

Special Meeting
March 14, 2005

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FINAL ADJOURNMENT: The meeting adjourned at 10:30 p.m.10

The City Council of the City of Palo Alto met on this date in the Council Conference Room at 6:16 p.m.

PRESENT: Beecham, Burch, Cordell, Kishimoto, Morton (arrived at 6:22 p.m.), Ojakian

ABSENT: Freeman, Kleinberg, Mossar

1. Interviews of Candidates for Human Relations Commission (HRC)

No action required.

ADJOURNMENT: The meeting adjourned at 6:45 p.m.

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:50 p.m.

PRESENT: Beecham, Burch, Cordell, Freeman, Kishimoto, Kleinberg, Morton, Ojakian

ABSENT: Mossar

SPECIAL ORDERS OF THE DAY

1. Santa Clara Valley Water District Update on Creek Collaborative Process

No action required.

ORAL COMMUNICATIONS

Norman Carroll, 425 High St., #120, spoke regarding meeting schedule conflicts.

Peter Drekmeier, 3153 Stelling Drive, spoke regarding the Arastradero/Foothills Trail.

APPROVAL OF MINUTES

MOTION: Council Member Morton moved, seconded by Beecham, to approve the minutes of February 14, 2005, as submitted.

MOTION PASSED 8-0, Mossar absent.

CONSENT CALENDAR

City Attorney Gary Baum noted staff had requested Item No. 3 be removed from the Consent Calendar.

Doug Cox spoke regarding Item No. 2, noting there were safety issues to consider with those regulations.

MOTION: Council Member Morton moved, seconded by Cordell, to approve Consent Calendar Item No. 2.

LEGISLATIVE

2. 1st Reading entitled "Ordinance Amending Section 22.04.220 Pertaining to Parks and Recreations Building Use and Regulations to Deregulate the Operation of Skateboards, Roller Skates and Coasting Devices on the Renzel Trail and Other Paved Off-Road Multi-Use Open Space Trails"

ADMINISTRATIVE

- ~~3. Approval of a Utilities Enterprise Fund Contract with MTH Engineers Incorporated in the Amount of \$161,945 for Engineering and Design of the Alma Substation Relocation to Quarry Substation~~ *(Staff requests item to be pulled)*

MOTION PASSED 8-0 for Item No. 2, Mossar absent.

PUBLIC HEARINGS



4.4. Public Hearing

- a) Zoning Ordinance Update: 1st Reading of an Ordinance for a Revised Single Family Residential (R-1) Chapter (18.12); and Chapter 18.04 and Home Improvement Exception Provisions in 18.76 and 18.77; and Incorporating R-1 Single-Story Height Combining District (S) Regulations in 18.13, Special Residential Building Site Combining District Regulations in Chapter 18.15, and R-1 Single Family Individual Review Provisions Contained in Chapter 18.14 into Chapters 18.12, 18.76 (Permits and Approvals) and 18.77 (Processing of Permits and Approvals) of Title 18 (Zoning Ordinance) of the Palo Alto Municipal Code and Amending Cross-References in Other Code Sections (18.08, 18.88)
- b) Zoning Ordinance Update: Low-Density Residential. Revisions to Low Density (RE, R-2, and RMD) Zoning Districts, Including the Neighborhood Preservation (NP) Combining District. Approval of the Low Density Residential Chapter (18.10) of Title 18 (Zoning Ordinance) of the Palo Alto Municipal Code

Director of Planning and Transportation Steve Emslie introduced the Zoning Code team that prepared the staff report.

Planning Manager John Lusardi said the goal was to create an ordinance that would be user-friendly for the community, applicants, the Planning and Transportation Commission (PTC), the Council and staff. The key revisions

were: 1) second story and substandard lots; 2) implementing the housing element with respect to second dwelling units; and 3) maximum lot sizes.

Planning and Transportation Commissioner Phyllis Cassel said the PTC was pleased to present the Zoning Ordinance Update.

Planning and Transportation Commissioner Bonnie Packer said it was important that the predominantly single-family character of the neighborhoods be maintained. The Commission encouraged reasonable opportunities to create second dwelling units.

Mayor Burch declared the Public Hearing open at 7:44 p.m.

Abby Boyd, spoke on behalf of the Meadow Park Residents Board, 3998 Bibbits Court, who had concerns with traffic, parking and privacy.

Eric Stietzel, 239 Whitlem Court, expressed concern about rental properties adding second units and creating more congestion.

Fred Hodge, 4140 Old Adobe Road, believed property values would decrease due to additions encroaching on neighboring properties.

Elisabeth Seaman, 3934 Nelson Drive, said input from the community should be considered.

Chris Draper, 345 S. San Antonio Road, said the second unit provision would help with resolving the affordable housing problem.

Mayor Burch announced that at 8:00 p.m. speaker cards would no longer be accepted.

Sunny Dykwel had concerns regarding the PTC's recommendations to have noise producing equipment housed, insulated, and located within the envelope of the building.

Leannah Hunt said Palo Alto should address the loss of housing with the combination of lots.

Chris Lundin, 2756 Ross Road, said the ordinance's flexible alternatives could provide individuals the ability to live in Palo Alto.

Judith Wasserman, 751 Southampton Drive, said second units on smaller lots were a vital addition to the community.

Mary Carlstead, 147 Walter Hays Drive, said the proposed changes would alter the face of the City.

Sophia Dhrymes, 483 Hawthorne Avenue, spoke regarding the economics of living in Palo Alto.

Annette Glanckoff, 2747 Bryant Street, said second stories should not be allowed on substandard lots.

Stephanie McGraw, 3303 Thomas Drive, said second stories would increase the population.

George Chippendale, 2241 Santa Ana Street, said it was important to reduce the stress for individuals with housing problems.

Carla Bliss, 588 Barron Avenue, said Palo Alto was becoming an exclusive, rather than an inclusive, community.

Judith LoVuolo-Bhushan, 3838 Mumford Place, said, historically, the City cared whether affordable housing was available.

John Hanna, 1424 Hamilton Avenue, said the City was taking a significant step toward establishing affordable housing.

Tim McCay, 626 Everett Avenue, said the City needed change, not neighborhood restrictive covenants or preservation.

Tom Wyman, 546 Washington Avenue, said the Comprehensive Plan did not recommend placing second dwelling units in R-1 areas.

Wayne Swan, 240 Kellogg Avenue, said neighborhood character was difficult to define in an ordinance; the Code change should be given preliminary approval.

Mark Sabin, 533 Alberta Avenue, Sunnyvale, said in order to make the community functional, affordable housing was needed.

Stephanie Munoz, 101 Alma Street, said there had been opportunities for the City to encourage, foster, and preserve affordable housing in Palo Alto.

William Spangler, 471 Carolina Lane, said the proposed changes for second units should be denied or expansions should be reduced.

Syed Rizli, 225 Whitclem Drive, expressed concern that the character of the R-1 zone would change.

Robert Moss, 4010 Orme Street, said if the density of Palo Alto were increased by 50 percent, the City would go bankrupt.

Council Member Cordell left the meeting at 8:42 p.m.

Charlotte Reissmann, 3394 South Court, said she did not want neighbors encroaching on her property.

David Solnick, 227 Webster Street, said substandard lots had to abide by the same regulations as large lots.

Ellen Wyman, 546 Washington Avenue, said the community did not want increased density and congestion.

Tom Meadows, Clara Drive, said he did not believe a "granny unit" should be approved on a lot less than 10,000 square feet.

Bonnie Bernstein, 2114 Bellview Drive, said the entire community needed to be involved in the decision of the proposed change.

Elliot Margolies, 1430 College Avenue, said the current zoning policy produced affordable housing but also market rate housing.

Council Member Cordell returned to the meeting at 9:02 p.m.

Peter Drekmeier, 3153 Stelling Drive, said he worked in the non-profit field and depended on affordable housing.

RECESS: 9:05 p.m. to 9:15 p.m.

Ute Engelke, Oberlin Street, said urban sprawl should be prevented; second stories should be allowed on substandard lots to minimize storm water runoff.

Emily Renzel, 1056 Forest Avenue, said substandard lots were not designed to accommodate larger houses.

Carlin Otto, 231 Whitclem Court, said a limit should be placed on the number of units permitted.

Eser Ayanoglu, 2859 Kipling Street, said he would like to add a second story to his home even though it was on a substandard lot.

Shauna Wilson, spoke on behalf of the Human Relations Commission, and said existing “granny units” and second dwellings constructed without permits should be brought up to Code and grandfathered.

Arthur Keller said a new ordinance should be created, which limited the number of units annually.

Angela Bumbera said property values would decrease with increased density.

Deborah Ju, 371 Whitclem Drive, said the current law struck the right balance and should not be changed.

D. Brown, 3525 Greer Road, said only 25 percent of the people who lived in Palo Alto, worked in Palo Alto; housing problems would not be solved.

Ashok Srimvasan, 3209 Ramona Street, said he believed the proposed contextual setback was good.

Jean Olmsted, 240 W. Charleston Avenue, said it was important to preserve Palo Alto.

Edie Keating, 3553 Alma Street #5, said the new second unit regulations were respectful of neighbors.

Sally Probst, 735 Coastland Drive, said the need for additional affordable housing was urgent.

Bojenna Keating said the same set of rules should apply to all properties.

Kelly Germa said restrictions on building large homes on annexed lots could be accomplished with height maximums, setbacks, and daylight plane angles.

Darren Neuman, 1301 Parkinson Avenue, said the proposal provided flexibility for homeowners and a process to include neighbor’s concerns.

Patricia Saffir, 2719 Bryant Street, said second units on her block had not impacted her neighborhood.

Douglas B. Moran, 7910 Matadero Avenue, said zoning changes were difficult and slow to change.

Allan Berman, 4032 Orme Street, recommended the size of the second unit be gauged by lot size.

Millie Davis, 443 Tennessee Lane, said there should be a maximum height limit on houses in R-1 neighborhoods.

Joy Ogawa, Yale Street, expressed concern about second stories on substandard lots because exceptions and variances were often requested and granted.

Dorrit Kingsbury, 1320 Webster Street, said Palo Alto was a bedroom community where backyards were important.

Mayor Burch declared the Public Hearing closed at 10:08 p.m.

City Manager Frank Benest suggested Council identify questions for staff's response.

Council Member Morton asked staff whether front yard parking could be limited; whether it was necessary to enclose air conditioning units and heat pumps; and whether the number of permits per year could be limited.

Council Member Cordell questioned how staff arrived at 70 percent of owners being in "overwhelming support" of their report. She asked for a response on the noise reduction proposal, which would house and insulate units.

Council Member Ojakian said he would forward his questions to staff and then his comments to his colleagues.

Council Member Kishimoto said the staff alternative recommendation on the staff report (CMR:180:05, page 5 of 9) needed clarification; she questioned parking setbacks and continual pumping of basements.

Mayor Burch said two Council Members would be absent on March 21, 2005 and wanted to continue the item to April 11, 2005.

MOTION: Council Member Ojakian moved, seconded by Cordell, to close the public testimony and continue the public hearing to Monday, April 11, 2005.

MOTION PASSED 8-0 Mossar absent.

Council Member Morton asked about the impact of combining lots.

CLOSED SESSION

The meeting adjourned at 10:25 p.m. to a Closed Session.

5. CONFERENCE WITH CITY ATTORNEY - EXISTING LITIGATION
Subject: In re Pacific Gas and Electric Company, a California Corporation, Debtor, U.S. Bankruptcy Court case No.: 01-30923DM
Authority: Government Code Section 54956.9(a)

The City Council met in Closed Session to discuss matters regarding existing litigation, as described in Agenda Item No. 5.

Mayor Burch announced there was no reportable action taken.

FINAL ADJOURNMENT: The meeting adjourned at 10:30 p.m.

ATTEST:

APPROVED:

City Clerk

Mayor

NOTE: Sense minutes (synopsis) are prepared in accordance with Palo Alto Municipal Code Sections 2.04.180(a) and (b). The City Council and Standing Committee meeting tapes are made solely for the purpose of facilitating the preparation of the minutes of the meetings. City Council and Standing Committee meeting tapes are recycled 90 days from the date of the meeting. The tapes are available for members of the public to listen to during regular office hours.