ROLL CALL: 7:03 p.m.

Commissioners: Staff:
Phyllis Cassel – Chair - Absent Lisa Grote, Chief Planning Official
Bonnie Packer – V-Chair Dan Sodergren, Spc. Counsel to City Attorneys
Karen Holman John Lusardi, Planning Manager, Special Projects
Patrick Burt Beth Bourne, Senior Planner
Michael Griffin Susan Ondik, Planner
Annette Bialson Curtis Williams, Consultant
Lee I. Lippert Robin Ellner, Staff Secretary

AGENDIZED ITEMS:
1. ZOU - Mixed-Use and Village Residential
2. ZOU - Chapter 18.40 Off-Street Parking and Loading Requirements


Vice-Chair Packer: Good evening members of the public, Staff, fellow Commissioners. I am calling to order tonight’s meeting of the Planning and Transportation Commission. It is a regular meeting. The first item on the agenda is Oral Communications. Roll call first, Robin will you please call the roll? Thank you. Now we move on to Oral Communications.

ORAL COMMUNICATIONS. Members of the public may speak to any item not on the agenda with a limitation of three (3) minutes per speaker. Those who desire to speak must complete a speaker request card available from the secretary of the Commission. The Planning and Transportation Commission reserves the right to limit the oral communications period to 15 minutes.

Vice-Chair Packer: Do we have any requests for any items not on the agenda? Yes. Lynn Chiapella wishes to speak during Oral Communications. There is a microphone over there, Lynn. We are a little lower tech tonight so when there is one minute left we will hold up this sign.
Ms. Lynn Chiapella, 631 Colorado Avenue, Palo Alto: I came I think on the fourth of August for the PC Zoning Ordinance Update which was apparently postponed or cancelled. I thought that would be at the next meeting so I came to the next meeting and low and behold there was another PC, not the Zoning Ordinance, but rather the PC for 195 Park on the agenda. Now I notice there is a number one that says some new kind of zoning but what happens to the PC? It seems to me it has been postponed now for maybe six months or more. I don’t know I started looking for that back in about April. I see notifications in the paper and I see postings but it never seems to materialize at the Planning Commission level and in the meantime more and more PCs come in and more and more questions are asked about the PC zone. So I would like to see that PC zoning come up before this Commission before certainly the end of the year and hopefully at a time when people can actually come and attend. I am very disappointed that you march on without dealing with some of the nitty-gritty that has really caused a lot of problems in this town. PCs have certainly been expensive and problematic so I would hope that this Commission would deal with some of the areas of the zoning that have been real problems in town and I think that is one of them. Thank you.

Vice-Chair Packer: Thank you, Lynn.

We have nothing on our Consent Calendar.

CONSENT CALENDAR. Items will be voted on in one motion unless removed from the calendar by a Commission Member.

Vice-Chair Packer: Do we have any Agenda Changes, Additions or Deletions? I don’t believe so.

AGENDA CHANGES, ADDITIONS AND DELETIONS. The agenda may have additional items added to it up until 72 hours prior to meeting time.

Vice-Chair Packer: There is no Unfinished Business so we can move to our public hearings.

UNFINISHED BUSINESS:

Public Hearings.

Vice-Chair Packer: Our first item on the agenda is the Zoning Ordinance Update – Mixed-Use and Village Residential. This will be the Commission’s preliminary review of the Comprehensive Plan policies and uses for Village Residential and Mixed-Use that are being developed for the Zoning Ordinance Update. Do we have a presentation from Staff at this time?

Are you going to explain how we are going to break this down into two parts?

NEW BUSINESS:

Public Hearings.

1. ZOU - Mixed-Use and Village Residential: Commission’s preliminary review of the Comprehensive Plan policies and uses for Village Residential and Mixed-Use that are being developed for the Zoning Ordinance Update.
Mr. John Lusardi, Planning Manager, Special Projects: Yes. I think you need to speak a little closer into the microphones and make sure that the papers are not covering your microphones. It is a hearing issue as usual.

Madam Chair, before I begin I would like to just respond to the speaker’s question about the PC zoning. When we brought the work program to the Planning Commission in the early summer we laid out the land uses that were going to be coming forward. At that time the Commission itself asked where was the PC zoning and when was the PC zoning coming forward. We explained at that time that we recognize that the PC has a lot of issues associated with it mainly because it is one of the few ways you can accomplish intense development or mixed-use development in this city. Our goal is to develop the mixed-use land use, strengthen some of those land uses, and strengthen some of the multi-family land uses hopefully to reduce some of the issues associated with the PC. Once those land uses come through the Commission, which we are starting this evening with some of the neighborhood mixed-use commercial the PC will come back hopefully in a form that is much more efficient and easier to use and less viable to use as opposed to the conventional zoning. So the PC zoning will be coming forward in the fall after some of the conventional zoning districts are established.

Commissioner Lippert: I have a question. From a procedural point of view we are reviewing sections of the Zoning Ordinance Update and then we are sort of approving them or making recommendations to Council, which is then being held. Aren’t those all going to then be consolidated and then presented to Council at once?

Mr. Lusardi: Yes, that is correct. The entire Zoning Ordinance.

Commissioner Lippert: So the PC process would not then move forward before anything else.

Mr. Lusardi: None of the districts will move forward in final form until they are all basically completed. Except for the R-1 District which I was going to say is a standalone district.

Commissioner Lippert: Okay. I want to introduce tonight’s items. What Staff is recommending to the Commission is on this first item we have two different land uses. One is Village Residential Cottage Cluster and the second is the Mixed-Use Neighborhood Commercial. What we would recommend is that we go through the Village Residential Cottage Cluster first, have the presentation on that by the consultant, go through the Commission’s comments, questions and recommendations and then go to the Mixed-Use Neighborhood Commercial, have the presentation on that, go through the Commission’s comments, questions and recommendations. So we would break them out in those two forms. So we will have two separate presentations by consultants this evening on that first item.

With that I want to introduce these items and I want to point out that this is a really great step in implementing the Comp Plan land uses, the new land uses, in the Zoning Ordinance Update. The Village Residential land use as you know and as we have pointed out in the past has three components or land uses, cottage cluster, row house and garden apartments. Tonight we would like to initiate the discussion on the cottage cluster.
In the Mixed-Use land use from the Comprehensive Plan we have identified three land uses, neighborhood mixed-use, Downtown mixed-use and arterial mixed-use. Tonight we would like to initiate the discussion on the neighborhood mixed-use.

To get us to this point Staff and consultants have been working over the last year in several different areas in order to establish what we are talking about which are key development attributes this evening for those two land uses. We have reviewed and prepared the Village Residential and Mixed-Use discussion papers prepared by the consultants and the Commission and the Council have seen those. We have had a community workshop on these land uses. We have had priority policy statements, which were reviewed by the Commission in January and were included in your packet. We have looked at other policy documents like the El Camino Design Guidelines, the SOFA II Coordinated Area Plan, we have even looked at existing development both within the City and in other areas to compare what we are developing, the development standard, with existing and successful development. We have been working with the Design and Environment Working Group of the Planning Commission, with all of these land uses and developing these standards in conjunction with the context based design component.

Finally, what we have done in the last month is we have essentially road tested some of these land uses. At the ARB’s suggestion we have taken some of these development standards and we sat down with some of the individual architects who are very familiar and do design development in the City. We have asked them to review these and review them in the context of what they deal with in the existing zoning code, what they may be dealing with in the context of for instance the El Camino Design Guidelines. So we have been road testing some of these development standards to see if they actually do work and would they work in the real world and what would be the constraints and the opportunities with respect to that. So based on that we have identified some key development attributes this evening that we would like the Commission to review and recommend on with these two land uses so we can move forward with the Design and Environment Committee to further develop these land uses and their full development standards.

In the cottage cluster area we have identified five of these attributes that we would like the Commission to review. In Neighborhood Mixed-Use we have identified four that we would like the Commission to review. So with that I would like to turn it over to Marcy McInelly from Urbsworks who is going to walk us through the Village Residential Cottage Cluster land use.

Ms. Marcy McInelly, Urbsworks: Good evening. Can we turn the lights down just enough so we can see this better? Okay. What I will be using to help illustrate the cottage cluster concept is a sample code format chapter that looks like the one that you reviewed in the study session several weeks ago. We have actually taken the cottage cluster proposed standards and massing diagrams and put them into that same kind of document just to see how this would work. Working in a similar way that the chapter that we reviewed with you at the study session some weeks ago this standalone chapter will address three different land use types in it. So we will have cottage cluster, row house and courtyard apartment all within this one chapter. There will be preceding sections just as we have with the RM-15 that you looked at before where we include some of the more technical language that doesn’t need to be illustrated including land use and development standards tables. This is actually the legally binding part of the code as
opposed to the development standards that are illustrated in the subchapter, which I will go over in a minute.

We took cottage cluster and kind of pushed it ahead of all the other Village Residential land uses and tested it out in this format. Also developed some proposed development standards so that we could address some the issues. This land use type has been identified as really key to implementing a lot of the Comprehensive Plan. For one thing it currently exists in Palo Alto. It is both historic and a successful land use. It has a lot of potential for infill and refill especially for transition lots between commercial or high-density multi dwelling and single dwelling residential. It also has the potential for implementing a lot of the Housing Element goals through creating market rate affordability and variety. I should also add here that this, the development standards that we have proposed, shows it as a homeownership housing development type. It is not a condominium. It is not a multi family type of development. The existing units in the current market today often represent the lowest priced detached residential units in the City so it is clearly a successful economic model as well. The bottom line is it can’t currently be developed except as a PC.

So back to the sub-chapter. I am just going to walk you through this concentrating most on the development standards that we proposed. A summary of those is that the clusters themselves are recommended to be three to 12 units, 12 units maximum and three as a minimum, because that then kicks it into ARB review automatically which we think is very important to insure good design. The unit size is 1,000 square foot maximum and I will explain a little bit more about how that is divided up between two levels in a second. The height is 24 feet maximum. I just would like to point out that that is less than 30 feet that I understand was forwarded recently under the R-1 substandard lots height limit. Parking would be required to be in a shared area not attached to each unit. Guest parking would be reduced to R-1 standards. Shared open space is required at the rate of 250 square feet per unit and other shared facilities that could be in the shared open spaces could include shared workshops, playgrounds, car washing areas, things like that.

Let me just talk a little bit about how the setbacks work. There are two sets of setbacks. This is one of the unique development standards that would be necessary to allow this type of development to occur. In the external setbacks which we call the areas where if this is a lot surrounded by R-1 say, all of the external setbacks would be the same as for R-1 and 20 feet along the street. What we are trying to do is maintain compatibility around the cluster with adjacent development. However, internally the lots could have a zero side setback and that allows the units to have a usable side yard. We understand that building and fire have issues with this that would need to be worked out but initial meetings have indicated that that is workable. Here are some examples from the northwest of two cottage clusters and then this is the one that we developed for the code step one page. Just so you can see how some of these open spaces create a center around which the cottages are clustered. That is part of the requirement of the standards. Parking is off to the side and shared but never more than five spaces adjoining one another. In a lot of these developments that we have been using as a model in other places there is a shared building that accommodates workshop or car wash areas and things like that. That helps make this kind of small cottage development a lot more feasible for small families since the storage is relatively limited.
The unit size is 1,000 square foot maximum and the ground floor area is limited. The formula that we are proposing right now is that for 50% of units in a cluster the floor area may be 650 square feet and for no more than 50% it may be up to 800 square feet. That ensures that you get these small footprint buildings. It allows there to be a second floor but it also requires that second floor to be smaller than the first floor so we don’t get bulky boxes. This is a literal massing diagram of that formula. You can see it in the setbacks. This is the site that we were looking at earlier with the external setbacks as if it were abutting an R-1 and if this were an internal setback line it would be at the zero lot line. This is the building envelope, this little dotted shed shape around here that represents the daylight planes. The daylight plane again is the same as it would be for next to R-1. That works on the exterior lot lines. As you can imagine this is kind of an awkward little building and most of these don’t develop out that way.

We will see pictures of how they are intended to look in a minute. In the sample code format we have arranged these two pages across from each other in a double page layout and this massing diagram shows the development standards literally modeled on a typical Palo Alto site.

Then steps three and four which are intended to illustrate more of the character and the site plan. We have departed from the graphic convention that we developed for the RM-15 that we discussed with you at the last work session. Where we were not showing architectural style before here we are because we think that is really important to making sure that this development type is compatible with R-1 or on the edge of R-1 so we are actually showing the way that massing would actually be modulated with dormer windows and pitched roofs and porches facing the common green. So we are helping to illustrate how those development standards work. Here are some examples from the northwest that we have been using as a model both in their physical form as well as the ordinances that are behind these. I helped write one of the ordinances that is behind this next development that we will see. You can see that this is about double the number of units that would fit, this is a combined lot and the density is about double but each one has its own lot. You can kind of see the side, zero, lot setback there and then the other side. So these people each have a yard. They also each have a porch and then they also share this open space. This is the way it looks on the site itself. One curb cut for the whole little neighborhood and shared parking off to the side. Here are some pictures of how that has developed out with the island. These are small cottages done in a bungalow style. The style is not required to be bungalow it is just that this particular developer finds this to be a very acceptable architectural form for this kind of development next to R-1. In our standards we have been somewhat careful to not suggest a style other than in the pictures but the development standards are neutral on style. Here is another slightly larger development and maybe this is also a little bit bigger so you can see more how the side, here is the side that has a side yard and here is the zero lot line. There are more units in this development so they have broken up the parking into two spots and some covered parking and some uncovered parking. I am trying to remember if there is anything else I need to point out about that. I do just want to point out that there would be issues that fire and building have with the distance that some of these units are away from streets where fire hydrant access would be. We do think that that can be worked out though in the future. Here are some pictures of that development again in the same bungalow style.

So I just wanted to end with this slide. This is just to show you that there are many different cluster configurations that one could develop and meet these regulations. The one that we are including in the code is just one of those.
The recommendations that we would like you to consider today are one, the number of lots allowed in a cluster, a minimum of three and a maximum of 12, as three units would trigger ARB review. Number two, unit size would be limited to a maximum of 1,000 square feet and height would be restricted to 24 feet. Three, parking would be developed in a shared or common area minimizing driveway cuts and attached parking structures. Four, guest parking would be reduced or eliminated similar to R-1 standards in order to maximize common open space areas. Five, subdivision could allow for the zero lot line development of course acknowledging that these issues require further coordination with building, fire and the Attorney’s Office. That’s the end of Village Residential.

Vice-Chair Packer: Okay. Does that conclude Staff’s presentation for this portion of this item?

Ms. McInelly: Yes it does.

Vice-Chair Packer: There are members of the public present. This would be a good time to hear from members of the public on any issues they want to address related to Village Residential Cottage Cluster. Do we have people that want to speak to just that issue with the understanding that if you want to speak to the other part, which is the Neighborhood Mixed-Use, we will do the public hearing after the Staff presentation on that one? If you want to speak on both those issues that’s okay too, I think that would be fair. We have our first speaker Denny Petrosian and you will have five minutes. Please state you name and address for the record.

Ms. Denny Petrosian, 443 Ventura, #2, Palo Alto: Okay. I will just be very brief on this section because I will make most of my remarks on the Mixed-Use. Some of this refers to both. I am going to urge that the Village Residential, which I just heard, is for ownership only or is it just the cottage part of it that is for ownership only? But there would be other Village Residential that would maybe include rental housing. I guess I would urge because we still have a housing problem in Palo Alto, a shortage, that ownership only Village Residential not replace existing multi family homes which are either developed for rental housing now or have the potential for being developed for rental housing especially higher density rental. That may be all I have to say on this particular subject. Thanks.

Vice-Chair Packer: Thank you. Are there any other members of the public that wish to speak to this aspect, the Village Residential Cottage Cluster? Joy Ogawa, would you please state your name and address for the record?

Ms. Joy Ogawa, Yale Street, Palo Alto: I live in College Terrace. I haven’t had a chance to really go over the Staff Report in detail so I am just responding to what was presented by Staff. One thing is not clear to me, I get the idea that Village Residential Cottage Cluster is supposed to apply to our existing multiple family, RM-15, RM-30 and RM-40. Maybe that is correct and maybe that’s not. I am a bit confused about the idea that the minimum lot size would be 20,000 square feet and then the minimum number of units would be three or the minimum lot size is 2,000 square feet so well, okay, I need to think about that. That is really tiny isn’t it? That is ridiculously tiny. I can’t imagine trying to fit three cottages on a 2,000 square foot lot. I guess I am not clear on that.

The other concern that I have is guest parking would be reduced or eliminated similar to R-1 standards. I think that we need to be careful there because when you have high density housing
the impacts of guest parking are so much greater than if you have R-1 housing so if you have R-1 housing in a 10,000 square foot lot or whatever you would have maybe one or two units. So when you have guests for them, having guest for one or two families is a very different impact on the street than when you have lots of families in a small area with a small amount of street. A lot of this kind of housing is going to end up probably in areas where they are close to commercial where there is a tension between the needs of retail, needs of other commercial as well as other residential housing needs. I don’t think that we can or that we should just extrapolate from the needs of R-1 to the needs of multiple family residential, high density multiple family residential. So I would caution against going that direction without very carefully working it through and considering the impacts very carefully. We are going to talk about parking separately but one of the big concerns I noticed for businesses was they don’t want their parking getting taken away by overflow parking from the residential and existing residents don’t want …we are experiencing in many neighborhoods a parking problem and we don’t want to see that get worsened. I will try to figure out this lot size thing. Thank you.

Vice-Chair Packer: Thank you, Joy. Do we have another speaker?

Ms. Chiapella: I want to second what Joy said. I think that in this Village Residential I actually think you would do a really nice job but I do think you have to consider the area you are putting them in. For example if you decided to tear something down, a large house that is on an RM-15 or an RM-2, in Downtown where the parking is already horrendous I think you would have to have different standards there than if you put it say in old Palo Alto where honest to God you could tear down one of those houses when it has finally reached the end of its life style and put a cluster of 12 in there and the parking wouldn’t impact anyone. You could also go to a neighborhood commercial area where the parking is already stretched down the street and through residential streets and put one in, I can think of several sites, but without that extra parking then all of the commercial parking and the neighborhood parking is exacerbated which is already getting worse and worse daily. So I think you have to be careful about how you are going to use this zone. I don’t think it is a bad zone in and of itself but I don’t see from reading this report, I see considerations but, I don’t see any hard and fast rules of how you are limit it in a really dense area exacerbating the problems those residents have already. I think there is going to be a tendency of developers to go for the weakest areas, i.e., the most rentals, the most mixed areas not an R-1 neighborhood that could easily sustain it rather it will go on an area such as I live in which is very mixed or an area that has a lot of rental already. Thank you.

Vice-Chair Packer: Thank you. I don’t see anybody else wanting to speak on the cottage cluster aspect so I will bring this back to the Commission for questions and comments. I suggest that we do what we have been doing in the past on these kinds of issues before us that we go issue by issue ask our questions and/or do our comments at the same time for each issue. If we could as I go up and down try and start out with just a couple of questions per Commissioner then move on to the next Commissioner. Curtis, you have something you would like to add?

Mr. Curtis Williams, Consultant: I just want to clarify because I think there may have been some confusion we weren’t real clear about this in the presentation as far as where this might apply. Clearly the RM-15 zone is one that all of these Village Residential types might fit into and there is some reference to that. We also have anticipated that there is a potential that this cottage cluster could fit in R-1 with probably some level of discretionary review associated with that to be sure that it is compatible but that is one of the main reasons why we are trying to keep the size
of the units down and the height down and those type of issues. So I don’t know if it was clear before that there is the potential to apply this as either an overlay through some discretionary process, as a use permit or something like that within an R-1 zone as well as the RM-15. Now that doesn’t apply to the row house and the garden apartment those are strictly more in the multi family zones. I just wanted to make that clarification.

Vice-Chair Packer: Thank you, Karen.

Commissioner Holman: I just want to get clarification here. So we are going to go point by point here and we are going to do all of our questions on a point first and then make our comments on the point? That is what you want?

Vice-Chair Packer: Right, and if you find that you want to make a comment instead of a question that might make things go. Let’s just start with number one. Before I do that I want to make sure we understand what we are not going to be discussing tonight. We are not going to be discussing any of the other types of Village Residential possibilities. What we can do is go through these five items and then move to Attachment D to talk about the specific development standards that are being proposed. Attachment D in our packets says Step One Development Standards page that has all of the numbers on it. We can do that at the end of the five items that are on the screen. Does that meet with Commissioner’s approval to go in that order? We start with the big issues and then go to the detailed development standards that are being proposed at the end of our discussion so we can start at a higher level. Michael.

Commissioner Griffin: Just again clarification on what Curtis is saying, we are going to be discussing mapping criteria, things of that nature at a later date because I don’t see that as being part of this five bullet list here.

Mr. Williams: That is correct. Our desire is to get the product better defined and then discuss where that can apply.

Commissioner Burt: Follow up question.

Vice-Chair Packer: Yes, Pat.

Commissioner Burt: Curtis, so for instance you mentioned that the cottage cluster might apply to either an R-1 zone or to another zone like an RM-15. Did I also just understand you to say that you didn’t want to talk about those areas of application at this time? That we are to separate these other issues from that question?

Mr. Williams: I would say that we don’t want to get real specific about where they apply but I do think we want to have that context of are we in an R-1 zone or not. We have talked about that even the cottage cluster may have different standards if it is in an RM-15 area as opposed to being in an R-1. So yes, I think from that perspective we do want to open that up to you tonight.

Commissioner Burt: Good. That was exactly my concern. Does Staff or the consultants have any recommendations about any differentiation that they think would be appropriate for the cottage cluster type of unit in an R-1 zone versus in another zoning?
Ms. McInelly: We have discussed that and I think what you are seeing here today is a little more conservative version that we would be proposing for the R-1 zone. The pitched roofs and the concern about exterior setbacks might be appropriate for R-1. They might be able to be relaxed a little bit for RM-15. It is possible too that to address the parking concerns that were just articulated that in RM-15 maybe the parking standard is somewhere between R-1 and RM-15. In the R-1 maybe it could be R-1. So I think it is more of a matter of allowing possibly more bulk and height in the RM-15.

Commissioner Burt: What about the number of units in the R-1 versus RM-15? Were you still thinking it appropriate to go up to 12 units?

Ms. McInelly: I myself would recommend that 12 still stay the upper limit for these developments. I think beyond that there is a lot of parking and the shared open space becomes a little less intimate. There is just something about the 12 units.

Commissioner Burt: Actually I was thinking in the other direction whether 12 are perhaps too many for an R-1.

Ms. McInelly: Okay. No I don’t think so.

Vice-Chair Packer: Do you have another follow up question, Karen?

Commissioner Holman: It might help direct our conversation too. It has to do with buffer zones basically which we have only barely touched on in our discussion of the Zoning Ordinance Update. Could you comment on if we are in R-1 or RM-15 or wherever we are there might be some instances, I think of the Edgewood Plaza neighborhood, R-1 butts right up to a commercial area. So there might need to be some buffer consideration. Could you comment on that?

Ms. McInelly: You think that there might need to be a greater setback along commercial areas that might be built into the development standards?

Commissioner Holman: No, I am thinking about parking in this case, guest parking or on street parking that is being recommended. There might be a difference just because it is zoned R-1 you have to consider what is next to it.

Ms. McInelly: Right. I think I see what you are talking about. That same philosophy about the difference between RM-15 and R-1 might apply in that case too. If you have an R-1 floating zone that is applied and it happens to be next to a commercial zone and you are concerned about the already kind of over-used parking space in the commercial. It might be appropriate to have more like an RM-15 parking requirement for that which again I just propose you might keep in mind something that is somewhere between R-1 and RM-15 as it currently stands. I think in our study the RM-15 requirements for parking are a bit excessive for this type of development. In a lot of cases we are creating great amounts of curb frontage and a lot of on street parking can be accommodated there. So I hope I made myself clear. Okay.

Vice-Chair Packer: Annette, did you have a question?
Commissioner Bialson: I had a question that I am trying to see whether we address it in the Neighborhood Mixed-Use. That is, we all acknowledge this is a great use of property that is available for infill type of development. If we are looking at a zone that is commercial or anything other than R-1 or RM-15 would you see that the Neighborhood Mixed-Use or some other zoning category would apply if a developer came in and said I would like to do something that looks like the cottage cluster but I am not in R-1 or RM-15? Would this use that we are discussing be available to that developer?

Ms. McInelly: We have been having discussions as part of the road testing that John described earlier with architects that this might be a good use to allow on substandard RM-30 and RM-40 lots. I can’t really address commercial zoned lots but we have been talking about that. This might be a very feasible type of development on lots that are substandard but in a higher category of multi family and are therefore somewhat un-developable now. If this were allowed to be used on those we might see some good development as opposed to seeing nothing at the time.

Vice-Chair Packer: Pat.

Commissioner Burt: Just a follow up. What about say an R-2 lot? Here we are proposing allowing it in R-1 and we are skipping over R-2. What is the reasoning on that?

Ms. Lisa Grote, Chief Planning Official: I think it is equally applicable to R-2. There wasn’t a reason to skip over that. I was also thinking about Commissioner Griffin’s question. Our concern about the density, 12 units per acre would be a maximum it wouldn’t require this to be at 12 units per acre in residential areas especially that might be surrounded by development that is already at seven units per acre. There is a flexibility in this zone that can be applied.

Vice-Chair Packer: Karen.

Commissioner Holman: If I could follow up to that. I live in an R-2 and just a little ways down from me is an R-1 and kitty-corner across the street from me there is a 12 unit cottage court like this, I think Curtis said you visited that, and it works quite well. But I would have to say also two doors away there is an apartment building. So it is sort of a blended area but it doesn’t have a particular impact.

Ms. Grote: I think in a lot of cases where there are existing cottage clusters that are at 11 or 12 units per acre how those cottage clusters are accessed makes a lot of difference. If there is just one kind of regularly sized or scaled curb cut and then that leads into the cluster at the back of the lot that has very minimal impacts on the street frontage.

Commissioner Burt: Lisa, you twice referred to it as units per acre and when I was reading this I was just understanding it as units in a cluster was the way it was written.

Ms. Grote: Yes, you are correct it is units in a cluster. But there is that flexibility within the cluster. It doesn’t always have to be 12 units in the cluster. You are correct in your terminology.

Vice-Chair Packer: Okay. Commissioners, do we want to now comment or have further questions on the proposal that the number of lots and units, one unit per lot, allowed in a cluster

City of Palo Alto
be a minimum of three and a maximum of 12? We have asked some questions about it now. Do we have any comments about those numbers? Karen.

Commissioner Holman: I think 12 does work kitty-corner across the street from me but as I said it is also a mixed neighborhood at least as I have experienced. I am not aware of any developments of cottage clusters that intense in R-1 areas in Palo Alto. Maybe Staff has discovered some I haven’t. So I think for R-1 that is pretty intense even with the single curb cut. That would be my feeling.

Commissioner Griffin: I would echo that. I think it does to me seem like a lot. It depends of course on how much real estate is available for the developer to expand his project. In an R-1 12 to me might tend to feel like a motel development more than what we are trying to achieve.

Vice-Chair Packer: Annette.

Commissioner Bialson: My first reaction was that it was a little intense shall we say? But we have quite a few sites in Palo Alto that are now being used for other purposes that are intended at some point to become R-1 areas. I can’t point to any right now I don’t remember seeing but we had some of those. In a situation where something is being removed which is not an R-1 use but is contiguous to R-1 and we are going to expand the R-1 zoning I am a little less concerned about having a little more intensity. What I don’t want to do is alter unreasonably the expectations of neighbors as to what sort of intensity a nearby lot is going to be from their home. I think we have to very concerned with the expectations of people in R-1 areas. I agree 12 sounds awfully high but I have a sense that there might be some sites where we can look at that. I see John wants to say something.

Mr. Lusardi: I just want to point out that 12 units is not guaranteed. It really depends upon the development and it has to work on the site. One of the opportunities that we really see is where you see a typical subdivision now where you have a very large wide public street, a cul-de-sac and ten large single family houses. We have seen some of those subdivisions come in recently where that could be a much more viable cottage cluster development with a few more units on it. They are smaller units but you are getting more units on it and you are getting a narrower street and you are getting a better street frontage. So there are those opportunities as well. So that 12 unit maximum is set for that purpose to really try and maximize those kinds of subdivisions where you would only get five or six large single family homes with a cul-de-sac on it.

Vice-Chair Packer: I would like to say that the way I envision it is you have to remember that 2,000 square feet is the minimum size lot per unit. So in order to accommodate 12 units you would need 24,000 square feet, which is essentially four 6,000 square feet R-1 lots. The opportunities for those lots arising in Palo Alto in the R-1 area is probably remote. Where it does come up it would probably be designed right not look any different from let’s say five houses or four houses on the street facing the front with like a flag lot effect in the back. So I could imagine this being designed in a way that would not look that much different from the surrounding R-1. It is not necessarily going to be a motel size.

Ms. McInelly: I would like to clarify too that the 2,000 square foot lot is for the cottage itself. Then there is the required open space donated area donated at 250 square feet per unit and there is the shared parking. So 24,000 is minimum. A development at that design would not meet the
standards we were talking about bigger. I am glad you gave me an opportunity to mention the
2,000 square foot lot because someone talked about how that is impossibly small sounding but
when you compare that kind of development to typical homes where the parking and driveway
and everything is all on that lot and the yard space is all on a lot. Two thousand square feet
dedicated just to a cottage is actually quite generous free of parking, free of shared open space
just so people can picture that better.

Vice-Chair Packer: Okay. Karen.

Commissioner Holman: It is kind of hard to separate the development standards from this
discussion of these. So I apologize for that but the 2,000 square feet not including the parking
and all the examples that you give the parking is clustered. In a lot of instances that would be
desirable. There are other situations, I don’t want to harp on this with the one across the street
from me as one example, the parking is actually beside each of the units and it has one common
driveway and then the parking is off of that for each of the units. That works very well. I don’t
know what size those lots are but they are not 2,000 square feet including the parking. So I was
wondering how you arrived at the 2,000 square feet and is it an absolute? As it reads here that
the parking would have to be in a common location. I look at why people want to have attached
garages a lot of times. They want to be able to get their groceries in and out in rainy season. So
is that requirement or an option? It reads here like a requirement.

Ms. McInelly: Well it would be a requirement for this type of development. I think there might
be variations of this type of development. To answer the question about where did the 2,000
square foot lot come from in looking closely at the typical 6,000 square foot lot in minimum
sized development patter it seemed that 2,000 square feet with these sort of ancillary shared open
spaces and parking would provide about the same amount of coverage but in a more disbursed
pattern as you would find in an R-1 neighborhood anyway. We are not trying to increase the
amount of site coverage. We are really trying to create a pattern. It is a different distribution of
building to open space pattern but the ratio between the two we were trying to achieve the same
pattern as on an R-1.

I think you had another question in there about the shared open space. I think the shared open
space is important just for this character development. You were talking about the shared
parking. I think that that should be allowed under PC but what we are trying to do is create a
really desirable new type of development that is only possible through PC now and we are trying
to make it an outright use.

Commissioner Holman: I meant common parking location not shared parking as in parking
reduction. Are we talking the same thing?

Ms. McInelly: Right. I am not talking about parking reduction I am talking about parking
location and design.

Commissioner Holman: Okay, me too. I am not trying to disagree I am just trying to follow.

Ms. McInelly: I want to just say I think it is important that that not be an option. I think it is
important that the design and clustering of parking be a requirement.
Vice-Chair Packer: Pat had one.

Commissioner Bialson: I have a follow up to that. I think you would find given some of the issues that have come up in Palo Alto, I am thinking of the Y with homeowners who were adjacent to the common parking if you want to call it that or shared parking being upset about having a row of cars immediately adjacent to their property line and the slamming of doors and noise that comes with that. Again I think neighbors would be a lot more comfortable if we told them there is not going to be a bank of cars against their property line. I just want to express my disagreement with requiring that it have parking in some common area. I think that is going to especially in R-1, again this goes to the question of do you have common standards in R-1 and RM-15. I think you will get a lot more pushback and I for one until I hear some more am not going to be in favor of having parking grouped together and adjacent to a property boundary line.

Vice-Chair Packer: We are going to discuss that more in issue number three.

Commissioner Bialson: I am just following up.

Vice-Chair Packer: It is good to follow up and let’s keep our thoughts. If you want to respond right now while the thoughts are in our head and then we will remember what we said when we get to issue three.

Ms. McInelly: When we were developing this housing type and tried to address Comprehensive Plan housing goals to create more diverse housing types that were truly affordable this was an opportunity to create a model that is a homeownership model. So it is an option for people who might normally only be able to afford to rent. This might be a starter home for many, many people. What keeps the cost of this housing down is clustered parking. That is why it was a requirement for this. I think there might be options where you might allow it to be different but I just want to stress that the intention behind the clustered parking was affordability.

Vice-Chair Packer: Pat, you had something?

Commissioner Burt: Yes. I value what Staff and the consultants had said about trying to come up with a process here where we take what has worked in a lot of areas of Palo Alto and build it into the code. Along that same vein the cottage clusters that I have been familiar with over the years, I have lived next door to one and had several other friends in several of them, typically they have been four to six units and they are usually a single driveway going toward shall we call it a little cul-de-sac like shared drive at the center which also becomes kind of a shared play area and things like that. Often they might have one uncovered unit of parking that would be at each home or cottage. Then another observation about what I think is the most typical pattern and I don’t mean to say that these examples are the only ones we have but certainly of the ones I am familiar with this is most of them. Some of the units are on the small end of the FAR. The square footage that you are talking about I would be surprised if some of them were over 700 square feet. On the other hand they don’t have 2,000 square feet of lot per unit certainly not plus the common area. So I am really struggling with whether there should be some relationship between unit size and lot size or the private lot size. So that is one issue that gets intertwined with number one there and I don’t know how we break it up.
A second issue is that Curtis alluded to that there would need to be some process in the R-1 zone for how this would be approved. Well, for me that process may influence what I think should be the appropriate boundaries of what is allowed. You take the two extremes. If it is by right then I might greater apprehensions about granting a standard maximum of 12 units. Certainly that is not Staff’s intention to give it by right. On the other hand you could have another extreme of it has to be a PC or something. Neither of those are the practical alternatives nevertheless they illustrate that it is kind of hard for us to make our recommendations on what is appropriate for R-1 without having a better concept of what is the intended process for approving those. So I have a chicken and egg problem in that regard.

Then finally, a couple of times it has been alluded to that these are more intended to be for private ownership and most of the cottage clusters that I am familiar with in the City are rental units. So I don’t know why we are deliberately seeming to try to move toward that model of the ownership. We might not be able to prevent it but I am not sure that that should be an objective that we have here. I think if we have cottage clusters in this market these days they are probably going to tend toward ownership rather than rental and we may not be able to do much to stop that. I am not sure that I want that as a goal or to do anything to make it a goal.

Vice-Chair Packer: Do you want to respond to that?

Ms. McInelly: I was only going to say that one of the reasons we have concentrated on homeownership and trying to make the lots very distinct from each other instead of this kind of mushy quasi-legal arrangement which most of the cottage clusters that currently exist in Palo Alto were approved under. Some of these people can’t even still find the deeds for the common areas. That is one of the problems behind allowing this development without this kind of clarity in lot sizes and everything is that you would wind up with a condominium arrangement if a developer wanted to provide homeownership options. That we understand is from our user groups that that is very, very legally fraught with difficulty.

Commissioner Burt: I realize now that the sorts of circumstances that you are alluding to where there are these kinds of legal ambiguities would arise much more if they were privately owned units and they don’t exist when they are common rentals owned by one owner. So we may have something that we want to consider, should they be the same standards for privately owned units versus rental units. In rental units you don’t have a bunch of those legal issues I would think. You do have them in the private ownership.

Vice-Chair Packer: I just want to interject here that in the pre-Commission meeting it was explained to me that some of these legal issues and all the legalities of the subdivision and the lot and the ownership issues still have to be researched by the legal department and will come back to us when we get further into this proposal. So right now let’s not try and struggle with those issues until we have more information on the legal ownership versus rental subdivision, who owns the lot, whether it is condo or not because even though it could inform our discussion tonight we don’t have enough information. So if we could provide the Staff with the feedback on just these issues understanding that we are not trying to deal with this whole cottage cluster thing tonight but just some of the issues and they are going to be coming back to us with some of this that would help. So we could probably as we get informed with new information.
Commissioner Burt: I don’t have a problem with not going into any of the particular legal issues because we don’t have that before us. I think it might be appropriate as part of what is our primary mandate tonight which is to have that discussion and give that guidance to the Staff and consultants if we think on a conceptual basis that we may want to ask the Staff and consultants to explore a relationship between the unit sizes and the number of units or excuse me, the unit sizes and the square footage per unit and also the lot square footage per unit whether it should be one standard if they are for sale and another standard if they are rental units.

Vice-Chair Packer: Okay. I just wanted to try and keep our discussion focused on the five issues.

Commissioner Burt: Those points both have to do with bullet number one.

Vice-Chair Packer: I understand that. Let me give Lee a chance to ask a couple of questions because he hasn’t had a chance yet.

Commissioner Holman: Can I just interject one thing? I had a couple of things that I would like to add to the legal questions. I don’t want to get an answer, I don’t want to discuss them, if we are going to be putting out there legal things for them to come back to us to us with, is that okay? I can do it later. I just thought we could finish that one up.

Commissioner Lippert: Go ahead.

Commissioner Holman: Some questions I had which are legal questions and how this would be implemented. Would you anticipate dues, associations and CC&Rs?

Mr. Dan Sodergren, Special Counsel to City Attorney: That is one of the issues we are looking into is how to maintain the common areas. There are several options and we will be going over those options in more detail later on.

Ms. McInelly: I do want to say that all of the developments that we have been looking at as models have CC&Rs and have homeownership but that only maintains this exterior. So it is very different from a homeowner’s association for a condominium, which also maintains interior and exterior.

Commissioner Lippert: I have been relatively quiet because I have been noodling over item number one and I am having some difficulty with it. I want to try to express what my concerns are here. It would trigger ARB review and what I am struggling with is that the ARB standards of review even though they are 16 maybe 17 bullet points they are rather ethereal. They are left up to the Board to look at those items and pull and sort of look at the design and see how they meet those objectives. Yet, when you describe cottage cluster and what you want cottage cluster to be it is actually very focused and very specific in terms of their I wouldn’t say design but the feel that you want to get across. What I am struggling with is that if the standards of review for ARB not focused enough these could become a bunch of barracks as opposed to a bunch of single-family houses on a lot. What I am thinking about is in this you have said that you want to have the second story sort of contained within the roofline. It shows it and it sort of promotes that but yet there is nothing in the standards, the criteria, that actually say that the roof should be attached to the first floor and the second story should be contained within that roof and that
windows should be expressed as dormer projections. What I am afraid of is that you are going to wind up with a bunch of cottages which are actually going to look more like stacked boxes maybe. With the ARB maybe having a leaning towards a modernist approach they are not going to look like cottages they are going to look like industrial boxes maybe. So without being very specific about what you want these cottages to have in the way of attributes I see this as being very, very different than any other sort of review that we have. Maybe there should be some criteria that you are looking for in terms of elements.

Ms. Grote: I think there are a couple of options. One, the Architectural Review Board is used to reviewing projects with zoning standards and they do review sometimes some very specific zoning standards. There are purposes that are listed in the zoning districts that the ARB factors into their review. There are design guidelines that the ARB now uses such as for the south of El Camino and in the open space areas with the D Combining District. The Architectural Review Board is used to reviewing those kinds of statements and requirements. So I don’t see this kind of a zoning district with some very specific goals and purposes and standards being outside of the realm of what the Architectural Review Board is used to addressing in their reviews. It isn’t anything exactly like this but there are similar types of goals, standards, purpose statements that the Board deals with.

Commissioner Lippert: Maybe I can be a little bit more illustrative by citing an example of a direction I might see these units going in without further guidelines. On El Camino Real the work/live boxes those are all relatively small clusters of buildings and it might wind up being a form or shape along those lines which I think is antithetical to what you are trying to create here. Another one that comes to mind is a long channel at Webster just south of the tall apartment building there there is a series of buildings that were built back in the 1950s sort of the Eichler approach to multiple family apartments. They don’t have any pitched roofs, they are all flat and they look like a bunch of boxes that are stacked there. That is where I can see something like this going if there aren’t some well, you might as well just say what you want in this case and be very specific about it.

Ms. Grote: Marcy and others may have some more to add to this but I think that we can develop design guidelines that the Architectural Review Board could be applying in conjunction with their 16 standards. That is a possibility. Guidelines can be met in a number of different ways. Even with guidelines it doesn’t mean that everything is going to look exactly the same but guidelines do allow some flexibility. They give suggestions. They give ideas about how to design to a certain environment. So we could look into that, into developing some supplemental materials that might not be actually in the code but could be used by the Architectural Review Board in implementing some of these.

Commissioner Lippert: Okay.

Vice-Chair Packer: Commissioners, I am getting the sense that we are not quite ready to come to a decision on item one.

Commissioner Burt: We weren’t asked to come to decisions tonight, are we?

Vice-Chair Packer: Well, we are asked to give recommendations or make a motion or do something for each of these items to give some input. This is not exactly a study session. I think
the Staff wants some specific guidance. If somebody would like to make some kind of a motion in response to our discussion on the number of units allowed in a cluster that would be great or would you rather move on and make some combined recommendations?

Commissioner Holman: I think what we are experiencing, at least as I view it, is I think we have some general character questions that kind of are more across these different points. That is why we are not honing in on these. I still have a couple of general questions and concerns too so maybe those general concerns we can get out on the table first and discuss those and then come back to these if that would be agreeable.

Commissioner Burt: Then I can summarize some recommendations for approval tonight but requests of Staff to come back with greater differentiation when the time is appropriate.

Commissioner Bialson: What I think is Staff is asking for some guidance and I think our comments are providing that guidance. I think part of it may be that we are chafing a little bit limiting our comments to one bullet point because some of our concerns and policy direction overlap. So perhaps if we expanded past just the first bullet point if some of my fellow Commissioners feel it appropriate to make policy statements that go beyond that bullet point and perhaps touch upon some of these other things. I think there are common threads working through all of our comments and maybe we can open up the discussion. I think that would be helpful for us and Staff.

Vice-Chair Packer: Sure. Who wants to go forward in the context of what Annette just said? Karen, you had some general comments? Pat had some general comments.

Commissioner Burt: Well I will just try to summarize a couple of issues for me and see whether they resonate for other Commissioners. One I would like to see Staff come back with an alternative that might look at the lot size being different for rental units versus owner occupied units. Second, that there might be a difference in standard lot size depending on the square footage of the unit. So say that we had on a 6,000 square foot lot I could certainly see three 700 square foot units with 1,500 square feet of private land each and 1,500 square feet of common land but I couldn’t see four 1,000 square foot units on that same lot. So I think we should differentiate based unit size and a proportionality that would go toward the lot size.

Vice-Chair Packer: Why don’t we just see if other Commissioners agree with those requests? Should we have a little straw vote? Want to do it that way? We’ll make it kind of an informal motion on Pat’s requests for Staff to come back with alternatives based on different lot sizes whether these are rental or ownership units and alternatives about relating the lot size to the unit size. How many people are in agreement with that? Let’s express, Michael, Lee and Annette.

Commissioner Griffin: The first part of Pat’s suggestion I don’t agree with the second part of it I do. I guess my thought here is that to try to differentiate between rental units and development standards for rental units and having a separate set of criteria for owner occupied seems like we are complicating an already potentially complicated development scheme.

Commissioner Burt: On that one can I share with you what the reasoning is? We aren’t tonight attempting to come to any decisions it is just a question of whether we want Staff to come back with alternatives. So the reason that I was thinking that it may be appropriate is when we talk
about these legal issues when you have a boundary that is a property line boundary you have all kinds of setback issues and basically little turf issues that when they have shared rental units they don’t exist. The differentiation between how they coexist as renters in one of those little shared cul-de-sacs versus if each of them had a distinct ownership boundary I think creates a need for greater lot square footage when you have ownership than when it is sharing as a renter.

Vice-Chair Packer: If I may interject I think what you are talking about is whether the units are on individual subdivided lots versus whether the units are on one large lot that is being rented out by the underlying owner. That may be the distinction that you are talking as opposed to whether the actual payment arrangement between the owner and the user be in.

Commissioner Burt: I guess I am not following how that is, that is what I am talking about but.

Vice-Chair Packer: Okay, if it is that. If that is what you are talking about whether it is one lot versus lots of separately owned individual lots. Was it Lee and then Annette?

Commissioner Bialson: I am going to sort of express opposition to this line inquiry for two reasons. Number one, I am somewhat aware of the state of financing available for development of rental units and it is pretty tight and no lenders are going to loan for these types of units because it is not the highest and best use of their money in terms of what they will be able to get back. That is solely based on my experience and the experience of my clients. So I don’t think it is going to be that likely that we are going to have a number of developers coming to us and saying we want to do this as rental housing. I am acutely aware of what Sharon Erickson was trying to get us to understand which was the cost of the use of Staff and consultant time to explore certain areas that are of interest to us but which we need to be aware may not be the best use of Staff and consultant time. So I am concerned about that. Lastly, putting in these type of developments to an R-1 area and I think it speaks more to an R-1 area is going to be difficult enough for our R-1 neighbors to accept. If we say that they are rental housing in addition to being cluster I think we are going to have some real pushback. Speaking somewhat politically, realistically, I don’t think it is going to happen so it is an additional reason for me to say I don’t know if this is a fruitful avenue to pursue. So my personal feeling is that it is probably better to have Staff time used for some other things at this point. I would like to hear Lee’s input on that.

Commissioner Lippert: I am pretty much in agreement with what Michael and Annette have said. I just want add one other comment to that which is that when a developer comes in he is going to go for the highest and best use which means these are going to be developed to the maximum allowable FAR that they can get on each of these units. So there really isn’t going to be very much movement once this is built. People aren’t going to be putting on additions and making a lot of changes. Things are going to be really hard and fast from day one with very little movement thereafter. So my feeling is that you go in you set the standards and it is a done deal. It is done at the Staff level the first time around.

Vice-Chair Packer: Michael, were you finished with your comments?

Commissioner Griffin: Pretty much. I was going to say something about the legal thing. My concept is that it would be a condominium type of project and that was sort of underlying my whole analysis of this thing. Apparently there are some thoughts about approaching it from
something other than a condominium approach but I don’t want to go down that road or we
won’t ever get out of here tonight.

Vice-Chair Packer: Karen, did you have any thoughts on this one?

Commissioner Holman: I did. I concur with Pat about the 2,000 square foot minimum lot size
though that that may not be the most practical and it might encourage some smaller units too.
Quite frankly, part of how I feel about this is going to be dependent on some of the legal
information that comes back because the homeowner’s association dues can make the difference
between whether these units are going to be affordable to people or not and how that result
comes back is going to affect how I feel about this kind of development with the number of units
and the lot sizes.

Vice-Chair Packer: Okay.

Ms. McInelly: I was going to try to make a proposal about what we could come back with
because I am hearing some shaking out about what might be appropriate for R-1 and what might
be appropriate for RM-15. It seems that there is kind of a line that is being drawn that might
address each of your issues. Without taking a lot of Staff and consultant time we might just be
able to do that by maybe here is the split. R-1 looks at lot sizes as proposed because we are
really pushing a homeownership product for R-1. RM-15 might look at lot sizes that are smaller
assuming that a rental product will be acceptable there. It might also look at that proportion of
unit to lot issue. The style issue that we addressed maybe ARB really has some clear cottage
cluster style guidelines that they apply to R-1 development. For RM-15 it might be a little more
open-ended and more modern styles would be okay, maybe. This is just the proposal we could
come back to you on. R-1 may be less than 12 units in a cluster. People are more comfortable
with something that is more like eight or something as a maximum. In RM-15 12 could be the
maximum. I think those were all the comments maybe we could address a lot of concerns by
looking at those two situations.

Vice-Chair Packer: Thank you. I think what we have now I think we could probably move on.
Staff will come back to us with the items that Marcy suggested and then we could look at those
again and look at the number of lots and even the unit size. So maybe we could come back to the
unit size also if we see a difference for R-1 than to RM-15. Would that be fine? This will come
back so we don’t have to rehash it tonight. Is that fine with all the Commissioners?

So with that Marcy I would like to ask you would you come back with a different criteria for
parking? Now we are at the parking issue and whether common parking areas should be
required or whether there could be some flexibility for some of the parking. Marcy is shaking
her head yes. There may be a differentiation then between R-1 and RM-15. I see a number of
Commissioners shaking their heads. Are the rest of you shaking your heads saying you would
like to see that come back to us and we will react at that time to see if we are happier? Karen.

Commissioner Holman: Well it might be the difference between R-1 and RM-15 but it might not
too. I think it depends on you have to consider the context not just in terms of design but in
terms of parking too. That is why I mentioned this buffer zone for one but I almost think that to
get like a parking reduction or a parking change that you almost have to have a conditional use
permit or something that would and I am not trying to create more work but I just don’t think it is a blanket situation. I don’t know how else to address it other than a CUP.

To go back to two other things which are there is a general question that I haven’t gotten on the table that I brought up last time and called Curtis about today is we haven’t addressed where there is an historic property involved. Are we just going to let this kind of development happen anywhere or are we going to let an historic house … are we going to have competing Comprehensive Plan goals? Are we going to let a National Register Eligible house be torn down to allow a cottage court development to happen? In my opinion I think there is room for both and I don’t know why we need to make them do this. So I would suggest that we not allow that to happen.

Then something else I really need to comment on about the ARB review and the modernist approach. It has been stated before, and I think I mentioned it once before too, that the ARB’s role is not to determine style anymore than it is any of our public bodies to determine style. So in the compatibility guidelines I was very happy to see that those were going to be included as a part of the cottage court development but there is a concern that ARB with its modernistic approach might end up with something that is not really what we are expecting or anticipating in the R-1 areas because that shouldn’t happen.

Vice-Chair Packer: I would like to kind of summarize our discussion on this whole cottage cluster at this point.

Commissioner Burt: I had a comment.

Vice-Chair Packer: Let me just summarize and then go back and see if there are more comments after I summarize. I just wanted to respond to Karen that it is being proposed that cottage clusters in the R-1 area be a conditional use so it would get that additional review. That is my understanding.

Commissioner Holman: But it is not just R-1 that I was referencing in terms of parking.

Vice-Chair Packer: Right. So the parking issues like we have these buffer zones that if the project is near a commercial area there may be some additional criteria. Maybe that could be written into the code. What I understood from our discussion that we would like Staff to come back with some differentiation on all these five issues vis-a-vie R-1 and RM-15 and see how we can react to this cottage cluster in those areas. I suppose at that time we may get some more legal information about that kind of ownership, the underlying lot sizes, issues related to building and fire codes about the closeness of buildings. We didn’t get to talk about guest parking or reducing parking but perhaps we will see that again and we can talk about that in the context of the new information that will come back to us the next time it comes back. I want to kind of close this up now it is going to come back to us so we can have time to move on to the next item.

Commissioner Lippert: I have been holding back a lot of comments on the other sections.

Commissioner Bialson: I think it might be helpful is all Commissioners had an opportunity to share with Staff and consultants their concerns. I think if we can get those out and communicate that we don’t necessarily need to talk about them but we do need to get them out.
Vice-Chair Packer: Let’s get out all of our concerns now and then they can come back to us in
this differentiated format. I just wanted to summarize temporarily. I wasn’t going to cutoff all
discussion.

Commissioner Bialson: Okay.

Vice-Chair Packer: Lee was holding back or do you want to speak?

Commissioner Bialson: I think Pat was ready.

Commissioner Burt: That’s okay, go ahead Lee.

Commissioner Lippert: On point three with the shared or common parking areas I think it is
very efficient to work that way. But I think again from what we are trying to create in terms of a
nice environment it might be problematic in some areas. What we do is we have covered
parking and usually covered parking represents a garage or a building and it contains those
vehicles. It happens that way in multi family houses. In this area where we have open parking
we don’t have all those cars being contained in some way. So maybe what we want to look at is
that there should be screening associated with those clustered parking spaces or even breaking up
those clustered parking spaces into groups of two and three and allowing that to happen so that
they are spread out and plantings can happen. Then the third possibility is maybe encouraging
more landscaping or hedges to come up to obscure those when it abuts a road. That is the way
maybe to look at it.

Vice-Chair Packer: Any more comments on parking?

Commissioner Bialson: Why don’t we just have everybody speak with regard to everything?

Vice-Chair Packer: We can do that. Did you have some more things to comment on?

Commissioner Lippert: Yes. One other thing, are we looking at the whole parcel as having the
property line around it or are we looking at each of those individual 2,000 square foot parcels
having an assumed property line? That is very important.

Ms. McInelly: Each lot has a property line. Then there is a property area that is shared
ownership.

Commissioner Lippert: There is an inherent problem with that and you can see this in
communities like in Florida where they have a rectangular property and they take and they build
the house up against the property line and so that wall that abuts the property line with zero
clearance really can’t have any openings. They have to be protected openings and it is very
limited. Those openings have to be of noncombustible material or they have to have shutters that
come down to close them off. Again, that is antithetical to what you are trying to create here and
that is really a big problem. What you will have is somebody looking out of their house into a
firewall.
Ms. McInelly: You are an architect. I should have expected you to bring this up. We have anticipated that and this is one of the issues that had to work out with fire and building people. Other jurisdictions have like some of the model ordinances that we have been looking at for Shoreline, Bainbridge Island, Woody Island have zero lot line setbacks and they have been able to work out an arrangement with fire. It doesn’t seem like we are going to be able to do that here so we would probably have a minimum setback and still a side yard use easement. The side yard use easement is really the most important part. The setback is not as important as that because the side yard use easement legal arrangement allows that house to use that piece of yard more effectively than two little half yards that are left over on the margins.

Commissioner Lippert: Right. Or the other possibility is to look at it again as one large parcel with minimum clearances between the buildings and that all sort of goes away and it can go away if you are in a co-op situation and it can go away if it is an apartment or multi family housing situation.

Vice-Chair Packer: Annette.

Commissioner Bialson: I will look at my notes. Perhaps you can talk to Pat in the meanwhile.

Vice-Chair Packer: Pat.

Commissioner Burt: Yes, one on process. Bonnie, I think you had mentioned that intention was a conditional use and as I understood Staff they alluded to that as one possibility about the process that might be used for R-1 approval of these. So I am still unsure about what process we are going to have and that is an important issue.

Second, I would like to concur with what Lee had said on the parking, the screening and maybe smaller clusters of parking. I would like to add that we may want to look at diminishment of parking being allowed based on a couple of factors. I don’t know whether this would be feasible but one is how many curb cuts are you really eliminating and therefore how many on street parking spaces are you creating by having a common shared driveway and curb cut? So if you have a property that is 50 feet wide and 150 feet deep for a single family home you would have one curb cut. If that property instead were 150 feet wide and 50 feet deep and was going to have a cluster here we probably eliminated two curb cuts instead of eliminating zero. So the amount for the same number of units in the cottage cluster we have had a different impact on the on street parking.

The other thing is and I think Karen and one of the speakers alluded to it that basically we have areas in the City where we have a lot of available on street parking in certain residential neighborhoods and then we have other residential neighborhoods like the two that surround Downtown where we have a very contentious issue of an existing significant deficit in on street parking and we have been struggling with whether to allow permit parking. It is a big contentious issue in our community. So in neighborhoods where we have an existing parking deficit this may be more problematic whereas I wouldn’t have a problem with it where we have an existing parking surplus. So I don’t know whether it is going to be feasible to make that differentiation, the two Downtown neighborhoods already have City studies that have established those deficits so maybe that can be done, I will toss it back to you to see if that is feasible.
One other comment on the rental issue. I agree fully with what Annette was saying which is
commonly understood that the economic feasibility of doing rental units is much harder in this
market. To me that is all the more reason why we should at least explore whether we incentivize
the rental units and make them more economically viable by allowing more units to be built on a
parcel when they are rentals than when they are standalone 2,000 square foot parcels. As well as
that I think there is more frequency of having this kind of what you were just describing of
shared easements that is the kind of thing that just exists as a matter of norm in the rental units.
Whereas you do that with individually owned parcels and everybody wants to know exactly their
legal rights and they go through those kinds of things. So I think there are fewer issues that
diminish the real need for a larger lot size when you have a rental unit.

Vice-Chair Packer: Annette.

Commissioner Bialson: Just one last thing. I propose this as something Staff should look at and
if it is too much work don’t do it but I would like to make a little more concrete where we are
thinking of putting this in R-1 zones. In the past you have given us some indication of what sites
might be susceptible to certain zoning and it has made my thinking more concrete and I think it
has helped the community to understand what we are pondering. So if there is some way that
you could do that in this situation and give some guidance to us as to what sort of areas you were
thinking of doing something like this as a possible viable use that would be very helpful to me. I
just offer that as something that if it doesn’t take too much time it would help me a great deal and
I don’t know if would help other Commissioners.

Commissioner Griffin: I have a couple of comments. One I would like to tack on to what
Commissioner Bialson has said. I noticed in the SR for agenda item number two and what is
referred to as “parking technical memo number two” that there was some discussion of
identifying potential locations based on intensity of cars per resident or cars per owner. I would
support having an elaboration on that the next time we discuss this so that we could see whether
that in fact is a good way to do it or if that should be part of the mapping criteria or should there
be other mapping criterion. Now back to parking specifically. I like the one that is shown in the
consultant’s packet here, step number four which talks about context based considerations for
Village Residential and it shows the parking in the middle of the development. That addresses
again what Commissioner Bialson pointed out which is if you have parking on the perimeter the
neighbors are going to be understandably less than positive about this whole thing because of
having car doors slamming right under their bedroom window. So to the degree that that could
become the development standard I would certainly support having parking located on the
interior of the project. If it has to be on the perimeter then I think it should be covered.

Vice-Chair Packer: Karen has one more and then in the interest of time I just want to remind
Commissioners I would like to be able to go to the next item under item one because after that
we will take a break so that the parking part can be set up on a different computer. So I would
like to do our break after we completely finish agenda item one if that is okay with
Commissioners. So keep that in mind because as I said they will need some time to setup for the
parking discussion, which is item two. So when we wrap up the cottage cluster we will move
right on to the Neighborhood Mixed-Use. I am not saying we are wrapping up cottage cluster
yet because I think there are still some comments that need to be made.
Commissioner Holman: Regarding the height and this goes to Commissioner Bialson’s comments about parking and neighborhood buy in for this. There is a 24-foot height and I had wondered there was a 24-foot height no matter where the development is. So it would seem to me that at the rear of a parcel where you are in an R-1 context where it is usually lower profile that is why we don’t allow flag lots is because there was objection to having two story houses at the back. So I would suggest that we have a 20-foot rear setback instead of a ten-foot setback but more importantly I think it is that we have a lower roofline, lower height at the back of these parcels. So that is one.

Another is about guest parking, which I hadn’t commented on yet. There may be more street parking that is available in some neighborhoods but having a lot of cars on the street absolutely impacts neighborhood character. So I really have concerns that just because there is street parking available that we not just gobble it up with guest parking. There are comments, and I am not sure what is specific to this and what is specific to someplace else, but looking at reducing the number of required guest parking places there is a difference between R-1 development and cottage court development because if you have more families or more individuals you are more likely to generate more guests. So you are going to generate more guest parking so to have the guest parking the same as R-1 is a concern for me because of generation and also because of on street character.

There isn’t a possibility that is included that would address including an existing home in a cottage court development. The reason that that is feasible, there is an example that I have shown to at least two Commissioners and I think I pointed this out some time ago to Staff, I think it is called Hawthorne Gardens, is that what it is?

Commissioner Griffin: Yes.

Commissioner Holman: Yes, Hawthorne Gardens and it has two older homes at the front and then along a single driveway behind there is lower profile development. It is a wonderful very successful cluster, cottage court, kind of development. So that is a possibility that really has not been addressed here.

Then the other thing is we addressed.

Commissioner Lippert: It is across the street from Hawthorne Gardens.

Commissioner Holman: Is it Hawthorne Gardens?

Commissioner Lippert: It is across the street from Hawthorne Gardens. Hawthorne Gardens is an apartment building.

Commissioner Holman: Okay. It is on the north side of the street so I am hoping people know where I am talking about.

The context, it isn’t addressed here and I am assuming, but I hate to do that, that front setbacks and garage placement would also be subject to contextual if they are in R-1, contextual standards, but that isn’t specified. I think that’s it.
I do look forward to some kind of response at some point about where there is an historic property so we don’t have these Comprehensive Plan goals just beating into each other.

Vice-Chair Packer: Okay, I think the Commissioners are looking a little relaxed. I would like to just put in my two cents. I was very excited to see this concept of cottage clusters come to us as an option in R-1 and also RM-15 and to see the development of Village Residential getting refined into these different types of Village Residential possibilities. I am looking forward to when the Staff comes back to us separating out the different types of cottage cluster for the different areas of the City and we will be able to give you more feedback when we see it in those formats. One of the things I thought when I looked at this and I was looking at the development standards and seeing what the FAR was and the setbacks and I was thinking we were creating kind of a continuum of development possibilities from R-1 we have the second unit development and now we cottage clusters moving slowly up the ladder of density of possible types of homes that people can use and the variety that we can bring. It is very exciting to see and someday when we get it all worked out it will be great to see this all on a grid so we can understand that maybe the cottage cluster is not necessarily adding any greater density to an R-1 area but it is just adding a different arrangement of building on the land and things like this. That is what as we refine these efforts with our input and Staff’s input we will have some really great products.

So having said that we can move on to Neighborhood Mixed-Use. We have Staff making a presentation, we will ask the public to make some comments and if we still have the energy we can comment. I believe that this is going to be on a much higher level of review on this one so that maybe we can just give very general comments and try not to get too detailed so we can move into parking later this evening.

Mr. Rick Williams, Consultant: Thank you very much and we will try to proceed through this presentation rather swiftly so that we can give enough time for everybody to comment.

This presentation is regarding the Mixed-Use and the context based design issues that we are going to address tonight. A little differently, we are being a little bit more specific on the Mixed-Use locations being relative to Neighborhood Mixed-Use corresponding to the CN zones, Arterial Mixed-Use in the CS zones and Downtown Mixed-Use in the CD zone although we are going to focus on Neighborhood Mixed-Use tonight.

Similar to the Village Residential and cottage cluster the format of the zoning regulations with the context based design subchapter will be consistent with the other regulations. What we aren’t going to do tonight is really be specific about the numbers. We are asking for some greater direction towards a few primary topics that we wanted to get direction on before we proceed with being able to put numbers to those regulatory functions. We will bring those back to you at a later date.

In the presentation tonight we are going to present four preliminary recommendations for the direction for the development regulations and we would like to get your feedback and input on those. They are regarding the RM overlay on the mixed-use projects as is currently done, issues regarding shared parking, usable open space and building height. As I said previously, we are going to focus on Neighborhood Mixed-Use in the CN zone to start with tonight and then we will expand that at later presentations.
Just to give you a little history again on this quickly. We evaluated prototype studies in phase one for mixed-use developments relative to RM zones. We have also looked more recently at projects that have been built both in Palo Alto and in surrounding communities to look at those strategies and we have also had focus groups as well and spoken to a number of architects that have been doing developments in Palo Alto relative to mixed-use proposals.

The findings that we have had within these issues are relative to commercial and RM combined standards. Our earlier analysis of Neighborhood Commercial CN zone with RM-15 as an overlay combining on top of it and the relative issues regarding that we have discussed such as requiring things like a larger setback when you overlay the RM standards on top of a commercial zone isn’t positive for retail development the mixed-use portion, different setbacks, the daylight planes are not conducive to good mixed-use buildings and are actually out of context with the surrounding existing buildings and really isn’t creating a positive building form that is appropriate to mixed-use. So changes are needed regardless just to create a mixed-use building that doesn’t have to go through a very elaborate review process.

We also have reviewed it relative to both the Comprehensive Plan policies, the task force has also provided input, as well as we have always had an expectation relative to consistency with the El Camino Real Guidelines. That the building form regulations would need to be adjusted to be in sync with both the policies of the Comprehensive Plan and the guidelines along El Camino Real for example. Those were created kind of as a working/learning knowledge to this process.

So our first recommendation is to not think of, we are going to replace the RM-15 reference and just create a new mixed-use development standard. It isn’t going to be related so much to the RM-15 references but it is going to be part of the CN standards, it is going to reflect those CN standards and then have a new mixed-use residential standard on top of it rather than trying to dovetail on an RM-15 regulation which is really a different type of building. So that is our recommendation and we would like comments on that tonight.

Parking is one of the key elements and is a very sensitive issue but it really dictates building size, surface parking impacts, the number of parking spaces really dictates building type. That is something that everybody has understood over previous presentations but we wanted to address that quickly. Currently shared parking is limited to projects with 30 or more spaces for mixed-use developments. Our recommendation and discussion for tonight would be to allow consideration of shared parking on smaller infill sites to take advantage of mixed-use development. What the criteria of that would be is something we would like to discuss with you tonight.

Another key factor is usable open space. Currently anything that isn’t parked on or built on is considered usable open space. That means every small sliver of landscaping around a parking area, the decks and every other space is considered usable open space. That is the practical way it is being dealt with today. Our recommendation is to not look at it that way. Our recommendation is to adjust and define usable open space in and of itself. There are other regulations that are going to maintain the landscape elements for parking and the perimeter developments and that is dictated in other sections of the regulation but make usable open space relate to the open space that people use not slivers of landscaping around parking. So we want to redefine what usable open space is, where it is, currently it is on the ground only. We would like to see it be able to be usable open space adjacent to residents that may be on the second floor so
that usable open space has a completely different determination that you are using it as a different term than just general landscaping on a site. It is really usable.

Building height is the fourth element that we would like to get some direction and feedback on. We feel that building height has different considerations and we have spoken before to this body and others regarding the height may want to be partially relative to the street that the buildings are fronting on. That there could be a base height such as a base within a CN zone, we are just giving it as an example along Middlefield Road, the curb to curb width of the street is approximately 46 feet where along El Camino it is approximately 105 feet and that the buildings may be able to take on a different character within the same CN zone for those two different street types or street widths. The base height would be consistent with current CN standards but that along a wider street that there might be the ability for an additional height which would better define the street, the streetscape, promote additional design flexibility as well as allow for a wider variety of unit types, say townhouses over the retail rather than just flats over retail. Again, always within the existing or always within the allowable floor area ratio so we are not talking about additional intensification of development we are talking about being able to push the development around in height. In fact in some instances it may improve the relationship adjacent to single family homes because compatibility setbacks or additional setback for building height and upper story setbacks possibly along street frontages or to the rear could actually add sensitivity relationships relative to either the single family development or the street that we are fronting against. So we are allowing for design flexibility but we are also considering the adjacencies as well. So we would like to have you discuss that topic. Our recommendation would be to have some minimal height increases in certain areas along certain street frontages possibly or other criteria that people deem appropriate for Neighborhood Mixed-Use within the allowable floor area ratio. So again we are not talking about greater intensity we are talking about reorganizing the space on the site and to consider possibly upper floor setbacks for privacy and appearance sake.

Just to go back really quickly on this item one of the things that we believe would actually occur is the building may be a little bit taller than the base zone would be but what would in fact occur is the building would also be farther away from the adjacent residence behind it because it is the same amount of mass. Just setting that criteria would be what we would be looking at developing. I think that is an important element. The setback, eliminating the RM standard and a whole series of these regulations can actually push a commercial mixed-use building closer to the street and farther away from the single family residence that are behind it which is the typical configuration in many areas in Palo Alto.

So with that brief summary we are looking for some general directions, your input, many of the same similar types of comments that you had in the initial piece within these four main topics. Our desire is to eliminate the RM-15 reference and go with a strictly new mixed-use designation that would be specially designed and articulated for Neighborhood Commercial Mixed-Use. To consider when appropriate for shared parking reductions on small infill sites to take advantage of the relationship between commercial uses, their time of need for parking and residence. As well as adjusting and defining the open space and usable open space to be more appropriate for a mixed-use development than a more standard RM-15 development. Then also look at minimal increases in building height when appropriate relative to street widths and relationships such as that. With that we appreciate any and all comments.
Vice-Chair Packer: This is what I propose, that before we take a break we may not be able to wait until our discussion is over to take a break because that would be cruel and unusual punishment. Is that we hear from the public at this point and then we take our break. So any members of the public who wish to speak to this item, which is Neighborhood Mixed-Use, related to the Staff Report please fill out a card and give it to Robin for this item. Denny Petrosian. Each speaker will have five minutes.

Ms. Petrosian: In the beginning again just a general comment. As with the Village Residential I am very concerned that Neighborhood Mixed-Use not be placed so that we lose the higher density housing potential that is either existing or potential on any particular piece of property. I am really concerned about the mixed-uses that I see in Palo Alto now mostly I guess in commercial zones but what you see is that the commercial predominates and there is just an itty bitty little bit of housing. So I don’t think we want that to be a trend.

In the Comprehensive Plan process of the 1970s and 80s there were good size parcels that were zoned for high density housing only and by-gumbo all of those parcels have pretty much been developed with the housing that we still desperately need. So I don’t want that emphasis to be lost.

I would like to refer to page four of the Staff Report number one with the bullets. I want to recommend very strongly for reasons, which I will mention that the CN zone not be replaced. That is still standalone as a separate chapter. Not only the CN zone but the CS zone and the GM(B) combining district zone. I think that is very important so that this mixed-use zone be a new one to be used in new ways since I think it is performing new functions for the City and the old zones are performing some very necessary old functions.

Then down at the bottom please do not increase the height limit. I think that would be a huge mistake and I am speaking most of my neighborhood where I live which is the South Palo Alto El Camino strip between Page Mill and Charleston. This a very unique area which I will mention too. I think all we need to do is look at the Starbucks development on the El Camino Way island. The Starbucks with the housing on top. It is fine for that location, for the island, because the island does not backup on small apartment buildings or single family but it would be totally out of scale and inappropriate as the entranceway to the Matadero, Margarita or Wilton residential area which if you go behind just a few yards it is a single family neighborhood. You think of Barron Park where La Selva is and anything that would be backing up onto La Selva that was like that would be again a totally inappropriately sized mixed-use development.

I think it is important to remember and again you only really learn this by walking the neighborhood that the El Camino neighborhoods on the strip Ventura neighborhood, Barron Park across and Charleston West Meadow further down are basically single family neighborhoods with some very dense apartment housing but mostly single family neighborhoods. I think what is going to happen... I think it is important to visualize the specific areas as we are talking about these potential zones and to remember the distinct functions that are provided by some areas. You are going to run into this when you talk about the El Camino Study Area because you are going to have to but your heads against whether you want to have something be pretty and pleasant looking and impressive and add to an architect’s resume or whether you want these areas to function in the City in a way that makes this a sustainable City to live in. The GM(B) combining zone is one of the few place, I don’t know where else in Palo Alto you could locate
some of those functions. You are also talking about the auto overlay zone for that area. So that
is something that could conflict. The CS zones are also there is nowhere else in Palo Alto where
those functions can locate. The specificity of the zone, the permitted uses spelled out, the
conditional uses and all of the specific regulations are what are keeping those uses in Palo Alto
so that we don’t have to drive to Redwood City or Mountain View or wherever. The people who
live here can drive shorter distances to get the services they need. The CN zone.

Vice-Chair Packer: Denny, I am sorry your time is up. Pat has a question for you.

Commissioner Burt: You had mentioned concerns about what would be lost if we eliminated the
existing RM-15 and CN and GM zones. Can you explain what your concerns are about what
would be lost if we switched and replaced them with the mixed-use?

Ms. Petrosian: I think the GM(B) zone is very well. All the uses are spelled out in the zones
pretty specifically warehousing, some of the light industrial zones, some of the machine tooling
uses that are down there on Park Boulevard. And the CS zone is the auto repair and so forth,
which has been disappearing. But the CN zone is also the last place in Palo Alto where small
family business can locate that does not want to locate in a shopping center and can’t afford to
locate in a shopping center. I think that again you have to walk these areas and see how the uses
are balanced together. Just behind the very thin strip of commercial are little apartment buildings
that provide anything close to affordable housing. Now your mixed-use would have to go deep,
would have to take out those little apartment buildings up and down El Camino and what you
would get in place of it would be more massive and would not provide those housing
opportunities.

Vice-Chair Packer: Thank you, Denny. You did well. Lynn Chiapella.

Ms. Chiapella: I am very familiar with the CN zone that itself because I live on the second
residential property, R-1, from the CN on Middlefield. The Middlefield Road is 40 feet wide as I
recall and it is very problematic because the turn lanes are actually not really totally legal on that
Colorado/Middlefield intersection. Now when you get down to Piazza’s further south it is
obviously much wider. In both case as you probably all know both of those CN zones are
completely built out to all the square footage you can put on them. So I guess what you are
talking about here is tearing down what we have and doing something different totally. But
these are all little pieces of individually owned property. I am having a hard time reading this
and imagining what it is you all have in mind because that discussion came up during the
Comprehensive Plan and nobody wanted to really make the big changes that were necessary
which was could Middlefield Road be zoned one side for housing and the other side for
commercial, which was highly recommended by some member. That would provide a lot more
housing and still provide commercial viability. Now it looks like we are going to be tearing
down both sides of the streets because none of these have any square footage left for housing
development. The reason is there is no parking. As you know the parking goes all the way
down and my house is parked every day as well as all the other side streets because there is no
parking. The little office next door or two doors down from me is about maybe 2,000 square feet
and has about 20 to 25 employees, patients, nurses, doctors, etc. There is no parking in the area.
All of these little places are maxed out and could probably not be rebuilt. So I don’t know what
it is you are actually looking at. A total teardown and redo or are you looking at somehow
finagling numbers? You said not to expand the FAR in a built out situation. So I am having a
very hard time. All I know is we get all the overflow parking and unless you have figured out
something clever which I don’t see here and we are in a flood zone so you can’t go underground
I don’t see how this is all going to work. Thanks.

Vice-Chair Packer: Thank you. Joy Ogawa.

Ms. Ogawa: I live in College Terrace and I actually live in a CN zone. I am now beginning to
get really alarmed because I didn’t realize that Staff was basically proposing get rid of CN, CS
and CD and just dumping everything into mixed-use?

Mr. Williams: No.

Ms. Ogawa: Okay. To turn CN into CS type zoning is ridiculous in my mind. There is a
specific purpose for CN. The regulations are designed for that kind of use. Let me just go
through this list. First is setback. You are talking about … I am willing to go to zero setback on
certain street fronts maybe El Camino. But whenever you go with zero setback there has to be a
good sized sidewalk involved. Zero setback from a nice wide sidewalk. Not zero setback from
the existing sidewalk. Frankly, I think a little bit of landscaping like a couple feet of landscaping
between the sidewalk and the building is really nice. It makes it much more pedestrian friendly
for me, some people may not think so I really think so. When you are dealing with residential
nearby or across the street it is totally different. I don’t think zero setbacks are in order there. So
I don’t know how you are going to deal with that but context is really important in terms of
setback.

Parking. I live next to an office building and they are supposed to be fully parked but I tell you
their parking lot is completely filled up and I live maybe 2,500 feet from the train station but I
don’t see anybody walking to the train station from that office building next door. Their parking
lot is fully filled up and during the daytime they take up at least a dozen spaces on the street. So
the concept of shared parking and all this in reality I can’t buy it because I live in a world where
it doesn’t work and I live in CN.

The usable open space actually that is one thing I can support. To redefine it to make usable
open space be really usable open space is a good thing.

Building height, the building height limit for CN is there for a good reason and I don’t think it
should be changed. One of the reasons why there is a building height limit I think is just that we
want to have that neighborhood friendly character to it. I know in my neighborhood I am right
across the street from R-2 with an historic overlay or something like that. So to change that
building height to a CS type building height I couldn’t support that.

Finally adjacencies, considering adjacencies is very important. One more point about shared
parking is that I am really concerned about reducing the parking requirement, which really
allows more build out. That really concerns me especially when that additional build out is more
office build out. Again because is my experience the shared parking concept for offices does not
work. So I would be interested to see how this goes and maybe if Staff or somebody could
explain a little bit more about how this is going to interrelate with our existing CN zones.

Thanks.
Vice-Chair Packer: Thank you. Are there any other members of the public that wish to speak to this issue? We have one more. Have you filled out a card? Thank you. Jim Thalmann.

Mr. Jim Thalmann, 3887 La Selva Drive, Palo Alto: Hi the first speaker spoke a little bit about my situation. I am one of those folks on La Selva Drive that is right behind the Neighborhood Commercial zone. I would like to speak to a few of the issues that were mentioned in the Staff Report that I picked up in the corner over there. This is in regard to the neighborhood context for projects and the transitions into R-1. You are going through and working on this zoning change to presumably fix things that might be broken. I wanted to provide some testimonial for my case where something really did break badly.

We have a service alley going behind my house. The ownership of the alley is somewhat questionable but it has always been a service alley blocked off to customer traffic. What happened is the ARB I guess approved a donut shop right off of El Camino and that donut shop opened up a hole for customer traffic to route through the alley. One or two cars it probably wouldn’t matter but as the years ramped up that business got very successful. People like to have their donuts and they wind up going into a 24-hour business. Now this traffic is going within 20 feet of my bedroom window and all the other bedrooms along La Selva. That is causing some problems that I wanted to talk about real briefly. It is a 24-hour operation. If you guys could consider somehow limiting or regulating 24-hour business operation that would be really great. SUV, truck and car stereo noises are coming through constantly and that is not the sort of thing you would want to have I don’t think in a transition area between a CN zone and an R-1. It just didn’t work out very well.

The house shakes. I have a neighbor whose chimney has gone down because of trucks going through it. I just wanted to briefly suggest that in addition to the parking which you are very sensitive to and have talked about a lot tonight also please consider the traffic flow from whatever businesses are going into this operation and the impact on the neighboring residential area.

The existing CN zone does provide for a lot of buffering but it does provide for some barriers of sorts but none of that seemed to be followed. When we went to talk to the City Attorney the City Attorney looked at the regulations and said this in unenforceable. They said my only recourse was to come and speak to you folks about this so that is what I am trying to do here tonight.

The other impacts I suppose you consider for this transition buffer area is if a business is going to open up something like an air compressor such as a dry cleaner plant would run that is also a big issue. One of those things kicking up at eight in the morning or seven in the morning on a Saturday, oh boy that is not so good. That would be something to also consider I believe. Noise is one of the things that was kicked out of this regulation that I was talking about before.

One of the businesses opened up an auto painting operation. My next door neighbor who was pregnant at the time was complaining about the paint fumes that were happening during the day. I didn’t know about it but she told me about it and I wanted to let you know about that too. The type of businesses that are going into these places really make a big impact on the adjacent R-1 or residential neighborhoods.
Finally, the property maintenance issues are of some concern too. This alley that I was referring to is getting worn down with all the traffic going through it. So some of the water breaks and utility things that are back there, the collars that hold these metal grates in place are starting to crack away. Now as these things are going over it the thing does a teeter-totter and goes clink-clank, clink-clank. The clank can be heard from almost two blocks away. That is almost like somebody walking up to your door at two in the morning, knocking, and then taking off. It is pretty tough to get a night’s sleep. That is another thing too. I will turn my one-minute to you guys so you can get a break early that ought to get me some points. Thank you.

Vice-Chair Packer: Thank you, Jim. I just want to say that your comments are well taken and when we get to reviewing the CN zone in the Zoning Ordinance Update we will be sure to include that. I also want allay anybody’s fears, the CN zone itself is not being proposed to be replaced. What Staff is proposing to replace is the way we are able to do mixed-use developments today in Palo Alto. There is some language in the code that deals with mixed-use projects and it involves applying the RM-15 zone to the CN zone and it is that process just relating to mixed-use that is being proposed to be replaced. No one is proposing to replace the whole CN zone or the CS zone. I just wanted to make sure that that was clear for the public. Are there any other people in the public who wish to make a comment? Seeing none we will now take a ten-minute break and we will discuss whether or not we will be able to deal the second item on the agenda tonight. We will see you in ten minutes.

May I have your attention? We are reconvening the meeting of the Planning and Transportation Commission. We are still on item one the second part of Mixed-Use and Village Residential. Before we go to that I would like to announce that due to time constraints we would like to continue item number two to a special meeting on September first next week. It will be a continuation of this meeting.

Mr. Sodergren: I just took a look at this section. I think it would be a continuation of the hearing. Since Wednesday is not one of your regular meetings it is a special meeting but the hearing would be continued. Not the meeting but the hearing.

Vice-Chair Packer: The item is being continued. So item two which is Zoning Ordinance Update Chapter 18.40 on Off-Street Parking and Loading Requirements will be continued to a special meeting on September first which is next week. May I have a motion?

2. **ZOU - Chapter 18.40 Off-Street Parking and Loading Requirements.** Commission’s review and comment of the Preliminary Draft Chapter 18.40 (currently Chapter 18.83) of the Zoning Ordinance Update addressing off-street parking, loading and bicycle facilities that are required for new uses and enlargements of existing uses. This will also include Commission review and direction of policy issues addressing off-street parking.

**SR Weblink:** [http://www.cityofpaloalto.org/cityagenda/publish/planning-transportation-meetings/3674.pdf](http://www.cityofpaloalto.org/cityagenda/publish/planning-transportation-meetings/3674.pdf)

MOTION

Commissioner Lippert: So moved.

SECOND
Commissioner Bialson: Second.

MOTION PASSED (6-0-0-1 Commissioner Cassel absent)

Vice-Chair Packer: All those in favor? (ayes) All those opposed? That carries so we will continue that item to next week. Thank you.

Now we can spend the remaining time and try and finish up by 10:30 if that works for Commissioners to ask questions on and discuss the four items that Staff would like our input on that are listed up on the screen. I would like to ask Commissioners if they would rather go item by item or talk in general. I have one proposal to talk in general.

Commissioner Bialson: Second.

Vice-Chair Packer: Okay. We will talk in general but let’s try and keep our comments focused on the subject areas of the four items so that we don’t go everywhere. We will have plenty of opportunity to discuss other issues related to this proposed concept when it comes back to us.

Commissioner Lippert: Thank you. I just want to say that on item number one I think that it is really great. Being on the Architectural Review Board it is so cumbersome and difficult to review projects when we have the CN district and then we have this RM element on top of it and it has to comply with all the setbacks and daylight planes. It becomes really arduous. There was one project that was a really small housing project on top of the commercial and it had like seven variances that they were asking for and it was absolutely ridiculous for this project to have to go through such contortions to be approved. So I think the first item is really a great policy and I recommend that.

The second one is with regard to the reduced shared parking I also applaud that. I think that is really appropriate. There is no reason why that parking can’t be used for commercial uses during the daytime and then residences at night. It is a good use of the space without having to pave over additional area.

Just one comment with regard to that or it is actually more of a question. What about when people choose to light that parking space? How is that going to affect the adjacent neighbors? Would that lighting go off at night even if that were the time that you want to have a parking lot lit? So how would you deal with that?

Mr. Lusardi: Currently the code requires you are cut off on adjacent properties and we don’t expect that to change. So that would be part of the development review process to ensure that the lighting does not impact adjacent properties especially adjacent residential properties. There is also an issue about the bright lights of an evening shining out on the sidewalk or on the street or across the street to residential so all those things come into consideration but we don’t expect to change the lighting standards to allow lighting that is brighter than it is now or spill over into adjacent residential.
Commissioner Lippert: Let me tell you where the difficulty is. It is not onto the neighboring properties necessarily but it is onto the people that are residing on the second story of the mixed-use and they need it for safety to park their cars but then they don’t want it when they go to bed at night. How do you deal with that?

Mr. Lusardi: Well, I think there would be considerations for some kind of a cut off or a timing on that but again rather than write in a specific development regulation on that I see it more an opportunity to address it through the mixed-use and the design review process and that context. How the residential relates directly towards the commercial use below and maybe Rick or someone would like to expound upon that but I see it more in the design review process as being addressed that way but it is a concern and it maybe a standard review that ARB has too.

Commissioner Lippert: Then I have one last comment on item number three the open space. I went down to Los Angles, stayed in a wonderful hotel called the Standard it was a renovated office building. It was Standard Oil that was made into a hotel. They took all the offices and gutted them out and they put in these really deep long rooms that were real unusual. It was a great place to stay. It was very ‘70s and very retro. One of the things they did was took the roof and they built a swimming pool and a roof deck and it was very exciting and dynamic outdoor space. Here you are 14 stories above the street in downtown LA, a lot of activity, great outdoor space but it is on a roof. The opportunity that we have here is to promote or develop roof type gardens or rooftop areas where the residences could actually have a decent amount of space rather than a little balcony or a little corner here or there that could be shared by all the people in the building. It doesn’t have to be wild and crazy or a disco.

Vice-Chair Packer: Commissioners, are there people who wish to comment? Pat is shaking his head I will go to Pat.

Commissioner Burt: One, I would like to commend this better definition of open space and I think that is a great move and it has been badly needed. I am interested in Lee’s concept of rooftop gardens. I think they have some great potential provided that we could figure out a way to assure neighborhood privacy while we have them. So I would welcome seeing back from the consultants and Staff ways that we might be able to do that more while not risking intruding and peering into adjacent backyards or whatever.

Then the issues that had been raised by members of the public regarding once again compatibility issues on rear setbacks whether it be noise or other nuisances or lighting related issues and hours of operation and all those kinds of things I just would like to see more specifics on how those would be mitigated and addressed.

Then finally I was interested in an issue that a member of the public brought up about are we in any way risking that we will by putting in the mixed-use have a greater ratio of commercial to residential than we otherwise might have with the RM-15. I am not clear on the ramifications of this change and I welcome Staff giving any comments that they might have that would clarify that issue so that we make sure that we are not creating a mixed-use that is overwhelmingly commercial with one little penthouse on top when that wasn’t our intention.

Vice-Chair Packer: Annette.
Commissioner Bialson: I will lump all my comments together. I will start number one with the open space. I am glad that we are learning from what is on the ground so to speak and what developers have exploited by way of what our code presently says and what we were intending to have it say. I am all in favor of having more actual usable open space.

The rooftop garden I agree with my fellow Commissioners that that is a very exciting concept. In those places that I have been in those type of situations we have seen neighbors protected by having a wall or some part of the building rise up so that the roof does not have any exposure or ability to view down to the R-1 or residential neighborhood but rather is directed toward the street. I have seen those used and it seems to work out very well and both people who use the place for commercial purposes and for residential find it useful and desirable. It is a great place to have lunch and various other things. There is a place in Emeryville I think that won a lot of architectural awards that had something like that and it actually was used.

With regard to taller buildings and allowing them I think that the consultant has raised a very good issue for us to address and provided we don’t have a more imposing feel for the adjacent residential neighborhoods I think that it can be seen in some situations to actually help screen traffic noise to those R-1 neighbors. I live in a lot that back onto Middlefield and it gets pretty noisy. I sort of prefer having a two-story house there rather than a one story because as I go to my adjacent neighbors their backyards are a hell of a lot quieter than mine. That is something that I want some of our residential neighbors to acknowledge could be a value that is received. So if we balance that off that would be very helpful. Yet on the other side I agree with the comment that was raised by Joy that zero setbacks require a good size sidewalk. I think we have had some problems with that in some of the Downtown south areas. The idea of some landscaping is very appealing and I think that can be addressed by ARB.

I am very aware of the driveway issues and it is the parking lot issues of having people sit in their cars with radios blaring not only in a driveway but sitting in a parking lot. Having dealt with some in my professional career of some businesses that had that type of issue arise there has to be some way that we screen those residences from the sort of issues that may arise and whether it is requiring some sort of sound wall or something be created that protects the residences I think that is something that we need to explore as we are allowing perhaps a little more height or whatever towards the front of the lot. We may need to compensate for that by saying that we need to protect the neighbors from the noises that do come from parking lots not just the car doors slamming but people sitting in there cars talking, listening to radios or boom boxes or whatever. Those are all my comments.

Vice-Chair Packer: Michael.

Commissioner Griffin: Most of my colleagues have already made the appropriate responses here to Staff’s questions. I would like to say that I continue to have concern about the shared paring approach in neighborhoods that are already impacted by inadequate parking. I am concerned about R-1 areas paying a price as it were as leakage occurs from El Camino Real for example where overflow parking is going to come into the neighborhoods. These TOD districts are specifically under-parked and we are going down that path and it is a concern to me and I think members of the public have likewise expressed similar concerns. If we are going to do it we need to bite the bullet on neighborhood parking permit programs, which are expensive, and a pain in the neck for the PD to enforce but I think it starts to push us in that direction. Just a
caution that the concept of shared parking is a great idea but the implementation has got to be
done with a light touch.

Vice-Chair Packer: Karen.

Commissioner Holman: I would concur with the other Commissioners about the open space
application. There is opportunity there. There is also the concern that has been expressed about
privacy and noise impacts from neighbors so those would need to be addressed but I think those
could be.

Shared parking I do have concerns as Commissioner Griffin had suggested. I have concerns
about that too. There is one means by which that we haven’t addressed because I understand at
least to this point we have determined that we can’t enforce it or require it but the first source
hiring practice that might be one rationale for potentially reducing a parking requirement but I
don’t know about a shared parking requirement. Again, if there is even any shared parking
consideration I think it has to be as Michael said a light touch and it isn’t a blanket that fits
everywhere and I am not sure if it is going to fit anywhere. So I do have serious concerns about
that.

As far as the development standards that Staff is looking at in regards to the CN zone I think the
building types would be an improvement certainly. It raised other issues at the same time. That
is redevelopment. It depends on where we are looking at applying this. It could result in
elimination of a lot of existing neighborhood serving retail and service. So it really depends on
where we are looking to apply this. One of the members of the public also mentioned the
GM(B) zone too that would also be a serious concern. I know that the City’s Economic
Development Planner said that that zoning really needs to be protected because it is the only
place in town we have where these light industrial businesses can locate. Some of these
independent businesses if this development standard is put on the ground too liberally we could
lose as I said some of these independent businesses but also look at the retail dollars we could
lose because potentially we could redevelop motel sites is one thing and again we could
potentially lose some historically significant buildings.

Buffers, again, I think are really, really important to protect the neighborhoods. If we are
looking at El Camino again it is how liberally to apply this. Middlefield Road I don’t know
where on Middlefield Road it could be applied without really encouraging redevelopment and
serious loss of independent and neighborhood serving retail and services.

I believe it was Commissioner Burt who mentioned the balance between commercial and
residential. I would go even one further than that to say that general office versus retail and
service I have great concern about just allowing more general office. We already have such a
serious jobs/housing imbalance and the City is seriously in need of services and retail sales tax
dollars. So my bent would be to encourage the retail and service businesses.

One of the members of the public mentioned also that changing this development standard we
should be careful that we don’t apply it in such a way that we could lose higher density housing
that we have now. I think we are chasing our tails if we do allow that so again that is an
application of the zoning and the development standard. I concur with other Commissioners
who have mentioned the zero setback and necessity for more walkability and street friendliness
to have wider sidewalks and landscaping. It is true from my experience that if you have a
building pushed right up to the sidewalk that if you don’t have a wide enough sidewalk to
accommodate the height of building you really feel like you are being pushed off the sidewalk
into the street, it is pretty uncomfortable.

I think those are my comments except that when the CN comes to us to look at uses and to revise
the uses hopefully we will be able to address some of the concerns that Mr. Thalmann put
forward. I think those are my comments.

Vice-Chair Packer: Okay. Now I get a chance. I agree with most of the comments that my
colleagues have said. I think we all agree that it is a great idea to have a new vehicle for mixed-
use and to replace what we are doing now with a standalone new vehicle for mixed-use in
neighborhoods. As far as shared parking I think we have to wait until we have our discussion
next week and see how the shared parking will play out so we understand it better and what it
would really look like and what kinds of uses it would be applied to because it might not work
for all uses mixed together. That brings me to one point that has been alluded to by my
colleagues but not really fully explored. That is we may want to consider in this standalone
mixed-use zoning vehicle defining clearly what kinds of uses would be appropriate with
residential and what kinds of uses would clearly not be appropriate when we are dealing with
noise and noxious fumes and things like that that have been a problem. That would make mixed-
use more palatable to the public if it is not just anything that can go in a CN zone now but just
certain uses that one is something that residents in general would want, there would be a demand
for so it would work and be an effective use. The other, which I agree with, is that we have some
kind of reasonable relationship between housing and the commercial use. I think the sense is we
want to see more housing and less commercial so that the proportions are spelled out somewhat
in the code. That there be a maximum percent, not an absolute square footage amount, but a
percentage of commercial to residential or commercial square footage as a percent of residential
square footage so that there is a balance that makes sense. That may be area specific also that we
would want to explore. It could be a different percentage in certain areas of town than in other
areas. So those are refinements that we may want to look into. The height, I believe the Staff
recommendation is minimal increases in building height so we are not getting something really
towering on El Camino. I think it is only being considered for El Camino and not for
Middlefield and not for Midtown certainly. I think that covers my comments. Does anybody
want to have any response to other Commissioner’s comments? Karen has one.

Commissioner Holman: I just have one thing to add which is that I would really foster and
support and promote a recognition of when we are looking at applying this other development
standard that the extra benefit that local independent businesses bring to a community in term of
investment and contribution to the community both financially and commitment wise that that
really be considered. I think it often isn’t considered enough because we look at what is
physically on the ground and I think because of the investment in the community that local
independent businesses bring I think it is really important to keep those in mind and not just look
at redevelopment potential. There was another piece to that that seems to escape me at the
moment but maybe it will come back.

Vice-Chair Packer: Lee.
Commissioner Lippert: A couple of comments with regard to building height and proportionality with the road. Maybe Rick wants to respond to some of these comments. Many of the New Urban principles are that the space between buildings and streets really are rooms and looking at them as rooms. The building height really begins to define that room and the shape that that room is beginning to take. One thing that you might want to look at is whether there is park, you have here a 46-foot roadway that defines Middlefield Road but in certain parts of Middlefield Road where it is 46 feet wide it doesn’t allow for parking. What it represents is four lanes of traffic with a turning lane in the middle. Maybe the defining thing here is whether there is parking permitted along the edge of the 46-foot wide road or no parking along there. Because that would create two different kinds of spaces there one of a major thoroughfare and then one of something a little more moving slower with regard to traffic speed. The second thing that I wanted to comment with regard to this is maybe a rule of thumb that we want to look at is the buildings across that street beginning to set context. Let’s say you had only one story buildings on one side of the street maybe it would limit that you can’t go to a 50 foot height or a three story building on the other side of the street even though it may be 105 feet wide because it is not balanced there. That in order for that to happen you would need to have somebody begin to develop some second story buildings on one side and then you could go to a three story on the other side and then perhaps some day that would then become three stories on the other side. So you have some growth happening. I am only suggesting this maybe as a rule of thumb or some guidelines by which to look at context and how this plays out. Do you want to respond to those?

Mr. R. Williams: Regardless of whether we are talking Middlefield or El Camino right now because I think we are focusing on El Camino because of its substantially greater width we have had a number of discussions regarding the overall streetscape. So I think it also plays into the landscape treatment of the street trees. There are a lot of elements within it including the parking and the role of that portion of the street relative to whether it is one of the pedestrian oriented nodes within say a CN zoned area versus a CS zoned area. I think those are different areas and they would be treated differently so that the building relationship to the street would be different. I think it is a building face to building face more than a curb cut to curb cut and I think it begins to address the issue of parking, where there is parking, where there are pedestrians and how then even the sidewalk setback relates to the building height. I think the El Camino Real Design Guidelines also emphasize some building setback to encourage or require an additionally wide sidewalk if the building are brought up to the front as well. So I think it is not any one of those elements that does include the role of the street, whether there is parking, the street elements, whether there is a pedestrian zone versus say a more CS oriented zone in each one of those. So I would like to study and evaluate some existing conditions in some other communities relative to stories on one side of the street versus the other and how those are played out and maybe bring some examples back of how those look and do some evaluations on those. So I think that is an interesting concept, which I haven’t actually thought all the way through, so I would like an opportunity to evaluate that a little bit before we comment on that one any more but it is an interesting idea that I hadn’t thought of actually. The one thing I can be sure of is that any of the regulations wouldn’t be creating a wall through the whole street. These are going to be incremental changes that would occur over a lengthy period of time and so there would be a wide variety of building heights along the El Camino Real for as long as any of us could ever envision. None of the differential would create an instantaneous and dramatic change in character it would be an incremental piece over time.
Commissioner Griffin: I am wondering about that because if I were a property owner and I owned some real estate on El Camino real and I all of a sudden became aware that the City would now permit a four story building to be on the property I would have to start thinking, wow, I can get more bang for my investment here if I put up a new building and I might walk down to the bank and try to get that done. I am also thinking that I wouldn’t be the only one. Other property owners might want to do it and it would actually be an impetus for reinvesting in the streetscape of the El Camino Real corridor for example. It might happen faster than you might think.

Mr. R. Williams: The thing that I have found over time historically and I can try to bring some additional information on this is that every single individual property owner has a different set of circumstances that triggers when they redevelop a property and no two along a mile corridor are probably the same unless one person bought both of them and they are the exact same size at the exact same time. That generally isn’t the case and so one person perceives it as a long-term investment and another person has a short turnover and they are all very different. So you will find a great variation of circumstances in any one block so you don’t get that continuity as much as you might think that height has a difference. Other issues such as parking and other criteria end up controlling it substantially more than height except for on maybe one of the larger parcels which then also has much more flexibility in creating more variation in height so you can deal with those issues more. So I think that there is that.

I want to talk just for one second on commercial because I just want to remind you that there have been previous discussions during the El Camino Real Guidelines about the concern that we didn’t want to do purely housing developments we wanted it to be truly mixed-use and to maintain actually a minimum size of retail on the ground floor of mixed-use development. In the last three years the discussions with this group and others has really been partially an emphasis of wanting to have it being proportionately maybe substantially residential but also we have had a lot of discussions about having a minimum size retail so that it is actually real viable retail space that can be something used by a real viable retail use small business. What you find in mixed-use developments more frequently is they are more generally more locally serving businesses and local business and it is in the more traditional shopping center that you begin to have less local serving businesses. So I think actually in mixed-use it promotes local serving businesses more and the residential is actually doing more of the economic boom. Just the way it works generally is that the rents on the retail spaces aren’t really driving the project and it encourages a local a business more than just a standalone retail development which financially is relying on highest end retail which is typically more of a chain dominated retail use. That is what the economic consultants will tell you. So I think that actually the mixed-use encourages local business on the retail on the ground floor. What we I think need to look at is making sure and we have talked about this previously that the retail space is really viable retail space and it is not a throw away retail just to call it mixed-use just to have the residential. So I think there is a different driving force. The mechanisms are different when you talk office. I wanted to just remind you we have had those conversations in the past and we are aware of those issues.

Commissioner Holman: If I could follow up on that. I hear what you are saying, I don’t disagree with it at the same time there are that is why I was saying being careful about where we apply this there are some businesses that we currently have that are local independent businesses that if we put this development center on their properties we are go to lose those businesses for good because they cannot afford to stay in business while the property is under redevelopment.
So that is what I was talking about not so much about what local independent business we might
attract it is the loss of the ones we have had maybe for generations or for 30 years or 20 years or
whatever. It is the loss of those that I have some concern about.

Vice-Chair Packer: Curtis.

Mr. C. Williams: I just wanted to clarify a couple of the comments that were made and just
make it clear that we are not proposing here to change underlying uses. We will have some
discussion about tweaking some of the uses and that but what we are talking about is in CN zone
right now. The Neighborhood Commercial dominated uses of that zone we anticipate will stay
in that zone. We are not looking to turn it into an office zone or anything else. The mixed-use
we are talking about is the CN type of primarily retail and service uses combined with housing.
That is the predominant mode that I think we are looking at. There also were comments about
not applying this in areas where we have potential for housing because there are parcels along El
Camino that are zoned RM-30 or RM-40. This is not, this is a CN zone it is not an RM-30 or
RM-40 zone. There also were comments about GM(B). This is not proposed for the GM zone it
is proposed for the CN zone. Now I think if the intent is to sort of set us on guard that those
issues if we get to GM(B) or whatever that we need to be aware of that, we understand that and
with GM or CS even with those if there were mixed-used those underlying uses that are there
today are still the uses that we anticipate would be allowed. So we are still restricting the GM to
the GM type uses combined potentially with houses although I think we have had that discussion
and that is probably not likely to happen in the GM zone. CS is probably more likely but it
would still be the CS underlying uses that we are talking about in terms of commercial. So there
is not any intent to change those types of basic commercial uses in these zones. It is just how do
we accommodate primarily the housing mix if we are trying to encourage that. How do we do it
in an effective and attractive design concept?

Vice-Chair Packer: Thank you, Curtis. Do we have any questions?

Commissioner Lippert: I have a question with regard to parking reduction. I know that we are
going to get into this more next week. This is a question for Staff. When we have parking in a
commercial zone and it is on the street who is the parking intended for?

Ms. Grote: When it is on the street it is public parking, it is intended for the general public it is
not attributed to any private user or private site.

Commissioner Lippert: But generally we think of people that are parking on the street they are
going to visit a business or a service or something that is there, correct?

Ms. Grote: Yes.

Commissioner Lippert: So when we look at parking reductions why not take the parking on the
street and factor that into the mix of reduction meaning that we know that if there is a cobbler
shop there as a commercial business that they need to provide parking but somebody might park
on the street in front of the cobbler shop, why couldn’t that be considered part of that parking
reduction?
Ms. Grote: They may be going somewhere else besides the cobbler shop. They may be going to some other business. They may be going to a residence that is nearby. They may be going to a number of places so we wouldn’t want to attribute the required parking for the cobbler to that public space. We would want it to be on its site even if it is a reduced amount we would want it to be on its own site.

Commissioner Lippert: Right. Generally, even if they were say going to the cobbler shop and then going to Starbucks and then maybe to Walgreen’s they would all be within that same proximity and rather than moving their car from in front of the cobbler shop to then in front of Starbucks then to in front of Walgreen’s they are still relatively within that same area and somebody else would be parking in front of Walgreen’s and somebody else would be parking in front of Starbucks and maybe doing the same thing.

Ms. Grote: That is the concept that is in the assessment districts where there are very densely populated areas not only with retail but office and housing and people are combining trips. That is why there is a blended rate in the Downtown Assessment District for that very reason. People will drive once to the Downtown, park probably in a public lot either surface or in one of the two new garages and then do a number of errands, conduct business and stay for an extended period of time. That is also true in California Avenue it is a slightly different parking rate but that same concept applies. Those are the two areas that are really intensely developed enough to accommodate an assessment district and shared parking to that degree. Most places along El Camino, some of the other neighborhood commercial districts aren’t intensely enough developed to do that.

Vice-Chair Packer: Let us save these thoughts because this is one of the issues that we will be discussing next week as to whether or not we should give credit to on street parking. Lee, your question was good but we will be getting into that. As I say when we hash that out we can see how it works with these other uses.

It looks like Commissioners are packing up their stuff so it seems to me that we have said what we have to say in this area and Staff have you gotten from direction from us that you can go forward with? We will get more back on this exciting development. We thank you for all your work on both of these areas. It has been a very stimulating discussion.

Now I need to return to the agenda. Next is Commission Member Questions, Comments and Announcements.

**COMMISSION MEMBER QUESTIONS, COMMENTS, AND/OR ANNOUNCEMENTS.**

Vice-Chair Packer: I am going to say something. Today I had the fortune of going with Steve Emslie to one of the Silicon Valley Manufacturing Group public officials luncheon and heard an economist, Dr. Carl Gruen, speak about the economics of Silicon Valley and housing and how housing prices may start to go down when the supply exceeds the demand. He did mention the River Mark development in San Jose and he said that works very well because what was needed there was high density housing and retail that was serving the residents there and it is really working well because what the planners decided to do was put something that there was a demand for. So where there is a demand for housing and where there is a demand for good retail
it works. So those were some good ideas. They have these luncheons quarterly. You all get announcements and I have found them very stimulating so I encourage you to go.

Then there is the BART land use tour which I am sure you got emails about which is this Friday and I think there is still room for participants. I went on it last time and you take a ride on BART and you see the developments that have been built up. This is going to Fruitvale station, 12th Street station, Downtown Berkeley station and you get to see the development with hydraulic parking and they have a rooftop experience up there. It is not something we would see in Palo Alto but it is a great tour. So I have an extra sheet if anybody is interested. I will just put it on the table I just wanted to announce that.

Are there any other Commissioner comments or announcements? Karen.

Commissioner Holman: I have three questions I think for Staff. One is I think you previously answered about when PC zoning was going to be coming to us. I have another one, which I brought up quite some time ago and I don’t know if anybody even remembers it about an affordable housing overlay. Next week we are going to be looking at the parking requirements for affordable housing and I suggested previously and there was some interest among Staff about looking at separate overlay for affordable housing because it isn’t just parking standards that affordable housing projects usually have to address. I had spoken with Marlene Prendergast about this and she was quite interested in pursuing something like this, as I understood it. That was one thing and I would like to know if Staff would be interested in pursuing that. Then another thing is if we are going to be looking either as a part of the ZOU or as a follow up to the ZOU looking at the BMR requirements. There are some revisions that have been suggested by a number of people. Would that be happening as a part of the ZOU or as follow up?

Ms. Grote: It is actually happening concurrently and it is coming from our Advance Planning section. So we are in the process of looking at that now. We have hired a consultant to take a look at some of the regulations we have in place now and how we can change those and update them. So that will be coming to you probably by the end of this year.

Commissioner Holman: Thank you.

Vice-Chair Packer: I think we are okay with our Commission representation at Council meetings through November. I will have Phyllis deal with representation at committees that you might want to think about and talk to Phyllis about.

Now we have Approval of Minutes.


Vice-Chair Packer: May I have a motion to approve the minutes of July 21st and July 28th?

Commissioner Holman: I cannot participate in item number three of the July 28 minutes.

Vice-Chair Packer: Pat, I think you were absent on July 28th?

Commissioner Burt: Yes.
MOTION

Commissioner Bialson: So moved.

SECOND

Commissioner Griffin: Second.

MOTION PASSED (July 21, 2004, 6-0-0-1, with Chair Cassel absent. July 28, 2004, 4-0-2-1 with Commissioners Holman and Burt abstaining, as they were not at the PTC meeting and Chair Cassel absent.)

Vice-Chair Packer: So we have a motion, Annette moves and Michael seconds. All those in favor? (ayes) So those are approved

Our next meeting will be the Special Meeting of September 1, 2004.

NEXT MEETING: Special Meeting of September 1, 2004.

Vice-Chair Packer: This meeting is now adjourned. Thank you.

ADJOURNED: 10:23 pm