



Planning & Transportation Commission Action Special Meeting Agenda: March 14, 2018

Council Chambers
250 Hamilton Avenue
5:30 PM

Call to Order / Roll Call

5:35pm

Commissioner Riggs arrived at 5:54pm

Chair Lauing: I'd like to call to order the special Planning and Transportation meeting for March 14th. Yolanda will you place call the roll?

Oral Communications

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

Chair Lauing: Thank you. Are there any oral communications? No oral communications. All those potential speakers are wanting to speak on Agenda Items? Ok. Thanks.

Agenda Changes, Additions, and Deletions

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

Chair Lauing: Are there any agenda changes, additions, deletions from Staff or you? No, ok.

City Official Reports

1. Directors Report, Meeting Schedule and Assignments

Chair Lauing: Then we'd like to have the Director's report in honor of Jonathan whose birthday is tonight.

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1 Ms. Gitelman: That's right. Thank you Chair Lauing and Commissioners. Jonathan Lait is not with
2 us this evening. He's getting a well-deserved evening off but I do have a few things to report.
3 First, we provided an updated list of future agenda items At Places tonight. You'll see that it's
4 changed a bit from what we had in the Packet. The next meeting, we expect to have a
5 conversation with you about the ADU Ordinance and there's a small vesting tentative map that
6 we'll walk you through at the end of March. Then April meetings we're going to be talking
7 about the First Baptist Church that's a CUP. We're also going to have at least one study session
8 on traffic data visualization or traffic operations. We'll see which one of those comes to pass
9 and then the ADA Ordinance will come to you for action. And we an option of bringing to you at
10 that late April meeting this issue of your by-laws or procedures that you talked about at your
11 retreat. And then May... Early in May, we're going to need your work on the CIP Conformity
12 Determination for this year's budget process so that's just a quick look ahead.

13
14 Looking backward for a minute, the City Council last week talked about the north Ventura area
15 Coordinated Plan process and got us moving on that and formation of a working group... a
16 citizen working group to help advise Staff through the process and the Commission and the
17 Council. And one of the members of the working group will be an appointee from this
18 Commission so I'll work with the Chair hopefully to appoint someone who's interested in
19 participating probably monthly meetings for close to 2 years. I mean it's not an inconsequential
20 commitment of time but I hope that a member of this Commission will sit on the working group

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1 and be able to report back to the rest of the Commission on a regular basis during the planning
2 process. And then the plan, of course, will come to the Commission in a number of times during
3 the process.

4
5 City Council upcoming has a couple items that I know will be of interest to you. First is next
6 week they talk about the Code Clean-Up Ordinance that you recommended to them. April 2nd
7 they are going to be talking about the Eichler Design Guidelines and in mid-April, they are going
8 to be talking about the Annual Office Limit that you had recommended to them. That got
9 delayed on their calendar just because of a scheduling issue there but that's what we have
10 upcoming. Thank you very much.

11
12 Chair Lauing: Thank you. Got lots of revisions so glad to have it in writing.

13 **Action Items**

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

16 2. PUBLIC HEARING: Recommendation to the City Council Regarding the Adoption of an
17 Ordinance Amending Palo Alto Municipal Code (PAMC) Title 18 (Zoning) to Add a
18 New Chapter 18.30(K) (Affordable Housing Combining District) to Promote the
19 Development of 100 percent Affordable Housing Projects Located Within One-Half
20 Mile of a Major Transit Stop or High-Quality Transit Corridor, by Providing Flexible
21 Development Standards and Modifying the Uses Allowed in the Commercial Districts
22 and Subdistricts. CEQA: This Ordinance is Within the Scope of the Comprehensive
23 Plan Environmental Impact Report (EIR) Certified and Adopted on November 13,
24 2017 by Council Resolution Nos. 9720 and 9721. For More Information Contact
25 Graham Owen at Graham.Owen@cityofpaloalto.org. (Continued from February 14,
26 2018)
27

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1 Chair Lauing: The first Action Item as listed is Item Number Two the batting order is to have a
2 very short Staff report then to hear from members of the public who want to speak on this then
3 to hear from the Ad-Hoc who worked on it at our request since the last meeting and then other
4 Commissioners. We have a lot of speakers so I'm going to ask that you try to be in the three to
5 four-minute range. I won't be too tough about that but we don't have time to do the five
6 minutes and still – and they are still coming in. So ok so shall we have the Staff report?

7

8 Mr. Graham Owen, Project Planner: Thank you Chair Lauing. My name is Graham Owen I'm the
9 planner that's been working on this AH... Affordable Housing Combining District that's here
10 before you today.

11 This is the second hearing on this particular item. We have previously reviewed this draft
12 ordinance with you on February 14th last month. At that time there was a lot of debate on the
13 Commission about the particulars of the ordinance and so an Ad-Hoc committee was formed to
14 study the issue a little bit further and the item was continued to this day March 14th.

15 So just wanted to give you a highlight of the changes that we've included in... With this draft
16 that's before you here today. This is based on just the conversation that we had at the February
17 14th hearing as well as early input from the Ad-Hoc committee. So, a couple of changes just
18 going through the ordinance the biggest changes, in particular, are with regards to the... How
19 we define transit proximity. One of the things that we had with the previous iteration was that
20 a transit proximate area which is one of the qualifying characteristics for an Affordable Housing

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1 Combining District to be applied on a particular site has been shifted from one-half mile from a
2 major transit corridor to a quarter mile. One of the other larger changes is that a 100 percent
3 affordable housing projects had previously been for income levels below 120 percent of area
4 median income that's been shifted down to 60 percent. A couple other changes as well to the
5 Development Standards a transition height zone or Transition Height Standard was not a part of
6 the previous ordinance but we have introduced a new standard with this draft that's before you
7 today. With regards to parking a minor adjustment but an important one. The .5 per unit
8 standard has been shifted to .5 per bedroom or unit whichever is greater. One thing that I
9 wanted to note that isn't in this draft but I wanted to mention we wanted to recommend that
10 we also include language with this draft that indicates that any .5 standard be consistent with
11 state law. That is pretty much it in terms of the major changes so I'll let Director Gitelman take
12 it from here.

13

14 Ms. Hillary Gitelman, Director of Planning: Thank you, Graham. I mostly want to say thanks to
15 Graham for his work on this project and to the Ad-Hoc committee for the input you're provided
16 to it. I think it would be a good idea to hear from the public and maybe I'll reserve a few
17 comments at the end then before the Commission starts their deliberations. Thank you.

18

19 Chair Lauing: Ok let's move directly to that. And the first person to come up is Rob Wilkins
20 followed by Amy Bryman.

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Vice Chair Monk: And you're giving four minutes?

Chair Lauing: Yeah.

Mr. Rob Wilkins: Good evening. My name is Rob Wilkins Director of Real Estate Development for Palo Alto Housing. I addressed this esteemed Commission last month in support of the Workforce Housing Ordinance and I'm nowhere to speak in support of the Affordable Housing overlay because I believe that housing should be affordable to all people work in their local community regardless of income. If the City truly wants to combat the workforce housing issue this ordinance is just as applicable as the one you all passed last month. In other words, the housing affordability crisis does not only apply to individuals and families making 140 percent to 150 percent of AMI.

We still believe the ordinance is unnecessarily restrictive when it comes to parking. The late addition to the ordinance requiring 0.5 parking spaces per bedroom will almost certainly sink affordable family projects in the future.

I also wanted to comment on Observation #3 made by the Ad-Hoc committee which I believe is on the second to last page of the Packet. Which states that affordable housing providers believe

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1 that they do not need to provide parking spaces above 0.5 per unit. We want our residents to
2 be... Needs to be met including enough onsite parking when necessary; which is why we rely on
3 data and base the parking ratio on the population of the development a current parking study
4 and best practices. For example, residents with developmental disabilities almost never have a
5 vehicle because they often do not drive but this legislation is not nuanced enough to account
6 for this. Prescribing a parking ratio should be based a per-project basis with real-time data. We
7 believe in doing what is right and what makes the most sense.

8
9 So, while we still have concerns this is at least a step in the right direction. Passage of this
10 ordinance will only result in a few projects maximum having the ability to move forward to a
11 formal application. And this body will have a chance to review those on a per project basis
12 anyway. Thank you.

13
14 Chair Lauing: Thank you. Ms. Bryman followed by Angela Evans.

15
16 Ms. Amy Bryman: Hi I'm Amy I'm a resident of Palo Alto I live on Los Robles Avenue in Barron
17 Park and I'm here to support the provision for the affordable housing overlay.

18
19 I have an 18-year old son Daniel who has developmental disabilities. He was diagnosed with
20 Autism at age 3. Daniel has recently started a post-secondary program where we attend

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1 Foothill College and works two-days at the VA which is obviously right next door to Gun High
2 School and very close to where we live. In order to be able to continue in this post-secondary
3 program, Daniel needs to be a resident of Palo Alto. And in addition to which his whole entire
4 support system upon whom he relies on very heavily which includes me my husband and my
5 younger daughter as well as my in-laws who are also residents... 45-year residents of Palo Alto.
6 His uncle and aunt who also lives in Palo Alto and he's recently... finally made some very close
7 friends which is very, very difficult for him to do just given that he has a social disability. They all
8 live in Palo... We all live in Palo Alto so his entire support system plus his work and his post-
9 secondary program all located within Palo Alto. He's learning how to use the public
10 transportation system and he desperately wants to get out of our house. So, we'd like to
11 encourage his independence and we also know that he needs to be close enough to us and his
12 support system in order to thrive so hoping that this comes to fruition. Thank you so much.

13

14 Chair Lauing: Thank you. Ms. Evans and then Danny Ross.

15

16 Ms. Angela Evans: Sorry.

17

18 Chair Lauing: You're bringing a guest speaker?

19

20 Ms. Evans: Yeah, she's not donating her minutes to me though.

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Chair Lauing: Ok.

Ms. Evans: So, my name is Angie Evans. I work for the Housing Leadership Council in San Mateo County... You can hold this right here... but I'm actually here... I'm not here for HLC... I'm going to give her to grandma for a second. Ok, this was not meant to be so disruptive. You want to put it right here? Alright, now we can start. So, I'm here as a Crescent Park resident I live in Palo Alto, my family lives in Palo Alto, we love living here and I really... I'm just here to urge you to move forward in adopting an affordable housing overlay; particularly the previous less restrictive version. As Palo Alto grows we need to make space for everyone and I think that happens in a lot of these meetings is we talk about... As advocates, we often talk about having a voice for the voiceless and I hate doing that. And I hate doing that because we should have them as a part of our community and as a part of our conversations. And if we are able to really build the affordable housing we need then they can be here and be a part of the conversation.

And so, I think I have like a minute and a half left. I'm going to share just one story. This is a family... This is a single mother her name is Tonya Myers she's a local teacher, she's been here for 11-years, she was fortunate to grow up in Palo Alto, she's a single mother of two kids [ages] two and seven, works full time, has 100 percent custody and works relentlessly to ensure that every student she supports in her school feels safe but she can't live here. And she can't have

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1 her kids go to daycare here and we... if we don't build housing for people like her we're really
2 not doing... we're doing a disservice to our community [unintelligible]. Alright, this is not how I
3 thought that would go.

4
5 I'm going to pass this up to you guys.

6
7 Chair Lauing: Danny Ross. Danny Ross followed by Eric Rosenblum and Elaine Uang.

8
9 Mr. Danny Ross: Good evening. My name is Danny Ross, Senior Development Manager at Palo
10 Alto Housing. I return to you on this item continued from Valentine's Day hopeful that this
11 Commission sees fit to make a decision and give the Affordable Housing Combining District
12 draft ordinance the option of prompt review by City Council.

13
14 The revised draft while more restrictive than previous would still work with our proposed
15 project at Welton. I would like to remind this Commission and the community that this
16 combining district is not prescriptive which means Palo Alto housing would still need to submit
17 an application to apply for the ordinance. Once an application has been submitted we would
18 still need to come back before PTC also go to Council and are subject to Design Review. Prior to
19 these reviews, a traffic study would also need to be conducted.

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1 We have a long way to go and tonight should not be about the project at Welton. Tonight is
2 about the advancement of a planning tool which as designed still has a tremendous amount of
3 public oversight.

4
5 Market conditions today are a perfect storm for an increasingly more painful crisis for years to
6 come. Construction costs continue to rise labor storages delay projects further impacting costs,
7 land costs are an all-time high, interest rates are on the rise and tax credit pricing has dropped
8 as a result of tax reform. Palo Alto and the great Bay Area has not kept pace with housing
9 demand and more jobs are coming. All the while market-rate development is slowing down
10 because the costs are too high for deals to pencil. We need to act more swiftly in the face of
11 some many challenges to provide all levels of housing.

12
13 The linkage between transparent alternatives and affordable housing is very strong. Low-
14 income individuals use transit. While it seems that we are at or near capacity with regard to
15 transit particularly Caltran one must take a harder look at the numbers. The Caltrain 2017
16 annual report shows for Palo Alto that more than double the number of riders is getting off the
17 train in the morning than getting on and more ten times the numbers are getting on in the
18 afternoon than getting off. These numbers are extreme and point to the severe need for
19 housing in this community. People are clearly coming here to work at rates much higher than
20 living here and... versus living here and commuting out.

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2 In terms of VTA, bus ridership has seen a nearly 9 percent decline from 2016 to 2017 for
3 average weekly ridership according to VTA’s fact sheet available online. Over the last 10-years,
4 the average weekly peak ridership was seen in 2009 with nearly 8 percent more riders than
5 2017. Even though there were thirty-six fewer active buses than versus now. The local bus
6 certainly has the capacity and this draft ordinance could work to benefit ridership on VTA for
7 more successful operation long-term with positive benefits to the community. I’m talking about
8 a future where more affordable housing projects are built around high-quality transit and so
9 many cars are not needed.

10

11 I urge this Commission to make to make a decision on this draft ordinance and resist
12 continuing the item further. Thank you.

13

14 Chair Lauing: Eric Rosenblum and Elaine are going to go back to back and next up is Bonnie
15 Packer. Let’s say a total of eight [minutes] if you can do that. Thank you.

16

17 Ms. Elaine Uang: Thanks for reviewing this again. My name is Elaine Uang, Eric Rosenblum and
18 we wanted to just share a couple thoughts with you. Again, we would also like to support
19 Danny’s comment and urge you to move the overlay forward as soon as possible. We really

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1 need to help residents who have been waiting for a long time; many years in many cases to
2 have housing be built.

3

4 Just an introduction we're speaking on behalf of the Board of Directors for Palo Alto Forward.

5 Palo Alto Forward is a group of community members and we champion better housing and

6 transportation options. We've been concerned for a long time about how... high housing costs

7 the level of housing and security that exists in our community and the increasingly fewer

8 housing options for Palo Altans of all ages and all incomes. So, this is a universal problem [and]

9 this effect many, many people within the City. We've been around for 3 ½-years and we've

10 hosted a number of community conversations which we always invite you as a body to join

11 about housing. And we've supported a lot of Comp. Plan and [unintelligible] housing policies as

12 well as the Accessory Dwelling Unit Ordinance.

13

14 I just want to underscore that housing is really the key social justice problem in our community.

15 Housing is critical, it underpins physical health, it underpins mental health and wellness, it

16 provides security [and] without that security people can't peruse opportunity. It underpins

17 community diversity. We've talked a lot about... We've made... Council has demonstrated a

18 need for diversity within our community but without housing to support that we really will not

19 realize that. And housing underpins environmental sustainability as we've heard early about the

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1 connection between housing and transportation. It really can be a transportation mitigation
2 solution and it allows room for more.

3
4 It's also... Lack of affordable housing, in particular, is community concern number one. I just
5 want to bring your attention to the 2017 National Citizen Survey result. Now the National
6 Citizen Survey is administered every year and at the very top of the list of items where people
7 are most dissatisfied with the fewest excellent and a good percentage is availability of
8 affordable and quality housing. And what percentage think we have an excellent and good
9 rating 6 percent and that hasn't been... that's not new. It's been 6 percent for a very long time
10 and we haven't done a darn thing about it.

11 Mr. Eric Rosenblum: So, what we're calling for is to make affordable housing a priority item.
12 And in particular obviously we're reacting to the affordable housing overlay which were
13 strongly in support of but we're also reacting to a watering down from the subcommittee's
14 recommendation. We want to make sure that we go strong on this. This we believe is in line
15 with the goals in the Housing Element. We believe it's in line with the Comp. Plan that we all
16 worked on for the last few years. We think it's in line with the Housing Work Plan. It's in line
17 with the housing priority session or the Council priority session that just passed and the PTC
18 over the last few years when I was on this body.

19

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1 Now we always fall short. We always have these plans but we don't actually make it up and so
2 the rate that we're supposed to be building houses based on our own submitted Housing
3 Element is 303 units per year. And over each measured period, we haven't hit our goals for
4 affordable housing. Now we have hit that goal in the past but it's been a while so the last time
5 in recent memory was the 1998 to 2004 planning cycle. Since then we've been falling short. No,
6 we discussed this. This came up again and again when we were here on the Commission this
7 came up at Council and we all have seen that fall short and yet the situation it's getting better.
8 So, if you look at the number of units were supposed to be producing for moderate income,
9 there's a gap already that keeps growing and now it's up to something like 80 units but if you
10 go down in income... so if you go towards low income the gap is now accumulative 134 units. If
11 you go even further down in income down to very low income our gap is now up to 264 units.
12 Basically, we keep growing our gap and this is despite us saying this is now our top priority.
13 We're just not building units.

14

15 And so, I guess a good way of putting this is it's not enough to just want or support affordable
16 housing we have to zone for it. We actually have to have an ordinance that makes it possible to
17 build affordable housing. And the couple of things that make it hard the parking minimum FAR
18 limits density maximums etc. all contribute to making it hard. You just heard from people from
19 Palo Alto Housing that this is the case for them. They are the ones who develop this housing.
20 Just a classic example is parking. Sixteen percent of rent goes to pay for parking whether you

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1 want it or not and this has been verified and validated all over. This particular statistic came
2 from Transform which studies this professionally. Low-income people who live near transit
3 have significantly lower car ownership rates and again they drive less. They use cars less. Their
4 ownership rate is less. This has been shown again and again and imperially Palo Alto housing
5 has actually gone and counted cards in their garages which they've submitted to you. So again,
6 what we're doing in some of the changes to the ordinance is basically asking affordable housing
7 developers to build parking spaces that they know that the residents don't need [and] driving
8 up the cost of those developments.

9

10 Ms. Uang: So, we just want to underscore that in order for affordable housing to be a reality we
11 do need some flexibility and we need to think about a broad range of sites. We shouldn't really
12 be limiting ourselves. This affordable housing overlay as I understand is to support our Comp.
13 Plans. So, we're trying to support housing and affordable housing through the year 2030. We
14 might want to consider making it much more flexible and apply to as many housing sites and
15 projects in the future as possible.

16

17 So, with the restriction of going to from 120 percent AMI to 60 percent AMI, why are we
18 restarting ourselves just to a smaller pool of projects? The sites that are... The provision to
19 reduce the distant from transit to a quarter mile instead of a half mile, again that's just further
20 restricting the number of sites we can provide affordable housing on. The transitional height

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1 especially up to RM-15... against... on sites adjacent to RM-15 and R-30 we're further restricting
2 ourselves and the number of sites that are allowable. RM-15 and RM-30 I think they are already
3 multi-family projects. We should be allowed... We should consider a 50-foot height adjacent to
4 those types of existing sites and also the need for family housing. If parking standards as
5 recommended will preclude family housing in the future. Are we... Is that really the right thing
6 that we want to do?

7

8 We also submitted a letter back in... on the 14th to increase FAR especially near fixed rail
9 stations. We hope that you can consider that and flexibility... and we want flexibility or
10 encourage flexibility on retail. So, we submitted a letter to you along with the League of
11 Women Voters Palo Alto and Housing Choices Collation. We collected 269 signatures and I just
12 want to take a moment for you to reflect on the number of names here as well as the people
13 who have signed it. You might know some of them, you might not know all of them, you might
14 know some of them [and] you might not like them, you might not agree with them but all of
15 them have registered their support for the affordable housing overlay and urge you to move it
16 forward immediately, tonight, to Council. I know there are often going to be a lot of points of
17 contention. I sat on the CAC for the Comp. Plan and this happened all the time but we urge you
18 to acknowledge the multiple points of view that might exist and forward those [unintelligible]
19 to Council. And so again thank you again for all of your attention and work let's make some
20 change happen.

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Chair Lauing: Thank you. Bonnie Packer followed by Jessica Clark.

Ms. Bonnie Packer: Good evening Commissioners. My name is Bonnie Packer, I'm President of the Palo Alto League of Women Voters. Last month the league submitted a letter to you reiterating our support for the efforts of the City to increase the supply of housing for all, particularly for those with lower incomes. Accordingly, we encourage you not only to recommend adoption of the Affordable Housing Combining District draft ordinance that was before you last month but also to expand its reach to ensure more affordable housing opportunities and units.

However, rather than consider the ordinance in a timely manner, including the important changes that we recommended, you differ that discussion to an Ad-Hoc committee. Staff then incorporated some of the Ad-Hoc recommendations into the revised draft ordinance before you tonight. The league believes these changes would severely limit the supply of affordable housing in this City. This is contrary to the official housing priority of our City Council which has the goal of producing 300 units per year. As Staff reported to City Council on March 5th Palo Alto is way behind meeting its goals for affordable housing which adds to the urgency to reduce barriers to building more affordable housing projects.

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1 The Staff changes in the draft ordinance reduce its scope by decreasing the range from high
2 transit corridors from a half mile to a quarter mile. And also, by limiting the application of the
3 ordinance to unites for those with households of 60 percent AMI [and] ignoring the need for
4 affordable housing for those with more moderate incomes. There is a human face to this
5 shortage as residents endure long waiting lists while rents rise each year and struggle with the
6 family challenges of living in substandard and overcrowded housing.

7

8 The changes also create high barriers for developers of affordable housing projects by increase
9 the parking require from .5 per unit to point .5 per bedroom without any factual basis to
10 support this. An increased parking requirement means higher costs and fewer units.

11

12 The other change that reduces units is this transitional height limit near multi-family residential
13 neighborhoods. This might make sense in an R-1 site but we don't understand the rationale for
14 a 35-foot height limit on a building that's as much as 50-feet away from an RM-30 that is multi-
15 family zone.

16

17 While we are aware at the impudent for developing this particular combining district ordinance
18 is the Palo Alto Housing proposal for Wilton Court. We expected that you would consider this
19 ordinance in a broader context that's allowing for more potential affordable housing in
20 appropriate locations in the City. We can have no opinion on the viability of a development

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1 agreement for the Wilton Court site but we would not want that effort to defeat the
2 implementation of this important ordinance to allow the development of much needed
3 affordable housing inappropriate sites in the City. I have to find my second page.

4
5 So, we urge you to reconsider our recommendation that we set forth in our letter last month
6 which I included in the attachment today and these include expanding the combining district to
7 the Research Park and General Manufacturing Districts. Allowing the Planning Director to
8 approve increases in FAR in certain areas and very importantly allowing the Planning Director to
9 wave burdensome retail requirements in all districts.

10
11 Please... Let me just finish my last sentence. I want you to place demonstrate that you are
12 serious about addressing the urgent need for affordable housing in Palo Alto. Consistent with
13 the housing priority of our City Council by recommending an ordinance that removes barriers
14 for the development of housing for those with low or moderate incomes rather than one that
15 adds even more obstacles. Thank you.

16
17 Chair Lauing: Thank you. Jessica Clark followed by Ms. Buche.

18
19 Ms. Jessica Clark: Hello my name is Jessica Clark. I'm a mother of three children at Gun, JLS and
20 Pal Verde. My husband and I were both born and raised here. My children are the fourth

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1 generation of our family to live here. Our parents along with my 102-year old grandmother
2 have chosen to age in place here. And my brother and sister-in-law both work and teach in the
3 special education department at Palo Alto High School. However just this month due to rental
4 increases they had to move further away out of the area. In the past, they utilized public
5 transportation or rode their bikes to work. Unfortunately, now they will have to commute by
6 car and add to the traffic congestion.

7

8 My husband is a Respiratory Therapist at a hospital and I was the owner of Clark Family Daycare
9 for 7-years nestled in a cute house right behind Palo Verde Elementary. Six years ago,
10 skyrocketing rental prices forced me to close my daycare, lose my income, move into a much
11 smaller space for twice the rent and become eligible for the PMR Purchase Program. We
12 applied with Palo Alto Housing and were given a number on the waiting list. We were in the
13 mid-300s. In the 6-year since we have been on the list, our family has struggled terribly to make
14 ends meet while our rents just keep rising. In one instance our rent was increased nearly
15 \$1,000. Applying and qualifying... excuse me... for scholarships and assistance for our family is
16 something we never imagined we would ever have to do. Sorry I get emotional. Ok. Our current
17 number on the PMR list is 184. This is not due to over 100 families on the list receiving an
18 opportunity to purchase a unit. This is because many of these people have given up and left. I
19 do not blame them. If my husband and I did not have such strong family roots and support we
20 would be gone as well. It is a completely stressful and hopeless feeling that we consistently deal

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1 with every day. Many days to I want to give up yet my connection to this community and my
2 family gives me no other choice but to continue on and tell my story. I don't know why I am so
3 emotional today. It's my daughters 15th birthday so give a mom a break.

4
5 It's extremely difficult for families like mine or others in even more dire situations to stand up
6 at City Council as you can see and share their most personal struggles and experience. This is
7 one of the reasons you see so few of us. When given the right situation they will share their
8 stories. In January County Supervisor Joe Simitian moderated a teacher Town Hall at Gun High
9 School. It was there in a safe setting on their terms over 100 teachers felt comfortable enough
10 to share their personal family struggles. My friend Tonya Myers that Angie showed the picture
11 of before is one of those teachers. It was truly heartbreaking to hear how our lack of affordable
12 housing and long commutes has affected our teachers and their family's quality of life. Mayor
13 Kniss was there, however, I think it would have been very informative and beneficial for any of
14 the other PTC or City Council Members to have been in attendance.

15
16 I strongly urge the PTC and City Council to remove needless barriers that stand in the way or
17 delay the creation of affordable low-income housing. There are far too many families in our
18 community who are truly struggling now and they are running out of time. Thank you so much.

19
20 Chair Lauing: Thank you very much. Excuse me, Ms. Buche and then David Moss.

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1 Ms. Gisela Buche: Good evening. My name is Gisela Buche, I'm the Executive Director of Loaves
2 and Fishes Family Kitchen and I'm not here to talk about affordable housing. I'm actually here
3 to talk about something that is inextricably linked to affordable housing and that's hungry. Five
4 months ago, Second Harvest Food Bank released a report showing that 1 and 4 residents in
5 Silicon Valley face food insecurity. What does food insecurity mean? That means they don't
6 know where their next meal is coming from. That's 345,000 of our neighbors in Santa Clara
7 County and 375,000 of our neighbors in San Mateo County. These are folks who work, they're
8 families, they're individuals, [and] they're students. They're trying to make a life for themselves
9 here in our community but when asked what was the number one constraint to their ability to
10 get off the roles of being considered food insecure. The number one constraint was the high
11 cost of housing in our community. In fact, so high that these individuals, families, students have
12 to double, triple and quadruple up just to be able to live in the community where they are
13 trying to study, work and give back.

14

15 You have an opportunity here. It's an opportunity to send a message that going to really
16 resonate far beyond Palo Alto. It will resonate throughout the county, not just Santa Clara
17 County and not just San Mateo County but really throughout the Bay Area. That when we make
18 it possible for people to live in the communities where they work, do businesses, go to school
19 and try to be a part of that greater fabric that we call community. We create equity, we create
20 parity, we create opportunity so I would encourage you to move this recommendation

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1 forward for affordable housing of Palo Alto for abundance of reasons that were far more
2 eloquently spoken to tonight than I can possibly give around affordable housing. But
3 understand this when you build affordable housing you are helping to break the back of hunger
4 in our community. Thank you.

5

6 Chair Lauing: Thank you. David Moss and then Patricia Saffin I think it says.

7

8 Mr. David Moss: Hi I'm David Moss, a 40-year resident of Palo Alto. It's very hard to follow
9 those last two speakers and I just want to make sure that you reject the proposed amendments
10 to the affordable housing overlay because we need affordable housing so badly. And I'm still
11 smarting from the loss of the Maybell property for senior housing and that was because of five
12 near neighbors and absolutely nothing has been done since then. And I see that any
13 impediment to affordable housing causes immeasurable delay and I don't think that that's
14 right. I look at the Fry's property that ought to be 100 percent affordable housing and other
15 properties near transit centers. And I just wish that we could move as quickly as possible to
16 make that happen. Thank you.

17

18 Chair Lauing: Thank you. Patricia Saffin and then following that is Nicole Montojo.

19

20 Ms. Patricia Saffin: My name is Patricia Saffin. I'm a long time Mid-town resident. I'm here
21 tonight to urge you to recommend adoption of the Affordable Housing Combining District draft

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1 ordinance as originally proposed by Staff. I won't go into detail because you've heard some
2 great detail already tonight by some of the speakers but I don't believe that the changes that
3 were made by the Ad-Hoc committee are necessary. And I think that they will hinder us from
4 providing the housing that we so badly need. So please just forward the original proposal to
5 Council with your approval. I thank you for the opportunity of speaking.

6

7 Chair Lauing: Nicole and then Daniel Dulitz.

8

9 Ms. Nicole Montojo: Good evening. My name is Nicole Montojo and I'm here from Silicon Valley
10 at Home. We are non-profit affordable housing policy and advocacy organization and I'm here
11 to support the affordable housing overlay. It's a critical tool that the City of Palo Alto has to
12 address the difficulty in constructing affordable housing. And the key to making it effective is
13 flexibility and reducing barriers as many of the speakers have already mentioned tonight. And
14 it's critical that you ensure that the ordinance requirements make affordable housing
15 development feasible and that the entitlement process, as a result, is faster and easier.

16

17 We certainly agree with the comments by some of the other organizations within the room
18 tonight and especially in regard to maintaining the previous proposals for parking and the .5
19 radius around or .5-mile radius around transit. And we support expanding the overlay zone to
20 multi-family zones and other key housing opportunities in the City. And most critically we want

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1 to see the ordinance allow for flexibility in regards to retail and FAR that can be approved at the
2 Planning Director level.

3
4 With these changes in mind, we encourage you to move forward with the overlay. It's really an
5 important opportunity to create more opportunities for affordable housing and Palo Alto needs
6 to do better and now is the time to act. Thank you.

7
8 Chair Lauing: Thank you. Following Mr. Dulitz is going to be Becky Sanders.

9
10 Mr. Daniel Dulitz: Thank you to Commissioners and Staff for your work on this issue. I'm one of
11 the signatories on Palo Alto Forward petition. I support the affordable housing overlay as
12 originally proposed and I oppose the amendments imposing additional restrictions on the
13 overlay.

14
15 I moved to Palo Alto from Pennsylvania in 2000 to work for a tiny, tiny startup that no one had
16 ever heard of called Google. Housing was crazy expensive then. I paid more in rent for a one-
17 bedroom, middle unit next to the railroad tracks built in the 1960s than I paid for the mortgage
18 on my Pennsylvania four-bedroom house but at least I could live here. The situation is much
19 worse today.

20

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1 So first below market rate housing is very important. As previous speakers have described a
2 residential deficit as built up over many years especially at lower incomes. In part this because
3 residents complained that new residents would lead to excessive traffic.

4
5 Secondly requiring bundled parking spaces is costly and unwise. It is costly because it forces
6 residents to pay for a parking space even if they don't need or want one. The overlay is close to
7 major transit stations. It is unwise because it incentivizes car ownership and usage. Cars people
8 own are cars people drive. We want to encourage dense development near transit stations so
9 that people don't need to own their own cars and can use transit instead.

10
11 Third existing multi-family apartments zoned RM-15 and RM-30 should not prevent the use of
12 the overlay to the largest extent possible on adjacent properties. Smart consistent density is
13 smart density and maximizes the benefits of density by helping small businesses move in to
14 support residents. It's the new small businesses that make high density actively good for
15 residents. Not just a cost to be managed.

16
17 The lack of below-market housing in Palo Alto eats away at our community. The affordable
18 housing overlay without additional restrictions is smart density which minimizes negative
19 impacts. This is a great opportunity for Palo Alto to take a leadership role in smart density and
20 set a great example for the entire Bay Area.

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Chair Lauing: Thank you. Becky Sanders followed by Jane Stokley.

Ms. Becky Sanders: Good evening Planning and Transportation Commissioners, hello. I'm Becky Sanders, a moderator of the Ventura Neighborhood Association. So, at our last meeting in March, the one thing that we could totally agree on was that we welcome below market rate housing to Ventura. That is not a problem. What we do not want to see are upscale condos and apartments for rich people in our neighborhood. It is important to us to preserve economic diversity and the context of Ventura is quite charming actually. So that being said though we can see that this ordinance as it stands has a potential to wipe out our neighborhood by rolling back height, massing and parking protections that we currently enjoy and that other neighborhood... wealthy neighborhoods, in particular, will still enjoy.

Parking and traffic is already a headache in Ventura. Whatever is built anywhere make sure its adequately parked and if Palo Alto Housing can't afford to build a parking unit then let's find a way to build those for them. I mean let's not just take it off the table and why Ventura? Apparently, all neighborhoods are not creating equal and that wrinkles us. If there were a spot in Crescent Park, would you build there? Can we rezone the whole City in order to spread the impacts across the whole City and not just to Ventura? Until everyone in Palo Alto is ready to welcome density to their community I don't think it's fair to ask us to absorb all of the impacts.

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1 And who is to say that El Camino is too ugly or too beautiful as it is? We have NUV [Note- Not
2 sure if this is right] Cap coming, we've got Compadres site, Mike's Bikes so on and so forth. I
3 mean you know what's in the pipeline for us.

4
5 I have been approached by families who live on the streets closest to Wilton for help. They are
6 concerned that this zoning has been proposed without adequate neighborhood outreach or
7 input and we are the people that live here and we pay taxes too and we keep the lights on here
8 in City Hall too. And I looked over the signatories to the Palo Alto Forward and I recognized a lot
9 of people that live in other parts of Palo Alto. I didn't actually recognize anybody that lived in
10 Ventura. Not that I know everyone in Ventura but I was looking for at least one or two people
11 that I thought would have signed it.

12
13 Anyway, please understand what you are asking of us in Ventura. Thank you very much.

14
15 Chair Lauing: Thank you. Jan Stokley.

16
17 Ms. Jan Stokley: Good evening Commissioners. My name is Jane Stokley, I'm Executive
18 Direction of Housing Choices. We're an organization that works with families who live here in
19 Palo Alto who are searching for an affordable housing solution for their adult child with

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1 developmental disabilities. That's part of the population that really needs the... to benefit from
2 the goals of the affordable housing overlay and so we strongly support it.

3

4 And I just wanted to give you a little bit of information. You've heard from some families
5 tonight but I'd like to tell you a little bit about what the data is here in Palo Alto. We... there are
6 473 Palo Alto residents with developmental disabilities, 261 are adults, [and] there are only 48
7 of them that are able to live in their own affordable apartment. Not because they are not
8 capable of with supportive services and not because the supportive services aren't provided but
9 because they can't afford to live here, they can't find an affordable unit. We recently worked
10 with a family a long-time resident of Palo Alto who was nearly at their wit's end and not sure
11 what they were going to do about their daughter who needed housing. She'd been on various
12 waiting lists for affordable housing here in Palo Alto. Finally, after 7 years of being on one of the
13 waiting lists of Palo Alto Housing properties, she was able to move into her own apartment and
14 that was the salvation of that family. There are many more like that so we need to really focus
15 on affordable housing in a way that includes all of Palo Alto population. People with different
16 abilities and people with different incomes and I think the affordable housing zoning overlay
17 ordinance as it was originally proposed is the best way to go to achieve that goal.

18

19 I'd like to emphasize that people with developmental disabilities typically don't drive. Many
20 Cities have adopted significant zoning concessions for units that house people with

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1 developmental disabilities and other disabilities and seniors. And so, make sure as you design
2 the parking requires of this that you really consider those who drive and those who don't drive
3 and make allowance so we're not unnecessarily paying for parking spaces that people don't
4 need and won't use.

5
6 I think that the increase of the distance from transit to one-quarter mile to one-half mile really
7 doesn't make a lot of sense. Our folks and many other low-income people would happily walk a
8 half a mile to transit. So, I don't think it would have any impact whatsoever to keep the original
9 one half. And I think the change in the height limit is just unnecessarily burdensome to actually
10 having projects come to fruition.

11
12 I strongly support income targeting and so I was of mixed minds when I saw the change to
13 make the income targeting 100 percent at 60 percent of area median income. But I also know
14 from working affordable housing developers across the county that it's increasingly difficult to
15 finance a project that's 100 percent at 60 percent of area median income or below. So that's
16 why I'm supporting the original proposal. If you decide that you need more income targeting
17 then maybe a compromise would be the 120 percent of area median income with a certain
18 percentage targeted to ELI. So maybe 20 percent... You can go up to 120 percent if you have at
19 least 20 percent extremely low income.

20

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1 It's a really great step that you're considering and we strongly support it. It's very much needed
2 by families who live here in Palo Alto. Thank you.

3

4 Chair Lauing: Thank you. The next one I believe says Fran Wofstaff and next up is Carol Lamont.

5

6 Ms. Fran Wofstaff: Good evening. My name is Fran Wofstaff. I'm a 35-year resident of Palo Alto.

7 I live in Mid-town. I came to Palo Alto to take leadership of affordable housing organization,

8 Mid-Peninsula Housing, and during the 30 plus years that I worked there before my retirement,

9 I was involved in developing some 6,000 units of housing in some 38 communities all over the

10 Bay Area. Including Palo Alto where I was involved in Page Mill Court and Palo Alto Gardens. So,

11 I have a great deal of experience in this area and I'd like to tell you that I'm very pleased to see

12 the City considering an affordable housing overlay. It was a great tool in the communities that

13 use it.

14

15 I think specifically of Mountain View where during my 10 years I built some 1,100 units in many

16 communities with an affordable housing overlay. The reason it worked in Mountain View was

17 number one was because Mountain View really wanted it. They just weren't paying lip service

18 to it but also because they had an enormous flexibility with that affordable housing overlay. For

19 example, when we built senior housing in Mountain View with an underlying zoning of twenty

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1 units per acre they upped the zoning to 50 units per acre and were willing to go up higher. This
2 was a number of years ago so the densities weren't as high as they are now.

3

4 So, I think the secret to success is number one to keep things moving. Number two not to use
5 affordable housing like a Christmas tree where you hang ornaments, retail or this or that. We
6 already have lots of those ornaments that come from state housing agencies and federal,
7 whatever the funders are. They have a lot of things that they demand of us which raises the
8 cost and some of those are very good things but adding parking specifically is a huge cost. And
9 our experience is in a development... an affordable housing development today with the
10 resources for transportation there available, the .5 will work just fine. And I'm thinking that we
11 really need to look forward rather than look backward. Let's not think about what we use to
12 demand for parking when there were plenty of sites and the cost for those weren't as
13 expensive as they are now. If we really want affordable housing to happen we can't load it up
14 with really expensive requirements. Ditto for height limits. We have to relax the height limits if
15 we really want affordable housing. Sites are incredibly difficult to secure, they are incredibly
16 expensive so I think if we really want this to happen then we have to try to facilitate these
17 developers. We also can't take forever. They... the financing agencies are providing financing
18 but it's extremely competitive and with the changes in the tax law, the amount of money we
19 can raise has gone down.

20

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1 So, I really think that... I want to support the ordinance that was originally proposed without the
2 amendments. I think the amendments are counterproductive. I think if we have any details in
3 this ordinance that they ought to be consistent with the funding agencies that are providing
4 funding. We can't have different rules coming from different places, from zoning, from
5 financing agencies, from the state. There have been some very good studies done specifically
6 by the California Housing Partnership Corporation on how to reduce emissions by having
7 affordable housing on transit corridors. Anything we do on the boulevard should be high
8 density [and] it should be consistent with the boulevard vision. Please don't put height limits
9 and step-down limits and all these things. They are just going to make the project less feasible.
10 And please move quickly. Thank you.

11

12 Chair Lauing: Carol Lamont and then next up is Herb Borock.

13

14 Ms. Carol Lamont: Hello. I'm a long-time resident of Palo Alto. I came here more than 40 years
15 ago with my son who was in first grade and we had been homeless living in abandoned
16 buildings without electricity. It's horrific but we ended up getting City-subsidized housing and it
17 changed our lives. My son went to first grade here so now I'm a homeowner here for 27-years
18 and so my life changed but it was because we had that affordable family housing.

19

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1 I want to support the original ordinance for the overlay. I think that the changes that are
2 proposed will be obstructive. Will reduce the opportunity to open the doors to homes that are
3 needed by so many in our community. My closest family members is disabled and couldn't live
4 here without affordable housing. We need to open more doors, not put up more barriers. So
5 please don't change the parking requirements, the height requirements, don't add on a retail
6 requirement. What's most important to our community is more affordable homes.
7 Opportunities for those who live like I live here and those who work here. I worked in the City
8 of Palo Alto so please move this along to the City Council and let's open more doors to more
9 homes. Thank you.

10

11 Chair Lauing: Thank you. Herb Borock followed by Linnea Wickstrom.

12

13 Mr. Herb Borock: Good evening Chair Lauing and Commissioners. City Council and Planning
14 Commission gave us a new Comprehensive Plan that says that Palo Alto should continue to be...
15 to grow as a regional employment center. We're not going to have housing for everybody if
16 we're a regional employment center. Everyone that wants to be here and if we decide that the
17 place for additional housing is on transit corridors perhaps it's those people who can go work
18 someplace else.

19

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1 Among the Planning Commission, we have a letter... I guess [unintelligible] formal one from
2 Palo Alto Forward and it says it supports a priority for low-income residents, appreciates the
3 interest of Palo Alto Housing Corporation development for low-income residents, supports
4 Staff's affordable overlay for low-income residents, encourage Staff to explain what they want
5 to do for low-income residents and it's signed by 266 people. And then the typical person who
6 came up from those signers says they're talking about an income class that's higher than low-
7 income residents. Low income is 80 percent or less of the median income. It's not 120 percent
8 of the median income.

9
10 There's been some discussion about the various changes and conditions such as the amount of
11 parking and height limits and location in the City for this affordable housing overlay. In my
12 opinion, the most important criteria for the affordable housing overlay is the income of the
13 people and families that it applies too. I believe it should be no more than 80 percent of the
14 county median income which low income and it is should also be clear that it's for projects that
15 are deed restricted for that income class and also in terms of the percentage income for rent.

16
17 One of the difficulties in making an overlay for a commercial zone is that it's not really 100
18 percent affordable housing. It's a mixed-use project and you need to consider just what you
19 require for 100 percent affordable housing projects when there are presumably other housing
20 projects in the same neighborhood or in the same thoroughfare. Whether they are required to

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1 have the same commercial component as the rest of the neighborhood. Surely people in 100
2 percent affordable housing project that's next door to a place that has retail can go use retail
3 there.

4
5 For developers for housing... affordable housing the one thing I believe that they should be able
6 to have are non-residential uses which are axillary to the project or the developer such as an
7 office of the housing corporation or support of housing services in housing. Rather than have
8 that restriction on the commercial types of enterprises in requiring retail which then as we
9 know can be converted to some other kind offices or some other uses. Thank you.

10
11 Chair Lauing: Thank you very much. Linnea Wickstrom followed by I believe it says Pete
12 Maresca.

13
14 Ms. Linnea Wickstrom: Good evening. I'm Linnea Wickstrom. I'm a 50-year Palo Alto resident
15 with a developmentally disabled son, Pete Maresca who is here tonight and who will speak
16 after I do. I'm here to advocate for affordable housing in general and affordable housing with
17 set-asides for developmentally disabled in particular. As we all know so many people need
18 affordable housing and the need is particularly acute for low income and extremely low-income
19 people including homeless families and Veterans. In these groups, the developmentally
20 disabled are the least visible through those needing housing in Palo Alto allow are in the

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1 hundreds. While those of us who show up to speak at public meetings like this one are
2 generatively comparatively well off. We represent many other parents and developmentally
3 disabled adults who are unable to appear. All of them need affordable housing for the long
4 haul. When parents will no longer be around to providing housing or the ongoing support
5 required to learn the skills for relatively independent living.

6
7 To act for the future, to get started now, I urge you to recommend relaxing rather than
8 restricting conditions for the affordable housing zoning overlay. I specifically urge that you do
9 not require a parking space per bedroom. Only two spaces are required for a six-bedroom
10 house down the street from me so a parking space per bedroom is maybe even discriminatory. I
11 ask that you not restrict transit access to a quarter of a mile. That restriction will vastly narrow
12 the possibilities for affordable housing placement and I ask that you not restrict heights to 35-
13 feet in any residential area as the current amendment proposes. That's a killer given the
14 economics of affordable housing in our area. In short, I ask that you move forward and move
15 the original ordinance to Council. Thank you.

16
17 Chair Lauing: Thanks very much. Pete and then Terry Holzmer.

18
19 Mr. Pete Maresca: Good evening Commissioners. My name is Pete Maresca. I'm speaking for
20 myself and hundreds of others [unintelligible] who are developmentally disabled. I live on a

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1 very low income from Social Security. I also work at a part-time job which is the Marriott
2 Resident Inn Palo Alto Los Altos located right next to the Adobe Animal Hospital on El Camino
3 Real. I was born and raised in Palo Alto and I want to continue to live here. A lot of people think
4 that my parents when they [unintelligible] where of whom could not appear tonight should be
5 able to take care of housing for me but even my parents won't be able to do that forever and
6 many young adult's parents can't afford to help them now. We need a lot more affordable
7 housing especially for low-income people in Palo Alto. I'm asking you to come up with an
8 ordinance that can be responsible. Thank you all so much. You have a good night. Bye now.

9

10 Chair Lauing: Thanks very much for coming. Terry Holzmer followed by Roberta Alquist I think it
11 is.

12

13 Mr. Terry Holzmer: Good evening Commissioners. I appreciate the opportunity to come and
14 speak to you tonight. It's very important that I speak because I am from that neighborhood. I
15 am from the Mayfield/Ventura Park neighborhood. I live in this area every single day. I'm faced
16 by the congestion, by the traffic, by the noise every single day. There's some miss that is going
17 on that I'd like to clarify. I live in a high-density housing unit. Some people think that if you live
18 in a high-density housing unit next to transit that people automatically take that transit. That is
19 a falsehood, total falsehood. I can clarify that by saying that more than 80 percent of our

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1 residents who live in my complex use their cars every day and that's largely due to the fact that
2 transit doesn't take them to where they need to go which is their jobs.

3

4 Some of the things I'd like to say is that I support entirely the recommendations of the Ad-Hoc
5 committee. They worked tremendously hard to review and look at the real realities that people
6 face especially in my neighborhood in Palo Alto. I do believe that these recommendations have
7 been carefully evaluated and they include the need for adequate parking. In my neighborhood,
8 we don't have enough. As you well know there was a recent battle over the Evergreen/Mayfield
9 Park RPP and that continues to be an issue and that will happen to Ventura. It will happen to all
10 the neighborhoods because as long as you put high-density housing next to residential areas
11 overflow... unless you provide the adequate parking the overflow will occur, guaranteed. It's
12 happened in downtown, it's happened in all the neighborhoods, it's happened in South Gate,
13 why do you think they have an RPP? It's happened everywhere.

14

15 I think providing enough adequate space for retail is an excellent idea and also providing an
16 emphasis on below market rate housing. This is something this City desperately does need. It
17 doesn't need more housing for high-income people. It needs desperately for below market rate
18 the people that serve the City.

19

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1 I agree with... meeting with... one of the things is meeting the height limitations is very
2 important to the citizens of Palo Alto because they have said that in the past. They've said that
3 this is important to them and the Council has supported a 50-foot height limit for the past...
4 over... I know for at least as long as I've been here, over 20-years. I think that everybody in the
5 City is far more affordable and what that definition means is not clear affordable housing and I
6 think that we need to make that something that should be the primary goal and not a
7 destruction of neighborhoods. Thank you.

8

9 Chair Lauing: Thanks so much. Roberta...

10

11 Ms. Roberta Alquist: Alquist.

12

13 Chair Lauing: Alquist, I'm sorry. Yep and then Christy Sekar.

14

15 Ms. Alquist: Hi my name is Roberta Alquist. I'm on the subcommittee of the Women's for
16 International League for Peace and Freedom Low Income Housing Task Force. As we speak low-
17 income housing is being nibbled away at block by block. In the downtown periphery you may
18 not know it but at 565 Hamilton and 571 Hamilton and the fourplex around the corner on
19 Webster, three buildings of moderate, not low income because it was once low income and
20 because there's no rent control those folks have been pushed out of the City and now this

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1 group of people is being pushed out of the City. Those folks... The families in these three
2 building have received evictions notices. The single parents have not... the single studios rather,
3 single person occupancy have not. They plan a huge development of high-cost condos with a
4 little bit of retail. We don't need retail, we don't need high-cost condos. We need low-income
5 housing. So, what can you do? I think the 2-year plan and the 2 -year study doesn't go far
6 enough. I think we have to do more but it's a step in the right direction.

7

8 So, while these plans are being made for actually building of low-income housing in the City, I
9 hope to see it before I die and I've been here for 54-years. And I've only seen a tiny step
10 forward in that effort and nothing recently. The existing rental housing units in Palo Alto around
11 the perfidious especially the downtown areas should... there should be a mandate or a
12 moratorium on the demolition on that housing until replacement housing is built. Keep those
13 houses, don't let them go down.

14

15 Renters need protection. We have a Renter Meditation Task Force that is totally toothless.
16 Some of the people in these three buildings went to that group and they were told well there's
17 really nothing legally you can do. Maybe you can keep and stall them for a while but you don't
18 have... you spend a lot of money and there's no real law that serves you. So, what's the purpose
19 of that particular Committee anyway?

20

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1 East Palo Alto, Mountain View, Menlo Park, many Cities around have built housing and continue
2 to advocate and build low-income housing. Palo Alto keeps dragging its feet so until low-income
3 housing is built we need to find ways to stop zoning for PC. PC allows developers... we don't
4 need any more office development in Palo Alto. In fact, if you look on Craig's List there are
5 people looking for housing in the downtown area for their little startups because they don't
6 want to pay the office prices for housing. I found two of them yesterday.

7

8 In my neighborhood which is in the periphery of the downtown area, there are three or four
9 completely newly built houses that are vacant and have been for the last 3-years. What's that
10 about?

11

12 So, in summary, I think there's much that can be done. We need an economical and rationally
13 diverse City. Growing up with kids who look different than us helps kids learn about difference
14 and stops the hatred that becomes part of the world problem that we face in the US. I hope
15 that you will push this original 2-year plan forward. Thank you.

16

17 Chair Lauing: Thank you. Christy Sekar I believe it is and then Robert Moss.

18

19 Ms. Christy Sekar: Hi. Good evening. This is Christy. I'm a resident of Palo Alto and I am speaking
20 on behalf of a current resident of the Ventura area. High rental issues are not only the Palo Alto

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1 but it is a Bay Area issue. As you know during school hours Page Mill and the El Camino crossing
2 as well as the Caltrain crossing on Charleston and Alma, school children are suffering a lot from
3 the heavy traffic. And we are already having... suffering from parking traffic by patrons of the
4 restaurant on the corner of the [unintelligible] and El Camino Real. And we have already two
5 full units houses at the [unintelligible] side of... on the [unintelligible] side of the [unintelligible]
6 and we do not want more crowding on the traffic as well as the parking. And already people are
7 parking in front of our homes and we hardly are getting a parking space on a daily basis. So,
8 that is our concerns on behalf of the Ventura residents. Thank you.

9

10 Chair Lauing: Thank you. Robert Moss followed by Steph Levy.

11

12 Mr. Robert Moss: Well thank you and thank you, Commissioners. Whoops. Ok. The first item I
13 want to touch on is parking which you haven't heard much about. I think it's important that
14 there be adequate onsite parking. We've had complaints from a number of neighborhoods. You
15 heard a little bit about it tonight about spillover parking because the residential developments
16 nearby area under parked. So, every residential development should have at least one onsite
17 parking for each unit and each bedroom another half unit parking space. That will illuminate
18 much of the overflow parking at the streets.

19

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1 Second, on housing, we have this mysterious force that's been preventing adequate affordable
2 housing in Palo Alto. It's called the market. The marketplace funny things here. Let me give you
3 two examples in my neighborhood. There's a house across the street from us which was never
4 formally on the market. It just sold. Four bedrooms, about 2,200... 2,300-square feet, \$4 million
5 and then there's a house a block away on [unintelligible], another four bedrooms, about 2,400-
6 square feet \$5 million. Housing prices in Palo Alto are crazy.

7

8 There are only two ways that we can provide adequate affordable housing. The first one is the
9 way that Palo Alto lead the way nationwide over 40-years ago. You may not be aware of it but
10 at that time all housing developments of 20 or more units were required to have 40 percent
11 BMR units. It took the developers several months before they figured out a way around that
12 and the first project that came in was 19 units, no BMRs, kitty-corner from City Hall. Five or six
13 months later the next market rate development came in 19 units, no BMRs, kitty-corner from
14 the other side of City Hall. At which point the Council reduced the threshold to 10 units and the
15 requirement for 10 percent. At that point, we started to get some BMR units. In order to get
16 adequate BMR housing, what we have to do is return to a requirement for a percentage of
17 actual units built to be BMRs. My suggestion is 20 percent for 5 units or more developed and
18 require the units be actually be built and be on the same site as the market rate units. Not
19 allow the developer to put money into a pot and by his way out because that money sits in the
20 pot for years and no housing is built. Second, you have a requirement that when a developer

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1 comes in and says he's going to build BMR units along with his development. Until the BMR unit
2 is built and committed to the Housing Corporation or to somebody else, he cannot sell the
3 other market rate units. If you don't have requirements the developers can find their way
4 around it and will avoid providing BMR units. So, you have to have a low threshold, a high
5 percentage of BMR units, require them to be built at the same time on the same site and
6 require them to actually be occupied and sold before the developer can start [unintelligible] his
7 profit. Otherwise, the developer will keep on finding ways to avoid giving us what we need.

8

9 Chair Lauing: Thank you. Steph Levy.

10

11 Mr. Stephen Levy: First thank you to Hillary and the Staff who brought forth the ordinance that
12 you're discussing now at the request of the Council to move forward on the priorities in the
13 Housing Element, the Comp. Plan and the Work Plan. What I heard tonight was the human side
14 of the need from people who live here. Many of whom have lived here for the 50-years that I
15 have. Some of whom raised a child as we did with developmental disabilities. I don't want to
16 debate the ordinance but I hope those stories touched your heart and I hope the stories of the
17 people without developmental disabilities who have struggled with their children to remain
18 here in the face of escalating rents also touched your heart. It's what Eric and Elaine meant
19 when they said this is a social justice issue. You're discussing the priority among our housing
20 priorities and all we can do with all the debate about the regulation, it should be this and it

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1 should be that, is to remember that this a human problem facing residents in our City deeply in
2 need, most if not all of whom are less fortunate than we are. Please let that touch your heart.

3

4 The second thing I heard tonight was from the professionals. From Palo Alto Housing, from
5 Silicon Valley at Home, from Carol and the others who do this for a living. I don't do it for a
6 living so I don't know what's right but usually for a medical or an accounting or a legal thing I go
7 to the experts. They should be the ones that say what they need to move these 100 percent
8 affordable unit projects forward. It's what Eric said, we can talk, we can all say we're for it but if
9 the rules don't work for non-profit developers to bring it forward, then nothing comes forward.
10 And we can all sit here and talk about how much we love it when we've made a set of rules that
11 don't work. So, they kind of get the call. Thank you to everybody who took their time out. Ed
12 for being so nice with this. I know Commissioner Gardias, we've probably made up for all of
13 those meetings where no one but Herb and maybe I came to so that we're getting a little closer
14 to even. But do remember this is a human problem, a social justice problem, we say it's our
15 highest priority so move something forward.

16

17 Finally, please do what we did at CAC when there was a close vote and divergent opinion.
18 Please, Staff, find a way to bring divergent opinions on some of these issues forward. I respect
19 what Doria and the Ad-Hoc committee did. Some of us have different opinions. Let Council
20 work it out. Thank you.

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1 Chair Lauing: Thank you. The next speaker is Bahram Atashband to be followed by Shirley
2 Wang.

3
4 Mr. Bahram Atashband: Good evening and thank you for the opportunity to talk. My name is
5 Bahram Atashband and I'm a resident of Wilton Avenue and I just wanted to say that while I
6 really feel for a need for affordable housing in for general, Santa Clara County even. However,
7 on a daily basis, we have to fight for parking on our street and you come home to see a partially
8 blocked driveway, garbage here and there thrown away by passersby. And also, the high traffic
9 in the area and just I don't envy your job because there is a competing demand for low-income
10 housing and the reality. The reality is that the people who is going to be living there, first thing
11 they do when they need something to shop they jump in the car and drive to Mountain View.
12 They don't go to Stanford. Second, if they want to go to work, they jump in their car. There is
13 no transit to talk about. The bus service there is actually non-usable and what else is there?
14 Train? How far is that going to get you to your job? Again, I wanted to support the modification
15 to the parking and also the walking distance to a quarter requirement because that is the
16 reality. Otherwise, people will use their car. They cannot use their car; the caregivers use the
17 car so the car is something to think about. And please come to some reality those who wish
18 there was a... 60 units housing on the corner. Thank you.

19

20 Chair Lauing: Thank you. Shirley Wang.

-
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Ms. Shirley Wang: Hi good evening. I'm Shirley Wang. Thank you very much for giving me this opportunity. I am a resident on Wilton Avenue. Obviously, I'm here for the Wilton Court project [unintelligible] we just got to know denied before yesterday. Anyway, mainly I have two deep concerns. One is obviously parking. We already have a congested street because Wilton... mainly most of the house on Wilton are single-family house and this street was designed for single-family use so it's very narrow. It's actually Wilton Avenue is even narrower than Curtner and Ventura. So, especially with crowded businesses nearby its basically all packed during weekends, lunch, dinner time and with cars blocked up on both side of the street. We actually only have one car space for the driver to go through so a lot of times we kind of have to wait just to find a space to sneak aside and wait for the car driving from the opposite side. So, this is very dangerous so dangerous so well we would like to know how are you doing to address this issue for this project about the parking space?

The other issue is traffic safety. Well, I recently witnessed myself many accidents and near accidents in our neighborhood. And just yesterday a teenage cyclist was hit by a car at El Camino and Ventura and every morning I send my daughter... my kid to Terman, to Hoover. Along the way... it happens so often because a lot of kids riding bicycles to school in our neighborhood. It's so dangerous and the street is so narrow. There are a lot of us... a lot of cars parking on the street. It's already narrow for cars. You can imagine.... It's kind of... anyway.

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1 Really, I'm really worried about the safety for my kids and as I know there are a lot of new
2 families with younger kids moving into this neighborhood. So, I would like to know how are you
3 going to address this safety and parking issue with this addition of 50 to 60 units on the corner
4 of Wilton and El Camino.

5
6 Also, I believe there's another new community just... is going to be added on Curtner and El
7 Camino which literally is just right next to it. I don't know. I really would like... I'd really
8 appreciate if you carefully analysis... analyze this parking and the traffic safety when you do the
9 design of the project. Thank you very much. Thank you.

10
11 Chair Lauing: I appreciate that. That's our last speaker and I just wanted to join one of the
12 speakers in thank you all for coming out and sending letters and particularly those two factors
13 just definitely do give us what someone said of please understand the different point of view.
14 We do. It's best when we hear it live. Secondly is in a letter. Of course, the only problem with
15 the different points of view is that they are all quite different. Everybody here tonight I think
16 stood up and said well affordable housing is a top priority. This Commission is on record for
17 saying that. The Mayor and the Council's on record saying that and prioritizing it and we got to
18 get moving on that no question. Just kind of working out the various segments that need
19 attention with different approaches and so on. It doesn't make it automatic but really

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1 appreciate that in point... input, excuse me. So, did you want to make some comments
2 Director?

3 Ms. Gitelman: I'd like too and I'll try and be brief. I mean I want to join you I guess in thanking
4 the folks who have come out tonight to offer their thoughts. I think as Staff we recognize it's
5 not easy to consider a legislative change like the zoning ordinance we have before you tonight
6 in the absence of a specific project. Often projects kind of help us understand how those rules
7 are going to come to fruition. In this case, we do know that there's an interested party who has
8 the idea for a project which will have to come back to the Commission and the Council if it's to
9 move forward. I think the last speaker demonstrative that the applicant is going to have some
10 work to do to build some community support and you're going to have an opportunity when
11 the project comes back to you to measure their... the value and the effectiveness of their
12 efforts to build that support.

13
14 Our hope is tonight though that you would consider a motion to recommend this ordinance to
15 the City Council and then if a majority of the Commission is interested in some of the other
16 ideas raised by the Ad-Hoc committee, you could also include that in your motion for the
17 Council to consider.

18
19 We are pretty far behind in terms of meeting our goals both the RHNA goal. The Regional
20 Housing Needs Allocation that's set for in our House Element for the period from 2014 to 2023

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1 and the performance targets we set in the Comprehensive Plan which was 3,500 to 4,400 units
2 in the period between 2015 and 2030. By both of those measures, we're pretty far behind and I
3 think... One of the reasons I think is there are a number of constraints that mean that we're just
4 not seeing the applications for multi-family housing that we would like in a time when the
5 region is suffering what I think all understand to be a significant crisis. The constraints in Palo
6 Alto are outlined in our Housing Element. That's actually one of the required elements of a
7 Housing Element is to review governmental and non-governmental constraints. So, if you look
8 at Chapter 4 of our Housing Element from 2014 you'll see a nice discussion about what some of
9 the issues are.

10

11 We think that the proposed ordinance will help address some of those... some of the zoning
12 constraints by giving flexibility to... and higher densities to 100 percent affordable projects. And
13 so, we think it's taking a step in the right direction. Obviously, there's more to do and in the
14 next agenda item on your agenda this evening we'll talk a little more about how we're going to
15 approach some other ideas.

16

17 Anyway, Graham and I are here to answer questions if you have any and we look forward to
18 working with you to get this to the City Council. Thanks.

19

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1 Chair Lauing: Ok. So, the next part of the battling order here is to get a report from the Ad-Hoc
2 who've been out there for the last three weekish so I don't know if... all of you can speak. Is
3 there someone that's going to start with that?

4

5 Commissioner Waldfogel: Do you want to take like three minutes to [unintelligible] or so forth?

6

7 Chair Lauing: Sorry?

8

9 Commissioner Riggs: I'll take a break.

10

11 Commissioner Alcheck: [unintelligible -off mic]

12

13 Chair Lauing: 10 o'clock. If that is acceptable that people want to do that, that's ok. We've had
14 the speakers so just a three-minute stretch break. Ok, great, thank you. [The Commission took a
15 short break.] Commissioner Waldfogel is going to start and other Ad-Hoc committee members
16 will speak after that. Audience members we're reconvening now.

17

18 Commissioner Waldfogel: There we go. I'm sure we'll all come back.

19

20 Chair Lauing: Ok, Commissioner Waldfogel.

-
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1 MOTION #1

2

3 Commissioner Waldfogel: Thanks. Ok, thank you for the break. That was much needed. It was...

4 I want to thank everyone from the public who came in to speak tonight. It was very helpful and

5 a lot of thoughtful comments. We're all trying to solve the same problem which is how do we

6 actually produce housing rather than just talking about it and how do we balance the needs to

7 of the community and the needs of the neighbors?

8

9 So, let me describe what we did in the Ad-Hoc committee in very little time and we... I think we

10 moved pretty quickly. In the matter... in the course of just a couple weeks we interviewed

11 affordable market-rate developers, we interviewed affordable housing architects, we

12 interviewed community members, we reached out to experts and we agree that experts are

13 where you go to find out what's going on. So, we reached out to experts to example to us key

14 metrics for affordable housing development and parameters for affordable housing financing.

15 We heard concerns from community members and overall, I believe that this Ad-Hoc process

16 that we went through is a great prototype for how we can move quickly and decisively on the

17 rest of the Housing Work Plan. What we learned from all these interviews is that the ordinance

18 that the Staff brought to us on Valentine's Day and it's revised by Staff in tonight's packet has

19 some fatal flaws and probably won't produce units the way many people hope. For example,

20 we learned that the only financing for 100 percent of affordable housing is for the under-60

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1 percent AMI target. Staff updated their proposal to reflect this but as several people
2 commented we still need to address other segments and we did learn that there are other tools
3 like Inclusionary Standards that are the regional approach to addressing 60 to 120 percent AMI
4 but that's probably outside of tonight's scope.

5

6 But let's just go through what some of the fatal flaws. One key message we heard from
7 affordable developers is the desire for certainty about entitlements. In an overlay rezone step
8 as the core process doesn't deliver certainty. I mean what we'd like to do is to construct an
9 ordinance where when we developer requires a property, they know what their rights will be
10 and so they can move forward without an additional administrative step.

11

12 We also heard that the real parking demand for similar projects in the area is .65 to 1.8 cars per
13 unit. It depends a little bit or it depends on unit max, studio, one bedroom, two bedrooms but
14 this is the reality of what is currently in projects in the area. .5 unit... .5 spaces per bedroom
15 with an option to reduce doesn't address the real demand. The flip side of this is that
16 mandating a higher rate may not pencil out so we have to look at how do we address this and
17 we heard some suggestions from speakers on ways to address this.

18

19 The current height limits within 150-feet of residential zones are 35-feet. I mean that's just a
20 reality. Reducing that 150-foot zone to 50-feet by a tweak of a table without extensive

-
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1 neighborhood input and we heard from a bunch of the neighbors that they have concerns
2 about this. As an Ad-Hoc committee, we're not sure that we... we don't really have an opinion
3 about whether the right standard should be 150, 50 or something else but it needs to be driven
4 through a community process. It shouldn't just be driven... excuse me... it shouldn't be driven
5 just by a finger in the air and a mandate.

6
7 We shall have heard that retailing retail is a financing problem for affordable developers. That
8 the TMx credit financing that they use for the under-60 percent AMI projects won't support retail
9 components of projects. So, waving retail is certainly one approach to solving that problem.

10 There are other approaches if it's a community value when those need to be explored.

11
12 In digging around in this we couldn't find any other affordable projects in the pipeline. Really,
13 we found zero and that's not a development standard issue, that's a market issue. It's the land
14 costs and that's something that we need to address. Interestingly we didn't hear a lot of
15 concern about relaxed density standards if the other issues are addressed. That did not seem to
16 be a community concern.

17
18 We did hear preference from multiple developers and architects for form codes rather than
19 density standards and we'd like to learn more about this but I don't think tonight is the night to
20 dig into that.

-
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1

2 So, given all these issues our recommendation is to decouple the Wilton Court project from a
3 City-wide ordinance and move forward quickly on a development agreement process relative to
4 Wilton Court. We believe that moving through a development agreement process will teach us
5 what the compromises are that will make a City-wide ordinance work. We could sit up here and
6 we could opine about Citywide height limits, parking ratios, retail, and City responsibility to pay
7 for a civic value or I'm sorry retail and City responsibility to pay for civic values but with no
8 community process to guide us that kind of guessing honestly will only delay the Wilton Court
9 project. It will slow it down because there will just be a lot of controversy. More thoughtful and
10 effective process is exactly what's outlined in our study session for later in this meeting and
11 that's what we'd like to do.

12

13 Look what's the root issue here? The root issue is that building affordable housing on \$10
14 million per acre land is in one developer's words nearly impossible. I mean we interviewed a
15 bunch of affordable developers and they just thought that was kind of a ludicrous place to be. A
16 very different place to operate. There aren't a lot of easy tweaks that can make projects in Palo
17 Alto competitive and if we wanted to really develop affordable housing probably the best tool is
18 to acquire land. San Francisco and Los Angeles have already approved housing bonds and we
19 should probably be looking at that as well. You know it could say something in the \$100 million

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1 range seems about right but we don't have a specific recommendation to make tonight but
2 that's really the root cause. We've got to get some land.

3 For... The projects that qualify for tax credit financing, the under-60 percent AMI projects, we
4 learned that the key metric for those projects to succeed financially is per door cost. You know
5 what the cost per unit is that your development... that you develop and that needs to be
6 roughly \$500,000 a unit give or take. I mean this was a consensus number from a bunch of
7 interviews.

8
9 We also learned that there's a sweet spot in building costs, somewhere in the three to five-
10 story range is a sweet spot. If you build lower than that than land cost dominates and if you
11 build height than that construction costs dominate so there's a sweet spot. We need to
12 understand where that is because that's really where we'll get some productivity.

13
14 We learned there are a bunch of height conflicts that everyone is trying to reconcile. There's
15 this 35-foot height limit within 150-feet of residential zones [so] that's one conflict. Retail
16 preservation we got some consensus numbers. Conventional wisdom is that a ground floor
17 retail needs 13 to 15-foot heights so that conflicts with... certainly conflicts with a 35-foot
18 height limit. So, the retail preservation transition heights, height limits, these are all working
19 together in ways we don't intend and those need to be resolved but with some feedback from
20 the Council and community input.

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1

2 We also heard a fair amount of skepticism about the definition of high-quality transit and we're
3 not convinced whether it's a quarter mile or a half mile, that may or may not be the right
4 criteria. It might be that we should cast a broader net than this quarter or half a mile from
5 transit because the transit really doesn't seem to be what's driving car use in suburbs.

6

7 We also hear concern from the Ventura community that their concerns weren't being heard
8 and we heard from several people tonight that reflected that. So that's why what we want to
9 recommend is moving forward... that moving forward on the Wilton Court project with a
10 development agreement that the... this is a non-project today but that a development
11 agreement be negotiated for this with a bunch of components. I mean if... we need to resolve
12 what the right height standard should be through community process. We need to resolve if
13 retail... If we want retail perhaps the City should pay for it. If the actual data on parking demand
14 is greater than say .5 per unit [then] perhaps the City should pay for this... pay the cost
15 difference for that additional parking. We heard that from at least one public speaker.

16

17 We also recommend continuing the Ad-Hoc process to develop an affordable ordinance for
18 under 60 percent and 60 to 120 percent that will actually work. That will actually produce
19 things. That actually looks at the economics of development and what to do... do some
20 community engagement with developers, planners, architects, community members, other

-
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1 constituencies. I mean what we want to do is find the development standards that will work,
2 that we're not just talking about, financial models that will work and process improvements.
3 We need process improvements in City Hall we need to find out what those process
4 improvements are whether it's by-right processes or other things. You know perhaps we're
5 perfect already, I don't know. I hope we are. And that work needs to... the scope needs to
6 include consideration of height limits, what the right zones are, what the inclusionary standards
7 should be for 60 to 120 percent, what the actual parking demands are and whether the City will
8 actually pony up some money. I mean City funding needs to be a key component if we're going
9 to do more than just talk about this.

10

11 So, given all this, I'd like to move the recommendations from the Ad-Hoc report on our Packet
12 Page 16 and 17 as the recommendation and motion from the Planning Commission.

13

14 Ms. Gitelman: Can I ask a question about the motion?

15

16 [note-?]: Yes.

17

18 Ms. Gitelman: Would your motion be to reject the ordinance attached and implement these?

19

-
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1 Commissioner Waldfogel: The motion is silent on the ordinance. The motion is to advance the
2 recommendation of the Ad-Hoc committee.

3 Ms. Gitelman: Ok, just through the Chair. The Staff is looking for something about the attached
4 motion whether you want to advance these things as well. We need to know whether the
5 Commission is supporting the motion or not... the ordinance or not. Thank you.

6

7 Chair Lauing: Ok so first is there a second to that?

8

9 SECOND

10

11 Commissioner Gardias: Second.

12

13 Chair Lauing: Ok. Discussion, does it make sense to have other Ad-Hoc members if they would
14 like to add to the comments or we could just go to other Commissioners? Mr.... Commissioner
15 Gardias did you want to speak?

16

17 Commissioner Gardias: Yes, thank you very much. So, before it just speaks to the motion and
18 the work that we did I would like to thank you, all of you for coming tonight. And I always
19 believe that the strength of this Commission is in your participation and your comments and
20 presence and input to our meetings so thank you again. So, a... and one more round to thanks.

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1 So, I'd like to thank my colleagues, Commissioner Summa and Commissioner Waldfogel. We
2 spent so many hours perhaps around 100 dollars hours interviewing different parties,
3 discussion and making compromises amongst ourselves. And I think this was a great lesson and
4 recommendation as you have in front of you also includes a number of compromises that we
5 stroke amongst ourselves so thank you very much for this. And before we came to this meeting
6 we met a couple days ago and I shared this observation with my colleagues that this was
7 probably the first meeting of PTC that I didn't have to prepare myself too because I was already
8 prepped up because of this Ad-Hoc committee meetings.

9

10 But now going back to the motions. So, I think that we did truly professional work if I can say
11 this about ourselves. I believe that some observations that we encountered and we included in
12 those in our recommendations are of the professional grade. And the reason that we are silent
13 on the ordinance is because we thought that this recommendation that you have in front of us
14 are really out... they have true substance and they should be included in the ordinance. And
15 then I think some of them may be included very quickly and within the next two weeks, Staff
16 may just give us the advanced document.

17

18 But the others like for example review of the height limits and transitioning limits it may take
19 another couple of weeks and to my colleague when he was referring to this height. I believe
20 that he emphasized that we would like to just get input of the neighborhoods very quickly. We

-
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1 don't perceive any lengthy process. We would like to ask Staff to pursue [unintelligible] some
2 discussions with the neighborhoods what truly should be a transitional of the... for this overlay
3 ordinance.

4
5 So, I will stop right now. I think that you may have more questions about each one of these
6 recommendations and I'm open to addressing greater detail within each one of those if there
7 are questions. Thank you.

8
9 Chair Lauing: Just to the Director's question. Does that mean that something like
10 Recommendation #2 separating housasble... affordable housing into two work items as part of
11 the work plan? Is that where the ordinance would come back in probably?

12
13 Commissioner Gardias: That's correct and Commissioner Waldfogel already spoke about this.
14 So, with the recommendation to specifically, we are moving to recognize this overlay only for
15 medium income... income up to 60 percent and there is a specific reason of the financing. If you
16 go to the page of the Federal Housing Authority and then if you read how the... how those
17 projects are financed. Then you are going to realize that pretty much there's a count of the
18 income level up to which those projects are being financed. And then we talked to the
19 developers including present here Danny Ross from Palo Alto Housing we realized pretty much
20 that there are two separate markets. So, for this reason, a co-mingling of those two of a

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1 different set of standards into one overlay ordinance didn't make sense to us. So, we focused
2 on the income up to 60 percent and we decided to move it first. We are ready of course to
3 work on the second... on the additional overlay that would address income over 60 percent up
4 to 100. Thank you.

5

6 Chair Lauing: Commissioner Summa.

7

8 Commissioner Summa: Yes, thank you everybody and I don't think I have to restate what
9 Commissioner Waldfoegel said but I did want to emphasize a true commitment. I think
10 everybody in this room has to really creating an affordable housing and what we felt was really
11 important was not holding up Wilton at all because they are ready to go. And that's 60 units we
12 don't have today and maybe some of it will be for persons with developmental disabilities. We
13 don't have control over that and that we wanted to emphasize the up... 60... up to 60 AMI
14 because those are the people most in need right now. And we felt that there was a time in the
15 process to address a higher medium income after that but what we really saw missing was a
16 conversation between the community and in this case Palo Alto Housing Core to really
17 understand because there's going to have to be some... something is going to have to give.
18 Everything can't be necessary at the... at all of the Development Standards that we have for
19 multi-family housing now and somebody might have to compromise but we want the
20 compromises to be ones that everyone is happy with. The existing community who is very

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1 concerned about already traffic and parking and the affordable housing providers. May not just
2 Palo Alto Housing but other housing providers. We did talk to housing providers that had a lot
3 of flexibility and emphasized that what really needs to happen is each project they really want
4 to make things work but each project may have its own parameters that need... we need to be
5 flexible and creative in that way. But we really think we should start with a Development
6 Standard in affordable housing overlay that everybody can work with. And the idea is to do that
7 very quickly with the process of a community meeting and as you guys suggested for our next
8 item... next zoning ordinance change we have a community meeting to really get the pulse of
9 the community. So that said I think let's get going and really create some affordable housing.

10

11 Chair Lauing: Other Commissioners? Commissioner Alcheck.

12

13 Commissioner Alcheck: Good evening. Well first let me just address everybody that came out
14 tonight. I was disappointed at our last meeting when a four-member majority of the
15 Commission felt that the right thing to do was to take more time to review this item and set up
16 an Ad-Hoc committee to improve the overlay as it was written. I was disappointed in that but I
17 think I learned a valuable lesson tonight which was to not lose hope in this community's
18 interest in advocating for this incredibly important need. I had said last week and someone
19 reminded me tonight that we wouldn't hear from those who... the voices of those low-income
20 renters or the young adults who can't afford to move out of their parents' home or those who

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1 are lingering on a social housing waiting list. And I said quite dramatically that they are just not
2 participating in this process and one of the reasons why I said... I feel that way is because these
3 individuals struggle to meet the demands of their life without advocating for this cause. And
4 they don't have the time, the means, the resources, the transportation to participate. I'm going
5 to repeat this. I've said this before Palo Alto should not... this Planning Department needs to
6 figure out a way for people to participate with some sort of video recording. You got to let
7 people make their statement to this Commission by video. To not do so is to silence people
8 especially the people on this topic. And I don't know how... I don't know what... If I could come
9 out of pocket... you know what, maybe we need to fund a... I don't know. I'm just so... I was
10 overcome with emotion when we heard from some of the people tonight. It's not insincere and
11 Tonya Myers son was in my son... my daughters preschool class. I had no idea that her... I had
12 no idea that she moved because she couldn't afford to live here anymore despite the fact that
13 she works for our school district. It's just... its very upsetting and I think that's one way to
14 address it. Give the people who have the hardest time showing up here an opportunity to
15 participate through some kind of video recording. I think you'll see a lot more participation
16 hopefully, I don't know but I think it will make a difference.

17

18 I intend to let the rest of the panel speak but Chair I'm going to make a substitute motion after
19 you've given everybody an opportunity to speak and that substitute motion will be to advance
20 a recommendation to City Council that the original version of this overlay be recommended

-
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1 with the four suggestions that were really eloquently articulated by my last time. And I will go
2 through them... excuse me, eloquently articulated by the Leagues of Women Voters last time
3 and I will... when you come back to me I will... I'll read it.

4

5 Chair Lauing: So, you don't want to make it now, you want to hold (interrupted)

6

7 Commissioner Alcheck: I'm going to wait. I'd prefer to give everybody the opportunity...

8

9 Chair Lauing: That's fine.

10

11 Commissioner Alcheck: to speak before I do that. I think it's important that we get it on the

12 record that this is a very, very... I believe this will be a very close vote. Last time we met Chair

13 Lauing I spoke directly to you. At that time, I felt like there was only one swing vote on this

14 Commission. Tonight, it's even more obvious. I don't believe that this is the right decision and

15 there's a reason that I think you should find compelling if you don't find all the other reason

16 compelling. Which is from a process perspective this appears to me like a hijacking. If this

17 Commission feels strongly about this decision they should reject the overlay... If the majority of

18 this Commission feels the way our motion maker does feels this... they should reject the overlay

19 and give the Council the opportunity to give us direction. To not make a decision on that item...

20 I know you know because it's been communicated to us as appointees to this Commission. I

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1 know you are familiar with this notion that if you don't speak to this overlay they don't get to
2 see it. They don't get to participate in the process, our elected officials. The ones that answer to
3 the community so I will if after I speak and you suggest that you will support it, I will make a
4 substitute motion instead to reject the overlay. Not because I believe it should be rejected but
5 because if you are willing to at least reject it, if you can't support it, if you are willing to reject it
6 I will make that motion just to get it off this table and give the Council the opportunity to give
7 us some direction. You frequently cite them as giving us direction and trying to do what they
8 are asking of us in this moment, in particular, seems like a mistake.

9

10 And I'm going to say one of the biggest challenges with affordable housing and addressing it is
11 when individuals co-mingle the issues. By way of example, I'll speak to what Bob Moss said
12 tonight. Your comments described four profit developments and four profit developers which
13 sound terrible. It sounds like terrible people doing terrible things but you've got to know that
14 this has nothing to do with four market housing and there is a developer in the room. He's right
15 behind you and he's non-for profit. He's a non-for-profit developer and that's what this is
16 about. We had a member from a neighborhood association representative tonight talk about
17 how the last thing they want in Ventura is high-end condos. Nothing we're doing tonight will
18 result in high-end condos. You said that there's a funny thing that happens to housing in Palo
19 Alto, it's the market. I don't know that I would suggest to you that the market is what happened
20 to Maybell. In my opinion, what happened to Maybell was self-interest. Was the concept of

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1 nimbyism. I know right now I am not the most popular person among those I would describe as
2 no wanting projects like this in their backyard. But I know you know that when you co-mingle
3 those two things, you take the word for-profit developer, you drop them for-profit, you talk
4 about a developer in a way that it makes it sound like they are exploiting the town on an issue
5 where we're really dealing with a non for profit 100 percent affordable project the kind of thing
6 that happens once in a decade. And a lot of people will say this isn't going to do anything for
7 affordable housing. You're right. This isn't going to lower the rents, it's not going to do... the
8 Wilton Court project, which I don't know if it's really appropriate to even talk about because I
9 don't know anything about it, probably won't make a dent in the housing crisis. That doesn't
10 mean that we shouldn't try. I'm going to keep trying to buy cars that have lower emission
11 because its... you know we should keep trying to keep... We got to keep trying.

12
13 So, I am looking forward to hearing from you Chair. I am willing to make a motion in opposition
14 of what I really believe should happen tonight just for the sole purpose of getting the
15 opportunity to have Council address this issue before we address it again. And I hope you see
16 that this effort to not do that is it has to be interrupted as a tactic to wrestle control away from
17 Council on this item. If we conclude a year like this one where we suggested that the priorities
18 were all about housing without a single application for affordable housing, it's just sad.

19

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1 And my last comment will be that I feel more than a little skeptical about some of the shared
2 learnings of the Ad-Hoc committee. I mean no disrespect but the feedback from the one
3 developer in the room, a non-for-profit developer in the room, is that all of the suggestions that
4 the Ad-Hoc committee made that were incorporated into Staff's document are not good. I
5 would love to know who else you spoke too. I think you should disclose that. Who are the other
6 nonprofit affordable housing developers you spoke to who made you think that these would
7 help them because the one that's here doesn't feel that way? So, I've said enough, I look
8 forward to hearing from all of you.

9

10 Chair Lauing: Commissioner Riggs.

11

12 Commissioner Riggs: Well I was originally wanted to just understand the motion on the floor
13 but since there's going to be another motion on the floor, I can hold that to see what happens
14 with the motion on the (interrupted)

15

16 Chair Lauing: I think we should in this first round kind of understand that if there are any
17 questions...

18

19 Commissioner Riggs: Well I can... I mean clearly, there's this evolved discussion. I mean I think
20 the bigger... why I want to understand is because I guess similar to some of the concerns that

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1 were just expressed by Commission Alcheck. I don't understand some of the... where the
2 recommendations in what is... what [note- where?] the original motion came from? In
3 particularly in terms of how... I do have some expertise in this area and the policy strategy
4 segmenting out the policy strategy by market type just doesn't necessarily match the way that
5 the market treats housing and housing production. And I don't believe... I guess I don't believe
6 the notion that below 60 percent is "the most need" which I think it was the theory that comes
7 out of that or the idea that comes out about that we've heard time and time again from the
8 public. But we know as a Commission that there are housing needs across the income spectrum
9 and the fact that we would even limit to a "defined workforce" is 120 percent is a bit ludicrous
10 because that's \$110,000 a year. That's two \$55,000 incomes in a household. You can't afford...
11 you can barely afford a place here in Palo Alto on that. I mean if at all. So, I find it kind of
12 ludicrous that we wouldn't even consider 160 percent of AMI as a part of our workforce
13 program. So, I mean I think we could parse that but the point is that many of these policies hit
14 on many different... the policies are going to be segment agnostic. And they are going to
15 be...they are going to hit on all of these segments and the projects are going to draw on all of
16 these segments. And we heard from a couple people that actually mentioned that in the public
17 and the idea that we would segment out our policies to match different income levels doesn't
18 resonate with me. It doesn't match kind of what I know in terms of how from a policy
19 perspective so I would just... I'm a bit concerned about the recommendations that are being...

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1 [unintelligible] particularly recommendations too. I find the other ones are I mean we could
2 debate but I don't find them as... I'm not as confused by them.

3

4 Commissioner Waldfogel: [unintelligible – off mic]

5

6 Chair Lauing: Yeah, if there's nobody else that... I think the Ad-Hoc needs to respond to some of
7 these questions that come up so one of you can do that.

8

9 Commissioner Gardias: Thank you very much. So, I [unintelligible] so let me start with this. I will
10 make this statement just once so I am disappointed with Commissioner Alcheck persistence on
11 portraying the effort of his colleagues in such a negative way. And then trying to make
12 statements that would discard the work that we did.

13

14 Commissioner Riggs: I think it's a fair comment. If they're... are they a matter of public record I
15 think is actually a fair comment.

16

17 Commissioner Gardias: Yes, of course, I mean he's welcome too (interrupted)

18

19 Commissioner Riggs: I wouldn't criticize him on that.

20

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1 Commissioner Gardias: He's welcome just to say it you know there's a freedom of speech but
2 regardless, have you done similar work I would have respected and tried to understand
3 professional part of the work that you've done before rendering any conclusion. You chose to
4 do the opposite way. You have your conclusion without listening to the substance so I'd like to
5 just think... so this was... I spoke about this and I consider matter responded from my
6 perspective.

7

8 Thank you very much, Commissioner Riggs, for your comments. I would like to focus on the
9 professional items and I hope that maybe we can... this Ad-Hoc commission [note-committee]
10 with the work that we did and with our response maybe you will recognize some elements that
11 actually support your vision of providing affordable housing with Palo Alto. There is nothing in
12 this text precludes us for moving on the Wilton project immediately and then also moving this
13 ordinance as quickly as we can get controversy around the height transitioning resolved which
14 we hope it will be very quick.

15

16 In terms of your specific question so there are truly different markets for up to 60 percent of
17 income and then developers as we heard... you can talk to Danny Ross. I head this statement
18 from him, hopefully, he's going to support. This is what he said before [that] pretty much
19 affordable housing developers get only financing up to 60 percent. Above this threshold which
20 is pretty much federally mandated, there is totally a different market.

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Commissioner Riggs: Yeah but it's called a mixed-income project. That's the... I mean... so you can have AMI below 60 percent and you can have... I mean there's nothing that limits them from including AMI thresholds across the spectrum in certain projects.

Commissioner Gardias: Of course, yes but then pretty much return on the investment would go down so, for this reason, they would not get financing if they were just going to include higher levels of income. So, that the reason for this otherwise they would not get bank financing. You're welcome (crosstalk) to go to the page of the Federal Housing Commission and look at the link that pretty much (interrupted)

Commissioner Riggs: I've been there.

Commissioner Gardias: describes how the loans (interrupted)

Commissioner Riggs: I know very well actually.

Ms. Gitelman: Chair Lauing?

Chair Lauing: So, are you done with your response?

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Commissioner Gardias: Yes.

Chair Lauing: Ok.

Ms. Gitelman: I'm sorry, I do have a question. It's been stated several times now that the Committee's recommendation is just to proceed right ahead with Wilton Court but do some other longer process for the ordinance. And I just don't understand that recommendation because it's not feasible to move forward with the development agreement for a project that's inconsistent with the zoning. So, we either have to adopt the overlay zone or we have to do a PC. We would have to do some legislative action in addition to the development agreement to move forward a project. I think we just need to better understand this motion if it's going to move forward.

Chair Lauing: Did one of you want to address that? I thought... When you used the word developer agreement in your motion, I thought you were trying to give Council some flexibility in what they use but I'm just guessing.

Commissioner Gardias: So, I can respond to this so pretty much before we wrote the statement we also asked ourselves this question because we heard similar comments before either from

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1 yourself of from Assistant Director Jonathan Lait. And we specifically called him and discussed
2 this issue with him to pretty much to double check that solution that's the Recommendation #1
3 to move it under a separate agreement with the City is feasible. He confirmed that point with
4 the discussion with the three of us and then we know that this is feasible via the existing
5 Planned Community Zoning or some other agreement.

6

7 Ms. Gitelman: Ok that's the missing piece so you would combine a development agreement
8 which is a voluntary agreement between the parties, the City, and a developer, with a
9 legislative action to rezone the site to plan community. That's your recommendation?

10

11 Commissioner Gardias: Correct.

12

13 Ms. Gitelman: Thank you.

14

15 Commissioner Alcheck: Can I ask a quick question?

16

17 Chair Lauing: Did you... Can I... I didn't know... Commissioner Waldfogel did you have a response
18 there? I just didn't want to leave you out if you had or you yielded to Commissioner Gardias?

19

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1 Commissioner Waldfogel: Well is the question answered? I mean I think the point that we're
2 trying to make is that the tax credit... to the best of our understanding the tax credit financing is
3 only available for projects that are 100 percent below 60 percent AMI. So, when we talk about
4 the 60 to 120 buckets, they'll be financed through different tools. So yes, that's a valid market
5 but it's a different financing market. That was the point we're making.

6

7 Commissioner Riggs: That actually is substantially clearer than what the recommendation says
8 so I really appreciate that.

9

10 Commissioner Waldfogel: Apologies for the vague writing.

11

12 Commissioner Riggs: I'll just add, I mean one of the concerns that I have about
13 Recommendation #1 is that it sets a really... from a spot zoning standpoint, it sets a really
14 significant president which you're recommending.

15

16 Commissioner Waldfogel: Well this is how all affordable projects in Palo Alto now have been
17 processed.

18

19 Commissioner Riggs: I'm just saying you know in terms of us really dictating the market its sets
20 a really significant president.

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Ms. Gitelman: Chair Lauing (interrupted)

Commissioner Alcheck: Can I ask Staff...

Ms. Gitelman: If I can interject?

Chair Lauing: Yes.

Ms. Gitelman: I am not an affordable housing developer. I've happened to work professionally in this field for a long time. My understanding of the rules and we can confirm this with Palo Alto Housing is that traditionally non-profits like Palo Alto Housing will use the federal tax credit program to finance projects. That portion of the project that they use the tax credit for have to be at 60 percent **AMI** or below but they can and often do develop projects that have other components. In this case for example, if we require ground floor retail, they could not use tax credits for that portion of the project. They'd have to use some other financing mechanism for that so it is possible that a developer, maybe they wouldn't do it but it's possible that another developer would seek a mixed-income project of some kind.

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1 Commissioner Alcheck: Can I ask Staff a quick question? Do you mind? Chair Lauing do you
2 mind (interrupted)

3

4 Chair Lauing: I want to get... Ok yeah.

5 Commissioner Alcheck: Like just ask Staff a question?

6

7 Chair Lauing: Ok yeah, I just want to include Commissioner [note- Vice Chair] Monk here.

8

9 Commissioner Alcheck: Staff would you mind? I must know based on the question that you
10 asked a minute ago about the recommendation. Has the recommendation as you understand it
11 now suggests that it would go to Council as... with the... if... is this a recommendation that
12 would go to Council?

13

14 Chair Lauing: Yeah, it would be an (interrupted)

15

16 Ms. Gitelman: Yeah.

17

18 Commissioner Alcheck: This motion now with the suggestion that a develop... I don't even
19 know... a PC zone... whatever the question is that you just sought clarification on. Does that
20 change your perception that instead of the item of the overlay being continued, it would

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1 actually have been... a decision would have been made without explicatively rejecting the
2 overlay by recommending a different zoning than the recommendation regarding overlay
3 would in a sense go to Council. Is that your understanding?

4
5 Ms. Gitelman: If this motion stands I think we would forward it to Council and say the Planning
6 Commission in lieu of recommending the attached overlay zone has recommended the Council
7 pursue a PC zoning with a development agreement and a bunch of other things.

8
9 Commissioner Alcheck: Ok and would your... just so I'm clear. Do you anticipate that your Staff
10 report would still include a version of the overlay?

11
12 Ms. Gitelman: Yes.

13
14 Commissioner Alcheck: Ok.

15
16 Chair Lauing: Ok, Commissioner [Note- Vice Chair] Monk.

17
18 Vice Chair Monk: First I'd like to acknowledge the public that's still here and everyone that
19 spoke. I heard some very compelling stories. Firsthand accounts of homelessness,
20 developmentally disabled folks that are seeking housing and our most vulnerable populations

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1 and I think that certainly takes presidents over any concerns about alleged parking issues. We
2 also heard the data points that these folks in this demographic tend to use public transit more
3 frequently and have a less car ownership interest.

4

5 That aside, I did want to comment on the AMI issue that's sort of before us right now. First of
6 all, limiting it is a limitation on the original ordinance in any event. It wasn't there in the first
7 draft that we were so I would just want to point out that putting in a limitation on the AMI
8 further restricts this ordinance. Secondly, we have a great concern about accommodating our
9 first responders and our teachers and I would suspect that they fall within the category of a 120
10 percent AMI as opposed to the one that we're proposing here. So, this proposal will limit
11 providing housing for our teachers and our first responders. And I frankly don't think that our
12 Commission is in the position to be concerned about the financing options for various housing
13 developers. And I don't think it should be something that should be debated. Either we vote on
14 it yes or no keep it in. It's in the new ordinance and I don't know why this Ad-Hoc wouldn't
15 support the new ordinance because much of what the Ad-Hoc is advocating for is in this newer
16 version.

17

18 Commissioner Riggs: [Said off mic] I believe that newer version reflects the Ad- Hoc's
19 [unintelligible]

20

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1 Vice Chair Monk: So, my question to the maker of the motion is looking at the current version
2 of the ordinance which incorporates your suggested changes with AMI which as I stated I don't
3 agree with, it incorporates that, it covers the transitional heights that you're concerned about,
4 it also modifies the parking requirement, it addressed many of your concerns. Are you in a
5 position to support this ordinance or not? I guess that question is to the Ad-Hoc.

6
7 Commissioner Waldfogel: We've made our recommendation. I mean I'm not quite sure what
8 your question is. The... I mean Staff actually went off a little rogue on this because what they
9 generated was not really truly a response to the Ad-Hoc. There was some interim discussion but
10 the Staff ordinance doesn't fully... was not something that was run past the Ad-Hoc.

11
12 Vice Chair Monk: Right and I agree. I fully understand that it does not incorporate all of the Ad-
13 Hoc's suggestions. I think what Staff did was anticipate what much of your feedback was going
14 to be and try to accommodate your concerns and balancing that with what our prior discussion
15 was. So, I guess Commissioner Gardias, knowing that this new version is more restrictive and
16 does accommodate much of the work that the Ad-Hoc did, is it an ordinance that you support
17 or not support?

18
19 Commissioner Gardias: First of all, I would disagree with portraying this as restrictive. I don't
20 believe so. I think that is much (interrupted)

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Vice Chair Monk: It's more restrictive to the prior version.

Commissioner Gardias: So, it is I think in my perspective it much more progressive and supportive of the affordable housing. That's the current overlay that Staff has. Separation again, separation of (interrupted)

Vice Chair Monk: I'm referring to the ordinance, not your recommendation.

Commissioner Gardias: Right, I understand so I'm responding so if you can hear me out, please. So pretty much the reason why the segment over 60 percent is not included is because we just ran out of time. We understood that this requires a mechanism for zoning and subsidizing those housing. If you were going to just to go through this recommendation that we have here it calls for specific subsidies from the City or some private or partnerships with the private investors. And then we have in our Packet we have a detailed solution which one of those would [unintelligible]. We also foresee concession of the height that would be given specifically to the segment of this affordable housing to spur development if there is retail. So, I think that those specific requirements were not in the Staff's proposal so for this reason I think this (interrupted)

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1 Vice Chair Monk: I think they were.

2

3 Commissioner Gardias: Is much more... I believe that this is much richer than this... what's in
4 the current proposal proposed... brought by Staff.

5

6 Vice Chair Monk: So, you don't support the current ordinance? And I guess the same question
7 to you Commissioner Summa.

8

9 Commissioner Summa: First of all, I would like to say that there was kind of an understanding
10 with two recent zone changes that we had one for PF zoning and the one on Valentine's Day for
11 affordable housing. They were kind of being put forward to enable a specific project because
12 we didn't have a zoning to enable that project. And that may be or may not be... maybe
13 partially due or all totally due to the fact that PCs are on a moratorium and affordable housing
14 projects have used the PC zoning too because of each site needing the flexibility to be
15 successful to be its own project. So, in that regard both of those recent ordinance changes felt
16 inadequate to me to really achieve what they were supposed to do make it easier for people to
17 build affordable housing. Especially at the lowest median income level and so what we tried to
18 set out to do is really work... we really worked hard and what we tried to set out to do is listen
19 to everybody and bring something forward that we thought would broaden the ability to create
20 affordable housing in our town.

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2 And I do think there will have to be some compromises and I think people will feel best about
3 compromising for something when they know it's truly going to do the good that affordable
4 housing does.

5

6 So... and actually I would like to add that I'm not even sure we got using all the C zones... using
7 C zones only is actually really... after talking to people it seems like the retail component,
8 retaining retail is the most difficult thing for the housing providers. And it seems like the height
9 transitions and parking are the most difficult thing for residents. And it was our very dear hope
10 to not be locked into something that we didn't think was going to achieve... have the best
11 outcome and that would very swiftly work two ways. To enable Wilton because they are ready
12 to go ahead with a project I think very shortly and also to create a very fast community process
13 just one meeting. We felt that the development process for Wilton would also give the public
14 an opportunity to speak to the things that really matter to them.

15

16 And I would like to say that because of an article last week I think it was we found out that Palo
17 Alto Housing has other sites not in C zones that they might be able to increase the density on
18 these existing sites and they would be left out of this affordable housing overlay as described.
19 So, we just didn't think it was getting it right and it is our goal to get it right and to do it very
20 quickly.

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Vice Chair Monk: Thank you for your input. Then I just wanted to circle back to Commissioner Waldfogel on the motion. My understanding is the Ad-Hoc is rejecting this ordinance and wanting to advance the recommendation of the Ad-Hoc committee. I just want to be clear on what the motion is.

Commissioner Waldfogel: The Ad-Hoc... the motion is not speaking to the ordinance. The motion is speaking to the recommendations of the Committee. It's silent on the ordinance.

Chair Lauing: So, I just wanted to make a few comments that one of them is directly tied to that. As I understood the recommendations I'm just throwing... the ordinance could come back as amended at some point in time. You're just breaking it out for these two segments which also is not mutually exclusive of any other segments up to 120. Just your initial research showed that you should look at the under 60 and then the 60 to whatever. So, the way I understood this is that those should be looked at in the process of the workforce...sorry, the Housing Work Plan going forward and worked into potentially two improved ordinances to address the two segments. Am I getting that right? Then, therefore, it's not a question of rejecting what's on the table it's a question of doing some more work to improve what's on the table as its restricted now and then going onto a segment. I'm just asking for clarification.

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1 Vice Chair Monk: I think from a process standpoint we have to vote on this motion. The Director
2 has made it very clear, we've taken a month, we've had public comment, we need to reject or
3 accept the ordinance that's in front of us and so I would say that supporting Commissioner
4 Waldfogel's motion would be tantum out to a rejection of that current ordinance before us.
5 And also, will push these comment onto Council so I'd be satisfied if that's the case.

6
7 Chair Lauing: I have a question on the table to the Ad-Hoc that I'd like them to address. Is that
8 correct that your intent to potentially two ordinances would come out of this? Is that...

9
10 Commissioner Gardias: Correct. We will pursue if you allow us or if you order this to us we will
11 pursue farther work immediately to provide the second piece within the next couple of weeks
12 and we'll provide this to your recommendation.

13
14 I also want to make another comment that Commissioner Waldfogel spoke to it in his opening
15 statement. The ordinance currently... the ordinance proposed by Staff is much more restrictive
16 than this would [unintelligible] propose. If you listened to what Commissioner Waldfogel said
17 we also discussed and we're recommending although it's not in writing specifically but we
18 recommended the by-right process for the developers to just pretty buy a lot and then just
19 apply this new ordinance as its proposed by Ad-Hoc to be applicable to the lot they want to
20 pursue. It's not in writing but Commissioner Waldfogel eloquently stated that for the record.

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1 So, this was one of our recommendations and I would think that pretty much that Staff's
2 proposal which proposed the process that it would have to go through various approvals
3 actually constricts supply of the affordable housing by extending the development process that
4 may be costly for the developer.

5

6 Chair Lauing: Right so there was another question floating here was the Staff report as revised
7 consistent with the Ad-Hoc recommendation and I think the answer is no. They are not
8 identical. Just for clarity which isn't bad or good, it's just is what it is.

9

10 I just want to make a few comments because I haven't yet which are actually more questions.
11 Just to tag onto the comment that I just made so there's no limitation in terms of your Ad-Hoc.
12 It's just that you want separate kind of consideration of the segments, is that what I'm hearing?
13 In terms of the various AMI segments, I think and there's nothing ruled out including up to 120
14 whatever.

15

16 Commissioner Gardias: Correct.

17

18 Chair Lauing: Ok. When you're talking about the community I think Commission Summa
19 clarified that but you don't just mean the community that might get this first project. You mean

-
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1 the broader community of providers, developers, other providers, not just affected
2 neighborhoods correct?

3

4 Commissioner Summa: Correct.

5

6 Chair Lauing: Right so when you reference community it's not just days or weeks of just talking
7 with Ventura. It's just exploring the [unintelligible] with the community.

8

9 Commissioner Summa: I would suggest to be consistent with the next item on our agenda. It's
10 one community meeting and if the Palo Alto Housing Core wanted to meet with a group of
11 Venturians I think that would be appropriate but it's up to them.

12

13 Chair Lauing: Ok and then did you guys take a look at the other zones that last meeting we were
14 asked to look at? The RP or the GM zones and decide to extend it there or not or you just didn't
15 get to that in the short time?

16

17 Commissioner Summa: I don't think we looked at that but the Stanford Research Park is already
18 zoned for housing and I think we established that at the last meeting. So, it's not really... we
19 didn't think that was necessary.

20

-
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1 Chair Lauing: Last question I think at this point is the high-quality transit corridor, did you guys
2 do any other study on that or discussion of what the meant or are you ok with the definition
3 that came from Staff? I think that's a no.

4

5 Commissioner Gardias: So, I if could (interrupted)

6

7 Commissioner Summa: I'll answer. Oh no, go ahead.

8

9 Commissioner Gardias: That's fine. So, I... actually I was not really sure where this quarter mile
10 was coming from. So, before I respond to this question we had different discussions on the
11 high-quality corridors but I would like to ask Staff directly. If you could just please provide the
12 reason why the distance was changed from half a mile to quarter mile.

13

14 Mr. Owen: I think there was a discussion at the previous meeting about that in particular and
15 then also in earlier conversations that we had with the Ad- Hoc committee it seemed as though
16 that was something that could be potentially applicable to the ordinance that wouldn't... that
17 would be beneficial. So, it was just in development with the Ad-Hoc committee at an early stage
18 and also at the previous meeting.

19

20 Chair Lauing: Yeah go-ahead Commissioner Waldfogel if your...

-
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1 Commissioner Waldfogel: I think that on the Ad-Hoc this is an area where we actually had a
2 little bit of white space among us. There's a point of view that the proximity to transit
3 requirement may be too restrictive. That it's possible that we should more broadly apply this to
4 C districts but we didn't have enough input on looking at overall maps to see what would get
5 caught up in that if we did it. We wanted to look at that more carefully so I don't think we had a
6 ton of enthusiasm for this idea of the quarter versus half a mile.

7

8 We do think that as Commissioner Summa said... excuse me... we stayed away from the RP
9 issue. We talked about GM a little bit in the context of what will happen around the Fry's site
10 and sort of how that plan will give us some prototypes for how to think about GM districts. So,
11 we potentially believe that this can apply more broadly than what's in front of us but we just
12 didn't have enough time or data to figure out exactly what that applicability ought to be.

13

14 Chair Lauing: So again, just to summarize the process. With this motion, you're recommending
15 a PC that would address only the applicant that will... the Wilton applicant that will come
16 forward. That is to be worked out amongst them with any set of criteria including if they
17 decided on exactly what the current ordinance says. To get that one project up, that's ok, too
18 right? And then the other items in here are to be worked in the context of our next agenda
19 item. In the next three months, we're going to do pretty much nothing besides housing which is
20 fantastic so you'll be working that. The obvious default there is that Council can listen to that,

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1 they can talk about the PC that's been controversial before but I think there's more of an
2 openness to that now to get some of these tests done and/or they can choose to go ahead and
3 rework the ordinance because there are still a lot of things that we haven't touched. And I don't
4 know if we're going to do that tonight including parking and height limits and retail and all
5 those things that... I think if we were going that direction then we just have to have a much
6 longer discussion or else they would if they pick that up as a default. Other lights I think
7 Commissioner Riggs, is yours on?

8

9 Commissioner Riggs: Yeah. Well, I just want to make one clarification. I think Commissioner
10 [Note- **Vice Chair**] Monk you said... this is just... I think you said it and weren't thinking that this
11 ordinance has been adjusted and particularly its been adjusted to reflect the 60 **AMI** threshold
12 and the parking minimums have been adjusted. So, I wanted to... and actually, that's very
13 similar to your recommendations FYI. I'm assuming you've noticed that.

14

15 Chair Lauing: That point? You mean that point?

16

17 Commissioner Riggs: Those two points are very similar to Recommendations 2 and 3 in the
18 memo so it has been adjusted along those lines.

19

20 Vice Chair Monk: And the transitional height (interrupted)

-
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1 Commissioner Riggs: Correct.

2

3 Vice Chair Monk: In addition to those two other items.

4

5 SUBSTITUTE MOTION #1

6

7 Commissioner Riggs: So, this ordinance is much different than what we saw before. So, I feel
8 like Staff has been... I don't know if they were... I feel like they were responsive so I think that
9 was... let's not mischaracterize their ability to ingest quickly perhaps the work that you all did.
10 And yet I see these as very separate... they are almost like separate efforts. The ordinance is
11 one piece and every one of these recommendations could be its own ordinance. So, putting this
12 forward in my mind basically shirks our responsibility of looking at the ordinance and calling it
13 for a vote. So, what I would like to do is proposed a substitute motion that does both things. So,
14 I would propose a substitute motion that not only approves the ordinance with one exception
15 but also puts forward the recommendations that you all provided for Council consideration
16 because if there are many more actions with what you're talking about that but they really
17 could proceed much separately from the ordinance. The one exception that I have with the
18 ordinance is I would actually suggest... I would ask that we go back to the original **AMI**
19 thresholds that were put forward and I believe that was... that's just a little.... That does not
20 take on the separations of AH-60 and AH -120 which you had suggested in your memo. And I

-
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1 just think that's a much broader and bigger dialog that we can allow ourselves... we can allow
2 an evolution on. So, with that, I think I just want to make sure if I get a second... do I need
3 second on a substitute motion?

4

5 Chair Lauing: Yes.

6

7 SECOND

8

9 Vice Chair Monk: I'll second.

10

11 Chair Lauing: Ok moved by Commissioner Riggs, seconded by Commissioner [Note-Vice Chair
12 Monk]. Continue your addressing the motion.

13

14 Commissioner Riggs: I'm really done. I mean I just think this is a... this really... in my mind this
15 supports I think what Staff is looking for in terms of emotion. I really feel like that there's really
16 nothing wrong with the current ordinance with the acceptance. I feel like it needs to be
17 inclusive of the entire aim in range as a policy given it's a City-wide policy. I do think we can
18 take on your suggestion long term of these two AMI buckets that you're talking about and
19 maybe that's something that we can finesse in the future. But I feel like this is something where

-
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1 we can really... we can compromise on a little bit and we can move both things forward
2 positively.

3

4 Chair Lauing: Commissioner [Note -Vice Chair] Monk.

5

6 Vice Chair Monk: And just so I'm clear this was to continue the Ad-Hoc's work that they've
7 started and can...

8

9 Chair Lauing: That wasn't in the motion.

10

11 Commissioner Riggs: So, my (interrupted)

12

13 Vice Chair Monk: What was the second part of it?

14

15 Commissioner Riggs: I don't believe my motion... I don't see any... the recommendation doesn't
16 apply any continued work. I believe it implies some action on behalf of Council that would
17 direct us to address some of these things. And I would have to talk to the Ad-Hoc committee to
18 get clarification on their recommendations but I don't read any specific additional action for
19 immediately on this.

20

-
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1 Chair Lauing: I think that's right except that they said that it wouldn't work into the work plan
2 which we're all going to be working on for the next number of months.

3

4 Commissioner Riggs: So, thanks for that. I think I would... that's my read of the
5 recommendations.

6

7 Chair Lauing: Ok we have a substitute motion and... sorry, who's lights on? Commissioner
8 Gardias is your light on?

9

10 Commissioner Gardias: Yes, so my light was on before Commissioner Riggs spoke. So, let me
11 think about this. So, the only thing that... I totally respect you. You're trying to pretty much
12 marry them both... the best parts of two sides but the reason that I... if we had a product I
13 would have totally supported that. But the only reason that I cannot support that is because it
14 is half-baked and then have we... we're going just to move with your proposal there is a number
15 of the good stuff that would have never got to the Council because we never went through
16 them and that's the only professional reason. I would expect that pretty much that Staff is
17 going to take the recommendations either from one side or the other, it depends on how the
18 motion goes, and then pretty much come back to us with the specific language.

19

-
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1 I was also hoping that we can spend a few minutes tonight just going into great detail through
2 what was behind this recommendation. Although it's not on paper but we spent a lot of time
3 and we have specific recommendations for the retail, for some subsidies and we would be
4 happy to share with you and with the Staff for the final document. That was my hope

5 Chair Lauing: Commissioner Alcheck is your light on? Sir? If it's not I've got some comments.

6

7 Commissioner Alcheck: I'm going to speak after the vote.

8

9 Chair Lauing: Ok. I just wanted to (interrupted)

10

11 Commissioner Alcheck: To be perfectly honest I'm most interested in understanding how
12 you're going to vote on this substitute motion.

13

14 Chair Lauing: Yeah, well I'm going to make some comments. The... I also admire and have
15 thought a lot about is there a way that we can make a dual track to this and like everybody else
16 I got the Ad-Hoc at the same time you did and the discussion tonight. So, as I kind of referred to
17 earlier right now it says .5 parking spaces, it says .3 I think for special needs, it has certain
18 height maximums in there that were changed but actually doesn't match the one from the Ad-
19 Hoc. The FARs, the question about expanding it to the RP or the GM districts, the retail policies,
20 none of that matches and I think what the intent of the Ad-Hoc was to say look let's just press

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1 the green light button on the Wilton project immediately. Let's not wait anymore and get that
2 going. Not create an ordinance that president setting for a lot of other projects that might come
3 up at this time and I think it's kind of what Commission Gardias just said all these items we
4 haven't really debated those either last time or this time. So just to automatically approve this
5 with a couple of changes seems like we're not quite doing our job so that's my concern on that
6 one. And I think that the fallback position frankly if Council chooses to do so is to go with that
7 ordinance anyway. If they don't want to do PC and so on, you know they don't have to so that's
8 my concern about trying to couple these things. Other comments? Commissioner [Note-Vice
9 Chair] Monk.

10

11 Vice Chair Monk: Staff had a directive from City Council to bring us an ordinance. Director
12 Gitelman said that we're far behind on our goals for RHNA as well as the performance target set
13 in our Comp. Plan. This ordinance was given to us to vote on a month ago. We did additional
14 outreach, we're here a month later, it is now time for this to go to Council in whatever form
15 we're going to send it to them with all these comments that we've made and we've made a
16 very solid and firm record for Council to make their final decision. The elected body is
17 responsible for drafting this final ordinance, not us. Our job is to advise, give out input and give
18 our recommendations. To slow down this process, to take more of Staff's time is inappropriate
19 and I would like to call the vote [Note-question?] on the substitute motion.

20

-
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1 MOTION TO CALL THE QUESTION

2

3 Commissioner Riggs: I still had a comment if that's ok? You want to call the motion, call the
4 motion.

5

6 Chair Lauing: I don't think there's been a second yet so.

7

8 SECOND

9 Commissioner Riggs: Well she can... I will support your calling of the question but I would just
10 thank you for your graciousness Commissioner Gardias. I appreciate it. I don't... from my
11 background as a planner, I really feel like this is half-baked. It is funny to use that analogy, I
12 would say it's fully baked and its bread and butter because really this is simply. It's an overlay
13 and we think about this in terms of a property owners bundle of sticks. All you're doing is
14 putting another layer of options for someone to explore. It doesn't obfuscate, it doesn't
15 actually change the underlying rights and the underlying zoning on that property. It just puts
16 another set of options and another suit of possibilities and what I can't figure out is why we
17 wouldn't want to explore that? I think that goes back to your comment Chair is that I don't
18 know that we... you know you said that we don't set a president but to me, this seems like the
19 kind of simple president we'd want to set. And I guess I would just challenge that now is the
20 time to set a president and this is a very simple president to set. So, I mean if I could... if you

-
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1 want to call the motion [note-question] Commissioner [note-vice chair] Monk I'll support that
2 but I just think this is setting a president where we can say hey we want to look at these other
3 classifications AH60, AH120 and be really strategic. But we also want to provide all property
4 owners more... a greater suite of tools to use to develop the property, to develop housing, to
5 see projects come through, I think that's a great opportunity and we should double down. We
6 should double down every chance we get. Thank you [unintelligible].

7

8 Ms. Gitelman: And Chair Lauing?

9

10 Chair Lauing: Yes.

11

12 Ms. Gitelman: I have one kind of technical question. I just want to make sure that the motion
13 on the floor includes the additional language on the parking standard that Graham mentioned
14 earlier just so that the standard is included in the ordinance. If it conflicts with state law
15 obviously state law would apply.

16

17 Commissioner Riggs: That is correct it does and I missed that part of the presentation because I
18 wasn't here but I had seen it before in the ordinance.

19

-
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1 Ms. Gitelman: Ok so we would add that to the ordinance if this motion passes. I also just
2 wanted to compliment Commissioner Riggs. I think the motion is crafting a compromise here
3 that is not incompatible with the first recommendation of moving forward with development
4 agreement and all do hast on the Palo Alto Housing Corporation project. That's completely
5 consistent with moving the ordinance to Council and the Council then would have an
6 opportunity either to adopt that ordinance and enter in negotiations for a development
7 agreement and rezoning of the site to include the overlay or they could say we don't want to do
8 that. We'll take the suggestion which is not actually in the motion but the suggestion we heard
9 in the minutes from the Commission and use a PC instead. Right, so I think what we have is
10 something that accomplishes both [unintelligible].

11

12 Chair Lauing: Well I think what the motion... the first motion was we don't need an ordinance
13 today because, with the development agreement, we can get Wilton working and then we're
14 not setting president. I mean the most controversial thing someone said is parking. Some of our
15 speakers said parking is .5 or whatever it's a no-brainer and others said 80 percent of our
16 people drive and we have no place to park. So that's something that we haven't debated up
17 here and the ordinance has that in there at .5 per bedroom and .3.

18

19 Ms. Gitelman: If I can just respond to the president issue. I mean what we're talking about here
20 is advancing an ordinance to the Council for which undoubtedly will get changed at the Council

-
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1 level but it sets up a structure that would allow a property owner to apply to use this tool at
2 their property. And that decision about whether this could be used on a particular site would
3 come back to this Commission and would have to be approved by the Council. There is no
4 guarantee that anyone, any site would be able to use this set of tools in this overlay zone and it
5 does not create a president or guarantee for anything. I just want to make sure that that is
6 clear. There is no president established or no guarantee to any property owner if we move
7 forward and create this overlay zone.

8

9 Commissioner Riggs: I think the comment was with regard to the Wilton Court
10 Recommendation #1 if I'm not mistaken Chair. The president there and I believe it was clarified
11 earlier that we could not proceed on the Wilton Court project without a separate ordinance. I
12 think that was... was that what you were asking if that's (interrupted)

13

14 Chair Lauing: Well we're all trying to be flexible and simplify and I think the ordinance... the
15 first motion was let's simplify and get that Wilton thing built and build a couple of better
16 ordinances, that's how I read it.

17

18 Ms. Gitelman: And Commissioner Riggs is saying more gracefully what I tried to say earlier. We
19 cannot move forward with the Wilton Court project in the absence of an ordinance. It either
20 has to be an overlay ordinance or a rezoning to PC or something else. We actually talked with

-
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1 the City Council in August of 2017 about the options available to advance the Wilton Court
2 project just as a pre-screening. We heard from Council Members about their various ideas
3 about how to accomplish this goal. Like they were all supportive of the project and exploring
4 further how it might be implemented. We talked about three ideas with the Council. One was a
5 local version of the State Density Bonus Act that would apply Citywide and could be used when
6 someone met the criteria. Another option was to use the PC zoning tool that's already available
7 to us in our code and the third was to use this arrangement of creating an overlay zone that
8 could be used solely for 100 percent affordable projects. The Council doesn't take votes at their
9 pre-screenings. They provide their comments and we read the tea leaves. We try and see which
10 ideas have the more support and follow that as our direction. We did not read the tea leaves to
11 see the Council at that time supporting PCs. Maybe it's changed but at that time when we
12 talked to them about this project, we didn't see the votes to get that done. We did see more
13 support for this approach of the affordable housing overlay which is why embarked on this
14 project and we did so in consultation with Palo Alto Housing because we wanted it to work for
15 them and that's what the pre-screening had been about. So, feel like our responsibility as Staff
16 has been discharged. We have brought you an ordinance I think we are asking you to discharge
17 your responsibility and make a recommendation to the Council on this ordinance whether it's
18 for or against and let the Council deliberate. And I like Commissioner Riggs approach which is to
19 combine that recommendation whether it's for or against with the recommendations of the Ad-

-
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1 Hoc committee because I recognize a lot of work and effort has gone into crafting these
2 recommendations.

3

4 Chair Lauing: You're talking about your August 17 pre-screening meeting?

5

6 Ms. Gitelman: That's correct.

7 Chair Lauing: Right and I understand that the feedback from Council Members was mixed from
8 Assistant Director Lait.

9

10 Ms. Gitelman: Yes, I think I've just described that it was mixed and we had to read the tea
11 leaves about what was going to be supported. In our view, the PC ordinance approach did not
12 have sufficient support at the Council and this approach had more support at that time.

13

14 Chair Lauing: Ok was there any other lights on while I've been listening to the Director?

15

16 Commissioner Riggs: Call the question [**unintelligible**].

17

18 Chair Lauing: Yeah, Commissioner Riggs.

19

20 Commissioner Riggs: I think Sue wanted to call the question or I'll call the question.

-
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1

2 Chair Lauing: Ok.

3

4 MOTION TO CALL THE QUESTION

5

6 Commissioner Riggs: I'll call the question.

7

8 Chair Lauing: Alright so do you want... do we want to read the motion back? You do that?

9

10 **Male**: Is there a second?

11

12 SECOND

13

14 Vice Chair Monk: I seconded it.

15

16 Ms. Gitelman: Yeah, I think we understand the motion to be recommend that the City Council

17 adopt this ordinance with the change to all the way to 120 percent so its 60 to 120 percent of

18 AMI and to include the correction on the parking that Graham mentioned earlier. And

19 secondarily that the Council directs us to work further on the recommendations of the... direct

-
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1 Staff to work with the PTC on the other recommendations of the Ad-Hoc committee. That's
2 how we understand the motion.

3

4 Chair Lauing: Ok, everybody understands what that is? So, the substitute motion is now... sorry,
5 point of order?

6

7 Commissioner Alcheck: Excuse me, yeah, I just... it's not a point of order because I've learned
8 recently that there is no such thing as a point of order but I just want to make sure because this
9 happened a month ago. The vote that you're about to take is that on the call to question
10 motion or on the motion...

11

12 Chair Lauing: No, it doesn't need a vote. Call the question doesn't need a vote I don't believe.

13

14 Commissioner Alcheck: It actually does which is why I am asking.

15

16 Mr. Albert Yang, Senior Deputy City Attorney: It needs a 2/3 vote.

17

18 Chair Lauing: Oh sorry.

19

-
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1 Vice Chair Monk: I just want to make sure because last time there was a whole thing about
2 which one did we vote for.

3

4 VOTE

5

6 Chair Lauing: Alright so all in favor of calling the question. Of calling the question so it's to the
7 vote. It's 4-3 ok.

8

9 Commissioner Riggs: 5-3.

10

11 Chair Lauing: Sorry.

12

13 Commissioner Riggs: 5-2

14

15 Chair Lauing: Sorry, I can't count either.

16

17 MOTION TO CALL THE QUESTION PASSED (5-2, Commissioner Waldfogel, and Gardias opposed)

18

19 Commissioner Alcheck: (off mic) Who's voting for it [unintelligible].

20

-
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1 VOTE

2

3 Chair Lauing: [note- Commissioner] Waldfogel I think. Ok so the questions called now we can
4 read the motion. Thanks for that correction. So, this motion is as the Director just stated it. I
5 don't think I need to repeat so all in favor of the substitute motion please raise your hand.
6 Two? Three? And opposed? Four.

7

8 SUBSTITUTE MOTION #1 FAILED (3-4, Commissioners Lauing, Summa, Waldfogel, and Gardias
9 oppose).

10

11 Commissioner Riggs: Couldn't have given us an abstention?

12

13 Chair Lauing: No, please no abstentions. Ok so we're back to the original motion and I don't
14 know if there are other comments. I didn't have one but go-ahead Commissioner Gardias.

15

16 Commissioner Gardias: Yes, so I'd like to reciprocate with... and return nice comments to
17 Commissioner Riggs. So, thank you very much for proposing this. I was very close to supporting
18 this vote, however, the way that it was stated it just precluded me because certain findings that
19 were in the recommendations were truly on the secondary plan. But what was good in this that
20 pretty much the way that [unintelligible] this Commissioner operated, we looked at each item

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1 line item by line item. That's how it has been here for many years I've been here. Recently we
2 were just intrenching ourselves in just separate camps that were just not looking into the detail.
3 They were just going after general statements and I think that had we had a chance to really go
4 through each of these recommendations and dig into greater detail we could have come to a
5 better agreement and understanding of each one of those. And that probably could have
6 brought us together. I really hate these votes 4 to 3, I'm sorry for using this word because I
7 don't think that we should be operating this way. I think that we really should be looking into
8 professionalism and zoning matter within each of these items. Not leaving this to the Council
9 because this is not what we are mandated to do. We should be pretty much the professional
10 wing of the City Council advising them on the planning and transportation items not just leaving
11 this to their discretion.

12

13 Chair Lauing: As one of the dissenters to that I'd like to state my descent which is almost word
14 for word. I agree with you in terms of the trying to get the compromise for one thing. I feel like
15 this is going to go to an ordinance, it's just that this ordinance isn't ready right now and it would
16 benefit from not waiting any longer because we want to get housing done. We can do that if we
17 get a PC from the Council and that project can go forward immediately. So, let's just get
18 forward with that and make this one a little bit better using some or all of the
19 recommendations from the Ad-Hoc. It's how I'm feeling as of hearing all the discussion tonight
20 so that was my reason.

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Ms. Gitelman: Chair Lauing?

Chair Lauing: Yeah go ahead.

Ms. Gitelman: If I can state my case again. You know I feel like we are under some pressure to get this to the City Council for discussion and I can't tell if your remarks are suggesting that we should wait on that again and further delay and further discuss and debate different types of ordinance or if you're saying that we should do as... I think our proposal isn't to interpret the motion that's now on the floor as basically saying we don't want to move forward with the ordinance. We want to investigate these things instead and that we could take that action to the Council.

Chair Lauing: I thought I was understanding your question still right at the end but...

Commissioner Riggs: She's saying is it like Commissioner [Note- Vice Chair] Monk said earlier. Basically, voting for the motions on the floor is defacto vote against the ordinance.

Ms. Gitelman: Right.

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1 Vice Chair Monk: That was my understanding and now my understanding is that the
2 Commission has spoken on it and I just have to say that I believe that it was a compromise for
3 myself and would image Commissioner Riggs to have made that motion in the first place
4 because we were favoring the original ordinance that Staff brought to us. And in fact, in more
5 liberal interpretation of that original ordinance as set from in the letter from the League of
6 Women Voters is something that I also supported as well. So, I was actually hoping for
7 something much more liberal and what we have in front of us today is a compromise ordinance
8 that I think encapsulates much of what we received from the Ad Hoc. And by the way, the Ad-
9 Hoc has people on it that all vote in the same block or at least they have in the last several
10 meetings that I've attended so I don't how balanced the Ad-Hoc recommendations are in the
11 first place. So, I'm extremely disappointed that in our efforts to reach a compromised
12 agreement on this ordinance it was fulfilled tonight but I am glad that it will now go to Council.
13 Thank you.

14

15 Chair Lauing: Right so now to address the question that you asked. I think the issue is that the
16 recommendation if it passes that is the Ad-Hoc recommendation goes to Council. I think at part
17 and parcel of that as we clarified from the Ad-Hoc was to ultimately during our work plan
18 process come up with maybe a couple of ordinances so an ordinance is not dead here. But I do
19 think (interrupted)

20

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1 Vice Chair Monk: It is dead here. I don't know why you keep saying that.

2

3 Chair Lauing: Excuse me I have the floor thank you. But the issue is that as a couple folks have
4 said starting with two members of the Ad-Hoc committee is that it's sort of just not good
5 enough right now and it doesn't need to stand in the way of getting this Wilton project going.
6 So, to my mind, it's sort of saying like we can have the best of both worlds. We can get on with
7 Wilton while we work through all of our months and there's nobody out there else besides
8 Wilton that's waiting to do a project so we're not holding anybody up. So, we've addressed a
9 100 percent of the applicants and possible applicants that want to put up affordable housing
10 and we're 7-0 in support of the Wilton project. Let's get going on it but there are other things
11 that have to... Well we have to have an ordinance which no we're suggesting is a PC and if
12 Council turns that down... let me just finish... if Council turns that down and they want to go
13 with the ordinance as is, absolutely that's on the table.

14

15 Ms. Gitelman: I think it would help me understand the will of the Commission if
16 Recommendation #1 mentioned the PC ordinance because if what you're doing is you're saying
17 we don't want to go this way, we want to do a PC and a development agreement instead.

18

19 Chair Lauing: Ok.

20

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1 Ms. Gitelman: If it actually said that in Recommendation #1 I (interrupted)

2

3 Chair Lauing: Is that alright to the maker and the seconder? Yeah, I think that's fine.

4

5 Ms. Gitelman: Ok so Recommendation #1 would say that the City pursue a PC ordinance and a
6 development agreement with Palo Alto Housing Corp. for the Wilton Court project and that
7 would be in lieu of the current draft ordinance.

8

9 Chair Lauing: Right and for my personal opinion if Council discusses that and decided no that's
10 fine but at least we've got it on the table and that way of getting this thing done fast is at least
11 giving it some air time. I mean it was six months ago when you go the pre-hearing thing. I mean
12 we only took one month it took six months to get it so we're trying to move here.

13

14 Ms. Gitelman: I understand and so I just want to make sure the maker of the motion that's on
15 the floor and the seconder are ok incorporating that reference to doing a PC ordinance in
16 Recommendation #1.

17

18 Commissioner Summa: Yeah and am I, seconder? I forget.

19

20 Chair Lauing: Yes.

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Commissioner Summa: So, I'll speak to that as seconder. Yes, we would be very comfortable with that. I think we did not understand from our conversation with Jonathan that we needed to add that in there. And I think in no way did we mean to disrespect all the work that Staff has done here. We just felt that some aspects of this ordinance would still be unpalatable to residents. And then there would all this opposition and that's never good.

So... And I actually personally believe and I said it on Valentine's Day and I'll say it again today. I actually personally believe... and I was a person that did not have a lot of faith in the PC process. I think the PC process would be great for 100 percent affordable housing project because what we heard from housing providers is that they are absolutely anxious to do these projects but it's hard for them to give specifics because each site is different and requires different things. I think that would be a better process. I would hope that we would have some standards that would be recommendations for these PCs but... and I think really what we heard and I'll just say it again is the parking and the height... you know I appreciate that you added a transition zone but I'm not sure if reducing it from 150 to 50 was the right thing to get neighbors to love these projects. We want everybody to love these projects. That was our main goal.

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1 For parking, we did have this Hexagon study that Staff brought to us that looked at 801 Alma
2 and similar 100 percent affordable projects in other communities, Redwood City and Mountain
3 View and one other. And the actual utilization rate of the parking spots did indicate that 801
4 Alma was over parked and who would want to over park these projects but what it was parked
5 at was 1 and in the other... per unit. In the other communities, they did it the study did it per
6 bedroom which was a little confusing but it was basically it was .8 and .9 per bedroom. So, 1
7 seems like a very... 1 per unit seems like a very realistic approach and so it' those two things
8 that really... that and a respect for my colleagues and the Ad-Hoc process it really didn't make it
9 possible for me to vote for Commissioner Riggs compromise.

10

11 Another question that I have for Staff is a member of the public recommended that 80 percent
12 **AMI** was affordable and not above. Is that... was he referencing a state law or...

13

14 Ms. Gitelman: The various levels of affordability so very low is 60 and below, low is 80 and
15 below and 80 to 120 is moderate and that's all considered below market rate housing.

16

17 Commissioner Summa: Ok so 80 is low, 60 is low low. Ok.

18

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1 Ms. Gitelman: Just to clarify the maker of the motion was Commissioner Waldfogel, the
2 seconder was Commissioner Gardias so if we could just ask both of them to agree that the
3 Recommendation #1 would include a reference to a PC ordinance.

4

5 Commissioner Gardias: I do agree.

6

7 Commissioner Waldfogel: Yes.

8

9 Chair Lauing: The other thing on this affordable housing one of the things that I hope we can
10 get to is being very aggressive in trying to attract more developers. We always well we've got a
11 plan here but nobody is coming to apply and you know I want Council to hear that too. Let's
12 figure out ways to make it interesting for them. We can't always address all of the economics
13 but one of the recommendations here is to help these people with economics because of the
14 land cost, because of the retail issues and so on. So, I'd like to get away to help them fund it and
15 really try to expand it not just once we get this thing is done and just kind of wait and hopes
16 somebody knocks on our door. So, I mean we're all on record for wanting this happened and
17 let's get Wilton going. Any other comments on the motion or the process or the actual
18 recommendation questions? I'm sorry I lost track of the lights. Commissioner Gardias.

19

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1 Commissioner Gardias: Thank you. I would just like to add to a track because I think we should
2 just get into the details. It is just for your notes. I'd like to just to take you very briefly through
3 Recommendation #3 because there was a retail was a part of the project. So, if you look at this
4 you will see that process... those three process steps they define... they recommend either
5 height concession or some subsidies from the City or from private parties. If there is no interest
6 in Recommendation #2... step 1 or 2 then pretty much the City has an option to pretty much
7 waive this retail requirement automatically. That's how we felt about this so we leave it to the
8 City's decision... discretion to subsidize retail if the City wishes so or provide the concession in
9 terms of the height. Allow the affordable housing building just go over the zoning limit by a
10 number of feet to accommodate richer retail space. And that retail space may be interest in this
11 retail space may be bought by some private developer that may have an agreement with the
12 affordable housing development. That's one of the mechanisms that we allow and they would
13 as a reward they would receive this taller space for the retail that would automatically move
14 the height of the entire building over the zoning limit. This way benefiting them this much more
15 than some other for-profit neighbor that would not have this bonus in terms of the height.

16
17 There was also some other mechanism that I proposed that too allow for agreement with a
18 private party and pretty much waive the requirement of the retail for the office space. If there
19 is a party that wishes to invest in the office space as part of this affordable housing building and
20 would like to have this office in Palo Alto. They can do this for a number of years, let's say 10 or

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1 15-years which let's say is the horizon of the financing that the developer receives from the
2 banks. And then after this number of years this office space would convert automatically to a
3 retail. This was another mechanism that we discussed. This way there would be a private and
4 affordable housing partnership that would allow City to preserve this space that would retain
5 its life and then prospectively or immediately retail as it is in our zoning. And then would
6 subsidize because of this private interest or City interest the building of the affordable housing
7 building. So, there is a number of the mechanisms that we discussed and we envision as part of
8 this recommendation for preserving the retail. But then of course if there is no interest then
9 you either have a private party or the City or there's no funding. Then it would just become
10 plane affordable housing development with of course some requirements that we would like to
11 still see some either community area on the ground floor. So pretty much we would not like to
12 have the apartments facing El Camino Boulevard. Those are the discussions that are not on the
13 paper but I hope that these comments are conveying you how we envisioned the specific
14 language for this ordinance so please take a note.

15

16 There was another comment that I would like to make and I really just going to... this is from a
17 different side and this is against... again I hate this 4-3 votes that we have here because when
18 Council looks at us they may recognize that we are not doing much of the professional work as
19 we should have done. So, I would like to recommend that for the second part of this ordinance
20 of this 60 to 100 percent we create a different Ad-Hoc committee that would include

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1 Commissioner Alcheck and Commissioner Summa. And then pretty much when they get to the
2 agreement it would be the guidance for the entire Commission if you agree. It would be great.

3

4 Chair Lauing: Ok any other comments on this?

5

6 Commissioner Gardias: No thank you.

7

8 Chair Lauing: Commissioner Alcheck.

9 Commissioner Alcheck: Thank you. So, a question and a comment. Chair Lauing or
10 Commissioner Summa suggested that there were three affordable housing developers that
11 were interviewed and earlier I expressed an interest in just knowing who they were. I assume
12 one was Palo Alto Housing Corp. Can the Ad-Hoc committee just tell us the other two?

13

14 Chair Lauing: Sure. I mean you guys don't have any confidentiality or anything do you? I mean
15 with anybody so just name them. Somebody speak.

16

17 Commissioner Waldfogel: Yeah Palo Alto Housing, Bridge Housing Corp or no it was Link
18 Housing Corp and yeah, we spoke with [Payatect] Architects.

19

20 Commissioner Alcheck: Who was the third developer?

-
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Commissioner Summa: Actually, given the...

Commissioner Alcheck: I'm just curious about the affordable housing developers, that's all.

Commissioner Summa: Yeah and given the short time frame there were two more... it was hard to get to all these people in the time frame we had. There's... I have two more appointments with people and I'll report back to the Committee and I'm sorry we just couldn't get them. And one is another Bay Area/San Jose affordable housing... two more affordable housing groups here. And actually, we selected Link to contact. Link is a very large affordable housing firm, I don't know if you guys are aware of it, that works all over California and we selected them because we read about an article of two projects they are doing on City-owned property in Belmont that are very, very small projects. And we were interested in how... so they do really small projects and they do really big projects and they do projects that are mixed with commercial and we're actually supposed to meet with them sometime within the next couple weeks when they are up in the Bay Area. But so, we're still interested in and going to meet with these people but it didn't get... we didn't have time to do it for this deadline.

Commissioner Alcheck: Ok so just so I'm clear. You interviewed Palo Alto Housing Corp and Lake Housing Corp.

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Commissioner Summa: Link.

Commissioner Alcheck: Link Housing Corp. Those are affordable developers and you have two others that you're talking (interrupted)

Commissioner Summa: [unintelligible- off mic]

Commissioner Alcheck: Ok and an architect. Alright here are my (interrupted)

Commissioner Summa: And residents.

Commissioner Alcheck: This is my comment. It's not logical for me to make a substitute motion at this time but I want to suggest that I would support a substitute motion... I would have supported a motion tonight recommending that our City adopt the Affordable Housing Combing District that was presented to us at our first meeting on this topic on February 14th with the following changes. Number one that the combining district should be expanded to include the Research Park and General Manufacturing Districts, two that it amends the language regarding the half-mile distance from the transit corridors to enhance the flexibility of that requirement, three allow increases of the FAR and height were appropriate. Particularly in

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1 areas around University Avenue and California Avenue and four allow the retail requirements in
2 all the districts to be waved. I believe that's the most promising version of an ordinance to
3 achieve the goal.

4

5 I have two other comments and I'm going to try to say this in an effort just maybe... my goal
6 here is to have a better result but I just want to acknowledge that I too struggled tonight and, in
7 the past, to understand Chair Lauing your positions. You heard the Director of the Department
8 sort of reiterate on two separate occasions tonight that she just couldn't understand what it is
9 exactly what you're saying. I think when you read the minutes tonight you will hear yourself
10 saying that we... this was six months they did it. We got to get this ball rolling and then another
11 point in the evening you suggested that you know we need more time and this is not ready for
12 prime time. I am really struggling to understand what exactly you're saying. I'm not suggesting
13 that you have any intent to delay, I'm just saying I'm having a hard time and I think what makes
14 that difficult for me is I don't know how to speak to your interests because without
15 understanding what it is that you're looking for, it's hard to understand how to potentially
16 bridge the gap that we need to bridge tonight.

17

18 Chair Lauing: Well, let's take that offline and have the coffee that I suggested.

19

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1 Commissioner Alcheck: Yeah no actually the point that I'm trying to make is online, on the
2 record, I'm not understanding what you're saying, Staff, suggested two times tonight on the
3 record that they didn't understand what you're saying and I would like... I'm hoping, I really am
4 hoping we can get to a place where we're a little clearer with what we want because it would
5 help the process.

6

7 My last comment is directed to Staff. You know earlier tonight Commissioner Waldfogel
8 suggested you went a little rogue. I don't... you don't answer to us. Your answer to our City's
9 Manager, he's your boss and you're the head of the department. There is no Ad-Hoc committee
10 that you answer too, there is no Commission that you answer too, there is a three-legged stool
11 when it comes to planning in this town and you're one leg, we're one leg and they're one leg.
12 And I know you tried tonight and I don't always agree with you but I'm comfortable with you
13 stating your opinions even if they disagree with me. I am very comfortable losing a vote. I'd
14 rather lose a vote than not have a vote. I'd rather have the opportunity to speak my descent
15 than not have the opportunity and tonight I felt like we were going to vote on the ordinance
16 and somehow, we managed it. A couple weeks ago I watched our City Manager delicately
17 navigate a discussion about housing, about the Housing Work Plan that we're going to do next
18 when some Council Members started to talk about RVs. I think you were there. It was an odd
19 direction to go and our City Manager stepped in and plainly said his piece. And I would just like
20 to encourage you and I know that you are not with us every meeting but you are... your

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1 department is allowed to take a position and to advocate for what you believe is the best and
2 most promising course of action. I'm not going to put words into your mouth but I would like to
3 know. I just want you to know that I think we would benefit from knowing if in your
4 professional judgment the ordinance version that you brought forward in your second draft is
5 preferable to the ordinance that you brought in our first draft from your perspective in
6 achieving the goal that you believe that the department has. Which again I think is set by your
7 leadership and I'd also like to know if you feel like the Ad-Hoc committee was a constructive
8 use of time. Someone... Commissioner Gardias suggested...

9

10 Chair Lauing: I'm not sure that's on the agenda right now.

11

12 Commissioner Alcheck: Commissioner Gardias suggested tonight that I volunteer with
13 Commissioner Summa to continue the discussion and solve this problem. I have feelings about
14 it but you're the professional in the room. And I really wish that we knew what is in your head
15 right now.

16

17 Chair Lauing: Are you finished? Ok. Yeah, let me just comment because you're concerned about
18 being on the record. I've been on the record at every single private and public that affordable
19 housing is the absolute top priority of this Commission. That enthusiasm extends tonight's
20 decision after hearing all the discussion to say let's go on getting this project done that's

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1 waiting in the wings. Let's not wait any longer so that's point one that is entirely consistent.
2 Probably doesn't even need a complicated ordinance like this out there if Council chooses to do
3 PC. The other ordinance is there which as a couple of us have said just isn't finished. It could
4 come back with four amendments four weeks from now in our normal work which could be
5 fine. So, there's no inconsistency there at all. Was there any other comments on this because I
6 want to put it to a vote.

7

8 Commissioner Riggs: I actually had my light on.

9

10 Chair Lauing: Sorry, great that's why I asked if there were more comments.

11

12 Commissioner Riggs: Sorry, I'm a little... Alright, I want to just specify that I believe I said this
13 about a couple months ago I do not support this Commission doing this idea. I think
14 Commission is too small, the City is too small to be doing all this subcommittee work. I have
15 specifically said I will not participate in subcommittee work. A City this size should not have to
16 have subcommittees. I think they are not transparent and I strongly recommend we do not
17 continue this. I really don't think it's a good practice and I feel like we can have study sessions,
18 we can do this but I don't think it's appropriate. I thought we had agreed not to have
19 subcommittees in our retreat. I thought that was the consensus.

20

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1 Chair Lauing: No.

2

3 Commissioner Riggs: Well, it was very clear to me from the retreat that was going to be the
4 policy and then we proceeded to establish a subcommittee. I think these issues aren't that
5 complex, that we should be able to deal with them on this dais so I just want to be clear that I
6 do not support the idea of subcommittees. Everybody here is volunteering their time and it is,
7 by all means, they should not have to be obliged to do that. And I don't think it's... I just don't
8 think it's appropriate.

9

10 Chair Lauing: Ok. Is there any other comments on the motion that's on the floor and then we
11 can do more procedural stuff? Commissioner [note-Vice Chair] Monk.

12

13 Vice Chair Monk: I just want to point out that it's 9 p.m. and that at 9 p.m. according to our by-
14 laws we're supposed to kind of reevaluate where we are for the evening.

15

16 Chair Lauing: I'd like to get this vote in and then do that.

17

18 Vice Chair Monk: Thanks.

19

20 Chair Lauing: Ok so the motion on the table do you have that to read back to us?

-
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Ms. Gitelman: I think the motion is that the Planning Commission recommends that the City Council peruse a PC zoning ordinance and a development agreement with Palo Alto Housing Corporation to advance the Wilton Court project and direct the Staff to work with the Commission on the remained of these recommendations. I hope that's correctly interpreting whatever.

Chair Lauing: Did we say... I don't remember, did we say as part of the Housing Work Plan? I don't remember if that was in there or not.

Ms. Gitelman: It was not in there.

VOTE

Chair Lauing: Ok. Then all in favor of that motion please raise your hand. Four and opposed? Three.

MOTION PASSED (4-3, Commissioners Alcheck, Riggs and Monk opposed)

Chair Lauing: So that motion passes.

-
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1 Ms. Gitelman: Thank you. Commissioner if you could just give us a minute to set up for the next
2 item, we'll be...

3

4 Chair Lauing: I'd just like to make one comment on thanking the Ad-Hoc.

5

6 Commissioner Alcheck: [unintelligible – off mic]

7

8 Chair Lauing: They said they put 100 hours into it which means we didn't put in 100 hours into
9 it so it seems like there's some value to add there. This agenda item is closed. Do you have...

10

11 Vice Chair Monk: So, Director what effect does this motion... is this still going to go onto Council
12 at this point?

13

14 Ms. Gitelman: Yes, we're going to forward this motion to the Council.

15

16 Vice Chair Monk: Will it still be at the same rate of receipt or is there additional work that needs
17 to get done? I know that Council is eager to hear from us on this on a yes or no.

18

19 Ms. Gitelman: Yeah, we're going to forward (interrupted)

20

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1 Vice Chair Monk: Did we effectively meet that objective?

2

3 Ms. Gitelman: A Staff recommendation and the Commission's recommendation to the Council
4 and we'll have to consult... and we'll have to work on that over the next few weeks.

5

6 Vice Chair Monk: Did this motion slow down this issue going to Council yes or no?

7

8 Ms. Gitelman: Our goal is to get this to the Council on April 9th but we... a lot of things have to
9 fall into place for that to happen. We're working on it.

10 Vice Chair Monk: Ok thank you.

11

12 **Commission Action**: The Planning & Transportation Commission recommends that the City
13 Council consider a Planned Community (PC) zoning ordinance in conjunction with a
14 development agreement as the way to advance an affordable housing project on the Wilton
15 Court site, and that the City Council consider the following additional recommendations in lieu
16 of the draft Affordable Housing (AH) Combining District Ordinance:

17

18 • Recommend separating affordable housing into two work items: under 60% AMI (AH60)
19 and 60% to 120% AMI (AH120).

20

21 • For AH60 the PTC recommends the following options for retail preservation:

22

I. Where retail is retained, offer a zoning (height) concession.

23

II. Where affordable housing provider financing precludes retail: City or a 3rd party
24 may participate in project financing, potentially in exchange for an ownership
25 position.

26

III. As a last resort, City may waive the retail requirement as provided by the retail
27 preservation ordinance.

28

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- 1 • For AH60 the PTC recommends City financial contributions to develop parking to meet
2 demand based on measured parking utilization rates of comparable properties. The City
3 may exercise an option to build additional parking available to the public.
4
- 5 • The PTC recommends maintaining the transition height standards in all the C districts
6 adjacent to residential districts. We recommend a community process with outreach
7 before changing transition heights for AH60 housing.
8
- 9 • The PTC recommends an open space standard for AH60, but we recommend against
10 roof gardens adjacent to low density residential districts.
11
- 12
- 13 • The PTC recommends folding AH120 work into the Housing Workplan effort. The
14 regional consensus is to accomplish AH120 with inclusionary standards. We are not in a
15 position today to make a recommendation on the right inclusionary standard.
16

17 Motion passed 4-3(Alcheck, Monk, Riggs)

18
19

20 **Study Session**

21 Public Comment is Permitted. Five (5) minutes per speaker.1,3

- 22 3. Schedule and Approach for the Planning & Transportation Commission's Input and
23 Recommendations Regarding Items in the February 2018 Housing Work Plan Referred to
24 the Commission by the City Council
25

26 Chair Lauing: Ok so there's one more agenda item. It's – boy that clock is going weird. It's 9
27 o'clock which seems relatively early to move on this agenda item getting the work plan
28 together for the housing. Yeah, we can take a five-minute break while they are setting up.
29

30 [The Commission took a five-minute break]

31

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1 Chair Lauing: I think we can probably get through this pretty quickly. As we discussed in the pre-
2 meeting we're working mostly on the calendar to set up the work plan so I don't think there is a
3 lot of content at all that we have to discuss tonight. It's just kind of structure, is that right? So,
4 go ahead.

5

6 Ms. Gitelman: Thank you Chair Lauing. I'm the Director(interrupted)

7 Chair Lauing: Commissioner Alcheck? Go ahead

8

9 Ms. Gitelman: And I want to introduce Jeanne Eisberg who's with us to help us through this
10 process over the course of the summer. We're hoping to make a lot of progress on the Housing
11 Work Plan and tonight's discussion as the Chair indicated is really about the shape of the table.
12 You know how we're going to approach this process. I'll let Jeanne give the presentation and
13 then we're happy to answer any questions.

14

15 Chair Lauing: We definitely have a short time frame here tonight so thank you.

16

17 Ms. Jeanne Eisberg: Yes, thank you. I'll keep it brief.

18

19 Chair Lauing: Thank you.

20

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1 Ms. Eisberg: Again, my name is Jean Eisberg with Lexington Planning [Note- Not sure if that is
2 the right name]. I'm a planning consultant working on behalf of the City. Good evening
3 Commissioners and members of the community. So, I'm going to provide an overview of the
4 work plan as well as well as the specific contents of the Council referral, key issues that will be
5 addressed, major tasks and a timeline for completion of the ordinance this year.

6
7 So, the Council adopted a work plan last month as you're aware. This consolidates
8 implementation measures from three key places. The City's adopted Housing Element which
9 provides policies and programs that address housing affordability for a range of income levels
10 and populations. Second, the City's recently adopted Comprehensive Plan which includes
11 policies and programs related to housing in the Land Use Element, it includes items around
12 removing constraints to housing production, protection on existing units and inappropriate
13 locations for new housing. Third item is the City Council's Colleagues Memo from last
14 November which identified their desire for zoning updates to encourage diverse housing,
15 including affordable housing, near jobs, transit services, increasing densities and reducing
16 parking constraints. So, the overall objectives of the work plan are around housing production,
17 affordability, and preservation.

18
19 Just a reminder about the quantified objectives from those adopted policies. The Housing
20 Element identifies sites to accommodate the Regional Housing Needs Assessment which is

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1 almost 2,000 units including the 1,400 BMR units. And the Comp. Plan and the Comp. Plan EIR
2 anticipate production of up to 3,500 to 4,400 housing units over the planning period. So, what
3 does that actually look like over time? So, this graph is showing us what the housing... what the
4 City has actually built over the last several decades and as you can see on a per unit... excuse
5 me, per year basis the City would need to build an average of 300 units a year to meet those
6 Comp. Plan quantified objectives. Which is obviously quite a lot considering that the City
7 actually hasn't done that since the 70's so this is a tall, tall order.

8

9 The work plan is trying to address this challenge in five areas. First acknowledging Staff and the
10 City have a number of initiatives underway including the affordable housing overlay that you
11 just discussed, the north Ventura Coordinated Area Plan which is one of those big-ticket items
12 where we expect more housing production that will be kicking off this summer. Second, the
13 zoning amendments that we'll be talking about tonight. Third some economic analysis, the
14 Council wanted to look at potentially increasing the Affordable Housing Inclusionary Ordinance.
15 Third, using affordable housing funds to... by issuing a notice of funds available, a NFA, another
16 big-ticket item to actually spend funds in a specific location or more than one location. Then
17 fifth ongoing partnerships with the county, with service providers, with Stanford and other
18 major property owners.

19

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1 So, the focus tonight is really on the second bullet which is about revising the zoning ordinance
2 in calendar year 2018 to encourage production of a range of multi-family and below market
3 rate housing in appropriate locations. The first bullet about identifying by-right project
4 procedures and strengthening objectives relates to Senate Bill 35 which went into effect in
5 January which is a little less urgent at this point in time and will be perused separately from this
6 ordinance.

7 So, I'm not going to get into the content tonight. The Packet does a little bit and as does this
8 slide, identifying the zoning regulations in the Council referral. You can see the bulk of the work
9 is in the Downtown, Cal. Ave and El Camino Real district. Since these are the areas and corridors
10 where the Comp. Plan identified the highest opportunities for housing production. We'll also be
11 looking at densities in the RM district and parking regulations Citywide. The last asterisk there
12 shows that additional revisions primarily to the single-family districts would be part of a 2019
13 ordinance as part of the work plan. I do want to be clear about one thing which is that these
14 items are consistent with, if not explicatively stated in the Comp. Plan or the Housing Element.
15 So, a lot of the heavy lifting has been done in terms of locations and number of units. I'm really
16 looking at implementation and these zoning revisions are not in and of themselves going to
17 create new units but this is about providing more flexibility for how a site may be... how a site
18 plan may be configured, how massing may be configured to provide property owners,
19 developers, architects more flexibility to actually achieve the densities that are already allowed
20 by the code.

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1

2 A number of issues that this would try to address, many of them came up in your previous item.

3 For example, the value of existing uses on sites is very high and so there needs to... a property

4 owner needs to be motivated to actually redevelop a site because they are earning a lot of

5 income off of the tenants that are there now. And so right now as construction costs are high

6 when the process is lengthy or uncertain and you can't really increase your building floor area

7 more than a story or two, you're not going to be motivated to redevelop. Another issue is that a

8 lot of the easier sites have already been developed so what we have left is a lot of smaller sites

9 which require a parcel consolidation which can be really tough without additional incentives or

10 centralized ownership. Lastly, there are multiple regulations in the Zoning Ordinance around

11 landscape requirements, open space, coverage, height and so all of those when you put them

12 together especially on the smaller sites can be challenging. And then lastly some of the zoning

13 regulations in these districts are prioritizing non-residential development [so] office and hotel

14 over residential.

15

16 So, our key tasks over the next several months we'll be looking at issues and options for how to

17 address the Council referral items and the key issues that I just identified. So, we'll be looking at

18 how is the current ordinance working, what are some options for revisions that would help

19 achieve these objectives. And I recognize that you want to debate these choices and we've built

20 time into that in the schedule. So as part of this, we'll be looking at recent projects and

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1 opportunity sites to see how some of these options play out. We do have a couple studies that
2 we do need to do. For example, the parking regulations, there's a study underway looking at
3 parking occupancy rates at a variety of housing types, affordable housing, senior housing,
4 market-rate housing, close to transit, further from transit so we'll be presenting those soon.
5 We'll be talking to key stakeholders, people who really use the code, architects, developers,
6 applicants in the process to discuss what their pinch points are on sites and test some of the
7 ideas that we discuss here. And so, this is akin to some of what in the previous item you were
8 talking about that you had some Commissioner's doing. We'll be creating informational
9 materials to distribute to community members as well as holding a workshop for the
10 community at large. That was one of the items in the Council's referral and then finally after
11 we've gone through these issues and options, we've looked at the draft ordinance a couple
12 times, then we'll be looking for your recommendation to Council.

13
14 So, this is the proposed timeline. We'd be coming together with your roughly monthly over the
15 next few months to review various options for zoning changes and then we'll have two
16 Commission meetings we suspect to actually review a draft ordinance before recommendation.
17 In the middle of that, we would do a community meeting with the community at large,
18 probably at the draft ordinance stage or just before. We're trying to keep to the Council's
19 schedule to get an ordinance to them adopted by the year-end so that we can start on the 2019
20 ordinance.

-
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As mentioned we anticipate the ordinance to be consistent with the Comp. Plan and the Comp. Plan EIR but if any new or unanticipated impacts are identified we would need to prepare an addendum to the EIR.

So that concludes my presentation. Staff's recommendation is to review this timeline and let us know if you have any feedback. Thank you.

Chair Lauing: Ok comments or questions on Page 24 on that timeline. These April, May, and June are going to be coming to us pre-ordinance is the intent right now to get feedback and then it would come back with an ordinance as planned on the August meeting. And I think there's some debate about when we would do the community meeting. So that's what we had recapped yesterday right?

Vice Chair Monk: Yeah.

Chair Lauing: Ok. So, any other... any comments about this? Commissioner [Note – Vice Chair] Monk.

Vice Chair Monk: Looking at the timeline on Page 24 I see that the community meeting as the Chair just mentioned was set of July and I think we had discussed moving that up to June given

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1 the length that it takes to get an ordinance moving forward. I'd like to start that process earlier
2 so if you can start drafting that ordinance in the earlier part of the summer rather than the
3 latter part would be my request. Thank you.

4

5 Chair Lauing: Other comments are [Note-Commissioner] Waldfogel.

6

7 Commissioner Waldfogel: Thanks. This actually looks like a really good work plan. One question
8 for you if you go back to slide 6 where you outline the five steps in this does this imply
9 sequencing?

10

11 Ms. Gitelman: These are the five components of the Housing Work Plan and there's a bunch of
12 things going on concurrently. So, as you know ongoing initiatives are ongoing, the zoning
13 amendments are divided into 2 years so we're going to be working on the 2018 ordinance with
14 you. The economic analysis is going to be going on concurrently. We have an outwork
15 contracting with an outside consultant and the end result of that analysis will be a change to
16 our inclusionary program which is one of the things that you recommended... the Ad-Hoc
17 committee recommended in the prior item. So that will be in parallel and to the extent that
18 results in an ordinance that requires your review will come to you probably after this work on
19 this ordinance is done. Then separately we'll be working with Policy and Services on both that

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1 issue and on the uses of the affordable housing fund so we're working with a subcommittee of
2 the Council on both buckets three and four.

3

4 Commissioner Waldfogel: Ok, I would appreciate early looks at three and if possible come
5 content on looking at economic feasibility of projects that we're trying to promote through
6 zoning amendments. I've seen a history over the last couple of years of proposing zoning that
7 promotes ideas that may or may not be financially viable and so I'd like to understand those
8 things. You know if we're going to encourage policy acts let's make sure that it actually makes
9 sense within the scope and framework so of local land costs or of highest and best use
10 alternatives because otherwise, I think we're just whistling in the dark so to speak. So, to the
11 extent that we can do that would be great.

12

13 Ms. Gitelman: We can certainly get you something on that subject and when the economic
14 analysis is done for the inclusionary question it will have some relevance to that particular issue
15 and we can share that with you as well.

16

17 Commissioner Waldfogel: Yeah, that'd be great. Thank you.

18

19 Chair Lauing: Commissioner Gardias.

20

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1 Commissioner Gardias: Thank you. I would have the same request with what Commissioner
2 [Note-Vice Chair] Monk said. If it would be possible to compact the calendar and have pretty
3 much Community outreach be done by the Memorial weekend and 28 of May. This way we
4 would just maybe after that we could look at the ordinance right after that because during the
5 summer there may be some absences or some other items and we can lose momentum. I don't
6 know if it's feasible it's of course ask.

7

8 Ms. Gitelman: Well maybe I can... we can hear what the other... the rest of the Commission has
9 to say. My observations from the prior item is the Commission seems to want to spend more
10 time pre-ordinance than post draft ordinance. And actually, talk about... start building the
11 framework of the ordinance through these early discussions and spend enough time on that so
12 that when we get to a draft ordinance you have some familiarity with its component parts and
13 how it's kind of coming together. Am I reading (interrupted)

14

15 Commissioner Gardias: That would be fine as well. As long as there is 100 percent draft by the
16 beginning of summer because so we can pretty much discuss it and finalize our comments. If
17 we had different pieces of drafts before we, of course, can maybe discuss pieces or at least just
18 get knowledgeable of them and have some position. And we can immediately after your final
19 meeting with the residences we can just move to the meeting and close on this item.

20

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1 Ms. Gitelman: We can try and bring forward ordinance language I guess as part of each of the
2 framework discussions April, May, and June. I just don't see how we can do both things, give
3 the Commission an opportunity to go create some of these concepts with us as we look at
4 options and opportunities, data and analysis and also bring you an ordinance speed quick.

5

6 Commissioner Gardias: Maybe just have a draft as a developed to our visibility. Maybe disrupt
7 the progressing document every month to the Commission so we know how the work
8 progresses. We don't have to discuss it but at least we can read it, maybe we can discuss it
9 amongst ourselves. We will pretty much not spend any time on asking questions, we can go
10 immediately to the discussion on the final document once it's there.

11

12 Chair Lauing: Are you done with that comment? Ok, thanks. Commissioner Alcheck.

13

14 Commissioner Alcheck: Maybe if I may suggest a different approach? I think maybe what we
15 ought to do is have a study session and talk about our goals for each of these categories in what
16 can only be described as the most straightforward way. And then I think Staff can take those
17 goals and draft the language that they think achieves that... those purposes. I'm really skeptical
18 of a process where we pen the language or participate in language drafting. I just don't think...
19 I'll speak for myself I don't think we have... I have the expertise really to do a good job at that
20 and I also think that the Commission is far too divided to properly articulate the kind of

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1 language that any one side would want. I think we would essentially waste a tremendous
2 amount of time trying to be specific so what I would suggest you do is host a meeting or a few
3 on the categories of areas that we'd like to address. And then see... without essentially majority
4 votes, see if we can get consensus. What I suspect will happen... I take that back. Let's assume
5 theoretically that we talk about parking adjustments and three members of the Commission
6 suggest that they would like to see language that could accomplish this goal and four
7 Commissioners suggest they would like to see language when it comes to parking that
8 accomplishes this goal. So, you have two goals, you could essentially then come back to us at
9 the next stage with language that essentially in your mind achieves the results that the
10 Commission is saying they want. And then we can vote really efficiently on which one we like.
11 The beauty of that is if these discussions are in any way like the discussions we've had as a
12 Commission, this particular Commission, then there will be a lot of close votes. And the beauty
13 is that what goes to Council after us will reflect two clear options, one that's this way and ones
14 that that's way and here are all the ones that got the majority and here are all the ones that
15 didn't. I think that's a better approach because we're not reinventing the wheel, here right? All
16 of these... you don't need me to tell you what kind of language adjustments we can make in the
17 Cal. Ave that would allow or encourage 100 percent residential over retail. The question is do
18 we want that? Would we support language like that? And so, if we had a meeting where we talk
19 about ok what is... what areas would you like to see developed in a certain way? And then I say
20 I'd like to really explore the notion that we would reduce our parking requirements in light of

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1 the trends to do so in other Cities in California and you bring at the next stage of this you bring
2 language from San Jose and you say hey look, in San Jose they are doing this. And in Atherton
3 they do this, you know whatever the exact opposite is. I shouldn't have said Atherton but I
4 guess my point is let's provide you with guidance on the goals that we have and you guys do
5 the drafting.

6
7 And I think the reason why the Director was struggling to sort of achieve the request you had
8 Commissioner Gardias is because they can't really do both. They can't sit in a room with you
9 and draft the language and also have an ordinance in May. It's just not going to happen right so
10 what do you think about this idea?

11
12 Ms. Gitelman: Well, first let me clarify. When I said that I was gleaned that the Commission
13 wants to be involved in kind of co-creating this a little bit. I didn't mean writing the ordinance. I
14 think you're right, we would like to work with the Commission on how you suggest we
15 accomplish the Council's direction. Council has given us some very specific things to get done.

16
17 Commissioner Alcheck: Right.

18
19 Chair Lauing: Right.

20

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1 Ms. Gitelman: And so, we thought that over these meetings we would have a discussion with
2 you and bring some information and analysis, some examples to your attention, have a
3 discussion about how you want to accomplish these objectives of the Council, based on your
4 discussion we would draft ordinance language which you would get to review and
5 [unintelligible].

6
7 Chair Lauing: Sounds like you agree. That's not materially different.

8
9 Commissioner Alcheck: But are you open to the idea of maybe having instead of just one
10 version, having... and I don't mean... like we've had in the past here's Option A, here's Option B,
11 here's Option C. Option A is 10,000, 20,000, that's not really what I mean. I mean based on the
12 discussions we have if there's a sense by Staff that there are really two sides to this discussion.
13 Are you open to the idea putting forward sort of two versions and suggesting this is our best
14 articulation of what we think some of the positions were and I think the Council would love to
15 hear how you feel about them kind of meeting?

16
17 Ms. Gitelman: You know I think we can work towards that goal. What I don't want to do is send
18 the Council two versions of an ordinance but what we can do is try and craft an ordinance and
19 include some sidebars where there's disagreement on the Commission. We can say the

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1 majority recommended this way but there was a significant minority that recommended this
2 way and so we kind of build that together.

3

4 Commissioner Alcheck: So, let me just... the last thing I'll say is I'm actually really comfortable
5 with that. And I'll say this now and I said it earlier tonight, I'm comfortable participating a
6 process where the ordinance moves forward with language that I don't agree with as long as
7 I'm given the opportunity to say why I don't agree. And I would hope that because really this is
8 an urgent effort right. We have urgency here. My hope is that we don't spend too much time
9 trying to force each other to except things and we just let the vote speak for themselves and
10 speak to our descents. I'd rather... I'm not afraid of these 4-3 votes as long as the sides get to
11 articulate their opinions. The notion that we need to come to consensus on every item and I
12 know tonight we heard from Commissioners who were uncomfortable or unhappy with this
13 idea that we keep having very split. I think we should be comfortable that, it's an acceptable
14 result and if we're comfortable with it then I think we'll get through that meeting at one point
15 better. That's all I'm trying to suggest.

16

17 Chair Lauing: Commissioner Summa.

18

19 Commissioner Summa: So, I would agree and I think since these first three meeting at set up as
20 study sessions, that's essentially what's going to happen. You're going to gather our ideas and

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1 represent them and then so I think actually the process Commissioner Alcheck articulated in
2 already kind of built into what you suggested. So, I'm comfortable with the schedule, thank you.

3

4 Chair Lauing: Commissioner [Note-Vice Chair] Monk.

5

6 Vice Chair Monk: So, I think what Commissioner Gardias was eluding to was to maybe look at
7 this piece mill to the extended Camvy [Note- unknown word] piece mill and break it into
8 section. And so, I guess on that is the way that it's structured here are those the main buckets
9 of topics that the ordinance is going to cover? Such as there will be an area on development
10 constraints, an area on density changes, is that how I'm supposed to understand these
11 sessions?

12

13 Ms. Eisberg: Right, that's right. So, depending on the district that we're talking about, there are
14 different levels of analysis that we'd be doing based on that Council referral.

15

16 Vice Chair Monk: And then you're giving us a month. Does that mean that you're anticipating
17 that it would take two PTC sessions per each of those?

18

19 Ms. Eisberg: Oh, sorry no so that's not necessarily the order that we would present them in. It's
20 just sort of graphically a way to wrap your head around the types of issues that we're looking

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1 at. I would actually recommend that you at least the first study session look at everything all at
2 once to see what you're dealing with because these development standards from the
3 applicant's point of view on site really need to be taken all together.

4

5 Vice Chair Monk: So is that listed in April's [unintelligible] because I don't it on our revised list.

6 Maybe I'm missing (interrupted)

7

8 Ms. Gitelman: We haven't shown it on the list yet. We were (interrupted)

9

10 Vice Chair Monk: So, it would be baked into April [unintelligible]

11

12 Ms. Gitelman: We would look at the last meeting in April to have this first discussion and
13 Jeanne's recommendation is that we do an overview. You know kind of go through all of the
14 issues we are trying to cover in the first meeting. Get some initial thoughts, put some initial
15 data and analysis on the table and then probably over the next two meetings we'll divide it into
16 pieces and go deeper into some of the issues that are the most complicated.

17

18 Vice Chair Monk: Ok thank you and I again apologize, I do need to step out early. I had a pre-
19 announced flight that I need to catch this evening so I am probably going to scooch out in just a
20 few minutes.

-
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Chair Lauing: Commissioner Gardias your light is one.

Commissioner Gardias: Yeah no I hope that Commissioner [Note-Vice Chair] Monks could still stay I mean to... roads are empty at this hour and but I think that specifics bring us together. Not that I'm... I mean I was against the 4-3 split one way or the other because I think that this pretty much the reason why we're just doing this is because we were just discussing items at the very high level as opposed to looking at the granularity. And then pretty much there is a very simple exercise. There is a number of units that need to be produced and there is a timeframe. And then pretty much you can keep us... you can control our input in this say that pretty much if we deviate from the goal then pretty much any solution that would just deviate from the Council's goal should not be pretty much considered. So, everything... any other solution that would be just execution of their direction. That's how I see it and I think that if we are going to look at the mechanics, as long as we are staying within the goal, this too number of units in the timeframe. That should just be gaining consensus of this Commission, that's how I see it.

Chair Lauing: That sounds like it's a plan. With no other comments, we can move onto the next item which is approval of the minutes.

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1 Commissioner Summa: [unintelligible -off mic] question.

2

3 Chair Lauing: Oh sorry. I didn't see your light, go ahead.

4

5 Commissioner Summa: Just a quick question for Staff. We're relying on TDMs it looks like even
6 more or considering it. It just is there any way to get any information on how well TDMs are
7 working at various locations? Like actual buildings and are they being monitored by... is it all
8 self-reporting or are there any outside audits or looks at how TDMs are working. Is that
9 available and if it's available can we get some information on that?

10 Ms. Gitelman: Why don't we follow up offline. I'll explain, it's not an easy answer.

11

12 Commissioner Summa: Ok. Thanks.

13 **Approval of Minutes**

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

15

16 4. January 31, 2018 Draft Planning and Transportation Commission Meeting Minutes

17

18 Chair Lauing: Ok is there a motion to approve the minutes or any corrections or additions?

19

20 MOTION

21

22 Commissioner Gardias: Yes, there is a motion here to approve the minutes.

23

-
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1 Chair Lauing: Alight a second?

2

3 SECOND

4

5 Commissioner Summa: Second.

6

7 Chair Lauing: Second to Commissioner Summa. All in favor aye unless you were absent but I
8 don't think anybody was.

9

10 MOTION PASSED (7-0)

11 **Commission Action:** The motion was passed to approve the minutes for January 31, 2018.

12

13 **Committee Items**

14 Chair Lauing: There are no Committee items because there was only one Committee which had
15 already reported.

16 **Commissioner Questions, Comments or Announcements**

17

18 Chair Lauing: So, we're onto Commission questions, comments, announcements and then we'll
19 look at any future agenda items that haven't been discussed.

20

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1 Commissioner Gardias: Quick question? Sorry.

2

3 Chair Lauing: Sorry. Commissioner Alcheck.

4

5 Commissioner Alcheck: Yeah just I'll be attending the Housing the Bay Conference on Friday
6 next week. I don't know if anybody else is going to be there but it's shaping up to be very
7 interesting panels and speakers all about the housing shortage. A little graduate course if you
8 will on affordable housing and residential housing development in general. So, lots of
9 developers will be there I'm sure non for profit and profit. And I still think there's room to sign
10 up for those interested in exposure to that.

11

12 Chair Lauing: Commissioner Gardias.

13

14 Commissioner Gardias: Thank you. When is the meeting with the City Council scheduled for?

15

16 Ms. Gitelman: I don't know that we actually have one schedule but I'll put that question to the
17 City Clerk and see if we can't get one scheduled.

18

19 Commissioner Gardias: Could you please? Yes, thank you. The second question I don't know if
20 you can Direction Gitelman if you could state briefly the reason why Commission will not be

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1 subject of the railroad crossing review because we were informed that this Commission will not
2 participate in this process but I never heard the reason.

3

4 Ms. Gitelman: I will have to get back to you on that.

5

6 Commissioner Gardias: Thank you.

7

8 Chair Lauing: Commissioner Summa, is your light on? No. Ok than any other future agenda
9 items other than what we talked about in the revised one? In that case, I think it's Uber time for

10 Commissioner [Note-Vice Chair] Monk. That's the end. Adjourned.

11 **Adjournment**

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Palo Alto Planning & Transportation Commission

Commissioner Biographies, Present and Archived Agendas and Reports are available online: <http://www.cityofpaloalto.org/gov/boards/ptc/default.asp>. The PTC Commission members are:

Chair Ed Lauing
Vice Chair Susan Monk
Commissioner Michael Alcheck
Commissioner Przemek Gardias
Commissioner William Riggs
Commissioner Doria Summa
Commissioner Asher Waldfogel

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Show up and speak. Public comment is encouraged. Please complete a speaker request card located on the table at the entrance to the Council Chambers and deliver it to the Commission Secretary prior to discussion of the item.

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 two Tuesdays 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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