



Planning & Transportation Commission Action Agenda: August 29, 2018

Council Chambers
250 Hamilton Avenue
6:00 PM

7 **Call to Order / Roll Call**

8 6:00pm

9 Commissioner Gardias arrived at 6:03 pm.

10 Commissioner Riggs arrived at 7:00 pm.

11 Chair Lauing: Ok I'd like to open the hearing, Planning and Transportation Commission regular
12 meeting for August 29th, 2018 and would you please call the roll? I understand that
13 Commissioner Riggs will be here in about an hour.

14 **Oral Communications**

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

17 Chair Lauing: Ok we'll move to oral communications and David Carnahan is our first speaker. I
18 wonder what he's going to talk about?

20 Mr. David Carnahan, Deputy City Clerk: Thank you Chair Lauing and Commissioners. David
21 Carnahan in the City Clerk's Office and you all know but maybe people in the audience and at
22 home don't know that I (interrupted)

24 Chair Lauing: Exactly.

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1 Mr. Carnahan: I'm here because we are doing Board and Commissioner recruitment in the City
2 again. And so, we like to go out to all Board and Commissions and ask both your assistance and
3 then the assistance of members of the community that are here and at home in spreading the
4 word about openings... upcoming openings on Boards and Commissions. The City is recruiting
5 this fall for three positions on the Architectural Review Board, three positions on the Parks and
6 Recreation Commission and two positions on the Planning and Transportation Commission. We,
7 of course, encourage incumbents that are interested to reapply and then we hope that you will
8 help spread the word in the community. And your homework is to reach out to at least two
9 community members that you think would be a good fit and encourage them to apply.
10 Applications are available on the City's website cityofpaloalto.org\clerk and the application
11 deadline is October 17th at 4:30 pm. Thank you very much.

12
13 Chair Lauing: That's a good reminder. We are in a position and know folks that would be good
14 performers for the City so we should reach out to a couple each. Thanks very much.

15 **Agenda Changes, Additions, and Deletions**

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

17
18 Chair Lauing: Item 3, are there any agenda changes, additions, or deletions? I'm not aware of
19 any. Ok. Commissioner Gardias just joined us for the record.

20 **City Official Reports**

21 1. Assistant Directors Report, Meeting Schedule, and Assignment

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1 Chair Lauing: The Assistant Director's report?

2

3 Mr. Jonathan Lait, Assistant Director of Planning: Thank you Chair. Just a couple of items to
4 report. One is the City Council was going to take up the Accessory Dwelling Unit Ordinance that
5 the Planning Commission had considered at it's last City... at the last City Council meeting.
6 However, due to the lateness of the evening and other items on that agenda, that item has
7 been continued. We'll let you know what that is rescheduled for the Council's consideration.

8

9 I wanted to let you know that also going before the Council soon will be a pre-screening request
10 for a Planned Community Amendment for... to convert an existing mortuary at 980 Middlefield
11 into a Community Center like place. We have a report that's going to be coming out to the City
12 Council and we'll make sure that you have a copy of that. Certainly, if that goes forward that
13 would be reviewed before the Planning Commission as well.

14

15 And also, on that evening, this is on September 10th, Staff will present a response to the grand
16 jury report that you may have received. Actually, let me ask if the Commission has received a
17 copy of that grand jury report?

18

19 Chair Lauing: No.

20

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1 Mr. Lait: No, ok, let me send you a copy of that and Staff's going to be preparing a response to
2 that. Basically, it has a number of findings and recommendations for the county about how we
3 can address the housing challenges and shortages that have been reports. So, I'll send that to
4 you this evening so you have a copy of that and then I'll send you a copy of the report when
5 that's available for Council.

6
7 And then lastly on your... the dais there is an updated tentative calendar. If you wanted to
8 spend a moment on that we can do that but otherwise, that concludes the report.

9
10 Chair Lauing: We can pick that up when we go to the last item on new agenda items but thanks
11 for providing that in writing.

12
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
17 2. PUBLIC HEARING / QUASI-JUDICIAL. 3877 El Camino Real [17PLN-00321]:
18 Recommendation on Applicant's Request for Approval of a One Lot Vesting Tentative
19 Map to Divide an Existing 0.75 Acre Parcel into 17 Residential Condominiums and one
20 Commercial Condominium. Environmental Assessment: Mitigated Negative
21 Declaration Adopted by Council on September 18, 2017. Zoning Districts: CS and
22 RM30. For More Information, Contact the Project Planner Sheldon Affordable
23 housing Sing at sahsing@m-group.us.

24
25 Chair Lauing: Ok are there any speaker cards on the first action item? And that is a public
26 hearing quasi-judicial on 3877 El Camino Real a Vesting Map.

27

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1 Mr. Jonathan Lait, Assistant Director of Planning: Ok so as our consultant is getting ready
2 because it's quasi-judicial if the Commissioners had any disclosures that you wanted to share this
3 would be a good time to do that.

4

5 Chair Lauing: Anyone? Ok.

6

7 Mr. Lait: So, I'll just introduce Sheldon Ah-sing who is the Principal Planner... your title has
8 changed since then. What are you now? Ok well, Principle Planner with enhanced
9 responsibilities I guess last time we were chatting. So, Sheldon's with M Group and he's been
10 assisting us over the years with some additional work on our planning projects.

11

12 This application that's before you is pretty... we've had conversations in the past and I think at
13 one point... a couple of months ago we introduced a concept about a Consent Calendar. Just by
14 way of example, this is another type of project that we would envision could be something that
15 could be placed on the Consent Calendar in the future if we make those changes to your rules
16 and procedures but otherwise, I'll turn it over to Sheldon who will go over this application.

17

18 Mr. Sheldon Ah-sing, Principle Planner: Thank you. I have a brief PowerPoint presentation, so
19 this is a one lot subdivision of an existing 3/4 -acre parcel into 17 residential and one

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1 commercial condominium unit. So, the request is for a Vesting Tentative Map and the project
2 was previously reviewed for design review by this Commission and the City Council last year.

3
4 It will contain one mixed-use building with about 4,000-square feet of commercial space and six
5 residential flats and it will also include 11 residential townhomes and five buildings. Basement
6 parking would be provided for the site and then included in the project would be two below
7 market rate affordable units. Off-site improvements include street lighting and sidewalk
8 improvements.

9
10 The project is consistent with the City's Subdivision Code as well as the State Subdivision Map
11 Act and the findings can be made to justify the approval. The CEQA... the Environmental Quality
12 Act documentation has already been adopted through the design review process and those will
13 be implemented with the project.

14
15 And the recommendation from Staff is to recommend approval of the proposed project to the
16 City Council based on the findings and subject to the Conditions of Approval. That concludes my
17 presentation. I'd be happy to answer any questions you may have, thank you.

18
19 Chair Lauing: Ok still no speaker cards on that then we'll just open it up to Commissioners. Just
20 light up if you have any questions or comments. Commission Gardias.

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1 MOTION

2

3 Commissioner Gardias: Good evening and thank you very much for your presentation. It has
4 been like what, month and a half or nearly two months since the last meeting. Nevertheless, it's
5 good to be back and I'd like to propose a motion to approve the Vesting Tentative Map as it's
6 proposed by the Staff. Thank you.

7

8 Chair Lauing: Need a second.

9

10 SECOND

11

12 Vice-Chair Monk: I'll second the motion.

13

14 Chair Lauing: Commissioner [note-Vice-Chair] Monk seconds from Commission Gardias's
15 motion. Any discussion about that? Commission Alcheck.

16

17 Commissioner Alcheck: I just had a... I had a quick question for Staff. Do you think that the... this
18 project would... that the applicant of this project would theoretically adjust the design based on
19 some of the items we're reviewing later? Do you think the item's that we're reviewing later
20 would... the applicant would find appealing to avail themselves of? For example, potentially

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1 open space requirements. I mean I didn't... we're not that familiar with how they're sort of
2 meeting your building criteria but I'm just curious if there's some intersection here. And I'm
3 asking this question not because it would change anything about the way that I'm voting. But
4 just to sort of put it out there for the applicant that I'm hopeful that some of these housing
5 ideas that we're having a discussion about later tonight will make their way through our
6 process quickly this year and that may be of interested to them. And I was curious to know if
7 you thought that there was interception?

8
9 Mr. Lait: You know it's... so sure, I think the answer is yes with some of the concepts that are
10 being presented in your next item. A developer such as the one here on El Camino could of
11 implemented... taken advantage of certain standards. As I recall this is an application that did
12 qualify and use the State Density Bonus Provisions. Including the reduction of parking but I
13 don't believe they actually use the reduction of parking favoring the two-car garage and so
14 forth. But open space and unit density and some of the other items that we're discussing next
15 certainly would have been available to them if those things were in place.

16
17 Commissioner Alcheck: Ok well (interrupted)

18
19 Mr. Lait: And just to note, I mean that's a whole... I know you're not advocating for this.

20

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1 Commissioner Alcheck: Right it's very theoretical.

2

3 Mr. Lait: That's a whole other application process they'd have to go through.

4

5 Commissioner Alcheck: Yeah no I was just putting it out there that the applicant... they may find
6 the next discussion also very interesting in terms of their process and I'd encourage them to
7 stick around for Part 2.

8

9 VOTE

10

11 Chair Lauing: Any other questions or comments? Alright, then we'll put it to a vote. All in favor
12 of the motion raise your hand. Any opposed? No. Ok, motion passes. Thank you.

13

14 MOTION PASSED 6(Gardias, Waldfogel, Monk, Lauing, Summa, Alcheck)-0-1 (Riggs absent)

15

16 **Commission Action:** Motion made by **Commissioner Gardias** seconded by **Vice-Chair Monk**.
17 Motion passed 6-0 (Riggs Absent)

18

19 **Study Session**

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

21 3. Implementing the Council Housing Work Plan Referral: Framework for the 2018
22 Comp Plan Implementation and Housing Ordinance

23

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1 Chair Lauing: The second item is listed as Item Number 2 [note – Item Number 3], this is a study
2 session, not an action item. I want to go through the process here for tonight. The Staff report
3 will be given and then we'll take public comment and then Commissioners are going to
4 comment on the Five Groups that have been outlined in the Staff report; which is Density, Open
5 Space, Parking Review Process, Mixed Use Regulations, and then other ideas if we can get to
6 the other ideas. And in the other ideas section that's when Commissioners should contribute
7 their own ideas on "what's not here that should be" so that we can also add value in that
8 regard. It's a very dense Staff report, a lot of content, a lot of detail that will feed into an
9 ordinance. Ideally, Staff would like feedback on these five sections tonight of some kind some
10 sense. There are 13 ideas in the five sections. If each of us talks once at each item that's 91
11 speeches times 5-minutes that's 8-hours so we'll be here till 4. So, if we're trying to get it all
12 done tonight just order the normal courtesy of trying to be concise and stay on point and pass
13 on some items if your colleagues have already addressed it. That you want to just say that you
14 agree with. There's no official vote tonight. We get another bite at this apple so keep that in
15 mind. As always decorum and civility with fellow Commissioners and the public is essential. And
16 with respect to the public please address Commissioners... please address a given issue and not
17 a specific member of the public so we'll do the Staff report first.

18

19 Mr. Jonathan Lait, Assistant Director of Planning: Thank you Chair. I just want to say we've...
20 we're excited to be here tonight and to present some of these ideas that we've heard discussed

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1 at previous meetings. And Jean's going to speak about some of the feedback that we've
2 received from the community meeting. We've been working diligently to try to present a range
3 of options that would seek to advance the Council's goal to promote not only affordable
4 housing but also market-rate housing opportunities in the community. And I'd like to ask Jean
5 Eisberg of Lexington Planning to help guide us in that overview of the report and discussion as
6 we go forward.

7

8 Ms. Jean Eisberg: Great, thank you. Good evening Chair Lauing and Members of the
9 Commission. Glad to be back. This is our agenda for this evening. We are going to take a break
10 and do your questions and public comment and then come back for the concepts for the
11 ordinance, as the Chair said, to walk you through each of those items.

12

13 So just to recap why we're here, the Council adopted a Work Plan in February that provides a
14 roadmap for implementation for housing production. It consolidates the policies in the Housing
15 Element around affordable housing, the Comp Plan policies around increasing housing
16 production and an objective of 3,200 to... excuse me, 3,500 to 4,400 units by 2030. And the City
17 Council Colleague's Memo from November which provided the direction to encourage diverse
18 housing near jobs, transit, and other services.

19

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1 So, the Council Work Plan calls for a Zoning Ordinance update this year to look at ways to
2 provide incentives and remove constraints to multiple family housing. Specifically, in
3 downtown, Cal Ave and along El Camino Real since these are the areas in the corridors where
4 the Comp Plan identified the highest opportunities for housing production. It does also call for
5 some changes to the RM districts and to parking in multi-family developments City-wide.

6

7 Just as a reminder there are a number of research efforts that Staff and consultants did as well
8 as outreach efforts. So, the City commissioned a study during the Comp Plan update process of
9 residential... potential residential capacity in the downtown to identify obstacles to
10 redevelopment, including both physical and economic limitations. So, the study found that the
11 current market trends support higher density uses downtown for residential but given the cost
12 of new construction and current lease rates on existing properties it just doesn't make sense to
13 redevelop a site unless you can essentially double what you can get on the site. So, a two-story
14 building would really need to go to four-stories to make the project viable. The report does
15 make some recommendations for which Development Standards are most constraining to
16 development and acknowledges that many downtown sites are small with desperate property
17 ownership and so suggests providing incentives for lot consolidation.

18

19 As we talked about last time we met in May, the City commissioned a study of multi-family
20 parking development to identify parking occupancy levels. It looked at senior, market rate and

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1 affordable housing projects across the City. We do have two representatives from Fehr and
2 Peers here tonight. They've updated their report based on your feedback to go and analysis the
3 sites again to look at on-street parking and they were able to do eight of the nine sites. The last
4 site changed ownership since our first time around and they did not... they declined to
5 participate this time. They also conducted an intercept survey, unfortunately, we were only
6 able to survey one of the projects. None of the other projects were willing to participate but
7 they did interview residents through this intercept survey and ask them about why they park on
8 site versus... or how comfortable they feel in the parking garage if there's parking available and
9 so that report is included in your Packet. And again, they are available tonight to answer any
10 questions.

11

12 On the qualitative side, we met with market rate and non-profit developers and architects who
13 use the Zoning Ordinance on a regular basis to understand what works and what doesn't work
14 in terms of facilitating housing production. And I know how much you all like data and just as a
15 reminder the importance of qualitative data too that these are the folks in your community that
16 own property, are looking at sites, and so understanding why they may not be doing deals is
17 important for us to understand what's working in the Zoning Ordinance and what's not.

18

19 So, some of the key findings, there was general agreement with the direction of the Council
20 referral including streamlining the review process and modifying Zoning Standards to reduce

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1 those constraints. Density and parking were sighted as the two largest constraints to
2 configuring sites in terms of build-out of the number of units, massing, and overall project
3 feasibility. There was a concern that the current standards do not support the City's goals of
4 multi-family housing specifically and a recommendation that the City instead allow the types of
5 development that it wants by right or through modifications to density parking and related
6 standards. And then lastly a concern about the length of time that the entitlement process
7 takes due to multiple reviewing bodies and sometimes different direction.

8

9 As Jonathan mentioned since we last met we did have a community open house. I think one or
10 two of you also attended that. We have over 30 members of the community participate in the
11 library across the street and perspective on the Housing Ordinance ideas were really mixed.
12 Some participants supported revisions to Development Standards and review processes. Others
13 were concerned about the impacts of new development on existing neighborhoods, traffic, and
14 services. Ideas for revisions to parking regulations were the most controversial topic as you
15 might imagine. Some participants were concerned that reductions in parking would lead to
16 spillover parking in the neighborhoods while others supported requirements that more closely
17 matched the demand analysis that was presented in the Fehr and Peers report. Particularly for
18 populations that were seen as having lower parking demand including senior housing and
19 homeless households. There was more consensus about ideas for how to balance housing and
20 retail. Participants were generally supportive of allowing more 100 percent residential

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1 developments where it makes sense and letting the market decide more about where retail
2 makes sense. Likewise, the majority of participants seem to agree with ideas for how to
3 streamline project review but some participants wanted to maintain the current project review
4 process as is.

5
6 As the Chair mentioned we've divided the... the ideas into these Five Categories. We're going to
7 try to spend most of our time on the top ones, A through E, and then we do have this other
8 catch-all section, other ideas. So, I'll go through these in more detail following public comment
9 but just a reminder none of these ideas are new to you. We've gone over most of them but
10 they are provided in some more detail to give you something to really chew on and consider.

11
12 So, once the draft ordinance is prepared Staff will evaluate it under CEQA. At this point based
13 on what we're presenting tonight, we anticipate that the ordinance will be consistent with the
14 Comp Plan and with the final EIR that was prepared for the Comp Plan.

15
16 So as mentioned this is just a work-study, this is a study session, we're not taking any formal
17 action tonight although we're trying to get your directions so that we can prepare the
18 ordinance for next month.

19

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1 And this is our draft timeline, the only thing that's not up here is if we don't get through
2 everything tonight we would continue the item to your next meeting. But we are looking to
3 come back with an ordinance on September 26th so that we can get this to Council by the end
4 of the year. So that concludes this part of my presentation, I'm happy to answer any questions,
5 as mentioned we have Fehr and Peers here as well and then we'll come back for the item by
6 item discussion. Thank you.

7

8 Chair Lauing: Ok let's go to the public comment before we do questions. There's only one
9 speaker card so far and I don't see her. There she is, Becky Sanders.

10

11 Ms. Becky Sanders: Wow, how long do I have?

12

13 Chair Lauing: Can you do it in 3-minutes?

14

15 Ms. Sanders: Okay dokey. Good evening, welcome back and thank you for your service. I hope
16 you had a great summer. So, I'm just... I'm here to... well, I want to just say that the term
17 residential has been applied to people who are questioning some of these relaxations of the
18 Design Standards and the Building Standards. And we really want to see progress, we really
19 want to move ahead, when I say we I mean a lot of people that live in Ventura and I've been
20 talking to people a lot about how we can be more proactive and more corporative and help

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1 maybe put the light of the fact that maybe people think we're jerks and we're nimbies. We just
2 kind of want to be heard. We want our fair share of the sunlight and so I just want to just
3 remind you that traffic and parking is a real concern and I'm really hoping that there can be
4 some creative approaches to that. I talked to some young people, by and large, the young
5 people that live Ventura would like to see high density but they said they don't understand why
6 we're not getting proposals like this along with and here's what we're going to do for
7 transportation. Here's this new supery dupery highway or we're going to... this is how the trains
8 going to work and this is how El Camino is going to work for us or Palo Alto's founding a new
9 bus system. I mean to solve housing and isolation when there's so many infrastructure impacts
10 and also it just makes us feel creeped out that only the residents are being asked to sacrifice or
11 accommodate when Stanford is just the behemoth in the room. The Godzilla that is just eating
12 up everything and offering nothing in return for impacts and mitigation. And then how about
13 the developers that... I know they are so motivated by money and that's how the world goes
14 round but I think private property rights can only go so far and its fair. I mean people deserve to
15 make a profit on their investment but why can't they help solve the problem and the City
16 Council and the City Staff and the way we relaxed the standards and built commercial,
17 commercial, commercial? I just want to point out that to stick it all on the backs of the residents
18 that really... I think we pay most of the cost of running this City is just super unfair. And so, I'm
19 just asking you all to be super creative and bring in some of the people that actually have a ton
20 of money that might be invested in helping to solve this situation. Ok? So, thank you.

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Chair Lauing: Thank you.

Ms. Sanders: We are super nice people in Ventura but we see the Ventura bubble right there on the... the [unintelligible] Ventura big bubble right there on the map so anyway thank you.

Chair Lauing: Ok thank you very much. No other speaker cards. I think we could just address questions to Staff as we go with Commissioner comments. We're going to focus on the first one first which is the Density and Intensity Standards and you can ask Staff a question or make a comment in there and we'll go from there.

Ms. Eisberg: Ok so maybe I can just introduce the idea and I've actually got both Items 1 and 2 up there since they're related to Residential Density Standards. So, as we've talked about before here the Zoning Code currently regulates density in two ways, units per acre and Floor Area Ratio FAR. So, the first idea proposes to maintain FAR as a metric but eliminate residential density as a standard in the commercial mixed-use districts. Since in some cases, specifically on smaller sites, it is restricting the number of units that can be built. So notably this would not change the overall building envelope. In fact, none of the ideas presented tonight, unless we start talking about increasing Floor Area Ratios, none of the ideas are changing that overall

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1 building envelope. This wouldn't change lot coverage setbacks, height, that regulate bulk and
2 mass. So again, the first idea eliminating residential in the commercial mixed-use districts.

3
4 The second idea conversely in the RM district the idea is to establish a floor and a ceiling for
5 residential density as specified in the adopted Housing Element Policy. So, this would set a
6 minimum density of 8 dwelling units an acre to prevent underdevelopment of RM... excuse me
7 of the RM sites since they are multi-family districts. And then a maximum density of 20 units an
8 acre to match the Density Standard that's in the Housing Element so this is for the RM district.

9
10 Chair Lauing: That's it? Ok. So, any Commissioners who would like to comment on this section
11 light them up. No comments. Ok, Commissioner [note-Vice-Chair] Monk.

12
13 Vice-Chair Monk: Well I guess I'll just go right in with FAR. Can we get a consensus or a sense
14 rather if anyone feels that the FAR proposed is appropriate or if they would be amenable to
15 going greater than what's already there or not? Just curious where people stand on what the
16 proposed FAR was.

17
18 Ms. Eisberg: And I am going to get to that on the next slide so this is just about the residential
19 density to be clear so just about the dwelling unit per acre standard.

20

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1 Vice-Chair Monk: Well on that... on the first two... on those items, I support the Staff
2 recommendations. I don't know if having a minimum how problematic that will be. If you could
3 speak to it because you did allude to it in your report.

4
5 Ms. Eisberg: So right now, the way that the code works you can... you would still get a minimum
6 of 1 unit or in the case of sites, I believe that are... let me just look this up.

7
8 Vice-Chair Monk: I think you were proposing a minimum of 8 units in the R (interrupted)

9
10 Ms. Eisberg: So, this is just for the RM section under Item 2. So, the current standard there is no
11 minimum so let's say essentially it would allow you to do a smaller project. You know a 1 or 2
12 unit on a site... on a multi-family site because the RM district is intended for multi-family and
13 this would just preclude you from doing that 1 or 2 units. If the site can handle 8 units an acre
14 then that's what you would be required to do as a minimum.

15
16 Vice-Chair Monk: And did you think that that would be prohibitive in some instances of them
17 developing at all?

18
19 Ms. Eisberg: No, it shouldn't be prohibitive to developing at all.

20

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1 Vice-Chair Monk: Yeah then I would support that, the proposed suggestion.

2

3 Ms. Eisberg: And if it were frankly, it would not be the appropriate zoning for that site.

4

5 Vice-Chair Monk: Yeah at the bottom of Packet Page 38 you said that if there were a minimum
6 number of units it could also prevent a site from being developed all together so that's what I
7 was referring too. So, I was just referencing to the bottom of Packet Page 38 where you
8 mention that if there is a minimum it could also prevent a site from developing altogether if the
9 minimum density is not achievable. It's the very last sentence.

10

11 Mr. Lait: Well I don't think we could draft regulations that would prevent a site from being
12 redeveloped so (interrupted)

13

14 Ms. Eisberg: (off mic) Where is this?

15

16 Mr. Lait: It's at the bottom of 38. I guess I would say this is not what we're proposing at this
17 moment and I'd like to maybe put a pin in this idea and have it be on our catch-all section at the
18 end where we can talk about minimum densities. And if we can just focus at this moment on
19 the request or the concept here to just eliminate the density provision and then we can come

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1 back and have a conversation about the Commission's interest on having Staff explore further
2 establishing a minimum Density Standard when we get to Item E I think it is.

3

4 Ms. Eisberg: And you're right, we didn't look at all of the RM-15 sites to see how this would be
5 (interrupted)

6

7 Mr. Lait: I'm sorry.

8

9 Ms. Eisberg: Achieved so when looking at a site if based on all the other standards, parking
10 requirements etc., it couldn't get to 8 units then yes, this standard could be a problem for an
11 awkward shape site or sized site.

12

13 Vice-Chair Monk: Ok so like I said I would support the proposed suggestions in 1, 2 and 3 but I
14 think FAR does come into play in this area. So, I don't know when you want to have that
15 discussion because you stated (interrupted)

16

17 Chair Lauing: That's next.

18

19 Vice-Chair Monk: That FAR was the second or one of the top two reasons.

20

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1 Ms. Eisberg: Yeah if you'd like I can move onto the third one and we can talk about all three
2 collectively.

3

4 Chair Lauing: No, let's get some other comments. I have some more lights on now so you were
5 done Commissioner [note- Vice-Chair] Monk for now? Thanks, ok. Commissioner Waldfogel.

6

7 Commissioner Waldfogel: Great thanks. If I can get everybody's attention here or anybody's
8 attention. Let's see so just help me out with some math here, with existing CDC rules with a
9 maximum of 40 units per acre and the current FAR is what 1.0 for residential?

10

11 Ms. Eisberg: Right.

12

13 Commissioner Waldfogel: So that would say in effect the... that's promoting 1,000-square foot
14 units? Just kind of in pro-form around numbers. I mean if the FAR is 1, an acre is 44,000-feet so
15 40 units is roughly 1,000-square feet per unit.

16

17 Ms. Eisberg: Yeah so if it was a 1-acre site you could technically right now do 40-units to an acre
18 (interrupted)

19

20 Commissioner Waldfogel: And that's (interrupted)

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1 Ms. Eisberg: If you could fit that within 1 FAR.

2

3 Commissioner Waldfogel: Right, yeah, no I'm just trying to do some high-level numbers. So,
4 1,000-square feet is kind of roughly a [unintelligible] in that world. So, I think that... I mean
5 increasing this seems reasonable. I just wonder have you done any optimization analysis... I
6 mean have you looked at how developers would behavior in the real world? I mean what would
7 be the economically optimal mix of units? I mean do you have any sense of that because one of
8 the things that we talked about relative to the Comp Plan was promoting family housing. So, I
9 don't want to only promote... and by the way, even if we allow 400... even if we allow an
10 infinite number of units that are not necessarily what the market will produce.

11

12 Ms. Eisberg: Sure.

13

14 Commissioner Waldfogel: Everybody should be cognizant that the market won't jump to that
15 but just have you done any work or talked to any developers about what would be the
16 economical optimal mix of small, medium, and large units?

17

18 Ms. Eisberg: I mean it really depends and as you can imagine the per door expenses are very
19 high and so that means per door there obtaining rents on those units. So, we tend to see more
20 ones... studios, 1, and 2s and a lot fewer 3 and 4-bedroom units which (interrupted)

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Commissioner Waldfogel: Right but we just saw some (interrupted)

Ms. Eisberg: From an economy of scale rent for less essentially.

Commissioner Waldfogel: Yeah but we did just see some pretty prominent coverage of \$3,500 a month unit in downtown so the market is producing some mix. I just wonder what the (interrupted)

Ms. Eisberg: And some of that seems to be happening downtown because they can only fit one parking spot on the site so they end up doing one penthouse unit.

Commissioner Waldfogel: Ok so we kind of don't know what we would produce from taking this away.

Ms. Eisberg: I mean it really depends. Right now, you know you do have some projects that are in discussions in the pipeline that are more of these small or I think they are calling them workforce or micro units. We'll see projects like that and you may see projects that are more family oriented but it's unlikely you're going to see a project that's just straight 3 and 4-bedroom units. I have seen some more suit developments. Berkley is starting to see that 6-unit

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1 suit development. Part of it there's, frankly, fewer fees that you have to pay when you do that.
2 So, if you're paying per door into an inclusionary housing requirement, something like that,
3 your fees are a lot less if you have a lower unit count and more bedrooms but it really depends.
4 I mean we're seeing developers do all sorts of things [unintelligible].

5
6 Commissioner Waldfogel: So, is that actually a format that we would contemplate? I mean we
7 can come back to that question if suit style development is something that we'd be
8 contemplating through this work.

9
10 Mr. Lait: So, I guess to maybe answer your first question, we have not done an optimization
11 analysis and one question that we've been asking ourselves and we don't have an answer too it
12 is if all of these standards got implemented, how many net new units could we anticipate being
13 built? And yeah, we don't have... yeah, no, it's a reasonable question to ask and one that we've
14 struggled with as well but there are so many variables at play; willingness of property owners,
15 what's on the site to redevelop it.

16
17 Commissioner Waldfogel: Yeah, it's probably easy to rule some things out. It's harder to come
18 up with [unintelligible] front that describes what will actually get built.

19

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1 Mr. Lait: And so, our approach throughout this work program has been to establish... identify
2 certain opportunities where we could achieve the Council's goal to promote housing. And
3 you've seen some of them already with the ADU regulations and the Affordable Housing
4 Overlay and the... what... the objectual term of Work Force Housing Overlay. And so, I think
5 what we're trying to do here is chip away at it and see which one... we don't know that any one
6 of these individually is going to be the catalyst but collectively we're hoping that this results in
7 (interrupted)

8
9 Commissioner Waldfogel: Yeah, no I get it. I mean I'm just trying to understand whether we're
10 talking onesie, twosies kinds of things or tens or hundreds because there are differences.
11 Anyway (interrupted)

12
13 Ms. Eisberg: We did develop some diagrams in Attachment D at the end of your Packet which
14 should have demonstrated in a crude fashion on sketch up how this build out. And it looks like
15 those were... the assumptions were essentially a 1,000-square foot unit.

16
17 Commissioner Waldfogel: I'll come back to some of the this around FAR because there's some
18 other economics that rolls into that but I'll come back to it.

19
20 Chair Lauing: Commissioner Summa.

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Commissioner Summa: Thank you very much. So, at a high level, my expectation was we would be identifying ways to deliver lower cost housing options and that we would do that while retaining retail and community serving small business because people have been very concerned about that. And also, I think we need to be mindful as we do this not to aggravate existing traffic and parking problems that really plague our residents. So that was kind of my expectation and so with Table 1, I think just having... just leaving it open ended as opposed to identifying a number of units we would like to see. That makes me uncomfortable because I don't know how many... how much... it doesn't seem like there was much consideration of how this could aggravate existing traffic and parking problems which a lot of our residents really feel.

And then I've always thought there should be minimum density requirements to avoid the penthouse syndrome I'll call it but moving from...so one question I have is I have an impression that our RM-15 is kind of little pockets that are spread out. Are there big tracks of RM-15 anywhere? It's (interrupted)

Ms. Eisberg: I don't think so, we could look... we can double check, we have the map up (interrupted)

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1 [note – talking from the audience off mic]

2

3 Ms. Eisberg: On the wall but (interrupted)

4

5 [note- talking from the audience off mic]

6

7 Mr. Lait: (off mic) It's scattered [unintelligible].

8

9 Commissioner Summa: It does seem like its scattered to me so I note that RM-15 increasing it
10 from 15 to 20 an acre... well, first of all, you'd have to change the name to RM-20 I think. But
11 it's like about a 33 percent increase and that would really impact traffic. So, it's not clear to me
12 how we're going to balance this with other negative unwanted impacts. And especially retail
13 preservation which... well it comes up a little later in the report also but I note that when you
14 remove retail or relax retail to let there be housing on the ground floor you increase the
15 number of people in a given neighborhood that would want to... that we'd like to have been
16 able to walk for local errands and to an accountant or a therapist or something like that. And
17 so, you're getting something at the expense of giving up something. And I in general with this
18 report I didn't see how we were not... how we were increasing affordable housing options. It
19 looks more like gentrification which isn't always a bad thing obviously but the emphasis seemed

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1 to be in that direction and not preserving neighborhoods and not displacing people and
2 creating more affordable housing choices.

3

4 Mr. Lait: So, Chair if I can, thank you for those high-level comments and I think we want to hear
5 that feedback. I believe our intent with this approach that we've laid out for you and that
6 you've discussed is to... I mean we're going to talk about retail and parking and some of these
7 other areas here but we're hoping to get, again, from the Commission... we have to draft an
8 ordinance. And so, we need to know... you know we want to draft the Commission's ordinance
9 and for us to do that we need to get a sense for where the majority of the Commission is so
10 that we can work on the language for that. So, for these two items that we have on the screen
11 if we can focus those comments on these two issues and we've already heard from... well, I've
12 heard one positive or positive... one positive in the sense that it's supportive of the concept
13 here. And we've heard two other speakers but I don't know if... I guess I'm hearing there's no
14 support for... I'm just trying to understand the... where we are.

15

16 Chair Lauing: Yeah, I'm just wondering if we can get there in the first round of comments
17 because folks are going to want to listen to their colleagues and then maybe weigh in at the
18 end. So that would be a better way to (interrupted)

19

20 Mr. Lait: Yeah, no that's fine but if we could keep it focused on the (interrupted)

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Chair Lauing: Yeah.

Mr. Lait: Yeah.

Chair Lauing: Commissioner Gardias was up next. Sorry were you not done? Oh, you were done, ok.

Commissioner Gardias: Thank you. So, I will support this what Commissioner Waldfogel said and I will emphasize that, although he made it clear, because there should be a number of analysis under each proposal. If those analyses are not quantified and easily presented for us to argue about then it pretty much puts the Commission in the seat of somebody that needs to verbally quantify each of these changes. And then I'd rather have Staff's time spent on the table that would be a number of the potential benefits... quantifiable benefits as well as impact quantifiable and then presented to us as opposed to leaving us in this situation. Because otherwise, we're going to spend our time just looking into each of these elements and then asking ourselves what would be the impact on parking, how many units we can produce to meet the Council's request, and what would be the other impacts and benefits. And it would just be a waste of time as opposed to focus on the real solution where pretty much which direction we should take. So, my first ask would be really just for the next session I'd like to see

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1 a clear analysis of each impact, how many units we gain, how many impacts we have on parking
2 and on some other aspects; losing retail and so forth.

3

4 Mr. Lait: May I speak to that? So, I appreciate the interest in the desire there. I feel like we're a
5 little bit challenged in our ability to give you an answer for that and before I delve more into
6 that I just want to take a step back for Item A1. The reason we think that the density limitation
7 is not necessary at this point is because we still have the same protections in the code that limit
8 scale and mass. And if you... we talked about this in the report, if you can have the same size
9 building and 3-units in there or 40-units in there our objective with this approach is to increase
10 housing production. And when a project does go forward as applied for and is reviewed by the
11 Architectural Review Board there's a lot of analysis that goes into looking at that project. Not
12 only for code compliance but also the environmental impacts of that project so it's at that time
13 when we have a specific project before us and we can analyze the parking and the traffic and all
14 those impacts. We wouldn't be able to give you an answer now about the parking impacts. It
15 would be too hypothetical and what we need direction on from... also from the Commission is
16 there support to adjust or modify those Parking Standards. So... and as far as unit production
17 again, it... we can run numbers and say maximum build-out divided by an average unit size
18 yields this number of units but that doesn't mean that doesn't get built. And so that analysis
19 that I think you're asking for and if there's another way you're thinking how this could be
20 applied I'd like to understand it but I don't know how we get you the information that you're

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1 asking for. It seems too speculative and ultimately not useful. What we're interested here again
2 and I don't want to... well, I don't want to repeat it too much but it's a concept and there's I
3 don't know 13 other concepts that we're proposing. And so, we imagine that after we get some
4 initial feedback there would be a little bit more work that we would do to say ok, now that we
5 know sort of the general tenor of the Commission on these different points here's a little bit
6 more information that we can deduce from that so I'll leave it at that.

7

8 Commissioner Gardias: For this comment, I beg to disagree. I think that this is easily
9 quantifiable but I think that our disagreement has been noted in the minutes.

10

11 Chair Lauing: I just want to mediate here for a second. I think what's being said is that if
12 conceptually the first two felt good but, in your example, because they could build the same
13 footprint, I think you said 4 versus 40-units? Whatever. If there were 36 more cars I think what
14 Commissioner Gardias is saying is then maybe that doesn't look like a good promotion... I mean
15 sorry, a good proposal even though that would create 36 more housing units. So maybe there's
16 a better way to get more housing than to stuff that in there.

17

18 Mr. Lait: So, I mean again, I want to just take a little bit of a stronger stand on that. I mean this
19 is... if we're going to require parking for housing which is what we're going to do I imagine and
20 we are all also trying to add more housing units. We are enviably going to have more cars

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1 needed to be parked on the site. I mean the stated policy is to increase housing production that
2 will... the more units that we get on a sit the more parking that's going to be required. That's
3 clear.

4

5 Chair Lauing: Right.

6

7 Mr. Lait: The analysis of an individual project how it's proposed, designed, the layout, this...
8 intersections that need to be studied and analyzed would come project-specific review.

9 [unintelligible – talking over each other]

10

11 Chair Lauing: [unintelligible] Fitting within the concept of the ordinance, correct?

12

13 Ms. Eisberg: Right and then just as a reminder this analysis of impacts has been done in
14 aggregate. That's what the Comprehensive Plan and the EIR did so it analysis the scenario of
15 adding those 4,400-units and what does that mean for such and such intersections and
16 corridors. And then when are the improvements needed in order to continue to make things
17 flow so that's why now you're seeing things like the TDM Ordinance underway and other types
18 of policies that are getting implemented as part of the Comp Plan in tandem with the housing
19 production.

20

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1 Chair Lauing: Yeah and there is going to be more housing. There is no question and knowing
2 (interrupted)

3

4 Mr. Lait: [unintelligible – spoke off mic]

5

6 Chair Lauing: No, I don't think there is a question about that in the City. Ok did you have other
7 comments Commissioner Gardias or?

8

9 Commissioner Gardias: Yes, I mean... so I said this, aside right? I still disagree but just going back
10 to the core of the issue right so I think that if you want to know my perspective on this I think
11 that I would generally agree with the relaxation of the Density Standards. However, I would be
12 interested if... from my perspective I think there are two choices. One choice is so we either
13 eliminate them totally or we pretty much relax them to some other ceiling. And then from my
14 perspective, that's the question that I would like to probably spend time myself to understand
15 what's the better perspective. And of course, the example would be just change 15 to 25, 30 to
16 40, 40 to 50 something like this or eliminate them all together. Thank you.

17

18 Chair Lauing: Commissioner Alcheck.

19

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1 Commissioner Alcheck: Thank you. Well, first I just want to thank you guys for the report. I think
2 this is one of the better reports that I've seen in the 6 ½-years I've sat up here and I... it's a
3 complicated set of issues. And I just want to say this for your benefit I think the way you
4 organized this report is excellent. I thought that you laid it out in a way that almost everybody
5 could probably understand what it is that we're trying to do, what it is that we have in place,
6 how that affects our situation. I just... it was fantastic. I don't know who the author is but that
7 person deserves a lot of thanks.

8

9 And you don't have to repeat yourself for me. I'm 100 percent on the same page with you. I
10 think it's a no-brainer to eliminate the maximums. The current framework is we have
11 maximums, the current framework we have no housing being developed. There's your data. I
12 think it's really, really simple. I don't think we should be wasting any time discussing unit mix.
13 The market tends to handle that. We have a lot of innovative units mixes happening north of
14 us. We've got micro units, we've got normal units, we've got big units and right now the one
15 sort of unit we're not seeing here is any unit. And I think we should attempt to create a
16 framework that allows for more bold experimentation. So, I think one of the things that's kind
17 of hard to do when we go one by one is appreciate that all of these things are unrelated. FAR is
18 related to density, density is related to Parking Standards and height and blah blah blah blah
19 blah. So, I'll be really... you know you won't even have to ask five more times, I'll tell you right
20 off the board every single recommendation that the Staff made in this report I would support. I

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1 would encourage our City Council to consider every single recommendation that was made
2 here and explore pushing the envelope in an effort to really encourage more housing. I think
3 the key take away from this report is that our Zoning Code really puts housing development at
4 an unfair sort of level as compared to all other kinds of development. We frequently hear about
5 how lucrative it is to build commercial and yet we're in a housing... we're not in a commercial
6 crisis right? We're in a housing crisis and you'd think that in a housing crisis environment people
7 would be building housing like crazy because it sells so well. But again you... it was so clear in
8 the report just how... the hurdles are just a tiny bit or not just tiny, in some cases significantly
9 higher for the same development and I thought that layout was very, very helpful in
10 understanding the big picture.

11

12 One of the things that kept coming to me and I want to share this with all of you as we sort of
13 think about this is I was struck this week. I paid very close attention to the discussion on
14 Monday night about the President's Hotel and I was struck by how unanimous the sentiment
15 was that we should be preserving that building as a residential apartment complex. And nearly
16 every community member that spoke, almost the entire Council, I mean a super majority of
17 them seemed to be in unanimous agreement that the loss of those residential units would be
18 devastating. And you know I'm sharing this thought with you because when I was listening to
19 that I couldn't help but sort of appreciate the irony that you couldn't build a President's Hotel
20 under any of our frameworks today. Here we are devastated by the loss of 70-units in a building

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1 that you couldn't even build half that building today and maybe this is a good time to
2 acknowledge that. This is an asset that we want to go to war on and yet we can't build another
3 one right next to it? Maybe we should build another right next to it. Maybe we should build 15
4 of them in downtown. And I know that... I think one of the things that struck me about the
5 report that I felt was hard to swallow was that caveat that you just said in your last comment
6 which was you know look, we're talking about increasing the number of units but the massing
7 and the scale and the size won't change. I don't think we're doing ourselves a service is not
8 putting those other items on the table when it comes to residential development. We should be
9 talking about scale and maybe this isn't the night and maybe it's not appropriate (interrupted)

10

11 Chair Lauing: No at the end it is.

12

13 Commissioner Alcheck: But to me, those things should not be sort of caveated... I don't think
14 we should be... for example, to me one of the responses that you gave tonight was look, we're
15 talking about this change but I... but don't be too concern about the change because we're still
16 talking about the same scale and mass. It's like a chaser and to me, we should. I don't want to
17 take that off the table yet. I don't want to be thinking of the one thing without the other.

18

19 Chair Lauing: We've got that coming at the end if you'd just finish up [unintelligible].

20

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1 Commissioner Alcheck: I just want to finish with my time if that's alright?

2

3 Chair Lauing: Your time?

4

5 Commissioner Alcheck: Yeah, I'd like to finish my comment without the interruption if that's

6 ok?

7

8 Chair Lauing: Well it needs to be staying on the agenda that's all which is density because we

9 structured it all (interrupted)

10

11 Commissioner Alcheck: See Commissioner Lauing [note – Chair Lauing] you (interrupted)

12

13 Chair Lauing: We structured new ideas to come at the end.

14

15 Commissioner Alcheck: Commissioner Lauing [note- Chair Lauing] I'd just like to finish my

16 comments.

17

18 Chair Lauing: Is it on density?

19

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1 Commissioner Alcheck: It's on density and it's on the Housing Work Plan. It's some big picture
2 like Commissioner Summa took her time speaking about and I'd like to finish.

3

4 Chair Lauing: Proceed with the [unintelligible] please.

5

6 Commissioner Alcheck: Thank you. I think one of the things that I want to acknowledge also
7 here that we have to keep in mind particularly with respect to density because again, one of the
8 things that I'm hearing here is that we want to understand what are the consequences of
9 increasing the density? What impact is that going to have on parking? What we have a
10 hesitation on this Commission right now in sort of swallowing this change because of the other
11 impacts it might. And I want to acknowledge that I think we will have to give up some things,
12 right? It's like my children won't take medicine that doesn't taste like bubble gum. They just won't
13 but we're not children and some of this medicine is going to taste bad. And I think that if we're
14 going... we can look at these one by one and we can pick them apart and say well this could
15 create too many units with too many units, could be too many parking spots and that could be a
16 problem and traffic. I think we have to decide because right now we have a negative impact
17 which is we have no units and I don't think an analysis by the Staff would be particularly
18 responsive to Commissioner Gardias. I don't think an analysis by the Staff of just how many
19 units this will encourage is helpful because essentially, we're trying to reduce every hurdle that
20 the professionals in the industry that are local to this community have identified as for why

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1 they haven't built. And so, saying that you're not prepared to adjust those hurdles simply
2 because you want more clarity on what will be built I think... I don't (interrupted)

3

4 Chair Lauing: Ok, thank you.

5

6 Commissioner Alcheck: I'm not discounting the idea of having the data but let's not stop that
7 from at least changing something that clearly isn't working.

8

9 Chair Lauing: Thank you because you're off on another segment now. You've spoken on density
10 so I'm the last speaker on this and we'll move onto the second part which is coupled as you
11 correctly said. In concept, I think removal of the Density Standard makes some sense and it
12 needs to be coupled with the other things that control that like the footprint and the 2.0 or
13 whatever you're going to recommend so in concept I would be supportive of that.

14

15 [note -male speaker:] Alright.

16

17 Chair Lauing: So then could you put up the second one, please? Table 2.

18

19 Ms. Eisberg: Ok so we're on to Number 3. So still within density and intensity, so I mentioned
20 that the qualitative and quantitative findings from the research suggested that low FAR

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1 allowances are affecting building potential. So, this idea is based on a specific policy in the
2 Comprehensive Plan that calls out for converting non-retail commercial FAR to residential FAR.
3 So, it may be easiest to explain this with this graphic which is not in the report but let's say the
4 current maximum FAR is 2.0 which happens to be what the CDC district is downtown. But right
5 now, the residential component of a project can only go up to 1.0 FAR so that's shown in green
6 on the left. The rest has to be commercial in a mixed-use residential project. So, this idea would
7 allow a residential project to take up to maybe 1 ½ FAR where retail is required. The other .5
8 would be commercial or if it was a residential only project the residential component could be
9 2.0 so all of the FAR. So again, this is acknowledging that the total FAR is still 2.0, it just allows
10 residential to take up all of that amount. And this is spelled out for each district in Table 2 in
11 your Packet on Page 40 where is identifies potential FAR standards for each of the districts for
12 that residential component.

13

14 Chair Lauing: Comments from Commissioners? Commissioner Summa.

15

16 Commissioner Summa: Thank you. So, on the Comp Plan group, a big focus was to swap office
17 for housing but I don't think... once again I'm concerned about losing retail and other locally
18 needed small business that serve residents. I think it will push more people into their cars, to go
19 to other communities to look for these types of things. So... and also, I don't see, once again I
20 have this Table 2, would prevent luxury housing and how it helps with housing affordability...

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1 more choices of affordable housing. So, I think that we need to emphasize swapping office and
2 R&D for housing, not necessarily retail. Especially in the downtown which is a regional shopping
3 area.

4

5 Ms. Eisberg: And just one clarification in case I wasn't clear, this would... the commercial
6 component refers to all non-residential. So, it could be retail, it could be office, R&D, and then
7 the... where there are currently ground floor retail requirements. So, the GF district downtown
8 that would still... that requirement would still exist. So that FAR would still exist or not
9 depending on what you think but the idea presented here that was the idea. I'm sorry I didn't
10 clarify that.

11

12 Commissioner Summa: And also, we do have the Retail Preservation Law so I think the
13 emphasis like I said should be swapping commercial and R&D. I mean office and R&D not the
14 type of commercial that we need to keep a healthy community for residents and also workers.

15

16 Chair Lauing: Was that it? Commissioner Waldfogel.

17

18 Commissioner Waldfogel: Yeah just a point of clarification, this Table on Packet Page 40 also
19 shows bonus, TDR, and total maximum FAR. So, could you just walk us through what the
20 maximum FARs would be for residential only and for mixed-use if they're taking advantage of

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1 these bonuses? Because you make a pretty compelling case in your chart on Packet Page 36
2 comparing rents that you need roughly 2x available FAR for residential to compete with office.
3 So, I just want to understand what is the actual scenario on the ground? Can office access
4 something higher and were will residential land?

5
6 Ms. Eisberg: So, the idea is not to... so we've got on Table 2 if we're looking under just picking
7 the existing section, we've got ok what can residential mixed-use projects do? That's
8 highlighted in bold. Then what are non-residential uses allowed and then this bonus and the
9 total maximum? So, what I was presenting on the graphic up here was similar to, ok right now
10 you can get in the CDC district downtown you can get 1.0 residential. And if you want to do a
11 residential mixed-use project you could do 1.0 residential 1.0 commercial for a total of 2. If you
12 took advantage of bonus or TDR you could get an additional 1.0. I believe that could be... that
13 would have to be commercial under the current... is that right? Under the current
14 [unintelligible]?

15
16 Commissioner Waldfogel: So just walk us through then, if you had a (interrupted)

17
18 Ms. Eisberg: Under the existing scenario so that bonus or TDR is only commercial.

19

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1 Commissioner Waldfogel: Is only commercial so if you had a residential only building you
2 would get to a 2.0 maximum FAR under this proposal but you go get to a 3.0 on a mixed
3 building?

4

5 Ms. Eisberg: I'm going to need to look that up to make sure. Maybe if we move on I can double
6 check.

7

8 Commissioner Waldfogel: Yeah because I think the place where we want to land with this is
9 where residential get the 2x over commercial or [unintelligible].

10

11 Ms. Eisberg: Right so the proposal idea would be to get it to at least 2.0 and maybe we can just
12 verify, if you want to move on, about the bonus (interrupted)

13

14 Commissioner Waldfogel: Yeah, we just have to clean this up. We have to get this part right.

15

16 Ms. Eisberg: We just got the verification so the TDR can be used for residential. So
17 hypothetically you could get to 3.0 but in the downtown, if you've got the GF you'd have to do
18 residential on the ground floor so maybe you're at 2.75 or something like that.

19

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1 Commissioner Waldfogel: Ok so the maximum here is actually 3.0? And what would residential
2 (interrupted)

3

4 Ms. Eisberg: With the TDR.

5

6 Commissioner Waldfogel: What would residential have to do to access the TDR? Do we know
7 what that even looks like?

8

9 Ms. Eisberg: They would have to have a receiver... there would have to be a send or site and
10 receiver site just like for commercial.

11

12 Commissioner Waldfogel: (off mic) I'm puzzled by what that might look like but [unintelligible]

13

14 Mr. Lait: So, there's... as... I mean there's little market for TDRs that owners acquire and they
15 are out there due to seismic upgrades or historic preservation. The City itself has done TDRs
16 and sold them through a market type of bidding process. So, if you have that as an owner you
17 can apply it to your property.

18

19 Commissioner Waldfogel: But that wouldn't change the Parking Standards for what gets built
20 under that TDR in this case?

-
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Mr. Lait: It wouldn't change the parking requirements except that there are some residual TDRs that have already taken place that were exempt from parking. They were parking [unintelligible] (interrupted)

Commissioner Waldfogel: And would that transfer into a residential setting?

Mr. Lait: Well I (interrupted)

Commissioner Waldfogel: I think we just need to... there are some details here... I mean I don't really want to dwell on them but it sounds like (interrupted)

Mr. Lait: I mean I think if people have TDRs that they don't have to park they are probably not going to apply them to residential is my guess.

Commissioner Waldfogel: No because the market probably wouldn't like that.

Mr. Lait: Right.

Chair Lauing: Ok I'm going to (interrupted)

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1

2 Mr. Lait: Thank you. We'll take a look at that further.

3

4 Chair Lauing: I'm going to go next because it just ties in here. The... in your advisory group with
5 developers and so on was there a... I'm not quite asking a financial question but sort of. Was
6 there a shift point at which lots more retail... sorry, lots more housing that could fit in there
7 incented them to put up housing more so than commercial? Where I'm getting at here is if
8 we're doing something here and with further detail that gives parity to commercial versus
9 housing then it's still parity. And that may not incent housing because it's just easier to do
10 office and probably lower risk and all that. So, is there sort of a crossover point at which they go
11 wow, I want to put up housing now instead of office?

12

13 Ms. Eisberg: I don't have a hard and fast answer. I'd say from the conversations there was a
14 sense that things are shifting. The City's policies have shifted around supporting housing...
15 excuse me, not supporting office and supporting housing. You know we have some data here
16 showing that there's been a tapering off in the office lease rates over the last couple quarters.
17 We don't really know if that's a trend so there's sort of this softening in the office market
18 according to some of the commercial developers that we spoke with and at the same time
19 there is this assertion of housing. There's all this pent-up demand and yes, the lease rates are
20 lower as we've shown for residential but over the long term for these local people they still

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1 think there's an opportunity for them to develop. I can't say what that shift point is in terms of
2 would 3.0 or 4.0 FAR get us there but essentially more is better. I mean they would like to do
3 more.

4

5 Chair Lauing: It's on the right track. It's on the right track, I understand that.

6

7 Ms. Eisberg: There is a desire and demand for higher density housing so if you wanted to go 4.0
8 I'm sure they would be happy to see that.

9

10 Chair Lauing: I mean in general the objective here is to get more houses put up in all categories
11 but if you just had parody, people would put up market rate housing and make as much as they
12 could. That just makes sense from a developer's standpoint. So that wouldn't help because they
13 might be able to get the same thing with office and then if you talk about below market rate,
14 well then, it's even a bigger threshold. So, at some point, we have to get all those classifications
15 of housing in here and we got to make sure that whatever we're recommending gets us down
16 that line long enough... far enough to say yeah, we want to do more housing. Ok, Commissioner
17 Alcheck.

18

19 Commissioner Alcheck: Yeah, I'll be redundant, I think I support this recommendation
20 wholeheartedly. I think I would highlight paragraph... the second full paragraph on Page 41 to

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1 address some of the concerns I heard. I think it's relevant that this would not affect sort for
2 ground floor retail or the commercial requirements in the downtown or California Avenue
3 areas. And I think it's worth acknowledging that because we are not talking about pushing out
4 the businesses that we walk to or reducing retail by making this change in any way. So maybe
5 there's a little bit more clarity that you can provide in this Table but I think the general
6 sentiment of making that adjustment is highly worthwhile with very little consequence.

7

8 Chair Lauing: Ok, there are no other comments on this, we can move to Open Space Standards.

9

10 Mr. Lait: And so, if there's... ok. I'm just trying to understand what we're (interrupted)

11

12 Chair Lauing: Yeah, we might want to recap that at the end too. We had a late submission of a
13 card because we were very efficient and got going very fast. So, while it's not... it doesn't have
14 to be allowed I would like to allow it since there is one speaker and that's Bonnie Packer.

15

16 Ms. Bonnie Packer: Thank you.

17

18 Chair Lauing: Just before we get started on Open Space Standards and please take 3-minutes,
19 thank you.

20

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1 Ms. Packer: Thank you. You were so efficient I didn't plan to come here till a little later and I
2 got a text. Anyway, my name is Bonnie Packer, I'm first Vice President of League of Women
3 Voters of Palo Alto and I just wanted to share... we submitted a letter which you have but I'll
4 just cover some of the points. We did submit a letter to City Council when the Housing Work
5 Plan was first being considered and we applauded them for encouraging the production of
6 diversity of housing types for all, especially those with lower incomes.

7
8 So, we encourage you to embrace, without delay, all of the recommendations contained in this
9 great Staff report that submits the framework for these housing-related zoning changes that
10 encourage the production of a diversity of housing types. So, in the letter that we submitted, I
11 have all these bullet points saying we really like all the recommendations so I'm not going to
12 read all that now. You have that in the letter but what we point and remind you that all these
13 recommendations are supported by the Comprehensive Plan and the Housing Element that had
14 been reviewed through a lot of public input and analysis so you have that as your background.
15 So, what we encourage you to do when the modified... when the Zoning Ordinance comes
16 before you next month that you approve it without delay because with this housing crisis in our
17 area that demands no less from you. So, thank you for all your hard work and thank you for
18 letting me speak in the middle of the study session.

19

20 Chair Lauing: We like to hear from the public.

-
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Ms. Packer: What?

Chair Lauing: I said we like to hear from the public. Thank you very much.

Ms. Packer: I know you like to hear from the public.

Chair Lauing: Yeah, ok, next up is Open Space \Standards and then parking is after that so I don't think you'll have to wait too much longer our parking consultants.

Ms. Eisberg: Ok so to introduce open space this was not one of the top issues as I think I mentioned that sort of came out of the advisory groups or the quantitative analysis that was done downtown but still could have a potential impact and provide some flexibility. So, Idea Number 4 is to allow rooftop open space to qualify as usable open space for multi-family residential or residential mixed-use projects in downtown Cal Ave and on El Camino Real. Except on sites that are abutting single-family residential uses or single-family zoning districts. So, the idea again is that this would allow more flexibility for developers to meet open space requirement, particularly... requirements and provide tenants with a nice amenity in more urban locations... higher density locations where it might be difficult to provide ground floor open space. So, this idea would work in tandem with new Design Standards for setbacks and

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1 lighting, existing Performance Standards in the code that address spillover light, glare, and
2 noise and then you may have other ideas for standards for rooftops. We do mention that we
3 would take these potential standards to the Architectural Review Board since they typically
4 weigh in on these kinds of Design Standards.

5
6 Item 5... Idea 5 is more of a cleanup item to simplify the open space requirements so that
7 there's one standard regardless of the number of units proposed. So, Table 3 on Packet Page 43
8 shows the existing standards where right now the open space that you're required to provide
9 depends on the number of units that you have on the site. And sometimes that means if you
10 have fewer units you have to provide more open space and sometimes if you have fewer units
11 in certain districts you have to provide less. And I'm not... I can't... I'm not exactly sure why it
12 was developed that way but that's the way it is now. Also, in Table 3 you see a couple other
13 standards, a landscaping minimum and this is a sitewide... where it says 20 percent, essentially
14 20 percent of the area of your site needs to be landscaped and that's not proposed to change
15 as part of this idea here. Ok, thank you.

16
17 Chair Lauing: Ok comments? I've got some I could start unless... Commissioner Monk [note -
18 Vice-Chair Monk] go ahead.

19

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1 Vice-Chair Monk: It might sound silly but I'm assuming that decks do not go to FAR, is that
2 correct?

3

4 Ms. Eisberg: No.

5

6 Vice-Chair Monk: No, they do not? It does not, ok. One thing that came up in our meeting was
7 this idea of if we're going to have roof decks as open space whether or not the height limit
8 would be a problem if an elevator needed to exceed it. So, I just wanted to invite you to look
9 into that particular issue.

10

11 In regards to Packet Page 42, so this would be on Item 4, where you talk about setbacks, access,
12 and lighting. I... it seems to me that this is generally set forth to all the areas that we're
13 discussing and that you might need to look at unique situations where it might not be required
14 that you have to have such standards. And you know if the building is already set back from the
15 street, for example, why do you need to also further set it back so just kind of looking at this a
16 little bit more athletically and seeing if this would result in something that wouldn't be feasible
17 to build because of these rules. Such as rooftop lighting shall not be visible from the ground
18 level. There's a deck across the street from where I live and they have a couple lights up there.
19 It doesn't impact anything but you can see that there are lights there so I... just the language

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1 that's in here I think could be looked at a little bit more carefully when it comes down to
2 drafting an ordinance. So, I support Number 4, I think its great, and I wholeheartedly support it.

3

4 In regards to 5, I do as well. What I wasn't clear on is are you just cleaning this up or are we
5 trying to also increase some sort of access and open space? Because it looks like what's
6 proposed is less than what's in existence so I just wasn't clear on that.

7

8 Ms. Eisberg: So yes, yes, and yes. So, on Table 3 in the downtown and California Avenue... well
9 in the downtown the standard is reduced under this concept. So whereas right now depending
10 on the number of units you would provide 150 to 200-square feet per unit. This is suggesting
11 just 100 so you would get... if a developer did the minimum you would get less open space on a
12 downtown site. In... on Cal Ave you would get the same amount as a project that right now had
13 6 or more units and half as much if someone was doing the minimum if there were fewer than
14 5 units. And then El Camino is the same as it is now so I guess Cal Ave [and] El Camino are
15 similar to what you have now and downtown is the one that's potentially getting reduced. And
16 the thinking there was that it is downtown and you can make an argument that actually you're
17 living downtown, it's more urban, you want more space, that's not what we've done here and
18 I'm happy to hear your feedback.

19

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1 Vice-Chair Monk: Well I live downtown and I've got three decks. I don't know the square
2 footage but it works and I'm really pleased that I have that. It really makes living in a smaller
3 living environment a lot more enjoyable so if people on the Commission would also support
4 increasing that. I really don't know how big this is, if it's really an issue or not but if it doesn't
5 make a difference I don't know why we wouldn't just make it a little bit more of a larger square
6 footage. Because I think in these areas that are referenced you're probably going to have these
7 smaller number of units produced. You're not going to have... I don't know where there are
8 land and space to produce much more than 5-units anyway so I mean just in these immediate
9 areas that we're referring too. So, I would support going up a little bit and or keeping it as is.
10 Thanks.

11

12 Chair Lauing: Commissioner Summa.

13

14 Commissioner Summa: Thank you. So, for... I would say I totally think it's great to have more
15 rooftops stuff because it's great space and people love rooftop gardens. It's cool to be up there.
16 You can see trees, our beautiful canopy but the one problem I have is at the end of the
17 paragraph that says residential mixed-use to only... except on sights abutting single-family
18 residential uses or zoning districts, I would... that probably isn't enough protection. I mean the...
19 it's the height of the rooftop compared to the height of the next-door abutting district or use
20 that's a problem. So, if it was a duplex or 4-units of one-story or two-story and it's a really tall

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1 building it... I just... I think it should protect more than single-family uses and I think the
2 protection should be based on the disparity of the height between the two. And I appreciate
3 trying to sort of regularize the open space. I would prefer to keep downtown 150, maybe Cal
4 Ave 150 and have the others 150. I think people... we have a year-round weather here where
5 people can be outside almost all the time and especially in smaller units and because we really
6 don't have enough parks for people I think it's really important to have outside space. People
7 have barbeques and bicycles and all kinds of stuff so I would like to have more. And I note that
8 it seems odd that Redwood City has 300-square feet. Why does Redwood City have so much
9 more than we do? Do you have any... just random? So, I would make everything 150. I don't
10 think because someone lives on El Camino that they need less outdoor space and someone in
11 another part. That's it.

12
13 Chair Lauing: Ok I have a couple quick comments that pile on there. We've mentioned this
14 briefly to the consultant at the pre-meeting. This is all about useable open space, to me, that
15 means where people can be and enjoy themselves. And so, when we talk about roof decks they
16 don't want to get hurt by the HVAC equipment and stuff like that. And so that would...
17 otherwise, it's a loophole. We've got to have that in there and then I'm not sure why we don't
18 want more landscaping? I mean landscaping is nice and up there on roof decks it's... so I'm not
19 sure why we wouldn't want to make sure that there was some up on all those or some range.

20

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1 And then there was one comment where you said that useable open space at the top of page...
2 Packet Page 43 in the middle, existing code provides some flexibility that useable open space
3 may be provided in any accommodation of private and common open space. But there's not an
4 intent to have the public in a private building unless they're guests of the (interrupted)

5

6 Ms. Eisberg: Right so in this case common means common to the tenants but it would be
7 private but that's just flexibility that (interrupted)

8

9 Chair Lauing: Common space like (interrupted)

10

11 Ms. Eisberg: They can do either or.

12

13 Chair Lauing: Normal leasing language, common areas.

14

15 Ms. Eisberg: Right, exactly.

16

17 Chair Lauing: Ok, fine and then you didn't mention hours on your list of stuff but I thought that
18 was something you might want to look at. I mean there's already Noise Ordinance but ok.

19 Commissioner Alcheck.

20

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1 Commissioner Alcheck: I think this is a great idea and I think it's a really... I mean we didn't
2 come up with it. This is an innovative approach that lots of developers are using in urban
3 environments. I would suggest to you that I think that the requirements regarding setbacks and
4 lighting as well, I think they are too restrictive. I think one of the biggest challenges with rooftop
5 decks is layout. You know 90 percent of the time the challenge has to do with mechanical
6 equipment and access and you may only be able to use the right side of the building. And I
7 don't see why with the proper railing why you wouldn't want to go all the way to... not the very
8 edge but why... I mean let me put it to you this way, 5-feet seems significantly small. Very tiny
9 setback there but I just would hope that we sort of create as much flexibility as possible with
10 respect to the layout of these decks. And so, I wonder if there's a different way to do it that...
11 let me put it to you this way, I don't think privacy is really... I think if you're on the top of
12 rooftop deck I don't think the privacy suggestion is significant. I mean likely if it's a residential
13 building, which we're talking about, there's going to be units that are facing whatever side
14 you'd be standing on the rooftop deck. And so, I... what I'm trying to say is there's a lot of
15 opportunities for innovation when it comes to rooftop decks and I'd like to encourage the
16 entrepreneurial spirit of our landscape architects to figure this out. I'm not surprised that this
17 was very low parody on your list because anytime you talk to a developer, landscaping is the
18 last thing they think about and open space I think kind of falls into that criteria.

19

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1 I sort of approached this thinking why not actually require every residential multi-story building
2 to have a rooftop deck as opposed to just incentivizing it? Let's make it a requirement that your
3 deck be green. I don't know if any of you have had a chance yet to visit the Transbay Terminal
4 in San Francisco but they have a rooftop park which is just stunning. Just will blow your mind
5 away so if you haven't check it out, it's amazing planning land use success story but anyways.

6
7 And the last thing I would suggest is I think there needs to be some alliance for rooftop shade
8 structures that would not be considered in the envelope of the height of the building. I'm not
9 talking about enclosed cabanas but something that can provide... something that is more
10 significant than an umbrella... that is architecturally more significant than an umbrella if you will
11 but that wouldn't somehow put them in conflict with a height limit. I don't know, something for
12 you guys to think about.

13
14 And then I would just piggyback of what Commissioner [note -Vice-Chair] Monk said which is
15 we should absolutely exclude an elevator shaft opening for access to a rooftop deck from the
16 height determination. So, it would be a real shame if we encourage rooftop decks and then oh
17 wait, this elevator shaft is 10-feet tall above the deck and so now this building is technically 60-
18 feet tall which breaks our very low rule of 50-feet. So, I think it kind of goes hand in hand. We
19 should... I don't know the code well enough for commercial mechanical equipment or multi-
20 family mechanical equipment to know how you guys exclude those but I would imagine that

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1 somehow, we could include language that would exclude any access with respect to stairs or
2 elevators.

3

4 Chair Lauing: Commissioner Waldfogel.

5

6 Commissioner Waldfogel: I was trying to work on some numbers in my head. Just as a point of
7 clarification... again point of clarification and falling onto Commissioner [note -Vice-Chair]
8 Monk's question so if the open space is configured as balconies that are attached to a unit that
9 does not count as FAR or it does count?

10

11 Ms. Eisberg: Does not count as FAR.

12

13 Commissioner Waldfogel: That does not count so but the idea here is you are indifferent... you
14 want to be indifferent to whether it's... these are balconies or whether this is a roof deck.

15

16 Ms. Eisberg: The code right now is indifferent so a developer can achieve the useable open
17 space in any combination of private and common so decks and courtyards.

18

19 Commissioner Waldfogel: Yeah, ok so the 100 actually sounds rather small then if we're
20 thinking about... especially if we're thinking about any mix. I mean if there's any balcony at all

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1 it's likely to be close to that size. You know somewhere in the 50 plus foot range so I'm just
2 trying... I'm having trouble doing this on the fly but sounds like it could potentially be larger.

3

4 As far as roof decks I think we need to be pretty careful about privacy issues for adjacent
5 residential. So, I certainly encourage roof decks to be oriented more toward front yards than
6 toward side yards and backyards, especially if they're adjacent to residential. And if we're going
7 to encourage roof decks we should encourage them to be functional so whatever amenities
8 they need to be functional you know we should encourage that to happen. I'm thinking... is a
9 swimming pool a possible amenity in a roof deck that you're contemplating? I mean I've seen
10 this in buildings in LA but is that... that probably wouldn't work without other restrictions,
11 would it?

12

13 Mr. Lait: Yeah you could do a pool.

14

15 Commissioner Waldfogel: But if it's flush with the roof then it would consume some
16 (interrupted)

17

18 Mr. Lait: Yeah, I mean we have other Height Standard regulations and to answer the question
19 before, we don't currently allow the elevator... we allow elevator equipment but not the car to
20 exceed the height limit today.

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Commissioner Waldfogel: Yeah so if...I mean a roof deck may need an elevator car to actually access that level.

Mr. Lait: Right that's (interrupted)

Commissioner Waldfogel: Yeah that seems like a probable amenity.

Mr. Lait: Right and then I guess another (interrupted)

Commissioner Waldfogel: Actually, probably ADA would require that.

Mr. Lait: That's right.

Ms. Eisberg: Yes.

Mr. Lait: And then... it would necessarily require us to take a look at how we treat elevators generally throughout the City in terms of accessing mechanical equipment. I mean I think there's a... let me ask this as a question. I mean we're talking about roof decks here and I can understand why we'd want to have that addressed for that amenity. Is there... do we continue

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1 that conversation and change City policy with respect to elevators City-wide to access maybe
2 not a roof deck but mechanical equipment or should it just be in instances where there's access
3 to a roof deck?

4

5 Commissioner Waldfogel: I think that's... I'm not sure if that's in tonight's scope or not but
6 that's a good question. Anyway, yeah, I'll leave it at that. I mean I've (interrupted)

7

8 Chair Lauing: Commissioner Gardias.

9

10 Commissioner Gardias: Thank you. So, the rooftops as we know were popular I counted 50-
11 years ago by Antoni Gaudi with Casa Mila, Park Guell, and many other developments that he
12 did. So, it's been around for 100s of years at least and from my perspective, if you're asking, of
13 course, we should have rooftops as usable space. However, from perspective about the
14 discussion to relax some constraints to spur development, I think this is outside of the
15 discussion. I see that it's worth the conversation but I don't really see it as a constraint to spur
16 development. I would retain the... I would retain the existing requirements. If you want to just
17 include in the package opening the rooftops for as useable space I'm fine with it. I'm for it but I
18 think that we should focus on something else. Thank you.

19

20 Chair Lauing: Commissioner Summa, quick question.

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1 Commissioner Summa: Quick question, aren't mechanical... doesn't rooftop mechanical
2 equipment isn't allowed to exceed the height by 15-feet now? So, it's not a big issue in terms of
3 rooftop gardens and then one thing that I did want to add is that in a mixed-use building I
4 would want to make sure that this did not add... that the rooftop wasn't used to add FAR to say
5 a restaurant in the building. Because that would be a very different kind of use than just for the
6 residential tenants so I would want to make sure that was made clear also.

7

8 Chair Lauing: Depending on the prices it might not be usable open space, right? Ok, any other
9 comments? If not, we're going to move on to parking. Oh sorry.

10

11 Commissioner Gardias: Very quick comment.

12

13 Chair Lauing: Yeah, Gardias [note – Commissioner Gardias]?

14

15 Commissioner Gardias: I would allow restaurant over... on the rooftop.

16

17 Chair Lauing: Ok well let the record show.

18

19 Vice-Chair Monk: As would I.

20

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1 Commissioner Summa: I didn't mean we shouldn't allow it, I meant that it would count toward
2 FAR for a use like that and not just open space and that it would have to be parked. I didn't
3 mean I wouldn't allow it. I love rooftops.

4

5 Chair Lauing: Ok.

6

7 Ms. Eisberg: And our intention here was that it would qualify as the useable open space
8 requirement for residential or residential within mixed use. That may be a different
9 conversation if you want to have commercial.

10

11 Chair Lauing: Ok I see Commissioner Alcheck also wants to vote for a restaurant here.

12

13 Commissioner Alcheck: No, I just want to highlight that there's currently a requirement that
14 they allot open space on the lot and that requirement is deemed burdensome because it takes
15 up space that could be used for parking or other potential community space to access the
16 building. And so, to meet this requirement we're talking about shifting it to the roof and
17 counting the roof potentially to fulfill that requirement to alleviate the overly burdensome
18 requirement in building residential development. Its just seems a little insensitive to be talking
19 about rooftop restaurants and pools. We're talking about minimizing the restrictions on
20 development and I just want to encourage us to sort of stay on that topic because (interrupted)

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Chair Lauing: Ok Number C, parking.

Ms. Eisberg: Ok so when we spoke in May we devoted our whole meeting to parking but just as a reminder it was really the combination of the number of spaces required in addition to some of the back up requirements, the drive isle needs, that makes it difficult to make circulation and parking work without building structure or underground parking in many situations. So, the key idea proposed hereunder Number 6 is to adjust parking requirements to better align with the Fehr and Peers study findings. So, this suggests reducing base parking requirements for multi-family housing to one space per one-bedroom unit and maintain the two-spaces per two-bedroom unit requirement. Notably, these proposed numbers are inclusive of guest parking so that guest parking separate requirement would go away.

For senior housing, the concept is to provide a standard of 0.75 spaces per unit rather than the existing requirement... the existing code which allows an applicant to make a specific request for a reduction. Based on the study no additional changes are proposed for standards for housing near transit, mixed-use projects or for affordable housing but we did pick up Fehr and Peers recommendation that only one space per unit be reserved for an affordable project. So, these types of project, the housing near transit, the mixed-use could still be eligible for

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1 reductions following the existing process of demonstrating reduced demand but the standards
2 that are shown in Table 4 and up on the screen are the concept that's proposed here.

3

4 Just quickly the Item Number 7, we talked about this last time too that mixed-use buildings
5 developers are required to provide parking for ground floor retail uses in addition to residential
6 uses on upper floors. So, this idea would exempt a portion of ground floor retail from parking
7 requirements to relieve physical and financial constraints of providing retail where it's required.

8 Thank you.

9

10 Chair Lauing: Ok shall we just address our questions in general and if the parking consultants
11 are the best ones to answer that do that or as opposed to focus all comments there now? Ok.
12 So ready to go Commissioner comments, Commissioner [note – Vice-Chair] Monk.

13

14 Vice-Chair Monk: Preliminary question in regards to the study. It's stating that higher parking
15 demand was associated with larger unit size but it also stated that in lower income housing
16 there was less utilization of parking. Yet those units typically had two to three bedrooms so
17 there's a little... to me, it's a contradiction so I'm just trying to understand what's going on with
18 affordable which I support the suggestion in here. So, I don't want to change anything and
19 support what's proposed but what I don't understand is what's going on with the 2-bedroom
20 units I suppose from your report.

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Mr. Ryan Caldera: Alright thank you, Commissioners. My name is Ryan Caldera, I am a transportation planner with Fehr and Peers. I helped conduct this parking study. With regards to the affordable housing complexes, we noted that they had a higher proportion of 2 and 3-bedroom units compared to the market rate and senior housing and we also noted that they had a per bedroom higher rate of parking demand. With regards to utilization and supply, could you clarify your question one more time?

Vice-Chair Monk: If you could just repeat that last sentence, so you said they did have a higher parking demand in the low-income units?

Mr. Caldera: Yeah so for under Table 5 in the parking study appendix you can see for (interrupted)

Commissioner Alcheck: [unintelligible – spoke off mic]

Mr. Caldera: Sorry Packet Page 101.

Commissioner Alcheck: Thank you.

-
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1 Mr. Caldera: So, on Packet Page 101 on Table 5 for spaces per unit the maximum parking
2 demand was higher for affordable housing than for the market rate housing. So that was a 1.52
3 space per unit for each affordable housing unit versus 1.4 spaces per unit for each market rate
4 housing unit. Does that answer your question?

5

6 Vice-Chair Monk: Well this is saying that affordable housing units are using more spaces per
7 unit than market rate housing?

8

9 Mr. Caldera: Slightly by unit, yes, based on what we observe.

10

11 Vice-Chair Monk: Your report said the opposite.

12

13 Ms. Eisberg: The confusion there is that the... if you look at Packet Page 98 on Table 4 very few
14 of the affordable units are 1-bedrooms. So, they have a higher proportion of 2 or 3-bedroom
15 units so you see a much lower number on the per bedroom basis and a higher number on the
16 per unit basis.

17

18 Vice-Chair Monk: So, do we have data on the 1-bedrooms in lower income park utilization?

19

20 Commissioner Alcheck: (off mic) The next statistic [unintelligible].

-
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Vice-Chair Monk: Your mic is not on Commissioner Alcheck.

Commissioner Alcheck: Yeah, I just want to highlight (interrupted)

Chair Lauing: Can you just direct us on Packet Page?

Commissioner Alcheck: The next statistic on parking spaces per bedroom puts them in order that I think you would assume they would be in. So, market rate has higher space demand per bedroom. If you look at that table (interrupted)

Vice-Chair Monk: That's what I thought their study said.

Commissioner Alcheck: Yeah it does. He... but... one is spaces per unit which could be 2-bedrooms versus 1-bedroom and one is spaces per bedroom. And I think it probably... you're probably remembering the spaces per bedroom statistic which is in line with your... with what you thought it was. And it technically conflicts with that other statistic but it's not necessarily the same.

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1 Chair Lauing: Does that answer your question?

2

3 Vice-Chair Monk: Yeah thank you for the clarification.

4

5 Chair Lauing: Did you have others or just... we can go back if you're not ready.

6

7 Vice-Chair Monk: That was just a preliminary question that I had.

8

9 Chair Lauing: Ok other lights? I have a number of comments but (interrupted)

10

11 Vice-Chair Monk: Yeah, I mean I definitely have comments but I can get to those later.

12

13 Chair Lauing: I don't see any lights so I'm just going to go ahead. I just wondered on Page 86 of
14 the Packet you said only Madera is affordable. I think that just might be a mistake or I'm not
15 reading it right but then on 91, you list California Apartments, Oak Court Apartments, and
16 Colorado Park Apartments.

17

18 Mr. Caldera: I'm sorry you said on Page 86?

19

20 Chair Lauing: Yeah maybe pick it up from the prior report.

-
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1

2 Mr. Caldera: So, for Page 86 this is in reference to the previous parking surveys. So, we
3 collected historical parking data from the south bay area and around similar communities like
4 Palo Alto. So, in those group of studies Madera Apartments was the only historical data that we
5 had that had some sort of affordable housing component.

6

7 Chair Lauing: That's what I thought, it was a reference to the former study but you have three
8 options for us to look at in this study.

9

10 Mr. Caldera: Correct.

11

12 Chair Lauing: Ok fine. So then on this table on Page 98 but the verbiage on 97 and 98 was about
13 this idea of trying to figure out if there was any spillover parking and that was the primary thing
14 we were trying to get out of a new study. Well, verification of the data before which happened
15 but just try to get some calculation because some neighborhoods are going to be different than
16 others but there could be spillover and that's appropriately high concern item for our citizens.
17 So, your choice what you call a conservative approach to count street parking and parking spots
18 which I think was smart. And you also note fairly that may not... you don't which are residents
19 and which are none residents so I think we would appreciate that conservative approach. But
20 seeing that four of the nine places that you counted, at some point in time, actually end up with

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1 a parking shortage in a 0 to 3 percent range. And on the affordable housing, two of the three
2 are at 0 to 3 percent so technically run into a parking shortage so am I reading that data
3 correctly?

4

5 Mr. Caldera: When we did the off-street parking surveys like you said, there was no way to
6 verify which vehicles were actually associated with the apartment complex that we were
7 studying and which ones could be due to neighboring complexes, other land uses, just cars left
8 overnight. So, we took the conservative approach by counting cars that could be considered
9 within the scope of each complex. So generally speaking that was along the frontages of the
10 complex buildings and then if there were any vacant lots nearby, specifically Mid-Town Court
11 Apartments is nearby a shopping center, and there were some resident vehicles observed
12 there. So in regards to your question, it was a highly conservative count for on-street parking
13 and that's why we provide the oversupply range. So, assuming that all of the vehicles are
14 actually associated with each complex, the... each complex is meeting, generally speaking, at
15 the demand rates but again it was a conservative count for each of the complexes.

16

17 Chair Lauing: Right, right, all I'm pointing out is with that conservative approach four of the
18 nine complexes had situations in which there was no parking; 0 to 3 percent. So, I think I'm
19 reading that statistic, right?

20

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1 Mr. Caldera: Sure.

2

3 Chair Lauing: And you didn't cross tab that with a garage at that time right or the official
4 resident parking?

5

6 Mr. Caldera: We did so what we did was we took the highest on-site parking count and the off-
7 street or the off-site parking count. So that could be from two different peak periods from two
8 different nights.

9

10 Chair Lauing: Ok. No, what I meant was when you found sort of 0 to 3 you didn't say hum, I
11 wonder if the parking lots full for residents and go and count that? Do you understand the
12 question?

13

14 Mr. Caldera: Yes, I understand the question. We do have the data for that night to compare
15 what was actually on site versus what was counted on the street. Generally speaking, there
16 were still vacancies in the parking lot when we observed the streets on... on street.

17

18 Chair Lauing: Ok well I'm... as I said before it's going to vary by neighborhood and by time of
19 day but there's just some data that those neighborhoods were full of cars two out of three
20 times in affordable housing at 0 to 3 percent.

-
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1
2 And then moving to the intercept surveys which we were... had a lot of hope for those trying to
3 get more data by talking to residents to see. You... the survey that you tried to do with the one
4 person that said you could do it that was very high parking capacity to begin with and really
5 affluent tenants and also had reserved parking spots which is kind of prestigious. Plus, they also
6 know where their spot is and it's their spot so probably more likely to go there but it's
7 unfortunate that we couldn't find out a way to get to some of these other folks. So, I would
8 think that could still be a way to get at some of these folks and says we're just trying to get data
9 from the City. We can take that offline and see if there are any legal constraints to that but it
10 seems like it still would be valuable to get some of that data. The questions that were put there
11 I thought were a little problematic and its sort of pointless at this point unless we go back and
12 try to get some more because we only have one data point which you correctly throughout
13 with only seven people that were interviewed. So, I won't go into a lot of detail but I'm familiar
14 with this a little bit and I know a nice warm-up question like how do you feel about parking is a
15 way to start these things? But then you could drill down a little bit more and say well, are there
16 occasions when you do park on the street? And if so under what circumstances is that? And if
17 so well what time of day or night or do you know if any of your neighbors sometimes park on
18 the street? We're just trying to figure out how to plan this for the future. And how about
19 visiting guests, do they find sufficient parking? So that wasn't included which even if we had the
20 seven at this point what... wouldn't have, I don't think, gotten us the questions we want. So, I

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1 wanted to have some input on that in advance, that didn't happen but I would still think that
2 we might be able to go back before this thing is finalized and try to calculate what's going on
3 with these people just to figure it out. Because the problem is this is a very serious issue for
4 neighborhoods and I think that given the fact that we actually don't have any data on this now,
5 that I think this table could work as a basic standard that's presented here. But I think we
6 should require a parking study for a project and I don't think that that would be... take to long
7 or cost too much given that there's a big building going up. We've heard on the Wilton project
8 that it was already jammed before something went up. Other neighborhoods are going to be
9 totally fine so I would hope that we could figure out a seamless way to make that happen. So
10 that's what I would add to the requirements here in this part of it. I think next up was
11 Commissioner Summa.

12
13 Commissioner Summa: So, I will agree with Chair Lauing that I was a little disappointed by the
14 intercepts study and that most of these... most of the buildings didn't want to talk to you at all.
15 That's disappointing and I just don't... I don't feel like we got any real information and I
16 appreciate how difficult it is from the spillover study. And if you look at California Park
17 Apartments, you had calculated in the previous study that it had 71 percent oversupply and
18 then when you went back and counted it with no real way of knowing where the cars came
19 from you came up with 3 to 43 percent. So, I feel like we really have no information about

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1 overspill and I would like to add also that... because you weren't here before I believe
2 personally (interrupted)

3

4 Mr. Caldera: Correct.

5

6 Commissioner Summa: When we looked at this but I had gone out at night and looked at all
7 these sites myself and it really occurred to me that in many situations, especially for more
8 vulnerable people in the population, people would park on the... not in their assigned spot if it
9 was in a garage which can feel unsafe at night but they would park closer to their front doors in
10 many cases. And so... and I think that's kind of what Chair Lauing was getting at if there was any
11 way to tell if the missing assigned spots were kind of equivalent. So, I feel like we really don't
12 have enough information and good enough information to apply this from these nine buildings
13 to buildings in every case. So that's kind of my... you know and if we had gone with the thinking
14 that California Park Apartments were 71 percent oversupplied and now they may be virtually
15 not oversupplied at all by a slightly different count, the methodology isn't quite clear, you know
16 we could be making big mistakes. And we don't want to transport those mistakes to a general
17 parking requirement in the City so that was kind of my concern is that we didn't get much more
18 on that.

19

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1 And then to go back to the Table 4, I just don't know how you can exclude any guest parking
2 and have it included in multi-family buildings in the parking for the units themselves. I just feel
3 this is going to be very problematic, especially when parking is one of the number one concerns
4 and it really affects some neighborhoods. Obviously much more than others and once again I
5 find that Ventura could be a neighborhood that is unduly impacted by this. So, I think you need
6 guest parking, you need it not just for actually guests of the unit but people working there and
7 persons with disabilities who have to have help in the home. We need to make sure that there
8 are places for all those kinds of people to park. I don't really... I think having senior housing at
9 that reduction doesn't quite make sense to me because there is senior housing that is
10 subsidized housing where it may make sense. But there's also very expensive senior housing
11 like the Hamilton is one where people have a lot of parking and they expect it because it's sort
12 of more of a luxury situation. So, I would say that you should not... differentiate between
13 subsidizing, BMR senior housing and regular market rate senior housing. I am uncomfortable
14 with some of these reduction because of the parking problems that we're already experiencing
15 in this City.

16
17 And then to move on in the parking issues to Number 7, the 1,500-square foot exemption. I
18 found that to be extremely problematic. I think it would be very hard and I believe that on
19 Packet Page 47 in the second paragraph this [unintelligible] said minimizes spillover parking
20 impacts by limiting the exception of 15-square feet which could equate to 4-space for retail use

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1 to 18-spaces for high intensity. I think it's not 18-spaces, I think your math is wrong, I think it
2 should be 25 and that's potentially 25-space from each 15-square... 1,500-square feet building
3 with no... where are all those cars going to go? This was the thing that I was... I found least
4 sensible in the recommendations and I don't understand how that would work on California
5 Avenue where people... where there's kind of different situation with the Parking Assessment
6 District being closed. It seems almost a little unfair to me like it penalizes bigger sites rather
7 than small sites and then I think also has a lot of chance to be gamed. I think that on a mixed-
8 use building I guess the property owner could decide which use he wanted to exempt and it
9 could be very dense... you know obviously, he'd pick the use he wanted too. So, I cannot
10 recommend that at all to be honest and I think that in general, you might find a lot of residents
11 that would feel like have they not been listening to us which is really not what we want because
12 of the parking problems that we're experiencing already. So, I would not be able to take
13 anything from the actual follow up study and the oversupply percentages and be able to apply
14 it in a reliable way across the board. I don't think the sample is big enough, I don't think the
15 methodology was clear and I don't think we got any real spillover information. So, I will leave it
16 at that for now.

17

18 Chair Lauing: Commissioner Waldfogel.

19

20 Mr. Lait: And as... if I could just interject.

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Chair Lauing: Oh sorry.

Mr. Lait: Sorry, I just wanted to give a little cover to our consultant. Fehr and Peers didn't make the recommendation for the 1,500-square feet.

Commissioner Summa: No, I know, I'm sorry. I shouldn't have [unintelligible].

Mr. Lait: Sure, no I just wanted to (interrupted)

Commissioner Summa: Sorry.

Commissioner Waldfogel: Do we need laser pointers now? Ok, Jean, you're up. Just so actually two question for you Jean and then I will ask Ryan a question. First one is my understanding is these are minimum standards so if... like a luxury senior development could elect to build parking above this standard, is that true?

Ms. Eisberg: Yes.

-
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1 Commissioner Waldfogel: Ok that's the first thing. Second thing, just remind me what is a
2 minimum size building? I mean what's the smallest number of units that you would
3 contemplate being built under this whole ensemble ordinances?

4

5 Ms. Eisberg: One.

6

7 Commissioner Waldfogel: A single unit building?

8

9 Ms. Eisberg: Well for multi-family I think you define multi-family as three for your multi
10 (interrupted)

11

12 Commissioner Waldfogel: So ok three so now the laser pointer is now pointed your way. So, I'm
13 not going to... look I think that you've done the best you can methodology on this study. There
14 are just limits to what you can do with sample... with this kind of sample size. And you know I
15 can see you sliced and diced and done your best and if we had air bars they would be big so
16 let's not go there. What I would like to go through is in your experience... let's look at your
17 recommendations, your executive summaries on Packet Page 76 where you recommend 1-
18 space per studio and 1-bedroom and 2-spaces per 2-bedroom or larger. So, in your experience...
19 I mean so let's say a 100-unit building and let's just make the math easy, 100-unit of studio and
20 1-bedroom, this would be 100 parking spaces and then for say a 7-unit building this would be 7-

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1 spaces. So, in your experience... I mean my intuition is to take me to a place that says the 100,
2 there's probably some statistical gain across that 100. This could work because some will have
3 none and some might have more but when you get down to the smaller numbers to 3, 10, 20,
4 do you think that these are still statistically reliable guidelines? I mean just in your experience.
5 I'm not asking you if the data points to that, I'm asking you this from your general experience.

6
7 Mr. Caldera: I think that in my general experience we generally apply the same Parking
8 Standards across different housing types. So, because we have different multi-family units,
9 different multi-family complexes, it would be best appropriate to have similar parking rates
10 across the board.

11
12 Commissioner Waldfogel: But do you think that... I mean do you think that's a reasonable guess
13 that 3-units are as likely to produce three cars as that 100-units are likely to produce 100 cars? I
14 mean do you think that that's a... do you think that those are equally well correlated?

15
16 Mr. Caldera: Assuming that all of them are studios and 1-bedrooms the data suggests that yes,
17 that is how it would be.

18
19 Commissioner Waldfogel: Well there's no data for anything that small in any of your tables. I
20 mean your tables are all for larger buildings.

-
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Ms. Eisberg: Right and we're assuming that if a quarter of the people have no cars in the 100-unit project a quarter of the people have no cars in a 7-unit project and the rounding up and rounding down (interrupted)

Commissioner Waldfogel: Yeah that's not exactly how statistics work, unfortunately.

Ms. Eisberg: I mean 25 percent is 25 percent.

Commissioner Waldfogel: No, no but that's (interrupted)

Ms. Eisberg: I mean you round up and round down and it's off by 1-unit.

Commissioner Waldfogel: But that's not how it works because you have to do... I mean let's not get into that but that's not how it works. [unintelligible] that's just one issue so I think that... directionally I think that at larger sizes this could work pretty well, at the small sizes at the margins I would have some worries about that.

Let's see jumping over to the retail exemptions, this just seems like something where... you know this is one where I don't love it but I'm willing to head in this direction. The one thing that

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1 I would like to see happen is to give these tenants preferences for parking permits in the
2 structures that we're building. So that we at least have a place for them to go so that we're not
3 just turning this into spill over in neighborhoods but directionally, this seems like an acceptable
4 compromise kind of given all the constraints that we're facing so good idea.

5

6 Chair Lauing: Commission Alcheck.

7

8 Commissioner Alcheck: Thank you. Ok, I wholeheartedly support the Planning Department's
9 recommendation that we reduce these parking requirements. We would be one of the only
10 Cities in the Bay Area to not attempt this as one of the tools to reduce cost of construction. This
11 probably ranked in the top 1 or 2 of the items that all of the professionals that are attempting
12 to build affordable and market rate housing acknowledged. I'm a little confused, I think the
13 date... I think we've sort of put a lot of pressure on data collection. I wasn't actually even
14 supportive of this secondary collection effort because I thought the data we had was sufficient
15 but now we have more data and I think it backs up this suggestion that we reduce the parking
16 requirements.

17

18 I think when it comes to senior housing that is almost uncontested. It's just... I think the
19 suggestion that we should continue to require such significant parking space in senior housing
20 is just turning our back to all of the data that's been presented.

-
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2 And I think that we also need to spend some time presenting the community and particularly
3 Council with this notion that we have to choose. What's our poison? Not building any housing
4 in a housing crisis or potentially spill over parking? There's... on a solution to a housing crisis,
5 that's developing more units. There are many solutions to transportation and I think we have to
6 begin to be honest with ourselves about this cancer that is our housing development deficiency
7 and potentially starts to stomach some of our biggest fears with respect to parking for those
8 that don't trust the data.

9

10 I would also suggest that if we have a 3-unit apartment complex result from this effort that is
11 actually the biggest thing we should worry about. I am not concerned that there will be a 3-unit
12 development somewhere in this City that won't be able to sufficiently park 10-cars on its
13 premises. My big concern is with encouraging the development of 30 plus-unit developments.
14 So, we just saw a project 10-min... an hour ago for 17-unit condos, the President's Hotel we talk
15 about it today is 70-units [note-and] I don't even know how we could think of a 100-unit
16 building in this City because how would we ever build 100-units? There's... it's just... so again I
17 think we... I think it's a red herring to be worried about 3-unit developments and whether or
18 not this parking ratio continues to apply. I think we should be focusing on whether the data
19 proves that these larger developments with 30, 40 and 50-units and potentially more are over-
20 parked in terms of the number of spaces allotted to the residents. And I would encourage this

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1 Commission who so dramatically requested additional data to accept the data because I think
2 it's quite clear what it says.

3

4 Chair Lauing: Commissioner Gardias.

5

6 Commissioner Gardias: Thank you. In terms of the multi-family residential parking, I'd be
7 inclined to support the Staff's proposal. However, I'd recommend that we accept this with the
8 parallel expansion of the residential parking program to ensure that there's some sort of
9 control of unwanted parking that would enter some areas where people want to park so that's
10 Number 1.

11

12 In terms of the... of exemption of the 1,500-hundred of the ground floor retail I think that it's
13 pretty much... it's a tax increase suggested the other way on the residents of Palo Alto. As we
14 know we have just received what, \$14 million or \$40 million for the... I'm sorry, I don't
15 remember how many dollars but millions of dollars price tag for the parking in the... near the
16 California Avenue. And I... this would have... given exemption like this would have an automatic
17 impact on further demand for additional parking garages because those cars would have to go
18 somewhere. And then obviously residents would have to pay for it so you would just be putting
19 us in the position do we pay for the dinner \$50 or \$100 plus \$1,000 or \$5,000 of additional
20 property cost. So, the money has to come from somewhere for the garages, however, I see that

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1 there's an opportunity and I think that we should explore exempting small property owners
2 from parking requirements. We have a number of the small property owners and we know that
3 those properties they haven't been developed for years. And I think that we should be
4 interested in retaining this diversity within the City but explore how we can further restrain
5 constraints on those small property, specifically around the downtown, removing some
6 restriction. If your proposal are removing some parking requirements on those properties, I'd
7 be for but for the larger properties, I think it's clear what I said. It's a tax on the residents of
8 Palo Alto. Thank you.

9

10 Chair Lauing: Commissioner [note- Vice-Chair] Monk.

11

12 Vice-Chair Monk: Thank you. I really loved how you presented this parking study. It was very
13 clear that on Page 45 that parking requirements are one of the standards with the greatest
14 effects on site planning and creating viable projects dues to a combination of a required
15 number of spaces, drive aisle width and back up distance. You go on to state that housing
16 developments that have more parking than is needed to add unnecessary construction costs
17 and therefore contributing to the cost of housing and that efforts to better align parking to
18 housing type approximate to transit will help with impact to our housing supply. That's on
19 Packet Page 46 so I think the way you presented it was very strong and resonated. I thought
20 what also you stated at the top of Page 46 about nearly all the site surveys have fewer parking

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1 spaces and are required by the code yet supplies still exceeds demand. Parking requirements
2 exceed peak parking demand development surveyed. The empirical data supports reduced
3 parking so I support reducing from what we have existing and I'm not sure that I think what's
4 proposed goes far enough. So, what I'd like to do is invite us to ask ourselves what exactly is our
5 parking and traffic problem? When you come home from the theater in San Francisco or dinner
6 late night, is there a problem to park outside your home or get into to Palo Alto? If you're
7 driving around town on the weekend is it a problem to get around? Is it a problem to park
8 outside your home? I invite you to consider that our parking and traffic problems occur during
9 the daytime hours. That is why we have the RPP from 8 am to 5 pm because that is when we
10 have peak parking demand. Our population either doubles or triples every day, I don't know
11 which statistic it is but it's because we have a 3 to 1 job to housing ratio in the City. So, I don't
12 see the correlation between increasing our housing supply by adding another 100 residents.
13 That would be amazing if we could even do that in 1-year. We're supposed to be adding 300-
14 units per year. I don't know that we'll ever get to that level but I really don't see how increasing
15 our housing supply by such a nominal figure is going to impact anyone's ability to get to and
16 from their home or park outside their home. And that's my barometer so I don't think that
17 housing and parking attached to housing has anything to do with our parking and traffic
18 problems. I'm willing to go into that on a deeper level and we're at this point we're looking at
19 more dense units that are in the downtown commercial districts where people that are in those
20 areas already expect that it will be more challenging for them to find parking. So, I am curious

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1 about these residents that were concerned at the June community input meeting where they
2 expressed concern about spill over. Spillover into where? I mean are these residents that are
3 actually in these downtown core areas that are concerned about spill into where? I don't know
4 where there's going to be spill over into and when would that spill over occur? It just doesn't
5 make sense because according to this data people are leaving in the daytime and coming back
6 in the evening. So, we should be looking at how to use those spaces in the daytime that are
7 clearly available to accommodate the problems with congestion on our streets during the
8 daytime from the influx. I think we should examine that. That might be something on their
9 other category, 17, for down the road. So, I really have a problem when I hear that parking is an
10 issue related to housing. It just doesn't make sense to me. Also, most of these units are going to
11 be smaller units. Very few are going to be to buy, they are going to be renters. In the study on
12 Page 35, it says that renters have substantially fewer vehicles compared to owners. So that data
13 point suggests that we're going to be building rental units most likely and they are going to
14 have lower ownership. So... and they are going to be in these core areas that are closer to
15 transit. Also, we're changing our modality of transportation in general so I don't know why in a
16 studio apartment or a 1-bedroom apartment that's probably going to be around 500-square
17 feet how that could probably accommodate more than one person. I just don't see how there
18 could be more than one person living in either of those spaces and why they need to have a
19 full... fully parked space. I would propose going down to .75 for studios and 1-bedrooms. It just
20 doesn't seem necessary to me that if they are building 20 new units that there has to be 20

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1 parking spaces in a downtown area. And I think that Hotel President is an amazing example of
2 the fact that we have 75 residents living in that property which what I understand does not
3 have parking and if it does I think they only have about 10-units allocated to some of the
4 residents there. So, they're making it work and people are finding alternative modes of transit.

5

6 Now I do have a question about Ventura and on our map, I would like to know what part of the
7 districts that we're talking about changing are in the Ventura district. And I also want to know if
8 that's part of the RPP because I understand that Ventura does have an RPP.

9

10 Mr. Lait: I... we have I think four RPPs, South Gate, Mayfield, Evergreen, College Terrance,
11 downtown, and Crescent Park. Maybe I said downtown twice so to the... so those are all sort of
12 clustered together and then as you go further south Ventura doesn't have any... does not have
13 an RPP at this point.

14

15 Vice-Chair Monk: There have been community members from Ventura who have expressed
16 concern about parking that came out when we were talking about the Affordable Housing
17 Overlay. And they are very concerned about current parking issues (interrupted)

18

19 Mr. Lait: Yes.

20

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1 Vice-Chair Monk: And projected parking issues as a result of possibly having some affordable
2 housing developed on Wilton Court. So, I would... I'm just curious why wouldn't an RPP solve
3 that issue and do we need to look at certain parts of the community differently? I don't know
4 what part of this district that you have on the map here is actually in Ventura. So how much of
5 what we're doing tonight is affecting the Ventura community?

6
7 Ms. Eisberg: So, this is one of the few items that we're talking about that would be applied City-
8 wide by use so all multi-family uses. So regardless of districts, RM districts, all the commercial
9 districts, for multi-family use, this would apply. Separate part of the code where you regulate
10 parking and loading versus the other standards that we've been talking about which are within
11 the CDC or within the CC2.

12
13 Vice-Chair Monk: Why does it make sense to have a City-wide ordinance on parking when it's
14 so variable by neighborhood and transit?

15
16 Ms. Eisberg: That's how your current ordinance does it and that's how... I'd say that's how most
17 Cities do it. Right now, you do have some places where it can change for geography with this
18 housing near transit potential reduction that you have to apply for and do the reduction for but
19 that's the way the code regulates parking right now.

20

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1 Vice-Chair Monk: Are we in a position to make a recommendation to have a different standard
2 City-wide and accept the areas that are highlighted in tonight's discussion and have a different
3 standard in the commercial cores? I just don't see... I think that it doesn't make sense to have a
4 City-wide standard when we have commercial areas that just don't demand that level of
5 parking.

6
7 Mr. Lait: Well so certainly the Commission could talk about that as a policy direction and make
8 a recommendation in that regard.

9
10 Vice-Chair Monk: Would that be a different direction from what Council has direction or have
11 they just not taken that issue up?

12
13 Mr. Lait: They've asked us to look at the parking and we've identified parking as through our
14 advisory group that parking is one of the key constraints in housing production.

15
16 Vice-Chair Monk: Right and so we're looking at housing production in a specific area yet we're
17 looking at parking City-wide so there's kind of a disconnect on achieving our stated goal
18 because of this City-wide parking.

19

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1 Ms. Eisberg: I mean I thought from the Fehr and Peers study we might see more evidence of ok,
2 housing near transit should have a lower parking requirement but based on a lack of data or
3 otherwise we just didn't get that finding and so we haven't suggested that here.

4
5 Vice-Chair Monk: I would support this study and I would support looking at going less on the
6 areas that we're talking about tonight, on the commercial areas, to a lower standard; .75 in 1-
7 bedroom studios and 2-bedrooms 1.5. I live in a small building here, they are all 2-bedroom
8 apartments very close to the City Hall, not everyone has two cars so quite often there's... I
9 would say almost half is not utilized.

10
11 Chair Lauing: Is that it?

12
13 Vice-Chair Monk: And frankly in my personal experience we have two cars because we have
14 two parking spaces but we really only need one car so you build it and we'll put a car there. If
15 you don't put a garage there, there won't be a car there. I testify to that personally, thanks.

16
17 Chair Lauing: Commissioner Riggs, welcome.

18
19 Commissioner Riggs: Yes, thank you and I'm sorry for being late. I have little challenges called
20 kids. I'm sorry, did I say challenges, blessings. Yeah, and I was single parenting this evening so I

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1 appreciate the flexibility and I apparently came at the right time. So, I actually did focus on this
2 section in my review and I think maybe rather than nitpick... I'm not interested in nitpicking the
3 thing. I have a bigger picture question which is why are we still talking about minimum and it's...
4 I feel like this is a 50-year old discussion and the more progressive thing to be doing is to be
5 talking about maximum. We could keep the exact same Parking Standards and just switch from
6 minimums to maximums and have two benefits. We let the market decide but we'd also
7 perhaps challenge the developers to actually explore different, more aggressive standards and
8 so I just feel like we're having the wrong discussion. And I actually would suggest to Council and
9 Staff that they perhaps be a little more shipestin [note – unknown word] which is sighting Don
10 Shoop and really start thinking about exploring parking maximums rather than minimums.

11

12 And then secondly imperative I think the concern is that we will continue... then we will under
13 park but I would suggest making a certain TDM threshold or certain TDM program mandatory
14 and I don't see that reflected in here. I really want to say I appreciate the work that Fehr and
15 Peers has done. I think they were responding to what they perceived as being a quite
16 conservative community and I'm totally putting words into your mouth but I think these are not
17 progressive. And they don't... I don't think they represent the progressive vision that our
18 Council wants to see and I think the right thing to do might be to switch to looking at a parking
19 maximum. And then second to actually looking at City-wide project by project TDM
20 requirements.

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Chair Lauing: What was the second one?

Commissioner Riggs: Mandatory TDM requirements for every project irrespective of whether... I mean put it this way, when you have a maximum you lose the police power of imposing a TDM requirement. So, you have a bartering chip when you... when a project comes before you to incentives them to reduce their parking requirement. If you actually create a maximum you lose that bargaining chip as a Planning Department, as a Council. What I would suggest is that you actually make that a mandatory standard and we could decide or we could actually allow Staff to provide some recommendations on what the appropriate TDM measures could be or how they should be applied or maybe that's something we could go back to a consultant like Fehr and Peers to come back with. But I think those would be a little more perhaps responsive to some of the concerns about under parking project because a potential development could say we believe our constituents will have this many cars. We're going to maximize our parking under this threshold but we could also most with developers that say yeah look I'm building micro units. These people aren't going to have cars, it's a 500-square foot unit, we're going to park it at .5 spaces per unit and that will be fully allowable under a parking maximum scenario.

Chair Lauing: Ok. Commissioner Summa. Ok yep.

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1 Commissioner Summa: I'll try to talk to the right people this time. So, a couple of things, one is I
2 don't understand why a micro unit wouldn't... why someone living in a micro unit wouldn't
3 need a car necessarily. I mean we do not live in a transportation rich area and the size of your
4 unit does not determine where you would work. Especially people in Silicon Valley change jobs
5 frequently. That's just the way the tech business is so that doesn't really resonate with me. I
6 would love it if we had TDMs that work. We don't have any TDMs that have... we don't have
7 any evidence that any of them have ever worked. I asked former Director Gitelman about this
8 exact... I asked her, there's no evidence. There's no evidence, the City doesn't (interrupted)

9
10 Commissioner Riggs: Well this is my area of research and I will tell you Transportation
11 Management does work so I can share about six papers that I've written myself (interrupted)

12
13 Commissioner Summa: So, let me finish.

14
15 Commissioner Riggs: That have quantitative data that actually (interrupted)

16
17 Commissioner Summa: If you don't mind.

18
19 Commissioner Riggs: Well I'm just saying like you're contradicting me point by point. I feel like I
20 should respond point by point.

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Chair Lauing: Well let's let her finish.

Commissioner Summa: We don't have... I appreciate that you're an expert and I appreciate your point of view but we do not have TDMs that work in the City of Palo Alto. I should have been more precise. I totally respect what you're saying and I wish that we did. I wish we did but they don't and I have had... I have heard directly from former Director Gitelman that we have no data on the TDMs, there's no oversight, it's a code enforcement thing perhaps so we would need to do a lot of work to get to a point where we had TDMs that did what they were supposed to do I think. So,, it's not that I'm contradicting you, I'm just trying to be specific to Palo Alto and what has worked in the past and hasn't worked.

And I would like to mention something about the President Hotel that maybe not everybody knows and that is that the residents there do own cars. A few of them... there are a few parking spots on site and they also were able to purchase residential parking permits to park their cars and so it's not a car lit building and that was revealed from the residents themselves.

So, I don't want to burden anybody, especially affordable housing providers with having to build too much parking and taking away from housing. I do think we're getting... recently we've had a bunch of housing projects including the one that came to us... including another one

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1 along El Camino that's only retail and housing near Olive or Pepper Street. So, I don't know why
2 we... some of us persist in saying there's no housing being built. I just don't feel that's true but I
3 think that a large part of building new housing should also encompass providing parking for a
4 verity of people at a verity of different income levels. And... because not everybody has the
5 luxury of living some... a lifestyle where they don't need a car. A lot of people have very busy
6 lives, they may have more than one job, they may have to do all their grocery shopping or take
7 their kids to the doctor on their lunch break and you need a car to have that kind of flexibility.
8 So, I feel like it's a real privilege to not have to use a car as much and that people of different
9 circumstances and lower incomes sometimes really need to use cars a lot more because we
10 don't have very rich public transportation. So, I don't want to burden anybody with over
11 providing parking. I don't think we have any evidence that we've done that so far so just, in
12 general, I would like to make sure that we don't exacerbate existing parking and traffic
13 problems in this City while we move forward with building more housing.

14

15 Chair Lauing: Ok are we done... oh, Commissioner Alcheck.

16

17 Commissioner Alcheck: Yeah so, I... look I think some of the arguments we're hearing tonight
18 are a little all over the place. The occupant of a micro unit is not a young family with multi-
19 children. I think... so I'll address one example of the reluctance to adopt reduced max...
20 minimums for senior housing as some senior housing is luxury and they want to offer multiple

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1 spaces to their residents. There is nothing stopping a luxury senior housing developer from
2 building a very low-density development with plenty of parking. So, what you are or what was
3 suggested as something... I don't want to single anybody out. But what we're hearing as a
4 concern that we might have... we might not be allowing that kind of... you would, you can still
5 do that. Someone can always... actually, I should rephrase. Assuming we didn't have
6 maximums, which isn't on the table right now, we could do that and so that suggestion doesn't
7 really resonate at all because you can still build a luxury building with five spots per unit for this
8 very wealthy \$16,000 a month tenants who have five Bugatti in their collection. But what we
9 don't have is anything that resembles a path for the development of housing that we are seeing
10 in every other City up and down this peninsula. And so again, I'm so pleased that you're here,
11 Commissioner Riggs. I just imagine that it is an insurmountable challenge to sort of challenge
12 your expertise here and I think the Chair should sort of acknowledge you in a minute and give
13 you an opportunity to suggest how you feel about TDMs. I will suggest to you that if a TDM
14 didn't work in the past that is not a reason to not try again. I am prepared to do the hard work
15 of figuring out the best darn TDM that we can do so that we could have a project that had
16 lower Parking Standards that could potentially house 70 tenants who are about to get evicted
17 for lower cost. We've got a list of 3,000 plus people on the affordable... on the waitlist for
18 affordable housing and none of those units are getting built. Period. The workforce housing is
19 not affordable housing development so the one that's on El Camino, that 57-unit building, is not
20 an affordable housing development. It falls into a different category so with all due respect, no,

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1 nothing is getting built with respect to affordable housing. That is absolutely the highest
2 priority. Market rate housing is a second priority and minimizing the Parking Standards should
3 be something we are all prepared to recommend to City Council. I think the bold suggestion
4 that we consider maximums is academic at best in this community and not because I think that
5 way but because we're just not prepared to stomach it. But I don't think that it shouldn't be
6 sort of encouraged and I would for one appreciate hearing a little bit about your expertise
7 Commissioner Riggs.

8
9 Chair Lauing: I think he already spoke but if he wants to speak more he can. I think we're
10 starting to repeat a little bit but (interrupted)

11
12 Commissioner Riggs: [unintelligible – off mic]

13
14 Chair Lauing: Ok. Do you have new information? Commissioner [note -Vice-Chair] Monk.

15
16 Vice-Chair Monk: So just to clarify I was concerned about this being City-wide because when
17 you look at a 2-bedroom in a single-family neighborhood I don't think it's going to have the
18 same square footage and the same intention as a 1,000-square foot 2-bedroom in the
19 downtown core. So, I just would invite some consideration around square footage as opposed
20 to the bedrooms because if the developer is going to choose to build studios over one bedroom

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1 because it will lessen their parking requirement. I would like... I'd prefer to see that potential
2 new residence have the options of 1 and 2-bedroom and not these micro units and studios and
3 small... so I just feel like with having a standard that's higher it might disincentive building 2-
4 bedroom units over 1-bedroom units.

5

6 Ms. Eisberg: I heard what you said about the commercial districts but this would not apply for
7 single-family homes in single-family districts.

8

9 Vice-Chair Monk: Well so ok if those two... well and that's what I was going to go into. Could
10 you talk about what B is on 6B on Page 44 because I don't know where you address what
11 exactly are the requirements that you want us to maintain?

12

13 Ms. Eisberg: So, maintaining parking requirements for single and two-family residential uses
14 and so again because parking is regulated by use and not by district we just haven't touched
15 single and two family uses. So, homes... single-family homes, duplexes, I don't have their
16 parking requirements up here so I don't know them off the top of my head but they would... we
17 would not... we're not proposing to change them.

18

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1 Vice-Chair Monk: Well is it something that should be looked at because of ADUs that are
2 happening in that space that could be used for an ADU being used for a driveway, for... because
3 you have to have (interrupted)

4

5 Ms. Eisberg: Are you looking at parking in ADUs separately through that ADU Ordinance?

6

7 Mr. Lait: [unintelligible – off mic]

8

9 Vice-Chair Monk: 44.

10

11 Ms. Eisberg: For state law.

12

13 Mr. Lait: I'm sorry I missed part of that but we don't have a parking requirement for ADUs.

14

15 Vice-Chair Monk: Right yeah, I know that we relaxed but if you're building that home or new
16 construction there is... there are rules in regards to parking requirements for single and two-
17 family residential uses.

18

19 Mr. Lait: That's right.

20

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1 Vice-Chair Monk: I just don't know what they are but you're wanting us to agree to maintain
2 them.

3

4 Mr. Lait: Yes.

5

6 Vice-Chair Monk: So, I don't know how I can agree to maintain something that I don't know
7 what the rules are.

8

9 Mr. Lait: We can find out for you.

10

11 Vice-Chair Monk: Ok. Otherwise yeah, I would support 6A and I think we had questions on the
12 other piece of this. Did you feel like we went (interrupted)

13

14 Chair Lauing: I think we got it.

15

16 Vice-Chair Monk: I think we need to go into 7, probably right?

17

18 Chair Lauing: Yeah 7.

19

20 Vice-Chair Monk: So, I support the proposition in Item Number 7. Thank you.

-
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Chair Lauing: And now D...we got another light. Commissioner Riggs. Go ahead.

Commissioner Riggs: I just... I want to respond to the notion of a parking maximum being academic. It's not academic, it's proven. [unintelligible] part is I feel like nobody listened to me when I said it because we came back with a concern about perhaps under parking sites and I would argue again that transitioning to a parking maximums scenario would be a middle ground. It would be... it would allow for us not to have the exurbanite type of parking situations that do make housing really costly but it would allow for developers to choose the appropriate... to appropriately park their site based on the demand for their type of unit. So, I don't actually... I don't think its academic. We could talk about... it's not worth getting into details at this point but we could talk about case studies where they... where it has worked very successfully and it is working very successfully. And I would... just for [unintelligible], I think echoing Commissioner Alcheck's [unintelligible], we have... I don't like using the term TDM. I like to use the term Transit Incentive or transportation Incentive. I think TDM has a lot of baggage with it because it has had... there have been... there is what I call the standard TDM playbook and I think it's a little tired. But we actually in Palo Alto particularly have some very, quite exceptional and successful case studies of award-winning and quite successful transportation incentive and trip production programs. So, without question transportation incentives and transportation programs to reduce trips and to reduce the number of people

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1 driving do work. And I think I'm getting away from jargon, that's not contestable, there's
2 research out there that says that and so we can debate the nomenclature but the fact is if you
3 provide people the tools to not drive they are willing to change modes. The point is we have to
4 find the pressure points and that's something that unique development can actually come
5 forward... you could come forward with. And we could actually establish standards for that and
6 we could reinvent what it is the standard TDM playbook and I think that's something we should
7 do.

8

9 Chair Lauing: Ok, that's pretty interesting for the future. Thank you.

10

11 Vice-Chair Monk: I would just say I do... I support that concept of looking into maximums.

12

13 Chair Lauing: Yeah ok. Alright, so can we move onto D so this is project review process and
14 thank the consultants for attending for so long and for your work.

15

16 Ms. Eisberg: Ok the project review process, so two items here. The way it is now in downtown
17 and in El Camino residential mixed-use project with 10 or more units must undergo
18 architectural review with the ARB and sight and design review with the PTC and the Council. So,
19 this is the opportunity for public input, for decision makers to weigh in but from the developer's
20 perspective, it can add time and uncertainty to the process. So, the key idea here is to eliminate

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1 sight and design review and only require architectural review with the ARB. The idea would still
2 maintain Staff review and analysis and the noticing and standard appeal hearing process to
3 provide opportunities for public input.

4
5 The second item, Number 9, is for California Avenue and specifically the Pedestrian and Transit
6 Oriented Development Overlay, the PTOD. So, this current overlay provides an opportunity for
7 higher density development but requires legislative action and again likewise a 3-step process.
8 So, this concept aims to be more narrow and just allow 100 percent affordable housing project
9 at a maximum of 80 percent of area medium income to receive the density and height benefits
10 of the PTOD designation by right. So, they wouldn't have to go through the legislative action
11 process, it would just be codified in the Zoning Ordinance that affordable projects got that
12 additional FAR and height. Thank you.

13
14 Chair Lauing: Ok that's 10 and 11. We had a request for a break. Do we... what's the consensus
15 on the Commission? Do we want to... no break... press on for these... press on for these two...
16 pardon me? The consultant needs a break so we'll just take a 5-minute, thank you.

17
18 [The Commission took a short break]

19
20 Chair Lauing: Ok, let's go Commissioners. We all present but we're not all attentive.

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Commissioner Summa: It's the Vice-Chair.

Chair Lauing: Commissioner [note- Vice-Chair] Monk. Ok we're on project review, right?

Ms. Eisberg: Yes.

Chair Lauing: Number 8.

Ms. Eisberg: 8 and 9.

Chair Lauing: 8 and 9 and we're discussing together so if you have comments on 8 please light up your lights. Comments on 8.

Commissioner Alcheck: What was that?

Chair Lauing: Comments on 8. Ok, Commissioner Summa is up.

Commissioner Summa: So, I have a little different perspective on this. I think... and I actually think that the elected officials, the Council Members, should still be reviewing these projects. I

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1 think that a lot of what I notice is that projects are held up because applicants change their
2 mind or they're not ready or they changed architects or they haven't filled out... their
3 applications are inadequate. But I think it's really important to the people that the elected
4 officials will still be reviewing these things.

5

6 Chair Lauing: Commissioner Riggs.

7

8 Commissioner Riggs: I would recommend something completely different. I actually think it's a
9 bad idea to remove particularly site design review from Planning Commission. A lot happens
10 with the volume of buildings at the design process. At ARB they could talk about the physical
11 manifestation but it's our... we talk about height and mass here and I think it's not appropriate
12 even for [unintelligible] to withdraw that responsibility from Planning and Transportation
13 Commission. I do not think that this is the lynchpin that is slowing down projects in our
14 community and in general what I would recommend is that Council removes themselves from
15 this process and that projects only go to Council upon appeal. And I would challenge Council to
16 empower this Commission and I understand that may take changes to the bylaws but my
17 suggestion is that the Planning Commission could be... should be empowered to make decisions
18 for both these types of developments, below 10 and above 10, and the Site and Design Review
19 has no business being with the City Council. That should happen with the experts on ARB and
20 Planning Commission and that projects would only go to the City Council upon appeal.

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2 Chair Lauing: Seeing no other lights at the moment I would basically concur with that
3 alternative proposal that Commissioner Riggs gave. I'm very sensitive to slowing down projects
4 and that's... developers are sensitive to that but there ought to be ways that we could
5 streamline it. The other thing, of course, is that I still feel that this forum is a nice friendly forum
6 for the public to come and weigh in and the public needs to weigh in. And when we're doing
7 things in parallel like reducing were we publish notice of hearings, this is a great forum for it.
8 So, it would reduce our workload but I don't think that's the point either. So, I'd support the
9 idea of Commissioner Rigg's. Let's see next up was Commissioner Alcheck.

10

11 Commissioner Alcheck: Ok so you know one of the things that I've learned during my
12 experience on here was that site design and review... Site and Design Review is not a great term
13 of art for what we do. We are frequently reminded during Site and Design Review that we are
14 not reviewing the aesthetics of a building. And I think one of the underlying... and maybe the
15 report didn't really acknowledge it but I think one of the issues here is that it's not so much... it
16 is about the time actually. Nine to 15-months to get through is too long and I think the reason...
17 and so the question is then ok well if we can take some of this away would that shorten the
18 process? I think we want a shorter process, that should be a goal but I think what we really
19 want is a process that has... what's the word that I'm looking for here? Ambiguity that people
20 can have a little bit more clarity as to what their... what could possibly happen during the

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1 process and I think one of the ways we get there is by reducing the “reasons” that we find fault
2 with projects. So, I’m not really... I would love to... I think the exercise would be to go through
3 Site and Design Review that the Commission has done. Like, let’s say we... I think it would be
4 helpful for example to get the minutes on the last five projects that went through Site and
5 Design Review. And then go ok well what did we ask for and what came back and how did that
6 affect our review? And where we really focusing on the right things of where we slowing down
7 the process and adding ambiguity and lack of clarity.

8

9 I think... I don’t... I’m a little concerned about the idea of suggesting that the Council not be
10 involved because I really loathe to politicizing the Commission. And the second you take... right
11 now the Council has been put in a position to sort of yah nay all these projects that ask for
12 concessions which is what everybody has to do in order to make the project feasible. Excuse me
13 exceptions, not concessions and the result are a pretty [unintelligible] process and the Council
14 has to navigate between the sentiments of let’s say residents that don’t want something to
15 happen and the other residents who do. And that is political in nature, picking your winners and
16 losers. And if the process was much more black and white, here are our limits, here’s the pool
17 of choices... the bank of choices you can choose for an exception if you provide the following.
18 You know we use to have this intrinsic astringent argument when it came to public... PC Zone
19 right? Tremendous ambiguity and I don’t know that we’ve really answered that question as to
20 how do you evaluate the exceptions to the rules and what are the tradeoffs that would allow a

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1 developer to redeem that. And so... and I would hate for us to be put in a position because then
2 what happens is instead of the Council stacking the Commission with potentially expertise they
3 stack the Commission with democrats and republicans if you will. Parties that go either way on
4 where are you on growth and development and I think we need to avoid that. The idea here is
5 what's the best use for a site and how does it achieve the goals of the Comp Plan? And so, my
6 question to you is not so much do we eliminate the PC review, the question is how do we get
7 away from what I have seen in our Site and Design Review which seems like we sometimes get
8 off track on Site and Design Review. And we cut... in the past, we had Cara Silver here who
9 would be like yeah, I'm going to steer you back on Site and Design Review. That's outside the
10 scope and maybe if we weren't so much outside the scope instead of five meetings it would be
11 two or three or one. And that to me... look I'm not suggesting that I'm not ready for bold steps
12 but if the bold step isn't accepted if Council's like no we're not going to relinquish that step, the
13 baby step that I would like us to take on is either some effort on site and design training or
14 some... or just a more forceful control by the Planning Department of that review to help
15 applicants get through it quickly without the side tracks.

16

17 Chair Lauing: Ok other comments? I think Summa was next. Oh, I'm sorry, I'm sorry, Riggs.

18

19 Commissioner Riggs: Well I guess I don't disagree with anything that Commissioner Alcheck
20 said. I guess I would just say that I... this City governs much differently than many other... most

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1 other Cities. Almost all of the Cities that I'm aware of in California in a way that the discussions
2 we have at Planning Commission and they have the same discussions at City Council. And to
3 me, that is very inefficient and very redundant and almost before every meeting, I ask myself a
4 question why am I doing this? I don't bring value to this City because this discussion will just be
5 rehashed at City Council and for me that is... that's why I really... I'm frustrated with this
6 Commission. I feel like we are powerless. That's why I really think about quitting every day. It's
7 not something I enjoy because there is no value that we bring to the City.

8

9 Chair Lauing: Commission Gardias.

10

11 Commissioner Gardias: Thank you. Director Lait if you remember over a year and a half ago I
12 approached you and I asked you about your comments to the letter that I wrote to the City.
13 And thank you for your... the comments that you conveyed to me and in this letter that I just
14 have a copy in front of me. I just wrote clearly project review and decision making is right for
15 reform. It was a year and a half ago. Current process is costly, time-consuming, and missing
16 expectation of the applicant and public. Apparently, inconsistency is the problem. We talk
17 about tiering the projects to allow certain projects move faster because they are not subject of
18 many constraints and ordinance. So just to move them quickly through the review process and
19 a variety of other items. I totally agree in general that there needs to be a discussion how to
20 improve the process. I'm not really sure if just one item is really the answer. I think that there's

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1 an opportunity which I have been advocating for years before I wrote the letter that is in front
2 of us, of the Chair, of this Commission to work within our team, work together with
3 Architectural Review Board to improve the process. And then hand it over to... on a silver
4 platter to the Council for consideration. So, this is something that we can take this as an action
5 item and maybe spend some time but as I said right, I don't believe that just elimination of just
6 one item would be the answer. Thank you.

7

8 Mr. Lait: So, Chair?

9

10 Chair Lauing: Commissioner... sorry, go ahead.

11

12 Mr. Lait: Could I just (interrupted)

13

14 Chair Lauing: Yeah, please.

15

16 Mr. Lait: Or maybe I can do it at the end or whatever.

17

18 Chair Lauing: We have one more set of comments, Commissioner Waldfogel.

19

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1 Commissioner Waldfogel: Let's see just again just a question, how does this process differ from
2 the commercial development process? Are these charts that we see here current process the
3 same that a commercial project would go through?

4

5 Mr. Lait: So, I'm actually... yeah, so site and design are... so site and design would come into
6 play when you have a mixed-use project and actually, this is (interrupted)

7

8 Ms. Eisberg: [unintelligible – off mic]

9

10 Commissioner Waldfogel: Right but for pure commercial pure [unintelligible] (interrupted)

11

12 Mr. Lait: Pure commercial you don't have to go through the site and design.

13

14 Commissioner Waldfogel: So, what would the body... what would the (interrupted)

15

16 Mr. Lait: ARB.

17

18 Commissioner Waldfogel: The sequence looks like?

19

20 Mr. Lait: Just ARB.

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1 Commissioner Waldfogel: Just the ARB, not site and design?

2

3 Mr. Lait: Right so for context lets set that... let's have that conversation and I can elaborate on
4 that a little bit.

5

6 Commissioner Waldfogel: Ok.

7

8 Mr. Lait: Here's another incentive for office development or commercial development. If you
9 have a 20,000-square foot commercial development it goes to the Architectural Review Board
10 but if you have a 20,000-square foot mixed-use development with housing you have this
11 expanded process of having to go the Planning Commission, then the Architectural Review
12 Board and then the City Council.

13

14 Commissioner Waldfogel: So, what you're suggesting is aligning the residential development
15 process with the commercial (interrupted)

16

17 Mr. Lait: That's right.

18

19 Commissioner Waldfogel: Office development process?

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1 Mr. Lait: That's correct.

2

3 Ms. Eisberg: (off mic) And with the RM districts.

4

5 Mr. Lait: Yeah and with RM.

6

7 Commissioner Waldfogel: Ok I just wanted that as a clarification, thanks.

8

9 Mr. Lait: Thanks, and I'm glad you did because that actually ties into the comment that I was
10 wanted to make which is the site and design is an existing process in our code that relates to
11 two principal areas of the City, the Foothills, and the Bay Lands. And we have this special
12 standard because of the unique environment in those areas and our community is interested in
13 wanting to protect and preserve those areas. This kind of heightened level of review when
14 mix... and I'm speculating a little bit here and if there are others in the community who know
15 more about this than I do I'm happy to be corrected on this. But I believe that I've come to
16 understand that when mixed-use developments were something that was allowed in this
17 community there was an interest in finding some way to regulate it and the method that was
18 chosen was the Site and Design Review process. And so, while we have a reasonable process for
19 these two environmentally sensitive areas in the community... you could be on El Camino or
20 downtown and if you have... it was 4-units of housing and commercial. We've recently changed

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1 that to 9-units in a mixed-use development and it just... it strikes us as a process that is... it's a
2 disincentive for residential. It's not even really a... mixed-use developments happen everywhere
3 now and I think there's a little more familiarity and comfort with that type of project and so to
4 us, it just seems like it's an unnecessary step.

5

6 And with respect to some of the earlier comments about the Commission's role and I totally
7 understand. I've had conversations with Commissioner Riggs and Commission Gardias. In fact,
8 I've had I think conversations with most of you about the process here. It is different in Palo
9 Alto than in other communities where the Planning Commission is the final authority on a lot of
10 land use decisions subject to appeal to Council and that's when the Council would consider it.
11 The City's Charter establishes that Boards and Commissions are advisory and so to make a
12 change in that regard where the Planning Commission is the final decision only subject to
13 appeal for Council and I'll look to Albert to correct me if I'm wrong on this. But when Cara Silver
14 was here we also had this perspective that we'd have to amend the Charter to give the
15 Commission the authority... the final authority to make decisions on projects. And that's not
16 impossible but it's also not something that is necessarily... nobody has taken up the banner to
17 (interrupted)

18

19 Commissioner Riggs: [unintelligible -off mic]

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1 Mr. Lait: Those are the comments that I wanted to add and that's why we're suggesting that if
2 we're trying to promote housing we should have a process that's at least akin to commercial
3 development, not anymore lengthy in processing time.

4

5 Chair Lauing: And also, to speed up the current process. That was one of the intents.

6

7 Mr. Lait: Yeah again yes, speed it up and also not make it a longer process than commercial. If
8 you got [unintelligible] costs and you're trying to figure out what you're going to build. And you
9 got to go to the Planning Commission and ARB and that's going to be 9-month on a good
10 system schedule as opposed to the Architectural Review Board only.

11

12 Chair Lauing: Ok.

13

14 Mr. Lait: Which is... I just want to remind you subject to appeal to Council any ARB decision.

15

16 Chair Lauing: Ok Commissioner Gardias is this still on Item 8?

17

18 Commissioner Gardias: Yes, very quickly because Director Lait just mentioned the Charter so I
19 had a specific conversation about this. We talked about this... I talked to Cara at the time when
20 she left and we had this conversation about Charter and we agreed that it's still possible to

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1 improve the process. Shifting the burden on the review onto us and ARB, relieving Council of
2 this and this way pretty much you leave the Charter the way that it is. You just come with the
3 findings with the recommendation. You don't burden Council with the time that needs to spend
4 on the project review. This way you can achieve the same effect, you can reduce the
5 throughput and then leave the Charter the way that it is.

6

7 Mr. Lait: Yeah and... or... yeah, I guess there are some ways that we can approach that.

8

9 Chair Lauing: Ok we're kind of beating this one up. Commissioner [note- Vice-Chair] Monk.

10

11 Vice-Chair Monk: I concur with what I heard from my fellow Commissioners on this and so I
12 apologize. I don't want to beat it up further. In looking at the comments that are on Packet
13 Page 60 on project review process it looks as though applicants are ok with working with Staff
14 and that they are getting good direction from Staff. So, I just want to confirm that that's the
15 case? It looks like sometimes when they go to ARB they get somewhat of unpredictable results
16 so to me it seems like there's maybe a bottleneck somewhere in this process here where they
17 are getting mixed information. And so, is Staff looking into whether or not applicants are
18 getting the right information from the right people or is that a problem that they are getting
19 inconsistent messages and lack of conformity?

20

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1 Mr. Lait: We've taken a look at that. We've had conversations with the Architectural Review
2 Board. The Board is certainly not interested in creating a problem or a challenge with their
3 review. The conversations that we've had with Board Members relates to giving clear direction.
4 So, the Board typically has two or three meetings when they are considering a project. The
5 Code actually limits it to three meetings before they send a recommendation to the Director. A
6 lot of projects get reviewed in two meetings, some in three, occasionally we get some that are
7 reviewed in one. And I don't know who made the comment or when was the last time that they
8 went through the process to receive feedback but we try really hard now when there's a public
9 hearing at ARB to get very clear direction on the motion from the ARB. You can imagine there
10 are five members and potentially five different ideas and we're trying to figure out what's
11 actionable, what do we respond to. So, when they draft their motion we're asking so what are
12 the points that we need to really specifically focus in on and work on with the Board and with
13 the applicant. And that's reiterated when we do our second Staff report to the Architectural
14 Review Board where we lay out very clearly in the report, these are the things that you told us
15 specifically to address. Here's how the applicant has responded to it. So, I feel like we've made
16 some improvements in that area and we're always able to make further improvements but I
17 feel like we've tried to address that issue head-on.

18

19 Vice-Chair Monk: And do you feel that the members are sufficiently prepared to render
20 opinions that are consistent with what our guidelines are as City?

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Mr. Lait: I mean I think the Architectural Review Board is... it's been a pretty consistent makeup for a while. It's... yeah, I mean I think that they've been providing consistent guidance on that.

Vice-Chair Monk: So, I think in that case I would be supportive of the suggestion to require their continued review and only to come to either PTC or Council for an appeal and that whatever body it goes to would be the final authority. It seems to me that it should come to PTC for an appeal and we should have the final authority but if that involves changing the City Charter then yeah, communicate that onto (interrupted)

Mr. Lait: Sure.

Vice-Chair Monk: Because I know Commissioner... when he was Commissioner now Council Member Tanaka, he really wanted to embody this Commission with greater authority. And I... these Council meetings go on and on for hours. There was a house that was being built in the hills that they were talking about trees. City Council is talking about where this tree is going to be placed or this kitchen layout in some home. It was a year or two ago. I think you were at that meeting, Ed.

Chair Lauing: But we had that come to us first.

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Vice-Chair Monk: Yeah, I mean so it's just not an appropriate use of Council's time I don't think to go into that detail and it is a waste of this body's time so I would definitely support making it more efficient.

Mr. Lait: So just for clarification, the Architectural Review Board itself also does not make a decision.

Vice-Chair Monk: Right.

Mr. Lait: It makes a recommendation to the Director and then the Director makes the decision.

Vice-Chair Monk: Right but if the applicant appeals it (interrupted)

Mr. Lait: Then it just goes to Council.

Vice-Chair Monk: It should just go to either or so it be your 8B. Wouldn't it be done at... it would go to review board then Director makes the final decision unless it's appealed. So, I would... wouldn't that be streamlining the process if it only comes to (interrupted)

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1 Mr. Lait: Yes, and that's what we're recommending is that [unintelligible – mic cut off] ... sorry.
2 That we eliminate the requirement for site and design for mixed-use projects or family... multi-
3 family housing projects to be consistent with the... our district standards multi-family and other
4 commercial development.

5
6 Chair Lauing: Ok. I'd like to get along to Number 9 but do you have a final comment
7 Commissioner Alcheck?

8
9 Commissioner Alcheck: Yeah so, we had... we sort of started with some bold discussion here
10 about big dramatic changes but I just want to make sure... and I think maybe it's worth
11 everybody sorts of chiming in real quick. I support the Staff recommendation in the report so at
12 the bare minimum when you bring the ordinance back I would suggest that this is acceptable to
13 me. I don't know that this particular opportunity is the forum to decide how to proceed but
14 with respect to the Housing Work Plan Ordinance, I support this recommendation. I think it
15 might... it sounds like actually there's a wholesale support for this but it might be worth just
16 taking a temperature and letting them know.

17
18 Vice-Chair Monk: I think there's... I'm sorry I did have one other point I wanted to make or ask.
19 After this process then they go to the Building Permit Process. Is there a reason why that

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1 couldn't commence concurrently? How many times do projects get approved and then don't
2 get their permits? So, couldn't you... because that's an additionally long process, right?

3

4 Mr. Lait: Yeah, I don't have that information on how many projects receive entitlement and
5 then don't follow through on building permits. We could look into that. There is in some
6 instances we've allowed for concurrent review where if somebody files their building permit
7 application while they're going through an entitlement process. But there's some risk in that
8 and we make them sign a waiver.

9

10 Vice-Chair Monk: Well is there something that we can do to clean it up to make it easier for
11 (interrupted)

12

13 Mr. Lait: Well part of it is (interrupted)

14

15 Vice-Chair Monk: For housing and mixed-use to (interrupted)

16

17 Mr. Lait: There's expense in preparing... so at this level, it's conceptual drawings. In face of Site
18 and Design, it's a real conceptual level for the Planning Commission. And if the Planning
19 Commission looks at real conceptual schematic of what's being proposed and if there's support
20 for it, it goes the Architectural Review Board. On the way to the Architectural Review Board, the

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1 applicant refines the plans a little bit more and gets it's ready for the Architectural Review
2 Board. If the Commission doesn't support it, it just goes to the Council for denial. So that's a
3 long... there's a big leap to go from conceptual drawings to C&Ds, construction drawings, for
4 building permit; expenses, structural engineer, and all those kinds of stuff. So, most people
5 don't do that and unless somebody's been through the process for quite some time and they
6 feel like they have a high degree of confidence that they are going to get what they want
7 approved. Then they may take that risk of asking us to do concurrent review, they sign a waiver
8 for liability reasons, and then we go through the process. I don't know that... I mean we have a
9 system in place for those who want to take part in that. I don't know that we need to make any
10 code changes to address it or further encourage it.

11

12 Vice-Chair Monk: Ok well it seems like it would get... if something would get denied that they
13 should be able to change it but I understand what you're saying but if there's a way to
14 streamline that in some capacity.

15

16 Mr. Lait: I think it's just an expense that people aren't willing to bear.

17

18 Vice-Chair Monk: To engage they are... I understand. Ok.

19

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1 Chair Lauing: Ok Number 9. This one seemed to me like it needed a table with the before and
2 after like your other good tables but maybe it's clear to others. So, this is 80 percent AIM
3 affordable projects.

4

5 Mr. Lait: Yeah so on this one and I'll ask Jean to help me out if I get this wrong but this is
6 another streamlining effort where in our pedestrian transit-oriented development. Near Cal
7 Ave, we've got one and it's a pretty decent geographic area. We've had two projects I think
8 processed under the PTOD Standard and we think density is one of the limitations on that
9 which we've addressed with the first item. The other thing that we think would be helpful is
10 that if we are trying to encourage that type of development in this section of the community
11 where we've got great access to Caltrain. We're asking the question why would we require
12 somebody to go ask for that overlay zone to go to the Planning Commission and to the City
13 Council to ask for this special standard be applied to their project when it is a 100 percent
14 affordable housing project? If we're trying to encourage and promote affordable housing that's
15 carrying cost and time that could take another 6 to 9-months just to ask the question can we
16 apply this standard, which we already have endorsed in our code, to 100 percent affordable
17 housing project. So, what we're saying if you are 100 percent affordable housing project you
18 automatically... you meet the criteria and you automatically get the benefits of that PTOD
19 zoning.

20

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1 Chair Lauing: And that's specific of Affordable Housing Overlay that we talked about with
2 respect to the potential Wilton project?

3

4 Mr. Lait: Different than the overlay zone.

5

6 Chair Lauing: Ok.

7

8 Mr. Lait: This is specifically with that discreet area of town near Cal Ave.

9

10 Chair Lauing: Got it. That's helpful for me. I think Commissioner Gardias was first.

11

12 Commissioner Gardias: Just a quick comment on this, so if you remember one day we worked
13 on... with Commissioner Summa and Waldfogel... Commissioner Waldfogel on the... as part of
14 the Ad Hoc Commission or Committee. And then one of the recommendations for the
15 affordable housing was... which I think we didn't put in writing but we spoke about this broadly
16 was to provide the by right for affordable housing to pretty much go through the planning
17 process. And if... I still stand behind this recommendation and I think that in this case, of course,
18 they would just gain the benefit of additional density and height. But generally affordable
19 housing, I'm still supporting the by right and then if we can add this part of this general
20 ordinance I would be for it. Thank you.

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Mr. Lait: Just to clarify, by right but also let's also acknowledge that there's Architectural Review Board review as part of that. So, there's a public process for it but whereby people can comment.

Commissioner Gardias: Yes of course.

Chair Lauing: Commissioner Summa.

Commissioner Summa: I support this 100 percent and I think it's a really good idea because its sort of remarkable that there have only been two projects that took advantage of the PTOD Development Standards. And it doesn't increase any or change any of the standards. It just makes it easier for 100 percent affordable so great idea.

Chair Lauing: Commissioner Waldfogel.

Commissioner Waldfogel: Yeah, I'm just trying to map this onto parcels so is this something that the Cal Park Apartments parcel is looking for? I mean would this benefit that parcel?

Mr. Lait: That's correct.

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Commissioner Waldfogel: And also, what about Supervisor Simitian’s teacher housing project. Was that... is that in this district?

Mr. Lait: That I’d have to take a look and that’s also... well (interrupted)

Ms. Albert Yang, Senior Deputy Attorney: That’s a more complicated issue because it’s county-owned land and a county project.

Commissioner Waldfogel: Ok so that’s not what we’re targeting. I’m just trying to understand what we’re targeting here.

Mr. Yang: Yeah, I mean it’s possible but there are other complications for that particular project.

Commissioner Waldfogel: And any other parcels I should be... just have in my mind?

Mr. Lait: Well if you want to take a moment to walk away from the dais, it’s that green area on the map over there in the center of the zoning map over there.

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1 Commissioner Waldfogel: Yeah yeah but I mean is this something that any commercial parcel in
2 that district could avail itself of or what's the (interrupted)

3

4 Mr. Lait: If it were 100 percent affordable.

5

6 Commissioner Waldfogel: If it were 100 percent affordable. Ok yeah, I just want to be clear on
7 that.

8

9 Chair Lauing: Does that impact retail independently or dependently?

10

11 Mr. Lait: So, we still have our retail preservation requirements that would apply. You're going to
12 get to one section in a moment where we're making the suggestion that where (interrupted)

13

14 Chair Lauing: Yeah no I know.

15

16 Mr. Lait: Where there's 100 percent affordable housing that we consider adjusting that retail
17 preservation requirement for those types of uses. And as I'm talking and I have kind of a
18 question for Jean. I want us to understand whether this would apply on Cal Ave especially
19 because on Cal Ave we may not want to have a 100 percent affordable (interrupted)

20

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1 Chair Lauing: That's why I was asking.

2

3 Mr. Lait: Project so we should double back on that.

4

5 Chair Lauing: Ok Waldfogel?

6

7 Commissioner Waldfogel: So, I guess... I mean I was thinking about other parcels like the Molly

8 Stone's parcel. Would that (interrupted)

9

10 Chair Lauing: Molly Stone parcel?

11

12 Mr. Lait: I'm trying to remember where that (interrupted)

13

14 Commissioner Waldfogel: That's at... that's on Cal Ave at (interrupted)

15

16 Commissioner Summa: It's at the end.

17

18 Commissioner Waldfogel: Yeah, it's at Park Boulevard.

19

-
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1 Mr. Lait: Ok so as I'm understanding this so on... where properties front Cal Ave they would
2 not... you still have to adhere to the retail requirement.

3

4 Commissioner Waldfogel: Ok great. No, I just want to understand the scope, thank you.

5

6 Chair Lauing: Commissioner [~~note-Vice-Chair~~] Monk.

7

8 Vice-Chair Monk: Why not down to 50 percent and how does this work with SB-35?

9

10 Mr. Lait: What's the first part of your question?

11

12 Vice-Chair Monk: We're looking at going to 100 percent affordable, why wouldn't we look at
13 different percentage of affordable?

14

15 Mr. Lait: This is our... if the Council or excuse me, if the Commission wants to talk about a
16 different threshold feel free to do that. We were looking for... a lot of elements of this relate to
17 market-rate housing and we also wanted to be mindful of opportunities for affordable housing
18 and we thought that this was a good opportunity to do that. But if the Commission feels it
19 should be a different threshold then we're happy to hear what the Commission feels about
20 that.

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Vice-Chair Monk: I was just looking for thresholds that would foster great production so I was just curious if a different percentage would foster a great production. And also, how this intersects with SB-35 because isn't that at 50 percent affordable and 80 percent AMI? That you can get a by right. Are we addressing the requirements from SB-35 sufficiently?

Mr. Yang: So, I think we're talking about two different things in terms of by right. What's being proposed here right now is the ability to take advantage of certain Development Standards without asking for a... the Zoning Map Amendment. And SB-35's by right provisions basically take it out of our discretionary review. So, all of these projects would still presumably go through architectural review but they would... they just wouldn't have to apply for a Zoning Map Amendment. You know if they also complied with SB-35's requirements they also be able to take advantage of that as well and they would.

Vice-Chair Monk: Do you feel that we're sufficiently protected with the new law?

Mr. Yang: Protected from what?

Vice-Chair Monk: I guess developers coming in and trying to have projects by, right?

-
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1 Ms. Eisberg: This would essentially raise the floor. So right... SB-35 says ok in Palo Alto where
2 you have this 50 percent of no AMI but 50 percent affordable units in a project you can qualify
3 for SB-35.... under SB-35 streamlining if you meet all of the City standards. So right now, if the
4 standard is 37-feet of height in the CC2 but we made this PTOD designation apply to all sites in
5 the CC2 if you're doing affordable and your threshold... your height goes up to 50, now you get
6 50 by right under that SB-35 streamlining. So, it raises that floors.

7

8 Mr. Lait: Right and there're other (interrupted)

9

10 Vice-Chair Monk: I see.

11

12 Mr. Lait: Sore of caveats with SB-35 that we'd have to see whether particular properties get
13 kicked out late. For instance, if there's (interrupted)

14

15 Ms. Eisberg: A historic structure or (interrupted)

16

17 Mr. Lait: Right or if the... if there's residential within the last 10-years.

18

19 Ms. Eisberg: Yes. If you're... if there are existing residential units that are demolished.

20

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1 Mr. Lait: Right.

2

3 Ms. Eisberg: Things like that so there are other criteria.

4

5 Vice-Chair Monk: Ok thank you.

6

7 Mr. Lait: But thank you for raising that question and between now and the next time that we
8 come back we'll take another look at that with that filter and make sure that we've identified
9 any concerns.

10

11 Vice-Chair Monk: Well yeah, it's an issue that we need to consider and make sure that we
12 (interrupted)

13

14 Mr. Lait: (off mic) Absolutely.

15

16 Vice-Chair Monk: Are addressing the potential (interrupted)

17

18 Mr. Lait: Yeah, I feel like we did and... but let's go back and double check. And our other
19 thought was that's why we also wanted to limit this to 100 percent affordable housing so that
20 we're really incentivizing the type of development that this community has expressed as well.

-
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Vice-Chair Monk: Right so maybe separately you need to look at instances of 50 percent affordable that might be subjected to the new laws. I just don't know where that's been [unintelligible].

Mr. Lait: Sure, at 50 percent... if a... so let's take one of these PTOD properties where somebody was proposing 50 percent affordable. They wouldn't get the additional height bonus or the... well, they wouldn't get the additional height. It would be as Jean said limited to 37-feet in height. It'd still be by right, that's state law but if it's 100 percent that's when they would qualify for up to 50-feet.

Chair Lauing: Ok.

Vice-Chair Monk: Ok thank you.

Chair Lauing: Ok Commissioner Alcheck.

Commissioner Alcheck: Ok so I wholeheartedly support the Staff's recommendation on this item. I would like to ask you... ok so the two projects that did go through this process, were they affordable?

-
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1 Ms. Eisberg: (off mic) No I don't think so.

2

3 Commissioner Alcheck: And the reason why I suggest that is because I don't... I think

4 Commission [note-Vice-Chair] Monks line of questioning was really helpful because is no 100

5 percent affordable project better than two 50 percent affordable projects and the question

6 [note- answer] is no it is not. I would much rather have two 50 percent affordable projects than

7 one 100 percent affordable project that doesn't actually come to fruition. So, the question is

8 what developments have labored through the process of getting this thing? I would just that

9 those are... we're likely to see more of those and if those weren't affordable which I believe

10 they weren't then I think we should relax the standard. I think frankly why would we not feel

11 comfortable with workforce housing or market-rate housing that met the same requirements?

12 Is this such a concession this sort of distinction? Does the Staff feel like the City would likely

13 award applicants that are trying to pursue this and so... regardless of whether they are

14 affordable or not and so maybe we need to open it up? So, I actually think it was quite helpful

15 to have that suggestion and I would not only support Staff's recommendation but I would

16 support opening it up even further. And saying look, maybe we're uncomfortable with just all

17 residential developments in that area getting the distinction without having to go through the

18 review but let's maybe open it up to different tranches of affordability. Maybe we open it up to

19 a step above what our general requirement is which I think is 20 percent affordable. So, if we

20 require 2 out of 10 units to be affordable in a project, if you come up to 3 or 4 then we'll let this

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1 project get this designation without going through this extra process. Something closer to 50
2 than it is to 100, let's just put it there.

3

4 And then the second thing I just... I need to respond. I just want us to... I picked up on it right,
5 there was... we said... you said will this protect us from developers? And I just want you to know
6 this is about protecting developers from us. They are not coming to do the residential
7 development because this process is too onerous and so we need to kind of get outside that
8 comfort zone where we think of the developer as someone we need protection from. We need
9 to think of the developer as someone who needs our protection. We need to be helping that
10 developer and I just say that because when I heard you make that comment I was like oh my
11 god. I would do anything to get a residential developer bring a project here, just about
12 anything.

13

14 Chair Lauing: Ok my view on this one is I think it's terrific, sign off on it right now as is. Ok so
15 let's just do a time and process check. We have made frankly excellent progress going through
16 all these. We got probably a little bit farther than our consultant felt we were going to get. So,
17 we've got the next one as this use regulation which is a little speculative and then we've got
18 other ideas which are the point at which I think we should all put in our ideas. After that, we've
19 got minutes and calendar and the norm and we're now at 9:30. So we could press on with these

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1 two or we could jump right over to big ideas... a sorry. Other ideas and share what's on our
2 minds. So, opinions?

3

4 Commissioner Alcheck: Yeah, I would like to press on considering we have basically had two
5 meetings in 4-months. Like let's just get done, let's get this done. Everybody seems to be in a
6 rush so I would support getting through this.

7

8 Chair Lauing: I'm polling for input. Any other ideas?

9

10 Commissioner Waldfogel: Can we set up a limit on this one so that we can get to the other
11 stuff?

12

13 Vice-Chair Monk: Yeah, I think this could be a quick discussion.

14

15 Commissioner Alcheck: I would push the minute approval.

16

17 Chair Lauing: Sorry?

18

19 Commissioner Alcheck: Let's push the minute approval. If we want to push some stuff to the
20 next meeting let's approve minutes at the next meeting and let's talk about calendar at the

-
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1 next meeting and let's work another couple hours to get this done if that's what it's going to
2 take.

3

4 Chair Lauing: Ok fine. Glad I asked. There were a lot of good opinions there. Ok so we're over
5 on (interrupted)

6

7 Commissioner Waldfogel: [unintelligible – off mic]

8

9 Chair Lauing: What? No, I think if this goes on to get to the big ideas after 10 we're going to
10 have to do another check. So, use regulations, mixed-use requirements are Items Number 10
11 and 11. Did you want to comment on that?

12

13 Ms. Eisberg: Yes, so we will talk about these two in tandem so we've discussed this. Residential
14 uses are generally only permitted as part of mixed-use developments in the downtown, Cal Ave
15 and El Camino Real. Likewise, the Retail Preservation Ordinance requires ground floor retail to
16 placed on a redevelopment site where it already exists. So, for affordable housing, this can
17 present a financial challenge since developers require separate financing for retail components
18 but it can also present a physical challenge. Especially on smaller sites because the egress and
19 building code requirements are separate for retail and for residential. So, the work plan seeks
20 to address this by calling for consideration of 100 percent retail uses but also acknowledging

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1 that the City Council has really prioritized ground floor retail. So, we've got this push/pull and
2 we're asking you to consider the types of projects and their locations where changes could be
3 appropriate.

4
5 So, Item Number 10, this idea is to exempt 100 percent affordable projects from the Retail
6 Preservation Ordinance. So, across the board with the exception of the Ground Floor Retail
7 Overlay in downtown where retail would still be required.

8
9 Second item, Idea 11, would be allowing 100 percent residential projects whether affordable or
10 market rate in the sort of in-between spaces on El Camino Real in between the nodes. The
11 graphic here is from the south El Camino Design Guidelines so it provides sort of an indication
12 where those spaces might be but essentially where the retail concentration is the weakest.

13 Thank you.

14
15 Chair Lauing: You said... just to clarify you said that there would still be a retail overlay on
16 downtown.

17
18 Ms. Eisberg: Right we're not proposing any changes to that GF district boundary.

19
20 Chair Lauing: What about California Ave?

-
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Mr. Lait: [unintelligible – off mic]

Chair Lauing: Right that’s what I thought.

Ms. Eisberg: Yes.

Chair Lauing: But you didn’t mention that so that’s why I just wanted (interrupted)

Ms. Eisberg: I did not mention that so the California... essentially, it’s the California Avenue frontage would still be retail required.

Chair Lauing: Ok I think Mr. Gardias was first.

Commissioner Gardias: Thank you. So just... we had this side conversation during the break and I made this comment that lots of arguments that we exchange tonight we already digested for the last couple of years. So, I’m trying only to listen to this and what’s new so let me maybe respond to this proposal with something that I observed recently by-passing Mountain View. If you know where Castro crosses El Camino there use to be a retail along El Camino. Now there is a residential development four or five stories... I think four-stories along El Camino around this

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1 corner where Castro crosses El Camino. And then there is no retail and if you're there it doesn't
2 feel right. It doesn't feel right because it's King's Highway and maybe because I'm accustomed
3 to observing and going to the retail over there but it just looks very artificial. So, I understand
4 the concept of those pearls on a thread it is characterized but I think that we should still retain
5 retail along El Camino corridor. There is this concept of Grand Boulevard that we should respect
6 and emphasize. And we had... I still stand by the idea that the Ad Hoc Committee provided the
7 other day to still retain retail. And then award the bonus... height bonus or some other bonuses
8 to the affordable housing to retain retail but increase the profitability of the project. Thank you.

9

10 Chair Lauing: Commissioner Alcheck.

11

12 Commissioner Alcheck: Ok I'm going to try to do this in 90-seconds in an effort to inspire us to
13 continue. Ok, so I wholeheartedly believe that we should adopt both of these
14 recommendations. I'll suggest that the first one should be a given. This is a very small subset of
15 the residential development that we will likely see 100 percent affordable and so for those, 1
16 and 10-year projects, I think we should be ok losing a little frontage of retail. It's a little pill that
17 you have to swallow but it's worth it for affordable housing. And then the other thing is I think
18 the other idea is basically addressing what may have been overreach in a City-wide Retail
19 Preservation Ordinance. We've essentially tried to preserve retail in places that maybe it
20 shouldn't be preserved and so that's my read of the second item which is essentially that there

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1 are areas between the areas that we consider retail that maybe we don't need to require retail
2 there. And if we get a residential building which we're really having a hard time getting then
3 that would be sufficient sacrifice and so in both cases, I accept that. Look a minute fifty.

4
5 Chair Lauing: Ok I'll try to top that. I have mixed feelings on Number 10 because not unlike the
6 discussion we just had about cars are different in Ventura than in some other area. My initial
7 reaction is that we probably shouldn't do this all everywhere. We should have certain zones. I
8 know that makes it more complicated and we got to figure it out. On the other hand, I agree
9 with Commission Alcheck that I don't think we're going to see very many 100 percent
10 affordable projects and I would like to incent them in whatever way possible because that's our
11 highest priority. So, I'm sort of 80 percent there on that one and just wondering if there was
12 some way we could do some slight differences in zoning.

13
14 And on 11 I've got more concerns because this maps not to scale and I don't what the
15 differences are with the people that are standing there and have to go get a cup of coffee or
16 the groceries or whatever.

17
18 Mr. Lait: Yeah, it's diagrammatic and we'd have to refine the boundaries but we are just
19 gauging Commission interest at the moment.

20

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1 Chair Lauing: Yeah so, I'd had more reluctance on that one, to begin with. Other comments? No
2 other comments.

3

4 Vice-Chair Monk: I support it.

5

6 Chair Lauing: Ok Commissioner Summa.

7

8 Commissioner Summa: I have reservations very close about both to... similar to Chair Lauing
9 and I... because you can't see what the cross streets are in this string of pearl map it just
10 doesn't... it's just not enough information for me. And I also am concerned... like even
11 downtown where we don't require ground floor, we have the P designation which creates an
12 opportunity for there to be continuous... what could be retail is somebody wanted it to be. And
13 to just kill retail (interrupted)

14

15 Mr. Lait: That still would require it. That would still be a requirement.

16

17 Commissioner Summa: That would... ok so (interrupted)

18

19 Mr. Lait: All we're saying is exemption from the Retail Preservation Ordinance which means,
20 for 10.

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Commissioner Summa: Yeah so, I have reservations on both of these because of the potential negative impacts of killing the retail. Not just in the building we're talking about but in adjacent buildings because there's... generally, its thought that it has be kind of continuous. And I think treating this part of El Camino differently than we do Cal Ave is maybe not the best idea as it is... people in Ventura and Barron Park commonly say that's their downtown so I think we need to very careful about both of these.

Chair Lauing: Ok great. So now we're over to other ideas and sorry, did you have something to say?

Mr. Lait: No, I... yes. So maybe this is wrong but I'm inferring silence as some kind of tacit acceptance and if that's an improper assumption (interrupted)

Chair Lauing: I think it was somewhat mixed. I think there were a couple that had reservations and a couple that said yeah and a couple that didn't talk.

Mr. Lait: Yeah, it's the ones that didn't talk I'm trying to interpret.

Chair Lauing: Yeah Commissioner Waldfogel.

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Commissioner Waldfogel: Yeah, I need to... I just need to dig into this one a little bit deeper. I mean this is a little sketchy and I don't fully grasp where it applies and where it doesn't apply. Plus, in the Affordable Housing Ordinance, I think we have some discretion on retail. It's their Director's discretion to... in the Affordable Housing Ordinance... the Affordable Housing Overlay? So, we've already touched this in that age overlay.

Mr. Lait: It didn't exempt it. I think there was some kind of reduction (interrupted)

Commissioner Waldfogel: I think it's discretionary. I think it's Director's discretion.

Mr. Lait: And it was... and the other thing was that it was an ask too in what we're saying.

Commissioner Waldfogel: So, I need to process a little bit more so I don't oppose it, I'm not sure I support it. I just don't have anything to add.

Chair Lauing: Commissioner Riggs do you want to weigh in for Mr. Lait? You don't need too.

Commissioner Riggs: (off mic) I have no comment.

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1 Chair Lauing: Ok.

2

3 Vice-Chair Monk: I think... is everyone in agreement with Item 10 when it's 100 percent
4 affordable like what happened with Alma Street? No, we're not in agreement but I think there
5 was a majority consensus (interrupted)

6

7 Chair Lauing: I was getting close but I'm not there but I think (interrupted)

8

9 Vice-Chair Monk: Ok and then 11 I think was a little bit more problematic for (interrupted)

10

11 Commissioner Alcheck: (off mic) Can I ask a quick question? If an affordable housing developer
12 essentially said there's no way I could do this development if I have a retail requirement which
13 is what they said when they did 801 Alma and that's Palo Alto Housing Corp right? So, the
14 question is are we really being honest with ourselves? If the Commission understood that there
15 was no chance an affordable housing developer could get financing if there was a retail
16 requirement wouldn't we then sort of turnover on this one?

17

18 Chair Lauing: Yeah, I think so.

19

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1 Commissioner Alcheck: Ok because my understanding of the report was they can't get financing
2 for it. So, do we want maybe when you come back to just poll a couple more people and that
3 way we can get (interrupted)

4
5 Ms. Eisberg: It's just... they can, I mean they've done it. We have examples of these types of
6 projects.

7
8 Commissioner Alcheck: In second Palo Alto?

9
10 Ms. Eisberg: It's just that they can't... they have to segment... I don't know [unintelligible].

11
12 Mr. Lait: [unintelligible – off mic]

13
14 Ms. Eisberg: They have to segment. If they are getting tax credits everything has to be
15 segmented. You know the money they spend on the architect's time on retail versus affordable
16 so it's just... it makes it complicated. And so, for in this particular example (interrupted)

17
18 Commissioner Alcheck: You know I'll just say this real quick, I think one of my other ideas was
19 that if we were going to keep this requirement that the City would pay the cost. So, if the City

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1 wants to preserve retail so badly then they foot the bill for the retail component. I'm also
2 interested in reducing any fees so like (interrupted)

3

4 Chair Lauing: Right well that's where I want to go right now is new ideas.

5

6 Commissioner Alcheck: I just want to say that... essentially what I'm trying to do is I think we
7 really need to understand where the affordable housing developer... where their mindset is.
8 And we can't be lukewarm on a requirement that they really can't get over and I think we need
9 to know that.

10

11 Chair Lauing: Yep, ok. Commissioner Summa has a final comment.

12

13 Commissioner Summa: This is a question for Staff. What did... what does Wilton Court
14 proposing to do about retail because I thought they were going to use it for retail like uses that
15 were specific... this is one idea... to their own population?

16

17 Mr. Lait: Yeah, we have a pending application but you know I... it's... I'm not remembering what
18 their approach was for retail so I have to take a look at that

19

20 Commissioner Summa: Thanks.

-
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1 Chair Lauing: Ok so on this other idea I'd actually like to start with the Commissioners and see
2 what you're all thinking about stuff that you didn't find here that you'd like added. And I have a
3 few as well so if somebody wants to put on their light or I can launch. Ok, we've got
4 Commissioner [note-Vice-Chair] Monk.

5
6 Vice-Chair Monk: I would just consider looking at Alma Street to add some height and density to
7 certain parts of Alma. Also, it might be interesting to look at how we can better leverage
8 parking that's going to be built or existing parking that's not utilized in the daytime. And some
9 capacity to alleviate our parking problems. These are just other issues that he's inviting
10 comment on. On the ones that are there, I think they are really creative, I think they're great,
11 they are awesome (interrupted)

12
13 Chair Lauing: Well we're going to talk about them.

14
15 Vice-Chair Monk: And we can talk about those as well. Those are just two things off the top of
16 my head.

17
18 Mr. Lait: Ok and if I can ask you to repeat the one on the parking but maybe before you do it
19 would be helpful for us to know whether there's Commission support for these one-off ideas so
20 that we're not exploring something if there's not support.

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Chair Lauing: Ok.

Mr. Lait: Ok so your... I heard (interrupted)

Vice-Chair Monk: My understanding is that Palo Alto Housing does have some properties on Alma and that if there were more relaxed standards they could develop for affordable housing. So, I think that because of how Alma is physically situated I think that's an area that we should maybe look into. So, if anyone else agrees that we can explore Alma's relaxing the density and height requirements.

Commissioner Waldfogel: (off mic) Alma and where?

Vice-Chair Monk: Just to look at pieces of it that we would... they could come back and let us know. Just certain aspects of it near the appropriate areas. Now the entire piece of it.

Commissioner Waldfogel: [unintelligible – off mic]

Mr. Lait: And the comment about parking? I'm sorry I missed that.

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1 Vice-Chair Monk: Just if there's a way for us to look into parking separately from this ordinance
2 probably. It wouldn't be in this ordinance I guess. To utilize the parking spaces that are not
3 being utilized in the daytime because we know that there are available spaces in the daytime
4 and yet we have a parking shortage on our streets in the downtown area.

5

6 Chair Lauing: Ok I think Gardias was next. No?

7

8 Commissioner Gardias: Yes, just a moment, I'm trying to open my cheat sheet. Let's see if I can
9 get to it. So, if I cannot get to it let me just try to convey the ideas.

10

11 Chair Lauing: You want some time to dig and somebody else can go?

12

13 Commissioner Gardias: No, I think that I cannot get to it so pretty much the proposal that I have
14 is like this and I can just get you with the details later on. I have them neatly written out but
15 what I would like to propose for consideration is to rezone the El Camino corridor and all the
16 CN, CC and CC2, all the districts that are along commercial neighborhoods, services, and
17 commercial districts throughout along the entire corridor up to 55-feet. Change the height limit
18 to 55 which would pretty much equal 14-feet plus of the ground floor plus four-stories above it.
19 Also, an increase significantly density, go over to the .0 Floor Area Ratio maybe up to 3.0,
20 eliminate the side setbacks along the properties that are facing El Camino and also relax the

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1 number of the rules. And I can follow up with the details for this Commission and for the Staff
2 but pretty that's the idea. To look at the El Camino as a separate zone and all those items that
3 you proposed on your slides at the beginning just treat them as one separate district and then
4 increase the density throughout. Leave maybe your ideas for CN, CC, and other districts as you
5 propose but I would emphasize the El Camino corridor with a high density.

6

7 Chair Lauing: That's kind of interesting.

8

9 Vice-Chair Monk: I would support.

10

11 Chair Lauing: Yeah that's kind of interesting for research.

12

13 Mr. Lait: I see Chair Lauing shaking his head in support of that.

14

15 Vice-Chair Monk: I would support that.

16

17 Chair Lauing: For research, I support the research. Ok, Waldfogel is next.

18

19 Commissioner Waldfogel: Just for process you... is this just F or do you also want the summary
20 comments at this point?

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Chair Lauing: I'm sorry?

Commissioner Waldfogel: Is this just other ideas or do you also want summary comments because I... there are places where I've differed some comments and you know I can just give you just specific feedback but I can either do it now or later.

Chair Lauing: I think it was just new ideas.

Commissioner Waldfogel: Ok just new ideas. Ok, great. Ok on big thing that we're not talking about tonight if our goal is to generate net new housing is renter protection. If we lose housing faster than we can build it we're not going to generate anything that new. One thing that I think we should look at urgently are tools like... I mean I'm told the Santa Rosa has an ordinance that prevents eviction until an actual permit is issued for the new use. You're shaking your head, is that not what Santa Rosa's ordinance says?

Mr. Yang: It is... I believe it's specific to a particular type of conversion like a condo conversion and that we have also a similar ordinance for that case. It... that is not something that would be permissible in an Elis Act situation which is what we were dealing with most recently.

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1 Chair Lauing: I didn't hear that last part at all.

2

3 Mr. Yang: That suggestion to require a replacement project be approved or anything really
4 would not be permissible in an Elis Act; removal of a building from a rental market.

5

6 Commissioner Waldfogel: Yeah so, I don't know what tools are available but if we don't take
7 this up then I think that we're just... we're missing a giant issue. I mean we... if the holes getting
8 dug deeper we're not going to fill it in and end up with net new housing. So, I'm just kind of
9 worried about the scope of this discussion and whether we can actually accomplish any of our
10 goals from what we're discussing tonight.

11

12 Chair Lauing: Commissioner Alcheck.

13

14 Commissioner Alcheck: Wow that was good timing. Ok, I'm going to start with a few ideas but I
15 also want to respond to some of the comments so you get a general sense of where I'm at on
16 those. Ok number one, I said kind of uniquely before which is the idea that I think that for 100
17 percent affordable projects we need to decide if there are things that they are suggesting to us
18 that are difficult to overcome. Then if we're not prepared to eliminate those requirements we
19 should subsidize them. So, if we're not prepared to eliminate the requirement for ground floor
20 retail for a 100 percent affordable project I think the City should come out of pocket, put their

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1 money where their mouth is, and pay for that portion of the development. That would be
2 subsidizing affordable housing; a very I think worthwhile goal. Yet again, I'm not suggesting the
3 City has to do that, I'm suggesting if the City can't come around the idea of removing the hurdle
4 that is the ground floor retail requirement for affordable housing projects. That's number one.

5

6 Commissioner Alcheck: I would suggest that... ok, I would get behind Commissioner Gardias's
7 suggested El Camino concept but I would do that because anything is better than nothing. I
8 would approach the El Camino... I would approach it a little differently if it was... if I designed
9 that "district". I would suggest that we sort of identify transit-oriented areas. So maybe we
10 decide half a mile or a quarter... three-quarters of a mile, things within a certain range of
11 distance from our major transit railway areas for example along El Camino. I would focus
12 relaxing all of those specifications that Commissioner Gardias was suggesting but I would orient
13 it more to specific areas. But again, I would also support it all across El Camino but I think we
14 just should come up with a rationale that's not just El Camino. I don't know that all of El Camino
15 is the preferred place for what I would call mid-rise residential.

16

17 The next comment I would make is I would also increase the height limit, 35-feet in the
18 downtown and within half a mile of all of these major transit hubs. Meaning that I believe our
19 height limit for 100 percent residential projects should be 85-feet. I think it would be incredibly
20 instructive and were talking about what does the rest of the Commission feel? I would suggest

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1 to you that based on this week's Council meeting there seems to be a tremendous amount of...
2 it seemed like a beloved... the President Hotel is like a beloved building. What is the President
3 Hotel? How tall is that? What is its density? What were the standards that allowed that?
4 Wouldn't it be interesting for us to have a conversation about this amazing building that
5 everybody seems to love and not want to lose? And this is kind... it seems to me like there's an
6 opportunity here for Staff to say hey you know it looks like you guys really like the President
7 Hotel. Just so you know it's 85-feet tall or maybe it's taller, I don't actually know what its height
8 is but I think there seems to be some sentiment that isn't quite the evil that we've sort of
9 assigned to anything above the 50-foot height limit. So, I would add that I would also support
10 increasing... I would support Gardias's...Commissioner Gardias's suggestion including additional
11 height for 100 percent residential buildings. Actually, I'll preface that, 100 percent residential
12 buildings that also have the ground floor retail. So, what I would prefer to stay away from is
13 what I would call mixed-use development. I would not increase the height limit for mixed-use
14 developments that included commercial or retail above the ground floor, so that's separate. If
15 you want to build a commercial building with three penthouse units, that's not enough
16 residential for me. I want it... maybe it has to satisfy the Retail Preservation Ordinance but
17 otherwise by 100 percent residential. That would be my suggestion.

18

19 The last thing that I want to talk about is rent control. So, I really think that it would be
20 exceptionally helpful if the Planning Commissioners, and I will send it around, availed

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1 themselves of the recent report that was put out by UC Berkley's Turner Center for Housing
2 Innovation. This is an exceptional resource in the Bay Area. They've created a center within UC
3 Berkley on academic level of focus on housing as a result of this crisis and they just came out
4 with a report that really dug deep and came to a conclusion about this rent control issue that
5 might surprise you. And they're (interrupted)

6

7 Chair Lauing: Can we get the headline?

8

9 Commissioner Alcheck: Yeah, the headline is that... I'll be really specific here. Costa-Hawkins is
10 up for repeal in November. Costa-Hawkins is the framework by which all Rent Control
11 Ordinance have to comply and Casa Hawkins protects new developments from rent control.
12 And one of the big take away from the report from UC Berkley was that when rent control is
13 applied to new construction as opposed to Costa-Hawkins basically creates a 1976 or early rule.
14 It doesn't apply to single-family homes, it doesn't apply to condos, under Costa-Hawkins there
15 are all sorts of limitations. When rent control is applicable to new construction it dramatically
16 reduced the likelihood that that construction will take place because the financing goes
17 elsewhere. So, we have to really careful when we talk about rent control. I think we have to
18 understand what... right now we're having a discussion about new development and the
19 Housing Work Plan, we may want to address what we're considering sort of loose of residential
20 units. But I walked away from the meeting on Monday night thinking there aren't a whole lot of

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1 residential multi-family complexes that are suddenly turning into hotels overnight. I think the
2 President Hotel seems like a pretty unique situation and considering the new office cap changes
3 it seems more likely that there could be a residential building today that gets demolished only
4 to build a much more intense residential building. And I think we would probably support that if
5 there was a 20-unit building that could be 60. We probably would be like this eviction... this
6 displacement isn't necessarily a good thing but the net result is more housing in a place where
7 housing makes sense. So, I think we... I think at a minimum it would be worthwhile looking at
8 the report and understanding what the... why they came to the conclusion that rent control can
9 be really problematic for new development.

10

11 Chair Lauing: Have Yolanda send that around

12

13 Commissioner Alcheck: I will absolutely send it. It was a fascinating read. Actually, they did an
14 invent where they came out and participated in a three-way debate with the individual that is
15 heading the effort for vote no on the repeal as well as the women who're heading the
16 initiatives effort to repeal Costa-Hawkins. They did a big three-way debate with UC Berkley
17 person sitting in the middle and I think everybody assumed that they would come out with the
18 conclusion that rent control was a way to preserve housing in this crisis but they came to a
19 different conclusion because of the what I was suggesting. I'll send it around.

20

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1 Chair Lauing: Commissioner Riggs.

2

3 Commissioner Riggs: I don't want to say what I was going to say.

4

5 Chair Lauing: Ok. Commissioner Summa.

6

7 Commissioner Summa: Ok so on the remaining items 12 through 16 (interrupted)

8

9 Chair Lauing: Wait, are you going to talk about your ideas?

10

11 Commissioner Summa: Aren't we... didn't they want input on these also?

12

13 Chair Lauing: Well we're going to talk about our ideas first.

14

15 Commissioner Summa: Oh, ok sorry, so I'm also interested in protecting, along with

16 Commissioner Waldfogel, a current existing rental and a few ideas about that is one is better

17 code enforcement. There are a lot of... I mean I don't know big of a problem it is but there are

18 cases of housing being used as offices which we just don't need and currently, it takes a

19 member of the public to report that.

-
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1 I would like to have the 1-year lease which is really the only renter protection we have
2 enforced. It's only... you're only supposed to be able to go 30-days when both sides agree to it;
3 the tenant and the landlord. And then I really would like the Council to consider seriously, and
4 we could have a discussion here of course, but turning existing housing stock into hotels
5 through... I don't want to pick on Airbnb but through services like that that allow for shorter
6 than 30-day rentals, which we don't allow, is I think a real devastating loss of actual housing
7 stock in the community. And there's a lot of it so I think that would be important to do because
8 I'd rather not lose the existing housing we have. It's pretty precious and I worry about the
9 displacement of people.

10

11 I'd really like to dig into a little to... I think the downtown commercial cap is a really good way to
12 promote housing downtown because you can't build anymore commercial and it's just a simple
13 tool. I would really like to reevaluate where we are at that cap and if we're there I think it
14 should be acted on which is a moratorium for a year while Council and the community debate
15 what to do. It's not a hard cap actually, so those are some of my suggestions.

16

17 Chair Lauing: Ok I'll chime in and... happily with some overlap of a couple of my ideas. This is
18 typed so I did this in advance. When we're looking at this situation in terms of incenting
19 developers I just want to underscore the fact that parody with office development is not the
20 goal here. We don't want people to be oh, I can... I'm going to make the same amount of

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1 money on office or housing. We want it to be heavily weighted on that scale towards going to
2 housing.

3

4 And here... I want to underscore the second point is that the below market rate or at least 80
5 percent AMI and below is as I think Commissioner Alcheck said earlier, that's our number one
6 goal. It's not our only goal but that's our number one goal and that's because that's the
7 highest... that the segment in our City that's not being served. And we want that diversity and
8 we want housing for people that want to work here. So, as I read through this multiple time
9 except for the elimination of retail in two or three places to help these projects I'm just
10 concerned that most of this stuff, including parking and everything else, is going to result
11 primarily in market-rate housing. So, my concern here is that we should maybe push some of
12 these things further so that it's close to a slam dunk that developers are going to want to build
13 housing.

14

15 Ok so the second thing that I wrote down which ironically was the first thing that was brought
16 up this evening from Commissioner Gardias is later on, not now, we need to do some analysis
17 of what we think is going to be the best program for 80 percent AMI and under to start with.
18 And get it vetted by your advisory group and just say help us with this. Tell us that with these
19 numbers on the table that this is appealing or if it's something more specific like below market
20 rate or 80 percent under has different kinds of financing, that's fine. But I guess what I'm saying

-
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1 is that the worst-case scenario is we make all these changes and 10-years from now we look
2 back and there's not a heck of a lot more housing as a percentage of total housing that's 80
3 percent AMI or under. So, at some point, we have to come into an interactive process of
4 literally building some models and that could be 2-months from now and have them vet it and
5 get some sort of by in. Besides just the fact that these developers say yep if I can do twice as
6 much floor... FAR then I'm going to be more inclined to do that because we have to do just not
7 only market rate but below market rate.

8
9 And a couple my other suggestions have already been mentioned so I'll stop there. Any others?

10
11 Mr. Lait: Can I just get clarification on that? So, when you were talking about the 80 percent,
12 you're saying that a percent of the overall housing (interrupted)

13
14 Vice-Chair Monk: 80 percent AMI.

15
16 Commissioner Summa: AMI.

17
18 Mr. Lait: I get... yeah, I get the 80 percent AMI but are you saying 100 percent of the project is
19 80 percent AMI or are you saying (interrupted)

20

-
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1 Chair Lauing: No no.

2

3 Mr. Lait: Some percentage is 80 percent AMI?

4

5 Chair Lauing: No... Yes, some percentage but what I'm concerned about now is that with the
6 general stuff that we have in here we might have close to 99 percent market rate because why
7 not? If they could build housing and make more money on it then do affordable.

8

9 Mr. Lait: And as part of, at least for ownership housing and maybe soon for rental housing...
10 well, there may be... we certainly have ownership... we have I think its 15 percent is provided
11 on-site BMR housing as part of our local standard today. So, when you build market rate today
12 a certain percentage of that does need to be low-income housing. It may not be as... just 80
13 percent, it may be up to 120.

14

15 Chair Lauing: Well that's another issue to be discussed.

16

17 Mr. Lait: Well that's what affordable housing is defined as.

18

19 Chair Lauing: But let me revise my comment. If 10-years from now only 15 percent of our
20 housing... our new housing is below 120 percent AMI that's not a success because we're not

-
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1 providing enough housing for the diversity that we want in terms of our neighbors to live with.
2 Ok, so those are our ideas. We're not at 10 o'clock so if you want some quick comments on
3 other ideas that Staff has put forward. I mean there are quite a few of them here; 12, 13, 14, 15
4 and 16.

5

6 Vice-Chair Monk: Staff do you want to... do they want to prioritize maybe some of these?

7

8 Chair Lauing: I was going to say could you live with that going to the next meeting or do you
9 want one of these five to go on or do you want them all or what?

10

11 Commissioner Alcheck: [unintelligible – off mic]

12

13 Chair Lauing: What's that?

14

15 Commissioner Alcheck: [unintelligible – off mic]

16

17 Chair Lauing: That's another problem.

18

19 Commissioner Alcheck: I'm just saying.

20

-
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1 Mr. Lait: So, I guess what I'll say is this, for the items that we've listed in our Staff report under
2 other ideas contemplated. We're not going to be... pursue them unless the Commission tells us
3 to do so.

4

5 Chair Lauing: So, at this point, you wouldn't put them in the ordinance unless we ask you to.

6

7 Mr. Lait: That's right.

8

9 Ms. Eisberg: (off mic) So just to recap we've got... 12 is actually fairly straightforward but just
10 try to think of some ways to incentive special needs housing which is sort of simple waving of
11 fees as you do for 100 affordable projects.

12

13 Chair Lauing: That's fine. I'm happy to press on, I'm just trying to be democratic here.

14

15 Ms. Eisberg: (off mic) And then Number 13 was about an additional bonus height density for
16 affordable projects or for projects that are doing lot consolidations. Remember we have this
17 issue of we've got these small sights and other ways [unintelligible]. I didn't think it was going
18 to be appealing but now we've heard some interest in height and density [unintelligible].

19

-
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1 Chair Lauing: Yeah, I mean this is a small percentage of what we've already accomplished so we
2 could just push this to the next meeting or we could press on.

3

4 Ms. Eisberg: Or if we're done, we're done.

5

6 Mr. Lait: Yeah, I mean it's... I'll differ to the Commission. If we refer to some ideas and there are
7 five other concepts, I guess what we'd be interested in is whether there were strong feelings
8 about any of these that you would like us to vet out a little bit more or think through.

9

10 Chair Lauing: Yeah, I'm just asking the crew here if they want to do that tonight or next time.

11

12 Vice-Chair Monk: Can you just poll people what they feel on Item 12 and 13 and then if they
13 want to discuss it (interrupted)

14

15 Commissioner Alcheck: Can we do it may be a slightly abbreviate process so we just get through
16 it.

17

18 Chair Lauing: Yeah.

19

20 Vice-Chair Monk: Raise your hand if you have a [unintelligible] kind of thing.

-
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1 Chair Lauing: What is... Commissioner Gardias do you have an opinion on this? Is that why your
2 light is on?

3

4 Commissioner Gardias: I just had an opinion about 13 but I respect your process. If you ask us
5 just to go through all of those I can follow up.

6

7 Chair Lauing: Commissioner Riggs.

8

9 Commissioner Riggs: I'm... I think all of these are fine ideas. I think they fit on... they all sit on
10 one side of the market. They sit on the City side of the market, none are on the developer
11 finance side of the market which is what I was going to suggest early. And one of the pieces that
12 is missing here is... sorry, this thing is super low. One of the things missing here is really looking
13 at how you can partner with... to actually improve the... protect some of the gap funding issues
14 and some of the finance issues on the development side. And I would actually suggest, I think
15 there's immediate low hanging fruit in this area, particularly partnering with the Bay Area
16 Philanthropic community that's actually focused on this. But also... they're also focused on
17 partnering with interestingly... I think there are some interesting partnerships that could be
18 made with Stanford on this issue and I'm not sure if there are any discussions happening along
19 that front.

20

-
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1 Chair Lauing: Commissioner Alcheck.

2

3 Commissioner Alcheck: Yeah so, I'll just quickly opine on these extra other... these other items. I
4 think that you should absolutely consider some piece here regarding teacher housing. I think
5 that to not do so would be sort of unresponsive to a demographic that has been vocal but
6 doesn't participate frequently in the discussion. I think I would expand teacher housing to
7 essentially all City services so fireman, policemen, teachers, and even City Staff. I just think we
8 should create an incentive for somebody to come in and build something that could be... for
9 example, Stanford housing is basically available to faculty and only faculty can get in. And so,
10 imagine if we encouraged the development... if we created some incentives that gave a
11 developer the option of building something that would essentially be limited to not necessarily
12 just Palo Alto Staff. But what if it was available to Staff members and teachers in Palo Alto and
13 in our immediate neighbors; Mountain View, Melo Park, Los Altos. Because again, what would
14 that do? That would likely reduce traffic. It would put local teachers in the City, local policemen
15 in the City, local City Staffers in the City when they're probably living in maybe locals that are
16 more than just our border Cities. So, I think that would be a really interesting idea. Maybe we
17 avail a 100 percent public Staff development, the same exceptions as we do 100 percent
18 affordable project, and we roll the dice and hope that maybe we could house some teachers.
19 And I... and so yes, with respect to Number 14... I guess 15 I would absolutely consider that. I
20 think that 14 and 16 I would support. I think I may have been the only one to sort of suggest

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1 increases in the height limit but I think that there is a broader population of Palo Alto residents
2 who are becoming more comfortable with that idea. And so not bringing it to Council and
3 expecting them to raise it I think is a mistake because I think they are going to discuss it. And I
4 think you ought to be prepared with something so that they can wrap their head around it. And
5 I think that would conclude... I don't think there's anything else after 16.

6

7 Chair Lauing: Right.

8

9 Commissioner Alcheck: I don't think there's anything else.

10

11 Chair Lauing: So, I'll do some quick comments as well. I think 12 and 13 have a lot of merits. Are
12 you getting this down? Somebody taking notes? My views are that 12 and 13 have a lot of
13 merits. 15 there's nothing described there so we don't know what it is but conceptually I would
14 agree that that's worth pursuing. At this point 14, I don't think is quite ready for prime time and
15 16 at least as it's described I'm not crazy about in-lieu parking fees, so not ready to go for that
16 one. Anybody else have comments on those that want to chat? Commissioner Summa.

17

18 Commissioner Summa: Thank you, so 12 I don't think I would support it only 10 percent though
19 the idea is interesting. In general, I would not want to... I do not support development...
20 reducing Development Standards that protect nearby properties such as the 150-foot buffer

-
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1 zone. I agree with Chair about 14, 15 I would just need more information. I mean last... there
2 was recently a study that came out from PAUSE that I think it identified that 38 percent of the
3 teachers live in Palo Alto. I don't remember the exact numbers but it was frankly a lot of... I
4 would need a lot more information about that and we'd need to revisit that study. And the
5 majority of the rest of them lived in neighboring Cities so I just don't know what the need there
6 is that's real but that was maybe 8-months ago or something. And then 16 I do not support, I'm
7 not a big fan of the in-lieu parking fees and how that's worked out. Thanks.

8
9 Mr. Lait: Commissioner Summa what did you say on 12? You were supportive or not supportive
10 of that concept? 12 was the (interrupted)

11
12 Commissioner Summa: I like the idea but I don't think the... I don't think 10 percent... I don't
13 think it's a high enough percentage of housing to make me support it as is.

14
15 Mr. Lait: Ok is there a threshold that you think about?

16
17 Commissioner Summa: I think it would have to 100 percent (interrupted)

18
19 Mr. Lait: Oh ok.

20

-
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1 Commissioner Summa: And... I really do and (interrupted)

2

3 Mr. Lait: We would already waive that at 100 percent. We would already waive (interrupted)

4

5 Commissioner Summa: 100 percent, ok, so I don't know, 10 percent is just not that compelling

6 to me. It's a bit low to waive all the development fees. I'd rather raise development fees in

7 some other area to cover some costs. That just doesn't seem like the right mix to me there.

8

9 Mr. Lait: Ok.

10

11 Chair Lauing: Ok Commissioner Waldfogel.

12

13 Commissioner Waldfogel: Let's see, some of these things are actually old news. I'm looking at

14 the memo that the Ad Hoc Committee submitted a couple months back and we made a number

15 of recommendations. I mean we made some recommendations about zoning height

16 concessions around retail preservation, we made recommendations about City contributing for

17 retail, City contributing for parking, so I think we covered a lot of this ground.

18

19 On this list some of these I just don't know enough about to have a strong opinion on. On

20 Number 16 my inclination is the opposite of this, its to put a moratorium on the commercial

-
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1 and office in-lieu program until we get our arms around what it is and whether it works. Once
2 we understand that we may want to come back and revisit it in this context. But right now, it's
3 not looking like a giantly successful program, so it's hard for me to endorse extending it.

4

5 Chair Lauing: Commissioner Gardias.

6

7 Commissioner Gardias: Thank you. So just going through the list, 12 I'd rather not support this.

8 13 I was mainly interested in the spurring of development on the small lots. We already have a

9 consolidation program. I know that this specifically talks about affordable housing but it looks

10 similar. I didn't turn out any big results. I'm looking for some ideas to allow those small lot

11 owners to increase... to build up their properties since they don't do this. So somewhere there

12 is a secret source for triggering the development. Then in terms of 14 yes, I'm for that. In terms

13 of 15, I'd rather see school grounds dedicated units for teacher housing as opposed to having

14 the other grounds that could be committed to general affordable housing. Also including

15 teacher but not specifically to segregated groups. In terms of 16 I pretty much recommending

16 removing all in-lieu fees and have the developers to build. This talks about the parking garages

17 but I specifically have in mind the affordable... some other below market rate units, so... but in

18 general I'm not fond of in-lieu fees so I'd rather see the development. Parking is maybe a

19 different... yes, I'm talking in-lieu fees in general and I'm addressing also in-lieu fees for below

20 market rate unit. I'd rather have developers to include in the development as opposed to just

-
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1 paying us a fee. In terms of the parking, I think that I agree with my colleague that I don't think
2 that this program works very well so I'd like to have a further conversation. Thank you.

3

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

5

6 Vice-Chair Monk: On Item Number 12 I agree that I don't know that this type of a fee waiver
7 would really incentive the development of these types of units. Although I do want to do
8 whatever we can to encourage production of housing for special needs at the below market
9 level. So, if I was to see an ordinance that does something is better than nothing I would
10 support it, so I would include it because why not? I just don't think it goes far enough and then
11 are we just loosing out on that extra income? Is it really provided an incentive? I just don't
12 know.

13

14 On Number 13 definitely support it. I would even drop down the percentage to below 100
15 percent affordable. Do you know that if... what would happen if... could you get an additional
16 floor if you go to 10-feet?

17

18 Ms. Eisberg: Yes.

19

-
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1 Vice-Chair Monk: Ok. Yeah, then I would definitely support that and also on B, definitely
2 support that. I think the problem is that from what I understand because we have such a low
3 FAR it's hard for developers to even get to 50-feet as is. So, I don't know if that was something
4 that was flushed out fully enough but we're not seeing proposals and it's not being discussed
5 because the FAR doesn't allow for it. From what I understand even 3.0 wouldn't even get close
6 to 50-feet so it's something that I think still needs to get worked out because these parcels are
7 really small that we're talking about in this area. Oh, I had a question on Packet Page 54, that
8 third paragraph it's talking about residential developers having difficulty getting that height
9 limit based on the lot coverage and the FAR. Is that covered in one of your proposals? I just
10 don't know where that's captured. Are you... did you make any proposed ordinance around
11 that?

12
13 Ms. Eisberg: Sorry is this about the height?

14
15 Vice-Chair Monk: Yeah.

16
17 Ms. Eisberg: The paragraph according to stakeholders?

18
19 Vice-Chair Monk: Right, where is that captured as far as a suggestion to address it?
20

-
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1 Ms. Eisberg: So that was part of this idea, so as you just mentioned previous (interrupted)

2

3 Vice-Chair Monk: So, is that incorporated into Number 13?

4

5 Ms. Eisberg: Right so (interrupted)

6

7 Vice-Chair Monk: Ok.

8

9 Ms. Eisberg: Your previous comment was that yes, right now people aren't getting to the height
10 limit so it hasn't really been an issue but this was a suggestion to increase both the FAR and the
11 height to get to [unintelligible].

12

13 Vice-Chair Monk: Ok I thought it was in 13 but I just wanted to confirm.

14

15 Ms. Eisberg: Right.

16

17 Vice-Chair Monk: 14 I would support it. I don't know enough about it to really weigh in if it's
18 worth you putting it in an ordinance or not. I would support Number 15 to do something in
19 regards to the teacher housing and Staff. I really like the idea of utilizing City property, great
20 suggestion and 16, I think if we're going to go with what's proposed in C, I think that the in-lieu

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1 fees should be less than what is required for commercial developers to pay since we're talking
2 about residential developers. And I don't know that we have enough parking... I don't know if
3 we have enough public parking on Cal Ave to consider D. Are we building a garage or not? So, to
4 me, there are other facts that weigh into making a decision on 16. Thanks.

5

6 Chair Lauing: Ok, oh, Commissioner Gardias has a final comment.

7

8 Commissioner Gardias: No, sorry I just cannot get this title and on our list of having final but I
9 would like to repeat again the idea that I already tried to promote in the past. To rezone lite
10 manufacturing triangle that's close to Mountain View. It never caught anybody's attention,
11 maybe it's a good time at this moment. I would propose to rezone it, that means to still retain
12 lite manufacturing because I think it's in the interest of the City to keep the diversity. So, I
13 would like to keep the light manufacturing that has been proposed over there, however, rezone
14 it to allow taller... I don't know currently what's the height limit but I would pretty much allow
15 the mix of manufacturing of office and residential on this... in this triangle. So, we could retain
16 the interested in manufacturing, however, we could maybe get more residential units in the
17 same area.

18

19 Chair Lauing: Ok, I think that's a wrap. We got all the way through that one. Good job folks.

20

-
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1 Mr. Lait: Ok thank you Chair and thank you, Commissioners. I think what we'll do is maybe
2 tomorrow just sort of catch up, Jean and I, and decide our next step. Whether we need to come
3 to the next meeting or actually if we take... I mean we got through everything so this is fantastic
4 so I feel like we've got a lot of guidance. And maybe we'll take that time and actually work on
5 drafting an ordinance and maybe do a little bit more research on some of the things that we've
6 heard today and come back in a month maybe.

7

8 Chair Lauing: Ok great. Thank you.

9

10 **Commission Action:** No Action was Taken by the Commission.

11

12 **Approval of Minutes**

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

14 4. June 27, 2018 Draft Planning and Transportation Commission Meeting Minutes

15

16 Chair Lauing: So, our next item is the approval of minutes, we have two sets to approve. June

17 27 and July 25, we'll do then in that order and clearly if you weren't here you need to abstain.

18 So, all those in favor of the June 27 meetings say aye. Let's see 1, 2, 3, 4, 5, 6 to 1; six and an

19 abstention.

20

21 Mr. Lait: I'm sorry Chair what happen there?

-
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1

2 Chair Lauing: Six for and an abstention.

3

4 Mr. Lait: Do we have a first and second?

5

6 Mr. Yang: Do we have a motion?

7

8 Chair Lauing: Sorry?

9

10 MOTION

11

12 Vice-Chair Monk: I move to approve the minutes from June 27.

13

14 SECOND

15

16 Commissioner Summa: Second.

17

18 Mr. Lait: Thank you.

19

20 VOTE

-
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Chair Lauing: Alright, same process. Yeah, vote again. Same one, same one, June 27.

Mr. Lait: Great so I'm seeing 7 up.

Chair Lauing: Are you in or out? Yeah, you're in, ok. 6-0-1.

Mr. Lait: Ok.

MOTION PASSED 6(Lauing, Alcheck, Summa, Waldfogel, Gardias, Monk) -1 (Riggs abstain)

Commission Action: Motion to approved made by Vice-Chair Monk to approve minutes, seconded by Commissioner Summa. Motion passed 6-0-1 (Riggs abstained)

5. July 25, 2018 Draft Planning and Transportation Commission Meeting Minutes

Chair Lauing: And July 25, do I have a motion for those?

MOTION

Commissioner Summa: I'll move July 25th.

SECOND

-
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1 Vice-Chair Monk: Second.

2

3 Chair Lauing: Ok, so July 25th approve? Abstain? So, it's five.

4

5 Mr. Jonathan Lait, Assistant Director of Planning: Great, Gardias.

6

7 Chair Lauing: 5-0-2, did I do that right?

8

9 Mr. Lait: Ok, great.

10

11 Chair Lauing: Yeah.

12

13 MOTION PASSED 5(Lauing, Summa, Alcheck, Monk, Waldfogel) -0-2 (Riggs and Gardias abstain)

14 **Commission Action**: Motion to approve made by Commissioner Doria Summa, seconded by
15 Vice-Chair Monk. Motion passed 5-0-2 (Gardias, Riggs abstained)

16 **Committee Items**

17

18 Chair Lauing: We don't have any Committee meetings.

19 **Commissioner Questions, Comments or Announcements**

20

-
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1 Chair Lauing: So, we can raise comments and questions and then go onto future agenda items.

2 Are there any comments or questions from Commissioners?

3

4 Vice-Chair Monk: Can I ask about a future agenda item before the consultant leaves?

5

6 Chair Lauing: Yeah there were no questions so we're now onto future agenda items.

7

8 Vice-Chair Monk: No, I have questions too but I (interrupted)

9

10 Chair Lauing: Oh ok.

11

12 Vice-Chair Monk: So (interrupted)

13

14 Chair Lauing: We have a question for you.

15

16 Vice-Chair Monk: I'm just curious on a timeline because back in March...early March we

17 discussed the timeline that August 8th was when you're going to be when you would first

18 present an ordinance and tonight was scheduled originally to have the final review of the

19 ordinance. So now that we've gone through and you've gotten the data and you've known

-
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1 about preparing this ordinance for some time, what's happening on September 12th? Why isn't
2 that scheduled for anything and then are you pretty confident that you can come back?

3

4 Mr. Jonathan Lait, Assistant Director of Planning: That's 2-weeks from, now right?

5

6 Vice-Chair Monk: Yeah well that would probably be too quick of a turnaround.

7

8 Mr. Lait: That's right and that's what we're (interrupted)

9

10 Vice-Chair Monk: There wasn't anything scheduled for that date anyway to continue the
11 discussion so I was just curious.

12

13 Mr. Lait: Well I think we had talked in our pre-meeting that we had anticipated that if it carried
14 over we would have the 12th on there.

15

16 Vice-Chair Monk: Ok.

17

18 Mr. Lait: But that gives... I mean the continuation is one thing, we don't have to prepare much
19 of a Staff report but for an ordinance, we still have to draft and some other comments that we
20 heard that we need to research. It's too quick to come back.

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Vice-Chair Monk: Right but when you come back you'll come back with an ordinance and not another study session?

Mr. Lait: That's correct, we're going to come back with an ordinance.

Vice-Chair Monk: Ok, thank you.

Chair Lauing: Did you have other questions?

Vice-Chair Monk: Oh, and then questions, yeah. What happens to our bylaws discussion? I think we (interrupted)

Chair Lauing: Just looking for a time to fit that back in.

Vice-Chair Monk: Did we (interrupted)

Mr. Lait: Didn't you guys approve that already?

Vice-Chair Monk: We continued... we agreed to continue it I think to a date uncertain.

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Mr. Albert Yang, Senior Deputy Attorney: Yeah so that got continued to a date uncertain and (interrupted)

Vice-Chair Monk: So maybe consider September 12th if we don't have an item. I don't know.

Chair Lauing: Yeah that's where I was just going to go. Did you have some other questions?

Vice-Chair Monk: Other questions, I think that was my main question.

Chair Lauing: Ok so At Place, we have a new calendar draft for the rest of the year and it's been moved around since what we got before.

Commissioner Riggs: [unintelligible – off mic]

Chair Lauing: Yeah, right now. No, its an At Place memo at your desk.

Vice-Chair Monk: [unintelligible - off mic] Just for a future agenda item if there's a chance we would take something off calendar I want to know because I am planning (interrupted)

-
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1 Chair Lauing: Yeah, that's [unintelligible].

2

3 Vice-Chair Monk: Travel around being here.

4

5 Mr. Lait: So, Jonathan?

6

7 Mr. Lait: Yes sir?

8

9 Mr. Lait: Could you tell us what the PAMC Title 8 revisions are?

10

11 Mr. Lait: Yes, so (interrupted)

12

13 Chair Lauing: Listen up folks.

14

15 Mr. Lait: So, this is a, as I understand it, our Urban Forestry folks are making some changes to

16 Title 8. Mostly some administrative changes and reflecting state law but there are some other

17 policy considerations that are being proposed in terms of what's a protected tree and

18 expanding that list of protected trees. And so, I think that and some other items are being

19 presented to the Commission for discussion and he wants... the department wants to receive

20 your feedback on some of those changes that are being made to the Municipal Code.

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Chair Lauing: Ok. Sounds like a Parks Commission agenda item but... and so given what we've accomplished tonight, is your plan to come back with some feedback after you guys get together? Is that what you said and then 2-weeks after that come with the ordinance?

Mr. Lait: Yeah, right, so the next time we would talk about the Housing Ordinance or housing would be in about a month from now or whatever the next... not the 12th but the one after.

[Note- Male Commissioner:] [unintelligible – off mic]

Chair Lauing: But let me (interrupted)

[Note – Male Commissioner:] [unintelligible – off mic]

Chair Lauing: What's that?

[Note – Male Commissioner:] [unintelligible – off mic]

Vice-Chair Monk: It's currently scheduled for September 26th.

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1 Chair Lauing: So now I'm... are you going to talk about Housing Ordinance at all at the next
2 meeting?

3

4 Mr. Lait: No.

5

6 Chair Lauing: Ok, I thought you had said you were going to come back with a Staff report but
7 not an ordinance. You meant together at the last meeting... at the next meeting?

8

9 Mr. Lait: Yeah if we... sorry for moving around here.

10

11 Vice-Chair Monk: There's probably some talking off mic, did you guys want to turn your mics
12 on? We can't quite hear what you're talking about, Commissioner Riggs.

13

14 Commissioner Alcheck: (off mic) A planned absences.

15

16 Vice-Chair Monk: Is there a planned absence that you want to disclose to the Commission?

17

18 Commissioner Riggs: [unintelligible – off mic]

19

20 Vice-Chair Monk: Your mics are not on so it's not being captured.

-
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Mr. Lait: So, Chair, we were going to come back on the 12th if we had... if we did not get through the items that we got through tonight. So, we got through the items, we got the feedback, now we just need to do our work. We're going to need some time on that and we'll come back on... I don't know what the date is but... we'll come back on the 26th.

Chair Lauing: Ok so I'm then looking at one item right now which is this Title 8 Urban Forestry.

Mr. Lait: That's correct.

Chair Lauing: And wondering if we should add to that with some other things we can move up or if that's not enough to have a meeting or if we should have a short meeting?

Mr. Lait: You know I don't know what... I can look... I don't know what the timing is on that Title 8 item. I would (interrupted)

Commissioner Alcheck: [unintelligible – off mic]

Mr. Lait: I'm sorry?

-
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1 Vice-Chair Monk: Can we move October 10th items up?

2

3 Chair Lauing: Right that's the other question.

4

5 Vice-Chair Monk: Your mic is not on Commissioner Alcheck.

6

7 Commissioner Alcheck: I guess my question was can we move the October 10th item up?

8

9 Vice-Chair Monk: Yeah.

10

11 Mr. Lait: There's nothing that we can move up.

12

13 Vice-Chair Monk: Well didn't that (interrupted)

14

15 Commissioner Alcheck: I guess my question (interrupted)

16

17 Chair Lauing: So, what (interrupted)

18

19 Commissioner Alcheck: So, hold on, [unintelligible – crosstalk]

20

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1 Chair Lauing: If we've only got the Title 8 revisions.

2

3 Commissioner Alcheck: Is there input, I mean in the schedule?

4

5 Chair Lauing: Then we could add the bylaws to that (interrupted)

6

7 Mr. Lait: That's right.

8

9 Chair Lauing: And probably still have a short meeting.

10

11 Mr. Lait: So that's fine.

12

13 Chair Lauing: Pardon?

14

15 Mr. Lait: Yes.

16

17 Chair Lauing: Ok.

18

19 Commissioner Waldfogel: [unintelligible – off mic]

20

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1 Chair Lauing: Yeah because then we'll at least get that one nailed.

2

3 Commissioner Alcheck: So, Commissioner [note-Chair] Lauing, are we... are you looking for
4 input on the schedule or are we just looking at it together?

5

6 Chair Lauing: All of the above.

7

8 Commissioner Alcheck: Ok.

9

10 Chair Lauing: But first we had to find out if there were things that could be moved up and then
11 we have to figure out if there's enough stuff that's there to do the meeting.

12

13 Commissioner Alcheck: Let's do whatever you can, as soon as you can. That should be the
14 general philosophy.

15

16 Chair Lauing: So right now, we've got possibly Title 8 and the bylaws. Did you have further input
17 on that?

18

19 Commissioner Alcheck: (off mic) You mean for September 12th?

20

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1 Vice-Chair Monk: Mic.

2

3 Chair Lauing: That's correct.

4

5 Commissioner Alcheck: I guess my question is, is it your notion that we can just add an item

6 right now?

7

8 Chair Lauing: Right now, yeah, the bylaws.

9

10 Commissioner Alcheck: What would we add (interrupted)

11

12 Chair Lauing: The bylaws.

13

14 Commissioner Summa: Finish the bylaws in addition (interrupted)

15

16 Commissioner Alcheck: On September 12th?

17

18 Chair Lauing: That's correct.

19

-
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1 Commissioner Alcheck: So, the reason why we postponed last time was because we didn't have

2 Commissioner Riggs.

3

4 Commissioner Riggs: (off mic) I don't care. I [unintelligible]

5

6 Commissioner Alcheck: I know, I'm just saying I could... its sort of funny that we're going to
7 move it to a meeting date that he won't be able to attend either.

8

9 Chair Lauing: Well I didn't know that till now but (interrupted)

10

11 Commissioner Alcheck: He just said he has a Governor's Conference on September 12th.

12

13 Chair Lauing: Well we were... we have very few things to do left on that thing.

14

15 Commissioner Alcheck: Right accept vote on it as a Commission.

16

17 Chair Lauing: Pardon?

18

19 Commissioner Alcheck: [unintelligible] vote on it.

20

-
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1 Chair Lauing: [unintelligible – crosstalk]

2

3 Commissioner Alcheck: Look my... if you're asking me for my input I think it makes sense to
4 revise our bylaws as a group of seven. That would be my suggestion and so if we know we're
5 having planned absence on the 12th, I think we postponed it largely because it was getting late
6 but also because we did have all seven of us there. I think we may have only had five. I don't
7 know, were you there at the last one? Yeah. I think it makes sense for us to have seven people
8 present if we're going to revise the bylaws but obviously if we can't (interrupted)

9

10 Chair Lauing: Well it always does but you know I've also heard you say that the Commission's
11 work has to go on.

12

13 Commissioner Alcheck: Yeah, the Commission's work does but this is our own... look we were
14 debating one of Commissioner Gardias's big things and he wasn't even there that night. So, the
15 alteration of the election of the Chair so I'm just saying (interrupted)

16

17 Chair Lauing: I think we should find out if that Title 8 revision is coming as a pacing item.
18 September 12th PAMC Title 8 revision.

19

20 Mr. Lait: That's scheduled.

-
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Chair Lauing: That's scheduled, ok. Then we'll leave it there and that might be the only agenda item.

[note- many Commissioners started speaking at once off mic]

Chair Lauing: Ok, any other comments of future agenda items? I have one comment that I would like to talk about.

Commissioner Riggs: Well I am going to be... need to be absent on the 9/12. I have to give a talk at the Governor's clinic... conference so that was what I had told Commissioner... we had discussed, Commissioner Alcheck and I.

Chair Lauing: Ok. I'd like to... we're going to adjourn now Commissioner Gardias. I just want to finish this up but I want to do this in the context of a former Commissioner has recently passed away. And I just want to call out that this was Commissioner Phillis Castle who was on the Commission for 13-years. She served from 1993 – 2006 and died on August 14th. So, I just thought it would be nice to adjourn in her honor for her service. Kind of feeling the comradery with a well serving prior Commissioner, so in her honor, I'd like to move that we adjourn. I need a second.

-
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1

2 Commissioner Summa: Second.

3

4 Chair Lauing: Ok all in favor? Alright, thanks very much. Very productive meeting.

5

6 **Adjournment**

7 **10:00 pm**

-
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1 Palo Alto Planning & Transportation Commission

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

4
5 Chair Ed Lauing

6 Vice Chair Susan Monk

7 Commissioner Michael Alcheck

8 Commissioner Asher Waldfoegel

9 Commissioner Przemek Gardias

10 Commissioner William Riggs

11 Commissioner Doria Summa

12
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15
16 Show up and speak. Public comment is encouraged. Please complete a speaker request card
17 located on the table at the entrance to the Council Chambers and deliver it to the Commission
18 Secretary prior to discussion of the item.

19
20 Write to us. Email the PTC at: Planning.Commission@CityofPaloAlto.org. Letters can be
21 delivered to the Planning & Community Environment Department, 5th floor, City Hall, 250
22 Hamilton Avenue, Palo Alto, CA 94301. Comments received by 2:00 PM two Tuesdays preceding
23 the meeting date will be included in the agenda packet. Comments received afterward through
24 2:00 PM the day of the meeting will be presented to the Commission at the dais.

25
26 Material related to an item on this agenda submitted to the PTC after distribution of the
27 agenda packet is available for public inspection at the address above.

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