



CITY OF  
**PALO  
ALTO**

# Planning & Transportation Commission Action Agenda: October 12, 2022

Council Chambers & Zoom  
6:00 PM

---

## Call to Order / Roll Call

6:00 pm

Chair Lauing: Good evening, I'd like to call to order the Planning and Transportation Commission regular meeting for October 12, 2022, and would you please call the roll.

ROLL CALL

Ms. Klicheva: Chair Lauing?

Chair Lauing: Present.

Ms. Klicheva: Vice-Chair Summa?

Vice-Chair Summa: Present.

Ms. Klicheva: Commissioner Chang?

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Chang: Here.

2

3 Ms. Klicheva: Commissioner Hechtman?

4

5 Commissioner Hechtman: Present.

6

7 Ms. Klicheva: Commissioner Reckdahl?

8

9 Commissioner Reckdahl: Here.

10

11 Ms. Klicheva: Commissioner Roohparvar?

12

13 Commissioner Roohparvar: Present.

14

15 Ms. Klicheva: Commissioner Templeton?

16

17 Commissioner Templeton: Here.

18

19 Ms. Klicheva: We have a quorum.

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1           1. Adoption of a Resolution Authorizing Use of Teleconferencing for Planning and  
2           Transportation Commission Meetings During Covid-19 State of Emergency  
3

4   Chief Planning Official Amy French: Good evening, Pursuant to AB-361 this meeting will be held  
5   with the option to attend by teleconference or in person. Members of the public may provide  
6   live public comment by submitting a speaker card prior to the start of Public Comment on that  
7   item. Speakers may address items that are not on the Agenda during Oral Communications  
8   portion of the meeting. Spoken comments via a computer or a smart phone will be accepted  
9   through the zoom app. To address the Commission, go to <https://zoom.us/join> meeting ID 916  
10  4155 9499. When you wish to speak, click on raise hand. To offer comments using a regular  
11  phone call 1-669-900-6833 and enter Meeting ID: 916 4155 9499. When you wish to speak on  
12  an item hit star (\*) 9 on your phone so we know that you wish to speak. Thank you.

13  
14  Chair Lauing: This being the first meeting of the month we have to do our resolution again  
15  authorizing use of teleconferencing for PTC meetings so, could I have a motion to that effect?

16  
17  MOTION

18  
19  Commissioner Hechtman: So moved.

20  
21  Chair Lauing: Second please.

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

SECOND

Commissioner Chang: Second.

Chair Lauing: Second by Vice-Chair Summa. Any comments questions, if not let's do a Roll Call vote please.

VOTE

Ms. Klicheva: Commissioner Chang

Commissioner Chang: Yes.

Ms. Klicheva: Commissioner Hechtman

Commissioner Hechtman: Yes.

Ms. Klicheva: Chair Lauing

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Chair Lauing: Yes.

2

3 Ms. Klicheva: Commissioner Reckdahl

4

5 Commissioner Reckdahl: Yes.

6

7 Ms. Klicheva: Commissioner Roohparvar

8

9 Commissioner Roohparvar: Yes.

10

11 Ms. Klicheva: Vice-Chair Summa

12

13 Vice-Chair Summa: Yes.

14

15 Ms. Klicheva: Commissioner Templeton

16

17 Commissioner Templeton: Yes.

18

19 Ms. Klicheva: Motion carries 7-0

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 MOTION #1 PASSED 7 (Hechtman, Lauing, Reckdahl, Summa, Chang, Templeton, Roohparvar) –  
2 0 – 0.

3

4 **Commission Action:** Motion by Hechtman, seconded by Summa. Motion Passed 7-0.

5

## 6 **Oral Communications**

7 The public may speak to any item not on the agenda. Three (3) minutes per speaker.<sup>1,2</sup>

8

9 Chair Lauing: Okay thank you, we now go to Oral Communications and this is the section of the  
10 meeting where someone from the public, online, or in person can comment on items that are  
11 not on tonight’s agenda. So, do we have speaker cards internally?

12

13 Ms. Klicheva: I see one raised hands in zoom.

14

15 Chair Lauing: Okay, one in zoom, let’s go ahead and call on that speaker please.

16

17 Ms. Klicheva: Giovanni Ottolini, you have three minutes.

18

19 Mr. Giovanni Ottolini: Good evening, are you able to hear me okay?

20

21 Ms. Klicheva: Yes, we can.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Mr. Ottolini: Wonderful. Thank you, my name is Giovanni Ottolini and I've been a carpenter since 1997. I'm a field rep for Carpenter's Local 405 representing seven-thousand skilled carpenters and apprentices in Santa Clara county. Tonight I am kindly asking for Commissioner's to please implementing labor standards on all future proposed development's in Palo Alto. Labor standards should consist of paying area standard carpenter wages, health care coverage, and a commitment to hire local carpenter's including apprentices. Myself and ten's of thousands of other members have benefited from State Approved Apprenticeship Program, and our quality of life is better because of it. Apprenticeship programs give those without the opportunity to attend college the ability to acquire skills that will lead to good paying jobs and are a proven escalator to the middle class and a shot at the American dream. All, without incurring college debt. Now more than ever, before area standard carpenter wages are crucial to blue collar families trying to keep their heads above water in the most expensive region in the nation. These hard-working men and women are facing forty-year record inflation, compounded by unprecedented fuel costs. It simply costs these hard workers more of their money to get to work than ever before. It is clearly documented that carpenter work has a high impact on the body and the Bureau of Labor Statistics states that workers and construction occupations accounted for nearly half of all fatal occupational injuries, or forty-seven four percent. With these facts, lack of health care coverage is simply unacceptable. When workers are provided with healthcare coverage, it extends their life expectancy and eliminates the

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 financial drain on already cashed out local governments and municipalities. As we look to find  
2 ways to reduce our carbon footprint in everyday life, promoting local higher policies reduces  
3 drive times, which in turns reduces emissions, traffic, and the odds of being involved in a motor  
4 vehicle accident and it gives workers more time with their families instead of commuting. Also  
5 employing local residents keeps the money they earn, in the local community, as they to  
6 business within their local city. I hope I've done an adequate job of conveying the many  
7 advantages of implementing labor standards. I'm grateful for the opportunity to address the  
8 Commission today regarding this important topic. Thank you for your consideration. Have a  
9 good evening.

10

11 Chair Lauing: Thank you. Madina are there any other speakers?

12

13 Ms. Klicheva: No speaker cards, no raised hands.

14

15 Chair Lauing: Okay. Then that concludes Oral Communications.

16

## 17 **Agenda Changes, Additions and Deletions**

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

19 Chair Lauing: From staff or Commissioners, do we have any Agenda changes, additions or  
20 deletions.

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

Ms. French: No changes from Staff.

**City Official Reports**

Chair Lauing: Okay, then let's go ahead with the ElRector's Report.

2. ElRectors Report, Meeting Schedule and Assignments

Ms. French: Sure. In your packet you'll see the next up Planning Commission meeting is on October 26<sup>th</sup> where we have a PHZ at 660 University, a traffic safety report from the Office of Transportation and 1700 Embarcadero which is the Mercedes site and design application. Then coming up in November, we have a few items as well noted, Comp Plan implementation report, a zoning ordinance on heat pump/water heaters and other equipment, and then we'll have a news flash/joint meeting with City Council on their Monday date of Monday 28<sup>th</sup>, a joint meeting with Council on the Housing Element. So, this was just set up recently and hoping that all or most of the Planning Commission can attend. Then on the 30<sup>th</sup> we have a development agreement coming and a State Legislation review, followed by December with a development agreement for the Stanford University Center Medical. So as far as representation at Council we don't need anyone next Monday for... because that had not gone to the Planning and

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Transportation Commission, but we do have a pre-screening, you might want to follow, at 2400  
2 El Camino Real. As well, the California Building Code adoption and local amendments, that's  
3 coming on Monday. And then Chair Lauing is the representative with Commissioner Reckdahl  
4 as the back up for a meeting on the 24<sup>th</sup> of October, the M/VCAP is targeted to go as well as the  
5 parklet program, discussion and EIRction. So that is of interest. And then in November, we  
6 Carrie [Commissioner Templeton] as rep and Bryna [Commissioner Chang] as back up, that's  
7 when the CUP thresholds are coming and a couple other items that haven't been to Planning  
8 Commission of interest. I thought I'd check in on something and that is for December it's the  
9 same two, Ed and Keith as for October, so it just seems like that's fairly quick turnaround for  
10 you to once again represent the planning Commission so, if you care to address that.

11

12 Chair Lauing: We can figure it out probably.

13

14 Ms. French: Okay.

15

16 Chair Lauing: Thanks for pointing it out.

17

18 Ms. French: Sure. So, there's a couple items in December, three items that have been to the  
19 Planning Commission, or will have by that point. The Mercedes, the Los Trancos open space  
20 home and the ADU code changes. Thank you that's all I have to report.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Chair Lauing: Transportation Department?

Senior Engineer Rafael Rius: Sure. Thank you Chair and Commissioners, Rafael Rius, Senior Engineer with Office of Transportation. Just a minor update on the Charleston/Arastradero Corridor project, you may have noticed over the weekend, they paved... the contractors repaved kind of, some remaining portions of Arastradero and a little bit of Charleston, so they'll be temporary markings right now until the striping can get down in a week or two. The striping will be put down. We've received some questions from the public and you might want to know too, like the median island at Clemo is not there right now, it's temporarily being moved slightly so it will be replaced along with the median flashing beacon that was there previously, they're just being located in better spots, so. And that's my only update from transportation.

Chair Lauing: Are you on target for that next meeting for the crossing issues?

Mr. Rius: Yes, so yeah, I'm not sure how much will be talked about but we'll be presenting a report...

Chair Lauing: Just want to know if it was definitely on.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Mr. Rius: So, yeah, yeah for two weeks from now.

2

3 Chair Lauing: Okay. Commissioner Chang.

4

5 Commissioner Chang: I just had a quick question for you Mr. Rius. So, a number of the public  
6 asked me a question about the Charleston/Arastradero Corridor when it was under  
7 construction. Some said they saw it scraped and then paved again and then scraped a second  
8 time and paved again and I didn't know if you knew what was going on or can even verify if that  
9 actually happened, like were there two different projects going on? Or...

10

11 Mr. Rius: There was a slight adjustment to that median island right at Luis, it would have been  
12 right up against the travel lane and actually there was a little error, so we made the contractors  
13 redo the island. That might have been... could possibly be what you're referring to.

14

15 Commissioner Chang: Thank you. Yeah, I think it was at that intersection. Alright. Great.

16

17 Mr. Rius: Right by Montrose. The island that was put down had to be replaced pretty quickly.  
18 So.

19

20 Commissioner Chang: Thank you so much, I'm impressed you knew what I was talking about.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

Chair Lauing: Any other Commissioner questions of staff? Okay. Oh sorry. I didn't see you; I didn't see your light. Go ahead, Commissioner Hechtman.

Commissioner Hechtman: Thank you. So, among the public comments that we received in advance of this meeting there was an October 1<sup>st</sup> letter from the president of the PALY PTSA asking for, as she described it, a seat at the table in the dialogue about what is happening with the grade separation process. It's addressed to the Council, not to us but it's a transportation issue so I thought it was appropriate for me to acknowledge that the City has received the letter and to find out from... or just to confirm with staff that somebody at the staff level is going to reach out to Ms. Cornwall as the president and have a dialogue about this. I don't know how it should come out, because I don't know who else is at the table, but I do want to be responsive to the request.

Mr. Rius: Okay. I can share... I'm sure that email was sent to our department, and I'll make sure it gets to the appropriate staff and project manager in our department. I know we are... I know the school district has a seat at the table. I'm not sure about the PTA or PTSA. Yeah, so, and I know we just received probably an email from a student group from Gunn so, we are trying to incorporate as much of that input... they are considered stake holders in trying to gather as

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 much input as possible. So, I'll make sure that our project manager is aware. You said it was  
2 from Mrs. Cornwall?

3

4 Commissioner Hechtman: Right. Sarah Cornwall dated October 1<sup>st</sup> addressed to Mayor Burt  
5 and the Council.

6

7 Mr. Rius: Okay. Thank you.

8

9 Chair Lauing: Commissioner Templeton

10

11 Commissioner Templeton: Thanks, just following up on that, I was a member of the XPAP when  
12 we were discussing a different rail alternatives a couple of years ago and the school district was  
13 literally invited to have a seat at the table at that time and declined so it's really good that  
14 we're seeing some change here and some interest in getting involved. So, just want to applaud  
15 the PTA for stepping up to represent those voices. Thank you.

16

17 Chair Lauing: Okay, I don't see any others.

18

19

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 **Study Session**

2 Public Comment is Permitted. Three (3) minutes per speaker.

3

4 Chair Laung: Alright. We'll move to our single agenda item tonight which is not an action item.

5 It's a study session, it's identified in page long verbiage, and I will just call it 200 Portage and

6 3200 Park and 340 Portage and this is a study session and it's not the last time the public will

7 hear it, it's not the last time that we will hear it and you will hear explanations of that from staff

8 so, Claire you want to make the presentation?

9

10 3. 3200 Park Boulevard/200 Portage [22PLN-00287 and 22PLN-00288]: Request for a  
11 Development Agreement, Planned Community Zoning, Tentative Map, and Major  
12 Architectural Review to Allow Redevelopment of a 14.65-acre site at 200-404  
13 Portage Avenue, 3040-3250 Park Boulevard, 3201-3225 Ash Street and 278 Lambert.  
14 The Scope of Work Includes the Partial Demolition of an Existing Commercial  
15 Building That has Been Deemed Eligible for the California Register as Well as an  
16 Existing Building With a Commercial Recreation use at 3040 Park and Construction of  
17 (71) new Townhome Condominiums, a one Level Parking Garage, and Dedication of  
18 3.25 acres of Land to the City for Future Affordable Housing and Parkland Uses. The  
19 Existing Building at 3201-3225 Ash Street Would Remain in Office use, and an  
20 Automotive use at 3250 Park Boulevard Would Convert to R&D use. Environmental

21

22 Assessment: The City of Palo Alto, Acting as the Lead Agency, Released a Draft  
23 Environmental Impact Report for the 200 Portage Townhome Development Project  
24 on September 16, 2022 in Accordance with the California Environmental Quality Act  
25 (CEQA). The Proposed Development Agreement is Evaluated as Alternative 3 in the  
26 Draft EIR. Zoning District: RM-30 (Multi-Family Residential) and GM (General  
27 Manufacturing). For More Information Contact the Project Planner Claire Raybould  
28 at [Claire.Raybould@cityofpaloalto.org](mailto:Claire.Raybould@cityofpaloalto.org).

29

30 Ms. Claire Raybould, Chief Planning Official: Hold on, I'm just trying to make sure my screen is

31 shared properly, hold on one second.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Ms. French: The project planner for this item is Claire Raybould, and she has been with the project for some time and will present.

Ms. Raybould: Good evening, Commissioners, Chair Lauing, I'm Claire Raybould, Senior Planner. So, I just want to start this presentation by saying I know there's a lot to unpack here. So, the goal of this study session is just to provide an orientation for the Commission and the public to familiarize you with the project and to provide some background of how we got here. This hearing also provides an opportunity to comment on the draft EIR and to point any... sorry, to provide some initial feedback on the development agreement terms. But comments on the draft EIR can be provided at any point during the public comment period. So, we had a number of comments from members of the public leading up to this study session that the forty-five-day deadline for comment was not sufficient and requesting to extend it to sixty days. We've heard those comments and the City will provide that extension. So, we will be accepting any comments on the draft EIR through November 15<sup>th</sup> now. I do also want to acknowledge that there are numerous addresses associated with this site. To date the City has used the addresses listed on the application filing so 200 Portage and 3200 Park Boulevard, that's the reason we used those addresses. But I want to acknowledge that this project does encompass 340 Portage which is often the address that's used for the cannery building and maybe is more well known to the public. So, with that, this visual is just intended to orient you with the project site. So, the

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 site is bounded by all of Avenue, Park Boulevard, and Portage Avenue and Ashe Street. And it  
2 encompasses the cannery building. The cannery building has warehouse uses and R&D uses  
3 currently as well as eighty-four-thousand square feet of former retail space that was occupied  
4 by Fry's Electronics. We also... this site also encompasses the AUDI building at 3250 Park. Which  
5 is across Matadero Creek from the site, and it also encompasses 3040 Park which is a separate  
6 parcel currently; a small triangular parcel that includes a small recrea... commercial recreation  
7 use across the type studio. So, a little bit of background, the project site is located within the  
8 boundaries of the North Ventura Coordinated Area Plan. The work on NVCAP began in 2018  
9 and is still ongoing. As part of that process, we have received a significant amount of feedback  
10 on how the public and property owner may want to see that site be redeveloped. So that  
11 feedback was used to identify the key objectives for the City and Sobrato as a starting point for  
12 negotiations for the ad-hoc committee. Which I'll go into more detail in a minute. Throughout  
13 2021 there were numerous overlapping discussions going on around the site. Sobrato filed the  
14 200 Portage townhome project, a ninety-one-unit development in March of 2021, which is a  
15 streamlined housing project under Senate Bill 330. Around the same time Sobrato requested  
16 clarification from the City regarding interpretation of the code language allows for retention of  
17 non-conforming uses on the property. Staff brought forth this code interpretation to Council  
18 who held hearings in June and October 2021. In October 2021 the Council stayed interpretation  
19 of the code and formed an ad-hoc committee to explore shared redevelopment interests of the  
20 site. The ad-hoc committee concluded in summer of this year and Council held a study session

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 to present the work the ad-hoc committee and begin the public process for the development  
2 agreement and associated entitlements. Council directed staff to execute a tolling agreement  
3 which allows for the townhome project to be placed on hold while the City completes the  
4 public process for the proposed development agreement. And that tolling agreement is  
5 available on the project webpage, available to the public. So, that kind of brings us to where we  
6 are at today. On September 16<sup>th</sup> the City released a draft EIR for the proposed project and as I  
7 noted it originally had a forty-five-day comment period which we're now extending for sixty-  
8 days to November 15<sup>th</sup>. This is one opportunity for comments, but any comments can be  
9 provided at any point during that process, and they can be emailed to me at  
10 [claire.raybould@cityofpaloalto.org](mailto:claire.raybould@cityofpaloalto.org). And, wanted to go into a brief summary on the  
11 Environmental Impact Report. It evaluated the proposed 200 Avenue townhome project which  
12 is the ninety-one-unit development. It requires demolition of a portion of the California  
13 Register eligible building and assumes retention of everything else on the site as is. There would  
14 be no park space proposed as part of this project. The EIR also evaluates a no project  
15 alternative as required under CEQA, this doesn't meet any of the objectives of the proposed  
16 project. The existing buildings and uses on the site would remain under this alternative and  
17 uses would continue to be governed by the City's non-conforming use regulations. Alternative  
18 two looked at the adapted reuse of the cannery building. In this scenario, the cannery building  
19 would not be demolished but the building would be reused for housing. We tried to align this  
20 alternative with Councils preferred alternative in the NVCAP to the extent that it relates to this

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 property. So, it looked at doing a three level... adding another level on the cannery building and  
2 adaptive re-use of that whole building, again for housing. And other existing uses would be  
3 retained. Under this alternative, there was also a seven-thousand-four-hundred square foot  
4 area of retail space on the ground floor of that cannery building. Alternative three is the  
5 development agreement alternative. Under alternative three which is what we're going into a  
6 little bit more detail about tonight, a portion of the cannery building of 200 Portage would still  
7 be demolished the same as the proposed project and it would increase the number of housing  
8 units from ninety-one units to one-hundred and forty-nine units and it provides a dedicated  
9 parcel to the City of 3.25 acres for the affordable housing as well as a park. So, the findings of  
10 the environmental impact report, the EIR identified a significant and unavoidable impact on  
11 historical resource, identified for the proposed project and all of the build alternatives.  
12 Mitigation measures were identified to reduce impacts on other resources to a less than  
13 significant level. This includes biological resources, hazardous materials, noise and specifically  
14 vibrations adjacent to a historic building, traffic and transportation and tribal cultural resources.  
15 Wanted to provide a brief overview of the development agreement that's being presented as  
16 well. The proposed development agreement includes the following Legislative actions it would  
17 include a development agreement itself, a comprehensive plan amendment, planned  
18 community rezoning for all of the parcels, a tentative map followed by a final map as well as  
19 Historical Resources Board review. And I just want to note that the architect... there is an  
20 Architectural review but that's part of the planned community process. Staff anticipates that

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 there will be additional study sessions and hearings in front of Board, Commission and Council  
2 and I do want to make it clear because there was some confusion amongst the public, the  
3 development agreement alternative does not have a hearing limitation it is not subject to the  
4 same regulation under the housing accountability act as the townhome development because it  
5 includes, you know rezoning and other legislative actions. So, this kind of is just a quick  
6 summary of some of the key objectives for the City and then Sobrato, you know mainly Sobrato  
7 is looking to retain a lot of the research and office development of the site. The City is looking  
8 to provide housing, there was a lot of interest in the park and potential naturalization of  
9 Matadero Creek in that area. We were looking for a retail or community space, meaningful  
10 bicycle and pedestrian connections and other such items. So, you know the negotiated terms of  
11 the agreement you know, quick summary of these includes the construction of a parking garage  
12 behind the cannery building in order to remove the parking from the land to be dedicated to  
13 the City in order to accommodate the park. It includes dedication of 3.25-acres for the purposes  
14 of the park and affordable housing. It includes five million dollars toward the improvements of  
15 the park and affordable housing, it includes seventy-four ownership townhome, market rate  
16 townhomes and it does allow for the retention of the existing R&D use at the cannery building  
17 as well as the office space on Ash Street. The AUDI building would also be converted from an  
18 auto repair service to R&D space. And this provides a quick overview. The orange shows the ...  
19 where the townhomes will be proposed. The light pink shows the location of the parking  
20 garage. The purple shows the area of the R&D uses, in green obviously would be the park area

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 in blude is roughly the location of the affordable housing project of up to seventy-five units.  
2 And then there's a small retail area identified in red, twenty-six-hundred square feet. So, you  
3 know some of the things that we'll you know be involved in this process include a  
4 comprehensive plan amendment, so the existing land use designation is multi-family residential  
5 for this property. So as part of the process it would necessarily require a land use map  
6 amendment to allow for the retention of the commercial uses. And there are a few options of  
7 how we might be able to explore that. The applicant has proposed to designate the cannery  
8 building parcel, the AUDI building parcel and the Ash building parcel as mixed-use designation.  
9 Which would be possible if you're looking at the site as a whole and considering a mixed use as  
10 part of the whole development agreement. The other alternative would be to designate the  
11 AUDI and the Ash parcel as service commercial which is consistent with a lot of the other zoning  
12 in this area, sorry, a lot of the other land use designation around this area. The cannery building  
13 would, because of the dedication of a portion of the parcel to the City, the cannery building  
14 exceeds the floor area ratio that's currently allowed under service/commercial. The  
15 comprehensive plan indicates that it allows floor area ratios up to zero point four. So, if we  
16 wanted to explore that then a text amendment would be required to add the word generally  
17 that designation. So, we're interested in getting some feedback tonight or in future hearings  
18 from the Planning Commission about this ... about the comprehensive plan amendment. Plan  
19 community rezoning, the project is going to include merging and subdividing existing parcels to  
20 create five new parcels. The DA alternative would include a planned community rezoning for

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 each of these resulting parcels. And no physical improvements are proposed on two of the, I'm  
2 sorry, three of the remaining parcels. One, parcel two would be dedicated to the City to allow  
3 for the future development of the affordable housing. And last but not least, historic  
4 considerations, Page and Turnbull Evaluated the project site and determined that the cannery  
5 building and the office building at 3201 Ash Street are eligible for the California Register of  
6 Historic Resources under Criterion 1 (events). 200 Portage Townhome project and the  
7 development agreement alternative would require partial demolition of the cannery building  
8 which is identified as a significant and unavoidable impact in the draft EIR for both alternatives  
9 as I noted previously. And with that staff recommends that the Planning and Transportation  
10 Commission take the following actions: Conduct a study session to consider the draft  
11 environmental impact report for the proposed 200 Portage Townhome project and the  
12 development agreement project evaluated as alternative three. And review and provide  
13 comments on the proposed development agreement between the City of Palo Alto and the  
14 Sobrato Organization. And with that I'll turn it back to you and recommend that you hear from  
15 the applicant.

16

17 Chair Lauing: Is the applicant present?

18

19 Ms. Raybould: They are present online.

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Chair Lauing: Okay.

2

3 Ms. Raybould: If you want to share your presentation either Tim or Dave.

4

5 Unidentified (online): I believe Evan has the presentation.

6

7 Ms. Raybould: Okay perfect, thanks.

8

9 Mr. Tim Steele (Applicant): Good evening Commissioner Chair and Commissioners, thank you  
10 for the opportunity for our team to present our proposed project to the Commissioner this  
11 evening. My name is Tim Steel and I'm the senior vice president of real estate development at  
12 the Sobrato organization. In respect to our allocated time, I will quickly walk through a brief  
13 outline of events and [unintelligible] project points. And then our residential architect David  
14 Burton from KTGy will quickly introduce the townhome project and Evan Sockalosky from Arc  
15 Tec will do the same for the commercial portion. We also want to compliment Claire on her  
16 well written comprehensive staff report considering the complexities that are included in this  
17 proposal. So, starting with that, we can move to the next. Sobrato purchased the subject  
18 property in 2010. And with the Fry's lease expiration imminent, we immediately started  
19 discussion regarding this property and it's future, with city staff and will continue to discuss  
20 over the next ten years. We were approached by staff at the completion of the comp plan

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 update asking if we would consider providing matching funds for a city application for a NTC  
2 planning grant to support the Ventura Coordinated Area Plan process which we agreed to do  
3 and supported that with two-hundred and fifty-thousand dollars to support the EIR work. The  
4 NTC grant was approved in 2018 and we participated as an active member of the NVCAP  
5 working group which kicked off in October of eighteen. We are very interested in hearing from  
6 the working group and the community. The working group met seventeen times plus two  
7 community workshops. The NVCAP working group identified three alternatives with no major  
8 consensus for one recommendation or priority. The city contracted for historic evaluation as  
9 Claire point out, for the cannery building by Page and Turnbull which was presented to the  
10 Historical Resource Board in July of 2019. The planning and Transportation Commission met  
11 four times during the NVCAP process with the last being in March of twenty-one, which they  
12 recommended to the City Council alternate three (B) which is represented on the last of your  
13 screen. Council met four times with the last being January of twenty-two in supported three (B)  
14 with some minor adjustments. The ad-hoc meetings used the NVCAP work product, the PTC  
15 alternate three (B) recommendation and City Council discussion points as a guidepost in our  
16 discussions. The ad-hoc development agreement proposal is similar in many ways to the NVCAP  
17 working group discussions, the PTC recommendation, and the City Council recommendation  
18 three (B). Three (B) expresses a strong interest in park land and the possible restoration of  
19 Matadero Creek. The proposed plan dedicated two point five acres of land for parks including  
20 fee title to Matadero Creek as it runs through the site, to facilitate it's potential naturalization

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 and for park uses. The seventy-four townhomes park land dedication requirement under the  
2 City's ordinance is point six-two acres. The DA provides for three and a quarter... three and a  
3 half times the required amount. In addition to the land dedication, the DA provides a five-  
4 million-dollar contribution to the City which has the discretion to use it towards creek  
5 restoration, park improvements, and/or affordable housing. The proposed seventy-four  
6 townhomes would be required to provide for fifteen percent of the units as affordable which  
7 would have been eleven units, however the DA provides dedication of approximately one acre  
8 of land to the city which has the potential to provide for seventy-five to a hundred or more  
9 affordable housing units. As mentioned earlier, the DA provides the five million dollars to the  
10 City which can be used for affordable housing and/or park improvements at its discretion.  
11 Similar to alternative three (B), the project proposed for the removal of the square footage of  
12 the cannery building associated with the prior Fry's retail store. Within the remaining cannery  
13 building a twenty-six hundred square foot retail space will be provided with additional outdoor  
14 seating. Also similar to three (B), the remaining cannery building will continue to provide for  
15 R&B space for the existing R&D tenants with no new R&D square footage or space proposed.  
16 The remaining cannery building will be refurbished following the Secretary of Interior's historic  
17 guidelines, there will be historic documentation done following the Secretary of Interior's  
18 guidelines that will include a public display within the new retail space. The refurbished cannery  
19 building space is planned to be net zero with a hundred percent of its energy being generated  
20 onsite. As identified in the NVCAP process as a priority, the project provides for an access

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 easement to facilitate the enhancement of pedestrian and bicycle connections between Park  
2 Avenue and Portage through the site. Finally, the project voluntarily proposes a TDM plan with  
3 a fifteen percent trip reduction goal. In closing, we feel the ad-hoc discussions and the City's  
4 and Sobrato's approach to using the NVCAP process, the PTC recommended alternate three (B)  
5 and the City Council's comments as a guidepost is clearly reflected in the proposed  
6 development agreement before you tonight. With that David please, if you will continue.

7

8 David Burton: Thanks Tim. As Tim said, my name is David Burton, I'm an executive director with  
9 KTGy and we're the architects that have been working with Sobrato organization. On the design  
10 of the residential portion of the site, this residential portion encompasses seventy-four  
11 townhomes located on a parcel between Park Boulevard and the R & D building at the center of  
12 the site. The site is arranged in four rows of buildings, set back from Park Boulevard. We have  
13 given each townhouse a front door on either a street or the center landscape Versailles. Where  
14 the ends of the buildings face the streets off of Park Boulevard, we've placed front doors facing  
15 these streets also to ensure attractive and activated facades on all street frontages. We want  
16 these homes to engage with the street to provide a friendly and human scale face to the public.  
17 The buildings are maintained in as short a length as possible, in order to make the site as  
18 pedestrian friendly as possible. The site is arranged with a fine-grained network of sidewalks to  
19 encourage and facilitate walkability in our central Versailles to provide places for meeting and  
20 talking to one's neighbors to encourage close community connections. Next slide. Our intention

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 with the massing and the architecture of these buildings is A., to establish a strong relationship to  
2 highlight individual townhouses and give the buildings a strong identity and B., to mediate  
3 between the scale of the commercial buildings along Park Boulevard and the existing  
4 warehouse building in the heart of the site, as well as the nearby single-family  
5 residences and C., to remain compliant with the thirty-five height limit that's set in the zoning  
6 of the site. There are three distinct color schemes for these buildings. The colors and the details  
7 have been developed to respond to the surrounding context. The building you see in the  
8 foreground in this rendering of the building, has a brick base and earthier tones which are  
9 meant to play off the brick and the other materials of the Leeward Building that sits directly  
10 across the street on Park Boulevard. The building at the far end of the rendering, which you  
11 can't see too much here, but were certainly outlined in the packets that were provided to you,  
12 has a series of darker tones primarily chosen to maximize differences with this and our other  
13 color scheme to create a more varied street [unintelligible] along Park Boulevard, as you can  
14 see here as the buildings go down the street. Next slide. Then this is our third color scheme  
15 which has a material and color palette that's intended to pick up on the design of the buildings  
16 previously approved by the City for the Mike's Bike site along El Camino Real at the opposite  
17 end of the site. This color scheme as well as the others, that we've developed, we've selected  
18 darker window frames, some metal roofing details, and colorful front doors that pick up on  
19 some of the materials and colors that are being used on the restored warehouse building, that  
20 has been talked about previously. Our goal in the design of these townhouses has been to

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 create a simple, clear site plan that encourages walkability, and an architect that uses bold  
2 rhythms and warm color pallets to make a community that has a clarity in its design, relates  
3 well to its neighbors and has good human scale. We hope that you'll agree with our choices and  
4 deem that we've achieved our goal. And now I'll hand it off to, I think to Tim for [speaker faded  
5 out].

6

7 Mr. Evan Sockalosky: Good evening, Chair and Commissioners. Evan Sockalosky with Arc Tec; I  
8 get a chance to speak to the R & D portion of the project and Claire already did a great job of  
9 hitting a lot of the points, so I'll try to and go through this quickly to get to your questions and  
10 comments. The R & D portion is the rehabilitation of the cannery building, which we know is an  
11 important building in the city and it includes 380 and 340 Portage portions of the building,  
12 approximately a hundred and forty-two thousand square feet of R & D office space. In order to  
13 allow for the construction of the townhomes as well as the park dedication that both Claire and  
14 Tim mentioned, we are building a low-profile parking garage in the backside of the project to  
15 accommodate parking. We were very careful in the layout and design of that to minimize the  
16 scale of it in relation to the project and the adjacent residential neighbors. When we developed  
17 the cannery... our vision of the cannery building with City input, we also incorporated  
18 recommendations from the guidelines we received from the historical consultant. And that was  
19 an important piece to our project and as you can see, the cannery building is on the south side  
20 of the project adjacent to the townhomes that David spoke of and the park that is across on the

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 south. So the parking garage is located to the north with the building. We do have the  
2 connection between the parking garage to the amenity space and as Tim mentioned, along the  
3 northeast corner in conjunction with the City, we developed the retail portion of that. As we  
4 began the project, we were able to find this historic photo which is from approximately the  
5 1940's during our research, so it reflects some of the original design of the cannery building and  
6 as you see from the renderings as we move forward, we've incorporated many of the elements  
7 in the design and rehabilitation of the building. This is a view looking south at the main entry of  
8 the R&D portion of the building, you can see the little key on the right side, where that is  
9 coming from as well as the historic photo down below. We think this gives a good idea of some  
10 of the details that we've been able to include and incorporate into the design, including the  
11 very prominent monitor windows at the top of the monitor roof and the windows along the  
12 north side of the project that were actually covered and enclosed when the building was  
13 expanded previously. Moving around to the other side of the site, this is one of the important  
14 features we wanted to include, which was the retail portion of the project. We are including  
15 twenty-six hundred square feet of retail, in working with the city and staff we felt that was  
16 important and beyond that you can see from this rendering, we're developing a little plaza to  
17 allow for the connection indoor/outdoor space of the retail space itself. This is a view of that  
18 plaza which you can see, it gives us the ability to have some seating, varied seating around as  
19 well as access into that retail space. And, one of the features we felt was important to  
20 incorporate both from an exterior and interior perspective, is really highlighting some of the

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 materials and details that we have on our building. So, jumping back one slide, the detailing  
2 utilizing the corrugated metal for the cladding of the building which was a traditional material  
3 and a material that you can see in the historic photo. And even from this slide, you can begin to  
4 see into to the very dramatic wood trusses that frame this interior space of our project. And in  
5 the development with City and staff on the retail space, we actually further developed the  
6 project and incorporated a skylight inside the retail space and you can see that in the key plan  
7 on the lower right, with the ability to actually go into the retail looking up through the skylight  
8 and really get a connection to this gorgeous historic building and the wood trusses that we are  
9 refurbishing during the construction. So, giving a sense that one of the other elements we felt  
10 was important was the incorporation of indoor/outdoor space and highlighting and minimizing  
11 the impact of the garage. So, these are all views from the north side of the building, and you  
12 can see on the right is a view of the indoor/outdoor space adjacent to the garage and the  
13 building, the main entry, as well as some of the detailing that we've incorporated to pick up on  
14 the traditional detailing and the details from the input that we received from the consultant.  
15 So, overall, we are really excited about moving forward with this project and getting your input.  
16 We feel that it breathes new life into an underutilized building that we know is an important  
17 part of the City, so we're excited to be working with you on that and at that, we will open the ...  
18 open to questions and comments.

19

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Chair Lauing: Okay thank you very much. I do want to get to public comment but I'd like to give  
2 the Commissioners an opportunity to ask any procedural questions or super technical  
3 questions. One, Claire, I don't think we mentioned is the point on packet page nineteen that we  
4 do not have purview over historic review.

5  
6 Ms. Raybould: My apologies, yes, the staff report did note that the Planning Commission has  
7 purview over historic review which is not accurate, so that is only subject to Historic Resources  
8 Board, so.

9  
10 Chair Lauing: Great, I wanted to clarify that (interrupted)

11  
12 Ms. Raybould: Who would make recommendation to Council.

13  
14 Chair Lauing: I'm sorry.

15  
16 Ms. Raybould: Who would recommend to Council.

17  
18 Chair Lauing: Yeah. Okay, so let's see if there are any clarifying questions. Commissioner  
19 Hechtman.

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Hechtman: So, I do have some technical questions but really, I want to talk  
2 mostly about process, and what we can hope to achieve tonight and what opportunities we  
3 might have after tonight to achieve more. So, we have received very recently this dense draft  
4 environmental impact report, an extensive plan set and then this morning the development  
5 agreement, and I don't know about my fellow Commissioners but there have not been enough  
6 hours for me to thoroughly review these documents to the extent I would need to if this was  
7 going to be my only opportunity to provide comment on them. And so, I was hoping we'd have  
8 a dialogue first to understand, is this coming back to us where there's an opportunity for us to  
9 provide more detailed comments because we'll have had more opportunity to review these  
10 things and we just heard staff tell us in the staff report that the CEQA review period for the  
11 draft environmental impact report has been extended by staff from forty-five to sixty days  
12 which I applaud. I saw a couple request for that and obviously full information and adequate  
13 time is appropriate but it raises the question of if this is coming back to us, is it going to come  
14 back to us inside of the draft environmental impact report comment period and if so, then I  
15 know we have a few people in the audience and a few attendees tonight and if they comment  
16 tonight, and there's not new information, there's just these documents that we need to come  
17 back and talk about, are they going to be allowed to come back and talk a second time or are  
18 they here tonight thinking it's their only chance and so maybe they're not even ready to speak  
19 or as ready as they'd like to be but they feel they have to because they might not get another

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 chance and so I think all of this stuff, if we can kind of figure out a plan, in advance...

2 (interrupted)

3

4 Chair Lauing: We have a plan.

5

6 Commissioner Hechtman: Right, it's a comprehensive issue I'm raising.

7

8 Chair Lauing: We have a plan; I was just going to do that after public comment. But, we are  
9 going to see this multiple times, I'm going to ask Assistant Attorney Yang to speak to that in  
10 terms of the timing of these things and I fully intend to reopen public comment at the next  
11 meeting as well, in fact if somebody decides they would rather wait instead of speak tonight,  
12 you know that would be fine, and you know I think our comments tonight are going to be, as  
13 long as we want but completely preliminary. And in the inquiry kind of basis. So, Agenda wise,  
14 we can hear public comment and we can make preliminary comments, and again, it can go as  
15 long as we need to, but that's not the last time for either one and could we get Mr. Yang to  
16 speak to it.

17

18 Mr. Yang: Sure, so I guess obviously the purpose of this meeting tonight is just to introduce the  
19 project to the PTC, and also to provide a public meeting where members of the public can  
20 speak to the draft EIR if they want to make oral comments. We of course, the comment period

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 is going to be open for more than a month from today and everyone has the opportunity to  
2 submit written comments as well, but you know, this is a study session, we're not asking for any  
3 direction and in fact, you know, most of the decisions, the recommendations that are going to  
4 be asked of the Planning Commission, those documents aren't ready, or before you. You know,  
5 we need to have Planning Commission recommendation on the planned community zoning  
6 ordinances, on the tentative map, on the comprehensive plan amendment, so, we're going to  
7 be preparing the documents for those and bringing those back, likely at the end of November  
8 and beginning of December for a first look and then we're also planning an additional PTC  
9 Hearing in January of 2023, you know, for just a second hearing on all of those things. So this is  
10 really just the introductory, let's orient ourselves on this project meeting, we were trying to find  
11 an evening meeting where we could have an opportunity to for in person comment on the draft  
12 EIR.

13

14 Chair Lauing: Could you specifically address whether the PTC will see the EIR before November  
15 15<sup>th</sup>?

16

17 Mr. Yang: It is... we're not anticipating, we're not planning on having another hearing on the  
18 draft EIR, you know, there isn't any.... The PTC doesn't have a formal role with respect to a draft  
19 EIR, we selected this meeting because it happens in the evening and it was scheduled during

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 the comment period. And when initially, when we were thinking the comment period would be  
2 ending on October 31<sup>st</sup>, we didn't want to wait until the 26<sup>th</sup> to have that public meeting.

3  
4 Chair Lauing: Okay, so any comments after tonight on the DEIR should just go to staff rather  
5 than anticipate a second meeting, in which we would all discuss it.

6  
7 Mr. Yang: Right, that's how the majority of comments on a draft EIR usually come in, through in  
8 writing, you know and even comments from the PTC tonight, we're not expecting any sort of  
9 uniform or consensus feedback from the PTC as a body, this is also an opportunity just to  
10 individual members, if they want to speak you know, orally, to the draft EIR, to do so.

11  
12 Chair Lauing: Right, and for the public that's listening, that's completely different from the EIR.  
13 Compared to the draft EIR, because we'll be looking at that later... right?

14  
15 Mr. Yang: Yes, I'm not sure if .... I think we will plan to have the final EIR available when the...  
16 before the PTC is asked to make final recommendations, that circumstance, the PTC is asked to  
17 consider the EIR as part of their recommendation on each of the various pieces.

18  
19 Chair Lauing: Okay. Did you have any feedback Commissioner Hechtman?

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Hechtman: I do actually. I'm a little bit concerned about what I'm hearing in this  
2 process, as I'm understanding the plan, the comment period is now going to end on November  
3 15<sup>th</sup>, and so what I'm hearing is the only opportunity, not only for the members of the public  
4 but even the PTC have to make an oral comment is tonight, and so if I, not as an individual but  
5 as a member of the PTC want to make a comment in the future, before November 15<sup>th</sup>, my only  
6 way to do that is to write a letter. And I don't think I've written a letter as a member of the PTC,  
7 commenting on a city project.... Well, I just haven't done it, it seems odd to me. And so, I'm  
8 wondering if it would be... and again, I realize the members of the public can hand-write letters  
9 and many, many do, some members of the public prefer to speak orally, they're more  
10 comfortable and feel that their comments mean something when they stand in front of the  
11 body and speak them and I want to give them that opportunity. So, I'm wondering if we need to  
12 have this back on our Agenda before November 15<sup>th</sup> where the PTC can comment on the draft  
13 EIR because I don't believe there is an analogous comment period on the final EIR, I don't think  
14 that happens, unless it's recirculated which is a complicated issue and I hope it doesn't happen  
15 to this one. But anyway, that's the thought I have is that maybe we should be scheduling more  
16 time so that we can comment on this and members of the public who aren't adequately  
17 prepared tonight can be adequately prepared and have more advance warning and chime in at  
18 that point.

19

20 Chair Lauing: Commissioner Roohparvar.

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1

2 Commissioner Roohparvar: Thank you. I actually had a question regarding the inner plague for  
3 staff between SB 330 and the development agreement. So, is this... this is not an SB 330  
4 application that was told and now we're dealing with a negotiated development agreement,  
5 and then that means that we have different, we have greater discretion than we would have  
6 had if it was SB 330, is that accurate? Can you please explain.

7

8 Ms. Raybould: That is accurate, yes.

9

10 Commissioner Roohparvar: Okay.

11

12 Ms. Raybould: That's accurate. So, so the townhome development project, they filed a pre  
13 application in accordance with Senate Bill 330, it's a majority housing project, two-thirds  
14 housing with the ninety-one townhome units and so it is streamlined and subject to only  
15 objective standards that was in place at the time that the SB 330 pre-application was filed. The  
16 development agreement includes legislative actions including a comprehensive plan land use  
17 map amendment, rezoning of portions of the site and then the development agreement itself.  
18 And it encompasses commercial as well as residential uses and so it is not streamlined under SB  
19 330 and there is a process that we will be following in accordance with the development  
20 agreement requirements and the planned community rezoning requirements.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

Commissioner Roohparvar: Okay, and then we go forward with this negotiated development agreement but if for some reason like Sobrato’s applicant is not into it or the city, we get entangled in something, then it’s possible that this process can end and that SB 330 application can continue. I just want to... it’s all...

Mr. Yang: That’s correct.

Commissioner Roohparvar: Okay, thank you, I just wanted to understand how it worked procedurally.

Ms. Raybould: So...

Chair Lauing: Go ahead.

Ms. Raybould: Just to return to Commissioner Hechtman’s comments, so, if I’m hearing you correctly, is your intent then to provide a formal recommendation from the PTC as comments on the EIR versus individual Commissioners?

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Hechtman: Well, it's a study session, so, what would normally happen in a study  
2 session is we would provide our comments as individuals, sometimes what we find, often what  
3 we find is there seems to be consensus in those individual comments which gives direction and  
4 helps the staff. This is informal, there's no formal motion in a study session, it's just feedback  
5 but it's feedback from the Planning Commission that can help staff or help guide staff in the  
6 direction that there seems to be consensus. Sometimes it's an individual Commissioner who  
7 speaks, but yeah, so the idea is to give us an opportunity to provide feedback in the context of  
8 one of these meetings rather than individually write letters. And just to take it one step further  
9 on that to sort of flesh out my vision... right now we've got a pretty full schedule on October  
10 26<sup>th</sup>, our next meeting is on November 9<sup>th</sup>, which happens to be the day after an election and I  
11 was pondering whether... given the constitution of the Commission, whether that meeting  
12 might be best moved to one week later, the 16<sup>th</sup>, if that's possible, and if so, can we extend the  
13 comment period to the end of the day on the 16<sup>th</sup>, instead of the 15<sup>th</sup>, so we basically can get  
14 public comment in at the end of the comment period without having to have a meeting on  
15 November 9<sup>th</sup> to do that. So that's the full thrust of my thoughts on that.

16

17 Chair Lauing: Let me go ahead and get the other comments. That certainly is a part of the  
18 process that we'd have to look at. Commissioner Chang.

19

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Chang: Yeah, I just had concerns along the same lines as Commissioner  
2 Hechtman so, I'm not sure I can say much that would add to it other than I personally did not  
3 have time, so I would very much like and hope that there would be an opportunity to discuss  
4 the comments on the DEIR and the development agreement before the close of the DEIR public  
5 comment period.

6

7 Chair Lauing: Vice-Chair Summa.

8

9 Vice-Chair Summa: Thank you to my colleagues and I would say that I share those concerns and  
10 it's unfortunate that the development agreement was only made available to us today, and to  
11 the public. And I'm perhaps... and maybe someone can comment on that, but I do believe  
12 there's a seventy-two-hour requirement and it was ... and I don't mind saying this because I'm  
13 sure we're all in the same boat, it was not possible to read and review a thousand pages in the  
14 time we had. So, and it's a big deal, I mean I want to make sure we give everybody a fair shake  
15 here and that we really are... and that we're giving our best feedback to staff and to the  
16 applicant to be fair. So, I'm pretty concerned about it too.

17

18 Chair Lauing: Commissioner Reckdahl.

19

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Reckdahl: Just to echo the concern, this was dumped on us on late last week and  
2 when you have something that's a thousand pages, is there any way we can get a lead, extend  
3 that delivery and not have a full packet necessarily delivered early, but have some of the  
4 content delivered early just to make it more feasible for us to dig through it. I mean, when was  
5 this draft EIR completed? Was it just completed recently or was it...

6

7 Ms. Raybould: September 16<sup>th</sup> is when it was released to the public.

8

9 Commissioner Reckdahl: Okay so, it would have been nice if we had had it earlier. Then at least  
10 we could have started digging through that, even if the other stuff was ready. At least we'd get  
11 a lead start. And I do have some specific questions about some of the details. Should I go  
12 through those or do you want to talk about the process still?

13

14 Chair Lauing: Let's just stay on the process since we're on a roll here. Yeah, when we finished  
15 up with the pre-meeting yesterday I was under the understanding that we would see this again  
16 for more debate for exactly the reasons that were just discussed, because it was, actually  
17 because of what Vice-Chair Summa said in terms of not even seeing the development  
18 agreement and thousands of pages... a thousand pages so, I would concur that we should try to  
19 fit it in, sort of ASAP, and it would either have to be before the 15<sup>th</sup>, or we'd have to extend that  
20 deadline.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Ms. Raybould: So, you had mentioned the 16<sup>th</sup>, we have a Housing Element working meeting, or community meeting on the draft Housing Element on that night so I don't think that that would be an appropriate night to ....

Chair Lauing: What about next week in terms of the urgency of the other items for next ... sorry, not next week, excuse me, the next meeting.

Ms. Raybould: On the 26<sup>th</sup>?

Chair Lauing: Yes. It's the 660 and 1700 Embarcadero.

Ms. French: It's possible that the 660 University, it's a planned community, it's a planned housing project, and then the other one is the traffic safety that you've been asking for... the Mercedes Dealership. So...

Mr. Yang: I guess I would say you know, we could probably find time to add this in, on a future agenda but if the purpose is to provide the public and the Commissioners a chance to comment, with more time on the draft EIR, you know, I don't anticipate that there would be any additional staff work, you know, it would just be an opportunity to open up the public

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 comment period, allow the public to make comments, allow the Commissioners to make  
2 comments and then those would be part of the record that the EIR consultant and the staff  
3 would review and respond to for the final EIR. You had... I noted Chair, that you had mentioned  
4 the idea of debate and I guess with respect to the draft EIR, that's not something that staff is  
5 anticipating that the Commission would debate the draft EIR...

6

7 Chair Lauing: I retract the word.

8

9 Mr. Yang: Okay, we were just thinking for Commissioner comments.

10

11 Chair Lauing: Yeah, I say debates just because I don't expect them all to be a hundred percent  
12 in sync. So, that's why I used that word. What I'm trying to get to is why don't we continue this  
13 after our discussion tonight, to the 26<sup>th</sup> and just adjust those agenda items accordingly.

14

15 Ms. French: Can we also hear from the public who are here to comment tonight?

16

17 Chair Lauing: Of course, of course. No, we definitely are going to do that.

18

19 Ms. French: Okay, thank you.

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Chair Lauing: And we have some comments as well, I'm just saying at the end of that, instead  
2 of trying to make the 15<sup>th</sup>, or the 14<sup>th</sup>, or around the current announced new deadline, if we  
3 just moved it to the 26<sup>th</sup>, that might be the easiest way to do it.

4

5 Ms. French: Easier than the 9<sup>th</sup>, November 9<sup>th</sup>, which is the day after the election.

6

7 Chair Lauing: Yeah. Okay. Great.

8

9 Ms. French: Which would give more time to people, but ...

10

11 Chair Lauing: Yeah, so let's use that as our working assumption now and I think that will work,  
12 and then we can go back to other questions that people have. So, back to Commissioner  
13 Reckdahl. Thanks for being on hold there for a minute.

14

15 Commissioner Reckdahl: I had a couple questions, one the DEIR it evaluates the SB 330 project,  
16 which is the ninety one townhomes and now it's seventy-four. Is this going to be updated for  
17 that or what's...

18

19 Ms. Raybould: It's ninety-one townhomes for proposed 200 Portage townhome development.  
20 The Development agreement alternative has seventy-four townhome units and would include

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 the potential for ... it's evaluated for the potential so that we don't have to return and do the  
2 CEQA as they City if we do a seventy-five unit affordable housing unit development in the  
3 location that was identified near Matadero Creek.

4

5 Commissioner Reckdah!: Say that again, we so...

6

7 Ms. Raybould: So the Alternative three agreement alternative evaluates up to one-hundred  
8 forty-nine units which includes 74 townhome market rate units and seventy-five unit,  
9 presumably in a single building rental development.

10

11 Commissioner Reckdah!: So you're saying the draft EIR encompasses the current development?

12

13 Ms. Raybould: The draft EIR evaluates the... yes... the development agreement alternative that  
14 is evaluated is alternative three in the draft EIR.

15

16 Commissioner Reckdah!: Okay. And so, but the ninety-four is mentioned in here. Is that a  
17 different alternative?

18

19 Mr. Yang: So, one way, I guess ... I would explain it this way. We received the ninety-one-  
20 townhome application last year and we got started on an EIR for that project. And then in the

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 months that followed, this development agreement alternative was, took shape. But we  
2 already had most of the work done on an EIR for the ninety-one-townhome project. So, and  
3 when we looked at the two projects, there were a lot of similarities in terms of the various  
4 impacts. So we said, look, we started with this EIR that is mostly complete, for the ninety-one-  
5 townhome project, and we evaluated the new development agreement project as an  
6 alternative and so it's evaluated in terms of it's differences from the ninety-one-townhome  
7 project. They're both evaluated in the EIR, the ninety-one-townhomes are treated as the  
8 primary project and then the development agreement is an alternative that's compared to that.

9

10 Commissioner Reckdahl: Okay thank you. That makes sense. Second question is why are we  
11 doing PC zoning? We're breaking this up into separate parcels, why aren't those parcels just  
12 rezoned to some specific development standard?

13

14 Mr. Yang: So, the reason is that the City is receiving 3.25 acres of the land on this parcel, so  
15 that means that the remaining land is smaller for kind of the same building size, which means  
16 that you know, now those buildings aren't meeting I think its like FAR in lot coverage. Does that  
17 make sense?

18

19 Commissioner Reckdahl: Yeah. I mean PC zoning always seems such a kluge, if you have a ...  
20 why wouldn't you just create a new zone that had a different FAR requirement that's consistent

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 with what you want to build here and then that's ... that's set as opposed to having this kind of  
2 one-off zoning.

3

4 Mr. Yang: Well, we would be making that new zone to reflect this specific project and who  
5 knows if it would ever apply anywhere else in the city. With a PC, you understand... oh this is  
6 actually built specifically for a project that was negotiated.

7

8 Commissioner Reckdahl: Okay. Thank you.

9

10 Chair Lauing: Vice-Chair Summa.

11

12 Vice-Chair Summa: So, I have a follow up question to that... and that is ... so, have we evaluated  
13 the monetary value of that trade off? What in other words, we're giving them ... we're letting  
14 them exceed the development standards by using a PC process because they gave us 3.25 acres  
15 for a park and maybe an affordable housing. Has the... have you evaluated the monetary ....  
16 Compared the two things. Because this is a problem we had with PC's before is that we never  
17 had any sense of comparison of the evaluation between what we were getting and what we  
18 were giving. And it created a feeling in the community where people really didn't like PCs and  
19 that's why we stopped using them. So, does the staff have any evaluation of that?

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Mr. Yang: So, I guess I would say first, I think this situation is a little bit different from what  
2 you've suggested in that we're not allowing them really to exceed ... to build something bigger,  
3 right, what's happening is they have existing buildings but the parcel that those buildings are  
4 on, is shrinking. And so, as a ... when you look at something like an FAR, where it's the ratio of  
5 the floor area to the size of the parcel, when you shrink the parcel but the building stays the  
6 same, you know, that's when... why they can't meet FAR anymore. So, you know, I wouldn't  
7 characterize this as, you know, we're letting them do more than we would otherwise, we're  
8 sort of counting for the fact that the land is coming to the city. But, more generally to your  
9 question of did the City do some sort of value analysis, that was a part of the City's process, the  
10 ad-hoc committee's process in getting to this point.

11

12 Vice-Chair Summa: I'm sorry, you said it was a part of the City's process, a value analysis?

13

14 Mr. Yang: It was, yes.

15

16 Vice-Chair Summa: Well, is it going to be presented to the public or Boards and Commissions?

17

18 Mr. Yang: That's something that we can explore for future Hearings, it's not something I'm  
19 prepared to speak to today.

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Vice-Chair Summa: Okay, and then is it actually legal for us as a City to create these new smaller  
2 parcels that make non-conforming situations where they didn't exist before?

3  
4 Ms. Raybould: Not if it remains non-conforming. So that's why the comprehensive plan would  
5 address the non-conforming uses and the planned community rezoning would be necessary to  
6 make the... make it comply with the zoning that's proposed. As long as it complies with what is  
7 ultimately adopted by Council, all of those components need to move forward together.

8  
9 Vice-Chair Summa: Okay, so there's the non-conforming use because it's all zoned residential  
10 for the last thirty years approximately, and then there's the non-conforming development  
11 standards so, does that apply to both of those things?

12  
13 Ms. Raybould: So, the zoning would address the non-complying standards and the land use  
14 designation would address the non-complying use for any commercial uses.

15  
16 Vice-Chair Summa: Okay, thank you for that.

17  
18 Chair Lauing: Commissioner Chang.

19

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Chang: Yes, so I have a follow up question to what Vice-Chair Summa was asking  
2 about, so, Mr. Yang, I guess this question is for you. You had mentioned that the ad-hoc  
3 committee did a financial analysis and that the issue of the FAR was really kind of one because  
4 the parcel is shrinking in size, rather than a financial issue, but there's a separate component  
5 that I think is a financial issue that's not accounted for just in the FAR piece, which is the  
6 rezoning of the land. So if it was RN30 before, and then now it's going to be these other  
7 potential options that were discussed in the ... Mr. Raybould's presentation, there must be  
8 some financial implication there in terms of the value of the land versus the value to the owner  
9 of a piece of land that has these different types of zoning, and then further more there's a  
10 financial component of the dedication of the land where, were the land not dedicated, there  
11 would be inclusionary units built as well as park land... a park fee required. Right. So that's  
12 some of the information that I would like to see because as Commissioner Reckdahl and Vice-  
13 Chair Summa mentioned, I'm concerned that I can't tell if the ccc... if this is beneficial to the  
14 City, or what benefit we are receiving. And is it proportionate to whatever we might be giving  
15 away. Thank you.

16

17 Ms. Raybould: I don't know that we can discern to all components of that and if Albert has any  
18 additions, but I guess I'll start by saying certainly we can look into providing information about  
19 what you know, the speak to the inclusionary units, the townhome project did include eleven  
20 units of fifteen percent onsite inclusionary. Now we would not have inclusionary on site, it

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 allows for the development of up to seventy-five affordable units, but it doesn't provide it as  
2 inclusionary. It provides funds and land towards it. So, there is a trade off there, and we can  
3 certainly look into whether there is more information we can provide as to that trade off. With  
4 respect to the parks, I know Tim was actually mentioning in his presentation that ... maybe you  
5 can mention it either Tim or Albert, I think it was six times more park land being dedicated than  
6 what would be otherwise required. Is that accurate?

7

8 Mr. Steele: Thank you Claire, the ... per the ordinance the seventy-four townhome units under  
9 the City's ordinance would require to provide point six – two acres and we're dedicating a total  
10 of three point two five but the three point two five is what the city talked about using as the  
11 restoration of the parks and restoration of the creeks, excuse me, in the parkland. And an acre  
12 held out of that three point two five for BMR parcel, so, if you look at it ....

13

14 Chair Lauing: That's good. (crosstalk) That's good.

15

16 Mr. Steele: three and a half times. Thank you.

17

18 Chair Lauing: Okay.

19

20 Ms. Raybould: Thank you.

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1

2 Mr. Yang: We can come back with a more thorough analysis as well Commissioner.

3

4 Commissioner Chang: Okay, thank you. That would be wonderful. I did have another question  
5 about what... about what the interaction of this with the Housing Element. So, what does this...  
6 were these parcels counted in our housing element and does the change or retention of the  
7 R&D space have an impact on ... how does it impact our Housing Element?

8

9 Ms. Raybould: Good question. Let me just bring up the packet for a minute. This wasn't  
10 identified... it's not identified as new housing opportunity site because it's already an existing  
11 housing opportunity site in our existing Housing Element. I believe in the packet, and I was just  
12 trying to pull it up, it did note how many assumed units could be provided on the parcel. Hold  
13 on.

14

15 Commissioner Chang: I think it was two-hundred and twenty-one?

16

17 Ms. Raybould: Two-hundred and twenty-one, I think that assumed that all of these existing  
18 non-conforming uses were discontinued and that the site would be turned over as multi-family  
19 but the site does have this non-conforming use allowance without an amortization date  
20 associated with it right now, based on previous Council Action. So.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

Commissioner Chang: Okay, then in short, no impact on the new Housing Element?

Ms. Raybould: That’s my understanding yes. I can get clarity (crosstalk)

Chair Lauing: I don’t recall we had a specific number for that site in the actual inventory.

Commissioner Chang: That’s good to hear.

Chair Lauing: It’s very easy to check.

Commissioner Chang: Okay. And then another question for staff about the tolling agreement and whether there’s any deadlines or any obligations that the City has in terms of the timeline that we make decisions of public review or anything or anything else.

Mr. Yang: The tolling agreement gives the City until April of 2023 to decide whether it is going to adopt or reject this project, as a whole. And after that date Sobrato is able to revert back to their SB330 application, if they wish.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Chang: Okay thank you. And then my final question is about whether changing  
2 the zoning or the comprehensive plan, impacts the allowing or continuing the non-conforming  
3 use has any impact on our office cap. In other words, we're essentially creating more office, like  
4 permanently, more office space. Is that right?

5  
6 Ms. Raybould: It doesn't look at it that way for the office cap. It would look at new uses being  
7 added so, it wouldn't affect the office cap because it's all existing.

8  
9 Commissioner Chang: Okay, thank you.

10

11 Chair Lauing: Commissioner Templeton.

12

13 Commissioner Templeton: Thank you Chair. Just wanted to piggyback off of some of the  
14 comments my fellow Commissioners made about value to the City and ask staff if housing has a  
15 value to the City.

16

17 Mr. Yang: Yes, it absolutely does, and obviously we're in our Housing Element process right  
18 now and we all know how much... how great it is to have more housing units. It's not something  
19 I think we can put a monetary value on in a way that we can on some of these other things.

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Templeton: Yeah, I totally agree, and I think that that's what makes it difficult  
2 and perhaps a little imbalanced to come back with an analysis that speaks only to the financial  
3 matter, so I want to encourage stage to think about ways to convey that housing adds it's own  
4 value to the City. We might be able to look at it in terms of you know, what kind of cost it might  
5 have if we don't make our numbers, and things like that, I don't know. But, in any case, even if  
6 we can't convert it to dollar amounts, it would be important to include the value in the  
7 statement that that adds value in any analysis that you provide in the future that talks about  
8 value to the City. Thank you.

9

10 Chair Lauing: Commissioner Roohparvar.

11

12 Commissioner Roohparvar: I was just going to piggyback on what Commissioner Templeton  
13 said, it'd be good to get not only a quantitative but a qualitative analysis on the social impacts,  
14 impacts to young families, diversity, et cetera, greater housing could have, to bring more flare,  
15 rather than just a financial analysis. Thank you.

16

17 Chair Lauing: Commissioner Hechtman.

18

19 Commissioner Hechtman: Yeah, I just want to piggyback on that and then I do have some other  
20 questions but I'm going to hold those until after public comment. So. But just on this financial

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 issue, I'm not sure what staff's going to bring back but I think we need to recognize and figure  
2 in the calculus, we have to recognize that this is not a typical project where this developer is  
3 coming to us and proposing I want to do seventy-four units and I want this to be R&D and these  
4 two offices, and we'll give you this park and this money, and this land to build something.  
5 Rather, the developer has come to us and said I want to do an SB330 project which is effectively  
6 ministerial, and the City Council and Ms. Winston has gotten in front of them and said wait,  
7 maybe there's something that could work better for us and work better for you. And to their  
8 credit the developer said okay, let's talk, and has entered into meaningful negotiations and  
9 funded all of these documents that we're looking at and I applaud them for that but that goes  
10 into the calculus too. That this is not just a situation where we can hold some developer's feet  
11 to the fire because we have all the cards. Here, we don't. And so that needs to be folded in but  
12 again I don't know that that's a monetary analysis as much as a qualitative one. So, with that I  
13 do have technical questions, but I'll wait until after public comment. Thank you.

14

15 Chair Lauing: Okay, so let's do go to public comment whether online or in Chambers, Madina?

16

17 PUBLIC COMMENT

18

19 Ms. Klicheva: Let me start with speaker cards that I've received this evening. Our first speaker  
20 is Jeff Lavinsky.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Mr. Jeff Levinsky (Public Comment): Will there be three or five minutes?

Chair Lauing: Generally, it's five unless it's too busy and it's not too busy so if you'd like to do five, that's fine.

Mr. Levinsky: Very good, thank you. Good evening Commissioners, thank you for holding the session, first of all I very much support full retention of the cannery and the office building and anyone who does read the DEIR will understand the value it discusses of that. There's the remaining legacy of an earlier era of our City with a unique tale about extraordinary entrepreneurship and a time of adversity which should be working hard to retain every inch of the cannery of the Ash building. Demolishing almost forty percent of the cannery building as would happen under the original proposal and alternative three seems very wrong headed. To that I'd like to encourage the Commission and everyone else to think about how to improve the current proposals. Here's one idea. If you look at the plans for alternative three on packet page sixteen, you'll not a proposal to build a large, long garage structure between the cannery and the back of the homes along Olive. Alternative three would also tear down the portion of the cannery along Park Boulevard and put townhomes there. But you could do it differently. Instead of demolishing part of the cannery, use it as the garage. You've probably all been in older warehouses that have been converted into parking garages. Such reuse requires minimal

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 if any, exterior modifications. You can probably even fit two levels of parking inside the  
2 cannery, if necessary, then you wouldn't need to build that new garage and you could put some  
3 townhomes there instead. This would fully preserve the cannery building and likely generate  
4 nearly as much housing or as much housing as the current alternative three. And it seems  
5 superior because it totally preserves the cannery. In fact, you could even improve it a little bit  
6 by putting the parking where Fry's is currently, the empty spot for Fry's, that way you wouldn't  
7 even have to move any of the office uses right now. And that's just one idea. Alternative two  
8 seems worth looking at a lot more carefully too. It's chief problem seems that it would add a  
9 third floor to the cannery, altering the building and risking historic integrity. But why is a third  
10 floor needed? The cannery building is about two hundred and thirty thousand square feet in  
11 size, and only seven thousand square feet wouldn't be used for housing so that's almost eight  
12 hundred square feet per unit if you only used one floor. If you put two stories in, you could  
13 probably get twelve hundred or more square feet per unit, so I don't know why you'd need a  
14 third floor for that. It produces far more housing than the other proposals, it eliminates R&D so  
15 it incredibly improves our housing imbalance, that means less traffic, less green house gases,  
16 it's the better option as the DEIR itself states. There's a small problem with table 6-1 on DR 6-2,  
17 and that it doesn't clearly distinguish between proposals that would demolish part of the  
18 cannery and ones that won't. Where it says alternative two would remove R&D and warehouse  
19 space, it really should say it would preserve the entire building but convert that space into new  
20 use. And that takes me back to alternative three, I think there was an incorrect statement

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 before saying that there would not be an increase in office space but there will be because the  
2 AUDI building would be converted into office space, and I think that would go against the office  
3 vestiges. Some one nodding there. The whole idea I think of the NVCAP was to try to create a  
4 more pleasant residential neighborhood so the idea of converting a neighborhood serving  
5 business into R&D offices seems very much out of what we're trying to do for north Ventura.  
6 That brings me to another question about the financial value and I very much agree with all the  
7 comments about trying to understand the financial deals and all the intangibles as well, I think  
8 it would be really good to get that forward to the public, we've never had that before for a PC  
9 project so I'm happy to hear everybody talking about that. Finally, I couldn't find any discussion  
10 of what I think should be a no-brainer, now that the enormous historic importance of the  
11 cannery and the Ash building has been studied and documented, why don't we go ahead and  
12 place them on the California Register of Historical Resources and on our own local registry,  
13 immediately. We all know that property owners and their goals change over time, not every  
14 project approved by the City ever comes to fruition. Changes in interest rates, construction  
15 costs, or other occupancy, office occupancy rates might cause Sobrato to abandon it's current  
16 ambition and go in a different direction. They might even sell the property to someone with  
17 very different goals. But by registering the historic buildings, we'll be protecting them and  
18 preserving the legacy for all in Palo Alto and beyond, no matter what. So, please ask, why we're  
19 not having these buildings protected, independently of everything else here, thank you very  
20 much.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1

2 Chair Lauing: Thank you.

3

4 Ms. Klicheva: Thank you, our next speaker is Liz Gardner.

5

6 Ms. Liz Gardner (Public Comment): Good evening... (interrupted)

7

8 Chair Lauing: Is three minutes sufficient or would you like five?

9

10 Ms. Gardner: A little bit more, five.

11

12 Chair Lauing: Okay.

13

14 Ms. Gardner: I might end sooner but just listening to the conversation tonight I had some more  
15 thoughts. Mostly, this parcel is like a one-hundred-year opportunity. A one in a century  
16 opportunity for us as a community to really come together and do what's right for the future.  
17 For today. As I was listening tonight, I was very concerned that an RM30 that has been  
18 designated such for almost thirty years is going to chopped up into different designated zones  
19 where you... we won't ever get it back. And to carefully look at this EIR and these alternative  
20 plans for the opportunity of our community, I want to thank Sobrato and the CC's ad-hoc

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 commitment for taking this fourteen-acre site as a serious contender for our areas unhoused,  
2 our state and our county and our city is in a humanitarian emergency. However, I'm so  
3 disappointed that much of the areas plan is designated for commercial use and for market rate  
4 townhomes. If everyone has noticed, that much of office work is hybrid now, a fact that the  
5 pandemic has changed forever. And our community has to address the housing hole that is fifty  
6 years past due. Mostly what is necessary is homes for our regular waged service workers.  
7 Families who should be given priority for homes near good transit options walking schools,  
8 hospitals and yes, jobs. Jobs to work and all of the above that I just mentioned. One acre of  
9 parcel of this fourteen is only earmarked for low-income family homes. An acreage for more  
10 homes for all incomes and abilities family size. The site could be the gold standard. Right. It can  
11 be realized, please, I'd like to see a separation between a park designation and the parcel  
12 designated for housing which I believe and strongly encourage there be more housing for ...  
13 more affordable low-income housing for low-wage workers. I also really urge you to look at  
14 what types of units. Sobrato had a beautiful rendering of the outside and the ground space, but  
15 what are these units going to look like interior wise. Beautiful facades and massing and parking,  
16 all that's great but these are homes and one of your commissioners, Templeton, talked about  
17 this. It's like what's the added value, right. We look at financial, well what is the added value of  
18 community? And our future and where these homes are going to take our residents into the  
19 universe or the world, or our workforce. These are things that I think need to be seriously  
20 looked at this in an RM30 site, it's been for almost for forty years, we're in a housing hole, let's

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 keep it whole and not break it apart. We'll never get it back. Not ... let's not give away more  
2 home zoned areas. That's all I'd like to say, thank you.

3

4 Chair Lauing: Thank you very much. Madina, the next one.

5

6 Ms. Klicheva: I have two more speaker cards and I do not see any raised hands on zoom. So,  
7 our next speaker is Rebecca Sanders.

8

9 Chair Lauing: She actually departed.

10

11 Ms. Klicheva: Oh, okay. So, my last speaker card is from Terry Holsinger.

12

13 Chair Lauing: Would you like five?

14

15 Mr. Terry Holsinger (Public Comment): I would love five.

16

17 Chair Lauing: Okay, go for it.

18

19 Mr. Holsinger: First I'd like to clarify if I speak at the 26<sup>th</sup> meeting, will that preclude me from  
20 speaking now or...

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Chair Lauing: No.

Mr. Holsinger: Okay. Alright. First of all, I'd like to give some thank you's really quickly, I'd like to thank Claire, City staff, for it's cooperation in sending out the information. That was most helpful to me. I'd also like to thank staff again for the time extension, I really appreciate it because the original date of ending this on the DEIR on Halloween was a very bad choice because I'm a schoolteacher. And last but not least I really want to appreciate some of the DEIR analysis of alternative two in this report. Alternative two which respects the historical aspects of the building is something I hope the City will continue to review, improve upon and study as the EIR process moves ahead. I do have concerns about adding the extra story, and how that affects the historical aspects of the building. But I do believe that it is much better than alternative three. I want to quickly thank also, because I want to speak about briefly, about what is dear to my hear and I speak emotionally a little bit here. I care greatly as an educator about our history. And there is no... I think, no more important building in Palo Alto than the project that you have in front of you. The reason I think this is true because we talk about our recent pioneers like Eli Musk and Steve Jobs and David Packard, we even have a wonderful garage. However, what we don't talk about is truly, our history. Way before those people came on to the scene. Pioneers like Thomas Fung Chu, I want to mention, are worthy of the same admiration and recognition that we treat our modern innovators like Packard and Jobs. This is

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 the reason why this project, 340, or 200 Portage which ever you want to call it, is not just  
2 another old tired industrial building that has outlived it's usefulness. It's truly an invaluable,  
3 historic resource and should be recognized for the age before computers and silicon chips ever  
4 existed. There was a beautiful place here once, and it still is, but in those days, it was known as  
5 very fruitile valley. It was one of the very best fruit and vegetable growing areas in the entire  
6 world, and it was recognized for that. Built in 1918 originally, this building, 340 Portage,  
7 represents one of the last cannery operation buildings that is still let standing in our valley  
8 today. I urge you to be concerned as this project moves forward, to make sure that this project  
9 is properly recognized. The City's own consultant, Paige and Turnball, as you have heard earlier,  
10 recognized this as a State resource, historical resource, and I urge you to consider adding this...  
11 which I think you have the power to do, I hope, to add this to the historical registry of our city.  
12 It is long overdue that this is City recognize that this is not just an industrial building. Thomas  
13 Fung Chu was just an instrumental part of our City. He started the ... let me tell you a little bit  
14 about him in case you don't know. He started the bayside cannery in 1906 and there's a large  
15 cannery that is falling down in San Jose. However, our structure here in Palo Alto is one of the  
16 last really, remaining structures. He turned the Bayside Cannery into the third largest cannery  
17 operation in the world. Thomas was not only a cannery innovator, he discovered the first way  
18 to can asparagus. Where he became known as the asparagus king. But even more important for  
19 Thomas, for us today, he was known for treating workers right and having worker's rights in his  
20 building. He gave workers a place to live free of charge. He gave them food on a regular basis

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 and he was also known for treating all races and people the same. He hired women, he hired  
2 people of all races in his business. I'd just like to finally say that this is an opportunity to think  
3 about the future in protecting this building. Thank you.

4

5 Chair Lauing: Thank you very much. That concludes the speakers on the item.

6

7 Ms. Klicheva: That is correct, I do not have any speaker cards and I do not see anyone on zoom  
8 who raised their hand, no raised hands.

9

10 Chair Lauing: Okay. So, let's go back to the Commission for other questions. I see Commissioner  
11 Roohparvar .

12

13 Commissioner Roohparvar: Not to open up this can of worms again but I've been thinking  
14 about this process issue, Ms. French, if we're leaving public comment open until November  
15 15<sup>th</sup>, is that what you guys proposed.

16

17 Ms. French: No, what there was a proposal to move it to the very next meeting October 26<sup>th</sup>.

18

19 Ms. Raybould: The public comment period on the draft EIR will close November 15<sup>th</sup> now.

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Ms. French: Yes but I think what I thought you were saying was when is the next (crosstalk)

2

3 Commissioner Roohparvar: No no. No I was thinking about the comment period, I was going to  
4 pose that ... but I think if the comment period is going to end November 15<sup>th</sup>, wouldn't it make  
5 since for us to have like a follow up meeting November 30<sup>th</sup> so that we can hear all that, so we  
6 can read all that public comment?

7

8 Ms. Raybould: So, we are currently planning on hoping to return on November 30<sup>th</sup>. So the PC  
9 process, the planned community zoning process requires you to come to the Planning  
10 Commission with a conceptual project, then you get a recommendation from the Planning  
11 Commission to move forward to the Architectural Review Board, with a more detail design, and  
12 then returns to the Planning Commission for a formal recommendation on the final you know,  
13 Planning Community zoning, you know land use amendments and detailed design plan. So  
14 currently we're hoping to come back for that initial recommendation to move forward from a  
15 conceptual project to the Architectural Review Board on November 30<sup>th</sup>, following the draft EIR  
16 review period. And then returning to Planning Commission, you know, hopefully in January or  
17 February timeframe.

18

19 Commissioner Roohparvar: [Inaudible/echo] on November 26<sup>th</sup> instead of (interrupted)

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Chair Lauing: Council Yang I think can help.

2

3 Mr. Yang: I guess I would also respond you know, we wouldn't expect to provide the Planning  
4 Commission with all the comments that we receive on the draft EIR, for the PTC's review, all  
5 those comments will be included in the final EIR... (interrupted)

6

7 Commissioner Roohparvar: Oh, and then you respond to them in there. Okay. I got it. That  
8 makes sense. Sorry. I've just been thinking about it this whole time. Thank you.

9

10 Chair Lauing: Okay. Other Commissioner comments? I think Commissioner Hechtman you had  
11 some other ones.

12

13 Commissioner Hechtman: Yeah, I do have some questions but just to follow up on that, so it is  
14 part of the CEQA process after the comment period ends, staff has to compile all of those  
15 comments both written and oral and respond to them and that is a lengthy process, of course  
16 depending on the volume and contents you get, but I can't imagine with this project that that  
17 will be done in two weeks, in time for November 30<sup>th</sup>. I would expect it to take a number of  
18 months to do that work and as Counsel Yang said, those come out... that's one of the aspects of  
19 the final EIR, it includes the comments and responses to comments. And sometimes some  
20 adjustments to the project or in this case, the project alternative to respond to those

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 comments. So, it's all a part of the process. So, my questions. I'll just kind of go through them in  
2 order as I saw them in reviewing the staff report. My first question is about parking. There's a  
3 couple references in the staff report on packet page 26 and again on 34-36, about there are  
4 some anticipated shortfalls in vehicle parking compared to standards or otherwise applicable  
5 standards, and I just wanted to ... I suspect that that shortfall can be addressed in the context of  
6 our Planned Community District zoning, right. That's one of the many areas where City can be  
7 flexible using that designation and I just wanted to make sure that there wasn't some reason  
8 that you can't modify parking requirements in a PCD zone.

9

10 Mr. Yang: That's correct. It's one of the levers that can be changed in the PC, it can also be  
11 addressed as a parking adjustment under the existing code.

12

13 Commissioner Hechtman: Okay, so that's not going to stop this project. I did notice also... it's  
14 kind of odd when you think about a fifteen-acre site, currently in the current plans a bike  
15 parking shortfall, but I'm confident that can be worked out through some design thought. Let's  
16 see, I was curious on the TDM there's a target reduction of fifteen percent and Mr. Steele  
17 mentioned it in his remarks and I saw it in the staff report and I was curious about it's origin  
18 and I found on packet page 101 a footnote to table one, the project would be required to meet  
19 a fifteen percent trip reduction set by the City of Palo Alto staff for this project. And so I was

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 just curious as to why just fifteen percent rather than a higher or lower figure, the origin of that  
2 number, where it came from.

3

4 Ms. Raybould: Albert do you want me to start? So, that's okay. So, the fifteen percent came  
5 from the negotiations on the development agreement. It's a little bit unclear you know whether  
6 it would have... you know, a TDM plan would apply to this project. It's kind of a unique scenario,  
7 typically as kind of outlined in the staff report, typically if you have more than fifty peak hour  
8 trips, it triggers a need for a TDM plan and if you do a TDM plan we base it based on the project  
9 area and what's typically required is twenty percent. In this scenario, you have existing research  
10 and development uses and then you have the townhome... market rate townhome project and  
11 then the City's affordable housing project, and so, all of those together under the development  
12 agreement would trigger that fifty peak hour trip scenario, but it doesn't trigger it without the  
13 City's affordable housing project incorporated into that. And so, whether the developer would  
14 be required to apply a TDM program for their commercial or somehow to their townhome  
15 development project, which would be quite difficult, it seems like it wouldn't really necessarily  
16 apply. And so, but the applicant, as part of the development agreement, has proposed a fifteen  
17 percent reduction. Now, your comments and input on that are certainly warranted and  
18 appreciated. So.

19

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Hechtman: Okay, so thank you for that explanation and I don't have any  
2 objection to the fifteen percent, and I did pick up some of the flavor of whether or not they are  
3 required to do any TDM from the staff report, I was mostly just curious as to how that  
4 particular number was arrived at and I think your answer was it was negotiated and so I'm fine  
5 with that. I don't have any issues under these circumstances with that target and I appreciate  
6 Sobrato stepping up to something that was actually close to the number that would apply if a  
7 TDM were clearly required. So, I think we're good there. This is a comment not a question, but I  
8 think this is you know, a topic that's going to echo through all of the discussions as we move  
9 forward and that is, historic resources and preservation. And this is always a challenging issue  
10 whenever you're looking at redevelopment of a site that has a structure of historic importance.  
11 But I always feel you need to balance retaining those structural ties with our past with making  
12 room for modernization and growth and so as we move forward here.... And I think the project  
13 is trying to do that. I think some of the renderings help reflect that today, and so I think that  
14 recognition needs to be part of our dialogue as this moves forward. It's not an all or nothing  
15 proposition, it's how can we keep the past and move toward the future. Trees... I read 107  
16 removed and a hundred and twenty planted, so those are good numbers and I think... maybe  
17 staff can help me because I couldn't find it sitting up here again, I think I read that none of the  
18 107 are heritage but many of them are protected, or some number of them are protected. Did I  
19 read that right... somewhere?

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Ms. Raybould: Yeah, so it's a little complicated because none of them are heritage trees. The  
2 SB330 townhome project, because it was filed as an SB330 project locking in development  
3 standards before our tree ordinance changed, is not subject to the new ordinance  
4 requirements, which is more all encompassing in terms of what is considered protected trees.  
5 The development agreement was filed after the tree ordinance was adopted and so it is  
6 technically subject to the current requirements. But as a development agreement, the... so I  
7 think when we're looking at and analyzing that, we want to understand what the base line is in  
8 comparison to the current ordinance, but the planned community, rezoning, and the  
9 development agreement would allow for you know, what our Commissions and Boards and  
10 Council will allow in terms of tree removal, so we want to align that as much as possible to our  
11 current ordinance, obviously. But it is a little bit of an awkward scenario in that respect.

12  
13 Commissioner Hechtman: That's good background when we're looking at this alternative three  
14 and this proposal that involves removing one hundred and seven and a hundred and twenty  
15 what is in alternative two that needs to color our view on that. So, Chair, I do have a few more  
16 questions but I think maybe I'll yield the floor and you can come back to me after some others.

17  
18 Chair Lauing: Okay. Very generous. Commissioner Chang.

19

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Chang: Can I just follow up on that tree question because I had some one... but...  
2 what with the number of threes that are removed, I understand that none of them are heritage  
3 under the original tree ordinance, and then what would the situation be now? Because  
4 hopefully then the replacement trees we can ask that like larger trees or whatever is...

5

6 Ms. Raybould: Certainly, yeah, so we can certainly ask for more replacement trees under that  
7 you know, some of those may not be able to be replaced on the site so they could be provided  
8 off site or in lieu potentially. The ... we've asked for clarification on the plans, when we  
9 reviewed the initial plan set that's before you tonight, it didn't analyze based on our new  
10 ordinance, so we've (interrupted) asked for it (interrupted) to be revised (interrupted).

11

12 Commissioner Chang: Okay great. Thanks. Yeah, I think that would be one of our requests just  
13 to see if they're willing to... if there's a significant number of currently protected trees that  
14 are... yeah, I'd like to know how many currently protected trees would be impacted and if  
15 there's any willingness to.... You know, address it.

16

17 Chair Lauing: Commissioner Reckdahl.

18

19 Commissioner Reckdahl: One of the goals was to decrease lower employment density of the  
20 area and so I'm a little nervous about the cannery being a hundred and fifty thousand square

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 feet or almost a hundred and fifty thousand square feet. Could I ask the applicant about their  
2 anticipated...

3

4 Chair Lauing: Yup, that's fine.

5

6 Commissioner Reckdahl: Employment density.

7

8 Chair Lauing: Yes.

9

10 Mr. Steele: Good evening, Yes, I think part with the R&D use instead of an office use in the  
11 building the intent is not to have quite as an intense use in offices potentially. Also, with the  
12 fifteen percent reduction and the slightly lower parking ratio we're expecting to be able to  
13 control the density much more than what an office could potentially have in the building.

14

15 Commissioner Reckdahl: So, what density would you anticipate?

16

17 Mr. Steele: Typically, for an R&D use you're going to have three to four employees per  
18 thousand but what happens is a lot of the space like playground global, which is in the western  
19 end of the cannery building now, they have a lot of shop space, a lot of C&C's work places, a  
20 kitchen, so it ends up averaging the space down to about three to three and a half.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

Commissioner Reckdah! Three to three and a half people per thousand...

Mr. Steele: Yeah.

Commissioner Reckdah! Okay. So...

Mr. Steele: You know we don't have a way to say you can not have more than one or two or five whatever, but with the R&D designation on it and the lower parking and a fifteen percent reduction, the volume of people in that space is going to certainly have some control factors.

Commissioner Reckdah! That's still... that's going to be five hundred employees there.

Mr. Steele: That's there today (crosstalk). We have those tenants in the building today.

Commissioner Reckdah! How many employees do you have there today?

Mr. Steele: I'd have to go count but that's how the space is currently occupied by R&D uses.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Reckdahl: So this is the portion outside of Fry's, between Playground Global and  
2 (crosstalk)

3  
4 Mr. Steele: And the other spaces that are occupied in that building are all R&D uses in the  
5 building today. If I walked over there today, as you know, the pandemic cloud that's still there,  
6 a lot of people are still working from home part time and such so at any one time you're  
7 probably not going to see the full extent of those employees on site at one time today.

8  
9 Commissioner Reckdahl: Yeah, I have real mixed feelings about this. In some ways there's some  
10 things I really like about this project, the creek restoration has a possibility of being just  
11 gorgeous and we are getting a deep value... the deep affordable housing and just not  
12 inclusionary units, it's below eighty percent AMI and so there's a lot of good things about this,  
13 but I was on NVCAP with Tim, and we envisioned that this would be a neighborhood that was  
14 provided a lot of housing, we have just a short housing in the city, this would be a center for  
15 housing that would have had hundreds or thousands of units and it would really be a nice  
16 neighborhood, vibrant neighborhood, centered around housing and still this in some ways is a  
17 lost opportunity. This land is RM30 and we're building or retaining hundreds of thousands of  
18 square feet of office and you know when you're short on housing and you take RM30 and allow  
19 office to remain there, that that's kind of hard to swallow it's ... I don't know how to conclude  
20 this but I have mixed feelings, let me put it that way.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Chair Lauing: While you're up, I wanted to ask a housing question of the developer, can you just tell us what the assortment is of the townhouses? Bedroom size.

Mr. Steele: Threes and fours in the seventy-four townhomes.

Chair Lauing: Three and four bedrooms?

Mr. Steele: Correct. David would have the exact count for each maybe at this fingertips? Do you have that? (laughter) It's a test David...

Mr. Burton: Yeah, I didn't have that one prepared. I think we have mostly four bedrooms and a couple of the units are three bedrooms. More than half of them would be four bedrooms.

Chair Lauing: Okay. Other Commissioners? Vice-Chair Summa.

Vice-Chair Summa: Thank you. So, I'm wondering if under CEQA you can evaluate the impact of something that's not there. Because you've sort of evaluated as part of this project the affordable housing that the City would build on the land that Sobrato has so generously given and money but I don't think CEQA can take that into consideration because it's not there.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1

2 Mr. Yang: That's actually what the purpose of CEQA is to do... is to evaluate what's being  
3 proposed. Right. And so, this is a situation where a lot of the site is already built, but for  
4 example CEQA's evaluating the townhomes, which are not there right now. And, the purpose of  
5 including the affordable housing as a part of this EIR on this site, it's a part of this plan, the  
6 City's plan on what to do with this property, but two, if we do have a future project with a non-  
7 profit partner, to build you know affordable housing that falls within the parameters of what  
8 we've assumed here, which is seventy-five units, then we don't need a separate environmental  
9 review for that project, it's already been evaluated and studied here.

10

11 Vice-Chair Summa: And what about the compatibility of that project with the historic resource.  
12 Has that... was that... I really didn't have time to read the entire DEIR, but I don't know that the  
13 other buildings ... the new townhouses or the affordable... I don't know that the compatibility  
14 just visually of those was considered in the impacts in this draft environmental review.

15

16 Mr. Yang: Go ahead Claire.

17

18 Ms. Raybould: I don't know if in terms of the actual townhomes... we have our environmental  
19 consultants, Rincon Consultants, online; I don't know Carla if you can speak to that in a  
20 moment. The future affordable housing, you know, we don't have a detail plan for at the

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 moment so, we really can't analyze that but you know, when we have a detailed plan, we  
2 would evaluate whether it falls within you know, what was assumed for the draft EIR and  
3 evaluated, and if we feel that there are concerns and we need further evaluation of that, then  
4 you know, we can prepare an addendum or similar if we feel it's necessary to do so.

5

6 Vice-Chair Summa: Yeah, and it's just that the setting of a historic resource is an important part  
7 of what makes it important. And then, if alternative three is what happens when it ends up  
8 being built, I'm just confirming it won't be historic anymore, right? Because we've removed a  
9 third of it, approximately.

10

11 Mr. Yang: I guess that's not necessarily the case. You know the draft EIR concludes that the  
12 removal of that portion would be a significant impact on this resource but it's a different  
13 analysis from whether the resource retains integrity. And in this case, because the historic  
14 nature is based on events rather than architecture, it's possible... it's not an analysis that we've  
15 done, but it's possible that the site would retain it's historical integrity. And so, could be a listed  
16 resource.

17

18 Vice-Chair Summa: And a member of the public mentioned an option, I don't know if the  
19 property owner is interested in this at all, but of using the portion that's going to be removed of

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 the cannery building, for either parking... is that a possibility that anyone is interested in and  
2 sort of retaining more of the historic resource or... is that a realistic possibility?

3

4 Ms. Raybould: I don't know if the applicant could speak to that .

5

6 Mr. Steele: We haven't provided all of the backup information as to why, but we have done  
7 even before the ad-hoc committee discussion, looked at various options for trying to identify  
8 housing that we could support and would make economic sense density wise and location wise  
9 and the best location in all of that analysis came back to the original location of the ninety-four  
10 townhomes, which were all along Park rather than buried in the project.

11

12 Vice-Chair Summa: Okay. Thank you. Oh, I just had a... I understand that the applicant is being  
13 very generous by giving us land and five million dollars, I don't... I forget the budget on the  
14 last... on Wilton Court, I don't know how far five million dollars go and how much the land is  
15 worth for building seventy-five units, I think a unit of affordable housing costs about eight  
16 hundred thousand dollars, I can't do the math that quickly in my head, but I'm always  
17 wondering, as an all deed restricted affordable housing project, it will be probably at the thirty  
18 to sixty area median income AMI, the inclusionary is typically at a hundred to a hundred and  
19 twenty, which makes it nearly market rate. I wonder why we don't need both of those things

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 there. So, the inclusionary portion in the townhomes and also provide for a future all affordable  
2 project.

3

4 Mr. Yang: I guess I would say you know, of course we need as much affordable housing as  
5 possible, at all income levels, but you know, when it's presented in the staff report, is the deal  
6 that was negotiated. If we ask for more in the affordable arena, they may have been some  
7 other lever that would... (interrupted)

8

9 Vice-Chair Summa: Yeah, and that brings up another... I mean I'm not second guessing the ad-  
10 hoc or anything, it's just that we have no idea of what happened and how these came out to be  
11 this way. So, I guess I'm also, like my colleague Commissioner Reckdahl, I'm a little disappointed  
12 that this site is not ... is retaining so much of the commercial, which we didn't really envision as  
13 the right way to go there, and I guess I'm a little bit... I'm concerned that we're not... I think this  
14 might be the last cannery in the bay area, I'm not sure, from the staff report, it mentioned that  
15 and so I'm wondering if that might not be considered not only a significant aspect but a  
16 cumulative... a significant impact but a cumulative impact if it really is the last one, so, the issue  
17 of how much commercial is being retained and the issue of how much of the historic is being  
18 removed is a concern even though there is a lot of interesting things about this project, and I  
19 understand the complexities and I forgot to mention how much I appreciated the applicant

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 coming here tonight and to say hi to Mr. Steele because I was on the NVCAP with him, so sorry I  
2 forgot to say hi.

3

4 Mr. Steele: Thanks Doria.

5

6 Chair Lauing: Commissioner Hechtman back to you.

7

8 Commissioner Hechtman: Chair you haven't had a chance to ask questions or comments  
9 (crosstalk)

10

11 Chair Lauing: Yeah, I asked about the housing, which I tagged on to that. I have a question on  
12 the hazardous materials. The plume and so on, is that sort of... we don't know what we're  
13 getting into? Or is it... we think it's okay, but it just has to be mitigated?

14

15 Ms. Raybould: With respect to the plume, it's known impacts from volatile organic compounds  
16 and ground water contamination and so (interrupted)

17

18 Chair Lauing: Yeah, I don't have the expertise to know if that's easy or hard.

19

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Ms. Raybould: Well, typically, there are different ways, it's caused by, as I'm sure you're aware,  
2 offsite migration, to the site that's down gradient from the Varian and HV site, so typical... so  
3 we can not require under CEQA mitigation for impacts of the project on the environment. But  
4 under our comprehensive plan we address those impacts to the potential future users or  
5 existing users of the site, and we address those impacts through conditions of approval of the  
6 project. And what we require is oversight from an appropriate agency which is typically either  
7 County Department of Health, Department of Toxic Substance Control or Regional Water  
8 Quality Control Board. Typically, the applicant either uses County Health or the Regional Water  
9 Quality Control Board to provide that oversight. And what they will do, is they do a complete  
10 you know, assessment of the site, they provide that information, they provide a proposed  
11 mitigation plan for it, it's reviewed by the oversight agency who approves their mitigation plan.  
12 A lot of times that includes a vapor intrusion mitigation system, you know, other... that's pretty  
13 standard for this area, but it's really site dependent. They look at it and evaluate what's exactly  
14 on the site and what's the most appropriate mitigation for the property. So, but that is the  
15 typical standard is to do some form of vapor intrusion mitigation system.

16

17 Chair Lauing: So, you're not anticipating, unless we find Indian remains, which is a little bit  
18 different, you're not anticipating this to be a deal stopper.

19

20 Ms. Raybould: No.

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1

2 Mr. Yang: Yeah, it's one of the things that we are working with Sobrato to make sure that we  
3 do the studies on that parcel that the City would be obtaining and so we understand what  
4 we're getting into before we actually get into this deal.

5

6 Chair Lauing: Yeah, okay. The other thing I was going to say was a lot of the comments from  
7 the developer tonight referenced 3A (b), which I think was approved by this body, not  
8 unanimously, shall we underscore, and that was actually overturned at Council, and they went  
9 back to alternative one and this has been adjusted so, it's gone through a lot of process. But the  
10 net, as a couple of my colleagues have noted, is this is much less housing than I think anybody  
11 in all three scenarios was looking at in all of the NVCAP meetings, so... It's a little frustrating in  
12 that regard, we're not the ones to raise this and we're not going to do it tonight, but if there are  
13 ways to have more housing here added to the project with some trade-offs, it might be worth  
14 having a discussion about maybe with the ad-hoc or the Council or something but there's an  
15 ongoing frustration in the community if that's the net net... where we are right now. So I just  
16 kind of wanted to express that. Okay, Mr. Hechtman.

17

18 Commissioner Hechtman: Thank you. Thank you, and that's a great segue Chair, because I want  
19 to talk about housing units. First, I want to notice tonight that our Agenda indicates seventy-  
20 one new townhome condominiums. Reading the staff report and the DEIR it looks like that

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 number is seventy-four, so I just wanted to point that out to staff, because sometimes you  
2 reuse these descriptions in future agendas, so clean that up and we just picked up three units  
3 right there. So, that's a good start.

4

5 Ms. Raybould: Thank you for noting that. My apologies.

6

7 Chair Lauing: Put a couple of zeros on that in your next comment please.

8

9 Commissioner Hechtman: Alright, but actually that leads to a question I had for Mr. Steele and  
10 that is, you're at seventy-four units in this alternative and I recognize there are a lot of  
11 constraints to this site, and I'm sure you've looked at this but I want to ask the question, is  
12 there are way you can increase the unit count in an economically viable way so that we do end  
13 up with more units on the market rate side of this overall development.

14

15 Mr. Steele: Part of our original SB330 project was ninety-four townhome units. But they ... you  
16 might not have noticed or remember but it actually goes to the Creekside of the Portage and it  
17 conflicted if you will, with the priority of accumulating enough land for the naturalization of the  
18 creek which was part of the study that the City did as part of the options for the creek  
19 naturalization as well as that was the location the city preferred for a site for affordable

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 housing. So, then any more would really be looking at removing more of the cannery building,  
2 of that type of product.

3

4 Commissioner Hechtman: Okay, thank you for that and those were two of the constraints that I  
5 was thinking of... it's really a confined space that you're trying to work with, and it sounds like  
6 you've, and I would fully expect, you've studied this and this is as close to the sweet spot as you  
7 can find. I did want to talk for a minute about the future affordable housing project which on  
8 packet page twenty-six is called the assumed seventy-five-unit future affordable housing  
9 project, when we come back and talk about this in ... at our next meeting, I'm... I don't want to  
10 go down that street seven, eight, ten years from now and see an empty lot. This property is  
11 going to be turned over to the City and I'm kind of curious as to what mechanisms cities use in  
12 this circumstance to incentivize the City to actually build the housing and not to let this languish  
13 for years while funds are being collected, or the best possibly deal is being struck or all the  
14 neighbors are being satisfied... because that's not a win-win. You know what this project is  
15 proposing with this, could be a win-win and so again, I don't think it's a fair question to ask staff  
16 to answer off the cuff tonight, but I am interested in what we can do if this alternative three  
17 moves forward, to ensure that there's some kind of fire lit to get affordable housing built there.  
18 Maybe it's through an amendment to our comp plan, one of the goals and policies, whatever,  
19 but I'd be interested in hearing about those things. Thanks. I do want to... then I want to talk  
20 about the draft EIR, these are my last questions, and let's see... so, the proposed project is the

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 SB330 project that Sobrato initially proposed, alternative one is the no project alternative  
2 which CEQA requires for every EIR, what if we did nothing. Then there is alternative two, which  
3 our last public speaker mentioned is the adaptive reuse of the existing building and finally  
4 alternative three which is really... it's kind of an odd meeting because usually when a project  
5 comes to you, you're talking about the main project discussed and the draft EIR, but here our  
6 focus is really on the alternative... Alternative three which is the development agreement deal  
7 ... version of the thing, so, and I was curious about this alternative two adaptive reuse and what  
8 I noticed on page 6-... let's see, now I'm not sure where it's stated... but alternative two ... the  
9 adaptive reuse alternative two, the draft EIR says it would meet most of the project objectives  
10 of.. and again, these are all by comparison to the proposed project and I really didn't  
11 understand that but I want to understand it. So, if we could go to page.... Hmmm? Yeah, that's  
12 where it says that statement, if we go to the table on six-two, which one of our public speakers  
13 mentioned, and table six-one which is the top half of the page, and here's a side-by-side  
14 comparison which is useful. So, I had a question for staff... in the first column... are you with me  
15 on that table? Okay. Where it says proposed project, and we're working down ninety-one  
16 residential units, then other units, rehabilitation of the portion of the... of A portion of the  
17 existing building at 200 Portage Avenue for R&D uses. So, that's ... this is what Sobrato  
18 proposed, with it's SB330 application, what I... staff, would you happen to know the portion of  
19 the existing building that would be rehabilitated for R&D use? Do we have that square footage?  
20

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Ms. Raybould: It's the same as the development agreement alternative.

2

3 Commissioner Hechtman: So, it's a hundred and forty-two thousand square feet. Okay. So, but  
4 alternative two would remove a hundred and forty-two thousand square feet of R&D space.  
5 Right?

6

7 Ms. Raybould: No.

8

9 Commissioner Hechtman: That's what ... that's what...

10

11 Ms. Raybould: Oh, I'm sorry... Yes, yes.

12

13 Commissioner Hechtman: Right, alternative two is the adaptive reuse one. Right. So it struck  
14 me that if one of the goals... if the primary goals of the original project were to have ninety-one  
15 townhomes and a hundred and forty-two thousand square feet of R&D space?

16

17 Ms. Raybould: No, the goals of the development agreement are different from the stated  
18 objectives of the draft EIR. So the draft EIR has to identify objectives to help the lead agency in  
19 identifying reasonable range of alternatives for the project and so the project has a list of  
20 objectives on ... hold on... 2.6 on [page] two-thirteen of the EIR so. It's on page 2-13.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Commissioner Hechtman: Right. And so, this was part of my confusion. You're right. And I said project goals, I meant objectives. But I had noticed that these project objectives, one through five, don't include anything about the R&D space.

Ms. Raybould: Right.

Commissioner Hechtman: Right. And so, I guess ... but it's clearly... it's a part of what the developer is envisioning in the proposed project, so it makes me wonder if the project objectives are incomplete in a way that makes alternative two look like it meets most of the objectives because all of the true objectives of the project component aren't being listed.

Mr. Yang: Yeah, it's interesting question and it's the result of a quirk of the initial project application for 200 Portage for the ninety-one townhomes. That application came in just for ... just with a clear description of the townhomes and it didn't really address what was going to happen with the remainder of the cannery. And so, when we first put together the draft EIR for that ninety-one-townhome project, the objectives just had to do with the residential part of the construction and we just didn't know sort of what was going to happen, with the rest of the site. But it is a good comment, thank you.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Hechtman: Okay, alright. So, and I would mention that, of course, project  
2 applicants like Sobrato here, they're allowed to comment on draft EIRs too because there's kind  
3 of fire wall that's typically built between the applicant and the environmental consultant. That's  
4 a City controlled process so that the applicant doesn't have undo influence. And so, sometimes  
5 it's useful for the applicant to make comments on the draft EIR, just to make sure there's  
6 clarity. You know, somebody reading this draft EIR could think that it's you know, doing the  
7 adaptive reuse, pretty much ends up with the same cluster of uses as the proposed project  
8 would. Or, as the development agreement when in fact that's really not the case when you  
9 consider the R&D factor. Again, this is just a point of accuracy that maybe can be looked at  
10 moving forward. And then, I just wanted to confirm that the... when we look at alternative two,  
11 that adaptive reuse, the two hundred and eighty-one units in that conceptual project those are  
12 all in the cannery building. Is that right?

13

14 Ms. Raybould: There would be twelve ... oh yes, so two -hundred and eight one in the cannery  
15 building and twelve additional in an additional townhome ...

16

17 Commissioner Hechtman: Little cluster some place.

18

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Ms. Raybould: There is a little cluster that was identified in Council's preferred alternative that  
2 would be behind the Ash building, roughly where the affordable housing project is being  
3 identified.

4

5 Commissioner Hechtman: Okay, and in that alternative two, there would not be a separate  
6 seventy-five-unit affordable housing unit project, right?

7

8 Ms. Raybould: Correct.

9

10 Commissioner Hechtman: Those were my questions, thanks so much. And I do want to thank  
11 staff ... as daunting as it is for us to look at all this material, I know staff has read it, cover to  
12 cover, and probably more than once. So, I know it's a lot for us to digest and it's really helpful  
13 for us to have your guidance as we try to do that.

14

15 Mr. Yang: So, I do have a brief response also Commissioner to your question about how likely is  
16 it, what can we do to make sure this affordable housing gets built and this relates to a question  
17 that Commissioner [Vice Chair] Summa had earlier as well, the Wilton Court project, the city  
18 ultimately provided twenty million dollars in funding for that project, but the initial ask was ten  
19 and that was based on the project's projection that they would get some funding from other  
20 sources and one or two of those fell through and they asked the City to increase their

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 contribution, so, I would say ten to twenty million dollars is probably a reasonable range of  
2 what the City can expect to have to kick in, on a project, it may be lower than that, in this case  
3 the land would be free. But that was one of the considerations in seeking to acquire land for  
4 this project and so in terms of reaching that, I think the five million dollar contribution is  
5 intended to help get the City well on the way to making that project a reality, and you know,  
6 hopefully we'll have other kind of funding sources for affordable housing as well.

7

8 Chair Lauing: Okay, thanks. You know, just editorially, in the Housing Element we looked at all  
9 kind of options including using City land for affordable housing and that definitely changed the  
10 economics, and the City is getting this for affordable housing, and we need it, so I'm not as  
11 worried about the motivation because we have some land that some other developer can use.  
12 So, and we've even talked about maintaining the ownership of that and leasing it out in the  
13 context of the housing element so this would be more likely than a downtown parking lot ... to  
14 be developed first for affordable housing. Okay. Are there any other comments? Go ahead  
15 Keith [Commissioner Reckdahl].

16

17 Commissioner Reckdahl: I wanted to follow up about Bart's [Commissioner Hechtman]  
18 question about if there was any way to increase the density here, number of units. One thing I  
19 do like about the townhouses is they do have a lot of bedrooms. Three and four bedrooms. And  
20 that's really hard to find... a lot of our developments are just efficiencies or one bedrooms, so

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 that's really good. But I parked tonight over on Bryant there, right next to Heritage Park and  
2 there they have a nice four-story apartment building which is pretty dense and would provide a  
3 lot of housing. And so, can I ask the applicant about if they have considered something like that  
4 at that location.

5

6 Chair Lauing: You mean more height?

7

8 Commissioner Reckdah!: Just as different styles, as opposed to townhouse, having an  
9 apartment complex...

10

11 Chair Lauing: Sure.

12

13 Commissioner Reckdah!: And right now the height is limited at thirty-five but if you're able to  
14 go above that, would that a feasible alternative to those townhouses?

15

16 Mr. Steele: Thanks Keith [Commissioner Reckdah!] for asking the question, I think currently with  
17 the headwinds that are coming in our direction, starting and designing an apartment building  
18 that probably won't be able to break ground for three to four years is not in our eyes  
19 economically feasible.

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Reckdahl: How's the market in Palo Alto for rental housing versus purchase?

2

3 Mr. Steele: The purchase ... value wise to the underlying is better for purchasing right now in  
4 Palo Alto than it would be for apartments for us to build them [unintelligible].

5

6 Commissioner Reckdahl: We saw a recent project over on W. Bayshore which was also  
7 townhouses, and it seems townhouses right now are a very popular design. There must be  
8 demand for townhouses?

9

10 Mr. Steele: Absolutely. Absolutely. Especially at this location and the walking distance to the  
11 CalTran station and being on the Park Avenue bicycle boulevard ... all good stuff. It has a lot of  
12 attractions for ownership.

13

14 Commissioner Reckdahl: Okay Thank you.

15

16 Chair Lauing: Okay, if there are no other questions then I would entertain a motion to continue  
17 this item to 10/26.

18

19 MOTION

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Vice-Chair Summa: I'll make a motion to continue this item to a date certain of 10/26.

2

3 Chair Lauing: And we need a second please.

4

5

6 SECOND

7

8 Commissioner Chang: I'll second.

9

10 Chair Lauing: Vice-Chair Summa moved and seconded by Commissioner Chang to move this to  
11 the twenty... what's the date.. sixth? Right? Okay... any questions? If not, please take a roll call  
12 vote.

13

14

15 **VOTE**

16

17 Ms. Klicheva: Commissioner Chang

18

19 Commissioner Chang: Yes.

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Ms. Klicheva: Commissioner Hechtman

2

3 Commissioner Hechtman: Yes.

4

5 Ms. Klicheva: Chair Lauing

6

7 Chair Lauing: Yes.

8

9 Ms. Klicheva: Commissioner Reckdahl

10

11 Commissioner Reckdahl: Yes.

12

13 Ms. Klicheva: Commissioner Roohparvar

14

15 Commissioner Roohparvar: Yes.

16

17 Ms. Klicheva: Vice-Chair Summa

18

19 Vice-Chair Summa: Yes.

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Ms. Klicheva: Commissioner Templeton

2

3 Commissioner Templeton: Yes.

4

5 Ms. Klicheva: Motion carries 7-0

6

7 MOTION #1 PASSED 7 (Hechtman, Lauing, Reckdahl, Summa, Chang, Templeton, Roohparvar) –  
8 0 - 0.

9

10 **Commission Action:** Motion by Summa, seconded by Chang. Motion Passed 7-0.

11

12 Chair Lauing: I would just like to add as we conclude this that I thought the staff presentation  
13 written and verbal was outstanding so, thanks to Claire and really strong... not just because of  
14 complexity but kind of the whole layout of it was really good.

15

16 Ms. Raybould: Thank you.

17

## 18 **Approval of Minutes**

19 Public Comment is Permitted. Three (3) minutes per speaker.

20

21 Chair Lauing: Okay, next up I think we have minutes. Let's see. Yes, we have September 14,

22 2022 draft verbatim and summary meeting minutes. Am I correct?

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Ms. Klicheva: That is correct. And I received the revisions from Commissioner Hechtman for verbatim minutes and no revisions to summary minutes.

3. September 14, 2022 Draft Verbatim and Summary Minutes

Chair Lauing: Okay, do we want to do these separately?

Ms. Klicheva: No, together.

Chair Lauing: Okay.

MOTION

Commissioner Hechtman: I'll move approval of the September 14, 2022 verbatim minutes as revised and summary minutes as unrevised.

SECOND

Vice-Chair Summa: Second.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1

2 Chair Lauing: Any questions? Comments? Okay, roll call vote.

3

4

5 VOTE

6

7 Ms. Klicheva: Commissioner Chang?

8

9 Commissioner Chang: Yes.

10

11 Ms. Klicheva: Commissioner Hechtman?

12

13 Commissioner Hechtman: Okay.

14

15 Ms. Klicheva: Chair Lauing?

16

17 Chair Lauing: Sure.

18

19 Ms. Klicheva: Commissioner Reckdahl?

20

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Reckdahl: Okey dokey.

2

3 Ms. Klicheva: Commissioner Roohparvar

4

5 Commissioner Roohparvar: Yes.

6

7 Ms. Klicheva: Vice-Chair Summa?

8

9 Vice-Chair Summa: Yup peachy.

10

11 Ms. Klicheva: Commissioner Templeton

12

13 Commissioner Templeton: Yes.

14

15 Ms. Klicheva: Motion carried 7-0.

16

17 MOTION #1 PASSED 7 (Hechtman, Lauing, Chang, Reckdahl, Summa, Templeton, Roohparvar) –

18 0 – 0.

19

20 **Commission Action:** Motion by Hechtman, seconded by Summa. Motion Passed 7-0.

21

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

**Committee Items**

Chair Lauing: Okay Thank you. That’s the formal items, we’re going to go to the Committee items, I don’t think there are any Committees currently.

**Commissioner Questions, Comments or Announcements**

Chair Lauing: Okay, thank you, And now we’re on to Commissioner questions comments announcements and future agenda items. First of all ... questions or comments? Commissioner Chang.

Commissioner Chang: So, I had a question about one of the public comments that came in, it was 650 Seal, about a JADU and I guess the community monitor was questioning a project that was built as a... was permitted as a 4/3 with a JADU but then being marketed as a 5/4. And I just wondered, is there anything we can do about that? I mean, we’ve had discussions about our concern about JADUs being built and then not actually being used for housing so, I just didn’t now if there’s anything we can do about it.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Chair Lauing: That's one of the items for potentially next week, right? No, it's a different one?

2 Okay, sorry.

3

4 Mr. Yang: I don't think that we ... I don't think especially around how something is marketed, I

5 think it's always like fairly fuzzy, and there's no obligation that someone uses the JADU as a

6 separate dwelling unit. You know, as long as it meets our requirements like not to have an

7 internal connection, there wouldn't be any enforcement action that we could take. If we found

8 out that after they had built it and gotten it inspected, that they put in a doorway, to really

9 integrate it into the house than that's something you know, we could issue them a notice of

10 violation and make them remove that.

11

12 Commissioner Chang: And there's no way we can find out because we don't really check on

13 those after inspection, right?

14

15 Mr. Yang: Yeah, you know, if we... if someone... if we got a report that that was actually what it

16 was... if someone went and toured the home and you know, and then reported it on 311, we

17 could go out and inspect.

18

19 Chair Lauing: Okay. Any other comments or questions? Okay so looking at the meeting

20 schedule, Commissioner Hechtman was suggesting that we move away from the day after

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 election day for a lot of reasons, including I think at least five of us are involved in some way  
2 with something having to do with elections in a very intense way, so, and part of it has to do  
3 with of course, upcoming items that we have to hear, but even in that regard, although it's a  
4 little bit harder to call a special meetings but since we're this far in advance, that could work  
5 and just get away from that day. So, I would certainly be amenable to supporting that idea. We  
6 probably don't know yet what's coming up that far out, so, we could just go ahead and say that  
7 we're... I mean you don't know in a sense that you don't know what's going to be ready  
8 because it's somewhat short term.

9

10 Commissioner Templeton: Chair?

11

12 Ms. French: Yeah, I believe we're pushing off the 660 University that was going to come back on  
13 the 26<sup>th</sup>, because now we need to do this again, so , that's going to go on the ninth. And then  
14 we have the review of the comprehensive plan implementation plan for the 9<sup>th</sup>.

15

16 Chair Lauing: Yeah, I thought inspite of moving this ... oh sorry, continuing this last item, I  
17 thought you weren't yet sure if 660 was going to be ready, or 1700.

18

19 Ms. French: Right, that's just showing on the tentative. So, I'm pushing that to the 9<sup>th</sup>, to make  
20 way for this. This being the Sobrato project.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Chair Lauing: Okay, so if you think we need to see that in November then it would be a question of moving the one meeting and doing a special meeting or not. So we'll get some conversation. Commissioner Templeton.

Commissioner Templeton: Thank you Chair. One way to handle this is to determine if a number of people are not going to be available on the 9<sup>th</sup> and therefore, we would not have a quorum.

Chair Lauing: I only know of one tentative, which is Commissioner Reckdahl is going to be out of town.

Commissioner Templeton: Well, I'm suggesting that if people don't want to meet on the 9<sup>th</sup>, then they put themselves unavailable on the ninth.

Chair Lauing: You're hands still up...

Commissioner Templeton: I'm unavailable on the 9<sup>th</sup>.

Chair Lauing: Okay.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Templeton: Anyone else unavailable on the 9<sup>th</sup>?

2

3 Chair Lauing: Commissioner Chang.

4

5 Commissioner Chang: Yeah, I'm unavailable on the 9<sup>th</sup> as well. Unavailable.

6

7 Commissioner Templeton: Vice-Chair Summa and Chair Lauing we're counting on your  
8 leadership in this moment.

9

10 Chair Lauing: There's two unavailable, as of this moment, I'm physically available, is that my  
11 favorite day to come? No, because of what's leading up to that and if it can be moved a week, I  
12 think it would make it more convenient.

13

14 Ms. French: Would it help to look at the start time? Because typically start time is at 6:00.

15

16 Chair Lauing: No, not really.

17

18 Commissioner Templeton: So, we have three people that are unavailable on the 9<sup>th</sup> now Chair,  
19 but the point is and let me speak as someone who is not currently running, it was hell last time,  
20 it was really a shame that we didn't reschedule our meeting because it was a draining

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 experience to have gone through all of that the day before and then need to be on point for a  
2 worth while discussion. I think we can recognize the situation and suggest maybe, a better  
3 time.

4  
5 Vice-Chair Summa: Yeah, and I was going to say, I think that's why we were talking about it,  
6 because I felt personally it was a little too hard on some of the Commissioners two years ago.  
7 And, I didn't think it was very nice in retrospect I wish we had thought about that ahead of  
8 time.

9  
10 Commissioner Reckdahl: We have a desire not to run to midnight because we don't think we  
11 make good decisions at midnight. And I would put this in the same category.

12  
13 Commissioner Templeton: So, if there are any other Commissioners who are unavailable and  
14 would like to alleviate the candidates from being the quorum deniers, feel free to declare your  
15 availability.

16  
17 Chair Lauing: No, I really appreciate your comments, Commissioner Templeton, we could just  
18 vote as a body not to meet, and I think you said there were three but I'm only seeing two but  
19 anyway, we could just vote not to meet and then we'd have to do a special meeting.

20

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Commissioner Templeton: You said Commissioner Reckdahl.

2

3 Chair Lauing: Yeah...

4

5 Commissioner Templeton: Commissioner Chang said she was unavailable and I'm unavailable.

6

7 Chair Lauing: Oh, I'm sorry, I didn't hear that you said you were. Okay. She's unavailable. We

8 hadn't heard that so... to me that's convincing anyway because to be looking at these items

9 with a Commission of four, I know it doesn't make any sense. Let's go back to Commissioner

10 Hechtman's idea.

11

12 Ms. French: The sixteenth is not quite available because that's the Housing Element... the 23<sup>rd</sup>,

13 the day before Thanksgiving, is that more desirable?

14

15 Commissioner Hechtman: Nope. Unavailable. Out of town, unavailable.

16

17 Commissioner Templeton: There are other days in the week, besides...

18

19 Commissioner Hechtman: Right, I was curious about some of those other days in the week. Like

20 the day before the sixteenth, which would be the 15<sup>th</sup>, that's a Tuesday. Tuesday the 15<sup>th</sup>. I'm

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 also, do we have some overlap between the Housing Element Committee that's meeting on the  
2 16<sup>th</sup> and our Commission? Is that... an issue, or is it a staffing issue?

3

4 Ms. French: Probably more staffing, and the fact that people might not want to have to pick  
5 between the two if it's a community meeting that feels important.

6

7 Commissioner Hechtman: Well, I know a lot of times when we're meeting in here on a  
8 Wednesday, there's a... some kind of subcommittee of the City Council ...

9

10 Ms. Klicheva: A Finance meeting.

11

12 Commissioner Hechtman: Yeah, meeting over there, so sometimes I think people do have to  
13 pick and choose. Again, I wasn't entirely understanding why the sixteenth doesn't work.

14

15 Ms. French: Because there's something else on the calendar but we can pursue it and I can talk  
16 to John the Director about, you know, so he would probably be at that Housing Element  
17 meeting and I wouldn't get to go to that one, I'd come to this one.

18

19 Commissioner Hechtman: Would that be a hardship for you? We're a pretty entertaining  
20 bunch.

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1

2 Ms. Klicheva: There's the Rail Committee as well.

3

4 Ms. French: On the 16<sup>th</sup>?

5

6 Ms. Klicheva: On the 16<sup>th</sup>.

7

8 Ms. French: What time?

9

10 Ms. Klicheva: Housing Element, Rail Committee oh, that starts at 12:00 pm, so that's fine.

11

12 Ms. French: So, you might want to look at start time, as an earlier start time as that other  
13 meeting starts at 7 let's say, if we started at 5 and we could get through two hours' worth,  
14 something like that. I don't know if the Commission is willing.

15

16 Commissioner Hechtman: I'm flexible on a start time on the 16<sup>th</sup>. I do think it would be most  
17 humane to move this off of the 9<sup>th</sup>. I did feel the... sort of the tiredness last year in the election  
18 cycle after the... you know, because it's a long night that night before and I applauded both of  
19 our candidates for sticking with it and staying with the program but there's not reason to do  
20 that unnecessarily. So... (crosstalk)

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.

2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.

3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

Chair Lauing: I think we've got that part concluded I think the question is if there's an alternative and it would be better to try to solve it now as opposed to do it by mail, but if you want to look at the 16<sup>th</sup> as the option and then let us know?

Ms. French: I think that was the motion earlier.

Commissioner Hechtman: That's my suggestion, I can make a motion if (crosstalk)

Chair Lauing: Do we have any known absences for the 16<sup>th</sup> at this point? No known absences, let's go for it.

Commissioner Hechtman: Do we need a vote?

Ms. French: And is a five o'clock start time acceptable?

Chair Lauing: Sure. I'm happy to put it to a vote if everyone thinks we need that, but...

Commissioner Hechtman: Mr. Yang do we need to vote on that?

---

1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.  
2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.  
3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers

1 Chair Lauing: Nah.

2

3 Mr. Yang: No, we don't.

4

5 Chair Lauing: Okay, sixteenth instead of the nineth. Other comments? If not, we are adjourned.

6 Thank you.

7

8 **Adjournment**

9 8:49:00 pm

- 
1. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
  2. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to ten (10) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
  3. The Chair may reduce the allowed time to speak from five (5) to three (3) minutes to accommodate a larger number of speakers