



Planning & Transportation Commission

Action Agenda: January 13, 2021

Virtual Meeting
6:00 PM

Call to Order / Roll Call

Approximately 6:00 pm

Mr. Vinh Nguyen, Admin Associate III: Chair Templeton?

Chair Templeton: Present.

Mr. Nguyen: Vice-Chair Roohparvar?

Vice-Chair Roohparvar: Present.

Mr. Nguyen: Commissioner Alcheck?

Commissioner Alcheck: Present.

Mr. Nguyen: Commissioner Hechtman?

Commissioner Hechtman: Present.

Mr. Nguyen: Commissioner Lauing?

Commissioner Lauing: Present.

Mr. Nguyen: Commissioner Riggs is absent. Commissioner Summa?

Commissioner Summa: Present.

Mr. Nguyen: Ok, we have a quorum. Thank you.

Chair Templeton: Thank you very much.

Oral Communications

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

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1 Chair Templeton: At this time we will be taking Oral Communications and that's public
2 comments on anything that's not agendized for this evening. So, if you would like to speak to
3 any item, not on the agenda, please raise your hand at this time. Mr. Nguyen, would you please
4 conduct the Oral Communication?

5
6 Mr. Vinh Nguyen, Admin Associate III: Yes, we do have one raised hand by Rebecca Eisenberg.

7
8 Ms. Rebecca Eisenberg: Hi. Hopefully, you can hear me. Thank you so much for giving me the
9 opportunity to speak. Right now, I'd like to speak to the issue that you've heard me speak about
10 before, but an issue that is still alive today. So, I want to take every opportunity I can to address
11 it and that is Castilleja proposed Conditional Use Permit because you will still... your opinion still
12 matters and your opinion will still be considered by City Council. Castilleja... if the City Council
13 grants this Conditional Use Permit it will have engaged not just in a breach of the law, but also a
14 breach of justice. Why is that? Why do I care? That is because studies consistently show, every
15 study that has looked into this has consistently shown that private schools located in public
16 districts have caused direct harm to the public-school district and as a public-school parent I will
17 suffer harm should the City grant this Conditional Use Permit. How does... how do private
18 schools such as Castilleja caused harm to public school districts? In many ways. First, it has been
19 proven that private school redirects essential funding. Not just from private donors but also
20 from the City. I think it's impossible for you all to argue that does Castilleja's proposed
21 development isn't taking up a large amount of City time and resources. It will continue to do so.

22
23 Additionally, Castilleja's project will take away City resources and services such as emergency
24 services. You might be aware that commercial construction such as Castilleja's proposed
25 construction is known to cause significant safety risks to communities. You should know, as the
26 architectural board has mentioned that every year, possibly every month, children are killed by
27 construction vehicles. There would be construction vehicles constantly through a residential
28 neighborhood and additionally, private schools take away support from loyal local families.
29 None of this is up for debate. All of this has been proven by multitudes of studies.

30
31 What you also need to know right now is that public schools are suffering. Unlike the private
32 schools, which are so much better funded, most public-school districts such as my child who's
33 at Pally, have not seen the inside of a classroom since early March. There is no current plan in
34 place for the upper-level kids to even see classrooms.

35
36 During this financial crisis and during budget cuts, we need to be mindful of where money is
37 spent. Please don't keep giving it to wealthy outside interests. Thank you for your
38 consideration.

39

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1 Mr. Nguyen: Thank you for your comments. We have no more raised hands so that concludes
2 public comments and Chair Templeton, I just want to clarify for the roll call earlier that
3 Commissioner Riggs is actually not absent because he has resigned. Thank you.

4
5 Chair Templeton: Thank you very much.

7 **Agenda Changes, Additions and Deletions**

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

9 Chair Templeton: We'll move onto Agenda Changes, Additions, and Deletions. Any?

10
11 Ms. Rachael Tanner, Assistant Director: We don't have any addition, changes, or deletions this
12 evening.

13 **City Official Reports**

14 1. Directors Report, Meeting Schedule and Assignments

15 Chair Templeton: Then let's move to the City Official Report and perhaps you can give us an
16 update on what Ms. Nguyen just shared.

17
18 Ms. Rachael Tanner, Assistant Director: Thank you, Commissioners, Chair, it's good to be with
19 you all for our first meeting of 2021. We'll start out with the update, which I did just... what Mr.
20 Nguyen shared and shared via email, this morning received a note from Commissioner Billy
21 Riggs that needs to resign. There are some family matters that he needs to take care of kind of
22 spurring from ongoing issues with the ongoing pandemic that we're all dealing with. So, we
23 wish him the best and we thank him for his 3-years of service to this Commission and to this
24 City. And certainly, we will feel his absence starting today, unfortunately, but we look forward
25 to the Commission being be made whole as the Council hopefully will be taking up
26 reappointments but also this new vacancy that they will need to appoint someone to fill the
27 remainder of this term. So, not the best news but we certainly understand the need to take
28 care of personal matters above all else and I think we all have more personal matters this year
29 than we probably have had in many years prior.

30
31 I want to just give a couple updates from the City and kind of the Planning and Development
32 Services Department. You know we're getting the year off really well. We look forward to a
33 really good year. You know Permit Applications are still down year over year from last year and
34 we continue to monitor incoming permits and applications, but we are hopeful that we will
35 continue to see an upswing hopefully as 2021 continues.

36
37 As far as the COVID-19 Pandemic and related and associated responses from the City. We
38 continue to operate remotely and provide remote permitting and planning review services and
39 are looking this year even to enhance those services and really make sure that... you know last

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1 year we had to do a pivot very quickly to remote. And so really how do we make the system
2 most efficient while still be thorough, very customer friendly and be accessible when folks are
3 not able to come into the Development Center and see us like they once could a year ago.

4
5 The City and County are still under the Regional Stay at Home Order. As I'm sure you all are well
6 aware, the ICU capacity has dipped even further as of yesterday. We do look forward to
7 hopefully in the next few weeks the ICU capacity increasing which would then put us back into
8 the Tiered System. So, once the Regional Stay at Home Orders are lifted in our region, that
9 Tiered System with the colors, the purple, red, orange, and yellow come back into place and so
10 we look forward to that. I believe Sacramento region just went into... out of the Regional Stay at
11 Home Order and back into the Tiered System I think today. And Northern California has not
12 been under the Regional Stay at Home Order as their capacity for their ICU beds has maintained
13 sufficient... been sufficient to maintain that.

14
15 So, those are a few updates coming out of 2021 and we look forward to a really good year. I do
16 want to draw your attention to the calendar Packet Pages and to the liaison pages. What we'd
17 like to do for the calendar, you can see the dates there. You can see where we were probably
18 optimistic. Virtual meeting through February. I imagine the virtual meetings will continue a
19 good while longer as the vaccine efforts continue to roll out and ramp-up and a couple takes
20 that we may want to flag for possible cancellation of meetings. Pass Over of this year I believe is
21 March 31st to April 3rd, or sorry, March 27th to April 3rd and so that might be our March 31st
22 meeting. If folks are not going to be present we may need to cancel. We also have Thanksgiving,
23 the day before Thanksgiving is November 24th and that's a regularly scheduled meeting. So, we
24 may want to cancel or reschedule that meeting as well as December 29th which is of course
25 near to New Years. And it may be appropriate to plan for a summer recess if that's something
26 the Commission is interested in. I don't know if folks will be taking vacations this year. That may
27 not be necessary but if folks are certainly planning to be out of town at all it may be wise to
28 plan either a week off in the summer or two meetings canceled in the summer to provide time
29 for that while school is out and things of that nature. So, we don't have to decide that all today,
30 but certainly if you know you have travel plans please let us know, or holidays where you know
31 you'll be absent. We can take a look at that and then factor that into maybe not having a
32 quorum on a particular evening. So, are there any holidays or any of those days that folks know
33 that they won't be here and might... we might want to consider (interrupted)

34
35 Commissioner Alcheck: I'll just mention that I'll look over the Pass Over dates. Normally it's not
36 uncommon for Jews to formally get together on the first two nights of a Pass Over, but it's not
37 that common that the evenings are committed the entire Pass Over Holiday. So, if it starts on...
38 if the evening of the 27th is the first... if on... my guess is its probably the evening of the 26th if
39 you think it starts on the 27th, which means that by the 31st... I'll just look into it and I'll let you
40 know. So, I just wanted to let you know that.

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Ms. Tanner: Ok, that'd be great.

Commissioner Alcheck: So, it's not like a whole week off and I would suggest that the travel schedule will entirely determine on the vaccine schedule. So, I would love to tell you that I'm going to go away this summer, but anyway but thank you for flagging this item and I'll definitely look into it.

Ms. Tanner: Ok, great. Other conflicts or thoughts about the schedule for this year?

Commissioner Alcheck: I'll just add one more thing. I know that City Council normally takes a summer recess and in the I think maybe nine summers or eight summers now that I've been on the Planning Commission. I think we did it once, but as we know well know for those of you who have been on the Commission, like we... our schedule actually sometimes... we have a couple meetings canceled and things happen and so some years we don't do it. And I would... I distinctly remember the year we were doing the Housing Element that summer was a particularly busy season. So, maybe it would be helpful before we have a broader discussion about whether or not to take a two meeting or basically a month off, would be to sort of understand well what are the expectations of the Commission throughout the year. I mean I think the Chair and the Vice-Chair can manage that but I would just suggest that we get a good idea for what the expectation is with respect to that item because that can be... that can actually be very time-consuming.

Ms. Tanner: Yeah, certainly, good suggestion. Yeah, we do have that coming up this year so it's something that we can keep thinking about. Other comments or questions? Sorry, go ahead.

Chair Templeton: Yes, I would say that just based on my past couple years of experience, the times that are the most awkward are the first week that school is out and the first week before school goes back because you have a lot of other commitments if you have school-aged children in the house. So, that's something that we can look at closer instead if we find that we have a packed agenda in the summer.

I would also say that maybe we should look at potential assignments for January or do you have things going in front of City Council that would need PTC attention? Should we make some assignments for that?

Ms. Tanner: Currently scheduled for this month and let me just pull it up so I don't end up misquoting myself. And I think what we did want to do and to suggest to the Commission was to work with... you know if the new Chair or Vice-Chair are selected tonight. To work with them to set the schedule but probably to continue the pattern that we had followed last year but

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1 again if you know that there is a month that is not going to work for you. Then we can also
2 make adjustments to that, so we can send that out in the intervening time. Next week we do
3 have the Housing Element, kind of just an intro for the City Council and direction for how they'd
4 like us to put together the Working Group going to City Council. And I don't believe we have
5 any other items that have come before the PTC this... before going to Council and then I think
6 the last meeting of this month I don't believe we have items going to Council. Let me just
7 double-check that. So, we may not need a liaison for this month.

8
9 Chair Templeton: Ok.

10
11 Ms. Tanner: So sorry, I misspoke, on the 25th we have the Parcel Map with Exceptions. You may
12 remember the two homes that Stanford owns where they're splitting the lots or kind of
13 belatedly recording the split that was supposed to have happened many years ago. That will be
14 to Council as an Action Item on the 25th of January.

15
16 Chair Templeton: Ok and the rotation if it continued, do we know who'd be up next, or have we
17 looked at that yet?

18
19 Ms. Tanner: Vinh, do you have that handy? The rotation where it would pick up from last year.

20
21 Mr. Vinh Nguyen, Admin Associate III: One moment.

22
23 Chair Templeton: I'm sorry to put you on the spot. I just want to make sure that we have
24 coverage.

25
26 Ms. Tanner: Yeah, no, it's a good question.

27
28 Commissioner Summa: I have it in front of me and I was... because I remembered I was assigned
29 in January and I had recused myself from that issue because it's too close to my house. So, you
30 might want to pick someone... you might want to change that.

31
32 Ms. Tanner: Yeah, that's a [unintelligible](interrupted)

33
34 Chair Templeton: Great point.

35
36 Ms. Tanner: Thank you.

37
38 Mr. Nguyen: Yeah, you're correct. It looks like in January it was Commissioner Summa and
39 Alcheck.

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1 Commissioner Summa: Or if you don't want to change it, Michael [note – Commissioner
2 Alcheck] can go. Commissioner Alcheck can go.

3
4 Ms. Tanner: Commissioner Alcheck would you be able to go that day?

5
6 Commissioner Alcheck: Always ready to serve.

7
8 Ms. Tanner: Ok, thank you.

9
10 Chair Templeton: Alright, thanks, everybody.

11
12 Commissioner Alcheck: That's the 25th of January? You'll connect with me before that?

13
14 Ms. Tanner: Yes.

15
16 Commissioner Alcheck: Ok, no problem.

17
18 Ms. Tanner: Great.

19
20 Chair Templeton: Ok and are we... would you... currently, according to the agenda here, have
21 nothing scheduled for the 27th. Has that been updated?

22
23 Ms. Tanner: That has been updated. We will be having a study session with our Transportation
24 Management Association, our local TMA, kind of an intro for some of you who haven't met and
25 are not familiar with the TMA and a refresh of where they are. And particularly, they serve a lot
26 of low-income workers and service workers who obviously are really hard hit by the pandemic
27 and also just overall, our public transportation system and shared transportation. We're trying
28 to get people to get in cars and vehicles and share a ride and that's been challenged by the
29 pandemic so we'll be having a discussion about that.

30
31 We also hope to be having another discussion about the ADU changes that were made. Council
32 did adopt the ordinance but they wanted us to take a closer look at some of the items to see if
33 we wanted to recommend any further changes and so we'll be bringing that back for discussion
34 as well and that will... those will both be two study sessions items.

35
36 Chair Templeton: Great, thank you. Any other comments from Commissioners? Questions
37 about that? Ok. Thank you for letting us know about Dr. Riggs. We will have an opportunity for
38 comments later in the agenda. So, we can discuss that more there if needed, but I second your
39 comment about appreciation for his years of service so thank you.

40

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1 **Action Items**

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

4
5 2. PUBLIC HEARING: Recommendation on the Preferred Plan Alternative for the North
6 Ventura Coordinated Area Plan. (Continued from December 9th, 2020)

7 Chair Templeton: Let's move onto Action Item Number Two. Recommendation of the Preferred
8 Plan Alternative for the North Venture Coordinated Area Plan continued from December 9th.

9

10 Ms. Rachael Tanner, Assistant Director: Thank you, Chair Templeton and Members of the
11 Commission. We have Clare Campbell, our Long-Range Planning Manager, who's going to give a
12 brief refresher. December 9th may seem a little bit of a while ago so we'll provide a brief kind of
13 refresher of what we talked about just to jog your memory and then we have already provided
14 written answers to the questions that the Commissioners posed on the December 9th meeting.
15 If you couldn't find it in your Packet, it was towards the end, and we will welcome if there are
16 specific items that you would like to have further discussion about. Questions that you want to
17 have a more robust discussion or you want to ask Staff to explain more. We do have some
18 slides available for specific questions that the Commission has an interest in discussing perhaps
19 before the deliberation about the item. So, Mr. Campbell, do you want to share your screen
20 and do a little refresh?

21
22 Ms. Clare Campbell, Planning Manager: Yes. Alright, thank you. Give me one second here to get
23 everything ready.

24
25 Chair Templeton: While you pull that up, I'll just let the members of the public who are in
26 attendance know there will be... after this recap from Ms. Campbell, we'll go to the public
27 comment, and then we'll have our Commissioner discussion. Thank you.

28
29 Ms. Campbell: So, hopefully, you can see my screen? Great. Ok. So, just as a kind of a quick
30 refresher of where things were left off last time. We presented three alternatives to the
31 Planning Commission and I'll just walk through those really briefly. So, we have Alternative One,
32 this represents the least developed in the different plans. So, this is just a summary table of the
33 numbers here generated for each of the different plans. So, for Alternative One we've got
34 housing units generated at a realistic potential of 500-units and then there's some minor
35 increase in commercial space. Alternative Two there's 1,170 realistic potential units and a little
36 bit more on the commercial phase and here for Alternative Three we've got 1,490 development
37 for housing units for Alternative Three and here you definitely do see an increase in the
38 commercial, specifically office area.

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2 So, I'm just going to skip right into the graphics. So, Alternative One, I'll just get you guys
3 oriented here. So, at the bottom of the screen we have El Camino Real and at the top is Alma.
4 We've got Page Mill on the left and Lambert on the right. So, I'll just kind of walk through the
5 whole thing just kind of parcel by parcel as we go through it through the development. So, over
6 here... and this is the Cloudera parcel here. This existing building is being proposed to remain in
7 this plan and it allows that office to just... you could not add on or rebuild or anything like that
8 but the existing building can stay as it is. We've got a development of some residential units
9 here at about 115 dwelling units. So, this is a little bit of an annotation that we added on that
10 wasn't there in the last presentation that we had provided. So, we've got 115 dwelling units
11 and for these particular zones we've got a height limit of 35 and that was probably covered up
12 by these added notes we have here. So, that's for the Cloudera parcel so nothing else would
13 change on the parcel here. And as we move towards El Camino we've got the existing single-
14 family here in here off of Pepper and Olive Avenue as well as all the way down Olive Avenue.
15 So, these are existing single-family housing and right now we're saying that within this pocket
16 here near Pepper, this would stay the same. There's no changes being proposed for this
17 alternative. Along Olive, we are proposing that it could be rezoned to an R2 Zone District down
18 Olive and these blue circles, these blue polygons, here represent some additional commercial
19 uses that are currently in place and so no changes there. So, now as we move down towards
20 Page Mill and El Camino, we have this darker orange band that fronts along these two major
21 roads. For the section that is near the corner and adjacent to the single-family, these mixed-
22 uses are at a lower height. You can see that there's a 35-foot height limit here being proposed
23 and this is because of the adjacency to the single-family, you know the lower residential
24 development that is currently there. So, we are trying to respect this existing or be considerate
25 of this existing zoning regulation that we have on the books to limit heights that are within 150-
26 feet of existing low residential development. So, here as we move towards Lambert we've got
27 some mixed-use development here but we have higher height limits. So, we're moving away
28 from single-family developments so we're proposing here higher heights and an additional 20-
29 feet for a bonus if you do affordable or workforce housing. So, that's... this is along... so you're
30 going to see this orange band is similar in the different... the three alternatives with not too
31 much variation there. So, here... an on the dark orange we've got approximately 500 dwelling
32 units being reflected in that development so moving onto the lighter orange. So, these lighter
33 orange areas are mixed-use as well and it does have a lower height of 35-feet for these areas
34 and it's an approximate 130 dwelling units being developed in this... in these areas. And then
35 moving back towards Lambert here in this corner there is some reflection of some minor
36 improvements along the creek and on the existing Fry's parcels we have retention of the
37 existing building, but potentially we've got the redevelopment or not redevelopment. The
38 addition of single... I'm sorry, multi-family housing with the 35-foot height limit potentially
39 getting up to 85 dwelling units on this parcel. So, I think that kind of covers all of the Alternative
40 One and my team, please chime in if I've left out anything significant.

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2 So, for Alternative Two you're seeing very similar patterns here with the development. So,
3 starting here again at the Cloudera parcel, we've got the existing office building that's being
4 allowed to be reconfigured. So, we can... it can be shifted on the site and then the addition of
5 maybe some minor retail at the corner here to enhance that experience for the pedestrian, or
6 just something to bring some additional activity to that corner. And then within the parcel,
7 we've got additional multi-family developments and this one here is proposing additional
8 heights. So, we've got 50-feet and up to 70 with the bonus for the affordable or workforce
9 housing. And then adjacent to that, it's a little bit lower on the height because you're getting
10 closer to the single-family or lower residential development that's adjacent across the street.
11 So, we've got some additional bands of open space that's included here and a little park within
12 this parcel. So, moving again towards El Camino we've got this dark orange band. It's the same
13 multi-family, mixed-use proposal for development here, and again, we're still maintaining the
14 lower height on this corner zone. And then as we move further away from Page Mill we can
15 bump that up a little bit with the development of affordable... 100 percent of affordable
16 housing or workforce housing. And within the light-yellow zones, we're going back to the low
17 residential areas. We were proposing allowing duplexes within the single-family zone currently
18 near Pepper and then potentially along Olive going up to fourplexes. And definitely with some
19 of these things that we've been thinking about it, you know we're realistically thinking that
20 these things can be developed with lots being combined together because some of these lots
21 are on the smaller side. Ok so as we move... I'll just mention too since we're talking about the
22 dark orange, there's also this additional potential here along Park Boulevard to allow for the
23 multi-family development and this was something that was brought up in our Working Group as
24 may be another area that could be a good location for housing. And we see housing all the time
25 all up and down our train system so that seems like a possibility there for housing development
26 at a higher density and higher height. And then moving into the lighter orange sections, I'm
27 sorry, I wasn't including the development units so it was 360 for the yellow zones here. This is
28 665 for the dark orange zones and the lighter orange is 130 dwelling units for this area here.
29 And again, it's very similar to what we showed in Alternative One but there's a little bit more
30 height being proposed here with Alternative Two. So, now as we move into the Fry's site we've
31 got a significant amount more of park space as compared to Alternative One and we do have
32 the multi-family development being shown here as well in this... in the yellow zones. The blue
33 reflects the retention of the historic components of the existing building, the monitor roofs of
34 the cannery, and leaving that existing commercial use in place. So, I think that covers the major
35 things for Alternative Two. So, you can see we're progressively getting a little bit more intense
36 with our development.

37
38 And then for Alternative Three, again we'll just start off here in the corner. We are allowing for
39 the expansion of these commercial use that's existing currently and we don't have the numbers
40 here but it's reflected in the table that we have. So, definitely, we would maintain and enhance

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1 the commercial, not commercial, office space, and again, there'd be some ground-floor retail
2 being proposed there at the corner. As we move down we've got some of these yellow zones
3 here that again are reflecting a higher height compared to Alternative One. I'm just flipping
4 back and forth. There you'll see Alternative Two, Alternative Three it's very much... you know
5 it's very similar that you're seeing here what's being proposed with the residential. Let's see so
6 and then for the yellow zone here it's 360 dwelling units. And then again, the dark orange band
7 is the same as what we were seeing in Alternative... oh, we are in Alternative Two. Sorry. We're
8 in Alternative Three now, I'm sorry everybody. The dark orange band is the same as what was
9 reflected in Alternative Two. So, we've got the lower heights on the corner because they're
10 adjacent to the lower density and then we bring up the height a little bit as we move further
11 away. And for the lower density areas, we're again, for Alternative Two [note – Alternative
12 Three?], saying duplexes here in the Pepper Avenue area and then along Olive bumping it up a
13 little bit to six-plexus and again, that's assuming that there's some lot consolidation happening
14 with these parcels. So, here we're talking 90 dwelling units for this area here. These orange...
15 I'm sorry, these blue polygons here reflect no real change because that's... so we have... we
16 didn't talk about those in the different alternatives. And then as we move to the lighter
17 orange... let me just see... so the... we've got these mixed-use developments and it's really very
18 similar to Alternative Two. I'm flipping back and forth and the big change here is that there's an
19 increase in height in this rear parcel on Lambert and Park, at that corner. It goes up to 50-feet
20 instead of 40, but basically, it's very similar to what's being proposed with the mixed-use, multi-
21 family conditions. The orange one in the... the orange parcel in the back would be the same as
22 the previous one as in Alternative Two and as we move into the Fry's site here, we've still got
23 park space being proposed. We've got some additional outdoor spaces being proposed here
24 like little plazas or gather spots along Portage. And definitely, Portage is one of the streets
25 where we've been talking about enhancing that and making it really more pedestrian and bike
26 focused and just to make sure that we're not overemphasizing any of the... not
27 overemphasizing car use along Portage Avenue. And then the existing Fry's building here can be
28 expanded and that's just sort of what's reflected here and it's a little bit bigger than what was
29 shown in Alternative Two. So, what... so I think that sort of hits all of the significant points
30 between the three different alternatives. Here you can see that there's definitely an increase in
31 the dark orange production of units; 925. Yeah and I think that's sort of covers it. Anything else
32 I forgot to add that you guys can chime in team?

33
34 Ms. Tanner: I don't think that you forgot anything that... again, it's a refresher. I think just to
35 note the 85 dwelling units that you see staying the same on the Fry's parcel is reflective of the
36 townhome proposal that has been submitted. So, clearly, if the townhomes either weren't built
37 or far into the future something elsewhere built there. There could possibly be more dwelling
38 units in those, but you see that as 85. That's reflecting that townhome proposal that's currently
39 been submitted.

40

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1 Ms. Campbell: Yeah, great, thank you and I just wanted to mention as we move forward
2 tonight. I just wanted to let everybody know that we do have a few Staff representation
3 present with us tonight. We have... let me just stop sharing my screen. We have Staff from our
4 Transportation Office. We have Sylvia Star Lack and Joanna Chan is with us tonight and we have
5 Lam Do from the Parks Department. And we also have Virginia Mahacek from WRA and she's
6 our consultant that helped us with the creek plans. So, we definitely got some additional
7 resources to help answer some questions for you tonight.

8
9 Ms. Tanner: Great, thank you, Ms. Campbell. So, that is Staff's kind of just refresher and we'll
10 turn it over to the Chair for public comment. I do believe that previously the Commission had
11 indicated that the idea was for public comment on folks who had not had a chance to speak
12 previously and so we're assuming that's the same. If that's the case we do have a list of
13 previous public commenters to check against those who may want to speak who didn't have a
14 change previously.

15
16 Chair Templeton: Alright, thank you. I see Commissioner Alcheck. Did you want to speak before
17 we go to public comment?

18
19 Commissioner Alcheck: I was just wondering if Staff could go over Attachment C one more time.
20 Just sort of walk us through... just refresh our memory on that one just so... if it's not too much
21 trouble. That's Packet Page 42.

22
23 Ms. Campbell: That's the Strategic Economics Report, is that right?

24
25 Chair Templeton: This says location of potential opportunity sites.

26
27 Ms. Campbell: Thank you. I was looking at the wrong thing. Jean, do you think you can help
28 with that one?

29
30 Ms. Jean Eisenberg: Yes, good evening Chair and Members of the Commission. This is Jean
31 Eisenberg with Lexington Planning. I've been assisting Staff with this project and so the location
32 of potential opportunity sites. We talked a little bit about this last time but essentially, we came
33 up with a methodology that is described in the Staff report to identify opportunity sites. And so,
34 we did that by looking at sites that either on their own or when consolidated could be over
35 10,000-square feet. We identified the sites that property owners have expressed interest in
36 redeveloping and so we identified sites that were essentially Tier One sites. Those were the...
37 seen as the most potential for turnover and so those are the larger sites and the sites that have
38 expressed interest. Tier Two sites that maybe we're a little bit smaller, that would require a lot
39 consolidation to get to the... a re-developable size, and then finally Tier Three sites that were

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1 less likely to redevelop. And then we didn't include sites as opportunity sites if there had been
2 recently redevelopment on the project site or they were small sites.

3
4 And so, in Alternative One we're really only calculating build out, only calculating development
5 potential off of the Tier One sites. In Alternative Two we're calculating the development of
6 potential off of Tier One and Tier Two sites and then finally in Alternative Three, assuming that
7 with a greater amount of development and density allowed. That more sites could potentially
8 turn over and so we included more of a Tier One, Tier Two, and Tier Three sites in Alternative
9 Three. And then lastly the asterisks are showing sites that have proposed development projects
10 on them.

11
12 Commissioner Alcheck: That's... so that... I didn't... maybe I missed that the last time and that's
13 a part of my question was is there any data you can share with us about the time... like for
14 example, is the project that's been proposed making its way... for... I'll give you a good example.
15 2951 is one of these orange blocks with a 35-foot height limit in all three designs. Is the
16 current... that appears to not have a change in its zoning so does the project on 2951 propose
17 an alternative... I guess what I'm trying to understand is to what extent do some of these
18 projects mesh with some of the ideas? And if for example, the zoning changed, is there a way
19 for us to evaluate whether these projects would resubmit, or are they already baked? Like I'm...
20 that's my question because this is a lot more proposals than I anticipated.

21
22 Ms. Tanner: I think there's a range so 2951, as you know, is coming before Council for pre-
23 screening and has not submitted a project... an application. So, that's very much in the
24 vanguard stage as opposed to say let's say 2335 El Camino Real where it's an untitled project,
25 or even the 3001, the 3017 which again is an untitled project. So, it's not likely although it's not
26 impossible that an untitled project would come back to change their entitlement but it's
27 possible that they could do that before they construct the project. It could be more likely that
28 something like 2951, which still has to go through the entitlement process, let's say the NVCAP
29 is adopted while it's still being reviewed. It's applying for a PC Zoning and so it's kind of already
30 is a little bit different but certainly, we would make any effort to have the principles that are
31 outlined in the NVCAP incorporated and Development Standards incorporated into that PC. So,
32 if open space and different goals that we have, we'd want to see those reflected in that PC if
33 that were to go forward. Does that answer your question?

34
35 Commissioner Alcheck: Yeah, it sounds like a lot of coordination (interrupted)

36
37 Ms. Tanner: Yes certainly.

38
39 Commissioner Alcheck: Because it's hard... yeah, that's it.

40

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1 Chair Templeton: Alright, thank you very much. Commissioner Summa has her hand raised.

2

3 Commissioner Summa: Yes, thank you. I just wanted to ask Staff a question about the colors in
4 this map, Attachment C, and I think they show ownership groups rather than land use. Is that
5 correct?

6

7 Ms. Eisenberg: That's right, so the underlying colors are showing consistent owners. So, if you
8 see for example on Olive, there's some orange dots along some [unintelligible] kind of purple-
9 colored parcels and those are owned by one property owner.

10

11 Commissioner Summa: Ok, I just wanted to verify that I was seeing correctly about that. Thank
12 you.

13

14 Chair Templeton: Alright, thank you, Commissioners. Let's go over to public comment at this
15 time. To members of the public, if you'd like to speak, please raise your hand and Mr. Nguyen
16 will conduct comment in order. Thank you.

17

18 Ms. Tanner: Can I confirm Chair... sorry, excuse me... that we do want to hear from folks who
19 had not spoken previous, or is the Commission wanting to hear from any speaker this evening?

20

21 Chair Templeton: You know, I don't recall how we ended it. We... Commissioners, do you have a
22 strong opinion? We only have 20 people. I'm happy to listen to everyone's comment tonight
23 but I'm open to feedback from other Commissioners. I can't see you so go ahead and just jump
24 in with your comment if you have a thought on that.

25

26 Commissioner Alcheck: I thought that there was a rationale that we... and I do remember there
27 were individuals who I believe said that they... I thought there were individuals who said I will
28 wait till next time. And so, I think there was a clear indication that you would have one
29 opportunity to speak, not two, and so I would suggest that we follow that initial logic.

30

31 Commissioner Hechtman: [unintelligible] that was my memory too.

32

33 Commissioner Summa: I was just going to add that the Attachment whatever, I forget what it is,
34 but the answers to our questions from Staff might provide... actually might have provided some
35 new information that if a member of the public wanted to comment specifically on that. Since
36 it's new information maybe we should let them.

37

38 Chair Templeton: That was my feeling as well. Alright, anyone else? Thought I heard another
39 voice in there. Ok, well let's air on the side of that new information so if you have spoken

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1 before, maybe you can let the people who haven't spoken yet raise their hands first, and then
2 you can chime in if you had additional comments or questions.

3
4 Ms. Tanner: Thank you Chair.

5
6 Chair Templeton: Alright, so I see the hands are raised. Mr. Nguyen, would you please conduct
7 the (interrupted)

8
9 Mr. Vinh Nguyen, Admin Associate III: Yes, and just to be clear Chair. I think you said that you
10 want the new speakers to speak first. Is that correct?

11
12 Chair Templeton: Yes.

13
14 Mr. Nguyen: Ok. Well in that case our first speaker will boulevard Mary. Let's wait a moment
15 for the timer to come on. Oh, there it is. Ok Mary, if you're there you may speak.

16
17 Ms. Mary: Can you hear me?

18
19 Mr. Nguyen: Yes, we can hear you. Thank you.

20
21 Ms. Mary: Ok. I mainly have a question. Is there a table with each alternative and the variables
22 that we... that exist for each alternative?

23
24 Chair Templeton: Mary, this is Chair Templeton. We are not allowed to interact with you during
25 public speaking. I'm so sorry. Yeah, the agenda is available online and you can browse through
26 that and look for those things.

27
28 Ms. Mary: Ok. Thank you.

29
30 Chair Templeton: Thank you.

31
32 Mr. Nguyen: Ok, thank you. Our next speaker will be Justin Wang.

33
34 Mr. Justin Wang: Hi, can you [unintelligible -audio cut out]

35
36 Mr. Nguyen: Justin, are you there? We heard you briefly there but it looks like you might have
37 been cut off now.

38
39 Mr. Wang: My apologies for the technical difficulties. Can you hear me now?
40

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1 Mr. Nguyen: Yes, we can hear you now. Thank you.

2

3 Mr. Wang: Thanks for your patients. Hi everyone, I'm Justin Wang, advocacy manager for
4 Greenbelt Alliance. Greenbelts was formed over 60-years ago with a focus on the environment
5 and conservation, but we've increasingly seen the need for land use and urban planning
6 advocacy. Let's be clear, housing policy is environmental policy. Displacement and the
7 subsequence long commute from people like our central workers that are being increasingly
8 priced out of the City's worthy work is not only a moral issue but it represents increases in
9 Greenhouse Gas Emissions that we simply cannot afford. Furthermore, transit-oriented
10 development projects are natural and working lens from sprawl development. Maintaining the
11 natural infrastructure around our Cities that keeps our community safe from the effects of fires,
12 floods, and drought. I know that there are many community members that are in agreement
13 with this and in... yeah, I'll keep my comments brief in the essence in the interest of time. So,
14 thank you very much.

15

16 Mr. Nguyen: Thank you Justin for your comments. Our next speaker is Jeffrey Lu.

17

18 Mr. Jeffery Lu: Hey folks, can you hear me?

19

20 Mr. Nguyen: Yes, we can hear you. Thank you.

21

22 Mr. Lu: Hey, yeah, my name is Jeffery Lu. I live with my parents in Midtown here in Palo Alto.
23 First off, I want to thank the Staff and the Commission for making time to discuss this today. I...
24 by the way, the timer isn't moving if you meant to start that. I appreciate that all of the
25 alternatives presented to include more housing, more park space, and I'm especially glad to see
26 that all the options seem to emphasize accommodating folks on bike and foot. Which is great
27 for me and is also critical to addressing both Palo Alto and California's number one source of
28 Greenhouse Gas Emissions.

29

30 I really do recommend that you explore Alternative Three further which to me looks like it
31 maximizes the housing option available for folks looking for housing and a place to be in to stay
32 in Palo Alto. Many of my friends and I even on what are essentially really comfortable incomes
33 find it really challenging to find a place to stay in Palo Alto. Let alone putting down roots and
34 you know, I grew up here, and this isn't just because housing, in general, is really expensive,
35 which we all know that it is, but it's also that there are very few options that aren't single-family
36 homes which tend to be prohibitively expensive. So, proposals such as Alternative Three gives
37 folks like me a lot more non-single-family home options in Palo Alto. It's close to California
38 Avenue, it's close to frequent transit and I think for those reasons I really hope that you
39 consider Alternative Three. Thank you.

40

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1 Mr. Nguyen: Thank you Jeffrey for your comments tonight. Our next speaker is using an email
2 address being with Winter.

3
4 Ms. Winter: Yes, I have a few concerns. In looking at all three of these alternatives I'm really
5 struck that it seems to... they all seem to be an exercise in achieving the maximum amount of
6 development crowded into a space with disregard for several concerns that I have. They
7 reminded me of looking down when I open a can of sardines and I see all the sardines crammed
8 into a space.

9
10 I asked that during this meeting that Staff specifically address how each plan will address South
11 Palo Alto, where I live, [and] the tree deficit that is acknowledged by the City. The canopy is
12 trying to address over the next 10-years that South Palo Alto suffers from and that how each of
13 these alternatives is designed to address that because I look down at what was just shown of
14 each of these plans and I fail to see how greenery, trees, tree canopy, is going to possibly
15 address that and it shouldn't just minimally address that deficit. It should exceed its part in
16 addressing the South Palo Alto tree deficit.

17
18 I also don't see any justification what so ever for adding any more office. Actually, planning to
19 add office for every [unintelligible] unit of office it then just wipes out additional housing that is
20 in any of these alternatives and I don't get it. It seems wasted space and I don't see any
21 justification for the City enabling that.

22
23 Also, the [unintelligible] amount of parkland in any of them. I'm happy to see the creek. I would
24 like us to be able to better utilize and naturalize the creek, but we need more parkland. I mean
25 all of these just envision massive amounts of housing and other development. And the
26 economic injustices that is already present in the Ventura Neighborhood as the most
27 underserved neighborhood in all of Palo Alto while being the most economically diverse and
28 also the demographically the neighborhood that is the lowest economically... lowest
29 neighborhood economically is unjustifiable and I find this really distressing. I find a great deal of
30 hubris on the part of the City and these three plans.

31
32 And also, just on a personal note, it's very sad. It just seems to wipe out Griffin Music Store
33 which is one of our older businesses in Palo Alto at the corner of Park and Lambert. And its just
34 kind of disappeared and all of these thing and it just upsets me. And that's what I want to say
35 and I think that there are better alternatives actually that have been offered and we can do
36 better and do better. Thank you.

37
38 Mr. Nguyen: Thank you for your comments. We will not circle back to the speakers who already
39 spoke last week. Our last three speakers will be Rebecca, followed by Gail, followed by Kirsten.
40 Alright, so just next is Rebecca.

-
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Ms. Rebecca Eisenberg: Hi, sorry, I'm listening to two meetings at the same time. There's also a Pally meeting tonight. Anyway, thank you for taking my comment. I want to speak on behalf of Alternative C. Alternative C is the clear best option because it maximizes both open space and housing. A win-win. There's not even any close option. Now, I recognize that there are a lot of people who may have objected to Alternative C because of the large amount of commercial office space. I agree with that objection.

With that said, the Staff report is based on a flawed, factual analysis and I demand actually that the report be corrected. It is depending on commercial development for housing, especially for affordable housing, is a failed and flawed strategy. One that has been disproven and proven as ineffective already in Palo Alto.

You need to investigate alternative sources of financing for housing. To do that, all you need to do is look at other Cities nearby. I mean obviously other Cities use very effective Businesses Taxes that target large companies, not small ones, such as Mountain View. And in those Cities every time that the large companies expand, that creates revenue for the City. Because Palo Alto remains the only City with a business presence that lacks a Business Tax, you cannot look at the analyses done for other Cities for comparison for what to do in Palo Alto. Yes, other Cities have found that putting a moratorium on commercial development has been harmful to housing. There is no reason to assume that's the case here because commercial development is not aide housing here. It doesn't but it does everywhere else. Please remember that. There are a lot of different ways to fund housing. Many of those ways were actually explored in the well thought out, well written and extremely useful proposal Alternative M. Some of the options for financing listed by Alternative M include public trust; land trust; commercial, not development but commercial lens. I mean commercial bonds as well as resources that other Cities use effectively such as partnerships with non-profits. Palo Alto hasn't been very good at partnering with non-profits, but that doesn't mean that you should try harder to play nicely with the other kids in the playground.

Additionally, as you might be aware, the State of California has offered up and continues to offer up more than a billion dollars of free money to subsidize to actually pay for affordable housing. Palo Alto has not even applied, has not even applied for that funding even though Mountain View and numerous other neighbors have done so. My timer isn't running. Maybe you can't hear me. The bottom line is that fix your report, please. The only people benefiting by the reliance on commercial developers for affordable housing are commercial developers. May of whom are business partners and clients of people on this Commission. I beg you to dig deeper. Thank you.

Mr. Nguyen: Thank you, Rebecca, for your comments. Our next speaker is Gail.

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1
2 Ms. Gail Price: Thank you. My name is Gail Price. I'm Palo Alto Forward Board President. I urge
3 you to give Staff direction to expand and select Alternative Three. The Staff report and the
4 consultants Financial Feasibility note that Alternative Three incorporates many housing
5 opportunities and a variety of misuses includes office and community benefits and is the most
6 economically feasible. It is more inclusive, thriving, and vibrant. The majority of online survey
7 respondents preferred Alternative Three supporting higher density residential uses and heights
8 allowing small office footprints. Alternative Three adds the most housing supply, improving
9 transportation and multi-modal facilities, it aligns best with the City's goals.

10
11 The NVCAP vision is being compromised by current and future development proposals that
12 limit area possibilities for benefits and housing. I'm concerned that several parcels, including
13 the Cloudera site, are being constrained if Alternative One and Two are pursued and the
14 scenario of Alternative Three is not bold enough.

15
16 The Sobrato application will yield a modest number of BMRs. To meet our RHNA goal we need
17 to identify and use more NVCAP and other sites throughout the City. If we are not serious about
18 identifying feasible RHNA sites, it is likely the state will intervene.

19
20 Alternative One and Two are regressive in office development and do not provide sufficient
21 economic and development activity to create additional housing funds. The City needs to
22 identify a wider variety of funding sources and needs to incentive land dedication in our
23 Inclusionary Zoning Policies. Our discussion should focus on the common good and housing
24 solutions such as sustainable, compact infill developments that provide housing, social and
25 public health benefits. The politics of no are not helpful. This five to twenty-year plan should be
26 revised to better reflect economic feasibility and emerging trends in urban design services and
27 land use in communities adjacent to transit.

28
29 I have submitted many links to related articles on the NVCAP website. I will continue to
30 participate in public hearings, although I have resigned as Co-Chair of the NVCAP Working
31 Group. Thank you.

32
33 Mr. Nguyen: Thank you Gail for your comments. There seems to be some issues with the
34 speaker timer so I went and took over the screen and put up a new timer. One moment, please.
35 Ok, our last three speakers will be Kirsten, followed by A. Dellaporta, followed by Cedric.
36 Alright, up next is Kirsten.

37
38 Ms. Kirsten Flynn: Hi there, this is Kirsten Flynn, NVCAP Member and almost 6-year resident in
39 Palo Alto which is all of them. [unintelligible]. So, in my private life, I work an interior designer
40 and I often come with people how have been living for a long time with a problem that is

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1 making them crazy. I call is the bathroom problem. They've been living with a tiny bathroom
2 and when they finally decide to remodel, they make a bathroom that you can dance in. They're
3 over solving the problem that's driving them crazy. Well, I don't want to over solve our
4 bathroom problem. I know we are desperate for more affordable housing units. I personally
5 want all of the units in Option Three. However, I want to call your attention to the graph on
6 Packet Page 78. In order to get Option Three with the new proposed development on the Fry's
7 site. We... Option three has 200... 370 jobs while... office jobs and Option Two has 70. If we
8 accept three to five times the number of jobs as the price to pay to get those units we want, we
9 are solving a problem by creating a problem; traffic; workers that have to do super commutes.
10 We must pursue vigorously both all of the housing in Option Three and all of the options listed
11 by Staff on Page 82 and 83 of the Packet to create this needed housing without worsening the
12 jobs-housing imbalance. It is a carbon problem, it's a quality of life problem, and it's a social
13 equity problem. So, we really need to do better at exploring the housing... maximal housing
14 without assuming that we need to triple or increase by five times the number of jobs in order to
15 pay for that. There must be other options and the Staff has given us several. Thank you for your
16 patience in listening to me twice and I trust you to choose the best solution.

17

18 Mr. Nguyen: Thank you for your comments. Our next speaker is A. Dellaporta.

19

20 Ms. Angela Dellaporta: Hi. Yes, thank you for hearing us again. My name is Angela Dellaporta
21 and I'm a resident of Ventura Neighborhood and I'm also on the Working Group. I'm going to
22 try to avoid repeating myself but I can't resist saying again that affordable housing and middle-
23 income housing is really important to all of us, and mentioning that the Working Group has
24 compiled a document detailing a variety of ways through which more affordable housing could
25 be achieved in addition to simply mentioning Density Bonuses. There are many different ways
26 to doing that.

27

28 I also have to reiterate that these alternatives basically provide only 1-acre to at most 1 1/-2-
29 acres of park space per 1,000 residents. And that ratio for the NVCAP would push Palo Alto's
30 park space ratio even lower than it currently is and far lower than San Francisco's or Mountain
31 View's park space ratio. To crowd 3,000 people into the NVCAP area and not provide plenty of
32 park space just seems wrong and I think Palo Alto can do better than that.

33

34 I also want to say that if we do envision a vibrant European type town square in the NVCAP area
35 which many of us felt very strongly that we would like in the Working Group. We would really
36 want to have cafes rather than cars directly adjacent to the park and somehow that didn't
37 come through in any of these alternatives.

38

-
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1 And if we want to encourage biking and walking along Park Boulevard, then Lambert, Portage,
2 and Olive should not be through streets. We should not encourage cars to go through to Park if
3 we want to encourage biking and walking along Park.

4
5 And I also want to say that there are many projects that are being proposed, many proposals,
6 that do not fit into the current zoning and they should be postponed until after the NVCAP plan
7 has been decided. I'm hoping that that makes sense to everyone. Thank you so much. I
8 appreciate your work. Thanks, bye-bye.

9
10 Mr. Nguyen: Thank you for your comments. Our next two speakers are Cedric, followed by
11 Rebecca.

12
13 Mr. Cedric de la Beaujardiere: Yes, hello, thank you for having this meeting. Previously, at the
14 last meeting, I spoke for having stepped back buildings with rooftop and balcony gardens. I
15 think that this form of development would address some of the concerns that have been raised
16 about the... Winter for instance raised about packing things in like sardines. I think it provides a
17 good balance between increased density while simultaneously respecting the neighbors that
18 abut the properties. So, I think that this building form could be achieved through creative
19 zoning and I would ask you to discuss this possibility amongst yourself. And for examples of
20 buildings that integrate a lot of nature, I would point you to the Bosco Verticale project in
21 Milan, Italy which is a high rise in this case but it is completely bedecked with greenery on all
22 four sides and people report that they are really happy living in there. They have higher physical
23 and mental well-being.

24
25 Finally, I think the Sobrato proposal for housing at 340 Portage should be rejected. I know that's
26 not directly on your agenda here but it does impact what can be done on the site. The project
27 has way too few housing units compared to what could be built in there under these plans and
28 it's disingenuous of Sobrato to want to use Senate Bill 330 to prevent the City from rejecting it.
29 That bill is designed to increase housing and it's supposed to be used to prevent Cities from
30 rejecting projects that are too big, that have too many housing units, and now they want to
31 perversely use that to force you to reject a project that has two few units. My understanding of
32 the history of the site is that the City did want to increase the zoning there to have higher levels
33 of housing but they [unintelligible] and they held off on doing that because they didn't want to
34 have any risk to Fry's Electronics which is a large or was a large income generator for the City
35 with all the Property Tax. So, Sobrato organization is well aware of that history and they've
36 been part of this process. They've said all along that they had no plans to develop and then
37 along they come and they propose this really paltry plan. So, I hope that the City and you as a
38 body will reject that project and support one of the more dense projects.

39

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1 I hope also that you would examine seriously the Alternative M I think it was called. I don't have
2 any strong opinions on that one. I had trouble finding it actually but I think that it should be
3 considered that it was presented to you in good faith. Thank you.

4

5 Mr. Nguyen: Thank you for your comments. Our last speaker is Rebecca Sanders.

6

7 Ms. Rebecca Sanders: Yes, thank you. Thank you for letting me speak one more time. I'd like
8 to... I'm Becky Sanders. I live in Ventura. I want to align myself with I guess almost everything
9 I've heard here this evening. Kirsten Flynn's comments about the job... exacerbating the jobs-
10 housing imbalance. Wow. I mean that is not what the NVCAP is about.

11

12 I also want to align myself with Angela's comment about lack of park space. You know we're
13 already crowded over here in lovely Ventura and we're already park starved. I would love that
14 not to be exacerbated. I think that's a fair ask in parity with other neighborhoods. It's
15 something that... I've got a beef with that. That's on my to-do list is parity for Ventura.

16

17 Also aligning myself with Angela Dellaporta's comment... remarks about traffic zipping along.
18 We've already got cut-through traffic up the wazoo as they say and I don't see any plans for
19 eradicating that. It actually would just make it worse.

20

21 Also, just a shout out to Cedric, my new best friend for calling our Alternative M. I am delighted
22 that someone else recognizes that maybe Alternative M is flawed but it is if we want to build
23 housing for the people that need it. We have got to take bold strides and not the piece mill
24 that's the way we've been doing business because we will never catch up with our jobs-housing
25 imbalance because it doesn't make sense for developers to build things that don't max out their
26 profits. I get it. There's nothing wrong with making money, but if Palo Alto wants to solve its
27 housing crisis then we need to issue bonds, look creatively, look at some of these applications
28 for getting some help, work with other people, work with non-profits. Just make it a wonderful
29 opportunity to do something completely different. It is also scary, I understand that. So, thank
30 you very much for your deliberations this evening, and happy new year to you. Thank you,
31 everyone.

32

33 Mr. Nguyen: Thank you for your comments. We have a new raised hand from Palo Alto
34 Forward.

35

36 Ms. Angie Evans: Sorry, this is Angie Evans. I did not mean to sign in Palo Alto Forward. I really
37 just wanted to comment. I commented at the last meeting as well about expanding and
38 exploring Alternative Three. I think Alternative Three has the most park space of any of the
39 options. It also has the most housing of any of the options and it really provides the density and
40 heights that we need to make Palo Alto a more affordable place to live and for all of us to be

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1 able to thrive here together. So, I won't make long comments. I just wanted to remind all of the
2 Commissioners of the speakers at the last meeting and all the letters that you've got then as
3 well. Thanks so much.

4
5 Mr. Nguyen: Thank you for joining us tonight and Chair Templeton, that concludes public
6 comments for this item.

7
8 Chair Templeton: Thank you all so much for coming and speaking with us tonight and for many
9 of you for keeping it short and sweet. Especially if you took your second bite at the apple so
10 thank you all.

11
12 Alright, so Commissioners we are over to you. Who would like to go first? Commissioner
13 Hechtman.

14
15 Commissioner Hechtman: Thank you, Chair Templeton. I guess a procedural point before I talk
16 about the substance. How do you want to proceed with this discussion? Do you want a round of
17 general comments or do you just want me to go all-in right up front?

18
19 Chair Templeton: You know it's a great question. I anticipated that people who had questions
20 last time that Staff returned to might want to go discuss those first. Especially if you had further
21 questions for Staff. Just out of fairness if we could kind of do a 5-minute round first and then if
22 other people had questions you may find your question was answered. So, how does that
23 sound?

24
25 Commissioner Hechtman: [unintelligible – no audio] with me.

26
27 Chair Templeton: Other Commissioners you cool with that? Thumbs up to kind of have a... I see
28 you talking Commissioner Lauing but I can't hear you.

29
30 Commissioner Lauing: Really, you're prosy like that. I have to turn my (interrupted)

31
32 Chair Templeton: Well you know.

33
34 Commissioner Lauing: Yeah, I didn't... I'm not quite sure I understood that so do you just want a
35 few questions or do you want us to give substantive answers and keep it to 5-minutes?

36
37 Chair Templeton: I am not going to speak to the quality of what you discuss or the content.
38 What I would imagine first if you had questions that you sent to Staff that were answered in the
39 Packet or not answered thoroughly. That might be a good place to start to kind of get us back

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1 to where we were, but that's up to you. And I was suggesting maybe kind of have a 5-minute
2 boundary or so so that we can get everybody a chance to speak.

3

4 Commissioner Lauing: Ok.

5

6 Chair Templeton: Self-driven. I'll give you a ping if it's been too long but I think you guys can...
7 we have a gist. We've gotten down to a nice routine with that. Ok, alright back to you
8 Commissioner Hechtman.

9

10 Commissioner Hechtman: Thank you. So, I don't have follow up on questions. I want to give
11 kind of the... my general overview of my approach to this and then I'll... I've got... it's sort of two
12 parts and I think I'll stop after the first part and get that in the second round.

13

14 So, when I'm approaching this area plan I start with the recognition that every area plan,
15 whether you call it an area plan or a specific plan or a Master Plan, it starts aspirational and
16 then it goes through an arch, a development arch, where it has to end up achievable and that's
17 what we have. We're in the middle of that process right now with the NVCAP and so we have 2-
18 years of work by the Working Group and countless hours by Staff. It's been... it's visited the
19 Planning Commission and it's visited City Council and through that period we've had
20 refinements of three alternatives. I think we saw three last April I want to say and then much
21 improved versions at our last meeting in December, but it wasn't.... and so, we're... these things
22 are coming into focus. But it's not until we get the... what's it called... Strategic Economics
23 Report which I think we didn't see... the Planning Commission didn't... it came in towards the
24 end of the year and we saw it at our last meeting. And that was big news because it says you've
25 got three alternatives and two of them are not financially feasible and only one of them,
26 Alternative Three, is financially feasible. In other words, it is likely that if you approve this, put it
27 out on the market, it will happen. And so that's where we are actually right now tonight is we
28 have in front of us only one alternative that according to our consultants could actually work,
29 could actually happen, and so my belief is that we are not ready I don't think to take a
30 recommendation to the Council because at this point we don't have any choices. I can't imagine
31 recommending to Council a plan that is not financially feasible. I think that we end up... if the
32 City ends up there then all of this effort has gone to approve a pretty picture of something that
33 will never be built and I don't think that's where the Commission is or City Council or the
34 Working Group. Nobody wants that. So, what I want to do... so I have... what I'd like to do is
35 develop using our current alternatives, explore those in a little more depth and actually send
36 them back to the consultant to come back with variants for two more feasible alternatives. And
37 I'll get into that kind of in the second round so that when this comes back to us, we can actually
38 debate three things that might work. Any one of them might work and based on those, make a
39 recommendation to Council. So, I'm going to leave it there and I'll describe those variants next
40 round. Thank you.

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1
2 Chair Templeton: Thank you so much for your comments. Alright, any Commissioner would like
3 to go next or raise your hands, please? Vice-Chair Roohparvar.

4
5 Vice-Chair Roohparvar: That's a really interesting point you raised Commissioner Hechtman. I
6 actually had a follow-up question on SB 330 for Staff. So, per the Packet, the application is
7 incomplete which means that there's no... it's incomplete. It's not happening yet. It's not locked
8 or anything because I think the completeness of the application is when the trigger is for the
9 zoning or SB 330 to lock the zoning or whatever. So, does that mean procedurally how does
10 that work? If we end up picking a or selecting an option today and it goes to City Council and it
11 gets approved before the SB 330 application is complete. That means that, that the project
12 would be subject to whatever we decide. Am I understanding that correctly versus?

13
14 Ms. Tanner: Right. So, I think the important point here is to understand the timetable we're on
15 right now. So, we're at the point where we're trying to identify a conceptual plan that will be
16 furthered studied and refined, and developed into an actual plan that the Council would adopt.
17 So, we are far from adopting zoning and code language that would actually be... any of these
18 properties would be subject to. So (interrupted)

19
20 Vice-Chair Roohparvar: Got it, so it doesn't matter.

21
22 Ms. Tanner: When we do get to that point if we did adopt a new project and an incomplete
23 project was there. It would be subject to the regulations of the day. The Sobrato organization
24 has resubmitted their pre-application which again then again triggers the time table both for
25 locking in the standards for development but also a time table for them to submit a formal
26 application for that project which has yet to be submitted.

27
28 Vice-Chair Roohparvar: Got it. That's really helpful. So, basically, we should pretty assume it's
29 going to be the 85 dwellings. I mean we can't but it seems like it.

30
31 Ms. Tanner: That [unintelligible] proposal at this time period.

32
33 Vice-Chair Roohparvar: At this time. Got it. Ok, that's really, really helpful. Thank you for that
34 clarification.

35
36 Chair Templeton: Alright, who else? Who would like to go next Commissioners? Alright, I'll take
37 my turn. Oh, are you raising your hand, Commissioner Summa? Commissioner Alcheck?

38
39 Commissioner Summa: [unintelligible] need somebody to volunteer to go next.

40

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1 Chair Templeton: Alright. Well, let's go to Commissioner Alcheck, Lauing, and then we'll do
2 Summa and Templeton. Thank you.

3
4 Commissioner Alcheck: Thank you. So, per usual Commissioner Hechtman proposed... your
5 thoughts have pushed me into a very theoretical thought process here. Let me ask my question
6 first and then I'll get into some of my thoughts on what you just said.

7
8 This is for Staff. The Alternative One has a picture in the north... that's not north. In... yeah,
9 maybe it is. The northwest corner or maybe that's just the north corner of the existing office
10 building. And then in Alternative Two and Three the... I think Staff suggested that there would
11 be an option for that property to reconfigure itself which made me think of the way my son
12 reconfigures his Legos. It looks like this for a minute and then he takes apart all the same pieces
13 and then makes it look like something else. What... is there an incentive for a property that in
14 this case, I don't think provides housing at all. Is there... is it because of the current aesthetics of
15 that building doesn't mesh with the concept in Alternative Two and Three that we are
16 suggesting some kind of reconfigure; or is there an incentive to make that happen? I'm sort of
17 confused about that component of the alternatives.

18
19 Ms. Tanner: Can you repeat Commissioner Alcheck the building you alluded to?

20
21 Commissioner Alcheck: So yeah, so there's this big blue it looks like (interrupted)

22
23 Ms. Tanner: Here?

24
25 Chair Templeton: Cloudera office building.

26
27 Commissioner Alcheck: Yeah and in the next slide, Alternative Two, suggested that the space...
28 the building could be reconfigured and alternative... and use the site alternatively. And I was
29 just confused at what does that mean? How would that come about and why?

30
31 Ms. Tanner: So, essentially Alternatives Two and Three would propose that the entire site
32 would be scraped and the existing building and features there except we do try to... you know
33 we want to keep the... there's an existing berm with some very mature trees and providing
34 some park and open space. We do want to retain that but that the buildings that are there
35 would be raised and then new buildings would be put into their place.

36
37 In Alternative Three in particular the incentive is the addition of office space. I think it's about
38 an additional 80 or 100,000-square feet of office. In Alternative Two it's the same amount of
39 office space as currently proposed or currently exists with the idea that the additional housing
40 might be an incentive to have the property owner turn that over.

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Commissioner Alcheck: Ok we have a sufficient number of attorneys on this Commission to know that the hypothetical question is probably not a popular one. Is the idea that the current owner would consider demolishing his existing commercial building in Alternative Two to rebuild a building of equivalent FAR alongside two new residential developments?

Ms. Tanner: That is the idea that is presented in Alternative Two, yes.

Commissioner Alcheck: And in Alternative Three the idea is, is that it's the same idea except we're going to incentivizes that effort by adding FAR commercially but residential?

Ms. Tanner: Yes, that's correct.

Commissioner Alcheck: And so, the presumption here, I don't know that we... I don't know that I appreciate the financial... the... whether this is financial... the viability of that... the financial... I don't know that I appreciate the financial viability analysis on a parcel by parcel basis, but a presumption is that it's probably unlikely for someone to go through that effort unless there's some incentive. There's some threshold and you have to give something. That in Alternative Two the housing may not be enough so Alternative Three is not a different housing concept. It's a greater incentive concept.

Ms. Tanner: That's correct.

Commissioner Alcheck: Ok. Alright, that's... thank you for answering that question. So, I'm going to... I want to respond a little bit to Commissioner Hechtman's comments. I was thinking a lot about the NVCAP and the process over the last month and for a long part of that month I was like we decided... it was set up wrong. This was the wrong way to do it. This group, this many months, the expectation, three alternatives. This was probably... we set it up... not we, but the process... and then I was like well how would I have done it differently and I struggled really with coming up with a different plan. How could we have coordinated this committee of dedicated individuals to come up with something different and what would we have said? They should just tell us what you prefer and vote on it and try to see if there's consensus and then Staff will create just one vision. And what I realized was it's like you know how they say like democracy is the worst form of government until you consider all the others, right? So, I don't know that there... I'm sort of in the second half of the month kind of came to this realization well this probably isn't necessarily a better way for the individuals for this process, this sort of public engagement, to go differently.

I also think that we got the exact alternatives that the City probably wanted. I think they reflect actually one of our challenges which is that we want some amount of housing to address these

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1 issues but it's not likely that the sort of vision we have is financially feasible. I almost... I'm not
2 suggesting that there was an intention here, but it's as almost as if the Staff presented the
3 alternative you want, the alternative that works, and the version that somehow splits the baby.

4
5 Mr. Nguyen: We're approaching 7-minutes.

6
7 Commissioner Alcheck: Sorry. In an effort to sort of demonstrate that what you want isn't
8 necessarily feasible. And I'm concerned that if for example, we asked Staff to come up with two
9 more feasible options. Well, we know the direction that this has... we vaguely know the
10 direction this has to trend towards and I don't know that any of the NVCAP... no, I shouldn't say
11 that. It's not clear that a majority of the NVCAP people, you know members, would support
12 that. And I would argue that it is almost impossible to expect the NVCAP to make the tough
13 decision in the face of, for example, community members who may feel that this vision is like
14 the sardine can reference. There are strong opinions here and to have individuals who are
15 asked to participate in a process make a recommendation that makes so many people
16 uncomfortable. It seems anti the Palo Alto process vision that they had.

17
18 I guess what I'm trying to say is there's a part of me that believes that we could engage in a
19 debate tonight and suggest what we believe this site should venture to do and ask City Council
20 essentially, you've got visions here that work and visions that don't. You're got RHNA numbers
21 on the heels... at the precipice and we have housing needs that we're already aware of and to
22 what extent are we prepared to be bold?

23
24 And then the second thing I want to mention... and I'll try to wrap this up right now... is that I
25 think we... I think probably most of us know because we've been doing this now for a while is
26 that... yeah, I would argue Alternative Three doesn't seem to have, for example, this music
27 shop. But that doesn't necessarily mean that the music shop won't be there for the next five
28 decades and that's because what we envision doesn't necessarily get built. And one of the
29 comments that we had last time was that this was a 20-year horizon and I made the... one of
30 my questions was are... to what extent are the part... the developable units that are not Fry's
31 heavily weighted into the end of that timeline which is really like sort of a gamble? So, there's a
32 part of me that feels like the solutions are not... the options aren't real options and there's a
33 part of me that feels like they couldn't be because there's only one option in the City that we
34 haven't tried and that's something we're uncomfortable with. So, I'll end there because I feel
35 the Chair's... thank you for (interrupted)

36
37 Chair Templeton: It's fine, we can come back to you, and I do think you guys are all coming up
38 with really good discussion points. I just want to make sure we give enough air time to other
39 Commissioners. So, before we go to Commissioner Lauing, can I just confirm with Staff because
40 my understanding of the local Griffin is on the other side of Lambert.

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Ms. Tanner: That is correct.

Chair Templeton: It's outside. Ok, so it's not... that was not an accurate statement from a member of the public, although I'm sure they intended well. Ok, so let's move on to Commissioner Lauing. Thank you so much.

Commissioner Lauing: I'm going to kind of combined both of the questions that I asked before procedurally and ask a few questions and then get onto the substance. The... I believe that the overview with slides referred to the original slide but not to the revised slides because the revised slides have actually lower numbers for everything; affordable housing; regular housing. So, that's what we should be referencing at this point with the change made by the Fry's situation.

It's my understanding that you now have 61,787-square feet of commercial space and 275 units in process and nothing's going to stop there, right? That's a question to Staff. That just continues no matter what we do at this point.

Ms. Tanner: Well, I would say that certainly some of the approvals are discretionary. So, for example, any of the PC or the PHZ proposals, that would be discretionary approvals, but they are not prohibited from pursuing their application, and Staff would certainly process those applications that are submitted.

Commissioner Lauing: Ok and did you add that to the existing development in the new chart?

Ms. Tanner: In terms of the potential and realistic development numbers?

Commissioner Lauing: The 61,787 in commercial, is that in the 855,200? Just trying to figure out the total amount of commercial that's already there with the planned stuff that's in development.

Ms. Tanner: Oh, I'm sorry, you're saying of the existing development.

Commissioner Lauing: Yeah, I mean this is in process, not existing, but so did you not put the in process with the existing?

Ms. Tanner: Chitra, I don't believe that we did. Do you have that answer?

Ms. Eisenberg: We did not put the in process with the existing.

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- 1 Commissioner Lauing: Ok, so in addition to the 855, there's also 61,787 of commercial that's
- 2 going to happen there no matter what with the contingencies that you correctly addressed.
- 3

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1 Ms. Tanner: Yes.

2

3 Commissioner Lauing: Right?

4

5 Ms. Tanner: Yes, that's correct.

6

7 Commissioner Lauing: So, excuse me, so I'm going to make a few comments. As one letter of
8 the public noted and the Staff report also report noted that the NVCAP is really a rare
9 opportunity to proactively create a Master Plan for the entire neighborhood. So, a strategy for
10 the neighborhood and for the City to reimagine this entire geographical area. And the outcome
11 we get here is also precedent-setting as it can be used as a model for similar exercises. I love
12 the fact that the original goals here state first that the NVCAP should strengthen the
13 neighborhood fabric. I think that's spot-on for what folks are trying to do and then the specific
14 goal is... the first one is around housing and land use. Siting every segment of multi-family
15 housing, siting open space, retail, even possible arts, and entertainment uses. People... public
16 commenters referred to cafes, European atmosphere and in other words, the goal is to create a
17 wonderful, walkable, mixed-use neighborhood in which a diverse population, because we're
18 looking for diversity, can live their entire lives in Palo Alto from their first job to their senior
19 years. That's the vision but I think as I sort of forecast at the last segment of this hearing that
20 really none of three alternatives proposed here meet the objectives set by the Council or the
21 vision of the Working Group and two of them, as Bart [note – Commissioner Hechtman] noted,
22 are not even financially feasible. And the two things that are glaring errors I think are the
23 specific direction that Council set at the beginning on looking at all the housing segments and
24 the open space. Everything's a tradeoff, we understand that, but those two are just really not
25 being attended to in any of these.

26

27 And then on top of that, the new Saberato development plan radically changes what can be
28 done in that area. That in itself forces some kind of a reboot on the project. So, I mean just
29 looking at one pivotal new number is an example, a revised graph which that's why I asked you
30 about that.

31

32 On Alternative Two, just to pick an alternative, is BMR housing reduced to only 130-units. That's
33 not acceptable. That might not even cover the current residents who cannot, by our plan, be
34 displaced. Or we can step up to Alternative Three, the revised version, and get a whooping 20
35 more BMR units. We can go from 130 to 150 and the price we paid for that is 87,000 new
36 square feet of offices. I calculated it so also not acceptable.

37

38 So, I think the biggest draw back in the consultant's report, I understand it in totality, is the kind
39 of the old school process of only modeling 15 percent BMR and only at 80 to 120 AMI in mixed-
40 use office projects. Hence by definition, office construction has to happen for that math to work

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1 looking at the return on cost model that developers prefer. Understandably because they'd
2 make money on there. I get that, no problem with that. That's why they want to do housing and
3 the consultant's reports states that they may "twice the net value per square foot" on Page 48
4 and in other places but I noticed on 22 is says the report identifies office uses as the most
5 financially feasible used in the NVCAP area. And also mention that no surprise, the developers
6 that you talked to want more office space. Again, not... I get that, you want to make more
7 money, it's just that it doesn't meet our objectives. So, I think that there's this assumption that
8 this tactic is the only one to get housing at all and certainly BMR housing but it's not. It has to
9 change.

10

11 It's already started. I mean we've made some good progress actually with some of the work on
12 the... that we did on the HIP program and Council approved and we're starting to get bits on
13 that. We've just also gotten a housing-only project on San Antonio when we looked at changing
14 the CS Zoning. We only got 15 percent BMR but at least we get all housing and no office. And
15 the NVCAP plan right now, we really need to model in some percentage of units going in there
16 that are 100 percent housing projects like the San Antonio one as a primary goal and we're not
17 doing that right now.

18

19 So, I think more broadly, the way I come out of this is we've got to kind of take the blinders off
20 and confront reality or change the play book. Whatever you want to call it. We have to look at
21 subsidies for these types of projects with a combination of public and then also hopefully some
22 corporate funding options and now's the time. If we want real diversity, if we're going to
23 commit to diversity in our residence, we need all kinds of segments of housing and the
24 appropriate Staff answer to question number eight. Well, there's public policy intervention and
25 subsidy is needed to support affordable housing. That's absolutely correct.

26

27 Now Measure M, that proposal created by the citizen's group, did make an assumption of
28 public funding and essentially all the problems in the other three proposals were solved.
29 Adequate open space, a community center building even, 400 housing units affordable,
30 reduced traffic, and more. So, that shows that with that variable being loosened up and
31 relooked at, we can do that. So, I think we should scope it out and I'd like to see our consultant
32 look at what it will take in dollars to fund the core things that were the original plan from
33 Council; which is especially all housing segments, not just 15 percent and 80 to 120 AMI, and
34 use in the analysis assume some units are all housing not attached to offices. Calculate that
35 (interrupted)

36

37 Mr. Nguyen: That's 7-minutes.

38

39 Commissioner Lauing: Pardon me?

40

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1 Mr. Nguyen: We're past 7-minutes.

2

3 Commissioner Lauing: Ok, I'm almost done and open space and park space are Comp Plan
4 guidelines and calculate subsidies required per housing type on a return on cost model. We can
5 talk about that a little bit later. So, after crunching these numbers, yeah, the consultant will end
6 up showing us a very big number. Got that, but let's just get the data done, and then we have
7 to look seriously at the new options that are on the table like local bond measures. We just
8 can't single-source big deals like this forever with the office 15 percent BMR model. That's how
9 we get diversity. We need that for diversity. We need that for RHNA allocations. Let's just
10 address that and be serious about it. Let's get the data.

11

12 Chair Templeton: Thank you, Commissioner Lauing. Commissioner Summa.

13

14 Commissioner Summa: I will try to be brief because I agree with almost everything everybody
15 has said so far. Especially Commissioner Lauing took the words right out of my mouth.

16

17 Commissioner Lauing: Sorry.

18

19 Commissioner Summa: I agree with Commissioner Hechtman that it's strange we're even
20 putting forward projects for consideration that we think are not feasible. However, I think there
21 are all equally feasible and equally unfeasible. I mean by that definition of feasibility which to
22 me is very narrow, what's there would be considered not feasible. I know we want to make
23 changes and the goals and objectives tell us why we want to make those changes. And the
24 biggest change we need to make is to really find a new way to get truly affordable housing into
25 our community because the tax credit system and the other ways we've done it traditionally
26 have failed. We saw this in our RHNA cycles time after time in the last... I mean in the last five
27 cycles which Staff had in the Staff report for us. The gap between... well, I would say the
28 diminishment of creating any affordable housing grows greater and greater and greater. So,
29 that's what we're trying to solve. Staff rightly points out in this Staff report that that can be
30 done... achieving affordable housing can be done through private/public partnerships, through
31 the tax credit system which is very important; but also, through legislative actions that allow for
32 tax... appropriate taxes on appropriate businesses which I think this Council has the intention of
33 doing at an appropriate time, but also through bond measures and financing things that way.
34 And that... all of these three alternatives to me are unfeasible because to get what we want in
35 3, we have to give up too much and I find that what we're really giving up besides the most
36 important thing which is affordable housing and as Commissioner Lauing rightly points out. The
37 inclusionary is very small percentage of the housing at the very highest AMI that puts people
38 above 100 percent of AMI. So, not... sure, it's doing something but it's not really addressing the
39 problem and it only applies to for-sale units still at this time.

40

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1 So, and as to financial feasibility, it's not really my thing but I will harken back to comments that
2 Tim Steel made. Tim was a member of the Working Group who represented the Sobrato
3 interest. Very nice guy and he more than once including in January, about a year ago, of last
4 year, he talked at some length about what we call now penciling out for buildings. And really,
5 he made the strong point that every building is different. Every building has its own financial
6 reality which is based on fixed cost which is cost of construction basically and a plastic cost
7 which is the cost of the land because the land cost depends a lot about what you can put on it.
8 The value of the land depends on what you can put on it mostly and there are different uses
9 that would require him to go to banks and do a whole factual analysis. So, he made the point
10 that each building is its own financial feasibility in reality. So, I feel like we're counting on all of
11 these a little bit on a very generalized financial model instead of a model that is driven by what
12 is good for the government to do for the people that live and the future people that are going
13 to live there. So, that approach to me was always a bit off here and I don't really think it was
14 prescribed by the Council.

15
16 So, I could go into a lot of detail and I would also like to say that there is a false... not providing
17 the same amount of park in 1, 2 and 3 is sort of a false choice I think because any of that land
18 will have to be purchased because the City doesn't currently own it. So, the idea is you could...
19 if you can purchase it for 3, why can't you purchase it for 1 or 2? And we simply cannot move
20 forward for me with recommending a project that counts what is traditionally setbacks of court
21 yards of mixed-use buildings or large multi-family buildings as park or open space. It isn't park,
22 it isn't open space, I don't believe it will result in anything, and park and open space are land
23 uses that have definitions in our Municipal Code and in our Comp Plan and they don't include
24 somebody else's private property. They just don't.

25
26 So, I think without going into a lot more detail about other tradeoffs that I don't think we have
27 to make and ones that we really are missing in all three of these plans because everybody's
28 spoken so well about that. So, I don't know where to go from here. It's kind... I spent 2-years on
29 the Working Group and I don't believe I missed a single meeting. So, I've been amerced in this
30 for a while and I just... I don't think we have really three good options to present to the public
31 and to our Council at this point.

32
33 And I also will say it's awfully hard to make decisions when so many... make a recommendation
34 on one alternative when so many... so much of the detail has to be done after that
35 recommendation is made.

36
37 I'll... I don't know what time it is but I'll just make one last point and that is and I've said this
38 many, many times. We need to understand what multi-family density... what zone we need?
39 Obviously, RM30 and 40 is not getting us to where we need to be. I think we know that but we
40 don't know what that is and we don't know the Development Standards to go along with it. I

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1 think by far the way you make taller buildings or denser buildings that people are objecting to is
2 when they have really negative impacts on their neighbors. So, the Development Standards to
3 me that affect other people and the people living and using the building are more important
4 than the density per acre of units. I think you can have a 100 units per acre that has no negative
5 impacts and so we need to get there with those specific Development Standards. And I feel like
6 there's too much left to chance to make a recommendation at this point. I hope that wasn't
7 over 5-minutes.

8

9 Chair Templeton: You're fine Commissioner Summa. It looks like Assistant Director Tanner had
10 a comment.

11

12 Ms. Tanner: I just didn't know if there was a chance to respond to some of the comments or I
13 don't know, Chair you haven't made your comments yet (interrupted)

14

15 Chair Templeton: Yes, yes absolutely.

16

17 Ms. Tanner: If you'd like to go.

18

19 Chair Templeton: You can feel free to do that now if you wish.

20

21 Ms. Tanner: So, they'll kind of be not in any particular order so I do apologize for that. I think
22 certainly we can, if the Commission decides to send this back for more work, we can work on
23 that. This project remains underfunded and so we have done most of this work as Staff with a
24 little bit of from Jean. Well, I shouldn't say a little bit, a lot of bit of help from Jean Eisenberg
25 and some from Strategic Economics but if we are asking them to do more work. We... I don't
26 know how... something else, a future study of some kind will have to be negated to afford that.
27 So, you know we certainly can-do somethings to look at different options that do provide more
28 financially feasible options.

29

30 I would say I think Commissioner Alcheck's note that more financially feasible is going to go the
31 direction of Alternative Three and away from the direction from Alternatives One and Two
32 based on the... if that's the direction, right? To develop more financially feasible alternatives
33 and so we can do some work with that but I'm not sure what type of analysis we would be able
34 to do. But we do have quite a bit of work from Strategic Economics they've already done to
35 provide us some guidance on what makes projects financially feasible that we could apply. Both
36 for this specific NVCAP project but even the BMR analysis they did to provide understanding of
37 what kind of Development Standards and other things make development more likely in
38 different scenarios. So, happy to talk about that a little bit more if we need to.

39

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1 I think this conversation that the Commission is having is excellent. It's very much like the
2 conversations we had at the Working Group thinking about trade-offs and so if we are looking
3 for alternatives that have let's say more housing if that's something the Commission decided.
4 Trying to balance that with open space where we're already under providing open space as
5 you've heard in terms of the goals we want to achieve. And so, then if we're adding fewer units
6 then maybe then there's a fewer... lesser amount of open space or lesser amount of other
7 amenities that we might want to see.

8
9 The idea for the park spaces is that there would be land dedication and that, in again,
10 Alternative Three that the incentive of the additional office space is sufficient to incentive the
11 dedication of that land to become permanent park space for the City.

12
13 Certainly, we could look at more than 15 percent below-market-rate but again that goes back
14 to the previous Strategic Economics' report around Development Standards to just decrease
15 parking and changes in some of the other standards that would allow us to get maybe 20
16 percent affordable inclusionary housing. Or if we wanted to reach to lower levels of
17 affordability within the BMR program, we may have a smaller percentage but again it's reaching
18 a family or a household that needs greater subsidy. And so that's something else that could be
19 considered by the Commission for sure.

20
21 I think that's... those are my only comments that I have but I just wanted to provide some of
22 that for you all and again, I don't envy you having to think about all these tradeoffs. But you
23 know we've been doing it for a little while so it is a very, very rich discussion and that's certainly
24 a challenging and multi-faceted project.

25
26 Chair Templeton: Thank you, Assistant Director. So, I'm going to make my comments and I have
27 some questions for Staff as well, and then maybe we can take a break and come back for round
28 two. Does that sound good for everybody? Ok.

29
30 So, I'm going to intersperse my comments with my questions. I have a random... a very random
31 list of my own Assistant Director so bear with me on this. Why are the buildings along Lambert
32 so high? They are 50-feet and directly across from residential single-family homes. Similar to
33 the part at El Camino and Page Mill or Oregon. And over there you said they couldn't be over
34 35-feet because they were adjacent to houses. Can you help me clarify?

35
36 Ms. Tanner: Yes, so in Alternative One you do see the 35-foot height is maintained and the
37 Alternative Two and Three would be something that would depart from that. And so again that
38 would be a decision to consider whether that was something that was desirable. So, it could be
39 that if it's preferred (interrupted)

40

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1 Chair Templeton: That's a change? Ok.

2

3 Ms. Tanner: Yeah.

4

5 Chair Templeton: Ok. We already clarified about the businesses on the south side of Lambert
6 and houses there would not be affected. Ok. I just want to echo the comments from a public
7 commenter about trees. We definitely want to have trees in this plan. One of the most
8 beautiful things about the Ventura Neighborhood is it has plenty of gorgeous trees everywhere.
9 So, I am confident that that was the intention of the design but it's just not necessarily depicted
10 here.

11

12 I echo the comments around the frustrating apparent tradeoff between significantly increasing
13 the office space and only netting a small number of increased homes when you compare One
14 and Two to Alternative Three. It does call to mind the question that Commissioner Hechtman
15 brought up about how real are Alternatives One and Two if that apparent trade-off for Three is
16 so significant that that's the only way to make it work. So, it's... I'm a little frustrated with
17 evaluating these three alternatives. They don't feel like apples and oranges. Especially in terms
18 so feasibility and that part is confusing for me. I'm sure it's confusing for members of the public
19 and I'm sure it has been a frustration for the NVCAP members as you've proceeded through this
20 process.

21

22 Let me also pause there and just say thank you to you Assistant Director Tanner and everyone
23 on Staff has been working on this and to our own Commissioner Summa who has been working
24 on this for years. So, I really appreciate all the work you've put into this and want to make sure
25 to take time to acknowledge that tonight.

26

27 The park's question is it's not just a matter of trading off or getting park land dedicated in
28 exchange for the office space. I understand that as a practical method by which you have
29 planned for these parks but another member of the public brought this up and it's worth
30 echoing. We have been hearing it at the NVCAP for years as well. I just want to make sure to
31 put it here in front of the Commissioners. The Ventura Neighborhood is definitely severely
32 underfunded with City infrastructure. I lived there when my children were born and spent a lot
33 of time at one of the small parks that was there. It was also at the time home to many
34 unhoused people in Palo Alto and part of the park wasn't useable. And it was a very strange
35 time for us that wanted to make use of the park but it was smaller and it was over crowded
36 with a variety of different types of uses that perhaps it wasn't intended for. This neighborhood
37 definitely needs more parks and I think it's a really important aspect of the vision for the North
38 Ventura Coordinated Area Plan that some of that be rectified because it doesn't meet our
39 standards in Palo Alto where other neighborhoods have much more near by park space. So, I

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1 think it's really important to call that out and just echo that community feedback. I think that's
2 very factual.

3
4 I really appreciated the comment about aspirational versus achievable for Commissioner
5 Hechtman. Thank you for that. I don't think that we have... I'm not sure we're far along in that
6 arc as you felt we were. Mainly because I find that any of these three options are particularly
7 inspiring for to meeting that aspirational goal and that's really frustrating. I don't mean any
8 disrespect to the North Ventura Coordinated Area Plan Members or Staff. Merely that just to
9 acknowledge that you had a tremendous number of constraints. This is a large parcel or set of
10 parcels from Palo Alto's perspective but I think that for the visions that we have been talking
11 about early on in the North Ventura Coordinated Area Plan conversations. Those visions that
12 would have been aspiring would have required a lot more land, a lot more space and just
13 thinking about how the area is used as someone who has lived nearby, shopped there, worked
14 there. I think it's absolutely integral to understand this space alongside California and Park. I
15 don't think you can pull it out separately and I personally, from a design perspective, feel like
16 that is where we're getting stuck is because we're myopically focusing on just this block of
17 properties.

18
19 So, if I had my druthers and I could advise anything that I think would be the key to having a
20 better more inspiring vision and something that quite possibly was even more feasible. I would
21 pull in some of those areas of Park and California into the discussion and understand it together
22 and maybe envision it together. Acknowledging also that we are out of money for this project
23 already so I understand what you're saying. Just another note for how we might do this in the
24 future if we ever do go back or if we have another similar project.

25
26 Design by Committee is hard. It's really hard. I think that somebody said splitting the baby. I
27 don't remember which Commissioner said that but it does kind of feel like that. Like we're not
28 really coming out with what we had hoped for going in. So, my suggestion would be to increase
29 the scope of what this space is part of and I think in their original, like very, very way back, we
30 did have California Avenue in one drawing. Somehow the adjacency was relevant in early
31 boundaries of this. I think that's got to come back.

32
33 Bottom line, if I were to iterate on something, I would iterate on Alternative Three. I feel like
34 Alternative Three is the one that has the most housing potential. I think the problems there are
35 the park spaces is insufficient and the office space is excessive. So, that would be my starting
36 point for this, like what do we do next discussion would be to improve the flaws and they are
37 significant with Alternative Three and see if we could address those.

38
39 Alright, so Director Tanner did you want to respond to any of my comments before we go take
40 our quick break?

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1
2 Ms. Tanner: Yeah, just a few, and I'll be quick so we can get to our break. I think one thing that
3 it's important to remember where this project started. Like... well, not where it started but
4 where we were a year ago which is that we presented to the Working Group consultant
5 prepared financially feasible proposals. There were three of them. They were not satisfactory to
6 the community. We then spent the bulk of the spring and summer working to understand the
7 desires of the Working Group and prepare three alternatives and then asked if they were
8 financially feasible. So, we didn't kind of go in saying well what's financially feasible. So,
9 Alternatives One and Two, while they may have some challenges in terms of the financial
10 feasibility. We really wanted to honor the Working Groups visions and kind of where we did get
11 some consensus. And so that's... while it can be disappointing certainly, it's trying to reflect
12 those visions and I would say even Alternative One, incorporating the desire from Alternative M
13 to have the building be retained and adaptively be reused into housing and some of the other
14 features of it. So, and certainly, all of them could use whatever sources of financing we want to
15 talk about for affordable housing could be applied in any scenario and even other properties
16 beyond this. So, I think it's important to understand that so you know we (interrupted)

17
18 Chair Templeton: That's great context. Thank you for sharing. Yeah, I appreciate (interrupted)

19
20 Ms. Tanner: Yeah, we could bring financially feasible alternatives. They were not very well-liked
21 and not very popular. So, we can bring those back to you if you want to consider and iterate as
22 you said on whatever alternative if that was the direction on one of the alternatives or this or
23 that alternative put together.

24
25 The other thing that I think is important to understand the office development. It isn't for a love
26 of office development that those are proposed. It's that there are existing offices on those
27 parcels and on many parcels and so some of the places we see turning over are like the San
28 Antonio project to one-story. I think one was a contractor's office and a karate studio. I mean
29 they were commercial uses. They were not high rent office spaces that we see in the NVCAP
30 and so if we're saying we want those properties to become housing and park land with no new
31 office as Alternative [unintelligible] proposes or only the same amount of office space as
32 Alternative Two proposes. That is a challenge as shown by the Strategic Economic study and so
33 we can certainly put housing on every single acre of the NVCAP and I would love that, but it
34 may never come to fruition. I don't want to say never but some of those parcels might not turn
35 over. Probably the El Camino Real parcels that don't have office space but have some
36 commercial spaces would be likely to turn over, but some of the more interior spaces with
37 office use existing would be less likely to turn over certainly in the near term.

38
39 So, those are kind of the comments I wanted to make.

40

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1 Chair Templeton: I really appreciate that. You know I am stuck in the aspirational side and not
2 yet on the practical. And I totally understand that that is where you live and breathe and you
3 understand all of that so I appreciate you sharing it. I do think that... it sounds like under
4 existing conditions of how our housing is financed, those are the constraints and that is
5 somewhat of a challenge for our leadership at every level of government to figure out what
6 levels can be pulled.

7
8 Ms. Tanner: I think it's a challenge of the financing but also just the outright ownership, right?
9 So, even if we had a bond or tax or both and we have the opportunity to purchase land as a City
10 to turn into affordable housing. We need willing land owners. For the BMR program, even if we
11 had it at 20 percent, we need a willing property who says yes, I will construct this building and
12 operate it. And so that is again, kind of that reality that is kind of a little bit of a lead balloon to
13 the aspiration at times but that we try to say ok, well if that's the... if that's the set of
14 constraints. How do we bend it the most to the goals that we have and certainly I don't think
15 these plans are perfect. They can certainly have improvements but those were some of the
16 things we're trying to tackle and understand how we can shape those dynamics.

17
18 Chair Templeton: I appreciate that. Yeah, I think that is exactly the conversation that we want
19 to have tonight is to poke and prod at all of the work and the research and putting the pieces
20 together that you have done collectively on the NVCAP so thank you for that.

21
22 On that note, I see I have gone way, way over. I appreciate your indulgence. Let's take a 5-
23 minute break. Commissioners, please be back at 8:09 and we'll start the meeting back up at
24 8:10. Thank you.

25
26 [The Commissions took a 5-minute break]

27
28 Chair Templeton: Alright Commissioners, if you could make your way back online after the
29 break.

30
31 Commissioner Summa: Not right now, thanks.

32
33 Chair Templeton: Oh, Commissioner Summa you're unmuted.

34
35 Ms. Tanner: Sorry, I may have missed if there was a question.

36
37 Chair Templeton: Nope, we're just coming back online. Thank you for being here and I think w
38 have most people. Commissioner Hechtman, I assume you would like to go next. Alright, I
39 appreciate that, and let's see, do we got everybody? Yes, I think we do. Ok, it... the floor is
40 yours, Commissioner Hechtman.

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1
2 Commissioner Hechtman: Thank you, Chair Templeton. So, as I mentioned earlier, what I would
3 like is I would like this Commission to be able to deliberate three financially feasible alternatives
4 and make a recommendation to Council, and right now we only have one. I have two more that
5 I'm about to suggest that are really variations on the themes that we already... the alternatives
6 that we already have. What I'd like to do is describe these two alternatives and then perhaps
7 Ms. Tanner can tell us if... at least one of them is very simple. And it may be within Staff's
8 expertise or information that Strategic Economics already has and just needs to run a
9 calculator, or if it's something more complicated that would really require going to Council for
10 additional funding to augment their work but let me describe them first. And in doing so I want
11 to acknowledge first of all I'm going to be drafting to some extent off Commissioner Lauing.
12 Both his comments tonight and his comments at the last meeting, but I also think that some of
13 what I'm about to suggest I think I've heard aspects of this from most of the Commissioners and
14 quite a few members of the public.

15
16 So, the first idea that I have relates to Alternative Number Two and I'm talking about the
17 Alternative Number Two we looked at last time which was before we basically folded down the
18 Fry's site to match the current pre-app. And if you could pull up, let's see, I think it's Packet
19 Page 49 which has the Alternative Two financial analysis from the Strategic Economic Report.

20
21 Ms. Campbell: I can bring that up. Figure Three, is that the one?

22
23 Commissioner Hechtman: Pardon me?

24
25 Ms. Campbell: Figure Three?

26
27 Commissioner Hechtman: Hold on.

28
29 Ms. Campbell: Packet (interrupted)

30
31 Chair Templeton: Yes.

32
33 Ms. Campbell: Ok, I can bring that up.

34
35 Commissioner Hechtman: Yeah, it's Figure Three. Perfect. Alright, so first of all I'm starting with
36 Alternative Two because I understand from the Staff report in December that a plurality I think
37 of the Working Group preferred Alternative Two. And the problem from my perspective with
38 Alternative Two is that if you look at the financial... the feasibility across the board on the
39 second to bottom line, it's all unlikely except for the first which is somewhat likely which is the
40 townhouse. And this is where I first riff off Commissioner Lauing because at our last meeting he

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1 pointed out that with the information we have here, we can't really tell what it takes to flip
2 these unlikelies to highly likely and if you just move down to Page 51, which I think is going to
3 be Figure Four, there you go, with Alternative Three you see we've flipped all of those to highly
4 likely. So my question is simple. I think that the difference between unlikely and highly likely is a
5 matter of dollars. If we can bring the development cost per unit down in Alternative Two, we
6 can flip every unlikely to a highly likely and if we do that then Alternative Two is financially
7 feasible with public money. And so, the request I have is that Staff comes back to us with the
8 figure of how much public money would it take and... well, how much public money would it
9 take to flip Alternative Two to highly likely so that it is financially feasible. And I'm not asking
10 Staff or the consultant to sort of break that down as to what sources of money would be, this
11 much from bonds, this much from taxes. I'm looking just for a gross number because I think we
12 need to understand and the Council needs to understand that if we want to do Alternative Two,
13 we can. It'll take whatever; \$26 million of public money. Whatever that figure is. So, that the
14 first feasible alternative I'd like Staff to come back with.

15
16 The other new feasible alternative is a variation on Alternative Three. So, I heard repeated
17 many times by members of the public and some Members of the Commission that the three
18 biggest complaints with Alternative Three were, in no particular order, too much office which I
19 don't necessarily agree with, too little park, and too little housing. So, I would like to see a
20 version of Alternative Three that adds two components. One, instead of the current amount of
21 park, I would like to see enough park so that we at least meet the City average. I know the
22 Comp Plan is 4-acres per 1,000. I don't know if that's what we have right now in the City. I'm
23 going to guess we don't, but if we for example had 2.6-acres per 1,000, then we should have
24 that in this newly envisioned neighborhood at a minimum and so I would like whatever that
25 City-wide average is folded into the 60-acres. And the other thing I would like to see is that right
26 now we have... and again, drafting off Commissioner Lauing... 15 percent affordable but it's all
27 80 percent AMI and above. I'd like that to be 20 percent and that new 5 percent all below 80
28 percent AMI so the very-low category. I'd like to see the full 5-percent there. I'd like to see
29 those two components folded in and because I know that when you do that, that's going to flip
30 all of these highly likelies we're looking at to either likely or unlikely, then I want to know how
31 much public money we need to make that happen. So, I'm not suggesting we change the
32 number of offices or the number of residents other than adding these... this new 5 percent of
33 the very-low. Just add those two components, squeeze them into the plan, and then look at
34 how much public money we need to make that a reality. And so again with that one, we'd call it
35 Alternative 3.1. It would be... it's three with the increased park, the additional BMR, and X
36 dollars of funding needed to make it a reality.

37
38 So, those are my two ideas and I'm open to reshaping them but I thought if we had those come
39 back to us, now we've got three we can debate. We can send them onto Council which
40 everyone or a consensus agrees on and then Council, once they choose one. Then the

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1 refinement of that one will really occur. Right now, we're talking... we're not as granular as this
2 plan will get in the long run. So that's my idea.

3
4 Ms. Tanner: Can I ask Commissioner Hechtman a couple questions to make sure I got the notes,
5 right? For the 20 percent affordable, is that a 15 percent inclusionary? You want all of the 20
6 percent to be 80 percent low AMI or you want the extra 5 percent to be serving the below 80
7 percent?

8
9 Commissioner Hechtman: Only the extra 5 percent. So, you will leave... the current plan for the
10 BMR, the 15 percent already there, those don't get touched. We're just adding 5 percent more
11 and it's all very-low.

12
13 Ms. Tanner: And then another question about public subsidy. If you can say a little bit more
14 about is it how much public money is needed to build that whole building if the City were going
15 to build the entire building? How much public subsidy is needed for those affordable units or
16 both or looking at all of it?

17
18 Commissioner Hechtman: It's for the whole project, so for the entirety of the 60-acres. So, for
19 example, right now we have this pre-app that Fry's has submitted, right? And I presume it as
20 Commissioner Summa says, it pencils out for that but maybe with the right amount of public
21 subsidy, something different would pencil out for them that would be more in tune with really
22 what we want for that site, but I'm not looking to go parcel by parcel and say how much money
23 here, how much money there. I'm looking at more of the big picture approach that I think
24 Strategic Economics took when they're looking at cost per unit. What do we have to do to drive
25 the cost per unit down to the number that makes it highly likely?

26
27 Ms. Tanner: Got it and then the only last comment I'll make. One of the differences between
28 Alternative Two and Three for the... on the per unit basis and the total development cost is the
29 parking ratios are different and so you see I think 1.5 and then 1 for Alternative Three. That's
30 not the entire thing and I will say the layer that's on top of Strategic Economics' excellent work
31 is the actual humans behind the properties. I mean we did do some outreach with the property
32 owners. We will continue to engage them in this discussion because they are essential in kind of
33 what are things that despite or despite whatever our calculations may be. What are their
34 calculations which Strategic Economics did great interviews and has a lot of contact with
35 developers but as we might imagine, we don't have their actual proformas or their sense of
36 what they feel they want to earn for their property. So, that's just variable that is a little bit
37 harder to capture but we do our best to do that.

38
39 Commissioner Hechtman: Thank you.

40

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1 Chair Templeton: Commissioner Hechtman, am I right to understand your request as kind of
2 spread sheet tinkering and not necessarily a major design effort? Are you trying to scope this in
3 such a way that you feel that we could do it without given our budget constraints? Is that what?
4

5 Commissioner Hechtman: I'm hopeful. I don't know. I think Alternative... my suggestions for the
6 dollars for Alternative Two, that is something I think... I believe that's a spreadsheet exercise. I
7 think my suggestion for Alternative Three is a little more complicated because it does involve at
8 least a little bit of conceptual redesign. Where are we going to put the extra acre plus of park?
9 Right, how... we're going to move things around a little bit to make that happen so that's more
10 than a spread sheet exercise.
11

12 Chair Templeton: We... I'm not going to put our park person on the spot though I know he is
13 here. There are any number of ways to address the park situation so I'm sure that that would
14 be something that the NVCAP has already discussed. Assistant Director Tanner, do you have any
15 comment on the feasibility of returning with that if that is something that the Commission
16 wanted? How flexible are you with the budget and is this something that we can do?
17

18 Ms. Tanner: I want to say yes because I always want to say yes, but you know, what I can say is I
19 know Strategic Economics at least has their estimation of the cost per unit and the inputs that
20 are impacted in that cost per unit. And so changing like for example, the BMR rates and things
21 like that is spread sheet exercise of you know how does that change the overall project cost and
22 things like that. So, I think we can get that worked up and I think we can get the reimagining of
23 the parks done. I think for Alternative Three, just we would need to think about that and then
24 that would give us a different unit count via the spatial rearrangement and then going through
25 that. I think what may be a little bit harder is thinking about getting really precise with the
26 public subsidy but we can certainly say here's the cost per unit under their scenarios. Here's
27 how they're adjusted based on this and basically understanding what's the delta between the
28 cost that we project and how that backs into the profit that folks expect. And so, it's a little bit
29 of math there but thankfully I won't be doing but I think we can probably do and figure that
30 out. So, I want to say yes but we'll need to check with our team on that.
31

32 Chair Templeton: Right, well, thank you for barring with us as we get creative and trying to
33 help. I think everybody here is very well-intentioned and excited about the potential of this set
34 of parcels. So, I see more Commissioners with their hands up. Commissioner Alcheck followed
35 by Commissioner Summa.
36

37 Commissioner Alcheck: I want to... I have some sort of general thoughts that I want to share
38 and but I will preface that by saying but in the absence of convincing any of you. I would
39 support this suggestion but first, let me suggest that it... look, it seems to me that the voting
40 public in Palo Alto is not yet comfortable with proposals that both address our housing needs

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1 and are financially feasible. And this is not... I'm not being cynical here. I sincerely believe that
2 the majority of the members of the voting public in Palo Alto would likely prefer a coordinated
3 plan that looks like Alternative One. And frankly, I don't think that's a problem that we are
4 tasked with solving. I think that in the absence of something more aggressive, in the absence of
5 an Alternative Three Plus, we are obligated to recommend to Council that they consider
6 adopting Alternative Three at a minimum. I think that's the conclusion of tonight. That we
7 recommend that Council consider adopting Alternative Three at a minimum. I think that is our
8 responsibility. To provide perspective on what can realistically achieve the visions and goals laid
9 out in our Comprehensive Plan. Specifically, our Housing Element, this housing need that we
10 keep discussing and I just want to say, recommending Alternative Three for all of us.

11
12 That doesn't mean that each of us believes that the consequences of the so-called feasibility is
13 acceptable personally. I think what that recommendation does though is it brings to the
14 forefront the real issue which is that we can't retain our cake. We can't have our cake and eat it
15 too. This is the greatest hurdle. We know that addressing the housing need will require sacrifice
16 and yet we keep asking for some miracle alternative that will do the following. It will provide
17 housing to those who are the very most in need. Not just the... the very very low income. It will
18 reduce the housing and jobs imbalance without adding a single job. It will cast no shadow,
19 create no traffic, it will harm no tree, no in fill tree, it will not break the sacred barrier of 50-
20 feet, and yet it will be economically feasible. If this sounds impossible to any of you, I would
21 suggest to you that we are in tune and the irony is that Staff's comment tonight about the
22 budget, in my mind, is the most underappreciated. There is no amount of funding, no sum will
23 give them the resources to bring us the miracle alternative and the money we have spent,
24 investments we've made which so far have yielded the following in my mind a very clear
25 message. Which is that the desire of the consensus of the community and the Working Group
26 are not realistic but we're happy to spend as much time as you're willing to pay for to talk
27 about it.

28
29 I don't think the gap is bridged by a public funding element to Alternative Two and I'll end by
30 saying that my characterization of this process reflects a general disappointment in the
31 outcome but like I said earlier. That saying that democracy is the worst form of government
32 until you consider all the others. To some extent going through these steps, this process, the
33 Working Group, the NVCAP, the hearing, it's necessary but only to a point and I think this is that
34 point at least from this Commissioner's perspective. We're at that point. The expense of this
35 exercise has gone far enough. I believe we must communicate to Council the conclusions,
36 however unappealing they may be. We are at a fork in this road. There are no direct flights
37 from our destination from Palo Alto airport. The only option is the one that requires sacrifice
38 and often, unfortunately, an unevenly distributed sacrifice, but one which I think all of us know
39 deep down inside. That's the only real path to positive change. The only real path to positive
40 change is to acknowledge that it can't look the way it does and achieve the goal.

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1
2 I don't need to go through the exercise of asking Staff to bring two more options that are
3 feasible. I know what they will look like. I will refer to them at Three Plus. If we don't admit that
4 we can't do both then I think we're failing the City Council. That's our job. Our job is to tell
5 them you can't do this. It can't be done. The only way to do it is likely the least politically
6 popular one. You may not... you may all likely... this is the recommendation. Council, in order to
7 achieve a housing result that addresses the need. You must act in a way that would jeopardize
8 your political future because the consensus is not prepared to realize the vision. And if we send
9 this back and say it's going to require \$100 million whether of public funding to bridge the gap. I
10 don't think they're going to be thrilled about this new option. I don't think it will address the
11 real constraints. These parameters we've set up. The 50-foot height limit, the densities, the...
12 and I don't want to make it sound like I think that the sacrifice that's being born is being born
13 by all Palo Altans equally. This community will be affected in a greater way than any other
14 community. So, I don't take that... I'm not making this suggestion lightly and I'm not suggesting
15 that the City Council concluded that the consequences are acceptable. I just think that the only
16 way to achieve the goal is to go down the path which has the least appeal and my probably
17 unappealing idea for most of you is that we just say that. We just say the conclusion is that only
18 the most aggressive option, which this may not even be aggressive enough, is going to achieve
19 the goals that the consensus seems to have, and yet, the consensus is that none of the
20 consequences of those... of this alternative are even remotely appealing to them. Despite what
21 we personally feel about them.

22
23 Chair Templeton: Alright, thank you, Commissioner. Commissioner Summa followed by
24 Templeton.

25
26 Commissioner Summa: Thank you for Commissioner Hechtman for thinking out of the box. I
27 noticed he didn't have any recommendations for Number One and Alternative One and I feel
28 that that alternative has lowballed the maximum housing potential it has by not using... by not
29 rezoning on Park like the other two alternatives. What is zoned office/light industrial is really
30 just general office uses now anyway so it's not really providing the light industrial uses that it
31 had. I don't... I've never understood why that was left off and the other thing I wanted to say is
32 that a lot of members of the public have said this. I'll say it again. Alternative M did provide
33 another out of the box thinking about how to get some of what we want out of this
34 neighborhood but also how to restore it to the neighborhood and keep it as the neighborhood
35 that it is.

36
37 And what I find kind of frustrating about the financially feasible argument. I'm not an expert in
38 this and I'm certainly, like Rachael, not going to do the math myself but I know that people have
39 tweaked the consultant's numbers on this. And it turns out that having 100 units at the per acre
40 approximately, which is what people have been asking for but having smaller units, can all

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1 happen within the building envelope. That still maintains some of the... for the residents and
2 future residents of this area, would still maintain the standards that the rest of us enjoy in other
3 parts of Palo Alto so I find that kind of frustrating.

4
5 And you know, it's also a question of City Council's deciding what is important to them when
6 they extend the commercial uses at the Fry's site which have been zoned RM30 for I think 27-
7 years. I could be wrong. Maybe it's 24 or something, but we're seeing a lot of development
8 under the existing rules especially in the NVCAP area. There's a lot of proposals. There's also of
9 recent buildings. There's a lot of almost finished buildings. So, I don't understand the
10 absoluteness of the financial feasibility argument. Not just from a math point of view but from a
11 logical point of view because people are building all these buildings and they are asking to build
12 these buildings. Especially now since we have a PC Zone available for what is supposed to be
13 mostly residential projects.

14
15 So, I don't feel like we're fully exploring the potential of this area correctly in these alternatives
16 and these are almost the same alternatives that we got at the very beginning of the NVCAP
17 process when the consultants were first exploring. They've always been exploring three options
18 and it's kind of always been this. Like big, middle, large and I don't see how that... had it based
19 on a size, big, middle, large, also considers the quality of the proposals. So, that's a problem for
20 me and I really appreciate that Staff barely got... this project almost got shut down by Council
21 and as a matter of fact, I was there that night in the audience at City Council listening. And one
22 Council Member even came down to me off the dais and said what do you think we should do
23 and I said I think this is a really hard one but I said, you know Staff has agreed to restart this
24 with sort of a different approach. And so, they got... and I said I think everybody deserves a
25 chance, but I don't... I'm kind of disappointed that it didn't... that it doesn't make sense to me.
26 Why are people putting project forward and are just finishing up projects? There's one at 441
27 Page Mill that's almost finished I think. I haven't been there recently. These projects were all
28 financially feasible and like I said a million times.

29
30 I'm sorry to be a broken record. When you up zone, you give a public good basically to a private
31 landowner and I would feel better about doing that if I had a proforma or some sort of
32 mathematical evaluation of the value of what we were giving away. When we changed your
33 zoning and we changed your height limit. What's the value of what you're giving and what is
34 the value of what the public benefit of giving away that extra money to property owners and
35 we had this same argument. Greg Schmidt when he was on the Council use to make this
36 request all the time for Planned Community Zones. What's the value to the... that we're giving
37 to the developer and what is the actual... and by that, I mean financial value of the public
38 benefit and without knowing that, I feel like we're guessing and that's part of the problem for
39 me. So, I'm not against Commissioner Hechtman's exercise. I would just add some... I would add
40 to it in ways that I don't think we'll be overly demanding of our hardworking Staff. And that is

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1 to put the most amount of housing and rezoning into Alternative One and consider across the
2 Board a publicly funded by bond measures and Business Tax, which will surely come one day, a
3 different kind of funding for the lower AMI BMR which is 30 to 60 AMI. So, that's kind of where
4 I'm at. Thanks.

5
6 Chair Templeton: Thank you, Commissioner Summa. I'll go next, followed by Commissioner
7 Lauing. Yeah, I appreciate this discussion. I think it's really interesting to see all these different
8 perspectives or to hear all these different perspectives. So, thank you Commissioners for all
9 your creativity [unintelligible]. I am intrigued by Commissioner Hechtman's suggestion of some
10 potential tweaks to Alternative Three. And I also understand the perspective of Commissioner
11 Alcheck saying we do have to look at... it has to be variations of three because that's the only
12 one that seems to work; but also, Commissioner Summa is correct to say that we can be more
13 creative and I would add innovative in how we're approaching the housing options there. This
14 Commission has heard from all sorts of innovative housing designs. I'm thinking back to the one
15 that had homes on the outside and the shared kitchen facilities on the inside. We did a study
16 session a while back on that. That was really interesting. I'm sure we can find ways to bring
17 innovation to address our housing issue in Palo Alto and perhaps we can get more densities.

18
19 One question that I have that is lingering and maybe... I can't remember if you addressed this in
20 the Packet or not. There were some comments Assistant Director about the duplex zoning
21 yielding fewer homes than the existing zoning. Can you (interrupted)

22
23 Ms. Tanner: Part of that depends on I think if you... if we continue with the same Development
24 Standards that we have in place today and just apply that. Then it would yield the same
25 amount. If the Commission and ultimately Council wanted to create a different type of zoning
26 or up zone those parcels to have something more. Then it could produce more so essentially
27 today, like if that parcel wasn't... wanted to do a duplex today. One, it's not allowed because
28 the lot size for two-family use is too small, but even let's say ok, we'd said yeah you can do that.
29 The way that we have interrupted the state law regarding ADUs, counts the two-family use
30 similar to a single-family home and so still allows only one ADU and one JADU on that two-
31 family lot. So again, those are things that can change through this process but would be
32 something that we would want to know that would need to be changed if we wanted to have
33 duplexes let's say on smaller lots or to allow four units or some more than just the on unit or
34 the one unit plus ADU or JADU.

35
36 Chair Templeton: Ok thank you. Thank you for clarifying that. I was thinking about the comment
37 from Commissioner Alcheck about findings some aggressive housing proposals and I'm going to
38 push back Commissioner Alcheck. I think along the lines that you were mentioning that
39 characterizing these approaches as aggressive may be very off-putting to our community but I
40 do think that if we talked about how can be more innovative in our housing and how we're

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1 putting the housing together and how we're imaging that we could have density without
2 crowding and other things like that. That might be more palatable so that's really up to our
3 professionals, our Staff, the property owners, and who they're working with from an
4 architectural perspective. How can they come up with something that works for them and
5 works for our community? I think it's possible and I hold out hope for that. That we can find a
6 way to come up with something that would work and I would say this to the members of the
7 public that are excited about and interested in following the NVCAP discussion. Think about
8 places that you've been that have the kind of density or clustering or services or a mixture of
9 homes and retail that were pleasant and is that something that we can do here? And I think
10 every member of the NVCAP has imagined that from whether it's sideway cafes in Paris or
11 Santa Row. Whatever it is, people have imagined all these different kinds of things that to them
12 might be acceptable and still meet the objectives that were set out for the NVCAP.

13
14 So, I do think that we have a lot of individual visions of what NVCAP could be and it's really
15 trying to pull those together to something that our community can get behind. And I've seen
16 that happen in other Cities and it's absolutely wonderful to see and I believe we can do that
17 here. We have a really unique opportunity so I'm hopeful that we can recommend something
18 for Council to consider and it may be a few iterations. So, I encourage the Commission to decide
19 are we ready to send it to Council? Do we need to ask for another consideration or iteration I
20 mean and how that would look? But I do think it's possible, so I'm hopeful.

21
22 Alright, so next is Commissioner Lauing and then I think we will have heard from everyone
23 twice. So, after that maybe we could start entertaining motions or something like that. Alright,
24 Commissioner Lauing.

25
26 Commissioner Lauing: Ok, thanks. I'll be brief to make up for my rare over time usage last time.
27 The reason we can't recommend Item Three right now to Council is because it doesn't meet the
28 objectives as we've said. And the core ones, to be repetitive, are we have to do something
29 radically about affordable housing in our town and we should be doing it here as well. We can't
30 pass up this opportunity and we shouldn't be dependent for this 15 percent only tack on to
31 offices. So, just using this one tool as a primary way to decide how we're going to put offices in
32 there is part of the flaw; which is why I encouraged earlier that we should clearly look for some
33 100 percent housing only projects. That might still only get us 15 percent but at least it's that.

34
35 I'm not opposed to the fact there are more offices Commissioner Alcheck. I'm opposed to the
36 fact that they take up space where you could have a park or a house or a café or things like
37 that. So, it's a physical thing as well as at some point in time we can go back and say, one thing
38 that has been proven here is that with just doing the office funding, it can't happen, and that's
39 what I'm suggesting. Which is why I think that Mr. Hechtman's approach of getting these new

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1 studies is correct, but if at that point we have to go back and say, therefore Council, you have to
2 change the objectives. One way or the other because you know we can't get it this way.

3
4 The only other thing I'll throw in is that sometimes these things don't have to be funded out of
5 the area and around this project. For example, there is a park fund. It's always underfunded but
6 it doesn't mean that you have to raise money for the Ventura area in order to invest City funds
7 in the under parked parks in that area. So, there are other sources that don't have to be tied to
8 specifically raising money for that area, but that's not to be confused with the fact that there
9 are park funds that have to be paid into from that. So, there's sometimes funds that can be
10 building parks right away.

11
12 I think that one of the things that we saw it in the last time the consultant had brought us this
13 15 percent when we talked about 15 percent, can we go to 20 percent on BMR? We found that
14 the numbers were quite sensitive, quite sensitive. In a couple of cases I pointed out that it
15 means for a million bucks I think it was, that project could be done but you have it showing up
16 as red. So, I think that there's a lot to be gained from looking at the sensitivity there as
17 Commissioner Hechtman is suggesting.

18
19 So, I'll leave it there but I'm happy to move Commissioner Hechtman's suggestion that we do
20 those two additional studies. If you'd like to improve the language or make the motion yourself,
21 that's also fine. Thank you.

22
23 Chair Templeton: Thank you, Commissioner Lauing. So, Commissioner Hechtman, do you want
24 to... are you prepared to make a motion?

25
26 Commissioner Hechtman: I guess I question whether we need a motion to do this. It seems to
27 me that this is really... it's almost like a pair of questions to Staff. One question about does the...
28 about money related to Alternative Two and the other question related to this variant on
29 Alternative Three. And so, I don't know that we need a motion as much as I think we would
30 want to hear at least a consensus among the Commission that think this is worthwhile. If I'm... if
31 Commissioner Lauing and I are the only ones and the other four of you don't think this is a good
32 exercise, then we shouldn't send Staff down the path to do it.

33
34 Chair Templeton: Well, let's hold that thought. I see that Ms. Campbell has her hand raised. She
35 might want to add some input on this before we go [unintelligible] Commissioners. Ms.
36 Campbell (interrupted)

37
38 Ms. Campbell: I apologize. Thank you. I apologize, I kind of hit my hand, and then I was trying to
39 un-hit the hand. I just wanted to just give a quick reminder and I was going to do this a little bit
40 later that we do have our consultant for the creek. So, I just wanted to point out for everyone

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1 tonight, if you did have any creek specific questions. It would be ideal to get those out tonight
2 while we have her with us because we may not be able to bring her back. Thank you.

3
4 Chair Templeton: Great point. Thank you. Ok, so separately then, either Ms. Campbell or
5 Assistant Director Tanner, would you like to respond to whether you'd like a motion or some
6 other kind of feedback from the Commission tonight.

7
8 Ms. Tanner: While it may be a complicated one, a motion would be appreciated just to
9 memorialize that the will of the Commission is to make these updates to try to understand
10 these iterations of those particular alternatives. And my understanding would be... perhaps part
11 of the motion is are we returning to the PTC for recommendation or if those would just go
12 straight to Council once those are proposed. So, just to memorialize it would be helpful.

13
14 Chair Templeton: Ok, thank you. Commissioner Summa and Ms. Campbell, if you two have
15 legacy hands up if you could please put them down. I see Commissioner Alcheck has a
16 comment.

17
18 Commissioner Alcheck: Yeah. To the consultant, what is it? Is it Ms. Mahacek, is that... is this
19 the creek consultant? I can't not take (interrupted)

20
21 Ms. Tanner: Yes, that's correct.

22
23 Commissioner Alcheck: A bite out of... I can't not take a bite of this apple. I do not have a
24 question up at mind with respect to your area of expertise. So, if you would entertain, would
25 you answer the question that I should be asking? That... you know if you have something that
26 you think this Commission should keep in mind with respect to the work you've done. I think I'd
27 be happy to hear it.

28
29 Ms. Virginia Mahacek, Consultant: So, you want me to pose and answer a question? How lovely
30 for me.

31
32 Commissioner Alcheck: I just imagine that there's one question you think it probably the most
33 important aspect of (interrupted)

34
35 Ms. Mahacek: There's a long... there's saying I've been asked many times doing river
36 restoration for almost 30-years and that things are always pretty complicated. There's a simple
37 part people who say and it's a bit of a joke but if you know the story of Los Angeles it's not
38 funny. It's that idea that water doesn't flow downhill, it flows towards money, and so I just feel
39 like that's a theme related to the challenge or the creek project and for the overall project
40 you're talking about today in your plan. Unfortunately, to meet the vision and some of the

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1 multiple benefits aspects of the creek corridor project. There's some heavy price tag problems
2 to try to trade off and so I've been listening and trying to multi-task a little bit. And I do feel that
3 there are choices to be made about priorities and then what degree of leverage and creativity,
4 innovation and radicalism do you go for, for your funding options and it's true for the creek
5 itself.

6
7 You can do some nice things and make a big lift compared to the current condition. I don't want
8 to discourage you because... but you know going big but with a realistic financing consideration
9 is in fact the next step and then deciding what to do.

10
11 Other than that, I will just say engineers can make a lot happen and the... if the wills there,
12 right, and then the geomorphic processes, the natural system, can produce change that can be
13 quite enjoyable in that corridor. Even with mostly urbanized kind of landscapy edges and you
14 can have your tree benefits. You can link to the parks.

15
16 I will say when I look at the footprint pattern, taking advantage of the corridor, building off the
17 creek corridor is desirable for any of the habitat value. Even just for birds or something else
18 kind of little. Those things go together so when I... I see that in your map pattern for certain
19 alternatives and less than others, but other than that, it's just the creek features themselves are
20 kind of in the same boat as the over all plan. Is that helpful or just distressing?

21
22 Commissioner Alcheck: No, I really appreciate that. I think I'm being completely honest with
23 you when you said go big, the first thought in my mind was a system that included some sort of
24 gondolas with gentlemen with bow ties. No, I'm kidding but I think the greatest challenge of
25 this NVCAP is that it in one moment we're saying well if we give you this density what do we
26 get? Right, which is how we interact with developers on a Development Agreement. Sort of
27 [unintelligible] and yet, this task is not about a conversation with the party at the other side of
28 the table. This is a conversation where we are acknowledging that this area is unappealing to
29 developers if the goal is to achieve these other results. And so, if we want these other results,
30 what do we have to do to change this environment, the rules environment.

31
32 And your answer to the unasked question goes one step further in really, I think bringing home
33 this notion that it is even more complicated than I could of even... that there are elements to
34 this that I don't fully have expertise in. The creek expenditures that I imagine would be part of
35 some public/private joint venture. It would help the City realize its goals aesthetically but it's
36 probably outside of the budget of the City alone. And so, it again lends itself to this idea that we
37 don't have a partner on the other side of the table. It's even worse than that. All of the
38 potential partners on the other side of the table have dipped their toes in. Indicating that they
39 actually aren't waiting for us. I shouldn't say all of them but the number of asterisks is
40 numerous.

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1
2 So, no one I think will... I'll respond to something Commissioner Summa said. No one's going to
3 answer the question of what you'll get in return. It's like a moon shot. Can we... do we think
4 we'll get this if we do this because I'm not sure what else... we haven't tried it.

5
6 And I don't want to suggest that I... to respond to another [unintelligible]. I don't want to
7 suggest that I think Alternative Three or Three Plus solves all the problems. I... and I just am
8 concerned that we will meet... I can't imagine in one month. I imagine it will be at least 2-
9 months if we... there seems to be two hurdles. Number one we have to make a motion that
10 asks Staff to do some more work and where does the money come for that? And then once that
11 comes back to us I will be honest with you. I'm hopeful, I will pray, I don't pray often but I
12 would pray that that result would solve... would answer... would satisfy the desire here. And if it
13 doesn't I hope in that moment we can then come together and say look, there's... you know we
14 got to move this on. We have to let the political body make the political decision. We need to
15 just give them the information to make that decision so.

16
17 Chair Templeton: Thank you, Commissioner Alcheck, and thank you, Virginia. I cannot find your
18 last name but I appreciate that and just to (interrupted)

19
20 Ms. Mahacek: You're welcome.

21
22 Chair Templeton: Take the nature metaphor another level. I don't see this so much as a moon
23 shot. I see this as we have a caterpillar. It's going to turn into a butterfly. It's going to. We don't
24 know what kind necessarily, we don't know if we can control the process necessarily, nor that
25 we should, but I do think that there is some beauty to be found in the kinds of transformations
26 that are possible. So, my intention is to support the motion should it come about Commissioner
27 Hechtman, and who else do we need to hear from before your willing to make the motion?
28 Commissioner... Vice-Chair Roohparvar I saw your hand raised.

29
30 Vice-Chair Roohparvar: I just had a follow-up question for Ms. Tanner. I apologize, I forgot your
31 title. Ms. Tanner.

32
33 Ms. Tanner: That works.

34
35 Vice-Chair Roohparvar: So, if we went forward with and Commissioner Hechtman theoretically
36 made the motion and that carried. How would the process unfold and how long would it take?
37 Can you give a little bit of how would it work? Would it go back to you guys and then how long
38 would it take and then?

39

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1 Ms. Tanner: You know I have to take a look at how long it would take. We are fortunate that we
2 have more resources for this project than when I started in that many we have Ms. Campbell
3 working with us now... and so... and I also missed Eisenberg. So, I think we could do it... it
4 wouldn't take... I'm not concerned that it would take overly long and jeopardize our project
5 schedule. We do need to conclude this project by the end of 2023 per our grant agreements or
6 maybe it's the end of 2022. In the beginning of 2022 but we have... we do have some timelines
7 that we do need to meet. I'm not overly concerned that the request would jeopardize that. It
8 would be a Staff driven and consultant driven process of really trying to model these things and
9 then bring that back to the Commission for consideration. So, hopefully, in a couple months we
10 would be back. I would like to be back by March.

11
12 Vice-Chair Roohparvar: Is there going to be still continued discussion at the Working Group
13 level or no, this is just a Staff/consultant thing and how does that work?

14
15 Ms. Tanner: At this time with the direction of the Commission we would be implementing that
16 direction and then bring it back to the Commission for consideration.

17
18 Vice-Chair Roohparvar: Got it. Ok, thank you.

19
20 Chair Templeton: Alright, any other Commissioners who want to speak to this? Are these hands
21 legacy hands still up? Commissioner Lauing.

22
23 Commissioner Lauing: I was just going to suggest that Bart [**note – Commissioner Hechtman**],
24 why don't you articulate exactly what you want in those two additions and put it in a motion
25 because particularly if Ms. Tanner to go back and get a little bit more funding. That kind of
26 formalizes it and makes it a little bit easier for her I presume.

27
28 Commissioner Hechtman: I'm happy to make a motion. I was waiting for all the other
29 Commissioners to chime in. Are we ready for that moment?

30
31 Chair Templeton: We've heard from everyone except Commissioner Summa and I think she did
32 early on address your idea. Commissioner Summa, would you have any additional comments?

33
34 Commissioner Summa: Sorry Chair Templeton, are you asking me? This is Commissioner
35 Summa. If I have... my hand wasn't up.

36
37 Chair Templeton: We're... we have just heard about... I think that Commissioner Hechtman was
38 soliciting interest before he makes the motion and wanted to hear from everyone.

39

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1 Commissioner Summa: Oh, I'm sorry, I thought I supported his suggestions and it sounds mostly
2 like it would be tweaking numbers. Not too much new work and when he makes his motion I'll
3 maybe ask him if he would add some of the things I was interested about also, but I do support
4 his idea.

5

6 Chair Templeton: Thank you, Commissioner Summa. Commissioner Hechtman.

7

8 MOTION #1

9

10 Commissioner Hechtman: Let me try a motion. I move that Staff return to the PTC with two
11 additional financially feasible alternatives to the extent they can be done without additional
12 funding. The first is Alternative Number Two in its current configuration but with public funding
13 supplied to the extent necessary to make every one of the housing categories likely, so that
14 Alternative Two becomes economically feasible.

15

16 The second new alternative is a variant of current Alternative Three to which Staff would
17 increase the amount of open space to at least the City-wide average measured on acres per
18 1,000 residents, and increase the housing contemplated in Alternative Three by adding an
19 additional 5 percent BMR to bring us to 20 percent BMR overall and that new 5 percent would
20 consist entirely of very low-income households below 80 percent AMI. And because those two
21 changes are likely to render Alternative Three financially infeasible, to then determine the
22 amount of public funds that would be necessary with those two additions to Alternative Three
23 for that alternative to be financially feasible.

24

25 SECOND

26

27 Commissioner Lauing: Second.

28

29 Chair Templeton: Alright, any comments before we... Commissioner Summa.

30

31 Commissioner Summa: I wanted to ask the maker and seconder if they would be interested in
32 adding some of the requests I spoke about for Alternative One which leaves out some very
33 obvious housing sites. Especially along Park Boulevard on the train track side and also the Fry's
34 site. To maximize housing there because I think that alternative really is necessarily... I guess
35 the way to put it would be to maximize the housing in Alternative One without changing it to
36 Alternative Two or Three in terms of office and the park. Because I find those differences to be
37 arbitrary and I would like Staff also to consider just adding something which is the idea of
38 affordable housing that Staff also talks about in this report and it was preferred in Alternative
39 M that is not... that has a different source of funding primarily bonds and funds from what we
40 expect will be a future Business Tax.

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Chair Templeton: Did you catch that? Are you (interrupted)

Commissioner Hechtman: Through the Chair, I think that's a little complicated to be an amendment to the existing motion. It seems like that might be better as a stand-alone motion to follow this one.

Chair Templeton: Ok. Alright, Commissioner Alcheck you had your hand up.

Commissioner Alcheck: Yeah, this is... I have a question and then it will inform my question to the makers of the motion. The project at the Fry's site's owners have brought forward under SB 330 have a timeline. They have a clock as I understand it and the question that I have is when do you anticipate that clock running?

Ms. Tanner: Right so I believe and Mr. Yang can help me if I get this wrong. I believe that they have 180-days so I believe it's 6-months to submit an actual proposal. File an actual application and then part of the streamlining provision is the number of hearings that that project is then subject to. So, it's a maximum of five including any appeals, so for example, if it had three ARB hearings and then a City Council hearing and then room for some type of appeal that could also go to Council. That'd be five and I don't know if those five hearings have a time limit. They may have a time period they need to current in but I'm not sure Albert if that's part of SB 330?

Mr. Albert Yang, Assistant City Attorney: So, that's right. I guess I'll just add that the time limitation is a certain number of days after environmental... any environmental document is [unintelligible](interrupted)

Ms. Tanner: Yes, that's what I forgot, yep.

Mr. Yang: So, that's a common feature in the Permit Streamlining Act but (interrupted)

Commissioner Alcheck: Which has not been submitted? That document has not been submitted.

Mr. Yang: No, no, that hasn't been submitted. We haven't even (interrupted)

Commissioner Alcheck: But they... you expect that they would submit it 6-months from November 18th?

Mr. Yang: 6-months from you know earlier this week if what they submitted recently ends up being a complete pre-application.

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Commissioner Alcheck: Understood, so you think that there is... you think they're likely to utilize the entire 6-month period that they have before submitting their application. It's fine. It doesn't matter.

So, here's my question to the maker. The question is that if this application comes in for the 85 units that conflict with the notion of Alternative Two dramatically. It also, as I only really became acutely aware today, probably under minds as Alternative Two contemplates 50-foot height increased residential density to 70 developable units an acre... this is on the Fry's site and creek side improvements required. It probably also jeopardizes to some extent the funds necessary for the creek side improvement. My question to the maker is and this is... may be too difficult to answer but what... how will we grapple with that situation knowing that while there is funds to continue potentially; maybe; I don't know if there's funds; but while there's this calendar date of 2023? I think we know better that the timelines not relevant. We can't decide... the City can't conclude on December 2022 how they feel about this area if, my read is, there are 11 asterisks or nine... there are nine or 11 projects that are already known 2-years before that date. So, I guess my question is how will we grapple with that? That particular application may be submitted before we hear back and I think your motion should incorporate some coordination on Staff's part to help us understand how the realization of that application would impact this alternative you're hoping gets crafted. Because for example if the application comes forward and becomes more real as the months go by in 2021. I think we have to sort of figure out well, what does that do to the numbers? Is Alternative Two... it starts to look more like Alternative One to be perfectly honest for that property and so what does that mean? And I think that's a very... when I said earlier and I acknowledge Assistant Director Tanner's comment about how she's coordinating all these things. That was something I thought of. I was like well, over the next 2-years these parcels start to change. Their likelihood of development goes down and there's a part of me that thinks we should incorporate into this motion idea of being abreast of every current event related to this and in particular this one SB 330 application. Thank you.

Chair Templeton: Thank you, Commissioner Alcheck. Assistant Director Tanner I would like you to weigh in on that before we continue. Do you... is it appropriate for us to be adjusting this plan based on things that are in progress on the site and I think there's some nuance there that I'm just trying to make sure that we understand well?

Ms. Tanner: Well, I think part of it is the idea of whether it's adjusting the proposed plans or using it as a more illustrative context setting. So, perhaps the graphic we showed that had the asterisks, maybe we could do something that's a little bit more dramatic in terms of its kind of popping. Like here are places where housing developed and maybe even just similar to how other graphics, putting the number of units there. So, it's really easy to read, here are things

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1 that are already in progress and how does that layer with any of these proposals, right? To
2 show what does it look like when we're doing that because I think to Commissioner Alcheck's
3 point. If we're assuming that recently developed things will not develop in the next 20-years.
4 Then it's kind of actually saying well there's a number of parcels that might be frozen as they
5 are for a good while and so really what are the parcels we're talking about? So, there may be a
6 way to have some of our graphics kind of illustrate that more so that we can tell a little bit of
7 the story of what's really happening. Now the caveat being that it over till it's over, right? And
8 so, these projects have submitted some things. They've gone to pre-screenings. Until the
9 building is... the ground is broken and the building is occupied. There's a lot of things that could
10 happen so that's the one caution I would say or maybe my optimism is that we don't know
11 what may happen. Mike's Bikes has been entitled. It's not yet built. We hope it does get built
12 but there's lots of things that may go forward as ideas now and then may not come to fruition.
13 And so, with that in mind, I'll stop my talking, but yeah, there could still be a desire to change
14 the underlying zoning of let's say 340 Portage or Cloudera. Even if we don't think it will turn
15 over in the next little while; 10-years? But maybe, because in 20-years things will happen and
16 maybe some of these projects never come to be and so we've still locked in the underlying
17 zoning that has the vision for what we think their potential ought to be.

18

19 Commissioner Alcheck: I'm happy to withdraw that ask if it's just understood that you will
20 share the information as real as it is at that moment because I actually think what you
21 described even if it's theoretical. Here's what they are proposing. We don't know if that's going
22 to happen but that's what it would look like on the map and the impact would be we would
23 lose these creek side funds, we would lose these numbers of units, we would lose this element
24 of the whatever. So, when you're looking at it, Alternative Two now looks like this, or
25 Alternative One, or Alternative Three. Just... and it's theoretical, we don't know but at least it
26 helps I think us gauge the impact of time delay on the idea.

27

28 Ms. Tanner: Yeah, I think that's a great idea to help communicate more effectively how the
29 real-life what's going on now impacts the plans for the future.

30

31 Chair Templeton: Alright, so do we need to modify the motion or should we take a vote?

32

33 Commissioner Hechtman: I'd like to speak to the motion.

34

35 Chair Templeton: Please do.

36

37 Commissioner Hechtman: And in part respond to Commissioner Alcheck on a couple of aspects.
38 First, actually, I want to clarify the motion in describing the two alternatives. I said this but I
39 didn't explicitly repeat it in making the motion. The version of Alternative Two and Alternative
40 Three that I'm asking be worked on are the versions that were presented in the last Staff

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1 report, December 9th, before the revisions to account for the Fry's pre-application. I wanted to
2 make sure that was clear because if we look at the Staff report for this meeting, their answer to
3 question number one, which was the update of the development potential, it's dramatic. The...
4 just to highlight the one that jumps out the most to me is the realistic potential for Alternative
5 Three drops from 1,490 units down to 1,000 units, just folding in this Fry pre-application, as I
6 understand it. So, my hope, and I said it earlier is my hope is that there's a deal that the owners
7 of Fry might think is actually more desirable to them. It just wasn't on the table on November
8 18th when they submitted their pre-app and they had available to them basically versions
9 One.... Alternative One, Two, and Three to look at. And they said no, we're going to do it this
10 way. Well, I'm hoping that one of these two new alternatives which will be financially feasible,
11 maybe they'll be attracted to it and they'll buy into Alternative Two with public funding or
12 Alternative Three with public funding. That's what I'm hoping because we're got... I think we've
13 got nothing to lose because they're already in process.

14

15 Chair Templeton: Thank you.

16

17 Commissioner Hechtman: Thank you.

18

19 Chair Templeton: Commissioner Lauing, did you want to speak to your second?

20

21 Commissioner Lauing: No, I think I'm good. That has the risk Commissioner Hechtman, of
22 overstating what we can get done because it is what it is, but I understand your reasoning
23 there. So, I'm on board with the second.

24

25 VOTE

26

27 Chair Templeton: Alright, thank you. Any other comments before we take a vote? Mr. Nguyen,
28 will you please conduct a vote on this motion?

29

30 Mr. Nguyen: Commissioner Alcheck?

31

32 Commissioner Alcheck: Nay.

33

34 Mr. Nguyen: Commissioner Hechtman?

35

36 Commissioner Hechtman: Yes.

37

38 Mr. Nguyen: Commissioner Lauing?

39

40 Commissioner Lauing: Yes.

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Mr. Nguyen: Vice-Chair Roohparvar?

Vice-Chair Roohparvar: Yes.

Mr. Nguyen: Commissioner Summa?

Commissioner Summa: Yes.

Mr. Nguyen: Chair Templeton?

Chair Templeton: Yes.

MOTION #1 PASSED 5(Hechtman, Lauing, Roohparvar, Summa, Templeton) – 1(Alcheck)

Mr. Nguyen: The motion carries 5-1.

Chair Templeton: Thank you. Commissioner Alcheck, would you like to speak to your vote?

Commissioner Alcheck: I will. I think this is the first time I've been in the decent on my own in a very, very long time. At first, I just want to say that very sincerely that I support the optimism. I will bring the same level of energy to this review that I always bring and I am... there is a sincere part of me that hopes that we get something that will satisfy not only all the Members of this Commission but the consensus of the public and the consensus of the NVCAP. They can get behind it and that City Council will find it easy to move forward.

My greatest concern is that time is not with us and I would in response to what Commissioner Hechtman said. I would be supportive of the Chair or the Planning Assistant Director reaching out to the owners of the Fry's site and asking them to reengage in the process because I think hoping is not sufficient. And maybe they aren't... maybe they would be more likely to consider re-considering if they felt like there was a partner on this Commission, in this Commission if you will, in the effort of making this alternative more appealing. I am so glad that Commissioner Hechtman brought our attention to Packet Page 77. I think that's the Packet Page with the update to the potential table... development potential table because this is the whole... this is my whole issue with it. All the alternatives become very difficult if this is true and so that's my concern but I am behind you. I will be with this group, this group of five, to energetically continue this debate when it comes back.

Chair Templeton: Thank you very much, Commissioner Alcheck. Commissioner Summa.

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1 MOTION #2

2

3 Commissioner Summa: I wanted to make a motion and I don't know if anybody supports it but I
4 would like to see Alternative One come back with... I guess I would keep the heights the same
5 but I would like to see the housing maximized in this alternative because I think it's a little bit
6 low-balled. So, I'd like to make a motion that it comes back with some additional housing,
7 especially long Park Boulevard and an increased housing count for the Fry's site. And also, I
8 mean I'm not sure how to do this but I do think the affordable housing idea in Alternative M is
9 an important one to incorporate as a potential idea across all three of these. So, for Staff to also
10 do that and I don't think that... I also... it is not my intention to give Staff something that creates
11 a huge financial burden. I just think it could be easy to do that for Alternative One and make it
12 much better and then to think about that housing idea from Alternative M.

13

14 Ms. Tanner: Excuse me, Commissioner Summa, when you say the idea, is it the bond idea?

15

16 Commissioner Summa: Bond and the tax funding. It's a future idea but it would be sitting there
17 for someone to use if there was a time when we had a Business Tax and that sort of thing. And I
18 really... I felt like it was a brilliant effort on behalf of members of the public and some of the
19 Working Group and neighborhood members that worked on it. It was sincerely given and it was
20 the only one that really stood out with having all the housing or most of the housing benefits of
21 any of our alternatives without having negative impacts. So, but I think the most important idea
22 of it for sure is one that we don't even know is feasible right now but using the whole Fry's site
23 after purchasing it for affordable housing. And I'm assuming there would have to be some...
24 that it wouldn't be all affordable. It would have to be a mix. That was a little... that was very
25 aspirational but the idea of funding affordable housing that way and then the City having more
26 control over it instead of waiting for these affordable housing providers to cobble together
27 these deals which is so very difficult for them.

28

29 Chair Templeton: Commissioner Summa, can I stop you there, and let's just get a second before
30 you speak to the motion?

31

32 Commissioner Summa: Oh, sorry.

33

34 Chair Templeton: That's alright. Commissioner Lauing, I see you raising your hand. Did you want
35 (interrupted)

36

37 SECOND

38

39 Commissioner Lauing: I really have questions about the motion but to get a discussion going I'll
40 second it to have that discussion.

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1
2 Chair Templeton: Ok, alright, that sounds fair. Commissioner Summa, was there more you
3 wanted to say?
4

5 Commissioner Summa: No. The idea is to add housing that's missing from Alternative One and
6 to consider the affordable housing plan put forward in Alternative M as a potential for all three.
7 That's clearer I think.
8

9 Commissioner Lauing: Ok so my (interrupted)
10

11 Chair Templeton: Alright. Commissioner Lauing?
12

13 Commissioner Lauing: My question there is that Alternative M, as I mentioned earlier, the
14 reason that that works to get 400 affordable housing units and more park is because it is
15 publicly funded. I've never seen what the numbers are but it seems like that's what we're
16 already asking now from Bart's [note – Commissioner Hechtman] motion on Two and Three. Is
17 to tell us how much public funding it needs to make the thing feasible and to get parks and
18 affordable housing. So, it seems like that's exactly... you're asking for the exact same thing as
19 what we did on Two and three.
20

21 Commissioner Summa: But I don't know that Two (interrupted)
22

23 Commissioner Lauing: We're trying to come up with the amount of money that it would need
24 for public funding and then at some point in the future, Council can decide what they want to
25 use to do that public funding. So, how is that different than what we did for Two and Three I
26 guess is the way to put the question?
27

28 Commissioner Summa: Well, it's looking at a specific site, and it could be applied to other sites
29 of course, for a different idea of funding. I don't think that Commissioner Hechtman's... it was
30 looking at... it wasn't just looking at public funding for 100 percent affordable sites. It was
31 looking at the nexus between what would it take to get what we wanted in alternative... the
32 public funding it would take in addition to the financial feasibility numbers. The nexus between
33 that but not specifically for affordable housing projects. I didn't think it would cover that.
34

35 Commissioner Lauing: No, but what I... let me try it a different way. Alternative M got
36 everything that was in the objectives from the Council and more. And they did it by some
37 amount of public funding that was sort of a plugged number because I haven't seen the
38 financials. So, that's kind of what our discussion was earlier is what would be the plugged
39 number of public financing that we would need to get to make the housing more affordable
40 housing, etc. So, it seems like it's the same methodology and I'm not... that's done. It's almost

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1 like we just have to ask the creators of that document how much money did you need to... for
2 public funding to make that happen? So, I'm just confused about kind of analysis that Staff
3 would do with their consultant on a whole different proposal.

4
5 Chair Templeton: If I may Commissioner Lauing, I have a similar question so I'm hoping that
6 Ms.... Assistant Director Tanner can speak to that. Is there a study being done on Alternative M
7 or?

8
9 Ms. Tanner: As I said previously, Alternative M is one of several alternatives developed by
10 Working Group Members which we then used to build consensus over the summer for the
11 alternatives that we've presented and so none of those alternatives are being studied further. If
12 the desire is to put together a financing plan for the cost to... I think what is different about this
13 Alternative One is the building is remaining and we're not able to do a study of the cost to
14 adaptively reuse that building into housing. That is beyond the scope of what we can do. It
15 would be I think more expensive than demolishing the building to adaptively reuse it into
16 housing and so we won't be able to do that. I think it wouldn't be more quire frankly than
17 forwarding to the Council recommendation for a bond or a tax generally speaking to develop
18 funds to close the gap to support more affordable housing. We're not the budget office, we're
19 not equipped to design the level of funding for a bond. I think figuring out the cost per unit and
20 kind of the gaps is something we can do but not with a specific project in mind because we
21 don't have... we don't have that level of detail or information.

22
23 Commissioner Summa: No, that was not my intention to ask for that because of course that's
24 [unintelligible]... up in the air crazy. It would have to be really studied specifically. It was more
25 to consider the concept of funding by that method in general as a general concept in this area,
26 in the NVCAP area, but if that's too vague and I understand it.

27
28 Ms. Tanner: No, I don't know that it's... well, you Commissioners have to decide if it's too
29 vague. I think it's just that the Staff wouldn't take that beyond saying the concept would be to
30 do a bond or tax of some amount, yet to be determined, to them fund that and that really is in
31 addition to the figures we may get from the other study. That's really the extent which we
32 could take that at this point is just the idea of a bond measure or tax measure of some amount
33 in order to do the purpose that you guys have stated.

34
35 Commissioner Summa: And maybe it's not even just that and this is getting into a discussion,
36 not a motion. I apologize but there's also one Working Group Member did... gave us
37 information about a lot of different kinds... there's a lot of different kinds of ways to financing
38 affordable housing other than just the Tax Credit projects. I'm trying to incorporate that idea
39 into all the alternatives but maybe it's just a sentence or a paragraph that gets incorporated as

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1 an idea by Staff and to all three alternatives so that it's memorized. It's there for somebody to
2 see and take advantage of if they want to.

3
4 Commissioner Lauing: And on your first statement when you said you wanted to maximize
5 housing in Alternative One. Does that mean (interrupted)

6
7 Commissioner Summa: I just specifically want to add housing (interrupted)

8
9 Commissioner Lauing: Beyond the original number that was there?

10
11 Commissioner Summa: No, because the general... the area along Park that's general
12 manufacturing that really isn't that anymore. It's just general office. In the other two
13 alternatives that's envisioned as being rezoned to housing, that's all I'm asking.

14
15 Chair Templeton: It's the dark orange along the railroad tracks. It's a little wedge that is in Two
16 and Three and not in One.

17
18 Commissioner Summa: There's no reason for that not to be in One.

19
20 Chair Templeton: I agree with you, Commissioner Summa.

21
22 Commissioner Summa: It's just a [unintelligible](interrupted)

23
24 Chair Templeton: I would be willing to support your motion if it was... if you'd split the M stuff
25 out. I'm not really following it or maybe if you clarified that.

26
27 Commissioner Summa: No, I'll leave that out. It's an idea I think now for Staff to include verbally
28 in... across the plans if... but I think it's important to have something like that in there to
29 incorporate the idea that there are other ways to fund affordable housing projects.

30
31 Chair Templeton: And you said something about park land as well. Did you want the park
32 (interrupted)

33
34 Commissioner Summa: Yeah, I think the park (interrupted)

35
36 Chair Templeton: To be the same?

37
38 Commissioner Summa: I don't... given that we are going to have to purchase parkland. I don't
39 see why a sort of aspirational... and that is incorporated in Commissioner Hechtman's motion.

40

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1 Commissioner Lauing: Not for One though, I thought that was for Two or Three.

2

3 Commissioner Summa: Oh yeah. Yeah, maybe just to add the average park land idea from
4 Commissioner Hechtman's motion for One because I think it should be there also.

5

6 Chair Templeton: Ok so the housing, park and wedge, and the parkland. Now just one more
7 thing Commissioner Summa, the parkland suggestion in Option One that has housing on it but
8 might net out to not be (interrupted)

9

10 Commissioner Summa: I realize that I might but I think the park... I like the idea of the... looking
11 what it looks like with the average amount of parkland per capita in Palo Alto. Not the law but
12 the average also in One.

13

14 Chair Templeton: Anyone else want to comment on this motion before we take a vote? Any
15 other questions?

16

17 Ms. Tanner: Can I repeat back what I've written down to make sure that it (interrupted)

18

19 Commissioner Summa: My meandering motion [unintelligible].

20

21 Ms. Tanner: Seems to capture it. It is to add housing... regards to Alternative One, to add
22 housing on the portion that between the railroad track and Park Boulevard as seen in the
23 subsequent alternatives and to add... incorporate into the alternative the per capita, average
24 per capita, parkland that we have currently in the City. Add that amount of parkland into the
25 alternative. Is that correct?

26

27 Commissioner Summa: Yes.

28

29 Chair Templeton: Did Commissioner Hechtman's motion have Two and Three for the parkland?

30

31 Ms. Tanner: Alternatives Two and Three you mean?

32

33 Chair Templeton: Yes. I just want to make sure (interrupted)

34

35 Ms. Tanner: It was just adding parkland to Alternative Three in Commissioner Hechtman's
36 motion.

37

38 Chair Templeton: That's what I thought so Commissioner Summa, do you need to see the
39 parkland in One, Two, and Three is One and Three sufficient?

40

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1 MOTION #2 AMENDED

2

3 Commissioner Summa: Oh, I would like... I would think we should see if in One, Two, and Three
4 as long as it's being calculated.

5

6 Chair Templeton: Right so do you want to amend the motion to that and just [unintelligible]?

7

8 Commissioner Summa: Yes, thank you.

9

10 Chair Templeton: Sure.

11

12 Commissioner Alcheck: We're being so careful, sorry.

13

14 Chair Templeton: No problem.

15

16 Commissioner Summa: Messy motion, I apologize.

17

18 Chair Templeton: Commissioner Lauing, the addition of the parkland metrics to One and Two.
19 As the motion do you support that?

20

21 Commissioner Lauing: Yes.

22

23 Chair Templeton: As seconder? Ok. Commissioner Alcheck, you have your hand up.

24

25 Commissioner Alcheck: I think that Alternative One is so infeasible and the notion that we
26 would invest any amount of time or energy to dress it up is... it actually detracts from sort for to
27 the sincerity of the first motion. Which suggests that we are actually going to go through an
28 exercise that might provide what I will continue calling the miracle alternative that might result
29 in an alternative that you guys will find collectively appealing. So, I think as well-intended...
30 intentioned this might be, this has the ultimate effect of doing all the things I'm worried about
31 and making, if this collects a majority, making it seem like we're not sincere about really
32 focusing on finding the bridge between feasible and vision. And so yeah, Alternative One is not
33 going to be the collective choice and it's not... it's like... this is like a... Alternative One is like a
34 salad that's gone bad. And I think this is like asking should we pour some dressing on it and see
35 if it comes back? If it will taste better? It will taste better, absolutely, I'm not saying it won't. It
36 should have some higher housing numbers. It won't be our choice. I don't think that's an
37 honest reflection of the consensus of the first motion. That this, with those changes, would
38 result in capturing the collective vision. So, I personally think we have to respect the fact that
39 any time that Staff spends on this is expensive and we should be very careful what we're asking
40 them to bring back and that's how I intend to do to vote on this motion.

-
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Chair Templeton: Thank you, Commissioner Alcheck. Commissioner Hechtman.

Commissioner Hechtman: I won't be able to support the motion. The Alternative One is financially infeasible so now we're going to add parkland... additional parkland to it which will make it less feasible and we're going to add additional housing without a funding source up along the tracks like in Alternative Two which is infeasible. So, what is missing from the motion is this larger layer of money that would make it financially feasible. Otherwise, we're just asking for a study of something that, even those of us who are not economists, can already tell is going to be financially infeasible and something that we wouldn't recommend to Council. So, I won't be supporting the motion.

Chair Templeton: Thank you, Commissioner Hechtman. Vice-Chair Roohparvar.

Ms. Tanner: Vice-Chair you're on mute.

Vice-Chair Roohparvar: Sorry, it's getting late. I also will not be supporting the motion. Again, I think it's... for two reasons. Exactly what Commissioner Hechtman said, it's financially infeasible and therefore it makes no sense for me to waste Staff's precious time and resources given the limited about they have on sending this further.

VOTE

Chair Templeton: Alright, thank you Vice-Chair Roohparvar. My comments on this motion are it's very practical, plug and play spread sheet and graphic changes will 5... maybe 30-minutes and it will enable us to compare One, Two, and Three on a little bit more even footing. And I think those discrepancies will be more evident and I also anticipate that this is information that Council may wish and as they understand try to process the different alternatives as well. So, I think it will be time well spent. I don't think it's a significant amount of time and so I'll be supporting this motion. Ok, any other hands up? I think I see some legacy hands. Speak up if you need to speak or we will vote to the motion [unintelligible]. Alright, Mr. Nguyen would you please conduct the vote?

Mr. Nguyen: Commissioner Alcheck?

Commissioner Alcheck: Nay.

Mr. Nguyen: Commissioner Hechtman?

Ms. Tanner: Commissioner Hechtman you are on mute.

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Commissioner Hechtman: Nay.

Mr. Nguyen: Commissioner Lauing?

Commissioner Lauing: Yes.

Mr. Nguyen: Vice-Chair Roohparvar?

Vice-Chair Roohparvar: No.

Mr. Nguyen: Commissioner Summa?

Commissioner Summa: Yes.

Mr. Nguyen: Ok, Chair Templeton?

Chair Templeton: Yes.

MOTION FAILED 3(Lauing, Summa, Templeton) -3(Alcheck, Hechtman, Roohparvar)

Mr. Nguyen: The motion is 3-3. Mr. Yang, can you perhaps explain to us what happens?

Mr. Yang: So, the motion fails.

Chair Templeton: Alright, thank you very much for a lively discussion on North Ventura. Is there any other discussion or before we close out this agenda item? So, it sounds like we will have an opportunity to discuss this again in a couple months with Staff and I'm really hopeful about that. Thank you all for coming out and commenting from the public, for your letters, for the discussion that we've had tonight and with the Commissioners and with Staff and with our consultants. It's really exciting to think about the possibilities here and it's worthy of our time. So, thank you for engaging so wonderfully with us. We will now move on to our next agenda item and that is approval of the minutes.

Commission Action: Motion by Hechtman, Seconded by Lauing. Pass 5-1 (Alcheck against)

Commission Action: Motion by Summa, Seconded by Lauing. Fail 3-3 (Alcheck, Hechtman, Roohparvar against)

Approval of Minutes

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

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3. December 9, 2020 Draft PTC Meeting Minutes

Chair Templeton: Were there any edits to the minutes that were sent out from December 9th? I see Commissioner Hechtman nodding.

Commissioner Hechtman: Yes, I had minor revisions that were distributed to the Commission.

Chair Templeton: Great. Would anyone like to make a motion to approve these minutes with your revisions?

MOTION

Commissioner Alcheck: So, moved.

Chair Templeton: Alright and I think I saw a hand waved from Commissioner Summa for a second?

SECOND

Commissioner Summa: Correct, I'll second.

Chair Templeton: Ok, great. Any comments? Mr. Nguyen, would you please conduct the vote?

Mr. Vinh Nguyen, Admin Associate III: Commissioner Alcheck?

Commissioner Alcheck: Aye.

Mr. Nguyen: Commissioner Hechtman?

Commissioner Hechtman: Aye.

Mr. Nguyen: Commissioner Lauing?

Commissioner Lauing: Yes.

Mr. Nguyen: Vice-Chair Roohparvar?

Vice-Chair Roohparvar: Yes.

Mr. Nguyen: Commissioner Summa?

-
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1 Commissioner Summa: Yes.

2

3 Mr. Nguyen: Chair Templeton?

4

5 Chair Templeton: Yes.

6

7 MOTION PASSED 6(Alcheck, Hechtman, Lauing, Roohparvar, Summa, Templeton) -0

8

9 Mr. Nguyen: The motion carries 6-0.

10

11 Chair Templeton: Excellent. Thank you very much.

12

13 **Commission Action**: Motion by Alcheck, Seconded by Summa. Pass 6-0

14 **Committee Items**

15 Chair Templeton: Let's move onto Committee Items. Any? Please raise your hand. Going
16 Committee Items, second call. Committee Items, third call? Ok.

17 **Election of Chair and Vice-Chair**

18 4. Election of Chair and Vice-Chair

19 Chair Templeton: We will move onto the next agenda which is the election of the Chair and
20 Vice-Chair. So, I'm going to... we are in an unusual situation this year and I'm going to share
21 with you what I have learned with Staff and perhaps Staff can augment if I have left anything
22 out that they want to shed light on.

23

24 A couple years ago we changed the election of Chair and Vice-Chair to after the new seats were
25 appointed, which at that time was January, and in our By-Laws, we've specified that at our first
26 meeting of the new Commission we would conduct the election of Chair and Vice-Chair. And
27 some of you who follow City Council may have noted we have seen a difference... a change in
28 when those openings would be filled and so I invite the Members, the Commissioners, here to
29 think about that as we enter into this agenda item. Is that something that would affect whether
30 you want to do the appointments in the election now versus after the seats are filled? So, I
31 am... Staff, is there anything you want to add to that?

32

33 Mr. Albert Yang, Assistant City Attorney: Yeah, I guess I'll just note when we updated the By-
34 Laws a few years ago about the date of the election. It wasn't just to move it into the new year
35 after the Commissioners or new Commissioners are appointed. We also provide some flexibility
36 there in case things don't go according to plan and so it's not... the By-Laws don't say that the
37 election has to happen at this meeting. The By-Laws just say that they'll be agendized for this

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1 meeting and then the Commission can decide if it wants to delay the election to another date
2 or if it wants to hold them on that night.

3

4 Chair Templeton: Great point.

5

6 Ms. Rachael Tanner, Assistant Director: I think that... yeah, that's pretty much it. I think the only
7 thing I would add is I think which may be obvious is that the... I shouldn't say it's obvious. If the
8 elections were not held today then the Chair and Vice-Chair would continue to serve in their
9 positions until the elections would be held. And there has been a tradition of 1-year of service
10 in those roles and that obviously would be a longer year of service for our current Chair and
11 Vice-Chair and then a trunk aided year of service for the incoming. Whoever is elected
12 subsequently and so that's just something to note. I may be of importance to some and not
13 important to others.

14

15 Chair Templeton: Another excellent point. Thank you. I see some hands being raised.
16 Commissioner Lauing, followed by Commissioner Alcheck and then Hechtman.

17

18 MOTION #1

19

20 Commissioner Lauing: Yes, I'd just like to add a little bit of context as we really spend a lot of
21 time on this point. Commissioner Alcheck was there, Commissioner Summa and myself are the
22 remaining Commissioner Members and the goal was to make sure that newly seated
23 Commissioners were not disenfranchised for picking their own Chair and Vice. So, it was
24 excruciating and long but that was the basis of it.

25

26 As one of the Commissioners that's not yet reappointed, I feel like I don't want to necessarily
27 disenfranchise someone else that might take my seat if that were to happen, and I alerted the
28 Chair to this question beforehand. Now, since we a few hours ago have a resignation, it's sort of
29 a more critical problem because now there are three of the seven Commissioners that have yet
30 to be appointed. So, I would like to move to delay it to the first meeting after the appointment
31 of the new Commissioners, the three new Commissioners.

32

33 SECOND

34

35 Commissioner Summa: I'll second.

36

37 Chair Templeton: Alright. Do you want to speak to your second?

38

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1 Commissioner Summa: Yeah, just it does seem to be following our... the reason we changed it
2 and now we have another person to be appointed so it just would seem appropriate as long as
3 the Chair and Vice-Chair are comfortable extending their work here a bit.

4
5 Chair Templeton: Alright, thank you. I see other hands raised. Commissioner Alcheck,
6 Commissioner Hechtman. Commissioner Alcheck?

7
8 Commissioner Alcheck: So, I'd like to provide an alternative perspective here. The vote to move
9 the election of the Chair to January was not taken just 1-year. That effort failed twice before it
10 succeeded narrowly once. I continue to believe, as I have said in the past, this is a mistake.
11 Why? Because new Commissioners who despite years of experience in the field, often lack the
12 familiarity with the members of the Commission and it puts them in a very awkward position as
13 was clearly demonstrated last year when our own Commissioner Hechtman abstained from the
14 vote in the only vote that was contentious precisely because it forced him to choose between
15 two individuals who he was literally just getting to know. If... I'm not going to put words in your
16 mouth. I see your hand's up. You probably will have your own comments to make. That's a
17 mistake. A mistake to put someone new in a position to choose between two individuals who
18 they are maybe not familiar with.

19
20 And I would argue that until a minute ago it didn't occur to me that... I guess the question goes
21 to Albert. Did the Council extend the terms of the two sitting Commissioners when they
22 decided not to fill the seat in December?

23
24 Mr. Yang: Yes, that's a feature of our code that Commissioners have to serve until they're
25 replaced.

26
27 Commissioner Alcheck: So, I think it's like a futile exercise to think that you're likely not going
28 to get reappointed considering that effort. I... you know I'd bet good money on it and so what
29 you're really saying is let's wait an unknown amount of time because my second question
30 would be Albert, do we have a calendar date for the appointments?

31
32 Mr. Yang: No, we do not.

33
34 Commissioner Alcheck: So, it's not even agendized and I feel pretty strongly... I don't intend to
35 seek a leadership position tonight but I feel pretty strongly that we should start the year with
36 new leadership. I have a lot of respect for Chair Templeton. You know, she could get
37 reappointed but I think this exercise is one that we should not delay. I have consistently felt
38 delaying from the 12th... from the end of December to the beginning of the following year was a
39 mistake. I actually wouldn't... if we're going to make a change tonight, I would propose an
40 alternative motion that suggests that not only do we vote tonight but we also change our

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1 election so that happens in August like it did for the first 6-years of my Commission or 5-years
2 of my Commission. I was appointed in August as most Commissioners use to be and the Chair
3 was selected in the first meeting of August and there's a really good reason. Excuse me, I was
4 appointed in the end of the year but Chairs were selected in August, and the reason why is
5 because it gives people time and it reduces the likelihood of a transition instability as a result of
6 new seats. So, this is a Commission that is likely going... the members of this discussion are
7 likely not going to be changed. I think that that's what City Council action in December really
8 identified. I don't think they're in any rush because before tonight they didn't know there was a
9 vacancy and so I would really encourage to not amend the By-Laws unnecessarily and to keep in
10 mind that this narrowly passed. And the irony is that the vote that carried it in 2018 was a
11 Commissioner who ultimately wasn't reappointed and didn't get to participate in the January
12 vote and that was Commissioner Gardias. So, I think that he was hopeful at that time that the
13 new Members of the Commission would create an opportunity and it was unrealized. And I
14 think it... this shouldn't be complicated, this really shouldn't be a complicated endeavor. This is
15 about just allowing people the opportunity to learn on the... to experience... to fulfill this role,
16 give the individuals who have the role an opportunity to take a seat away from the role, and
17 allow every Member... allow more Members. Not every Member because not every Member
18 will ever get a chance but allow more Members of the Commission to participate in its
19 leadership and I really would encourage everyone to support that idea.

20

21 Chair Templeton: Thank you, Commissioner Alcheck. Commissioner Hechtman.

22

23 Commissioner Hechtman: So, I don't have a practical issue with extending our current
24 leadership which I think has just been terrific. Everything I could hope for in the last year. But
25 my concern is that we as Commissioners have to serve as examples to the citizens of Palo Alto
26 as to what our laws mean and how to interpret them. And when I look at the language in our
27 By-Laws, what it says is and this is the new version adopted in 2018, many of you participated
28 in that, but the plain language says you have it at the first meeting, or at a date certain, an
29 alternative date certain and we don't have that and that concerns me that we're playing a little
30 loose with the language that was approved back in 2018. And frankly, I think the City Council
31 has done us no favors by not telling us when the appointments would be... when that process
32 would be completed because then we could have a date certain. But as I understand it today
33 we can't have a date certain and so that's my concern, that the motion as it sits does not meet
34 the four corners of our By-Laws.

35

36 Chair Templeton: Thank you, Commissioner Hechtman. I see Commissioner Summa's hand up if
37 you want to speak again?

38

39 Commissioner Summa: Yes, thank you.

40

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1 Chair Templeton: Please go ahead.
2

3 Commissioner Summa: I believe our attorney just told us it did meet our By-Laws so I'm... I
4 don't know if that needs any further clarification from our attorney. The other thing and there's
5 no intention here to divert us from a legal process. It was just to respect potential incoming
6 people, incoming Commissioners, and I will note that it is common practice. I mean the Council
7 elects its own Mayor and Vice Mayor in the new Council the first meeting. I think there's also an
8 expectation that a lot of the applicants for this role would have familiarity with the Planning
9 Commission and have watched a lot of the meetings and have... I trust the new people to be
10 able to do it as well as anyone but we should probably just vote. But there was... it was really
11 out of respect for the potential new appointees as Commissioners that I thought this would be
12 a good thing to do.
13

14 Chair Templeton: I'll take a moment to speak on this and Vice-Chair if you wanted to speak feel
15 free to raise your hand. I have faith that anyone of the six of us that are sitting could be in a
16 leadership role. That is not a question for me. I think it's in general very... it's unusual times.
17 There's been so much that's been unusual about these recent months and this is yet another
18 curve ball that we're thrown for and we have to follow. Follow our By-Laws and a combination
19 of that in our gut and my sense is that it's probably going to be a couple of months, maybe
20 three, maybe four. I heard people speculating maybe March, maybe April. That's a long time for
21 me to remain in this role without an election. So, I think we have the candidates here, we have
22 the familiarity here, I trust all of our Commissioners, including those that are up for
23 reappointment. I think we can proceed in the absence of any date certain to delay this too. I
24 would be happy to support having an election tonight. That means unfortunately I would not
25 support this motion. Any other hands? Commissioner Alcheck is that a remnant or did you want
26 to speak (interrupted)
27

28 Commissioner Alcheck: No, sorry, I'm lowering my hand. I'd love to vote.
29

30 Chair Templeton: Alright, anyone else? Alright, Mr. Nguyen would you please conduct the vote?
31

32 Ms. Tanner: Vinh, if you're there, I think you might be on mute if you're speaking.
33

34 Mr. Vinh Nguyen, Admin Associate III: Ok, I'm sorry, did... Chair Templeton, did you ask for a
35 vote?
36

37 Chair Templeton: I did but let me just double-check. Do we do public comment on this
38 procedural section of our agenda before we take a vote on motions? I just want to make sure I
39 understand the timing.
40

-
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1 Ms. Tanner: I don't think we need public comment on this motion.

2

3 Commissioner Alcheck: We don't have... we have never had public comment during our
4 nomination process. That's distinctly different than the process by which the City Council
5 follows.

6

7 Chair Templeton: That makes sense. I just wanted to double-check, thank you.

8

9 Mr. Nguyen: Ok.

10

11 Commissioner Alcheck: I should say to my recollection I don't believe we've ever had public
12 comment.

13

14 Chair Templeton: I was asking Mr. Yang.

15

16 Commissioner Alcheck: I feel like I've been here 100-years.

17

18 Chair Templeton: That's fine. Yes, you do have a lot of experience.

19

20 Mr. Yang: That's my recollection as well. I don't think there's anything that speaks to it in any
21 written document but I don't recall ever having that be a part of our process.

22

23 VOTE

24

25 Chair Templeton: Alright, thank you. Alright, Mr. Nguyen please conduct the vote.

26

27 Mr. Nguyen: Yes. Commissioner Alcheck?

28

29 Commissioner Alcheck: Nay.

30

31 Mr. Nguyen: Commissioner Hechtman?

32

33 Commissioner Hechtman: No.

34

35 Mr. Nguyen: Commissioner Lauing?

36

37 Commissioner Lauing: Yes, I'm glad we have this vote. Thank you.

38

39 Mr. Nguyen: Vice-Chair Roohparvar?

40

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1 Vice-Chair Roohparvar: No.

2

3 Mr. Nguyen: Commissioner Summa?

4

5 Commissioner Summa: Yes.

6

7 Mr. Nguyen: Chair Templeton?

8

9 Chair Templeton: No.

10

11 MOTION #1 FAILED 2(Lauing, Summa) -4(Alcheck, Hechtman, Roohparvar, Templeton)

12

13 Mr. Nguyen: Ok the motion does not carry.

14

15 Chair Templeton: Alright, then I think it's time for the next kind of motion. Would someone like
16 to raise their hand? Commissioner Hechtman.

17

18 Commissioner Hechtman: This being my first time through this process, is this where
19 nominations are made?

20

21 Chair Templeton: Yes.

22

23 MOTION #2 FOR CHAIR

24

25 Commissioner Hechtman: Ok, then I would like to nominate for the Chair the current Vice-
26 Chair, Vice-Chair Roohparvar.

27

28 Chair Templeton: Any second?

29

30 SECOND

31

32 Commissioner Alcheck: I will second that nomination.

33

34 Chair Templeton: And Vice-Chair Roohparvar do you accept that nomination?

35

36 MOTION #2 FAILED DUE TO THE NOMINATION BEING DECLINED

37 MOTION #3 FOR CHAIR

38

39 Vice-Chair Roohparvar: So, thank you Commissioner Hechtman for the nomination. I really
40 enjoyed serving as Vice-Chair. I was actually hoping to seek reappointment as Vice-Chair again

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1 this year and planned to appoint you Commissioner Hechtman as Chair. So, I will respectfully
2 decline. Thank you so much and can I nominate Commissioner Hechtman as Chair?

3

4 SECOND

5

6 Commissioner Alcheck: I second that nomination.

7

8 Chair Templeton: I believe so. Ok, thank you. I see Commissioner Lauing's hand is raised as well.

9

10 Commissioner Lauing: Yes, but the deed has already been done.

11

12 Vice-Chair Roohparvar: What does that mean?

13

14 Commissioner Lauing: Nomination of Commissioner Hechtman.

15

16 Chair Templeton: Alright, well (interrupted)

17

18 Mr. Yang: So, Commissioner Hechtman, do you accept the nomination?

19

20 ACCEPTANCE OF THE NOMINATION FOR CHAIR

21

22 Commissioner Hechtman: In light of Vice-Chair Roohparvar declining the nomination because I
23 do believe in this concept of ascension and so I think the slot was hers. She's declined so I will
24 accept the nomination.

25

26 Chair Templeton: I am filled with joy and pride of how this conversation is going. I'm a little
27 [unintelligible] [note – maybe verklempt] so forgive me but any other nominations. Please raise
28 your hand. Ok. Mr. Nguyen, would you please conduct a vote?

29

30 Commissioner Alcheck: Hold on a second.

31

32 Chair Templeton: No?

33

34 Commissioner Alcheck: It would be appropriate to just allow the makers of the nomination to
35 speak to their vote.

36

37 Chair Templeton: Oh, you're right. See, I'm a little overcome. Please, feel free.

38

39 Vice-Chair Roohparvar: Sure, I mean I think the fact that there's no other nominations is a
40 testament as to everybody's faith in... oh, am I on mute? No. Is to everybody's faith in

-
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1 Commissioner Hechtman. I think you're going to do a fantastic job. I really want to see this
2 happen. You've been so thoughtful, so meticulous, just even as a fellow attorney I respect your
3 opinion so much and you bring so much to the table. I don't know what else to say. You're... I
4 think you're going to do an amazing job and I just hope that everybody... and I think we will
5 support this and I'm excited to see what the new year will bring with you at the helm hopefully.

6
7 Commissioner Alcheck: I want... I spent some time thinking about all of the reasons why I
8 thought Commissioner Roohparvar would make an incredible Chair of our Planning Commission
9 this year and before I speak to Commissioner Hechtman. I want to acknowledge that the way
10 that Commissioner Templeton and Commissioner Roohparvar or I should say Chair Templeton
11 and Vice-Chair Roohparvar work together this year was... you guys did a fantastic job. And I...
12 you had just suggested with some Yiddish terminology your pride in this moment and that the...
13 I think you should take greater pride in the fact that the two of you demonstrated just how well
14 a Commission can run, how welcome all voices could be felt, and not without very complicated
15 issues before us in this challenging year.

16
17 And so, despite having prepared some... having thought during the break about comments
18 about Commissioner Roohparvar, I want to suggest that I think the nomination of
19 Commissioner Hechtman, which I seconded, is very easy to support. I think Commissioner
20 Hechtman has impressed all of us. I won't speak for all of us but I believe he's impressed all of
21 us with his genuine thoughtful preparation for every meeting. I'm sure privately some of us are
22 a little embarrassed at how your acute sense of detail with respect to our minutes makes us a
23 look. If none of us ever have anything to say about the minutes, are we even reviewing them?
24 But in all sincerity, I think that you have approached your work very impressively. I am so happy
25 that you were appointed to this Commission because I think you're doing a superb job as a
26 member of the community engaging in these issues and being so thoughtful in your comments.
27 I have consistently been persuaded by things you have said. I think you do a really good job of
28 respecting everyone on the Commission with your thoughts and I think you in a leadership
29 position would be exactly the sort of tone that would be... this is the 2021 sort of idea that we
30 need in the wake of the 2020 moment that as a group we have not suffered tremendously
31 from. But that I think our community would like to see someone like yourself at the helm.

32
33 and I would add that I will absolutely like to see some continuity and I think if Commissioner
34 Roohparvar's open to the idea I would support that too because I think that experience could
35 lend the continuity if you will of leadership that would significantly help you as a second-year
36 Commissioner. So, I'm thrilled.

37
38 Chair Templeton: Thank you. I see Commissioner Lauing's hand is raised.

39
40 Mr. Yang: I'm sorry Chair.

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1
2 Chair Templeton: Yes, go ahead.

3
4 Mr. Yang: Jump in here.

5
6 Chair Templeton: Please do.

7
8 Mr. Yang: I looked into this a little bit further and we actually should be taking public comment
9 before the Commission votes on either of these.

10
11 Chair Templeton: I really appreciate that. We will... can we have Commissioner Lauing's
12 comment and then go to public comment?

13
14 Mr. Yang: Sure, yeah.

15
16 Chair Templeton: Ok, thank you for looking into that. I remember watching the change of guard
17 in the City Council and that they took comments so that's why I asked. I appreciate that.
18 Commissioner Lauing?

19
20 Commissioner Lauing: Yes, without repeating all the accolades, I just love that how hard you
21 work and how I can depend on you to have done the work as can all my colleagues. And it
22 doesn't matter what the percentage of agreement or disagreement is, you are up to speed. So,
23 you are an expert by the time we sit down and work on these things and it makes it so much
24 easier for all of us compared to folks that don't perform. I don't mean people right here. I'm
25 saying if people don't perform at that level. So, I really appreciate that and all of your
26 experience lets you hit the ground running with no learning curve which is fantastic.

27
28 A few months ago, I had a little bit of concern about you but now you've upgraded your laptop
29 so I'm much more comfortable because we can actually see you now and hear you now. So, I'm
30 good to go.

31
32 Chair Templeton: The tech is critical Commissioner Hechtman so yes, I will add my thoughts as
33 well. One of the downsides of supporting you for Chair is that we might have to your comments
34 last and I have really enjoyed your feedback and analysis over the course of this past year. I
35 think it's absolutely essential to have your voice here and I'm looking forward to continuing
36 working with you. I know we have several former Chairs here and we can all attest to how hard
37 it is to let go but how much easier it's made by letting go of the responsibility of somebody you
38 know is up to the task. I'm really grateful that you're interested in this role and looking forward
39 to seeing you with the gavel if that is possible.

40

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1 Any other comments from Commissioners before we go to public comment? Alright, Mr.
2 Nguyen would you please go to public comment?

3
4 Mr. Nguyen: Yes, one moment, please. Let me just get the timer up. Ok, our first speaker will be
5 Mary and then followed by Rebecca. Mary, if you're there, you may speak.

6
7 Ms. Mary: Is that me?

8
9 Mr. Nguyen: Yes.

10
11 Ms. Mary: Well, first of all, I am so impressed with this Commission. I'm really a neophyte to
12 these kinds of proceedings, although I often go to the City Council meetings on Monday
13 evening. So, I'm very... I'm here actually representing the Women's International League of
14 Peace and Freedom. Roberta Alquist could not make it tonight and she asked me to make a
15 report on what happened here because we are on the Affordable Housing Subcommittee of the
16 League.

17
18 Chair Templeton: Thank you, Mary. Did you want to speak to the agenda item we're on?
19 Election of Chair and Vice-Chair?

20
21 Ms. Mary: No, I don't have... no.

22
23 Chair Templeton: Ok. [unintelligible](interrupted)

24
25 Ms. Mary: I just thought I should tell you more about who I am. So, but I don't have any other
26 further comment. No. Thank you very much.

27
28 Chair Templeton: Well, thank you for coming, and thank you for sharing that you're observing
29 this meeting. We appreciate that.

30
31 Mr. Nguyen: Our next speaker is Rebecca.

32
33 Ms. Rebecca Eisenberg: Thank you so much for the opportunity to address this Commission. I
34 believe that Commissioner Hechtman is unqualified to serve as Chair of this Commission due to
35 unavoidable conflicts of interests. This conflict of interest violates Palo Alto By-Laws.
36 Specifically, Commissioner Hechtman, according to his own provided biography and the
37 biography provided on his law firm's website, represents commercial developers and land
38 owners for a living against actions taken by City governments. This means that Commissioner
39 Hechtman shares a financial interest with parties such as most of the applicants such as
40 potentially the Sobrato family. Because the City of Palo Alto does not require Commissioners to

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1 disclose... file Form 700, as I believe they should and as most Cities do, we are not aware of the
2 extent to the extent of which Commissioner Hechtman is financially in bed with the applicants
3 before this Commission. Although it violates the By-Law for the Commissioners to be biased,
4 actions including tonight and statements made by Commissioner Hechtman suggest that
5 Commissioner Hechtman's bias is significant. For example, Commissioner Hechtman, like
6 Commissioner Alcheck, refused to name the owner of the Fry's Site by name. Even though it is
7 public record and not secret or private information that the owner of the Fry's site is the
8 Sobrato family. Similarly, Commissioner Hechtman represented intentionally the nature of the
9 investment in the Fry's site. The Fry's site is zoned residentially, not commercially. In other
10 words, the Sobratos have no legal right for commercial development even though
11 Commissioner Hechtman as inferred... has implied strongly, even stated, that they do have the
12 right. Also, Commissioner Hechtman has, like Commissioner Alcheck, has argued strenuously on
13 behalf of the financial interest of the Sobrato family. Tonight, both of those Commissioners
14 used the words financially infeasible, when they really mean harming the profitability of
15 commercial developers like the Sobratos. Something this Commissioner needs to remember is
16 that under the rules... the California Rules of Professional Responsibility, attorneys are not
17 allowed to act against the interest of their clients. Similarly, attorneys are not allowed to reveal
18 the financial interest of their clients. For that reason, Commissioner Hechtman will argue that
19 he can't... doesn't even have the right to disclose how deeply imbedded financially he is with
20 commercial developers, including potentially the Sobratos. This harms our community. We
21 deserve a Commission free of financial conflict. Therefore, it is harmful to appoint Hechtman
22 and I strongly support the... allowing Chair Templeton to continue. Thank you.

23
24 Mr. Nguyen: Thank you for your comments. Chair Templeton, that concludes public comments
25 for this item.

26
27 Chair Templeton: Alright. Commissioners, any other comments before we take a vote? Mr.
28 Nguyen, could you please conduct... oh, do I see Commissioner Lauing?

29
30 Commissioner Lauing: I was just going to suggest that the Assistant Attorney can opine that
31 Commissioners filling out the Form 700.

32
33 Mr. Yang: I guess I can just correct the record that all Commissioners are required to fill out
34 Form 700 and that we as Staff do inquire into financial conflicts of interest whenever we have
35 an application come forward and come to the Commission.

36
37 Commissioner Alcheck: May I just make one comment here?

38
39 Chair Templeton: Commissioner Alcheck.

40

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1 Commissioner Alcheck: The... it's a little unclear to me how this public comment process works,
2 but the notion that we will selectively pick misstatements to correct from the dais is
3 problematic to me. The sheer volume of misstatements made would... if you're going to correct
4 one false statement, you should correct them all, and I'm uncomfortable if we're going to
5 respond to a statement... my understanding is that we don't typically do that. And I'm
6 concerned that we're setting a precedent that there was only one issue that needed to be
7 correct there and frankly, there were not so.

8
9 Chair Templeton: Thank you. Commissioner Alcheck, let me take a moment to say that... for the
10 record that we accept public comments and those are from members of the public and they do
11 not necessarily represent facts or statements that Commissioners or other parties would agree
12 with. It is our commitment to be transparent and to have a voice of the people but we do not
13 have the... we do not generally engage directly with commenters. So, I want to just emphasize
14 what both Commissioners have said. That there are potential... that that's not a source of
15 verified information for anyone who might be watching or listening. And we're happy to correct
16 the record off the record if... I mean outside this meeting if that is something someone would
17 like to do through personal meetings or other communications. So, I think that... I hope that's
18 sufficient. If anyone else wants to add to that feel free.

19
20 Ms. Tanner: I would just add as Staff, we were responding to a request to have the City
21 Attorney address that comment. So, if there are statements the public makes and
22 Commissioner says oh someone... I heard this and what does Staff think about that? Staff will
23 always respond to such requests for comment.

24
25 VOTE

26
27 Chair Templeton: That makes total sense so I appreciate the indirect way that that information
28 was corrected. I think that's about as far as we should go from the dais and we thank people for
29 giving their public comment. Mr. Nguyen, would you please conduct a vote? The motion on the
30 table is Bart Hechtman for Chair.

31
32 Mr. Nguyen: Yes. Commissioner Alcheck?

33
34 Commissioner Alcheck: Aye.

35
36 Mr. Nguyen: Commissioner Hechtman?

37
38 Commissioner Hechtman: Aye.

39
40 Mr. Nguyen: Commissioner Lauing?

-
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1
2 Commissioner Lauing: Yes.
3
4 Mr. Nguyen: Vice-Chair Roohparvar?
5
6 Vice-Chair Roohparvar: Yes.
7
8 Mr. Nguyen: Commissioner Summa?
9
10 Commissioner Summa: Yes.
11
12 Mr. Nguyen: Chair Templeton?
13
14 Chair Templeton: Yes.
15
16 MOTION #3 PASSED 6(Alcheck, Lauing, Hechtman, Roohparvar, Summa, Templeton) -0
17
18 Mr. Nguyen: The motion carries 6-0.
19
20 Commissioner Templeton: Alright, congratulations Chair Hechtman. You now have the gavel
21 and conduct the Vice-Chair vote.
22
23 Commissioner Alcheck: Actually, technically, technically your job is not finished.
24
25 Commissioner Templeton: Are you serious? Are you serious? How come last time I had to do it?
26 No. Maybe I (interrupted)
27
28 Commissioner Alcheck: Oh, did you have to do it last time?
29
30 Commissioner Templeton: I could be misremembering. 2020 was a heck of a year so I would be
31 happy to do this.
32
33 Commissioner Alcheck: I may be wrong, I may be wrong.
34
35 Commissioner Templeton: Chair Hechtman [unintelligible](interrupted)
36
37 Commissioner Alcheck: I was wrong about public comment so I could be wrong.
38
39 Commissioner Templeton: Who knows. Dealers choice. Chair Hechtman, how would you like to
40 proceed?

-
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Chair Hechtman: I'd like you to handle this last nomination, please.

Commissioner Templeton: Alright. We are now moving to the election of the Vice-Chair. Are there any nominations? Please raise your hands. Commissioner Lauing, followed by Hechtman and Alcheck.

MOTION #4

Commissioner Lauing: Yes, I'd like to nominate Commissioner Summa for Vice-Chair.

Commissioner Templeton: Any second? You can second yourself.

SECOND

Commissioner Summa: I guess I'll second myself.

Commissioner Templeton: Yeah, it's fine and that sounds like implied acceptance of the nomination?

ACCEPTANCE OF THE NOMINATION

Commissioner Summa: Yes, thank you very much Commissioner Lauing for that and I will accept.

Commissioner Templeton: Excellent. Commissioner Hechtman.

Chair Hechtman: I think you had mentioned that Alcheck was before Hechtman.

Commissioner Templeton: Commissioner Alcheck. I can't tell. You both have your hands down so promptly.

MOTION #5

Commissioner Alcheck: I would gladly nominate current Vice-Chair Roohparvar for the position of Vice-Chair for 2021.

Commissioner Templeton: Is there a second?

SECOND

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Chair Hechtman: Second. Second.

Commissioner Templeton: And does Giselle... does Vice-Chair Roohparvar accept the nomination?

Vice-Chair Roohparvar: Yes.

Commissioner Templeton: Alright. Chair Hechtman, you have your hand up.

Chair Hechtman: Eventually I'd like to speak to my second but maybe we're not quite there yet.

Commissioner Templeton: Commissioner Alcheck, did you want to add additional remarks?

Commissioner Alcheck: I think actually you have to let Commissioner Lauing speak to his nomination and then presumably Commissioner Summa (interrupted)

Commissioner Templeton: We'll go in order.

Commissioner Alcheck: Yeah, I would go in order, and then the vote... the way I understand it, the vote would happen at the same time. You would ask for votes... you would ask each Commissioner how they would vote as opposed to aye or nay. They'd have to choose a name now.

Commissioner Templeton: Can we confirm that Mr. Yang? That they choose the candidate and on an up or down on a promotion basis?

Mr. Yang: We go... yeah, we go by... we have I guess... I think what you would do if we were in person is have people write down onto a ballot and then have Staff count the votes. Let me think about how we do that in a virtual.

Commissioner Templeton: We did not do that last time.

Mr. Yang: Ok.

Ms. Tanner: Why don't we just do the voice vote?

Commissioner Templeton: I know it's awkward but we will get through it.

Mr. Yang: Yeah, you'd just have a voice vote of each member saying which candidate it's for.

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Commissioner Templeton: Ok, great. So, let us start first with Commissioner Lauing for his nomination, Commissioner Summa for her second, Commissioner Alcheck for his nomination, Commissioner Hechtman for his second. Thank you very much.

Commissioner Lauing: Ok, thanks. So, Commissioner Summa, if reappointed, as we're expecting per some of our colleague's comments will be entering her fourth year and much like Chair Hechtman, is a work horse in terms of preparation, knowledge, coming up to speed, always being prepared, always being dependable. And that is a high value I think to our whole Commission because those kinds of people really help out a. And the experience over 4-years I think is a helpful perspective and that is... you can't quantify it in terms of just total years of experience, but the years before that where she was the unofficial zoning zar in public comment I think was quite helpful as well. So, eminently... would be eminently a good partner for Chair Hechtman in terms of work, attendance, debate, etc., and would serve the City well in the role.

Commissioner Templeton: Thank you, Commissioner Lauing. Commissioner Summa.

Commissioner Summa: Thank you, Commissioner Lauing. That's very nice. I'm not sure about zoning zar and work horse. That sounds kind of boring and unattractive but I really appreciate the nomination. And I agree with Chair Templeton that anyone of us could do these leadership roles and that only one... not everybody gets to. But I do think I enjoy serving my community and I get myself in trouble this way because I have a habit of saying yes to things when people ask me to do things like being rep to the NVCAP and whatnot but I really do enjoy serving my community. I would really enjoy working with Commissioner Hechtman and I'm sure I could learn a lot and I think we would work well together. So, yeah, I'm very excited about the potential. Thank you very much.

Commissioner Templeton: Thank you, Commissioner Summa. Commissioner Alcheck.

Commissioner Alcheck: So, I think some of you, most you, I think all of you were present last year when I believe I made the nomination of Vice-Chair Roohparvar to the position of Vice-Chair. And I mentioned tonight that I had thought about all of the qualifications that would make her an excellent Chair during the break and I want to share some of those with you.

For those of... I mentioned this last year but for those of you familiar with the Commissioner or Vice-Chair Roohparvar's professional experience. Then you know that she worked at one of the most prestigious and well-regarded land use law firms in the nation. So, well regarded that treatise, by the name sake of her former... of the law firm where she achieved partnership, is essentially the treatise by which most land use attorneys do a great deal of their work. This is

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1 the Miller and Star land-use guide books and I mention that because I'm so familiar with that
2 law firm's standard if you will locally that I remember that despite not even knowing who she
3 was when she was appointed. Imagining like holy moly, judge Roohparvar is coming. Someone
4 with a tremendous amount of exposure to what we do and also what I know would have to be
5 a tremendous work ethic based on her professional accolade.

6
7 I think all of the Members of this Commission take our role really seriously. I think we all come
8 to these meetings with a real commitment and that's something all of us know about each
9 other. We're all really dedicated and I think deep down we all care tremendously about this
10 City.

11
12 I think when our Commission's Membership includes individuals with area expertise, it
13 improves our work tremendously. I want to honor the appointment of Commission Roohparvar
14 to this Commission by making a consistent act demonstrating how impressive I think her
15 participation has been. I would like... I believe the one thing that this role does do is it sends a
16 message to the community that among the esteemed Members of this Commission, who we
17 really believe is doing a stellar job, and that we trust to essentially maintain the work of our
18 Commission in a professional and in a way that makes us proud. And I think I want the
19 community to know that the Commission continues to believe that Commissioner Roohparvar
20 is an excellent Member of our Commission and her voice in a position of leadership guiding the
21 Commission is very appealing to us.

22
23 So, I'm so... I'm glad... I hope you will seek a position of higher leadership and will speak for the
24 Commission at some point in your future. You have years left but I'm glad that you offered or
25 accepted the nomination because I think you and Cari [note – Commissioner Templeton]
26 worked together as an amazing team. You and Chair Templeton worked together as an amazing
27 team and I think that... I hope that you will succeed in the exact same way actually with
28 Commissioner Hechtman and I'm just so thrilled. So, it's been an honor to work underneath the
29 two of you and I really hope everybody out there knows not just that I was prepared to support
30 you as the Chair of this Commission tonight, but of course that I believe that you would make
31 an excellent Vice-Chair, so good luck.

32

33 Commissioner Templeton: Thank you, Commissioner Alcheck. Chair Hechtman.

34

35 Chair Hechtman: Well, I did not get to speak to the motion to make Vice-Chair Roohparvar the
36 Chair because she declined, but now I get the chance to say the reason that I was part of that
37 motion is that I think that she would have made and will make a terrific Chair. And I base that
38 on... I don't even consider her role at Miller Star and as impressive as that is, I just base it on a
39 year of observing and interacting with her on the subject matter that we have to deal with
40 twice a month. So, now that I am the Chair, I will confess that my second here involves some

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1 amount of self-interest because I do not have the background of participating in the running of
2 these meetings over the last year, but Vice-Chair Roohparvar does. And so, I am trusting that
3 not only does she know what to do as the Vice-Chair, she's been watching you Chair Templeton
4 for the last year and she knows what you do and what you have done and she can tell me. And
5 so, I'm looking forward to that relationship of leadership and I do want to say that I feel very
6 fortunate and I said it at the last meeting having completed my first year. that we have six now
7 outstanding Commissioners that work well together and seventh, Billy [note – Commissioner
8 Riggs] just resigning. So, I think there's no possible bad result here but I'm looking forward
9 hopefully to having Vice-Chair Roohparvar continue to be Vice-Chair Roohparvar for the coming
10 year.

11
12 Commissioner Templeton: Thank you, Chair Hechtman. Vice-Chair Roohparvar, do you want to
13 make any comments on your behalf?

14
15 Vice-Chair Roohparvar: No, I just want to really acknowledge our partnership, Chair Templeton.
16 You have been fantastic to work with. I've just seen all the blood, sweat, and tears going on
17 behind the scene at every single pre-Commission meeting and at these meetings. And I've
18 gotten to know you personally just through the process and I mean I don't know if you guys
19 know but Cari [note – Commissioner Templeton] really, really cares about this City. I mean you
20 guys do not see what I've seen and how much she struggles to make the right decision, to do
21 the right thing, always coming prepared, always asking questions. You guys do not see the
22 amount of work that Cari [note – Commissioner Templeton] did behind the scene to make sure
23 that our PTC meetings run seamlessly. I mean Assistant Planner Tanner you've seen it. She's
24 always on point, going ok let's put the Findings at the end, like every little detail she's thought
25 of to make sure that when we come into the meeting it flows seamlessly. And I personally have
26 felt it. I felt... I hope I'm not being biased but I felt like this year went very smoothly. There have
27 been a lot of respect across the board. I think Chair Templeton, the amount of empathy you
28 bring to the position has been key for me to just feel so welcome and I think you are just so
29 warm and welcoming to everybody. Yeah, I guess I'll stop. I can go on, on, and on but I did want
30 to acknowledge just the tremendous amount of work because I don't think people in the
31 community or anybody really sees how hard the job actually is and how much you've done
32 behind the scene. So, I just wanted to acknowledge that.

33
34 Commissioner Templeton: Thank you very much, Vice-Chair. I will speak after the vote about
35 this experience but I appreciate your kind words. I'll speak to my vote. I've had the opportunity
36 to work with Vice-Chair Roohparvar for a year very closely and she's been wonderful to work
37 with. And I've been able to rely on her and our partnership was very strong and I was ready at
38 any moment to hand it over to her.

39

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1 So, I want to also acknowledge Commissioner Summa. I think that you have been working
2 exactly as hard as Commissioner Lauing has described and you do a lot behind the scenes too
3 and I really appreciate the work that you're doing. Just reading the numbers here, I think that...
4 well, my hope is this. My hope is that if you get reappointed, that you would run again for Vice-
5 Chair because I see that you have the heart and the desire to give and I really respect that.

6
7 With that said, this time my vote is going to go to Vice-Chair Roohparvar in honor of her service
8 the last year and how much support she gave me and the whole Commission which I respect
9 very much. So, thank you very much. Any other comments? Do we want to go to the public
10 comment? Mr. Nguyen or?

11
12 Mr. Yang: There actually is not a need to return to public comment. We had a public comment
13 period.

14
15 Commissioner Templeton: For this item.

16
17 Mr. Yang: You can open it up again if you'd like but it's not required.

18
19 Commissioner Templeton: Well, we have... I think we should since I brought it up. I didn't
20 realize it was not on a per-vote basis so you make a good point. We have one hand raised so
21 Mr. Nguyen, would you please... well, is this the same speaker?

22
23 Mr. Nguyen: It is the same speaker from earlier, yes.

24
25 VOTE

26
27 Commissioner Templeton: Oh, ok. I'm sorry Ms. Eisenberg, you've already spoken on this
28 agenda item so we're not going to be able to go back to public comment. I apologize about
29 that. It's the same agenda item, Agenda Item Number Four, public comment has already...
30 we've already had public comment on this agenda item. So, let's go to conduct the vote than
31 Mr. Nguyen, please.

32
33 Mr. Nguyen: Alright, Commissioner Alcheck?

34
35 Commissioner Alcheck: I vote for Vice-Chair Roohparvar.

36
37 Mr. Nguyen: Commissioner Hechtman [**note – Chair Hechtman**]?

38
39 Chair Hechtman: Vice-Chair Roohparvar.

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1 Mr. Nguyen: Commissioner Lauing.

2

3 Commissioner Lauing: Commissioner Summa.

4

5 Mr. Nguyen: Vice-Chair Roohparvar?

6

7 Vice-Chair Roohparvar: Commissioner Roohparvar. Vice-Chair Roohparvar. Myself.

8

9 Mr. Nguyen: Commissioner Summa?

10

11 Commissioner Summa: Doria. Commissioner Summa.

12

13 Mr. Nguyen: And Chair Templeton [**note – Commissioner Templeton**]?

14

15 Commissioner Templeton: Vice-Chair Roohparvar.

16

17 Mr. Nguyen: The motion carries for Vice-Chair Roohparvar.

18

19 MOTION #4 FAILED FOR COMMISSIONER SUMMER AS VICE-CHAIR 2(Lauing, Summa) –
20 4(Alcheck, Hechtman, Roohparvar, Templeton)

21

22 MOTION #5 PASSED FOR COMMISSIONER ROOHPARVAR AS VICE-CHAIR 4(Alcheck, Hechtman,
23 Roohparvar, Templeton) – 2(Lauing, Summa)

24

25 Commissioner Templeton: Alright, thank you very much everybody, and if I could... Chair, if
26 could indulge and take a moment to just speak about this experience before we move on, and
27 is that alright with you? Alright. I just want to thank all the Commissioners and Staff for a
28 wonderful year as Chair. It was a wild year. I don't think any of us could have imagined what it
29 was like this time last year what 2020 would have been like and we seem to be off to a wild and
30 crazy start for 2021 as well. But what never fails is the commitment that you all have to keep
31 showing up and keep doing this work, this hard work, having these discussions, having these
32 tense interchanges, and really trying to uncover what is in the best interest of the City. So, I'm
33 grateful for all of you, grateful for all of your support, and you made it really easy for me so I
34 appreciate every one of you. Alright, Chair Hechtman, do you... are you ready?

35

36 Chair Hechtman: Yes, I'm ready to bring us home this evening.

37

38 **Commission Action**: Motion by Lauing, Seconded by Roohparvar. Fail 2-4 (Alcheck, Hechtman,
39 Roohparvar, Templeton against)

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1 **Commission Action:** Motion by Hechtman, Seconded by Alcheck. Fails due to Roohparvar not
2 accepting nomination.

3 **Commission Action:** Motion by Roohparvar, Seconded by Alcheck. Pass 6-0.

4 **Commission Action:** Motion by Lauing, Seconded by Summa. Roohparvar elected Vice-Chair
5 with Alcheck, Hechtman, Roohparvar, and Templeton's support. Summa failed with Lauing and
6 Summa's support.

7 **Commissioner Questions, Comments or Announcements**

8 5. Planning and Transportation Commission Chair's Letter to Council

9 **Commissioner Templeton:** Ok, we have agenda item... well, we have Comments, Commissioner
10 Questions, Comments and Announcements, and then Agenda Item Number 5, so it's all yours.

11
12 **Chair Hechtman:** So, will, as suggested, Commissioner Questions, Comments, Announcements
13 or Future Agenda Items. I think at the beginning of the meeting Chair Templeton mentioned
14 there might be an opportunity later in the meeting to mention or reflect on Commissioner
15 Riggs's service and I think that would be entirely appropriate if anybody wants to do so. So, I...
16 ok, now this is my first lesson watching hands go up on my screen and I see them running down
17 the page but not in the order that they necessarily were placed.

18
19 **Commissioner Templeton:** It does, it does go in order.

20
21 **Chair Hechtman:** Oh, great.

22
23 **Commissioner Templeton:** Yes.

24
25 **Chair Hechtman:** Then that's very helpful, thank you.

26
27 **Commissioner Templeton:** You're welcome.

28
29 **Chair Hechtman:** So, then we'll start with Commissioner Alcheck and then Commissioner
30 Templeton, Summa, and Lauing.

31
32 **Commissioner Alcheck:** I have two comments. I will start with my acknowledging... I'd like to
33 take a moment to acknowledge working with Commissioner Riggs. I don't... I assume he's not
34 watching at this moment and tonight's news came as a surprise to me, but I had a chance to
35 serve underneath him when he served as a leader in our Commission. And I want to
36 acknowledge that it is probably very rare for a Planning Commission... a Planning and
37 Transportation Commission in the Bay Area to have as a Member an individual who is a
38 Professor and expert in the field of transportation, urban transportation, transportation
39 management. And I am very sad for our City that we have lost a person with such great

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1 knowledge and insight. He absolutely raised our game on the transportation side. I think that
2 was... that is an area that is complicated to appreciate fully. It is nuanced and it is a science and
3 as I think most you know we've seen a lot of turnover in our transportation... among the
4 transportation officials in amongst our Staff. And so, it was nice to have someone on our side of
5 the table if you will, even though we're sitting around a table together, who could help us feel
6 like the right questions were being asked. And so, I just to acknowledge and say that to
7 Commissioner Riggs, I really enjoyed your contributions to our Commission. I am sorry to hear
8 about your resignation. I hope you will seek opportunities in the future to participate locally
9 and share your expertise. And listen, you are always welcome at this meeting in public
10 comment so don't... if you've got something to say, shoot us an email because I think we would
11 all very much appreciate it.

12
13 There's one other... I don't know if this is a general comment section. There's one other
14 comment I want to make. Chair Templeton has put forward a draft letter. It used to be the
15 practice for most of the years of my Membership that at the conclusion of every year the Chair
16 would draft a letter to City Council basically summarizing their... the work that we've done. It
17 wasn't something that typically was considered a letter by committee. And so, I don't know if
18 there is an item later tonight because I didn't see it, where we discuss this but since we're in
19 the comment section I just want to make this point that I don't believe that we need to discuss
20 or vote on that item. I think we should follow the practice for the majority of the years that I've
21 been on the Commission which is that the Chair has prerogative to be able to communicate on
22 her behalf what she's proud of and what she wants to share with the City Council. And so, when
23 we get to that item I hope it doesn't become an editing process because it's awkward.

24
25 Chair Hechtman: So, we're actually at that item, that Item Number Five is part of this
26 Commissioner Questions, Comments so you brought it up at exactly the right time.

27
28 Commissioner Alcheck: Ok so I read the email, I read the note, but I will reserve any comment
29 because I believe that you should send it without my comments, but secretly I didn't have any
30 problem with it.

31
32 Chair Hechtman: Commissioner Templeton, you're next.

33
34 Commissioner Templeton: Thank you very much, Chair Hechtman. I have three things that I
35 want to talk about tonight and I will get to the letter last. First, I would like to also acknowledge
36 and thank Dr. Riggs for all his years of service on the Planning and Transportation Commission
37 here in Palo Alto. He did bring tremendous expertise, knowledge, and I really enjoyed the
38 transportation focus and I do hope that we can retain that in his absence and carry that
39 forward.

40

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1 I also wanted to acknowledge that we have four Commissioners when he was part of our group.
2 We had four Commissioners who have small children at home and as one of those, I really
3 appreciated the transparency when sometimes it was hard. You may have seen tonight my kids
4 coming, like where are you, mom? I totally relate to that and I think it's great for the
5 community to be able to see our leaders living their lives and being part of every part of every
6 day existence. So, thank you for doing that and showing the rest of us, especially myself and
7 Vice-Chair Roohparvar, that it's alright to have your kids in your life and be part of this
8 Commission when we joined, you and Commissioner Alcheck. So, I appreciate that.

9
10 Speaking of transportation, I wanted to share something that happened in my personal
11 community last Friday and just acknowledge this incident and that it's a transportation-related
12 incident. A family that I've known since my kids were in a pre-school family so since they were
13 2-years old. One of the children was struck by a car at Walgreens... well at the crossing of
14 Middlefield at Walgreens and that was really scary to experience and brought me back to why I
15 got involved in the Planning and Transportation Commission in the first place is I really wanted
16 to more to get improvements and safety for our streets and our neighborhoods. So, that's an
17 incident that has happened in our community and I just wanted to call that out and say that
18 that's just another reason I hope that we can continue our partnership with the Transportation
19 Department as we go forward into this new leadership team.

20
21 And then the final thing is the letter and I appreciate the comments from Commissioner
22 Alcheck, but my leadership style is collaborative and I do want to invite your additions if you
23 want to provide them. I do think that we accomplished a great deal. We met a lot last year but
24 the overwriting concern was COVID and how do we navigate the City business in this unusual
25 time. What projects can we keep going forward? What are the discussions that bubble up and
26 for me one thing I shared in the letter was that we had two things that really stuck out for me.
27 One was the Castilleja project and the other was the housing on San Antonio Road, but if there
28 was something that was important to you that I inadvertently overlooked or that you wanted to
29 just to include. I'm open to that because I think this stuff we all did together so I agree with the
30 sentiment of please, let's not line edit but if you did have other substantive changes that you
31 wanted to discuss. I'm happy to consider that as well so thank you very much.

32
33 Mr. Albert Yang, Assistant City Attorney: Chair Templeton [note – Chair Hechtman], if I can
34 interject? So, I didn't realize when we started this that you were moving into Agenda Item
35 Number 5 and so if that's the case because this is an item where the Commission might do
36 some work, it would be appropriate to take any public comment on this item.

37
38 Commissioner Templeton: That's fine. Chair Hechtman?
39

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1 Chair Hechtman: Ok. I'm just pondering whether to... well lets... why don't we just do it now.
2 So, we're going to open up the public hearing specifically on Item 5, Planning and
3 Transportation Commission Chair's letter to Council. Mr. Nguyen, do we have any speakers with
4 hands raised?
5

6 Mr. Vinh Nguyen, Admin Associate III: Yes, we do have one hand raised from Rebecca. I'm not
7 sure if it's a holdover from the last item but let's find out. So, Rebecca, if you're there, you may
8 speak.
9

10 Ms. Rebecca Eisenberg: Yeah, I'd like to speak to this item and I will not speak to the item that
11 you did not let me speak for which was the appointment of the Chair. Even though I was not
12 given an opportunity to speak on that because the agenda did not note who actually would be
13 nominated for that. So, I'm disappointed with your decision and I think it was the wrong one.
14

15 So, in any way, as far as your letter to Council goes, I hope that you all will voluntarily agree to
16 go beyond the limitations of Forms 700 and out of your own willingness to state all of your
17 financial and [unintelligible – bad audio] conflicts of interest.
18

19 Chair Hechtman: Ms. Eisenberg, Ms. Eisenberg, are you moving around? You're (interrupted)
20

21 Ms. Eisenberg: I am not and I apologize. I will (interrupted)
22

23 Chair Hechtman: Connection.
24

25 Ms. Eisenberg: I'm sorry, can you hear me better?
26

27 Chair Hechtman: Little bit.
28

29 Ms. Eisenberg: Ok, yeah, I just went off the Wi-Fi which I should have done. I apologize. What I
30 was saying is that I hope that the Commission will go beyond the requirements of Form 700 to
31 reestablish credibility and confidence in this Commission. If it's true that you all lack financial
32 conflicts, then you should be confident in going beyond Form 700 and reveal your potential or
33 perceived conflicts of interest. I recognize that is not what is asked of you normally but I think it
34 would be very helpful because there really is a perception, not just mine, of potential conflict of
35 interest. And rather than rebutting what I'm saying with a he said, she said, why not own up to
36 all you can? I do acknowledge that licensed attorneys are restricted in some ways but then I
37 think that that restriction needs to be made clear. Such as I do... I may have commercial
38 developers in my client base but I cannot list them and X amount of revenue each year is
39 produced... is generated by commercial developers in their actions against the interest of
40 municipalities like Palo Alto. Maybe some disclosure like that would be helpful in your letter. I

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1 think it would really raise the anti and I want to have trust in you like I know everybody does.
2 That's all I wanted to say and I thank you for considering this very serious, very serious proposal
3 which won't require any defensiveness on anyone's part because again if you lack conflict, you
4 shouldn't have anything to hide. With that said, I do think Michael... I mean Commissioner
5 Alcheck still needs to disclose conflicts and perceived conflicts with Castilleja School. Thank you
6 again. Have a nice night.

7
8 Mr. Nguyen: Thank you for your comments. Chair, that concludes public comment for this item.

9
10 Chair Hechtman: Thank you, Mr. Nguyen. We will close the public comment portion and return
11 back to the Commissioners. Commissioner Summa, I think you were next.

12
13 Commissioner Summa: Thank you, Chair. I just wanted to wish Billy [note – Commissioner
14 Riggs] and his family well. I'm not sure what they're going through but hopefully, they come out
15 the other end ok. And that being said and I want to congratulate our new Chair and Vice-Chair
16 as well and I want to thank Cari [note – Commissioner Templeton] and our Vice-Chair for their
17 work this year. And I especially want to acknowledge how hard Commissioner Lauing and Cari
18 Templeton work for this community with their election bid and keeping up their jobs here
19 during a pandemic. It was pretty heroic work so I just wanted to acknowledge that as well.

20
21 Chair Hechtman: Thank you. Commissioner Lauing.

22
23 Commissioner Lauing: Thanks for that comment on Cari [note – Commissioner Templeton] and
24 myself. It was a piece of cake. Just ask either one of us, no problem. I also would follow your
25 lead on that Doria [note – Commissioner Summa] and congratulate our new Chair and Vice-
26 Chair. Optimistic about where this thing is going. It's got to get better in terms of the pandemic
27 and hopefully, we'll a fuller agenda with the Staffing up that's happened in Planning and thanks
28 to Cari [note – Commissioner Templeton]. You had by definition a ridiculously tough year doing
29 all this stuff on Zoom. I mean I don't like it and I don't have to manage it. So, I know what
30 you're going through to try to pull it off and work in advance to get that thing ready to go and
31 work with your faith compatriot there Giselle [note – Vice-Chair Roohparvar] and Vinh who
32 made these things happen. So, that really helped us have a good year so thanks for all of that.

33
34 With respect to Billy [note – Commissioner Riggs], I feel like I want to sit down with him and
35 have this chat as opposed to have a eulogy for him, but I do want to also want to second Cari's
36 [note – Commissioner Templeton] observation that this is a family man and that was fun to see.
37 I'd look at his Facebook page and I was expecting to see some impressive academic paper that
38 was being recapped and it was pictures of him ski boarding with his kids in Tahoe. So, I
39 appreciate that dimension as we all are dedicated to our tasks. He's dedicated to that one as
40 well which I really like that and it keeps coming up. So, I am going to sit down with him if I get a

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1 chance and if you guys get a chance to go out after this crazy pandemic. Have a cocktail and
2 make sure you use the word bourbon and you're buying because he only goes for the good
3 stuff so.

4

5 Chair Hechtman: Thank you. Vice-Chair Roohparvar.

6

7 Vice-Chair Roohparvar: Thank you. I just... I'll keep my comments super brief. Again, you know
8 very sorry to see Commissioner Riggs leave. I've now had the... I've been fortunate to work with
9 him for 2-years now and he had just so much to bring to the table in terms of his transportation
10 expertise and knowledge. And also, just like everybody else, I do want to acknowledge it was
11 great to see somebody else on the Commission who was a parent and is struggling with the
12 reality of what it's like to juggle work, Commission, life, and all the craziness that goes behind
13 the scenes. And when he would be like his kids would pop up or whatever, it was just... I can
14 completely relate to it and I would always chuckle to myself. So, we miss you, Commissioner
15 Riggs, we hope you show up and comment or whatnot and continue to participate. Thank you.

16

17 Chair Hechtman: Let's see, Commissioner... thank you. Commissioner Alcheck.

18

19 Commissioner Alcheck: Yeah, I just... you know I didn't get a chance to say something earlier
20 which is that Chair Templeton or former Chair Templeton, Commissioner Templeton, you
21 inspired me to new levels of professionalism this year. And you made this comment earlier
22 about how it's hard to let go of the leadership position, but it's made easier when you have the
23 full faith and trust in the person who's taking over. I had a lot of... I had a very big expectation
24 of you last year when I supported you in your nomination as Chair or made the nomination or
25 proposed it and I just want you to know. You exceeded all those expectations so it's not often I
26 get to tell you in public just how glad I am to have worked alongside you. This is my last year on
27 this Commission. Effective December I can't be reappointed but your leadership is at... of all the
28 years I've been on this Commission, I think your leadership was one of the most extraordinary
29 so and impressive, and inspiring. So, I'm just glad because you made me feel welcome and you
30 made me want to be better and participate more fully and so you know that's hard to do for
31 someone who's been on the Commission for almost 9-years. So, kudos to you and you have big
32 shoes to fill Chair Hechtman so I look forward to seeing you do that.

33

34 Chair Hechtman: Thank you, Commissioner. Ms. Tanner.

35

36 Ms. Rachael Tanner, Assistant Director: I just wanted to pass on, when I did communicate with
37 Billy earlier today or Commissioner Riggs, he just wanted to make sure that you all knew that he
38 really valued the time he spent with you and your hard work and collegiality that he had with
39 you and did encourage you to catch up with him. And so, it is again not with any great joy that
40 he leaves us but he just wanted to express that to you all so I want that on his behalf.

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1
2 Chair Hechtman: Thank you. Let's see, Commissioner Templeton, regarding your draft letter,
3 you've invited comments from other Commissioners. Do you have a timeline you'd like to put
4 out there so that people comment or don't and how you need to move on?

5
6 Commissioner Templeton: Thank you, Chair. Yes, I... how about if you can get to me by Friday at
7 noon. Then we can have it formatted and sent and ready for the Council Packet I think. When
8 does the Council Packet go out at actually? Maybe we need to do it earlier. Mr. Nguyen?

9
10 Ms. Tanner: The Council Packet... it would go... it could go to not next week Council's Packet but
11 the following week.

12
13 Commissioner Templeton: Yeah, that's fine and it's short and sweet. It's a little different than
14 some of the other letters I've read and that's ok. We have fully annotated meetings and
15 documents and whatnot and that's not what this needs to be. Just I think a little... just a recap
16 for the Council to know what we've done and they're likely to anticipate ahead from our dais to
17 theirs. So, yeah, feel free to send me your suggestions. I will do my best to incorporate
18 [unintelligible]. Thank you.

19
20 Chair Hechtman: Commissioner Alcheck, your hand is up? Is it just didn't go down? Alright,
21 anything further then on this Item 5? Alright, so as we reach the end of this meeting it just
22 struck me a memory. When I was a baby lawyer and I went to court the first time to argue a
23 motion on my... and I made my argument and of course, before you do that you go and watch
24 other people make arguments and you learn by observing. So, I got there, I made my argument
25 and I said the last sentence and then I realized I don't know how to say I'm done because
26 lawyers have... I now know that you say submitted your honor but at the time I didn't know
27 whether I was supposed to say that's all folks or some other thing. And so, I kind of froze, and
28 as I looked down at our agenda tonight and saw the adjournment is the next item on the
29 agenda and recognizing that I've been at least 20 Planning Commission meetings in the last
30 year, I can't immediately remember if I just declare an adjournment or we need a motion and a
31 vote or can I just say that's all folks? So, anybody?

32
33 Vice-Chair Roohparvar: That's funny, I think it's hilarious.

34
35 Commissioner Templeton: Dealers choice. You don't need a motion.

36
37 Commissioner Lauing: Chair propagative. You hold the gavel dude.

38
39 Vice-Chair Roohparvar: Yeah.
40

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- 1 Chair Hechtman: Ok, then we are adjourned. Thank you, everyone.
- 2 **Adjournment**
- 3 11:00 pm

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