
16 would have to cancel it when that employee left.

17

18 An alternative is the hang tags and during our business focus group meeting we actually had
19 quite a few business owners request the ability to purchase hang tags that they could give to
20 employees because some of their employees only work there for three months, six months, and

-
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1 an annual permit doesn't make sense. So if they had a permit that they could give to their
2 employee when they arrive for work and then take back, but however Downtown there was a
3 lot of resistance to that because there were concerns about fraud between employees trading
4 them, employees trading permits or selling permits. There was also concerned that again that
5 the large businesses would dominate the employee permits and purchase the bulk of them and
6 also abuse the hang tags. So there is some tradeoffs.

7

8 Administering that would also be difficult because currently as written there is a preference for
9 garage waitlist. People on the garage wait list as well as low income employees and our intent
10 was to have a an early release of permits for low income employees and then follow that with a
11 release period for garage and lot wait list holders and then open up the permits to all
12 applicants. So if employers were only, the only ones eligible to purchase the employee permits
13 some of those elements would need to change.

14

15 Chair Alcheck: Ok, so I'm just going to push it to you real quick, do you want to revise your?

16

17 Commissioner Tanaka: Yeah actually I do. So this thing is more complicated than I thought. So I
18 think there's a couple things. So on one hand the problem with giving the permits to
19 employees especially employees that work in retail or some area where there is a lot of
20 turnover is you have these permits locked up by people who probably don't work there

-
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1 anymore after three months or six months. So you have this turn problem. On the other hand
2 you have all this administrative stuff which I don't know about so that's actually a good point.
3 Do you have an idea of how to make this work so that it's employer driven? Because employers
4 [unintelligible] the three to six months turn that you get with retail employees, but what's a
5 way where we can handle this because I've heard this concern not just from Commissioner
6 Gardias, but I heard from other businesses of having this issue where the permits get eaten up
7 by transient employees who only work for three months.

8

9 Mr. Mello: Yeah.

10

11 Commissioner Tanaka: And so that is actually a real problem. So how do we handle that? So I
12 think I have a couple of ideas. One is to have a shorter permit period so maybe have a three
13 month permit or a six month permit and then they would be released quicker back into
14 circulation. Another is to allow employers to purchase a certain number of hang tags. So let's
15 assume the average small business has five employees. Maybe we allow a business to purchase
16 up to five transferable employee tags and they could be given to on Monday Employee X works,
17 on Tuesday Employee Y works. They could use, share a permit and then when that employee
18 leaves the employer would be able to take that permanent back and give it to a new employee.

19

20 Commissioner Tanaka: Ok. I actually like both those ideas, but I maybe before we make a full

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1 Motion maybe it's worth a discussion.

2

3 Chair Alcheck: Yeah. So let me ask a quick clarifying question. Is it safe for us to assume that
4 you are going to implement the all of the current processes for the Downtown RPP in this
5 program? So for example is there going to be a low income like the for example you specifically
6 said that low income permits were released a little earlier than permits to employers. Is that
7 same process going to be followed?

8

9 Mr. Mello: So Downtown has no priority. All the permits are released first come first serve.
10 There are low income permits available, but those are the same permits.

11

12 Chair Alcheck: So what were you saying? I just what I'm trying to do is I'm trying to figure out if
13 (interrupted)

14

15 Mr. Mello: The resolution that's before you this evening for the Evergreen Park/Mayfield RPP
16 includes a preference for low income employees as well as people that are already on the
17 garage and lot wait list.

18

19 Chair Alcheck: Got it.

20

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1 Mr. Mello: And the way we were going to do that was to have specific release periods for each
2 of those constituencies.

3
4 Chair Alcheck: So I sort of see there's two options here. You can make an amendment that
5 suggests... that the... it's any amendment. You can make any amendment, but you seem I'm
6 hearing from you that you're interested in potentially different time periods. That's one thing
7 and also not exactly sure where we are with the proposal about who gets to buy them. So what
8 I would really like to do is have you restate an amendment and then if there is something you'd
9 like staff to prepare for Council or to provide more information we can do that. I don't know if
10 we want to open the discussion up at this time or how they implement the time period. I think
11 if there is support for that we can just move forward with that.

12
13 Commissioner Tanaka: Ok, well it's actually not originally my idea. It's actually Commissioner
14 Gardias. So I'd like to get Commissioner Gardias' (interrupted)

15
16 Chair Alcheck: How about this, how about you withdraw your amendment and if he wants to
17 make it he can make it.

18
19 UNFRIENDLY AMENDMENT #5 WITHDRAWN

20

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1 Commissioner Tanaka: Ok, sure.

2

3 Chair Alcheck: Ok, so is there anybody that would like to make an amendment?

4

5 Commissioner Gardias: No. I just I think that it's not about the amendment it's just about the
6 future. I think that my understanding is that we're going to I mean first of all I appreciate a
7 Council Member just proposing this Motion [note-Unfriendly Amendment], but I think that
8 we're going to come back to this discussion in the future. There's a number of the observations
9 and good ideas that we can have and from my perspective I'm not really hard on this just to
10 introduce it now because it's a little bit outside of the topic for this discussion, but I would
11 appreciate if review of the RPP would be put on our agenda in February or in March where we
12 would just review all this ideas comprehensively.

13

14 Chair Alcheck: Ok let's make a clarification here. Is the RPP is do we need to include language
15 here that the RPP, we recommend that the RPP come back to us at its one year anniversary.
16 Because I'm asking this because I know that the phase out is going to City Council. We've talked
17 about that for the Downtown and it's not coming to us currently. So if that's something we
18 wanted would we need to recommend that? Right?

19

20 Mr. Mello: Yeah, we would pass it along the Council.

-
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Chair Alcheck: Ok. So would you like to recommend, would you like to propose that our recommendation include a recommendation that we get to review it in one year as well?

UNFRIENDLY AMENDMENT #6

Commissioner Gardias: I think it's understood per se, isn't it? No? Then just I would just add it as an amendment that (interrupted)

Chair Alcheck: Ok. Can get a second?

Commissioner Gardias: One year after implementation.

SECOND, VOTE

Chair Alcheck: Second? Ok. I don't think we need to, do you want to speak to it? Good. Alright so all those in favor of recommend, amending the current Motion to include a recommendation that we review this in one on the anniversary date of its implementation please say aye and raise your hand. That's unanimous.

-
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1 UNFRIENDLY AMENDMENT #6 PASSED (5-0-1, Commissioner Fine absent)

2

3 UNFRIENDLY AMENDMENT #7

4

5 Chair Alcheck: Ok, are there any other amendments? I'll propose one. I propose that staff
6 present to City Council a what I'm going to call it the rainbow zone, a rainbow of zones.
7 Subzone, sorry. I would like to propose that we amend the ordinance so that the employee
8 parking Zone A be broken up into subzones and the permits be distributed so that we have a
9 better distribution of permits. So would anybody like to second that?

10

11 Vice-Chair Waldfogel: I would like to have a way to respond if it's a problem, but I don't know
12 that I want to dictate it that it has to happen now.

13

14 UNFRIENDLY AMENDMENT #7 FAILED

15

16 Chair Alcheck: I see no seconds. How about this? Well, let me ask staff if it's a problem is there
17 a process?

18

19 Mr. Mello: We could come back with a resolution at any point in time that would supersede the
20 resolution that create created the RPP.

-
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Chair Alcheck: How would that... there doesn't seem to be support for this idea. So I'm going to leave it and if somebody else wants to make a suggestion they can.

Vice-Chair Waldfogel: Well so what would that look like? I mean how would we determine if let's say it turns out all it's all cuts all the parking is concentrated on College Ave. how long would it take for us to turn around some kind of subzone proposal?

Mr. Mello: So the permits would be sold by zone. So somebody would have an A on their permit. We would have to make that change when the permit expired. We couldn't change midstream because somebody is expecting to be able to park in Zone A for a year or six months or whatever the period is. So it would probably have to happen after the year when the permits expire.

Chair Alcheck: Ok. I want to do this, why don't you, I've already pulled it. You want to put it back in?

UNFRIENDLY AMENDMENT #8

Vice-Chair Waldfogel: Yeah so I'll put it back in recommending the creation of subzones.

-
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1

2 SECOND

3

4 Chair Alcheck: I'll second that. I don't need to speak to it.

5

6 Vice-Chair Waldfogel: Nah, we've said enough.

7

8 VOTE

9

10 Chair Alcheck: Ok. All those in favor of Council reviewing a subzone map please say aye and
11 raise your hand; we have three ayes. All those opposed? Two. Ok. Typically when a Motion
12 passes and there's opposition would like to speak to your opposition? Go ahead.

13

14 UNFRIENDLY AMENDMENT #8 PASSED (3-2-0-1, Commissioner Fine absent)

15

16 Commissioner Rosenblum: When you create subs zones you hurt liquidity of the whole system.
17 I think it becomes incredibly complex and so I think you're creating a system that will be
18 complex, illiquid, difficult for residents and service workers and everyone. I just think it'll be
19 difficult to administer. So again, I live in Downtown North. I'm part of this district. I've seen it
20 in operation now for over a year. I just can't imagine having Downtown North A, B, C, D

-
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1 through F and we all have to park in our individual little zone. So.

2

3 Chair Alcheck: Ok. I think Council will appreciate that information. Do you have, want to speak
4 to your opposition?

5

6 Commissioner Gardias: I had exactly the same thoughts and the system some sort of liquidity
7 and with creating subzone it just becomes rigid and it's hard to administer. Thank you.

8

9 Chair Alcheck: Ok. Ok, are there any other amendments to the Motion, to the proposed
10 Motion? Going once? Ok, I see... oh, I see one. Go ahead.

11

12 UNFRIENDLY AMENDMENT #9

13

14 Commissioner Gardias: So I'd like to propose a Motion to phase out the commercial parking for
15 within the five years starting with the time of the implement **[unintelligible]** implementation.

16

17 Chair Alcheck: Ok just for clarification can I treat it as an amendment?

18

19 Commissioner Gardias: Well, I'm not sure what the rules are. I mean you can either treat it as
20 an amendment if you or if not it would become such tentative Motion.

-
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Chair Alcheck: Ok, I'm going to treat it as an Unfriendly Amendment to amend the current Motion.

Commissioner Gardias: Five years of the commercial parking phase out starting with the time of implementation, of the pilot implementation.

Chair Alcheck: Can I get a second?

SECOND

Vice-Chair Waldfogel: I'll second.

Chair Alcheck: Would you like to speak to your second?

Vice-Chair Waldfogel: I support this. I would like to find a way to accommodate some of the special cases like the health care in this situation, but I think that it's important for the neighborhood that we declare that the neighborhoods are not business district parking districts.

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1 Chair Alcheck: Does anybody need any clarity on what's being proposed?

2

3 Commissioner Tanaka: Didn't we already just talk about this? I don't understand like...

4

5 VOTE

6

7 Chair Alcheck: It's an amendment on the floor. I'm going to put it to a vote. All those in favor
8 of amending the current Motion to include a five year phase out beginning on the day of
9 implementation of the employee parking permits please say aye and raise your hand. That's
10 two. All those opposed? Ok, that's three. So that fails. I'm seeing no other amendments on
11 the table. So I'd like to put the current Motion as amended...

12

13 UNFRIENDLY AMENDMENT #9 FAILED (2-3-0-1, Commissioner Fine absent)

14

15 Mr. Lait: And just so we're, there's perfect clarity (interrupted)

16

17 Chair Alcheck: I would like you to clarify.

18

19 Mr. Lait: Thank you. I'll summarize a little bit, but it's a Motion to move the staff report, the
20 resolution contained in the staff report changing in Section 4b1 the word "purchase" to

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1 “receive” with the following amendments: that the Mayfield neighborhood be able to identify it
2 as an eligibility area and allow each block face to opt in with a petition to the Director, and
3 employee permits being issued on a prorated basis, and the only other amendment is that the
4 employee parking Zone A be divided into subzones.

5

6 Chair Alcheck: No. No, no subzones failed. No! Subzones passed. Commissioner Tanaka,
7 myself, and Waldfogel supported it. Quick point of clarification on the block face amendment
8 how soon could a block face participate in that process? Could they do it before
9 implementation begins?

10

11 Mr. Mello: If we created an eligibility area how soon could they petition to join the RPP?

12

13 Chair Alcheck: Yes.

14

15 Mr. Mello: They would have to wait till after the resolution was adopted by Council and took
16 effect. Are resolutions 30 days from adoption or immediate? So immediately after the
17 resolution was adopted by Council they could petition the Director of Planning and Community
18 Environment to join the RPP.

19

20 Chair Alcheck: Ok. That's all I just wanted to clarify that any case members of the community

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1 wanted to understand that process.

2

3 Mr. Lait: There were there was one other amendment and that was for the PTC to request the
4 City Council that the PTC have a review in the in one year.

5

6 Chair Alcheck: The participate in the review of the pilot?

7

8 Mr. Lait: Yes

9

10 VOTE

11

12 Chair Alcheck: Ok, I'd like to put this Motion as amended to a vote. All those in favor of this
13 recommendation please say yes and raise your hand. Ok, great. It's unanimous. I'm going to
14 stop asking for yes. I'd like to make just a quick recommendation when you take this to Council
15 with respect to these amendments for example, the block face amendment, I think it would be
16 very helpful if for the community to understand how that process would work as Council's
17 reviewing it. And if there are other sort of idiosyncrasies about what we recommended just
18 walking the community through those in that staff report. Alright, I'd like to take a two minute
19 break. No, five minute break and then we'll start on Item Number 4.

20

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1 MOTION PASSED (5-0-0-1, Commissioner Fine absent)

2

3 **Commission Action:** Recommend to Council adoption of the staff proposed Resolution
4 as written with the amended language to modify Section 4 B 1 replace "purchase" with
5 "receive". Motion made by Commissioner Rosenblum, seconded by Chair Alcheck. The
6 motion was **APPROVED** 5-0.

7

8 **Amended Motion:**

- 9
- 10 A. Recommend to the City Council that the employee parking be phased out in 5
11 years, motion made by Vice-chair Waldfogel; motion **FAILED** due to lack of
12 second.
- 13 B. Recommend to the City Council that the employee parking be phased out in a
14 manner consistent with the Downtown parking program. Motion made by Vice-
15 chair Waldfogel; motion **FAILED** due to lack of second.
- 16 C. Recommend amending the Resolution that for the first 3 months of the program
17 there be no cap. Motion made by Chair Alcheck, seconded by Commissioner
18 Tanaka; motion **FAILED** 2-3 Commissioner Rosenblum, Gardias and Waldfogel
19 against.
- 20 D. Amend the Resolution to allow Mayfield as an eligibility area and allow each
21 block face to opt in with a petition to the Director of PCE - Employee permits
22 would be issued on a prorated basis [Petition requires 50% of the owners
23 supporting inclusion, followed by a city-initiated survey and 70% or better
24 response rate to allow incorporation]. Motion made by Commissioner Tanaka,
25 seconded by Commissioner Rosenblum, motion **APPROVED** 3-0-2 (Vice-chair
26 Waldfogel and Commissioner Gardias abstained.
- 27 E. Amend the Resolution allow the employer purchase permits instead of the
28 employee. Motion made by Commissioner Tanaka, seconded by Commissioner
29 Gardias, **MOTION WITHDRAWN.**
- 30 F. Recommend to the City Council that the Planning and Transportation
31 Commission review the RPP in one year. Motion made by Commissioner Gardias,
32 seconded by Commissioner Rosenblum, motion **APPROVED** 5-0.
- 33 G. Amend the Resolution to divide Employee Parking Zone A into subzones Motion
34 made by Chair Alcheck, motion **FAILED** due to a lack of a second.
- 35 H. Amend the Resolution to divide Employee Parking Zone A into subzones. Motion
36 made by Vice-chair Waldfogel, seconded by Chair Alcheck, motion is **APPROVED**
3-2 Commissioner Gardias and Rosenblum AGAINST)

-
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- 1 I. Recommend to the City Council that the employee parking be phased out in 5
2 years starting with the time of Pilot Program implementation. Motion made by
3 Commissioner Garidas, seconded by Vice-chair Waldfogel motion **FAILS** 3-2
4 Commissioners Tanaka, Rosenblum and Chair Alcheck AGAINST.
5

6 **The Commission took a break.**
7

- 8 4. Ordinance of the Council of the City of Palo Alto Amending Palo Alto Municipal Code
9 (PAMC) Title 18 (Zoning), Chapters 18.04 (Definitions), 18.30(F) ((Automobile
10 Dealership (AD) Combining District Regulations)), 18.52 (Parking and Loading
11 Requirements), and 18.54 (Parking Facility Design Standards) Adding Sections
12 18.40.160 (Replacement Project Required), 18.40.170 (Deferral of Director's Action),
13 and 18.42.140 (Housing Inventory Sites Small Lot Consolidation) and Repealing
14 Chapter 10.70 (Trip Reduction and Travel Demand). The Proposed Ordinance is
15 Exempt from the California Environmental Quality Act (CEQA) per Sections
16 15061(b)(3).
17

18 **[Note-out of order, took Number 5 first (below)]**

19
20 Chair Alcheck: It is 10:00. What I would like to do is see how much we can get through of this
21 item, Item Number 4. I'm wondering if are we comfortable setting a time limit of 10:30? Ok.
22

23 Vice-Chair Waldfogel: Well what do we have to get done on this today? Is there anything we
24 have to get done today?
25

26 Chair Alcheck: I'm going to suggest that we just get let staff make their presentation and then
27 we can begin and we'll see how we're doing and if there's a concern we can sort of bifurcate.
28 Staff if you would?

-
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Jonathan Lait, Assistant Director: So due to the time and the Commission's interest we're going to be have a we're going to breeze through this presentation because we'd rather hear your comments. Ok.

Woman staffer: Ok. Good evening, Commissioners. So basically tonight I'm going to review the proposals that were the proposed amendments that were brought forward to you last month on the November 9th study session. We've got some objectives that we talked about before addressing state law, Housing Element implementation, updating the code for text changes and such, and so forth. And these changes are related to our Affordable Housing Code, our entitlement review process, our off-street loading requirements, and our Transportation Demand Management (TDM) plan. And we're adding a new topic tonight and that is related to the floor area calculations for auto dealerships located in the AD, Auto Dealership overly.

So I'm just going to jump right into it. So all of these amendments we had brought forward last month to discuss it and basically I've made the notation for all of these if something's changed we haven't changed anything unless noted on these slides. So we have proposed definition updates for some housing related definitions and we're going to be correcting some loading space or updating some loading space items. The first one is to correct the error in the loading space requirement table. The second is to clarify the mixed use requirements for projects. And

-
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1 the last loading one is to allow Director's adjustments for loading spaces. And the next ones we
2 have to allow the deferral of the Directors' decision to Council for action, establish standards
3 for when a TDM plan is required for a project, and the next one is to update the Housing
4 Density Bonus regulations. So this one is going to be deferred to next year; staff didn't have
5 enough time to prepare the appropriate ordinance language. So that will come to you soon
6 early next year.

7

8 The next one is the to allow to require discretionary approvals to be completed before the
9 demolition permit is approved and no changes there. And the next one is to allow the use of
10 mechanical lifts in projects. So this one and the following one we did have extensive
11 conversation at the last meeting and staff has basically incorporated your comments and
12 feedback into the draft ordinance that's attached to the staff report. So allowing the kind of
13 lifts and the next one is to provide incentives to encourage consolidation of small housing
14 inventory sites.

15

16 And the very last one that we also discussed was to allow hotel conversions to affordable
17 housing units. So we're not planning to pursue this at this time. It was clear that there was
18 definitely more analysis needed. So that's going to be postponed to a future time.

19

20 Alright so the very last one here is the newly added item. So we have some changes being

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1 proposed for floor area for auto dealership uses in the AD overlay. So the first one is to exempt
2 a floor area used for customer vehicle queuing for service drop off and the second one is to
3 exempt floor area used for parking requirements related to service areas.

4
5 So that was a quick wrap up that's all of them. So basically upon your recommendations were
6 we've got this tentatively scheduled for Council review on February 13th. Thank you.

7
8 Chair Alcheck: Ok thank you, staff. We did review this very recently and if you reviewed the
9 minutes and you looked at the current staff report then you know that a majority of our
10 comments are included. I think that the actually the best I'm going to ask if anybody wants to
11 speak on anything that they believe is controversial, but if someone is inclined I will absolutely
12 accept a Motion to make this recommendation and give people an opportunity to make
13 adjustments in the same process that we've used now for two meetings which is by
14 amendment, by unfriendly amendment. So I see one light, Commissioner Tanaka is that you? I
15 see a... you... I see another light so do you want me to call on that person? Ok, alright. So
16 Commissioner Rosenblum I see a light. Go ahead.

17
18 Commissioner Rosenblum: Yeah, I this item I know that we reviewed for also something like
19 three hours the previous time and I was gratified to see all of our comments included and also
20 just the changes included. I'd be prepared whenever we want to make the Motion and go by

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1 our previous process where if anyone wants to add an amendment, but I found it consistent
2 with our discussion. Everything was reflected. I think that we had a pretty deep discussion on
3 each of these items previously. So whenever it's time to make a Motion I'm happy to make it.

4

5 Chair Alcheck: I will accept Motions now.

6

7 Commissioner Rosenblum: Ok, I'd like...

8

9 Chair Alcheck: I have no other lights, so...

10

11 MOTION

12

13 Commissioner Rosenblum: Ok then I'll make a Motion to accept staff recommendation as
14 written.

15

16 SECOND

17

18 Chair Alcheck: Do I have a second? I have a second. Would you like to speak as a second to
19 your Motion? Ok. Commissioner Tanaka. At this time if anybody would like to amend to
20 suggest an amendment this would be the time. Commissioner Tanaka.

-
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UNFRIENDLY AMENDMENT #1

Commissioner Tanaka: So page, Packet Page 87. So I see that E. says mechanical car lifts shall not be used for required guest parking residential developments and I don't see a good reason why not so I think we should strike that. Page, Packet Page 87 E. basically I think we should allow... Yeah. I can't see why, why would we not want it to use in residential unless staff has a good reason, but I don't I can't see why not.

Chair Alcheck: Ok, so the proposed amendment is to strike Item E. Do I have any seconds?

Commissioner Gardias: I'm sorry, which one? A?

Chair Alcheck: So this is Page 87. The proposal is to lift the restriction that mechanical car lifts shall not be used for any required guest parking in a residential development or for accessible parking spaces or loading spaces. Or is it actually just to remove it for guest parking? Let me clarify. Are you suggesting that parking lifts could be used for accessible parking and how (interrupted)

Commissioner Tanaka: Yeah, no. I was really talking about the guest parking (interrupted)

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Chair Alcheck: Ok, so it's, sorry.

Commissioner Tanaka: Sorry.

RESTATED UNFRIENDLY AMENDMENT #1

Chair Alcheck: Proposed amendment is to modify E. and remove the words “required guest parking in residential development.” So that would mean that mechanical **boat [Note-car]** lifts could be used for required guest parking in a residential development. Like an apartment complex that had to have a certain number of guest spots those could be operated with mechanical lift.

Commissioner Gardias: Yeah, I agree with this.

Chair Alcheck: You second it?

SECOND

Commissioner Gardias: I second it.

-
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Chair Alcheck: Ok, great. Would you like to speak your second?

Commissioner Gardias: Yeah I just I don't see justification for not applying the car, the mechanical car, the car lifts for this purpose.

Chair Alcheck: Ok.

Commissioner Tanaka: Oh, should I speak or no?

Chair Alcheck: Would you like to speak to it?

Commissioner Tanaka: Sure, real quick. So I mean land value is real expensive in Palo Alto. We should maximize the use of our land. Having mechanical car lifts does that so I can't see why we should not allow that.

Chair Alcheck: Do you mind if I ask of staff a point of clarification? When we're talking about just so I'm clear I used the example of an apartment complex and guests which I assume are overnight guests or maybe even evening guests. Is there another subset of residential guest parking different than what I'm thinking of in this scenario?

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Woman staffer: No. So for residential projects there is a requirement that there's a certain number of guest parking spaces. So it could be used for just a short term visit, something overnight, but there are no other types of guest parking.

Chair Alcheck: Would like a prospective tenant, someone who wants to apply to live at a residential apartment complex be considered a guest?

Woman staffer: Yeah, I would assume so because guests' spaces are the ones that are not dedicated to the units.

Chair Alcheck: Got it. Ok. Thanks for that point of clarification. Does anybody else have a question or clarification on this item? Ok, so let's put it to a vote. All those in favor of removing the language that I've identified in Section E. please raise your hand. All those opposed? Would the opposition like to speak to their opposition? That's three for and two opposed. Please do.

UNFRIENDLY AMENDMENT #1 PASSED (3-2-0-1, Commissioner Fine absent)

Commissioner Rosenblum: The reason the language was inserted I believe was that there's

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1 skepticism that if you have mechanical lift people will actually use it. So if you're short term
2 guest and so that will lead to more on street parking. So part of the parking requirements for
3 residential is to assuage neighbors for example that you're not going to create parking
4 problems in the neighborhood. So counting their parking requirements for short term being
5 mechanical left I think will be met with skepticism by neighbors and I think rightfully so.

6

7 Chair Alcheck: Thank you. Would you like to speak your?

8

9 Vice-Chair Waldfogel: I concur with Mr. Rosenblum's comments.

10

11 Chair Alcheck: Ok, thank you. I think Council will appreciate that information. Are there any
12 other amendments? Ok.

13

14 Commissioner Gardias: If you don't mind I just I'm trying to find I was on the phone back then
15 and so I'm trying to find out I proposed insertion of removal of the small lots that are subject of
16 the consolidation. I proposed removal of those small lots from the parking requirements and I
17 was going through the 18.42.140 on Page 81 trying to find where this found its place.

18

19 Woman staffer: So I can respond to that. We did not eliminate the parking requirements for
20 the small lots.

-
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Commissioner Gardias: Ok.

Woman Staffer: Because that [unintelligible] recommendations.

Commissioner Gardias: So it means that not all of the comments were inserted so then I have a following questions, which items were not inserted or were changed from [unintelligible] conversation? So I would like to get the list of those. That's Number 1 because it just puts into doubt the this whole Motion.

Chair Alcheck: Ok, hold on. Hold on. I need to clarify something here. We went through this process last time and it was the onus was on staff to determine based on our process whether there was support for certain changes. And that is a tough process to determine whether or not there's enough support for a proposed change. The flipside of that is the onus is upon us during our review of this project, this item to determine whether or not our proposed changes were incorporated and if they weren't to re-suggest them as amendments now and have an opportunity to make a case to your fellow Commissioners. I don't think that there it would be possible for staff to prepare a list of which of your comments last time were incorporated or not. Do you have that list?

-
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1 **Woman staffer:** So for the specific item it's actually I did call it out in the staff report. It's on
2 Page 9 of the or Page 9 of the staff or Page 72 of the packet on the top and then it includes our
3 staff response. So basically our staff response was that we felt that eliminating parking
4 requirements altogether for these types of projects could have a significant parking impact so
5 that's something that we didn't pursue at this time. So definitely if it's a recommendation
6 (interrupted)

7

8 Commissioner Gardias: Right. So on which page it is?

9

10 **Woman staffer:** It is on Page 72 of the packet and the bullet points up at the top it's the third
11 bullet down and it says, "Eliminate parking requirements altogether from projects."

12

13 Chair Alcheck: What I really want to highlight real quick is this process that I've set us in for the
14 last few meetings is really designed for us to be very specific about our changes, make cases for
15 them, to really have an opportunity to address everybody's specific concerns. The onus though
16 is upon each of us to do the homework to know what has changed in a particular ordinance and
17 how staff has dealt with it and if they feel like the staff response still doesn't address your
18 concern to make your concern to your fellow Commissioners in the in this amendment process
19 so that we can deal specifically with an issue and determine whether or not there's consensus.
20 If there isn't consensus regardless of how anybody feels then that amendment is not going to

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1 happen. So what I suggest we do is if you feel strongly about this why don't you make
2 (interrupted)

3

4 UNFRIENDLY AMENDMENT #2

5

6 Commissioner Gardias: Yeah, so I'm going to just it's just responding to this, right? I mean just
7 took me by surprise because I heard different story as a neutral direction, right? I understood
8 that all of them were incorporated and now I understand that not all of them, right? So this
9 was one of them.

10

11 So let me just make a case why I proposed this because there is number of the small property
12 owners that would have ability or that to develop and care about their properties. If we
13 propose a policy that pretty much drives this specific the specific consolidation of the small lots
14 we pretty much select the winners and we select the losers. And the losers may be those that
15 because of some reason will not be will not have comparable power, economic power, to
16 develop their property as the guys that have ability to buy them out and then develop the
17 property. And then I think that from perspective of our City that has number of the small
18 business owners and the property owners it's not the right move. So for this reason I think that
19 we should support those small property owners as we would support others equally. For this
20 reason I propose that we should remove the burden on the parking requirements to set the

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1 field straight. So I would like to propose Amendment to Paragraph 18.42.140 to remove
2 parking requirements on the for the small properties subject of the consolidation.

3

4 Chair Alcheck: Ok before I ask for a second does anybody want to ask any clarifying questions or
5 need clarification on this? Commissioner Tanaka.

6

7 Commissioner Tanaka: So wait, so which there's A through I. Which one did you want to
8 change?

9

10 Commissioner Gardias: This is 18, this is Page 81.

11

12 Commissioner Tanaka: Oh, I know. I'm on there. Wait, wait...

13

14 Commissioner Gardias: On Page 81 there is a Paragraph 18.42.140 Housing Inventory Sites
15 small lot consolidation. It is pretty much expression of the policy that we define in the Housing
16 Element in 2014 and that policy was to drive number of the affordable units by allowing parties
17 to consolidate small lots into larger lots (interrupted)

18

19 Commissioner Tanaka: No, I get that, but did you want to change on... like so I see sub-bullets A
20 through I. Which bullet (interrupted)

-
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Commissioner Gardias: I would like to add the sub-bullet to this whole section that would allow owners of the small lots subject of the consolidation to be exempt from the parking requirements.

Mr. Lait: So I think that's specified if I may Chair. That's specified on Packet Page 82, letter J. where we stay no parking is required for residential units less than 500 square feet regardless of bedroom count. If I'm understanding the Commissioner's comment there's no parking requirement for any units produced.

Commissioner Gardias: That's correct.

Mr. Lait: So it's an amendment to the Letter J. on Packet Page 82.

Chair Alcheck: So if you turn to Page 82, Number J., Letter J. on Page 82 you would amend no parking is required for residential units less than 500 square feet regardless of bedroom count you would amend that to no parking is required for residential units.

Commissioner Gardias: Right, but there would be (interrupted)

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1 Chair Alcheck: Am I understanding that right? Is that what your question was? Ok.

2

3 Commissioner Gardias: There would be distinction, right? Because I believe that if they are
4 they would be under this Paragraph 18.42.10 that they would have to contribute to the
5 affordable units.

6

7 Mr. Lait: Well so these are for 100 percent affordable this is for the production of 100 percent
8 affordable rental. So you're not paying into a fee also for that.

9

10 Commissioner Gardias: Right. So if you if we exempt them under this section then if they
11 contribute to the affordable rental or ownership units then they would be exempt fully from
12 the parking restrict... the parking requirements?

13

14 Mr. Lait: So just so I'm clear, this provision would only apply for these I don't know, 20 some
15 odd properties where they were to join with another and build 100 percent affordable housing
16 units.

17

18 Commissioner Gardias: That's correct.

19

20 Mr. Lait: Ok. And so what I'm hearing you're saying is that if somebody were to do that you

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1 don't want to have a parking requirement for the residential units that are produced.

2

3 Commissioner Gardias: On their own before without consolidation.

4

5 Mr. Lait: Oh, without consolidation.

6

7 Commissioner Gardias: Without consolidation. I understand that this is applicable for the
8 consolidation so if the room is somewhere else that you know (interrupted)

9

10 Chair Alcheck: Maybe this (interrupted)

11

12 Commissioner Gardias: [unintelligible] relevant for this.

13

14 Chair Alcheck: Maybe I'm hoping staff can help us figure this out. Maybe you can identify the
15 concern. What are you trying to prevent?

16

17 Mr. Lait: It's the existing Housing Inventory Sites so it has nothing to do really with this because
18 this is seeking to consolidate.

19

20 Chair Alcheck: This is pre-consolidation I think is what (interrupted)

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Mr. Lait: But you're saying for the existing parcels as they exist today you want to create incentives (interrupted)

Commissioner Gardias: Exactly.

Mr. Lait: For those owners to build housing. Affordable housing?

Commissioner Gardias: Yes, exactly.

Mr. Lait: And not have parking be a part of the (interrupted)

Commissioner Gardias: Subject to the same condition as those that would be subject of the consolidation conditions give them credit for parking.

Mr. Lait: So if you can give, so let can we just talk about that while you move onto the next, if there is another?

Chair Alcheck: So just so I'm clear is staff understanding this as an entirely new section or do they perceive this as an amendment to an existing section?

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Mr. Lait: Yes, we do believe that it's a new section. What we're trying to do and what the objective here is is to implement the Housing Element which is seeking to encourage lot consolidation so that you get more efficiency, probably more units, and so what I'm hearing is to create an incentive to not keep them, to not consolidate them by means of having parking be not provided, not required for the development.

Chair Alcheck: Ok. What I would like to do if are you open to suggesting that as a second Motion after we deal with this Motion?

Commissioner Gardias: Well I mean it could be considered in a number of ways. I mean I understand that because of the policy that we have and we have to implement it under Housing Element we are pursuing the lot consolidation, but we can either create a separate section or we can just pretty much change the title of this section and then or just pretty much create exemption under the same section. It would meet the requirements.

Chair Alcheck: Ok. I'm trying to figure out how we can proceed with this so there's sort of two questions. Number 1 is we don't really have precise language to review on this item and so without that I think what I would like to do is suggest that you propose and see if there's a consensus for asking staff to create that language and bringing it to us to review.

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Cara Silver, Senior Assistant City Attorney: And I think what staff is struggling with here is that it appears to us that your recommendation is to give some zoning incentives to a few properties in town and that has not been agendized.

Commissioner Gardias: I totally understand, but I also have a concern that just by meeting this without creating a level playing the level fields that we incentivize some over the others. And I totally understand that this hasn't been agendized so for this reason I was proposing this as a either exemption or change of the title of the section so we can still meet this proposal from my perspective. I might be the only one. My colleagues may might disagree with this, right? But from my perspective if this passes without the other it just pretty much it shifts the balance of power toward certain property owners.

Chair Alcheck: Ok so I'm not really sure how to proceed. What I would like to do is suggest that either we operate on the premise... yeah. We operate on the premise that this is an amendment and I ask for a second or we treat it as a Motion to ask staff to come back to us and see if there's support for that. Either way we get to vote on whether or not there's support for this.

Mr. Lait: Ok. So I think our perspective on this is that this is not been properly agendized to

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1 establish that (interrupted)

2

3 Chair Alcheck: Ok. It would be fair though to have a Motion to see if we could revisit this at a
4 next meeting and see if there's consensus for that.

5

6 Mr. Lait: You could.

7

8 Chair Alcheck: Ok. So what I'm going to do is suggest that we vote on the Motion on the table
9 as amended and then I'll allow Commissioner Gardias to make another Motion tonight asking
10 staff to bring this item back to us and see if there is a second for that Motion. So wanted... are
11 you comfortable with that?

12

13 Commissioner Gardias: Could you repeat it please how we?

14

15 Chair Alcheck: Ok, so the issue is that you would like to discuss a topic that hasn't been
16 agendized. So the process for doing that would be to make a Motion tonight and see if it
17 carries requesting that staff bring us this item agendized for the purposes of reviewing a
18 Planning Code amendment that would (interrupted)

19

20 Commissioner Gardias: As a separate topic?

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Chair Alcheck: As a separate topic because it hasn't been agendized.

Commissioner Gardias: Ok, but I can also just propose another Motion? I can propose a Motion to remove this section entirely from tonight's consideration.

Chair Alcheck: Yeah an amendment to remove this from the current Motion. You can propose that.

UNFRIENDLY AMENDMENT #2

Commissioner Gardias: Yes so I'm going to propose this Motion [note-Unfriendly Amendment] to remove this section because of that reason from the consideration tonight.

Chair Alcheck: Ok, alright there is an amendment. I under (interrupted)

Commissioner Gardias: Section 18.42. (interrupted)

Chair Alcheck: The entire Section A. through J., Page 80. So if I'm stating correctly there is currently an amendment to remove the Housing Inventory Site small lot consolidation section.

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1 Do I have a second? Do I have a question about a second?

2

3 Commissioner Tanaka: I... ok. Can the maker talk about rationale why he wants to do that?

4

5 Commissioner Gardias: So rationale is pretty much this that it would elevate some property
6 owners over the others. That the consideration. That's the concern, I'm sorry. So for this
7 reason I would like to just change the language of this, have the staff come back to us on a
8 separate time, and then revise it so similar rights of building out their properties would be
9 giving to those owners that want to build affordable housing, but doesn't want to consolidate.

10

11 SECOND

12

13 Chair Alcheck: Any more questions? Ok so we have a second of the amendment.

14

15 Mr. Lait: Chair? Just one comment; this section is the reason we're here. This is the reason why
16 we're moving this ordinance forward.

17

18 Chair Alcheck: I understand that.

19

20 Mr. Lait: Ok.

-
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Chair Alcheck: I'm... I understand that. Ok, so I have a second for an amendment to the proposed Motion. Do you want to speak your second?

Commissioner Tanaka: Sure. So the reason why I support it is although I'm a little bit confused by it, but the reason why I support it is because I think he's trying to fix a problem and I think the Commission should have time to fix the problem because I think if we're trying to fix it on Council we're going to be even more confused. So that's why I'm entertaining it.

Chair Alcheck: Ok. Does anybody else wish to address this issue before we vote? Commissioner Rosenblum.

Commissioner Rosenblum: Yeah I want to address this issue. So this does gut the entire purpose of this of a lot of our discussion. The City's policy is to state that in trying to create affordable housing we need to have enough lot liquidity you need to have a large enough lot to have the Below Market Rate (BMR) housing be offset by market rate housing. And when you have small lots the reason that we're doing this is because empirically we found that small lots don't result in affordable housing for that reason. And so the whole reason to have this there is to force this incentive towards consolidation. So you're right it is providing incentives for certain kinds of property owners specifically to achieve a policy goal. So yeah so this does

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1 confuse me because this is the empirical result of observing that small lots don't provide the
2 opportunity to have either BMR be offset or just an efficient place for someone like Palo Alto
3 Housing Corp. to develop a property. That's just not the way to do it.

4

5 VOTE

6

7 Chair Alcheck: Ok. I literally couldn't agree with you more. At this time though I'm going to put
8 this proposed amendment to the current Motion to a vote; all of those in favor please raise
9 your hand. We have one in favor. All those opposed? We have three opposed. All abstaining?
10 We have one abstainer. So that fails. So we have a Motion on the table as amended. Would
11 staff like to clarify the current Motion as amended?

12

13 UNFRIENDLY AMENDMENT #2 FAILED (1-3-1-1, Commissioner Fine absent)

14

15 Mr. Lait: So I have move the staff report amending Section 9 to Item E. removing the required
16 parking, the lifts for guest parking to allow that.

17

18 VOTE

19

20 Chair Alcheck: Ok, so all those in favor of the Motion as amended please raise your hand. It's

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1 unanimous; unanimous support for the Motion. Ok. That concludes Item Number 4.

2

3 MOTION PASSED (5-0-0-1, Commissioner Fine absent)

4

5 **Commission Action:** Recommend that the City Council Adopt the staff recommended
6 ordinance. Motion made by Commissioner Rosenblum, seconded by Commissioner
7 Tanaka motion is **APPROVED** 5-0.

8 **Amended Motion:**

9 **A.** Amend Section 9 - 9.18.54.020(b) Item E to remove required parking in guest
10 parking, motion made by Commissioner Tanaka, seconded by Commissioner
11 Gardias, **APPROVED** 3-2 Commissioner Waldfogel and Rosenblum AGAINST.

12 **B.** Amend the ordinance to remove Section 5 18.42.140 from the ordinance. Motion
13 made by Commissioner Gardias, seconded by Commissioner Tanaka; motion **FAILED**
14 3-1-1; Vice-chair Waldfogel and Chair Alcheck Against; Commissioner Rosenblum
15 Abstained.

16 **5. Recommendation to the City Council for the Adoption of an Ordinance Making**
17 **Permanent Interim Urgency Ordinance 5330 (Limiting the Conversion of Ground**
18 **Floor Retail and Retail Like Uses), With Some Modifications; Extending the Ground**
19 **Floor Combining District to Certain Properties Located Downtown and in the South**
20 **of Forest Avenue Coordinated Area Plan; Modifying the Definition of Retail; Adding**
21 **Regulations to Improve Pedestrian Oriented Design Standards; and Related Changes.**
22 **The Proposed Ordinance is Exempt from the California Environmental Quality Act**
23 **(CEQA) Per Section 15308**

24 **[Note-out of order, took Number 5 first before Number 4 (above)]**

25

26 Chair Alcheck: Alright, what I'd like to do right now is begin with Item Number 5 instead of
27 Number 4 and what we'll do is... that last item took a little longer was, as you could tell,
28 complicated, more complicated than I think we imagined. What I would like to do is begin

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1 tonight with Item 4 as it, what I'm going to term as an abbreviated session. I'd like staff to
2 prepare, to present its report. I'd like to take comments from the public that we have here and
3 then what I would like to do is have one efficient, very efficient round of questions from the
4 Commission to staff so that when we bring this item back for a second session some of the
5 issues that you may have uncovered in your review for tonight are responded to. So with that
6 please begin your presentation.

7

8 **Staff woman:** Thank you, Chair. Tonight we're bringing to you the first public hearing on the
9 Retail Preservation Ordinance and I would like to introduce Jeannie Eisberg. She's the City
10 consultant who is the Project Manager for this project.

11

12 Jean Eisberg, Lexington Planning: Hi. Good evening, Chair Alcheck and Members of the
13 Commission; again, my name is Jean Eisberg and I'll just give a short presentation and then if
14 you have any questions I'm happy to provide more detail.

15

16 So based on the City Council's direction staff has prepared a draft ordinance for retail
17 protection citywide and in Downtown and South of Forest Avenue 2 (SOFA 2) and we're
18 requesting your review of a recommendation to the Council to protect City, excuse me, to
19 protect retail conversion citywide, add design standards in two of the combining districts in
20 Downtown and California Ave., and modify the GF Foundry Downtown. So just looking back at

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1 the interim urgency ordinance this prohibits ground floor or basement retail and retail like uses
2 citywide from converting into office or other nonretail uses. It was adopted during a period of
3 time in the City and particularly Downtown where we were seeing a lot of vacancies, vacant
4 retail spaces being replaced by office uses. This is the list of uses that the interim ordinance
5 protects and you'll see the same list of uses is carried forward in the draft ordinance.

6

7 The Council twice discussed priorities for permanent retail protections and these are the
8 outcomes that drove the draft ordinance before you tonight. I'm not going to go into them in
9 detail, but they are in the report. The Architectural Review Board (ARB) discussed some of the
10 potential design standards in their meeting in November and they expressed support for more
11 transparency, for recesses, articulation, but also supported the continued implementation of
12 the existing design guidelines in the City.

13

14 There are seven key points to the ordinance laid out in the staff report. First, modifying the
15 definition so this provision removes the extensive list of retail uses that's in the code and
16 focuses instead on the intent of retail uses to promote active pedestrian oriented uses during
17 public, excuse me, open to the public during typical business hours and the sale and services for
18 customers and clients. And this is intended to respond to the changing nature of retail both in
19 Palo Alto and across the country shifting towards restaurants, experiences, services as opposed
20 to retail sales.

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1

2 So Number 2 this provision continues the citywide moratorium on retail conversions. So these
3 protections would be codified in the use classification tables of zoning district. One notable
4 change is that the draft ordinance only protects uses that are permitted or conditionally
5 permitted in the underlying zoning district.

6

7 In terms of [waiters] first the ordinance proposes to maintain the existing economic hardship
8 threshold that requires demonstration of an unconstitutional taking. Additionally, except in the
9 Downtown GF the ordinance provides an opportunity to consider an alternative viable use if it
10 meets the intent of the zoning district. The current GF district proposes purposes are focused
11 on type of use and on the Downtown. The proposed revision here seeks to capture the
12 contribution of architectural form such as transparency and pedestrian orientation in this
13 purpose statement and also to clean up the Downtown focused language acknowledging that
14 the GF district is applied elsewhere in the City.

15

16 In terms of Downtown the draft ordinance continues the interim ordinance provision to restrict
17 the conversion of basements, but only in the GF districts Downtown. And then the next two
18 slides show modifications to the GF district regulations Downtown. So first fitness studios and
19 similar uses up to 15 customers would be permitted by right except on University Avenue
20 where the Council was concerned about window coverings and here students' studios with

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1 more than 15 students would be considered a commercial recreation use which are subject to
2 conditional use permits. The ordinance also proposes to remove the existing provision that
3 allows 25 percent of the ground floor area to be occupied by use in the underlying CD district
4 such as office and this is intended to strengthen the retail core.

5

6 In terms of design standards the ordinance proposes to require clear glass with only a minimal
7 amount of tinting, 70 percent of the sidewalk fronting frontage would be required to have
8 transparent doors and windows. Window coverings in non-conforming spaces such as office
9 spaces in the GF that front onto a sidewalk would be prohibited during business hours. And
10 here there would be some exceptions for uses that require privacy and that these uses we
11 would encourage or require artwork displays of merchandise or other visual interest.

12

13 Lastly a map amendment is intended to expand the Downtown core area where ground floor
14 retail and the design standards I just mentioned would be required to create a more continuous
15 retail experience on the ground floor. So looking at the map the dark pink areas show the
16 existing GF boundary. In yellow the map identifies proposed locations near Alma, University,
17 and Hamilton where the GF foundry would be brought back, restored from its pre 2009 map
18 locations. Some of these properties shown in yellow are currently occupied by uses that are
19 not permitted in the GF overlay so such as office, financial services, real estate offices. As a
20 result these properties would become non-conforming uses and they would be required to

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1 comply with the GF provisions if those uses vacated; however, some of these properties were
2 designed as offices and do not have architectural features that typically would support retail
3 development. So this may limit what property owners can do, can lease to. A note on the SOFA
4 2 plan, the SOFA 2 plan currently prevents new ground floor office in the Homer/Emerson
5 corridor. So this ordinance would extend protections to other retail and retail like uses in SOFA
6 2 namely in, along Addison Street and would also allow for the alternate viable use waiver
7 process that I mentioned.

8
9 In terms of outreach we conducted 17 informal interviews last month with community
10 members and other stakeholders that live and work in Palo Alto including developers, property
11 owners, small business owners, store managers, architects, residents. Their feedback is
12 summarized in the report. Generally it was mixed. There's mixed support for the existing
13 interim ordinance and for the proposed extension of it.

14
15 This lays out our work so far and the timing going forward. The ordinance the interim
16 ordinance expires in April and so we're looking to go to the Council in February for the first
17 reading of the permanent ordinance. And lastly the Commission and staff have received some
18 correspondence since the staff report was published expressing concern about the extension of
19 the GF foundry, concerns about where private educational facilities may be located, desire for
20 more flexibility and allowing different types of uses to replace retail, and concerns about traffic

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1 and parking especially Downtown. That concludes my presentation. I'm happy to answer any
2 questions.

3

4 Chair Alcheck: Ok. I would like to invite the individuals who filled out comment cards to come
5 speak. I will allot five minutes per speaker.

6

7 Vice-Chair Waldfogel: I'd like to start with Mike Powers followed by Simon Cintz.

8

9 Mike Powers: Good evening, Commissioners; my name is Mike Powers. I'm with McNellis
10 Partners in Palo Alto. We're as you're probably aware we're owners of a number of properties
11 in the Downtown corridor including the West Elm building. With [Roxy Wrap] years ago we put
12 Anthropologie in a building. Also Lululemon is a tenant and the infamous Alma Plaza. So we've
13 had over, we have 35 years' experience. Probably 70 projects of which over 60 are retail. So I
14 think you have in your packages John McNellis' transmittal indicating kind of the difficulties that
15 retail developers have. And in terms of trying to come up with ordinances that protect the
16 unique nature of Downtown Palo Alto while at the same time can have some serious negative
17 consequences in terms of future uses for building.

18

19 So I'm not going to take much of your time here. Just to point out a couple things I think kind of
20 our opinion that the expansion of the geographic areas to the SOFA really was going to, we

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1 don't own property by the way so it doesn't have a negative impact on us per se, but I just think
2 there'd be a tremendous difficulty for those property owners in finding retailers that are
3 interested. All the hard and soft good retailers are going to Stanford which is a kind of a very
4 nice high class problem that the City has when you have one of the world's literally one of the
5 world's best shopping centers just walking distance away from a downtown. So you are
6 attracting some of the best retailers, but not necessarily per se in the Downtown corridor
7 unless they fit into a very specific parameters.

8

9 The other thing I think that the retail world has changed and so if you're looking at expanding
10 the definition of retail services the type of services we see in our 25 plus shopping centers, the
11 type of tenants that we're attracting, the soft goods retailers aren't there, the hard goods,
12 electronics, aren't there. It's more along the lines of medical offices, financial institutions,
13 fitness, some of what you're addressing here, some clearly aren't fitting into the retail
14 definition as being suggested, but I think we would urge you to keeping the right vitality of
15 ground floor properties as an expansive of a definition in terms of services, retail, quasi-office
16 that are open to the public whether it be the State Farm Insurance agencies, title companies
17 that will go a long way in addition to restaurants to helping keep up the vitality and uniqueness
18 of Palo Alto. And I'm here to answer any other questions from retailer perspectives if you want,
19 but with that thank you for your time.

20

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1 Vice-Chair Waldfogel: Thank you. Simon Cintz followed by Ben Cintz.

2

3 Simon Cintz: Good evening, my name is Simon Cintz. My brother Ben is going to speak next
4 here. Our firm, our family has been in Palo Alto since the early 1950's when fine dining on
5 University Avenue meant eating at the lunch counter at Woolworth's Five-and-Dime. We own
6 four small commercial properties in Palo Alto.

7

8 We're, I want to specifically speak about Section 5 of the proposed ordinance. This is the
9 blanket citywide prohibition against any and all ground floor retail conversion. This is a one size
10 fits all approach to retail preservation. It doesn't matter what type of retail. It doesn't matter
11 where the retail is located. It doesn't matter whether or not the retail is viable in this location.
12 It ignores most of the issues that should be considered in a carefully thought out process. Is the
13 way Palo Alto wants to do zoning and city planning? It's important to note that almost all of
14 Palo Alto's existing retail is currently protected by current zoning and ordinances. Section 5 of
15 this proposed ordinance only serves to protect a very small portion of Palo Alto's existing retail
16 including retail properties where retail is no longer viable. What is the real benefit of this
17 proposed citywide prohibition against ground floor retail conversions? That's an important
18 question.

19

20 Let's imagine what would happen if this ordinance was in place when our family applied to

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1 convert our 1960's auto repair garage to what is now about a 3,400 square foot medical/dental
2 office building at 882 Emerson in the SOFA area. We now have two dentists and one doctor in
3 our building. More than half of their patients are Palo Alto residents. It cost us hundreds of
4 thousands of dollars to do the conversion which you could only do because of an increased rent
5 that we would get from medical office space.

6

7 If this ordinance had been in place prior to the conversion Palo Alto would still have an auto
8 garage at our location. The garage parking was surrounded with a chain link fence along the
9 sidewalk. The junk cars were parked nearest the fence because they weren't going to go
10 anywhere soon. It was just plain ugly. Palo Alto citizens have benefited more by having access
11 to medical/dental services now offered in our building instead of having an auto garage. The
12 citizens of Palo Alto have benefited by having many of the old auto garages in the SOFO area
13 converted to non-retail uses. For example, this ordinance would have prevented the
14 conversion of the auto garage at 930 Emerson to what now occupies the space. It is a state of
15 the art private school. Many of the students are from are from Palo Alto families. Isn't our
16 community benefited more by a school than an auto garage?

17

18 This citywide prohibition against ground floor retail will interfere with the process of making
19 adjustments in neighborhoods which will allow them to better adapt to change in an
20 appropriate way. One might argue that the ordinance provides an appeals process.

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1 Unfortunately, it still sets the bar much too high to get a realistic exception to do a conversion.
2 The actual effect will be that no retail no matter how non-viable or how inappropriate it is for a
3 neighborhood now or in the future will be able to convert to use that is more beneficial to the
4 citizens of Palo Alto. A suggestion in SOFA and possibly other areas of Palo Alto small
5 medical/dental uses should be allowed as a permitted retail conversion under restricted
6 circumstances. Small medical/dental offices benefit our community and can be successful in
7 areas that have limited pedestrian traffic. Doctors and dentists often get their referrals from
8 health plans and the like and can operate in areas that other retail is not or that other that
9 retail is not viable.

10

11 Finally this proposed ordinance that we are considering tonight fails to follow a careful process
12 that our City has followed in the past. When the 2009 retail ordinance was being developed a
13 stakeholder group was formed. We had a number of meetings. When SOFA 2 was being
14 developed there were many community meetings. In the case of this proposed ordinance
15 which affects all retail areas of our City only 17 people were interviewed by a consultant. Many
16 people, ourselves included, were not on given an opportunity to participate. This does not
17 legitimately qualify as community outreach for an ordinance that affects so much of our City.

18 Thank you.

19

20 Vice-Chair Waldfogel: Thank you very much. Ben Cintz please.

-
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Ben Cintz: Good evening, Commissioners. My name is Benjamin Cintz. My brother, Simon, just spoke. I live in Palo Alto, live in the Midtown area now. Used to live near Professorville prior to that and grew up here and then moved away and moved back. It's a wonderful city. And I have my law office on El Camino here in Palo Alto as well.

What I'd like to address tonight really is two things, one is that I think the stakeholder meetings there needs to be more outreach. I wrote to Hillary Gitelman and on September 1st. On September 2nd she got back to me and I had asked her about the stakeholder participation and she said thanks for this message Ben, we are reaching out to you and other stakeholders as we move forward. Stay tuned. I was not contacted. Now I don't need to be contacted, but the point is that I think others do. And I think it should be a process similar to other stakeholder processes which is where the stakeholders get together and have a discussion; my understanding that this process was an interview process where people were interviewed. I was part of the stakeholder process for Downtown Residential Preferential Parking (RPP) and I think it was a very useful process and I think we could utilize that process again. This is an important decision for the entire City because it affects all properties as my brother pointed out. So I think it would be important to make a recommendation that further input be provided because I think the future of properties in Palo Alto and the quality of life in Palo Alto are affected. Thank you.

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Vice-Chair Waldfogel: Thank you.

Chair Alcheck: Ok. That concludes public comment. What I'd like to do now is essentially bifurcate this review of this item, but I think to make our next opportunity more effective I think it makes sense for us to go and have one round of comments or questions so that maybe some of those comments and questions can be staff can prepare answers to those comments or questions next time we meet. So you may have answers now. My preference is that you don't answer and we pick this up with the staff having the opportunity to respond to our questions. And the best way to do that is to sort of address them in the minutes or use the minutes of this next piece for that. Ok, so why don't we start on this end with Commissioner Gardias and go straight down and [unintelligible] you could spend a few minutes laying the groundwork for our next meeting.

Commissioner Gardias: Thank you. So I just want to understand the objective because it's stated clearly that staff wants to recommend adoption to the City Council, but I understand that you're proposing there is going to be a follow up meeting and it is we will not meet the staff recommendation tonight.

Chair Alcheck: Yeah. I'm not going to call for a Motion on this item. We're going to postpone

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1 the review of this to the next meeting.

2

3 Commissioner Gardias: That's fine. So in terms of the comments and we tried to establish
4 procedure with Chair Fine back not that long ago that we would respond immediately to the
5 constituency that speaks to us. Would you mind just responding to this concerns about
6 possibility of broadening, listening to the merchants and those that are subject of this possibly
7 permanent regulation. Is there a possibility to broaden this, the reach out to the community
8 and the stakeholders before the follow up meeting?

9

10 Jonathan Lait, Assistant Director: So I'll look to the Chair just to see if I got the impression you
11 didn't want to have a question and answer (Q&A), but rather (interrupted)

12

13 Chair Alcheck: Yeah. That's a unique question because he wants to know if you can do it before
14 the follow up. My real preference is we sort of identify the areas of concern/questions and we
15 allow staff to address them at the next meeting since we have to we really do have to get Item
16 Number 4 and we're running late. So I don't want this to turn into a dialogue. I really would
17 prefer we don't do that. So my preference would be that you present all their concerns and
18 questions and then staff will answer those the next time we meet, ok?

19

20 Commissioner Gardias: So that's the question that I ask that. My question is that I would

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1 appreciate and I'm sure the community and stakeholders if there is a broader survey or reach
2 out to the community and the merchants for their input to this ordinance before the next
3 meeting. So that's my first comment. Then if I can go from the top and I'm going to go by the
4 pages because that's how I allocated my comments. So please bear with me, they may be
5 scattered.

6
7 So if I go through the, the first item is the definition and then it seems to me in general that we
8 are just getting very prescriptive in number of the ordinances which on the one hand which
9 maybe satisfies our number of the inputs that we're getting and number of the shake hands
10 that we have to make, but on the other hand just makes administrative burden upon ourselves
11 because to each one of these processes we need to have exception that's later on reviewed by
12 the Director as opposed to the pure law that just clearly states to the developers, merchants,
13 and everybody else how this should work. Definition of the retail in this and then specifying
14 different uses of retail use or retail like uses is an example of this. My comment is pretty much
15 just to simplify the definition, get rid of all these different categories or different types of the
16 retailer. Just stay with the retail. Everybody knows what it is. We know what retail services
17 are. We should have two categories; we should have one definition for each one. So that's my
18 first comment.

19

20 Number two is that I have a question that since we were not expecting answer I will just convey

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1 this to you. It says on Page Number 229 about the pipeline projects and for the follow up
2 meeting I would like to pretty much know... I'm just going through the questions because that
3 was the ask. How many pipeline projects are we have for this that would be subject of this
4 ordinance?

5

6 Then on Page 236 there is a passage, there is a paragraph this is under subsequent ordinances
7 and studies and then it just talks about the future work which is Paragraph Number 2 and talks
8 about the Planned Community (PC) zone parcels. So I know that we have historical PC zone
9 parcels, but [unintelligible] we don't have any longer the PC zoning. I would like to have a
10 clarification about this paragraph, what it talks about.

11

12 I'm going to jump briefly to the Page 243, 243 that talks about design standards. In general
13 Paragraph 18.30a.085 it's just a piecemeal. We need to have a clear drive. Are we getting into
14 the design standards for retail or we don't. And I think that this will be the discussion that we
15 should have among ourselves and to in order to justify the position of this Commission, but
16 clearly the design standards that are here presented to us about the windows and the windows
17 covering this is just a small part of the comprehensive design standards there should be or
18 there should not be in this ordinance. Right now you're just proposing us just two of them,
19 exterior windows and coverings, but then and then also I think that height of the windows
20 some it's somewhere else, but then as you may know it's much more than this, right? We can

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1 talk about like the height of the clear ceiling for the retail. We can talk about the windows
2 space in terms of the active retail. We can talk about the distances between the buildings and
3 access points. We can talk about the limitation of the office lobby. We can talk about the
4 transparency of the glazing and how far the wall that would be from the facades how far there
5 will be any wall that's that would define the initial space. I'm just giving you a couple of
6 examples because the design standards it's much more than just two paragraphs or two points
7 that are in here. So I would like to just either have really deep draft on this so we can discuss
8 this or just drop it altogether from the list.

9

10 Another example is that if you talk about lobby sizes. It's the same story. You can... it should be
11 on also under the design standards. Example is that the building that's next to CVS on
12 University where you have a pretty much lobby that serves nobody I think that house it's
13 housed over there currently where pretty much [passerbyers] they see empty lobby. There is
14 no service. There is no retail. When it was designed it was designed with no public in mind
15 whatsoever. It's just an empty space. So that's an example, another example of this how we
16 should regulate this. When you think about the great cities like New York you know that that
17 majority of the facade is the selling space and then if you want to get to the second level then
18 pretty much there is only just a door and then you just behind this door there is a staircase
19 behind this or the entire front façade is taken with the retail space and you get to the building
20 from the back side.

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1

2 Chair Alcheck: I want to just (interrupted)

3

4 Commissioner Gardias: There's (interrupted)

5

6 Chair Alcheck: Just a second. I want to take the opportunity to just encourage Commissioners
7 that if they can also, we should also use the opportunity to email staff in the next several weeks
8 specific questions that they can add to this list. Because what I really would like if everyone
9 takes ten minutes we're not, we're going to be here another hour. So if as we go through this if
10 there's lots of questions consider writing an email to staff directly which I hope I will ask staff to
11 incorporate into this longer list of questions.

12

13 Yeah, why don't we do this? Why don't we set the timer? I'm going to give you two more
14 minutes to get through your questions and then I'm going to give everybody five minutes to get
15 through theirs. Ok?

16

17 Commissioner Gardias: Ok, I will do my best. So if you go to Page 246 on at the bottom there is
18 a Paragraph 2b that talks about a 2,000 foot radius that is for the applicant to present the
19 burden for exemption, if I remember. What is 2,000 feet? It's 300, this is 300 meters. This is
20 unreasonable burden up on the merchants just to ask them to do the survey [unintelligible]

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1 them up and submit to the City in their radius of 300 meters. It's a large distance. I'd
2 recommend just to remove it all together.

3

4 Also when you talk about the on the same page Paragraph C, waivers and adjustments, this
5 should be periodic. This should be the wavier and adjustments should be for a period of time.
6 If we allow for an exemption from this regulation this should be for a specific period of time
7 upon which this extension expires. So there should be aware period and there should be a
8 definition for how long this exemption would take place. And so my proposal is that pretty
9 much waiver would expire within three years. Thank you.

10

11 Chair Alcheck: Commissioner Waldfogel [note-Vice-Chair].

12

13 Vice-Chair Waldfogel: I'll try to be brief. I first of all thank you for very clear presentation. I like
14 the graphics. I really support the idea of Downtown district vibrancy. I agree with
15 Commissioner Gardias we shouldn't be too prescriptive. I mean I think our goal is to create an
16 interesting Downtown. I mean I would I think that the core needs to be needs to read urban.
17 It'd be great if there were some kind of unexpected urban experiences possible outside of core.
18 So I just think as long as we can define it along those terms I'm comfortable.

19

20 The medical office, dental office, health care, we need these in town. I've heard anecdotes in

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1 San Francisco that things like urgent care storefronts or deactivating business districts I'd kind
2 of like to understand I mean maybe you guys can come back to us with just some comments
3 about what's the right way to weave those kind of offices into an urban fabric. I don't have a
4 really strong point of view right now. I also think it would be great if you could when you come
5 back if you could show us some prototypes. Are we trying to look like Chestnut Street in San
6 Francisco? I mean I'm not prescribing, but just saying are we're trying? I don't think we're
7 trying to look like Rodeo Drive in Beverly Hills, but it's another prototype we all get or Melrose
8 Street in West Hollywood or these are all possible prototypes. And I just think if we could say
9 these are kind of the prototypes that we're aiming for in the core and adjacent to the core that
10 would be helpful.

11

12 Chair Alcheck: Alright, I'll be brief as well. This is not in any particular order. I think my issues
13 with the report are that it lacks context, and important context. The majority of none of this
14 Commission was here in 2009 and more importantly a great deal number of our staff really
15 wasn't, right? Our Director, our Assistant Director, and one of the things that may be the result
16 of the lack of interviewing or actually I don't even really love the idea of the word interviewing,
17 but sort of the lack of outreach maybe sort of a fundamental lack of context. And so I'm
18 grappling with two sort of concerns.

19

20 Number one I believe that the pitchforks in town are being raised because of traffic related to

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1 office. And we've adopted an office cap last year and now and the interim retail ordinance as it
2 was and, but and now we're expanding on this interim retail ordinance in ways that in my mind
3 sort of ignore the context. And so what I'm hoping is is that we can understand the context
4 better with new information. What is that information? I think it's really important to
5 understand what happened in 2009. In 2009 and I'm going to shed light on this, but I'm hoping
6 that you will actually shed light on this when we meet or staff will shed light on this. We had
7 this situation where if there was more than 5 percent vacancy in retail you could convert it into
8 office and at that time we had 15 percent vacancy and the and the community came together,
9 the business owner, retailers owners came together and staff came together and they decided
10 to sort of remove that safety valve or what I would call a safety valve for retailers and in
11 exchange put forward the 2009 ordinance. Despite the fact that I would argue that retail is just
12 a use that has substantially suffered in the last 10 years we had the highest retail sales ever last
13 year.

14
15 So this notion that we're going to now expand what was pretty restrictive into a more
16 restrictive and more encompassing and farther reaching thing seems counterintuitive to me in
17 general. Why are we going here? Is it because we really don't want any more office and this is
18 another tool to just stop office? If that's the case ok, but are we actually helping retail? And
19 that context I think is really important. I think the reason why the report lacks it is probably
20 because the outreach to business owners was not sufficient enough. And I think when we meet

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1 again I'm going to sort of discuss that same issue, that there may have not been enough and
2 sufficient outreach reach.

3

4 And the most important thing I want to suggest tonight which is that I think at the next meeting
5 I'm going to strongly encourage us to consider in a more expansive view of what is retail. It
6 may be that anything that where people come in to spend some money should be accepted as
7 retail: banks, you heard one individual talk about State Farm. Retail is not despite this great
8 year we had retail is not doing that well. And my biggest concern is that we're not setting them
9 up to succeed in the same way that we may have in 2009.

10

11 I also am concerned about the citywide proposal. We were talking really about a specific G area
12 and then this element of the ordinance is going to dramatically change it in a way that we didn't
13 discuss last year. And I think the last piece of context here is that... the without that without
14 incorporating more sort of business owners into this it sort of freaks me out because they were
15 a big part of the 2009 process that stakeholders group. Again, that goes back to context. So
16 that those are my comments; I'd love to see those addressed or to at least have a discussion
17 about those elements next time we meet. Commissioner Tanaka.

18

19 Commissioner Tanaka: So I'll keep this really brief. So I think what this proposal does is it really
20 kind of uses the stick so to speak to try to force retail to be in Palo Alto which in general I

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1 actually want to have very vibrant strong retail in Palo Alto. I think, I don't think anyone here
2 doesn't, but I think that the part that I think is really lacking is the carrot, right? Is to actually
3 make property owners want to have retail because retail will do well. And it's not that retail
4 can't do well in Palo Alto because we look at Town & Country. It's done amazingly well since it's
5 been kind of renovated and Stanford Shopping Center's also doing extremely well. And I think
6 what they've done is they've created a business environment that allows retail to thrive and it's
7 not, it wasn't, it didn't happen because of some sort of mandate, right? Some sort of forcing of
8 retail there, it happened because the creation of retail was good, the business environment was
9 good, they had a right mix of retail.

10

11 And I kind of want to echo what some of my fellow Commissioners said earlier which is I think
12 what we should do is because this is actually a really complex problem. It's not something that
13 we're going to solve in even one meeting. I think this is going to actually how we get strong
14 vibrant retail in Palo A is not a simple easy question. I think what we should do is and I think
15 one of the speakers mentioned this earlier, but I think we should form a stakeholder group with
16 retail professionals, right? Property owners, people who are in retail to really look at how do
17 you make vibrant retail in Palo Alto? What do we need to do to enable this business
18 environment that would that rather than trying to force the property owner to put retail in the
19 property owner will want to do it because the retail will make a ton of money, right? You [take
20 a] percentage rent. They could get all these other kind of... it's drawn in versus being forced in

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1 because I think if we just try to force it what happens is you create vacancies, right? I mean
2 maybe we want retail here, but they couldn't, they can't rent it out to a retailer, right? It and
3 that I think that's not good for anyone.

4
5 So I think maybe even on the Planning and Transportation Commission (PTC) maybe there
6 should be some sort of subcommittee to really look at this issue more closely, but I think it
7 needs to really involve folks in the business community that know a lot about retail and can
8 actually study some of the barriers that that doesn't enable strong retail here in Palo Alto. And
9 then we can start addressing some of those barriers and how to get rid of them. So because I
10 think this is very much the stick approach versus trying to also create the business environment
11 that allows retail to thrive. So that's my thoughts.

12
13 Commissioner Rosenblum: I'll also try to be very brief because I think everyone has brought up
14 several of the points that are on my mind. So since this original urgency ordinance was adopted
15 I've always felt it's too one dimensional and it's a very surface level analysis of retail, meaning
16 we love retail therefore make it so that retail is protected on the ground floor. And not only
17 that, we don't particularly like nail salons so let's restrict those and we don't... the "we" are
18 people sitting up here and I find it frankly a little disturbing that a town that has this much
19 talent is doing things this one dimensionally.

20

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1 I think retail is a complicated issue especially given today's environment of what's changing in
2 consumption habits, but when I talk to retailers again they say Number 1 difficult for me to
3 retain employees, Number 2 you are simultaneously driving away my customers i.e. a lot of
4 these retailers Downtown especially rely on the people who are working Downtown as their
5 employer as their customers. So you're simultaneously making it difficult for my employees to
6 live here, for my customers to shop here and yet you say you love me and you want me to take
7 more space. So what I would propose doing is I do think that this is something we should take
8 time on and have a proper stakeholder group that has more representatives. I think there were
9 five retailers represented, I don't know how many the property owners are listed by their
10 names I believe so I don't know how many of them were property owners versus neighborhood
11 activists, etcetera. But I think that you should do a good job of bringing us a very
12 representative stakeholder group together and then this is an opportunity.

13

14 I think SOFA is an example of a pretty good I don't know if that was a specific plan or area plan
15 under the term of art of how plans come together, but I think it's time for a pretty specific plan
16 around the way retail, housing, and employment work together. And by that I may not just
17 where they're permitted, but how they work together. So for example, I work for Palantir, a
18 large Downtown concern. We've done experiments where employees are encouraged to go to
19 local businesses and we basically we've done pilot programs where we reimburse or that we
20 introduce to local restaurants and stuff, but it's it takes work for someone to figure this out;

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1 how can local employees spend their dollars in our local environment without overwhelming
2 the capacity of any individual restaurant for example. But there's a tremendous opportunity
3 between housing employment and retail and I think by analyzing it at the surface level that
4 we're doing we're really doing a disservice to what could be a great area.

5
6 The only really specific comment I have is there are some buildings that simply were not built
7 for retail because they were built under a regime where they were not part of this retail district.
8 So for example, the buildings at the corner of University and Alma as an example and
9 somewhere in this ordinance or in the study we need to talk about what do we do about these
10 kinds of cases and why are we including them if we know that they can't comply? And so what
11 is the plan for that? But in general I agree that this should be put more towards a I hate to say
12 it, but a study session but it should be a fairly extensive group that gets together. This is a big
13 deal. It's not something that I think people on the dais without really talking to retailers should
14 just be making up.

15
16 Chair Alcheck: Ok, thank you. This, the make-up of this Commission is going to change in
17 January and the make-up of the City Council is going to change in January. I know that there is
18 a perceived deadline for this because of the sunset of the ordinance. I don't know how this is
19 going to play out. Judging by some of the comments it sounds like two meeting, having this at
20 the next meeting may not create a final result if some issues aren't... So I don't know that that's

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1 the case because again this Commission will change its make-up, but I don't know I mean we
2 will postpone this now to our next meeting or how will this, how will we deal with this calendar
3 issue?

4

5 Mr. Lait: Well so yeah we would recommend that the item get continued to January 11th where
6 we can have more input from the Commission. We kind of did a once pass and there wasn't the
7 ability to go back and forth.

8

9 Chair Alcheck: Right. I think that that's wise and I'm going to call for that Motion. It's
10 hypothetical because the make-ups are so confusing here, but if at that time the new
11 Commission desires to explore this even further that may require some sort of involvement in
12 determining how you want to proceed with the sunset situation if you don't have enough time
13 to get in front of Council.

14

15 Mr. Lait: Right. So I...

16

17 Chair Alcheck: I guess what I'm really trying to say is I don't know that moving forward to
18 Council without... let's do this next meeting and see what happens. I'm just suggesting to you
19 that it may be prudent to have a portion of the discussion next time revolve around how we
20 would deal with the timeliness of this if we couldn't get it done in January 11th.

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Mr. Lait: Ok. And I don't think it has to be solved on January 11th, but it would probably need to be solved by the next meeting in January to get this to Council or maybe a meeting in February, maybe the first meeting February to get this to Council in March. The absolute latest that we can get this to the Council I think is right around the 14th and I'm not sure if that's a Monday, but like mid-March is the idea because there's got to be a first reading and then a second reading and then the ordinance effective 30 days after.

Chair Alcheck: So what I guess our goal will be to if we determine that we want to pursue a greater amount of research into this topic and create stakeholder groups then we'll make that recommendation as quickly as we can in the processes that we have and then it will be up to that new City Council to determine whether or not they want to do that or not.

Mr. Lait: Right. And I guess what I would say is and we can have more of an offline conversation about it if you want, but I think that there's I don't think this Commission wants to hold the advancing an ordinance so that the Council is not able to act on a policy direction that they told us which was to implement (interrupted)

Chair Alcheck: No, I don't think we're going to do that. The question is is whether you will proceed with a recommendation to pass the ordinance or recommendation to not.

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Mr. Lait: Right. Ok.

Chair Alcheck: And I hope that we will be able to arrive at one of those choices in one meeting, but I think it might be wise when you do your calendaring to at least save some space in case we exceed that time.

Mr. Lait: Ok, yeah. That I think we can accommodate. Thank you.

Chair Alcheck: Ok, alright so I'm going to ask for a Motion right now to what's the correct terminology here?

Mr. Lait: Continue to January 11th.

Chair Alcheck: Continue this agendized item to the January 11th meeting, our next meeting in the 2017. Can I get a Motion?

MOTION

Vice-Chair Waldfoegel: So moved.

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Chair Alcheck: Second?

SECOND

Commissioner Gardias: Second.

Chair Alcheck: Great. All those in favor please raise your hand. Ok that passes unanimously. Thank you to the people who came out to speak tonight and thank you to staff for hanging around.

MOTION PASSED (5-0-0-1, Commissioner Fine absent)

[note—go back up to Item 4]

Commission Action: Continue to the public hearing to January 11, 2017 Motion made by Chair Alcheck, seconded by Commissioner Gardias, motion **APPROVED** 5-0.

Approval of Minutes

Public Comment is Permitted. Five (5) minutes per speaker.^{1,3}

Chair Alcheck: I am going to ask that I have a Motion for approval of the minutes.

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MOTION

Vice-Chair Waldfogel: So moved.

SECOND

Commissioner Rosenblum: Second.

VOTE

Chair Alcheck: Thank you. All those in favor of approving the minutes from the last meeting please raise your hand. Ok, that's unanimous.

MOTION PASSED (5-0-0-1, Commissioner Fine absent)

Committee Items
Commissioner Questions, Comments or Announcements

Chair Alcheck: Committee items and Commissioner questions, comments, or announcements.
So I just want to thank Commissioner Rosenblum and Commissioner Waldfogel **Note-Vice-**

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1 **Chair**, I want to thank both of you actually for all the effort you put into that subcommittee.
2 It's incredible. And I really, really appreciate... all of us really, really appreciate it and thanks for
3 and thank you Commissioner Waldfogel **Note-Vice-Chair** for participating on Monday night at
4 the City Council. And then the last comment I want to make is to acknowledge that this is our
5 last time sitting down with Commissioner Tanaka and if anybody wants to say anything you're
6 welcome to, but it's been great. Are there any other things that I need to do? The next
7 meeting is January 11th. Is that right? Ok, this meeting is adjourned at 10:35.

8

9 **Adjournment 10:35 pm**

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Palo Alto Planning & Transportation Commission

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Chair Michael Alcheck
Vice Chair Asher Waldfogel
Commissioner Adrian Fine
Commissioner Przemek Gardias
Commissioner Eric Rosenblum
Commissioner Greg Tanaka

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Write to us. Email the PTC at: Planning.Commission@CityofPaloAlto.org. Letters can be delivered to the Planning & Community Environment Department, 5th floor, City Hall, 250 Hamilton Avenue, Palo Alto, CA 94301. Comments received by 2:00 PM the Tuesday preceding the meeting date will be included in the agenda packet. Comments received afterward through 2:00 PM the day of the meeting will be presented to the Commission at the dais.

Material related to an item on this agenda submitted to the PTC after distribution of the agenda packet is available for public inspection at the address above.

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