



Planning & Transportation Commission Action Agenda: September 26, 2018

Council Chambers
250 Hamilton Avenue
6:00 PM

Call to Order / Roll Call

6:07pm

Chair Lauing: Ok I'd like to call to order the regular meeting of the Planning and Transportation Commission for September 26, 2018. Acting Director Lait is going to call the roll. You're on. Yes, Commissioner Summa had a last-minute family medical issue so she won't be coming tonight.

Oral Communications

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

Chair Lauing: First item on the agenda is oral communications. I have to go through this stack to see if there are any cards for speakers on issues that are other than agenized items. I see one and this Arthur Keller for oral communications.

Mr. Arthur Keller: Commissioners, the think I'm bringing up here is that – there are two things that I'm going to mention. One is I understand that there's a proposal for a fuel cell – hydrogen fuel cell fueling station at Barron Park Shell in Palo Alto. It's been going on for quite a while and I'm wondering whether people have studied the safety of that fueling station in comparison to the other adjacent uses and if there are any requirements that the City has about what such a

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1 fueling station would have in terms of its safety and desirability of such a use within Palo Alto.
2 We have, as people know, 20 percent of the cars sold in for Palo Alto residents in the last year
3 were electric cars. There's almost no need for fuel cell cars. They're way behind and so I'd like
4 the City to investigate whether this is something that the City wants to encourage.

5
6 The second thing is that people may be aware that there's a certain pizza delivery company that
7 parks its pizza manufacturing – basically they build pizzas – they cook pizzas in a large vehicle
8 that is illegally parked right in front of Pally High School because there's no parking there
9 allowed I think from 3 to 5 or from 4 to 6. And they park there anyway, they park there
10 continuously. I'm not sure if the City gets revenue or if there's actually legal use of a public
11 street for such a use. So, I'd like the City to investigate that and make appropriate findings as to
12 whether that is a legal use or whether we should encourage that in contrast to our brick and
13 mortar pizza places that can pay rent and do pay sales tax to the City of Palo Alto. Thank you.

14

15 Chair Lauing: Ok thank you. That concludes all comments on oral communications.

16 **Agenda Changes, Additions, and Deletions**

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

18

19 Chair Lauing: Are there any changes – additions, changes, or deletions for the agenda?

20 **City Official Reports**

21 1. Assistant Directors Report, Meeting Schedule and Assignments

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1 Chair Lauing: Ok then we'll go to the Acting Director's report.

2

3 Mr. Jonathan Lait, Assistant Director of Planning: Thank you Chair. Just two items to report. One
4 is that on October 1st the City Council will consider changes to the Accessory Dwelling Unit
5 Ordinance which this Commission has reviewed and made recommendations to the City
6 Council. And then the other item is a study session item at 980 Middlefield for a community
7 center that's being proposed. And then Vice Chair Monk, you are identified as the Commission
8 representative for the accessory dwelling unit item that's going on October 1st so we can talk
9 more about that offline. That's all.

10

11 Chair Lauing: Ok thank you. We have a problem with our timer here. We'll just take a minute to
12 see if that's resolvable.

13

14 **Study Session**

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

16

17 There are no study session items for this meeting.

18 **Action Items**

19 Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal.

20 All others: Five (5) minutes per speaker.1,3

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1 2. PUBLIC HEARING. 3703-3709 El Camino Real [18PLN-00136]: Recommendation to the
2 City Council on the Adoption of an Ordinance to Apply the Affordable Housing (AH)
3 Combining District to the Site Located at 3703-3709 El Camino Real. Zoning District:
4 CN. Environmental Assessment: Exempt from the Provisions of the California
5 Environmental Quality Act (CEQA) per Guideline Section 15194.
6

7 Chair Lauing: Ok we'll move to Item Two on the agenda, a hearing on recommendations to City
8 Council on adoption of an ordinance to apply the AH Combining District to site located at 3703
9 and 3709 El Camino. We're going to do a Staff report, followed by any disclosures necessary by
10 Commissioners. Go ahead.

11
12 Mr. Graham Owen: Alright, thank you Chair Lauing, Graham Owen with the Planning Staff. I've
13 been working with the applicants on the rezoning application that's here before you today. This
14 is 3703 through 3709 El Camino Real. It's commonly referred to kind of erroneously as Wilton
15 Court but that's just kind of the name that's stuck so far. But this is the project proposed by
16 Palo Alto Housing to develop the site with a 100 percent affordable project constituting 65 units
17 of affordable – dead restricted affordable units in a 4-story building.

18
19 Go back one, got sticky keys. Ok, so the component of the project that's before you here today
20 is building on a foundation that started about a year ago. The application before you today is a
21 rezoning application which is a recommendation from the PTC to the City Council. The
22 application was looked at by the City Council back in August of last year during a pre-screening
23 application which is required for any larger project that requires Council action. At that pre-

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1 screening application, the Council directed Staff to move forward with an Affordable Housing
2 Combining District Ordinance that would allow for this project as well as other future project to
3 move forward. That Affordable Housing Ordinance was considered by the PTC in February and
4 March of this year and was approved by the Council in April. So, the current application that's
5 before you today is a rezoning, it's being processed concurrently with the application for
6 Architectural Review which is going to be scheduled for the Architectural Review Board hearing
7 that's on October the 4th which is next week.

8

9 So, as I mentioned it's a rezoning application, it would retain the existing CN Zoning District
10 which is on the site currently. Its one of the common Commercial Zoning Districts along the El
11 Camino Real corridor but this would add an additional layer of development standards to the
12 site which we call the Affordable Housing Combining District. And what this ordinance does is it
13 provides more flexible development standards for qualifying projects and when I say qualifying
14 projects I mean site located or projects that are located on sites that are approximate to transit,
15 transit stops and high-quality transit corridors, as well as having underlying commercial zoning.
16 As I mentioned the Architectural Review Board is going to be getting into the technical
17 development standards and looking at the project relative to those standards. The PT's role
18 today – PTC's role today is to deliberate and decide whether the application of this overlay zone
19 to this specific property is in accordance with the Comprehensive Plan.

20

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1 So, this is the site, it is technically two parcels right now but with the application, they'd be
2 merging the parcels. The underlying zoning is CN [note-and] as I mentioned the underlying
3 Comprehensive Plan land use designation is also Neighborhood Commercial. The lot area is just
4 under about half of an acre and it's historically been used as retail, some automotive services,
5 as well as a marine and motor supply shop back in the 70's. Interestingly enough the building
6 on the right was also previously a DMV back in the 50's. So dead center is the location of the
7 site, as you can see its underlying zoning is CN and it's surrounded by a commercial district.
8 Directly across the alleyway, which you can't see terribly well right here but there is an ally way
9 to the northeast of the site that divides the site from the adjacent parcel, and you have a
10 narrow band of RM-30 which is multi-family residential zoning. And then beyond that, an R-2
11 Zone which allows two units per site and then beyond that is R-1 or so single-family residential.
12 So, there's a diverse range of land uses in the area with a gradual transition in density and
13 intensity from El Camino Real to the north as well as to the south into Barron Park.

14

15 So, I'm not going to read all these but they are included in the Staff reports. The Comprehensive
16 Plan does contain a large number of policies that are applicable to the project from a number of
17 perspectives. There's an overwhelming support for the creation of affordable units in having
18 certain policies and programs to incentives affordable projects both in the multi-family zones as
19 well as in the commercial zones. The Comprehensive Plan also does contain both in the land
20 use section as well as the Housing Element other policies about preserving neighborhood

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1 character, having gradual transitions in density and intensity between commercial and multi-
2 family zones to more low density. The Comprehensive Plan also does have policies about
3 preserving ground floor retail. This site having a retail and retail like uses on it is otherwise
4 subject to the Retail Preservation Ordinance but the applicant with their architectural review
5 application is going to be requesting a waiver from the Retail Preservation Ordinance given the
6 provisions of the AH Combining District which was pasted in April.

7
8 Environmental Review, so we assessed the project in accordance with the California
9 Environmental Quality Act and there's a specific affordable housing exemption which applies to
10 the site. So, I just wanted to kind of walk you through that, there's an At Places Memo that's
11 I've provided which is our analysis of the criteria and thresholds of the – that are applicable for
12 this exemption. In summary, there's a number of reasons that the application or excuse me,
13 that the project meets these criteria thresholds. It's – the site's located in urbanized area, it's
14 not in a wetland area where [unintelligible] open space. With regards to hazardous materials, I
15 mentioned that the site did previously have automotive services and a motor service as well or
16 marine motor services as well. And so, we did do Phase 1 and Phase 2 testing on the site and
17 they detected some residual chemicals from those previous uses related to motor oil. The
18 exemption does allow for the mitigation of those contaminations with a Site Management Plan
19 as well the Health and Risk Assessment, so it's basically baking in a mitigation measure into an
20 exemption. We also did a traffic study to study the intersection at Wilton Court or excuse me

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1 Wilton Avenue and El Camino, as well as Barron Avenue and El Camino Real. Given the net
2 difference in the existing retail space going to a residential use, there's actually very, very little
3 in terms of net increase in your total trips. In the pm that's actually a net decrease in the total
4 number of trips that are associated with the site. So, I'll leave it at that, I believe the applicant
5 does have a presentation but Staff is recommending approval of the project of the re-zoning as
6 well as finding that the project is exempted. So, I'll leave it at that, if you have any questions I'm
7 free to – happy to answer.

8
9 Chair Lauing: Thanks, Graham. Ok, we'll just do routine disclosures just as a matter of course so
10 if we could start from my right. Any contact with the public or application or anything relative
11 to this project.

12
13 Commissioner Gardias: No.

14
15 Chair Lauing: No, I had two voicemail exchanges that – we never got through so I didn't have
16 any contact either.

17
18 Commissioner Riggs: I had no contact with anyone [unintelligible].

19

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1 Commissioner Alcheck: I had a telephone conversation with the applicant’s representatives. We
2 did not, in fact, discuss the project, we discussed the AH Overlay Zone and how it’s applied. And
3 I spent more times answering questions but it was a nice conversation.

4

5 Chair Lauing: Ok thank you. Could we have the applicant presentation now?

6

7 Ms. Cheryl Klein: Alright, Chair Lauing and Commissioners, thank you for your time and
8 consideration this evening. My name is Sheryl Klein and I am the Board Chair of Palo Alto
9 Housing. We are in the process of getting a new CEO so I’m stepping in to present the project
10 here tonight. Our new CEO will be starting in November. So, I’m here tonight to represent the
11 Board of Palo Alto Housing, our Staff, and our community of Palo Alto residents. Residents who
12 participate in our local workforce and contribute to the diversity of our community.

13

14 Palo Alto Housing was established by the Palo Alto City Council in 1969. Then-Mayor Arnold
15 appointed a group of founding Directors to initiate the Council’s support of – support in all
16 reasonable and appropriate ways to provide programs for low- and moderate-income housing
17 both within Palo Alto and externally as far as our participation would be appropriate. Since
18 1969 we have built a portfolio of large and small sites in Palo Alto. Our housing is all over town
19 and you likely drive by some of our communities every day. In addition to housing, we offer our
20 residents other services, classes, activities, after school and summer programs.

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2 We are a few months away from finishing our first project in Mountain View, it's called Eagle
3 Park, [and] it has 67 units on a parcel roughly the same size as the one we're discussing tonight.
4 And we just went on a round of 9 percent tax credits – tax credit financing on a project in the
5 unincorporated area of Redwood City and we will break ground in 6-months. Also, the project is
6 about half an acre.

7

8 We are here tonight to request to re-zoning of properties that we own at 3703 through 3709 El
9 Camino Real. We are asking that the two parcels be re-zoned into the Affordable Housing
10 Combining District. Such a zone change will allow us to finish plans to build an apartment
11 building that will have 65 studio and 1-bedroom apartments. The building will be 100 percent
12 affordable housing with all residents earning between 30 and 60 percent of area mean income.
13 While the actual building plans are still in the works, we're hoping that at least 16 of these units
14 will be for adults who are developmentally disabled. Housing Choices, non-profit advocacy
15 groups, estimates that there are 400 adults with developmental disabilities in Palo Alto alone.
16 Wouldn't it be great to build some apartments for them?

17

18 Why do we want to build here on this site? First, we own the land and that's quite an
19 accomplishment in Palo Alto. It's location on El Camino Real proximity to bus transportation
20 and community services made it very attractive. VTA Bus Route 22 stops nearby and runs

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1 approximately every 15-minutes during the peak hours. Route 22 not only travels up and down
2 El Camino but it also links to other bus routes and modes of transportation. The site is within
3 walking distance to California Avenue train station and Barron Park Market is across the street.
4 When we apply for funding through the tax credit program our projects are scored based on
5 how close they are to public transportation and services. Without close proximity, this project is
6 not –without close proximity to those services this project is not as attractive to public funding.
7 So, when we find a site that can meet the criteria of tax credit funding we love it.

8
9 We plan to have a community room on the ground floor of the building and we hope that the
10 Ventura Neighborhood will be able to take advantage of this resource. Benches and landscaping
11 will be placed in front of the building to contribute to the pedestrian experience. Bike loops will
12 be installed outside for bike parking and the building’s height will act as a sound barrier from
13 the noise coming from El Camino to the neighborhood. In addition, we plan to install a curb cut
14 on Wilton for Uber/Lyft pick ups and drop offs. Redevelopment will also remove the current
15 driveway at 3705 El Camino. This driveway is dangerous for pedestrians walking down the
16 street.

17
18 We want to be good future neighbors and the first step in doing so is addressing the concerns
19 of Ventura residents about the impact of this project. We’ve had several meetings with them,
20 both last summer and this summer, and another meeting is planned on October 7th. Becky

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1 Sanders, the neighborhood leader, has been very helpful in sharing their concerns, organizing
2 meetings and we appreciate her open-mindedness and support. Ventura residents are
3 concerned about traffic, parking, and the safety of their neighborhood. Wilton Avenue is
4 narrow and already heavily parked. We do not plan to impact their street parking and will build
5 sufficient parking onsite for our residents. Last summer we updated our site parking study and
6 identified that our projected and true use of parking needs is .5 stall per bedroom. Given the
7 combination of residents we plan to have in the building, we believe that a plan of 41 parking
8 spaces will be sufficient. Bikes will be parked in secure indoor bike parking at a one to one ratio.
9 The traffic study done by Hexagon shows that our project will have a minimal impact on
10 neighborhood traffic. According to their report, a small number of measurable project trips
11 added to the intersection of El Camino Real and Wilton would not have a measurable impact to
12 the intersection operations. Crossing safety on El Camino will be improved after Caltrans installs
13 a new crossing at the corner of Wilton and El Camino. Caltrans will be making these
14 improvements over the next 18 to 24-months.

15

16 During your meetings in February and March when the affordable housing overlay was being
17 discussed, you all expressed strong support for building affordable housing in our community.
18 You understand that affordable housing is necessary to keep our community workforce and
19 seniors from getting forced out of town because they can't afford to rent.

20

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1 I want to tell you a story about my friend Krista who couldn't make it tonight because she had
2 to take her son to basketball practice. Krista is a single mom with two children, 18 and 11. She
3 earns a little more than \$50,000 a year working as a secretary for Palo Alto School District. She
4 grew up in Palo Alto but cannot afford to live here as an adult. With encouragement from her
5 sister she applied for an apartment from us and after spending 3 ½-years on our waiting list, she
6 was lucky enough to get a place on Webster Wood – in Webster Wood. Webster – living in
7 Webster Wood has given her and her children access to our schools and Palo Alto Housing
8 programs. Her daughter graduated last June from Pally and is now a freshman in college. Her
9 middle school son participates in Palo Alto Housing after school and summer programs. Where
10 would she be if she did not have affordable housing? Tonight, you have the opportunity to help
11 65 households like Krista's. Sixty-five households will be fortunate enough to live at the corner
12 of Wilton and El Camino Real. Sixty-five households who won't have to be worried – who won't
13 worry about being priced out of their houses. Sixty-five households who will have the
14 opportunity to thrive because they will have housing to ground them.

15

16 As Mathew Desmond says in his book *Evicted*, we know that without stable shelter everything
17 else falls apart. That's what affordable housing gives to its residents, stable shelter and with
18 that, they can thrive. Thank you for your time, I'm available for your questions.

19

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1 Chair Lauing: Great, thank you. Why don't you stay there for a minute, we'll see if
2 Commissioners have any questions? Commissioner Alcheck, is your light on? Ok. Any questions
3 directly to the applicant at this point? If there are questions directly to the applicant but we can
4 save it after public comment if that's – ok.

5

6 Ms. Klein: Ok, thank you.

7

8 Chair Lauing: Alright, thanks very much.

9

10 Ms. Klein: Thank you.

11

12 Chair Lauing: Thanks to the public for coming out in such force tonight. We love to hear directly
13 from the public. There are a lot of speakers so we'll jump right in on that. The first one is **Katie**
14 **Talbot** to be followed by **Ruth** I believe it's **Peema**.

15

16 Ms. Katie Talbot: Good evening, thank you for considering this project and I'd also like to thank
17 Palo Alto Housing for working so hard on this project. The – it seems to me as a resident that
18 the combination of low-income housing and housing for developmentally and intellectually
19 disabled adults is really a winner for Palo Alto for maintaining the diversity and the vitality of

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1 the community. So, I really hope that you will do what it takes to encourage this project to
2 happen and thank you very much.

3

4 Chair Lauing: Thank you. **Ruth Peema** I think it is, ok, I hope I got that right, followed by Jan
5 Stokley.

6

7 **Ms. Ruth Peema:** Thank you for the opportunity you give me to talk about my short testimony
8 about my life. So, I am new here in the community so I'm excited, I'm happy living with my little
9 ones in the school – school – the elementary school. Before living here my life was chaos
10 because I did – I don't – I am a single mother and then when I apply for Palo Alto Housing
11 Corporation and my application -- I got lucky because I was in the waiting list by – around 6-
12 years waiting for an opportunity to live in here in Palo Alto because my job is in Palo Alto. So, I
13 had to commute from San Jose to Palo Alto around 10-years, that was a stressful commute in
14 the freeway, chaos for me and for my little one because when I was arriving from my job at
15 4:30 the traffic was terrible for me. And then I see my child – I leave from San Jose in the
16 morning to start at 8 o'clock, 6:30 in the morning or 6 o'clock in the morning. My child was with
17 my mother at that time but my mother after that died so I was in big trouble and say oh, who
18 will take care of my child? I need money, I need my child because it's difficult for a single
19 mother to get education for your child and then – I need support. And then after that, I got the
20 opportunity to live here because my number in the waiting list – exactly when I have

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1 [unintelligible] in that travel I see the hope. And then they called me and they say hey, you are
2 next in the waiting list. Just in the moment I have my travel and I said oh lord, thank you so
3 much and then I bring all my papers and they opened the doors for me. And then now, I'm
4 happy to stay here, I'm living with my child here because I am 5- minutes from my job to my
5 home. My son is only 4-blocks from Oak Court to Addison and then he's happy to live here and
6 he's growing up and then you helped me a lot. Palo Alto Housing Corporation making many
7 things for the older people, for the seniors, for the disability people and then I see – I thought
8 oh, we need more buildings because I have to work – they have the same travel commuting
9 from San Jose, from -- oops, ok.

10

11 Chair Lauing: Thank you. I should have said at that start every time but this is limited to 3-
12 minutes each. Jan Stokley followed by Bonnie Packer.

13

14 Ms. Jan Stokley: I'm Jan Stokley, Executor Director of Housing Choices, we are a non-profit that
15 advocates for quality affordable housing for people with developmental disabilities. We're
16 really excited about this project because 25 percent of the affordable units would be targeted
17 to Palo Alto residents with developmental disabilities. I have some data on the housing need of
18 your community's residents with developmental disabilities and I'll provide it. Briefly, there are
19 165 adults in Palo Alto living with aging parents. That number has doubled in the past 10-years
20 so it's likely to double again in the next 10-years. There are only 40 affordable housing spaces in

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1 Palo Alto for that community. Most of them are Page Mill Court, an older property that was
2 developed about 20-years ago. So, there's a really significant unmet housing need for people
3 with developmental disabilities that this project would address.

4
5 We have a successful track record of supporting people with developmental disabilities to apply
6 for and then maintain their housing. Cities across Santa Clara County have approved projects
7 that are set aside for developmental disabilities and I have a hand out that shows you some of
8 our existing projects. I'll just say you'd be joining Cities across the county in making this move to
9 provide housing for this particular part of your community.

10
11 On September 11th the City of Santa Clara approved an inclusive workforce housing project
12 adjacent to a single-family neighborhood where 25 percent of the units were targeted to
13 extremely low-income people with developmental disabilities. On September 18th and 19th, the
14 City of Cupertino approved 40 extremely low-income units for people with developmental
15 disabilities as part of a 29 hundred Valco redevelopment proposal. On October 30th the City of
16 Sunnyvale will consider a similar project so it's happening across the county, it's very much
17 needed and we are very appreciative of Palo Alto Housing efforts to be inclusive of people with
18 developmental disabilities at Wilton Court. Thank you.

19
20 Chair Lauing: Thank you. Bonnie Packer is next up followed by [Pay Lu](#).

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Ms. Bonnie Packer: Good evening Commissioners, my name is Bonnie Packer and I'm here representing the League of Women Voters of Palo Alto. The League applauds the City's adoptions of the Affordable Housing Combining District which will encourage the development of subsidized low to moderate income housing along high-quality transit corridors. We encourage you to recommend the re-zoning of this CN site at Wilton and El Camino to CNAH. That is applying the Affordable Housing Combining District to allow the development of a much-needed affordable housing project.

This 100 percent affordable housing project that would benefit from this re-zone is an excellent one. The site is on a high-quality transit corridor and the project meets all the other requirements of the Affordable Housing Combining District. More importantly, the project will provide 65 small, low-income units, about 25 percent of these for developmentally disabled adults, and the rest for low-income persons. This site is not directly adjacent to single-family homes and is near many services for the residents.

Since the proposal before you is unequivocally in accordance with the Zoning Ordinance and with the Comprehensive Plan we urge you to recommend approval of this re-zone tonight. It is the right thing for you to do. Thank you.

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1 Chair Lauing: Thank you. Pay Lu and then Christopher Moore.

2

3 Mr. Christopher Moore: Thank you. Why I am here, I work for Housing Choices under Jan
4 Stokley. She helped me to apply for [unintelligible]. I was ready to go on my own with other
5 people with disabilities. Sometimes they need Section A housing and there are a big waiting list
6 for Section A vouchers. Once you get a voucher you might be on another list to get housing.
7 This means that we should build more housing and my goals is to convince the government to
8 build more housing. Thank you.

9

10 Chair Lauing: Thank you very much, now Pay Lu.

11

12 Ms. Pay Lu: Good evening Commissioner, my name is Pay Lu, [and] I'm a resident on Wilton
13 Avenue. Ok, as -- well let's say 65 unit, the Wilton Court project, 25 of them is developmental
14 disability people so its about 16 units. Let's say -- I want to say two points, first of all, the
15 developmental disability people they still need people to visit; their loved ones, their friends to
16 visit them. And they also need a caregiver and agency officials or visitors so they need a parking
17 space. For the rest of the units, let's say about maybe 40 some units, those are studios. Studios,
18 by the -- you provided a .5 ratio, that means only one unit -- only maybe two unit will share one
19 car but those low-income people they frequently -- they need more parking spaces because
20 they -- may be one job cannot afford where their -- what they need. They need multiple jobs,

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1 they at least need one car at one unit but I see the parking is not provided adequately for this
2 neighborhood. So, the additional parking will be absorbed by the residents of the Wilton Court.
3 These will provide lots of burdens on us because it's already a crowded neighborhood and the
4 street.

5
6 Let me say, ok, as a resident we support bringing the new neighbors but we can't take on
7 additional parking on our street due to inadequate parking on the site and already crowded
8 conditions on our street. We support that either reduce the number of the units or increasing
9 the number of the unit for adults with developmental disabilities and people who don't drive.
10 We need deed restrictions and enforcement to keep parking impact to a minimum. We also
11 want a bollard or other traffic mitigation measures to keep additional traffic from cutting
12 through Ventura. This is a huge problem and all of the developers and aide the project on the
13 pipeline for Ventura, including Wilton Court, will just [unintelligible] all of these cutting through
14 traffic. We hope to work together to make this project work but we do need you to – the City to
15 help improve the livability and [unintelligible] and the safe of Ventura.

16

17 Chair Lauing: Thank you. **Pete Maresca.**

18

19 [note -female:] [unintelligible – speaking from the audience]

20

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1 Chair Lauing: Ok.

2

3 Mr. Pete Maresca: Here.

4

5 Chair Lauing: Sorry if I didn't get it quite right.

6

7 Mr. Maresca: That's ok. People do a little different version all the time, I don't get offended
8 easily that is. Good evening Commissioners, my name is Pete Maresca, I'm 26-years old, I was
9 born and raised here in Palo Alto and I have autism. I'm speaking for myself and 100s of other
10 in Palo Alto who are developmentally disabled. We are part of the community and we need
11 affordable housing close to VTA transit. I've been so lucky because I was blessed to get in
12 extremely low-income studio in Mountain View. And my parents who have been supporting me
13 for about a couple years but many are not so lucky, unfortunately. The people I speak for live
14 on extremely low incomes, even those like me that have part-time jobs in local businesses. All
15 our parents do as much as they can to house use right now and to provide for the future. But
16 even my parents won't be able to do that forever and many young adults' parents can't afford
17 to help them now. Having my own place has a big step for me and is allowing me with the
18 support of my community from the San Andreas Regional Center Abilities United who I am the
19 ambassador for, and Housing Choices who I'm here with Jan Stokley, to work towards
20 independent living now and for the future when my parents won't be around. We need a lot

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1 more affordable housing, especially for low-income people in Palo Alto. So, I am asking you to
2 vote yes, like the sticker on my chest for housing for the extremely low income developmentally
3 disabled and last but not least please vote yes to Wilton Court. Thank you so much.

4

5 Chair Lauing: Thank you so much. Next up is Linnea Wickstrom followed by Arthur Keller.

6

7 Ms. Linnea Wickstrom: In case you hadn't guessed, Pete is my son. I'm Liana Wickstrom, a 50-
8 year old resident of Palo Alto and one of the [unintelligible] aging parents. I'm here to ask that
9 you recommend the application of the AH zoning overlay to Palo Alto's Wilton Parcel. You
10 already know the facts about the conformance of PAH's proposal to the Affordable Housing
11 Ordinance, the stated direction of the City, and the parking and traffic studies. I'm going to
12 belabor one point. I see that parking at developmentally disabled complex built for
13 developmentally disabled several times a week at all different times of day, .3 is more than
14 sufficient parking.

15

16 As I've said here at the City Council on more than on occasion the need for ELI housing for the
17 developmentally and intellectually disabled is acute and growing. Palo Alto parents and their
18 children need housing starts now to start to meet that need. My son was lucky to get a studio in
19 Mountain View and I hope to build in flexibility for myself and for him in the future by building
20 an ADU but most parents of children like my son do not have that good fortune. EIL units are

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1 few and far between and many parents do not have the financial resources to provide
2 alternatives. It's also especially important for parents to find housing in their children's own
3 communities where they have the familiarity to shop and work and the access to support
4 services required to achieve a level of independent living. And that transition time for the
5 disabled can take a long time.

6
7 Palo Alto in the past was an inclusive community with many forms of affordable housing. Let's
8 each do what we can to build toward that again. Let's start more housing for all those we
9 depend on and for those who depend on us. I look forward to your yes vote to apply the AH
10 Zoning Ordinance to Wilton Court. Thank you.

11

12 Chair Lauing: Thank you. **Arthur Keller** followed by **Terry Holzmer**.

13

14 **Mr. Arthur Keller**: Commissioners, so a couple things I heard about this from prior speakers.
15 First of all, I haven't heard anybody speak against this project. The only question is the impact
16 of this project on the surrounding neighborhood. I heard the representative from Palo Alto
17 Housing Corp say that they have no intention to impact parking on Wilton but it's not clear that
18 they have taken specific actions to preclude that impact. I also heard that there are 400 adults
19 with developmental and intellectual disabilities in Palo Alto and yet, this project is only
20 providing a small percent, namely about a quarter of its units are for developmentally disabled.

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1 And it seems to me that we have an opportunity for a win, win, win. We have an opportunity to
2 increase the ratio of the developmentally disabled and intellectually disabled who can live at
3 this property. They have – I think it's universally agreed that they have less need for parking.
4 There's a certain amount of parking that's provided on the site, it's not going to change, we're
5 not going to build a parking puzzle structure or such like that because we know that from the
6 experience of Mayfield Place that they don't work, people don't park at them. Instead on
7 Mayfield Place, people are parking actually at the Mayfield playing fields parking lot instead. Go
8 check it out, you'll find out. So, I think that what we need to do is think about how to structure
9 this in such a way that it fits in with the neighborhood and does not impact the issues of
10 parking. So, I support the request to the neighborhood to increase the ratio of developmentally
11 disabled and intellectual disabled living at this property. I support the proposals from the
12 neighborhood to address cut through traffic and address related issued that they are being
13 really clear and corporative with the Palo Alto Housing Corp in terms of building. So, I think that
14 we can do that and finally one of the buildings on this site use to house in 1993 house a thing
15 called Future Family See Book Store and that was the first site at which we had internet
16 shopping cart for a business anywhere in the world. And I think it would be nice to – for Palo
17 Alto Housing Corp to acknowledge that history of – for the internet commerce – the electronic
18 commerce as part of this project. And I think that we can create through a collaboration and
19 that means Palo Alto Housing Corp listening to the neighborhood and the neighborhood

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1 community from Ventura collaborating. That's what we can do and I support that entirely and I
2 support this project once that is done, thank you.

3

4 Chair Lauing: Thank you. **Terry Holzmer** followed by **Ken Joy**.

5

6 Mr. Terry Holzmer: Thank you, Commissioners, very much for the opportunity to come and
7 speak to you tonight. I'm here representing not only myself tonight but as a member of the
8 Palo Alans for Sensible Zoning which supports wholeheartedly below market rate housing. And
9 it also supports Palo Alto residents who care about their neighborhood and their quality of life
10 in their neighborhood. We especially support below market rate housing because we believe it
11 is the most critical need in our City. Teachers, restaurant workers, landscapers, and especially
12 adults with development disabilities desperately need this housing and Wilton Court would be a
13 great location. But why can't Wilton Court, for example, be a 100 percent below market rate
14 housing? I asked that question of all of you and I hope you'll push for it in future projects except
15 not this one. However, beyond adding the housing which is important this project should not
16 burden the Ventura residents or neighborhood with overflow parking and traffic. Wilton Court
17 needs to be fully parked for its own residents so already clogged neighborhood streets don't
18 become an impossible problem. Increasing the number of units for residents who don't drive is
19 one alternative to consider. We encourage the idea of also adding other traffic and street
20 mitigations that would help not only the residents but particularly the neighborhood. Keep

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1 vehicles from cutting through the Ventura neighborhood is already a problem if you don't know
2 it. I travel through there myself every day which is one of the things that is occurring even now.
3 I sincerely hope that you'll consider these measures and thoughts as both of them are
4 important and necessary; the BMR housing while at the same time minimizing the impacts on
5 the surrounding neighborhood. Thank you very much.

6

7 Chair Lauing: Thank you. Ken Joy followed by Todd Lewis.

8

9 Mr. Ken Joy: Good evening, I live 3-blocks away from this parcel in the Ventura neighborhood
10 and I'm here tonight to ask you to approve the overlay. I know that fellow neighbors of mine
11 who live on Wilton are concerned about the impacts of the parking. I'm confident that Palo Alto
12 Housing will work with us to make sure that that's not a huge problem. Thank you for your
13 attention to this.

14

15 Chair Lauing: Thank you. Todd Lewis and then L. David Barron.

16

17 Mr. Todd Lewis: Good evening, thank you very much. I own two 4-plexes across the street from
18 this project next to the Hong Kong Restaurant. I hope you've all been over in that neighborhood
19 and the property owner who owns the other two 4-plexes right next door to the proposed
20 project called me and asked me to make a couple comments on his behalf. We have similar

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1 concerns. We have 16-units there between us and about 14 or 15 of those are two working
2 people in each apartment. We provide parking on site for one car, everybody else has to find
3 parking. The other single-family homes all the way down Wilton from El Camino Real all the way
4 Park Boulevard also have lots of parking issues, usually parking one car in their driveway and
5 another car on the street. It creates a lot – and then they have some kids at home after
6 graduating from college, I know a little bit about that, and it just adds to a tremendous parking
7 problem. Now on top of that is the Hong Kong Restaurant, a very successful Chinese restaurant.
8 Every day at lunch and every night at dinner, very busy and their employees need to park and
9 there is no parking nearby. We have a huge parking issue in that neighborhood.

10

11 Now first thing I want to say and I want to say on behalf of John Mod [note-spelling], the other
12 property owner across the street, we support the idea of affordable housing, we support
13 housing for the developmentally disabled, but we have two big problems with this project. One
14 you're proposing – the Housing Corporation is proposing 41 spaces for 65 units. The reality is
15 that most people will own cars and many people will have visitors for a variety of reasons.
16 Parents coming to visit their developmentally disabled children, caregivers, visitors to the other
17 residents as well. Forty-one spaces is way under parked for that size property. A bigger problem
18 for us at – next to this project is I hope you all can imagine what a 48-foot structure looks like
19 on El Camino. There is nothing on El Camino from Arastradero Road all the way to the edge of
20 Page Mill anywhere that has 4-stories and 48-feet. It's a huge, huge project in terms of height

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1 and density on less than a half an acre of a lot. It's a 20,000-foot lot, it's a 41,000-foot building,
2 it's a very, very big structure and it's right next to these apartment dwellers. And it's going to
3 take their light away, it's going to take their views, it's going to be very imposing for everybody
4 in that area and a lot of impact on that local community right there. I propose, and I know other
5 people in the Wilton area propose, lower that count. Keep the developmentally disabled units
6 at 16, that's great, lower the affordable housing component from 65 down to maybe 41 or 42
7 and take it down from 4-stories to 3-stories. Make it blend in with the El Camino community
8 and make it less impactful on the community around Wilton Avenue. Thank you.

9

10 Chair Lauing: Ok thank you. L. David Baron followed by Kelsey Banes.

11

12 Mr. L. David Barron: Good evening Commission, I'm David Barron, I'm a Palo Alto resident. I just
13 want to urge you to support the zoning overlay. Palo Alto and the entire Bay Area needs more
14 dense housing throughout the Bay Area of all types. And this is one place – it's one project, we
15 need many more but I urge you to support this one. Thank you.

16

17 Chair Lauing: Thank you. Kelsey Bane – is it Banes?

18

19 Ms. Kelsey Banes: Banes, yes. Hi, my name is Kelsey Banes, I am a psychologist at the Palo Alto
20 VA, and I'm here tonight as a resident of Palo Alto and not in my official VA capacity. So, I want

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1 to start by saying that homelessness is a solvable problem and the solution to homelessness is
2 housing. I strongly support rezoning this property and given its proximity to transit I wish this
3 property could have been more ambitious and had even more units. And I would advise the
4 Commission that there are other ways to regulate parking other than limiting housing. Most
5 people in this room probably depend on a car and a car is a big part of your life but I work with
6 low-income people and very low-income people and for them, a car is a luxury; a home should
7 not be a luxury. So, I think when we have these opportunities to build 100 percent affordable
8 housing we should take advantage of them and build housing units that maybe don't have a
9 parking spot and think about other ways to regulate parking like paid parking or I know
10 downtown we have a residential permit system that seems to be working well. But if parking
11 becomes a problem then we can deal with that problem but right now we have a housing
12 problem and I would like to deal with the housing problem by building more housing units.

13

14 And then I can just speak about myself personally because there have been several points
15 made about all of these units should be BMR or we need to lower the income threshold. And I'll
16 just say that I am a psychologist, I'm a federal employee, I'm paid as a GS-13 and my older
17 colleagues who were paid at the same pay scale were able to buy homes here and raise their
18 families in Palo Alto. And I am not even able to afford my own 1-bedroom apartment so I would
19 just encourage you to think about increasing the number of units overall is a good thing. So, we
20 want to build more units and be creative about the ways that we do that in order to get people

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1 into housing. Because there are a lot of people who are really suffering and struggling and a
2 solution to the housing crisis exist and it involves eliminating housing scarcity and creating
3 abundant housing for all people. Thank you.

4

5 Chair Lauing: Thank you. That's the last speaker card that I have for this agenda item. Just
6 double checking with (interrupted)

7

8 Mr. Bob Moss: (speaking from the audience) I turned a card in, [unintelligible]?

9

10 Chair Lauing: Let's see if it got mixed with Number Three.

11

12 Vice-Chair Monk: Does he want to come on up? Do you want him to come up?

13

14 Chair Lauing: Just come up and identify yourself and we'll fill in with the card.

15

16 Mr. Moss: I'll give you card at (interrupted)

17

18 Chair Lauing: Yeah, that's great.

19

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1 **Mr. Moss:** Strange, I don't know how it got lost. I'm one of the people that created the CN Zone
2 and the El Camino Design Guidelines. And this proposal violates both of them so I urge you to
3 reject them as currently proposed. Let me give you some reasons, the CN Zone is intended to
4 create and maintain neighborhood shopping areas primarily accommodating retail sales. The
5 CN District does not permit residential-only development. That was our intent, we do – did not
6 want high density. The CN Zone only allows a height of 35-feet within 150-feet of residential
7 which identifies this site. So, this proposal violates the Comprehensive Plan, Zoning Ordinance,
8 and the intent of both the CN Zone and the El Camino Design Guidelines. A quote from the
9 Comprehensive Plan policy that it violates, for example, Policy L-3.1, ensure new or remodeled
10 structures are compatible with the neighborhood adjacent structures. This would be much
11 larger, taller than anything within blocks, it is not compatible. Preserve ground floor retail and
12 limit the displacement of existing retail from neighborhood centers and explore possibilities to
13 expand retail. This eliminates the existing retail. Identify and implement strategies to increase
14 housing density and diversity including mixed-use and a range of uses. Mixed-use, not pure
15 residential which this project is. Allow increased residential densities a mixed-use development
16 only where adequate services and amenities are – and including roadway capacity are available.
17 El Camino is congested now and it's getting worse. This project should be scaled down, meet
18 the – oh the FAR is over 2 which a maximum density normally allowed to be .5. It should be
19 scaled down to a height no more than 35-feet and a FAR of no more than .5 and then you can
20 give some bonuses because it's all BMR units which get the FAR up to .7 or .8 which would still

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1 be acceptable. But this project is completely incompatible with everything along El Camino on
2 both sides for blocks if not miles. It violates the Zoning Ordinance, it violates the
3 Comprehensive Plan policies, it violates the intent of the El Camino Design Guidelines, and the
4 CN Zone. It is inappropriate and should not be approved.

5

6 Chair Lauing: Ok, thank you very much. Did you have a speaker card?

7

8 [note- male:] [unintelligible -speaking from the audience]

9

10 Chair Lauing: Ok just fill out a card.

11

12 Mr. Yunshow Wong: Good evening [unintelligible], I'm Yunshow Wong from – I live in Palo Alto
13 Wilton Avenue so I own the property. I see we have some (interrupted)

14

15 Chair Lauing: Stand close to the mic, please.

16

17 Mr. Wong: Oh ok, I have a little bit concern about this project, I think two issues. One is in such
18 a spot and we – that kind of 65-unit I – it probably brings up more intensity for this
19 neighborhood. Second, I think that it is the parking space, right now even the parking in that
20 area is very intensive [unintelligible] as people have pointed out. There's one restaurant is very

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1 successful. It's really – during daytimes its really all occupied of the street but now you've –
2 we've provided this kind of high intense unit probably the parking becomes a big issue. So
3 that's the reason I suggest reconsider this stuff and think about how to reduce the unit or even
4 to increase the parking space then to improve this kind of stuff. Ok, thank you.

5

6 Chair Lauing: Ok thank you. So that concludes the public comment, that part of the hearing is
7 closed and we'll now move to Commissioner comments which can include asking questions of
8 the applicant so, Commissioner Gardias.

9

10 Chair Lauing: Rebuttal – I mean we typically give – I don't know if the applicant has an interest
11 in rebuttal but we typically allow a 3-minute rebuttal I believe.

12

13 Chair Lauing: If you'd like to speak for 3-minutes now based on comments that you've heard
14 you can speak, otherwise you address questions from the Commission. It's up to you.

15

16 Ms. Klein: No, I don't have any comments to say.

17

18 Chair Lauing: Ok, great. Commissioner Gardias, you're on.

19

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1 Commissioner Gardias: So, thank you very much for presenting to us, thank you very much for
2 the Palo Alto residents and to everybody else who attends this meeting. We welcome you here
3 and thank you very much for your comments. So, I have a couple of questions, I will start with
4 the big one because that was a subject of our conversations when we first looked at this
5 project. Our understanding was that this project would be aiming at 80 percent of adjusted
6 medium income but from this -- what you're saying and this is what I read on some emails, it is
7 going to be between 30 and 60 percent of AMI and I think this change totally my understanding
8 and perception about this project. So, I mean first of all, I just want to tell you that it pleases me
9 very much because I think about this as a great achievement and I hope that it will become a
10 model for further development. I would be also interested to see the financial numbers so if
11 time allows when the dust settles maybe you can submit to this Commission and to the Staff
12 the calculations how you arrived with such -- with -- how you were able to building in such a
13 desirable area a high-cost structure that's going to house that many people with the low
14 income and how you were financing this. So, I would be very interested myself and I hope that
15 my colleagues would be interested in this as well. And so also from the perspective of the
16 competitive market, I think that just setting aside all the different emotions about parking,
17 about against or for this project, I think that from the perspective of just pure competition it's a
18 great achievement. So, congratulations, however, you did this I'd be very interested just to
19 learn from it so that's number one.

20

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1 Number two I'd like to understand more about parking. You heard comments about the – of
2 the concerned neighbors of your project and I'd like to understand what is the agreement with
3 the Ventura residents? And I know that Becky Sanders, the name you mentioned, of -- was
4 actively involved. She represents many Ventura inhabitants so I'd like to understand what was –
5 she could not attend this meeting as I can see tonight. So, I'd like to understand was there any
6 agreement, was there any handshake in terms of the parking mitigation, in terms of what will
7 you do in the future if your project will truly impact residents and neighbors as some expressed
8 their concerns of.

9

10 Ms. Klein: So, there is no formal agreement at all. We are still in conversations with them about
11 parking and traffic and safety so there's nothing, no agreement.

12

13 Commissioner Gardias: So – and just going back to the first item, so I understand that this is a
14 margin of 30 to 60 – this was up [unintelligible] from the higher strata of our society. So, is
15 there – this 30 to 60 percent of AMI is written somewhere as part of the commitment or of the
16 policy – or the policy of this building, is this right? I just want to make sure that (interrupted)

17

18 Ms. Klein: That's what – we're – you know we're still in the process of planning it all but that's
19 what the population that we're targeting and that's what we see in our financials. So, I don't
20 know if I understand your question.

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Commissioner Gardias: Yeah so, my question was that I was – just I was hoping that my surprise – positive surprise is going to last forever, that’s where my hope goes and then pretty much it’s not going to be just a temporary promise that will be set aside. That pretty much you will stick with this promise and pretty much it will be truly a policy for, I don’t know, at least the life cycle of this building.

Ms. Klein: Yes, so in our deed for the property it’s going to say it targets certain – you know this population that earns between 30 and 60 percent AMI and then the building is subject to regulatory oversight to make sure that all of our residents fall within those guidelines. And all of our properties have to fall within those guidelines and every year our residents have to be recertified to make sure that they are in the income guidelines that are specified in the underlying agreement for the properties.

Commissioner Gardias: Very good, I think that this answers my question perfectly because there’s a legal (interrupted)

Ms. Klein: Yeah there’s a (interrupted)

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1 Commissioner Gardias: ... rate thank you very much. If you want to just say something else just
2 – no? Ok because I have another question I have to Director Lait if I may, so thank you very
3 much for responding. Is it ok if I (interrupted)

4
5 Chair Lauing: Continue.

6
7 Commissioner Gardias: So, we had this discussion – thank you, ma'am.

8
9 Ms. Klein: Can I sit down?

10
11 Commissioner Gardias: Yes, please.

12
13 Ms. Klein: Ok, thank you.

14
15 Commissioner Gardias: Thank you. So, we had this conversation about the distance and – from
16 the adjacent properties and we had this discussion. I don't recall that we have ever had a
17 conclusion. I – on the second meeting and then I remember that your response was that there
18 is an error type or typo in the code because you were suspecting that the distance must be
19 shorter than it's in this very specified paragraph of the code. However, the distance from a
20 residential neighborhood and the height is – appears in five different places of the code. So, if

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1 you go through all those places then you will see there is a consistency and indeed in one of
2 those places there was a typo. And I think that this typo was part of our discussion but it
3 shouldn't be because if you go through the entire code you understand that the language is
4 very clear. So, I just want to bring up that point that was brought up I think by Arthur Keller or
5 somebody else about the distance from the – and the height of the mass – the building mass
6 from the adjacent neighborhood. Is it compliant with the code or it's not compliant with the
7 code?

8
9 Mr. Owen: I can take that, so to your question about the confusion in the discussion when we
10 were drafting the ordinance, the current CN Zoning District has a transitional height limit. So,
11 you have a 35-foot height restriction when you are within 150-feet of a low density or multi-
12 family density zone district boundary. And so, with the AH Combining District, we changed it
13 from the district boundary to the property line of a zoned property. So, in effect what that does
14 is in this instance, for example, is it says the transition height standard applies from 150-feet
15 from the adjacent property rather than the zone boundary. The zone boundary runs right down
16 the middle for example of the alleyway, so it pushes it back about 15-feet. But it's still a
17 transitional height standard it's just less restrictive over the course of the entire site because
18 under the existing CN Zoning District Standards virtually all of the site would under that 35-foot
19 transitional height standard as it currently stands.

20

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1 Commissioner Gardias: Yes, I don't think that this was the entire property, right? This was part
2 of the property right so I don't recall this when we changed this, so if you could just either
3 prove me wrong because I don't remember that this was concluded. So, if you could just
4 (interrupted)

5
6 Mr. Lait: Yeah City Council adopted the standard that Graham is referring too and that's
7 included in the ordinance that the Commission has. The Affordable Housing Overlay has its own
8 set of development standards including the different standard for transitional height and in the
9 course of reviewing this project will be ensuring compliance with that standard.

10

11 Commissioner Gardias: With the standard of 50-feet or 150-feet?

12

13 Mr. Lait: With the Affordable Housing Overlay standard, right.

14

15 Commissioner Gardias: Ok thank you very much. Thanks.

16

17 Chair Lauing: Ok other comments? Commissioner Waldfogel.

18

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1 Commissioner Waldfogel: Looks like we're going in order. Thanks, everybody for the
2 presentations and the public comments. I got a couple questions for Palo Alto Housing and a
3 couple questions for Staff. I'm sorry to ask you to get up again.

4

5 Ms. Klein: It's ok.

6

7 Commissioner Waldfogel: Back into the – back to the hot seat except there's no seat. I just want
8 to follow on a question that my colleague asked about working with Ventura neighbors. Could
9 you say something about the process that you've undertaken in working with Ventura? I mean
10 could you give me an example of any changes you've made in the project as a result of
11 discussions with them or things you might discuss or compromise over.

12

13 Ms. Klein: Well to be totally honest with you the – I was not part of the meetings that took
14 place last summer when they were talking about in the initial phases of the design and the
15 concept of the project. We had a meeting in July so where the neighbors – where we talked
16 again about the issues and we're going to be meeting again in October. Hopefully on October
17 7th to talk more about the issues and to try and – I was not part of the June 25th meeting and
18 this will be the first meeting that I'm apart of. So, I really can't speak to what the process was
19 before.

20

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1 Commissioner Waldfogel: Yeah so what is the process going forward? I mean is there an
2 attempt to negotiate with them or are there things you might compromise over? I mean I'm
3 just trying to understand what your intent it.

4
5 Ms. Klein: Sure, sure, there's things that we can definitely compromise over. So, we might be
6 able to add some extra parking spaces if we need too, so we're looking at that. And you know
7 things that – putting bollards on the street to prevent the cut through, we have no control over
8 that. I mean that's a City street, you would have control over that.

9
10 Commissioner Waldfogel: I'll ask Staff about that.

11
12 Ms. Klein: Yeah you can ask Staff about that but certainly if they want to try and have parking
13 permits on the street to try and cut down on some of the street parking. I know that I also live
14 in Palo Alto and my own street we had a lot of parking issues, neighbors from other areas
15 where parking on our street so we had to organize ourselves and sign a petition. And then go
16 and submit it to the City. And now we have parking permits and that's really cut down the
17 problem. So, we'd be happy to work with them in that kind of an issue.

18
19 Commissioner Waldfogel: Yeah well, I think what I – I'm not so much looking for specifics as
20 just an intent that your intent is to work with them because that's really all that we can ask for.

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Ms. Klein: Our intent is for sure to work with them, for sure to work with them.

Commissioner Waldfogel: Ok that's really important. Second question, since – I mean I understand that we have the – this is completely BMR project which is fantastic but (interrupted)

Ms. Klein: You know it's not a – BMR is (interrupted)

Commissioner Waldfogel: Well 30 to 60 percent.

Ms. Klein: Right it's affordable housing.

Commissioner Waldfogel: Ok it's affordable... so what do you mean by affordable housing?

Ms. Klein: Its different than below market rate, so a below market rate is usually in a market rate building and there are a few apartments that are set aside where the rents are at a reduced rate and this is all rents are at a reduced rate.

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1 Commissioner Waldfogel: Right, right, no I – right but the question I wanted to ask you is that
2 there’s also this intent – we’ve had a lot of discussion about the developmentally disabled
3 community (interrupted)

4
5 Ms. Klein: Yes.

6
7 Commissioner Waldfogel: And about the intent to create units for the developmental dis – I’m
8 having trouble pronouncing this.

9
10 Ms. Klein: Yeah, it’s a tongue twister.

11
12 Commissioner Waldfogel: And the question is that a formal deed restriction or is this just an
13 intent – I mean again since we’re bringing this up tonight I want to know what the intent is.

14
15 Ms. Klein: I would probably – I would think that there would be some sort of development
16 agreement between the City and Palo Alto Housing that those units would be set aside for
17 adults who – and there would be a restriction for who those units could be rented too.

18
19 Commissioner Waldfogel: Ok but the point is that’s something that will be captured
20 somewhere and written down.

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Ms. Klein: Right.

Commissioner Waldfogel: Yeah ok that's just not something that we've seen in our material. Ok, that's great, thank you, those clarifications are important. We also heard some concerns – so relative to that group of the developmentally disabled units, we heard some concerns from residents about caregivers, trips parking, etc. etc. and just do you have a sense for that community, what the caregiver load is? I mean again I just want to understand what we're talking about tonight.

Ms. Klein: I think Jan can probably better answer that question than I can.

Commissioner Waldfogel: Ok that's great.

Ms. Stokley: I should have spoken to the parking issue when I talked, sorry.

Commissioner Waldfogel: Well I'm not asking a parking question right now.

Ms. Stokley: Because of the studio size of the apartments they'll be occupied by very independent people like some of the residents of 1585 Studios that you met tonight. These are

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1 folks who do not have a driver license, do not drive but they're using public transit. They are
2 working at Trader Joes, Levi Stadium, Safeway, they are out and about and very independent.
3 They have an independent living skills worker but often times they're out doing things with the
4 worker. It's not like they have a caregiver who assisting them with the activities of daily living
5 (interrupted)

6

7 Commissioner Waldfogel: No that's [unintelligible](interrupted)

8

9 Ms. Stokley: Whereas with the 2 or 3-bedroom unit we'd be trying to place people, who do
10 need living caregivers. But because of the studio nature of the units, these are going to be
11 occupied by people who don't need a lot of support with the activities of daily living so it will be
12 a very low ratio. At 1585 Studios we've invited the neighborhood association to come and visit.
13 We have 26 studio apartments for developmentally disabled, one property manager unit, there
14 are 10 parking spaces, two are ADA for the two units that are occupied by people who use
15 wheelchairs, two are reserved for property manager and maintenance and the other six are just
16 available for parents and independent living skills workers. And I go there all the time and
17 we've never had a problem, so again because it's studios these are not likely to be residents
18 who are intensive caregiving needs because they wouldn't be living in a studio. I hope that
19 helps and again I just want to renew my invitation to Palo Alto Housing and the neighborhood
20 association. We'd love to host a visit at that property where they are studio apartments so they

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1 can talk to residents and families and other people about the reality of the parking. It just
2 hasn't been a problem.

3

4 Commissioner Waldfogel: Ok I'm sorry I didn't ask a parking question and you gave me a long
5 parking answer so – but that's great. Thank you.

6

7 Ms. Stokley: The caregiver was – I guess I jumped to the parking question.

8

9 Commissioner Waldfogel: No, no that's not the question that I asked at all, I was just asking
10 about caregivers and your answer is that these units will – that the occupants of these units
11 generally will not require caregivers.

12

13 Ms. Stokley: Right because they're studios.

14

15 Commissioner Waldfogel: Ok so that's – yeah. Ok so then a following question to that is so what
16 would the effect on this project be of – we've heard of at least one suggestion to increase the
17 percentage of development disabled units. So, what would be the effect of taking it from I think
18 its 25 percent to 50 percent?

19

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1 Ms. Stokley: I can answer that one so as a result of changes in federal regulations the services
2 that support people to live in the community are from the State of California what the federal
3 match under the Home and Community Bay Services Waiver. And now we're required to
4 integrate people into typical community housing and we're not supposed to be seeking set-
5 asides of more than 25 percent of the units.

6
7 Commissioner Waldfogel: Ok great again that was not something that was in any of our
8 information Packets, great. Ok let me just switch, this is again a Palo Alto Housing question, we
9 heard from you're – you gave a great story about a single mom, we also heard from a single
10 mom, the units here may or may not lend themselves to single moms. What's your thinking on
11 that? Do you expect that they will be serving any single moms in this format? I mean what's
12 your expectation?

13
14 Ms. Klein: Georgina do you want to come up and – so Georgina is in charge of our property
15 management and she can probably answer this question better than I can.

16
17 Ms. Georgina Mascarenhas: So typically, in our studios and 1-bedrooms, we generally have one
18 person's households so we are thinking that they'd probably be mostly minimum wage
19 workers. Maybe food servers, baggers, cashiers from Trader Joes and the neighboring
20 community. The studios – I don't think we have any studios at the moment that are occupied by

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1 more than one person. The 1-bedrooms may very well be occupied by a single parent and a
2 child. The maximum occupancy on a 1-bedroom is three people so it could be a single parent
3 with two little kids.

4

5 Commissioner Waldfogel: Ok so just to that point did you do any design studies looking at
6 some 1-bedrooms so that we are serving some moms?

7

8 Ms. Klein: Yeah so three of the units in the building right now are 1-bedroom units. Could you
9 hear me? Three of the units in the building are 1-bedroom. They're the corner – they're right at
10 the corner of El Camino and Wilton and on the ground floor is where our – is where an office
11 would be.

12

13 Commissioner Waldfogel: Ok that's my bad, I missed those three units in looking at the plan.
14 Ok and then one final question for Staff which is we've heard a couple questions about a 48-
15 foot high building. So, is your intent – I mean will the ARB do a light study on that 2-story
16 building to the northeast of this parcel? I mean it looks like they'll lose some daylight so what's
17 – who's job will it be to just do that study?

18

19 Mr. Owen: I think if the ARB requested or if we receive a comment and it sounds as though we
20 have we'll take that into consideration. The building is 44-feet in total height, the parapet wall

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1 is adding additional two but of course, it adds a shadow. In terms of – excuse me – that sort of
2 analysis is usually done as a component of CEQA and the affordable housing exemption that
3 we’ve identified as being applicable for this project doesn’t require a light study. So, I can’t say
4 that we will necessarily but coming out of the ARB if that’s a thing that the ARB takes and says
5 that they want to see then we’ll get it.

6

7 Commissioner Waldfogel: Great, ok that’s all that I have for now.

8

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

10

11 Vice-Chair Monk: You can take a seat for now.

12

13 Ms. Klein: Oh, thank you.

14

15 Vice-Chair Monk: I just want to acknowledge and thank – I’m counting roughly 25 community
16 members that came out tonight on this very critical and important issue. We also received over
17 30 letters in support. Everyone that spoke tonight except for one was not supportive and there
18 were 15 speakers at least tonight so clearly, this community has great support for housing,
19 particularly for the underserved, the developmentally disabled. And I appreciate Jan coming out
20 from Housing Choices and calling our attention to the 25 percent allocation. And also

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1 addressing some of the additional concern's community members had in regards to caregivers
2 and potential traffic impacts. So, I think you answered that for us and I'm satisfied that the
3 parking requirement set forth in our Affordable Housing Overlay that have a reduced parking
4 requirement for these units designated for the developmentally disabled is accurate. And I
5 don't think that we need to increase parking at all based on – I think the ordinance is drafted in
6 a way that will sufficiently meet the parking demand.

7

8 We also heard from Mr. Klein I believe at Palo Alto Housing and she pointed out the many
9 projects that exist throughout the community and in fact, just within a few blocks of here,
10 there's several housing projects that their design, construction, residents, their inhabitants,
11 they integrate seamlessly in the community. I would have never even known that these were
12 100 percent or a percent of affordable housing just right around this vicinity here. So, I think
13 this is an important population, it promotes an economically diverse population, it's an
14 important market that we need to serve and it promotes a diverse and inclusive Palo Alto. So, I
15 wholeheartedly support the objectives of applying the Affordable Housing Combining District in
16 this instance.

17

18 When we heard from a Kelsey earlier who was the phycologist with the VA, thank you for
19 coming out tonight. You said something that really resonated and that's that housing is not a
20 luxury. And I think that here it's easy to view housing as a luxury because of the cost and what

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1 we just look in our immediate vicinity but we are seeing people that are displaced, people that
2 are homeless, people that have to travel long distances to get their care, people that need to be
3 in close proximity for our services that we're looking towards with regards to teachers and
4 landscape folks and restaurant workers. So, I think that those folks do need to have places to
5 live near where they work. I don't think we should be treating housing as a luxury and we're far
6 behind on our housing production as a state. The whole state is beyond, this is not a Palo Alto
7 issue, this is a state-wide housing crisis that we are in. We are seeing people living on the
8 streets in numbers that just keep growing so we do need to do our part to address that
9 problem. We have a commitment that our Council agreed to build 3,500 units per year or more,
10 well that comes out to 300 units on average till 2020. We're severely behind on that
11 production, we haven't produced anything that I'm aware of in the last 2-years towards that
12 figure. We've approved on other projects that should yield 60 units but they haven't broken
13 ground on that and that's been over a year so we're severely behind with our own obligations.

14

15 Chair Lauing: Is this a question?

16

17 Vice-Chair Monk: There are programs and policies that were identified in here, about 20 of
18 them that support the Comprehensive Plan so I think what this project is – the way that it's
19 been presented to us it does support our objectives and our Comprehensive Plan. We've also
20 had an interesting history with the Affordable Housing Ordinance that I don't need to go into

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1 here but needless to say, this is an ordinance that was passed by Council and it's one that I've
2 supported all along. And I'm happy to have the privilege of addressing the applicability of it to
3 this project at Wilton Court. I have a general question for the applicant but it's not germane to
4 this issue so you can sit down, don't worry about it.

5

6 Ms. Klein: [off mic] I'm happy to answer it.

7

8 Vice-Chair Monk: I was just curious when the last project was built in Palo Alto by your
9 organization.

10

11 Ms. Klein: So, our last project was completed in 2011 and that is the Tree House project on
12 Arastradero and it was occupied in the beginning of 2012 so 6-years.

13

14 Vice-Chair Monk: It is typically that there would be a 6-year gap between projects that you're
15 building in Palo Alto? I don't know the history or the general cadence of projects.

16

17 Ms. Klein: Well I'd like to say that I hope we don't have to wait that long again to do our next
18 one. So, there's just such a crisis here and we need to address it.

19

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1 Vice-Chair Monk: And then for Staff, we heard – thank you very much. So, Staff question, we
2 heard a little bit about some of the surrounding homes. Are these for the majority single-family
3 homes?

4

5 Mr. Owen: Let me go back to the Zoning Map because I think its illustrative of – for that
6 question. So, here’s the Zoning Map, so to the northwest – Wilton Court, by the way, is at the
7 cross axis right there next to the – next to El Camino Real or intersection of the El Camino Real.
8 You have – on that one block you have several different zoning districts, CN which is
9 predominately commercial in this section, RM-30 which is your multi-family residences so the
10 apartment buildings, [and] then you have R-2 which is two-family residences are allowed. I
11 think that those two units are actually single-family homes and then everything else to the
12 north of it is single-family.

13

14 Vice-Chair Monk: So, is the majority single-family?

15

16 Mr. Owen: Once you’re in Ventura proper, yes but there is that kind of band of Rm-30 when its
17 close to the – when it’s close to El Camino.

18

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1 Vice-Chair Monk: How would you explain the current density with occupancy with street
2 parking in that area? Is it the result of the single-family residences? Is it because apartment
3 buildings are under parked as we heard from one of the speakers tonight?

4
5 Mr. Owen: Yeah in terms of which cars are attributed to which residents, I couldn't say but I've
6 been the site many, many times and there are parked cars along the street and that extends all
7 the way up the block of Wilton Avenue. So certainly, some of them (interrupted)

8
9 Vice-Chair Monk: And that's within the daytime hours you're referring to?

10
11 Mr. Owen: Yeah always because I'm not going out there at night.

12
13 Vice-Chair Monk: You've gone out there on the evening and on the weekends?

14
15 Mr. Owen: No, no, no.

16
17 Vice-Chair Monk: The reason why I'm asking is because I live downtown which is a very dense
18 area and where we have our RPP and there's never a problem for me finding parking in the
19 evening or the weekends. And I wholeheartedly believe that our parking and traffic problems
20 are attributed to daytime workforce coming in where we triple our population every day. So, I

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1 don't think adding 60 new homes to our 67,000-resident total in Palo Alto is going to have an
2 impact to parking and traffic in our neighborhoods. What I – but I do understand that more
3 people are living at home. There are students that are – we have more people living in single-
4 family homes than I think what was intended initially, especially in that Ventura neighborhood.
5 But those homes do have off-street parking requirements, do they not?

6

7 Mr. Owen: They do, absolutely, it's two cars for each single-family house.

8

9 Vice-Chair Monk: So, I think the whole neighborhood needs to do their part to alleviate the
10 traffic or rather the parking issues in that neighborhood. Thank you.

11

12 Chair Lauing: Commissioner Riggs.

13

14 Commissioner Riggs: Thanks Staff, I appreciate the presentation. I have a question about the
15 process because you're asking zoning question and we're asking project questions back to you.
16 So, what's the actual process going forward for the hypothetical project that we are saying
17 exists but we're not deciding anything on, so I want some clarity on the process if that's ok.

18

19 Mr. Owen: Sure, so the project is on file, we do have an architectural review application and the
20 rezoning on file. When we – I think the confusion may have been when we were doing the

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1 Affordable Housing Combining District we didn't have a project. It was – we didn't have
2 something on file in the City that we were actively reviewing. After the passage of the
3 Affordable Housing Combining Districts, Palo Alto Housing did submit their application this
4 spring to allow for the rezoning to happen or to be requested. So, we do have the rezoning
5 request as well as the architectural review. The PTC's role is on the rezoning component.

6
7 Commissioner Riggs: I just need – but let's get into the details then because a lot of the
8 questions that are asked fall within the Director's discretion under the Affordable Housing
9 Combining District. So, then what is Staff's intent to do when the project is ready to go forward
10 given that we're going to move on the zoning now? What is – we're going to move forward on
11 some type of recommendation on the zoning, what is the intent than with the project detail
12 which there's a lot of wiggle room with some of these items? I think that's where a lot of the
13 neighbors have asked some questions. What's the intent there?

14
15 Mr. Owen: Right, that's a good question, so the next step we're asking for a recommendation
16 today on the zoning component which is the PTC's purview. As to the architecture and site
17 planning and the project – the building project, that is under the purview of the Architectural
18 Review Board to make sure that the Affordable Housing Combining District standards that are the
19 development standards are applicable to the sites and that the zoning – that the site is
20 compliant with those standards. So, it's a more technical detailed analysis that will be

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1 performed by the Architectural Review Board at subsequent hearings. The first one is going to
2 be next week.

3
4 Commissioner Riggs: But that still didn't deal with a couple of the concerns, not the building
5 massing concern but particularly the off-street/on-street parking dynamic; which again if it's .75
6 per unit based on the combining district at discretion – as you're all discretion, that's a lot of
7 discretion. So, what (interrupted)

8
9 Mr. Owen: So yeah so, the ordinance allowing .75 per unit is the minimum that was established
10 by the Council when they passed the Affordable Housing District Ordinance so that is the
11 minimum requirement. So, in terms of parking above and beyond that minimum it – that's what
12 the code requires so we're as Staff not likely to support requiring additional parking above and
13 beyond the standard unless it's truly warranted.

14
15 Commissioner Riggs: Well, we're beating around the bush because the applicant has already
16 said something else right?

17
18 Mr. Lait: So, let me just offer some more comments. So tonight, we're here to apply the
19 Affordable Housing Overlay to the property, that's the question. Is it appropriate to do so in the
20 context of the Comprehensive Plan and for us we think that's pretty straightforward question

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1 to ask and have answered? Part of the project also requires going to the Architectural Review
2 Board as set forth in our code whereupon Staff is doing a comprehensive review of the project
3 to the development standards. We will present that to the Architectural Review Board, they'll
4 review that analysis in context to the findings that they have to make and they forward a
5 recommendation on to the City Council. And the City Council will consider this overlay zone
6 combined with the Architectural Review Board aspect findings at once later this year. Does that
7 not get your question of when these issues are going to get solved?

8

9 Commissioner Riggs: It's ok, I'll just make a recommendation when we get to talk about the
10 motion.

11

12 Chair Lauing: I'll just make a couple comments. I think to clarify some of the comments that
13 we've heard here as Assistant Director Lait just summarized, our purview is very narrow in this
14 regard. I mean we have an ordinance passed by Council and signed in May and it's very concise
15 4-pages and that's what we have to decide if that applies. So, there are things in there like the
16 Director may modify the standards based on findings from a parking study that fewer spaces
17 are needed. It doesn't even say if more are needed but that's what it says. So, there was a lot of
18 discussion in the February 14th and March 14th meetings here about various things that maybe
19 we should and look at things in neighborhood situations and not have one size fit all. There was
20 even a comment on a different subject at the last meeting that was kind of the same thing. We

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1 can't have everything fit. We can't have one thing fit all neighborhoods but that's what we have
2 right now so I'm very encouraged to hear that the dialog is continuing, that's its very friendly,
3 that the good neighbor policy is in place and that just because we're all good citizens we're
4 going to find a way to address anything in advance of creating parking problems. That's the only
5 way that you can get any flexibility because we only can apply this 4-page document, so I'm
6 encouraged by that. This Commission and certainly myself have been completely supportive of
7 affordable housing from the get-go and even before this overlay was in effect. So, this is exactly
8 the kind of high priority housing that we need in the City and I'm glad to have it come before
9 us. I was happier with 50 spaces instead of 41 but you can work that out with the neighbors and
10 the City. Commissioner Alcheck, did you have comments?

11

12 Commissioner Alcheck: Thank you. First, I'd like to just thank the applicant and Ms. Stockley.

13

14 Ms. Klein: (off mic) Oh Jan Stockley, Stokley.

15

16 Commissioner Alcheck: Yeah has she left? Oh, there you are. Thank you for preparing this, I'm
17 assuming this is for tonight's benefit. I am optimistic that the next time you prepare one of
18 these our City's name will be in the last paragraph among the Cities that you believe have
19 provided leadership, local funding, City-owned land, and planning approvals for the projects
20 that help for the cause. I mean I am over – I'm so delighted to know that we have people in our

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1 community that do this work and I hope that your presence tonight has at least given more
2 people the opportunity to be aware of this work that you do.

3
4 Ok, I made a few notes to share. I spend some time reviewing all of the project documents that
5 you provided us. I also spent a good deal of time looking at the Eagle Creek [note- Eagle Park]
6 project which I think actually is fairly – the Eagle Creek [note-Eagle Park] project which I think is
7 fairly similar.

8
9 Ms. Klein: Eagle Park.

10
11 Commissioner Alcheck: Eagle Park, excuse me, which I think it fairly similar. So, I –
12 Commissioner Gardias you mentioned financials, Eagle Creek [note -Eagle Park] based on the
13 information I was able to obtain during my research is approximately \$500,000 a unit to build.
14 That was my understanding or close to \$33 million on that project, you have 67 units, this is
15 rough math and they also have a mix. These are exceptionally expensive units, I would assume
16 that ours would be either – I mean considering that the cost of construction has gone up so
17 significantly in the last 18-months I'm afraid to know what financial costs will be. But that might
18 be a good place to start to look at their progress in Mountain View, just down the street
19 actually.

20

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1 I – look I’ll start from the end, I’m fully prepared to support a motion that would recommend
2 that City Council approve this rezoning classification and also find that this is exempt from
3 CEQA classification. The comment I would like to make in addition to that is that I would
4 encourage our Council when they review this project to consider the following. We heard
5 tonight and I believe we’re going to hear it again that new housing developments like this one
6 burden our community in certain ways. And I’m not – I don’t object to that concept, I think it’s
7 true, there will be consequences but I’m hopefully – my hope is that when Council reviews this
8 kind of project and others like it they consider a broader understanding of the burdens that
9 face our community. What does it mean to have a burden to have a community? I’m sort of
10 trying to get at a more macro level concept here. I think some of the questions that I felt were
11 very instructive from my review were questions like how does the housing storage effect our
12 community? How do the 1 to 2-hour commutes that take place every day in the Bay Area
13 burden our community? How does a housing storage, for example, burden our local retailers
14 and restaurateurs in their effort to Staff their businesses? How does a housing storage burden
15 our aging population in their effort to hire individuals to help them take care of their homes or
16 to help them take care of themselves? How does it – this is a big one, how does the housing
17 shortage burden our public and private schools in their effort to hire teachers? There are
18 burdens and I think the question that or I think what I would encourage our City Council to do is
19 to broaden that concept. We have – there’s a lot of discussions right now among Council
20 Members who are running and one of the suggestions was that we need to start footing the bill

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1 instead of requiring our community too – our neighborhoods to foot the bill with respect to
2 parking for example. We are – it's my sincere belief that we are footing the bill. I think if you ask
3 your local schools how difficult it is to hire new Staff they'll tell you. Tonight, I thought it was
4 interesting that you used Trader Joe's as an example of an employer. I don't think that's a
5 coincidence. I imagine if you ask Trader Joe's they struggle to find locals to work in their space
6 who can afford to not commute the long commutes and this is the sort of thing that would help
7 them.

8

9 I think our Council should look very carefully when they're reviewing this project at whether or
10 not they can squeeze a few more units in. I would agree with you – I would agree with the
11 sentiments shared tonight that there aren't many buildings adjacent to this one that will look
12 much like this one. Those buildings are pretty old and built upon standards that we are working
13 hard to change. This AH Overlay as my fellow Commissioners know is designed to correct a
14 problem in the zoning which is that the CN Zone is not addressing our housing crisis and that's
15 why we need to have an overlay to address the CN Zones inadequacy. It may not have been
16 inadequate when it was created but it's inadequate now at meeting our needs. I think that was
17 made abundantly clear when Council created the AH Overlay as an opportunity.

18

19 I just want to make one more comment. I agree with the idea – I mean I would hate to suggest
20 that you spend any more money than you absolutely need. All dollars should go to the effort of

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1 creating housing but I do think it's a nice idea to acknowledge that the first online shopping cart
2 was located here. That was news to me and I think its ironic actually in some respects that the
3 device that is essentially made all brick and mortar retailers suffer started right here. Buts that's
4 a different discussion but anyways that's an interesting – maybe there could be a common
5 space called the fantasy something shopping cart or whatever.

6

7 Ok again I'll conclude by reiterating, I (interrupted)

8

9 Chair Lauing: You don't need too.

10

11 Commissioner Alcheck: It's not about whether or not there are consequences that must be
12 entirely mitigated. I think the question is what are the other burdens that are created by not
13 approving a project like this and if we don't approve a project like this what do we do to
14 address those other burdens? So that's sort of my recommendation to Council when they
15 review the minutes of this discussion.

16

17 Chair Lauing: Commissioner Monk [note – Vice-Chair Monk].

18

19 MOTION

20

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1 Vice-Chair Monk: Based on what we've heard tonight and what I've stated earlier I'd like to
2 move the Staff report.

3

4 SECOND

5

6 Chair Lauing: Well I'll second that and we can discuss it. Commissioner Monk [**note-Vice-Chair**
7 **Monk**] would you like to make any further comments?

8

9 Vice-Chair Monk: I just want to acknowledge the folks that came out and spoke candidly about
10 their concerns to the impact to their neighborhood. These are folks that have lived there that
11 are seeing their neighborhood impacted by general population growth. And of course, if there's
12 construction being done it's going to cause an impact and burden to your daily life. And I just
13 hope that there's an understanding that we're looking at something that's a little bit bigger
14 here, something that's got a little bit more important value and thank you for your
15 accommodation because I think this is a really important project that needs to get done to
16 house people over housing cars. Thank you.

17

18 Chair Lauing: And my second is that I do think it fits the overlay part of these districts and it is
19 consistent with a number of things in the Comp Plan as Staff has put forward. So other
20 comments? Commissioner Riggs.

-
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Commissioner Riggs: Well one of the things that – why I was asking this question for is I actually was looking at the unit mix here. I think this project is over parked and I don't see a vehicle to have that or a way to have that discussion. It sounds like it's going to ARC [note-ARB] etc. I'd like to figure out a recommendation or some type of way to allow you to consider – it sounds like Hexagon has provided some – I can't remember if I read the parking analysis or whatever Hexagon did. But I think there was a – if there's a strong rational from a unit mix standpoint to lower the parking standards particularly for the non – maybe special needs use or disabled community uses then I would strongly recommend that be considered. It sounds like I have no control on that going forward but I think that's worth considering. I would recommend Council have that dialog or whomever the next approving body that would have that dialog have it because that could do in turn what Commissioner Alcheck is suggesting. Free up additional spaces for units on the market so sorry, I didn't realize we were not discussing – I was trying to keep myself to questions earlier. I realize everyone else was discussing but (interrupted)

Chair Lauing: Well now's the time for discussion.

Commissioner Riggs: I would like to see that happen. I don't know if there's a way to do that Staff but that would be what I'd like to have happen.

-
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1 Chair Lauing: Any other comments? Commissioner Gardias.

2

3 Commissioner Gardias: Thank you. So just giving my last opportunity before the vote I would
4 like to just urge the applicant to get to the agreement with the Ventura neighborhood and it
5 would be really nice if by the time that you get to the presentation to the Council you stand
6 side by side to Becky Sanders or somebody else representing Ventura and you both speak. And
7 then pretty much just say that you came to the agreement and whatever the agreement is
8 which of course is not going to change our goal but I wish that you would presume this
9 opportunity. Thank you.

10

11 Ms. Klein: Nothing would make me happier so that's my goal.

12

13 Commissioner Gardias: Thank you.

14

15 Chair Lauing: Commissioner Waldfogel.

16

17 Commissioner Waldfogel: Yeah, I mean I can support this tonight really based on two things.
18 One this assurance that you'll continue – that Palo Alto Housing will continue to work with the
19 neighborhood and the other is that for me the 25 percent developmentally disabled
20 component along with the testimony that these are independent adults makes the parking ratio

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1 in this work. So, I'm actually happy to see those components come together in a way that I
2 believe will work for the project and for the community.

3

4 Chair Lauing: Commissioner Alcheck.

5

6 Commissioner Alcheck: Yeah, I just – I want to – look this is why it's so valuable to have a
7 Commissioner who is essentially an expert on these items; parking, traffic, etc. And I think that
8 it would be prudent and I would support it if that – I mean if you're looking for broader
9 Commission support I would think it's – there – I can think of no better reason why the City
10 Council appointed Commissioner Riggs than to better understand his opinions on parking and
11 traffic. And I think that it probably would be – I would support encouraging the Staff to include
12 in their report an articulated suggestion when they go to Council that there were
13 Commissioners who felt that the parking – that – not just that the parking was sufficient
14 because of the number of units that were allocated for developmentally disabled individuals
15 but that in theory maybe these – maybe it was over parked. And I mention that because I think
16 that's one of the issues that's come up over and over and the one expert up on the table seems
17 to have a very strong view in the opposite. So, I think to the extent that Staff can maybe spend
18 a little time on that, I think that would be important for the City Council.

19

20 VOTE

-
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Chair Lauing: Ok if there are no other further questions or comments we'll vote on the motion. All in favor of the motion of approve Staff report of this issue please signify by raising your hand. Anyone opposed? Zero and one absence.

Motion passed 6-0 (Lauing, Alcheck, Riggs, Waldfoegel, Gardias, Monk)-0-1(Summa absent)

Chair Lauing: Thank you, Staff, and thank you all for coming tonight and being heard. Thank you very much. We have a long agenda item coming up and I think we should start by taking about an 8-minute break just to shift our minds to that. That also has to do with increasing housing.

[The Commission took a short break]

Commission Action: Motion to Approve Staff's Recommendation Made by Vice Chair Monk, Seconded by Chair Lauing, Motion Passed 6-0 (Summa Absent)

3. PUBLIC HEARING. The Planning and Transportation Commission Will Consider an Ordinance Amending Various Sections of Title 18 to the Palo Alto Municipal Code Related to Development Standards Including Minimum and Maximum Unit Density, Floor Area Ratio, Height, and Open Space; Parking Requirements; Ground– Floor Retail Provisions; the Approval Process, and Other Regulations Governing Residential and Mixed-Use Development; All to Promote Housing Development Opportunities in Zoning Districts, in Furtherance of Implementation of the Comprehensive Plan. CEQA: Determination of Consistency with the Comprehensive Plan Environmental Impact Report (EIR) Certified and Adopted on November 13, 2017 by Council Resolution No.9720.

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1 Chair Lauing: Ok our next item is further review of the 2018 Housing Work Plan Ordinance
2 framework. This is listed as an action item but there will not be any official vote tonight. This is
3 will be continued to at least the meeting 10/10 so we have a presentation from Staff.

4

5 Ms. Jean Eisberg: Yes, good evening, I'm Jean Eisberg, a planning consultant with Lexington
6 Planning for the City. Good evening Commissioners. So, I'm going to run through this
7 presentation and then we can go back through the specific points are you're moving through
8 our discussion. Just a reminder about why we're here, I'm going to go through a quick overview
9 of the Work Plan, some context about state law, review the key components of the ordinance
10 which is now or really reporting it to you as you'll see the ordinance which is by geographies.
11 So, that's by the zoning districts and we'll discuss the key topics within each zoning district and
12 then a little bit about CEQA and the Staff recommendation.

13

14 So why we're here, so the Council Work Plan calls for a Zoning Ordinance update this year to
15 look at providing incentives and removing constraints to multi-family developments in key
16 locations. Specifically, downtown, El Camino Real, and California Avenue. And these were seen
17 as the highest opportunities for housing production both in the Comp Plan and in the Work
18 Plan. And then secondly looking at some specific changes to the RM District.

19

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1 So, the context in state law, first new this year effective January 1st was SB-35 streamlining and
2 this is a state process that for projects with at least 2/3 residential floor area that meets certain
3 affordability requirements and are consistent with the City's zoning and objective standards –
4 oh oops, I lost my place here, there we go. That these projects are eligible for streamlined
5 review which depending on the project size could be 90-day action or 180-day action. No
6 Discretionary Review is allowed, this is a ministerial action, no CEQA review is required, and
7 projects near transit can take advantage of zero parking spaces. So presently in Palo Alto
8 housing projects with 50 percent or more affordable units could be eligible for SB-35
9 streamlining. The second piece of state law which has been around a lot longer is State Density
10 Bonus Law and this allows developers to receive additional density allowances and waivers
11 from more flexibility in development standards in exchange for providing affordable housing.
12 This is notable because right now with the City's inclusionary housing requirements many
13 projects are eligible for State Density Bonus Law right out of the gates. And then one other
14 notable thing is that these two laws can be used in combination. So, an SB-35 streamlining
15 project can also take advantage of State Density Bonus Law, so as were I said an SB-35 project
16 needs to be consistent with objective standards, a 1.0 FAR, you can actually when combined
17 with State Density Bonus Law get waivers from those various standards.

18

19 So, our timeline, we're trying to get this ordinance to Council by the end of the year. So, we've
20 met – this is now our 5th meeting with the Planning Commission. And we have another meeting,

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1 as the Chair mentioned if we continue this item to October 10th to review the ordinance at that
2 time in order to get us to the Council in November.

3

4 So, I mentioned that the report – we’ve changed the organization of the report this time
5 around so it really is going to match what you’re going to see in the ordinance because if you
6 think about the City’s Zoning Ordinance it’s organized by district which tends to be by
7 geography. So, the CDC District which is downtown versus the CN or CN District in El Camino
8 and so we’re primarily again focused on these commercial mixed-use areas shown on the map
9 both on the wall and on the screen. And so, our time tonight’s going to focus on the discussion
10 section of the Staff report so that’s Packet Pages 28 through 33. The analysis section after that
11 is really reiterating a lot of what you’ve reviewed already in terms of why are we doing these
12 different – why are we pulling these different levers. So, what is the rationale behind looking at
13 changing parking requirements, looking at changing FAR, and then some additional analysis that
14 the Planning Commission asked for such as looking at maximum parking requirements and
15 looking at how many units could we possibly expect from this whole ordinance.

16

17 So, the concepts for the ordinance, this is really nothing new, these are the five key topics that
18 we’ve been focusing on for the last few months and that we’ve talked at length about and
19 showed evidence around density, parking, use regulations, and the review process as key
20 drivers to facilitating housing production. We have developed this new program listed under A

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1 which is the Housing Incentive Program to facilitate increased density and intensity while
2 maintaining local control over the review process. Specifically, through design review so I'll
3 explain that a little bit more further down in the presentation.

4

5 So, starting with Citywide zoning revisions, so these items are zoning changes that we're
6 looking to enact Citywide. So first in terms of open space standardizing and simplifying the
7 open space requirement for multi-family housing across all districts and this was one of the
8 items that last time we met there seemed to be some consensus around. Next, in terms of the
9 review process, this was a little bit more mixed support but it's fairly critical. So right now,
10 commercial projects don't require a Site and Design Review nor to smaller residential projects.
11 So, it's another disincentive for multi-family housing, adding time and uncertainty to the
12 process by requiring review by three different bodies; the PTC, the Council, and the
13 Architectural Review Board. So, the idea here is just requiring those projects to go through
14 Architectural Review with the ARB. Lastly on the screen in terms of the Retail Preservation
15 Ordinance and there was some support this last month when we met, is a narrow exemption
16 from the ordinance for 100 percent affordable housing projects. So, this can help elevate
17 challenges for affordable developers seeking tax credits or other financing and to help them
18 reduce their physical development costs. Lastly, in terms of Citywide, we talked about this at
19 our last two meetings, parking standards for multi-family residential uses. So, these
20 recommendations in the table on the left or the sort of middle large column is the existing

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1 standard and, on the right, the proposed columns looking at reducing parking requirements
2 based on the Fehr and Peers study that looked at nine multi-family housing developments
3 throughout the City. And we're looking at parking requirements Citywide of one space per
4 studio and 1-bedroom and two spaces per 2-bedroom unit. You'll see in the last column all the
5 way on the right we've added a recommendation for reduced parking requirement within a half
6 mile of fixed rail, so that's within a half mile of a Caltrain platform. And if we look at the row
7 that says near transit, right now projects near transit can qualify for a 20 percent reduction.
8 They have to show through a study and through a legislative action proof of why they deserve
9 to get that reduction and there's an action to allow that. So essentially, we've made that by
10 right so on the far-right column with the exception of the first row, the micro-units, the new
11 standard that's proposed represents a 20 percent reduction off of the Citywide standard. We
12 did add a row there for the micro-unit, we haven't talked about that before but this is an idea
13 about for really small units that are less than 450-square feet having a lower parking
14 requirement. And I'm showing the 0.5 in red because there was an error in the Staff report that
15 said 0.8 and it should have said 0.5. That's the proposal there.

16

17 So multi-family housing – excuse me, the multi-family RM Zones, we've talked about this
18 before, establishing a maximum or increasing the maximum density for the RM-15 to RM-20.
19 This is a very specific policy in the Housing Element and matches the Housing Element build out,
20 establishing a minimum density to avoid the underdevelopment of multi-family residential sites

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1 and then allowing replacement of non-conforming unit density. So, this means if a site is built
2 out right now where maybe five units are really only allowed per the zoning but there are
3 actually eight units on the site, you could redevelop those eight units.

4

5 Moving on to the downtown district, so first here is eliminating the maximum density
6 requirement. We've talked about this before in terms of just not requiring a cap on how many
7 units you can get on the site. Just using the existing massing and other standards to drive the
8 envelope. Under B is a new idea to establish a maximum unit size, so an eliminating the
9 incentive that currently exists for developers to build a large penthouse unit that only requires
10 a couple parking spaces versus a larger number of moderate-sized units that would generate
11 additional units and be more affordable but design. So, in combination with the reduced
12 parking requirements, this could provide incentive for more smaller units instead of fewer large
13 units. Additionally, maintaining the transfer of development rights for residential and
14 commercial projects is the last density item there. Looking at a few different things under
15 parking, we've talked about the exemption for the first 1,500-square feet of ground-floor retail
16 to provide an incentive for that ground floor retail. Next precluding curb cuts on University
17 Avenue, this is just standardizing something that doesn't currently exist in the code. And then
18 lastly this optional item for you to consider which would be to eliminate the in-lieu fee option
19 for office developments downtown. So right now, whereas residential doesn't have the option
20 to provide – to pay in-lieu, they must provide parking on site. Office uses can pay in-lieu and

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1 this would eliminate that in-lieu fee option for office in order to reduce that incentive for
2 commercial development. In terms of uses, the proposal is to allow residential only
3 developments in the CDC District where there's not a GF Overlay or where the Retail
4 Preservation Ordinance otherwise is required. So, this is in areas off of University Avenue away
5 from Ramona, other places that have the GF and then lastly allowing rooftop open spaces to
6 qualify as usable open space, another idea that we talked about at our last meeting. We have
7 come up with a number of standards and presented those to the Architectural Review Board
8 last week. Standards around lighting, rooftop equipment, height exceptions, landscaping, etc.
9 and so there's a link to that report in the Staff report and you would see those standards
10 coming out when you see the draft ordinance.

11

12 So lastly and I'm just going to spend a couple minutes on this in terms of the downtown, this is
13 the sort of new idea or repackaged idea that I mentioned about the Housing Incentive program.
14 So, to take an example if you – if the Zoning Ordinance says now that you get 1.0 FAR for
15 residential project, which is what the CDC says if an owner applied for an SB-35 streamlining
16 project they would need to be compliant with that density. If they combined that with a State
17 Density Bonus Law project they could get an additional 35 percent bonus, so you could go from
18 1.0 FAR to 1.35; that 35 percent. So, the Housing Incentive Program aims to provide a local
19 Density Bonus Program that would serve as an alternative to the State Density Bonus Law and
20 SB-35. So, by law, such a program needs to provide more density bonus than the state law and

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1 this proposal does that and, in that way, provides an incentive to go through the local process
2 rather than evoking state law. And so, we see this as beneficial to the City and the community
3 because it still retains the requirement to go through Design Review with the Architectural
4 Review Board. Otherwise under SB-35 there – again there’s no discretionary action so there
5 would be no ARB or PTC review, it would just be a Staff level administrative review. So key
6 components are shown on the screen here. First is just a straight up increase of residential FAR
7 from 1.0 to 2.0. Second bullet is about dipping into that existing commercial FAR. You may
8 recall this is a very specific policy in the Comprehensive Plan to what it calls convert commercial
9 FAR to residential FAR so that’s sort of the dipping in there, so then we go from 2.0 to 3.0 FAR.
10 Projects through this program would not be eligible for TDRs so the TDR is outside of this
11 program and again the Discretionary Review is required. Last bullet, one option that you can
12 consider is allowing Density Bonus – a further bonus for 100 percent affordable projects within
13 a half mile of Caltrain. So just graphically what this looks like, in downtown right now, far left,
14 we’ve got a base district existing FAR of 1.0 for residential. If – through the Housing Incentive
15 Program we’re increasing that base district FAR to 2.0 with that conversion of the commercial
16 FAR you’re getting 3.0, and then hypothetically if you went for this optional item for affordable
17 housing such a project could get a FAR of 4.0 for the residential component.

18

19 On California Avenue we’re recommending many of the same changes so eliminating the
20 maximum density, this exemption for the first 1,500-square feet of retail parking, again

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1 precluding curb cuts on the major corridor on Cal. Ave, allowing residential-only development
2 except in the R Overlay which is kin to the GF Overlay downtown and allowing rooftop open
3 spaces to qualify as the residential open space requirement. And similar housing (interrupted)

4

5 Mr. Lait: [unintelligible – off mic] you should, do you not? So, our (interrupted)

6

7 Ms. Eisberg: Somebody had it in the back, maybe there was only one copy. So similar idea of
8 California Avenue in terms of this Housing Incentive Program, again where you're dipping into
9 the commercial portion of the FAR that's allowed today. So, on California Avenue a commercial
10 project today can do a 2.0 FAR whereas the residential can only do 0.6. So, through this local
11 alternative program, you could get from .6 FAR to 2.0 FAR, that ARB review would be required
12 and then for your consideration, as an optional item, looking at an additional Density Bonus
13 increase for 100 percent affordable projects.

14

15 So, our last zoning district, El Camino Real, so again some similar standards here. Again,
16 recommending the elimination of the maximum density so just allowing the envelope of the
17 other standards to drive how many units you can get on the site. Again, the exemption for the
18 initial 1,500-square feet of ground-floor retail. Things look a little different under the uses
19 bullets, so here you may recall there's some exploration in the South El Camino Design
20 Guidelines (interrupted)

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Commissioner Waldfogel: Excuse me.

Ms. Eisberg: I'm sorry, I really this slide so I can make some notes. I mean I'm getting – I'm going to have to ask – I mean I'll end up asking you to back up to the beginning because I've got a whole bunch of notes that I need to discuss with you so we have a little problem here.

Ms. Eisberg: Well I'm happy to just skip ahead and we can finish the presentation and then go through this item by item, that was our intent.

Commissioner Waldfogel: [unintelligible – off mic]

Ms. Eisberg: Ok otherwise we can just use the Staff report because that's organized the same way if we want to start on Packet Page 28 if we don't have the slides.

Chair Lauing: What's the answer, Jonathan?

Mr. Lait: We're going to get you some print outs on that. We are – our system was a little bit different, we didn't have Yolanda helping us out tonight so we had to improvise a little bit. But we'll run some print jobs for the Commission and for the public to make sure you have copies

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1 of that. But I think when we go over this in deliberation we'll probably follow the Staff report
2 because there's a little bit more detail in there.

3

4 Chair Lauing: Right but is there a big downside to just kind of going through with her overview
5 form the overview slides that are up on the board and then we can look at it in documents
6 later?

7

8 Mr. Lait: Well so I guess at this point you're going to have public comment and then by the
9 time the public comment back we will have the slide.

10

11 Chair Lauing: Right so I was just going to say if you just did the California Avenue and El Camino
12 then we could have the public comment.

13

14 Commissioner Riggs: (off mic) I think we have to get through [unintelligible].

15

16 Vice-Chair Monk: I think Commissioners would like to have the benefit of taking notes on a
17 printed version of this.

18

19 Mr. Lait: Ok so (interrupted)

20

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1 Chair Lauing: Right.

2

3 [note-many people started talking at once off mic]

4

5 Vice-Chair Monk: How much time do we anticipate waiting for the printouts to come? Are
6 these getting printed out for us or not?

7

8 Mr. Lait: They will be, yeah, once I send the print job over there I'll do that so it will be within
9 the next 5 or so minutes.

10

11 Chair Lauing: Right so I mean I understand it's inconvenient not to take notes on the slides but if
12 she finishes her presentation then we can go to public comment while you're printing things.
13 That seems like a more efficient way to go but if there's (interrupted)

14

15 Commissioner Riggs: I'd make a motion that we continue and then proceed with public
16 comment to keep us rolling.

17

18 Ms. Eisberg: [unintelligible – off mic]

19

20 Chair Lauing: Yeah, I don't think we need a motion we'll just have discussion.

-
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Commissioner Riggs: Well I just – if we need to exped [note – expedite maybe?].

Chair Lauing: Ok let’s continue.

Ms. Eisberg: Ok I’m going to run through this in the next 2-minutes and then I realize the presentation is probably a more synced version of the Staff report but it does mimic Pages 28 to 33 of the Staff report (interrupted)

Chair Lauing: Right.

Ms. Eisberg: But as tables which maybe that’s the nice part. Ok so I was getting into uses so this is where El Camino is a little bit different, so you may recall when we looked at the South El Camino Design Guidelines they had this exploration of this nodes and corridors concept. And so, we’ve started flushing that out a little bit more about identifying locations where residential-only development might be appropriate on El Camino Real. And so, with that looking at residential ground floor design standards to make sure that if residential units are going to be on the ground floor on El Camino Real they are well designed. And then this idea about conducting a nexus study, so if there were locations on El Camino Real where the Commission felt comfortable recommending that residential only could be a possibility then what happens

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1 to the retail there? And the idea here is to prepare a nexus study and look at essentially an in-
2 lieu fee option. So, in lieu of providing residential on the ground floor, you're essentially paying
3 in-lieu, paying into a fund and then those funds could be available for façade improvements for
4 retail uses within the nodes. So separate idea from this Housing Ordinance but something that
5 we would considering carrying forward with the Council. And then lastly carrying over this
6 concept for open space about allowing rooftop open space. So here is the diagram that I
7 mentioned about residential-only areas, this is at the end of you Packet. So, Staff did some site
8 visits and also looked at vacancy data, occupancy data, and there seemed to be sort of
9glomeration of retail in these areas that are shown in green. Whereas in the blue between
10 Kendal and Page Mill Road things are much more spotty and so we identified this area as an
11 opportunity for potential 100 percent residential projects.

12
13 Similar housing incent program proposed for El Camino Real to shift those FARs increasing the
14 residential FAR component. One difference here is that El Camino Real, the CNC Districts both
15 have 50 percent lot coverage requirements whereas downtown and Cal. Ave are much more
16 permissible. And we're recommending eliminating that lot coverage requirement and just
17 letting the rest of the standards within the El Camino District apply. So, this is height, daylight
18 plane, setbacks, rather than regulate through lot coverage.

19

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1 So just wrapping up in terms of CEQA we anticipate that the Housing Ordinance would be
2 consistent with the Comp Plan final EIR and we'll do that analysis when we get to the ordinance
3 but no additional review is likely to be required. And then just a note that under SB-35 CEQA is
4 not required and so we anticipate that projects that are compliant with the Housing Ordinance
5 and compliant with the Comp Plan may be eligible for similar exemptions with – be based on
6 their consistency with the Comp Plan EIR. When we had the community meeting earlier this
7 summer and some of the public comment we received we heard some concerns about traffic,
8 parking spillover, other environmental impacts or impacts on services. And just a reminder that
9 the Comp Plan EIR includes both public improvement programs, transportation improvements,
10 mitigation measures to address some of those impacts so those would all be implemented
11 through the Comp Plan process over time just as the Housing Ordinance is also implemented.
12 So as the Chair eluded to the Staff recommendation is to continue the – to discuss this tonight,
13 review this proposal, discuss the draft ordinance these bullet points tonight, and then continue
14 the hearing to October 10th. So that concludes my presentation, let me know if you have any
15 questions. Thank you.

16

17 Chair Lauing: Ok let's go to the public for comment, we have again quite a few speakers. The
18 first speaker is going to be Kelley Baner (interrupted)

19

20 Vice-Chair Monk: Kelsey.

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Chair Lauing: And next up is Candace Gonzalez.

Ms. Kelsey Banes: Good evening again, my name is Kelsey Banes and I want to start by thanking the Staff for working to put this plan together. I was at one of the community meetings and found the process really helpful to have Staff explain things like FAR to me. It helped me understand some of the barriers in getting more housing in Palo Alto. So, my overall feedback is that this plan is definitely moving us in the right direction but it does seem like an inadequate response to a crisis. And I would just encourage the Commissioners to not confuse inaction with caution because inaction has consequences. And we have the data on the consequences of this inaction in that we know that we haven't met our RHNA housing goals, we haven't met our own housing goals, and we see these consequences in terms of all the people who drive to Palo Alto every day and commute from very long distances away. I have co-workers who were commuting – well we lost one of these co-workers but I had a co-worker that was commuting from Pleasanton but I have co-workers who commute from places like Oakland because they're social workers and they can't afford the high cost of living here. But we also see it in terms of the high population of homeless people and people living in their cars. So, in general, let's see, so I support streamlining the process definitely in terms of eliminating meetings to get housing approved. I like the idea of open rooftop space and support increasing the FAR. I wish we would do that in more areas, getting up to an FAR of 3, and one kind of disappointment that I have in

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1 this Work Plan is that there isn't any mention of influencing demand for parking. So, within
2 behavior economics, we know there's something kind of magical about free stuff where the
3 demand for free things is disproportionately high. So, if we are trying to reduce the number of
4 drivers in Palo Alto we should think about paid parking. I pay \$75 for my parking spot and I
5 think that's a good thing. So, let's see, so in general, I would look for ways to eliminate more
6 barriers to more housing units being created and I support getting this to Council as soon as
7 possible so we can start taking action. Thanks.

8

9 Chair Lauing: Thank you. Candace Gonzalez followed by Robert Moss. Is he still here? He is not.

10

11 Ms. Candace Gonzalez: Good evening Planning Commissioners, I'm here today in my new role
12 as Chief Housing Officer of Sand Hill Property Company. First, we'd like to thank you for your
13 efforts on the Housing Work Plan and trying to create predictable development standards. On a
14 positive note, it's definitely a step in the right direction. We definitely appreciate the
15 streamlining efforts and I think that's really critical, the streamlining of the process and
16 eliminating the meetings. Some of the items are comparable to other jurisdictions like
17 increasing residential FAR to 2.0, eliminating unit density requirements, and reducing parking
18 requirements. However, if our goal is really to get 300 units per year we do need to push some
19 of our standards and keep tweaking the Work Plan. For example, parking standards, it could be
20 reduced further, even more than proposed. I think we sited Mountain View's standards and

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1 that's one area to look. Density in multi-family zones I think could be increased quite a bit. FAR,
2 the 2.0 to 3.0 should apply to El Camino, Cal Ave, and downtown. Retail Preservation Ordinance
3 I think it's still a little bit problematic and could be improved. I think leave it to what the market
4 will bear rather than requiring it all at specific areas. The downtown CDC Zoning District, it
5 makes a more viable mixed-use project but it really doesn't encourage developers to go and do
6 residential over office space so maybe looking at height – increasing height and FAR in those
7 areas. I think in general we need to create standards that really encourage housing versus just
8 trying to prevent office space. So, I think again it's a step in the right direction, it could be
9 modified to really encourage housing but thank you for the effort.

10

11 Chair Lauing: Thank you. L. David Baron and then Bonnie Packer.

12

13 Mr. L. David Baron: Good evening, David Barron, I'm a Palo Alto resident, I live in an RM-30
14 District nearby. The Bay Area has a crisis level housing storage, I'm sure you've heard about it
15 many times and allowing people who want to live in denser places to do so is good for our
16 economy, it's good for our environment, and its good for the people who want to live in these
17 places to get the thing that they would like. I think this proposed ordinance makes some good
18 incremental improvements but it looks like it falls short of what we really need in the Bay Area.
19 I think in the longer term it would be good to see less process, it would be good to see higher
20 density and Floor Area Ratio and it would be good to see movement towards lower parking

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1 minimums and towards looking at parking maximums. I think the way out of the housing crisis
2 is for local governments to stop outlining the construction of the housing that people want and
3 slowing the construction. That said I think this is a good set of small incremental progress
4 towards where we need to be and I would encourage the Commission to move it towards – to
5 the Council. Thank you.

6

7 Chair Lauing: Thank you. Bonnie Packer and then Patricia Saffin.

8

9 Ms. Bonnie Packer: Back again representing the League of Women Voters. Last month on
10 August 29th the League submitted a letter to this commission urging you to embrace all the
11 recommendations for the housing-related zoning changes that would encourage the production
12 of a diversity of housing types in appropriate locations. Today we urge you to do the same
13 when you consider your recommendation on October 10th. In particular the League supports
14 the proposed modifications to the Zoning Code to maintain density standards in the form of
15 FAR which would increase the number and density and affordability of residential units, allow
16 residential development in commercial districts to use all of the existing FAR allowance,
17 establish minimum density in multi-family zones and change the RM District to RM-20, establish
18 the maximum unit size to provide an incentive for small and moderate size units in downtown,
19 allow open space requirements to be on roof tops to free up space for more dwelling units,
20 remove the discretion regarding parking regulations so that an affordable housing provider

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1 would be automatically eligible for parking reductions based on the income level of the
2 residents, streamline the review process for residential and residential mixed use project,
3 establish the housing incentive program with all of its excellent features as described in the
4 Staff report for the various areas, exempt 100 percent affordable housing projects from the
5 Retail Preservation Ordinance, allow 100 percent residential uses along those high density
6 nodes along certain parts of El Camino Real, and consider increasing affordable housing
7 densities and building heights in downtown.

8
9 When this comes back to you on October 10th we urge you to recommend adoption of these
10 sorely needed changes. Thank you.

11
12 Chair Lauing: Thank you. Patricia Saffin and then there's one more, John – I'm sorry, I can't read
13 it, Shelly?

14
15 Ms. Patricia Saffin: I didn't realize that you were having another meeting regarding this and so I
16 think my comments are more appropriate for the meeting on the 10th so I won't say anything
17 tonight. Thank you.

18
19 Chair Lauing: Ok well thanks for coming out and staying with us. John, is it Sholley? I can't quite
20 – I'm sorry I can't read it. Oh sorry, Jan.

-
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Ms. Jan Stokley: Jan Stokley.

Chair Lauing: Sorry.

Ms. Jan Stokley: Chance to [unintelligible] Housing Choices. I just wanted to support two of the concepts that I heard tonight. One is looking at how to give developers incentives to work with you instead of using SB-35. Our community was involved in an SB-35 project in Cupertino and as it turned out the developer went through a specific plan process and we were able to get 40 extremely low-income units in the project. Had it been an SB-35 project there wouldn't have been any extremely low-income units so I like the concept of giving developers reasons to work with you and not use SB-35 because it only targets down to 80 percent of AMI? Anyway, and then the second concept that I really, really want to support is the idea of having local revisions, improvement add-ons to the California Density Bonus Law. Right now, there are very little incentives for developers under the Density Bonus Law who are doing affordable housing to actually target down to the extremely low-income group. In our high-cost county extremely, low income for a one-person household is like \$26,000 a year, so those are the households that are most at risk of homelessness.

-
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1 So, I support the idea of having additions to the State Density Bonus that really reflect your
2 community's needs and I would just encourage to have some incentives to do extremely low-
3 income units because they're the ones that developers won't do unless you really give them –
4 make it feasible for them to do it. Thank you.

5

6 Chair Lauing: Ok, thank you, that concludes the public comment on this item.

7

8 [note-Male:] Can I ask a clarification question? Not a comment.

9

10 Chair Lauing: Yeah you can fill out a card and ask that question but you can ask the question
11 first and fill out the card if you want to. Go ahead. Ok, great.

12

13 [note-Male:] So, this is regarding the RM-15 to RM-20 change, so in the current ordinance we
14 don't really have a definition for RM-20 right? Do we have – especially in terms of Floor to Area
15 Ratio and all those kinds of things?

16

17 Chair Lauing: Go ahead, Staff.

18

19 Mr. Lait: So, is the public comment done?

20

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1 Chair Lauing: Yeah.

2

3 Mr. Lait: Ok so it's the same standards that we would use for RM-15 that we would use for RM-
4 20. The only change is – well two changes, one the title and two instead of 15 dwelling units per
5 acre it's 20 dwelling units per acre.

6

7 Chair Lauing: Right, ok. Alright so then relative to processing this we can ask questions of you
8 but it seems to me that we should just stick with the plan as it goes through in the document. If
9 you want to reference the slides that's fine but I would suggest that we cover the Citywide for
10 example in as much detail as possible because there's a lot of applicable issues that will then go
11 on to the other areas like the parking and the retail preservation and so on. Ok?

12

13 Vice-Chair Monk: Can I just ask a clarifying question on RM-20?

14

15 Chair Lauing: Ok.

16

17 Vice-Chair Monk: Was that going to be a minimum?

18

19 Mr. Lait: I'm sorry?

20

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1 Vice-Chair Monk: Was that going to be a minimum of 20 or (interrupted)

2

3 Mr. Lait: Maximum.

4

5 Vice-Chair Monk: Ok.

6

7 Chair Lauing: Ok so let's turn it to review so right now we're going to look at Citywide issues and
8 let's just stay with open space so Citywide open space. We'll see how this pace goes and see if
9 we can add some things to it but there's – this is extortionary dense 4-pages here. So – and I
10 would obviously encourage folks not to repeat other than say I agree with Commissioner
11 Gardias or whatever because we got a lot to get through here. Ok, Commissioner Alcheck. So,
12 we're on Packet Page 28.

13

14 Commissioner Alcheck: Yeah, I'd like to propose a potentially different strategy if that's ok?

15

16 Chair Lauing: Listening.

17

18 Commissioner Alcheck: It feels like we've had a number of discussions and I am appreciative
19 that we are – you're trying – we're trying to distill it and – I feel like what your goal tonight is to

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1 find out even more how we all feel about this. I can sort of blanketly say that I support almost
2 every effort to liberalize the process. I think I'm in the minority, going out on a limb here.

3

4 Chair Lauing: So, what's your procedural suggestion?

5

6 Commissioner Alcheck: My suggestion is I think the individuals who have the concerns should
7 speak. I will support whatever this Commission can stomach and more. And I don't think it's a
8 good use of time for me to keep saying that on every single item.

9

10 Chair Lauing: Great.

11

12 Commissioner Alcheck: I think it would be better if the issues that you are uncomfortable with
13 you raise, the issues that the other members of the Commission are uncomfortable with they
14 raise and we go from there. Because whatever you can stomach we're going to end up
15 excepting because that's the -- we have a strong majority here that I think has concerns about
16 this and a small minority that is less concerned about this. And if we want to pass this it's going
17 to take some working together in some regards, so I would just like to hear who is concerned
18 about what. And maybe there's a little discussion we can have about those items and if not let's
19 move to the next (interrupted)

20

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1 Chair Lauing: I don't see that as dissimilar because I also said let's not repeat each other and
2 (interrupted)

3

4 Commissioner Alcheck: Yeah, I don't even think we should go one by one. I just want to know
5 (interrupted)

6

7 Chair Lauing: I want to get the pace of this first one and then we can go faster, that's all I'm
8 saying.

9

10 Commissioner Alcheck: I just want to know what you don't like about all the ideas and then I
11 will support everything you do like.

12

13 Chair Lauing: That's great. Did anybody else – did anyone else have any other procedural
14 questions or suggestions?

15

16 Commissioner Riggs: I just need direction from you, Mr. Chair.

17

18 Chair Lauing: Sure, go ahead.

19

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1 Commissioner Riggs: Well do you want me to stick with just Citywide of Citywide open space
2 because I'm ready to go through three things – only three issues I have with this whole thing?

3

4 Chair Lauing: I'd like to stick with – for now to the Citywide because I'm anticipating that there
5 could be some detailed questions and we don't want to get into El Camino before we figure out
6 Citywide. So, let's just try that, if we can (interrupted)

7

8 Commissioner Riggs: I have one comment then on Citywide, I brought up the dialog on part –
9 why we aren't exploring parking maximums last time. You changed the language on here that
10 says that the parking requirements may be based on maximum anticipated demand but there's
11 nothing here about exploring parking maximums. And I'm -- so I don't know what Fehr and
12 Peers did with my feedback but they walked out and from what I can see did nothing.

13

14 Mr. Lait: So, I think that's a question and on Packet Page 37 we have a discussion at the top of
15 the page, a bullet point, just a short conversation about parking maximums. We certainly think
16 that that's a policy conversation that this Commission could have and make recommendations
17 to Council. We didn't propose it in what we're calling our draft ordinance because we think
18 that's probably a more dialog is probably needed to get there but we're welcome to have a
19 conversation with the Commission.

20

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1 Commissioner Riggs: Well I think what I would – what I heard from the only developer that
2 spoke tonight was that they feel like the parking standards are still an obstacle and I would
3 propose a more progressive approach to policy Citywide a parking maximum policy.

4

5 Mr. Lait: Ok.

6

7 Commissioner Riggs: And I'm willing to – I mean clearly, I'm not going to fall on my sword over
8 this but I think it's an important step that we could take that would set a great precedent going
9 forward.

10

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

12

13 Vice-Chair Monk: In regards to what Commissioner Alcheck stated I concur, I would like to see
14 more generous concessions being made to developers of a residential than what we have here
15 but I think this is a great starting point. I absolutely support everything that's in here. I think it's
16 very well balanced, I think the Staff did a very thorough job of considering all of the competing
17 viewpoints of this Commission and came up with a recommendation that we're sufficiently
18 equally somewhat unhappy about which means it's probably a good compromise. So, to that
19 take it as you will but ultimately, I would like to advance it in the form that it is. If there's

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1 consensus to make certain aspects more relaxed to increase the prospect of development I
2 would support that.

3

4 Chair Lauing: So, I think if there's any (interrupted)

5

6 Vice-Chair Monk: In regards to review process, Packet Page 28, my understanding is that we've
7 got the ARB with the ability to have up to three sessions per project. I would recommend that
8 we limit that to no more than two. That seems to be a sufficient amount of review. I
9 understand that it could take months, up to a year even actually, to get housing approved but
10 when it comes to commercial project it's just done in a matter of months. So, I think we need to
11 look at our review process and cut it down severely.

12

13 Mr. Lait: Just to clarify did you say housing generally or are you talking specifically about
14 affordable housing?

15

16 Vice-Chair Monk: Definitely for – for both actually, housing generally. I would limit it even
17 further for affordable if we could. Maybe there could be some guidelines set forth for
18 affordable housing developers to minimize their costs in coming back multiple times with new
19 architectural plans. I think that's a big deterrent to projects getting developed.

20

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1 Mr. Lait: So again, just for clarification so you're saying 100 percent housing projects or you're
2 saying any housing project, mixed-use, two reviews? I'm sorry I was (interrupted)

3

4 Vice-Chair Monk: Mixed-use, two reviews.

5

6 Mr. Lait: Ok so housing projects two reviews before the Architectural Review Board.

7

8 Vice-Chair Monk: Is there Staff comment on that?

9

10 Mr. Lait: Yeah well so we have – we currently have three units – three in the code projects go
11 before the Architectural Review Board up to three times before having to give a
12 recommendation to the Director. And so, we are interested in streamlining housing, affordable
13 housing projects we certainly administratively do our best to move those along, establishing
14 two meetings before the Architectural Review Board further – does provide that streamline.
15 Most projects now are taking advantage of this pre-submittal process which is helpful so that it
16 actually adds another meeting into it. So certainly, Staff could support that and welcome other
17 Commissioner's feedback on that.

18

19 Vice-Chair Monk: And what would be the distinction between affordable housing projects
20 versus mixed use from Staff's perspective and the number of reviews?

-
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1

2 Mr. Lait: Yeah, I mean I think – I think it’s probably a conversation we have about mixed-use
3 projects. I think about 100 percent affordable housing – 100 percent housing projects, whether
4 it’s affordable or market rate, I think might be in a slightly different review cycle maybe than
5 mixed-used only because some of the other complexities that come along with commercial
6 design and that interface with the streetscape. But certainly, I think housing projects – 100
7 percent housing projects and affordable projects would certainly – that’s a worthy conversation
8 to have.

9

10 Vice-Chair Monk: So, is Staff conveying a big of a concern in limiting the review process on
11 mixed-use to two meetings?

12

13 Mr. Lait: I think that there’s value in the Architectural Review Board process. Sometimes it does
14 take three meetings. I think when you add the commercial component there’s probably more
15 complexity involved in reviewing those projects than there would be a 100 percent affordable –
16 100 percent housing project.

17

18 Vice-Chair Monk: I would differ to Staff and fellow Commissioners on that and then I would
19 modify my comments to a residential for two meetings. What I’d also like to do is just look at –
20 as we go through this just look at the developmental standards, in general, to see how we could

-
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1 make everything more efficient. I think going over the Affordable Housing Ordinance just prior
2 to this was illustrative and I think we could look into bringing some of those elements perhaps
3 into this ordinance, so I might just be eluding to that as we go through this Packet. I guess we
4 could – I mean are we just looking at Page 28 Citywide right now?

5

6 Chair Lauing: Well it carries over to top of Page 29 with parking.

7

8 Vice-Chair Monk: So, if you want me to continue on that I have a comment or if you want to go
9 onto someone else.

10

11 Chair Lauing: Item One Citywide which is on 28 and 29, yeah.

12

13 Vice-Chair Monk: So then in regards to – I'd like to ask Staff if we could explore some areas of
14 the AH Overlay that could be applied to this area. Is there anything that we learned tonight that
15 can be applied and brought back on the 10th in regards to unit density and/or parking
16 requirements? Anything in this section?

17

18 Mr. Lait: Yes, so yeah, I think that was – so we had our first hearing under the Affordable
19 Housing Overlay and I mean I welcome Commissioner feedback on that but I detected a little bit
20 of not frustration but recognition maybe of the limited role the Commissioner has in processing

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1 the Affordable Housing Overlay. We're not looking at the project, we're not looking at the
2 parking standards, it's just does it – is it consistent with the Comprehensive Plan to apply this
3 overlay to property in these districts that it's allowed. And so, it does beg the question I think
4 having listen to that discussion tonight, the legislative process that goes along with Affordable
5 Housing Overlay. A legislative action before the City – that requires an action before the City
6 Council so this Wilton Court project that we've talked about is going to go here for the overlay
7 to the Architectural Review Board for project review and then to City Council for project review
8 and the legislative action. And that's a fairly long process and so with the ordinance that's
9 before you some changes are being recommended. They don't go as far as the Affordable
10 Housing Overlay in some areas. For instance, on El Camino we're not going to 2.0, we're not
11 going to 50-feet in height, I think Jean would correct me if I'm wrong and so there's some other
12 standards too that we talked about, parking is .75 for the affordable housing projects subject to
13 the overlay. So, I think that if the Commission were – if we were to ask ourselves the value of
14 that legislative process, does it make sense to have that process and if the answer to that is yes
15 then maybe there's no change that's needed. But if the answer to that process is no, there's not
16 a lot of value added to having legislative component we could incorporate the Affordable
17 Housing Overlay regulations into this ordinance. There by providing these – a streamline
18 process for affordable housing that would go through the Architectural Review Board. If that
19 makes sense and I'm happy to sort of -- I feel like there was a lot there but I'm kind of free
20 rolling it right now.

-
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Vice-Chair Monk: I think that makes a lot of sense, I don't what – how other folks feel but I felt that the legislative process was kind of redundant. I felt like we re-hashed these same issues, we've heard the same arguments, the same pros and cons. I don't know what value this Commission has on the legislative process, especially because we have the ARB available for concerned citizens that are primarily going to be worried about the issues that we're not really looking at in legislative process. They're going to be looking at parking and design and massing and things like that. And I think there's opportunity at site and design for community involvement, also at the City Council level, so I would support eliminating the legislative process. Is there sentiment – does anyone have any feelings on that within (interrupted)

Commissioner Riggs: (off mic) I would [unintelligible] with almost everything you said whenever you're done.

Vice-Chair Monk: Yeah just on that points let's kind of -- do you want some consensus on that?

Commissioner Riggs: I would prefer to yield until you're done.

Chair Lauing: Yeah are you done with the Citywide comments?

-
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1 Vice-Chair Monk: I was just trying to get closure or some consensus on this one issue with that
2 we're having a little bit of back and forth on with regard to the legislative process for affordable
3 housing. Does – since we're (interrupted)

4

5 Chair Lauing: Aren't you almost done with the Citywide?

6

7 Commissioner Riggs: It's fine, we can just have a discussion, it's fine.

8

9 Vice-Chair Monk: If you want to do peace [unintelligible] we could do a peace muck [note-
10 unknown phrase] and switch gears or we can just finish this one conversation. Whatever you
11 want to do Chair.

12

13 Chair Lauing: I was just trying to get (interrupted)

14

15 Vice-Chair Monk: What ever you'd like to do Chair.

16

17 Chair Lauing: I just was trying to get folks comments on this one and then if we have to debate
18 them we can go back and do them.

19

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1 Vice-Chair Monk: Well I think that we had some interesting dialog with the Acting Chair Late
2 [note-Assistant Director or Acting Director Lait] that is worth exploring at this juncture. If you
3 don't feel like it's the right time then (interrupted)

4
5 Chair Lauing: No, no disagreement, we'll get to if in just a couple minutes but if you could just
6 finish your comments on (interrupted)

7
8 Vice-Chair Monk: Then I would also say in regards to Citywide I'd prefer to see a lower
9 threshold on parking. I'd rather see parking minimums I guess, I don't remember what we
10 talked about in the past but I do believe that this is a compromise situation (interrupted)

11
12 [note – many Commissioners started speaking off mic]

13
14 Vice-Chair Monk: Sorry?

15
16 Commissioner Riggs: These are minimums.

17
18 Vice-Chair Monk: Maximums and I think we talked about parking maximums. There were some
19 other concepts I thought Commissioner Riggs you have eluded to at a prior meeting so I
20 supported you prior discussion on that. I did have a question about the FAR, did you say that it

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1 goes up to 4.0 if it's 100 affordable if you're using the state density and SB-35? Under the

2 (interrupted)

3

4 Ms. Eisberg: Are you talking about downtown?

5

6 Vice-Chair Monk: When you were (interrupted)

7

8 Ms. Eisberg: So, we don't have any FAR Citywide standards (interrupted)

9

10 Mr. Lait: Are you referring to this slide?

11

12 Vice-Chair Monk: You were talking – when you were talking about the housing incentive
13 program and I might be jumping ahead.

14

15 Ms. Eisberg: Yes, maybe so.

16

17 Vice-Chair Monk: Just a general question – ok then I'll ask – I'll reserve on that question. Ok so
18 is there anything other than the legislative process Acting Chair Lait [note- Assistant Director or

19 Acting Director Lait] that you think we could do in terms of incorporating the affordable
20 housing components?

-
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Mr. Lait: Well so I just think that – I mean if I’m understanding what you’re saying (interrupted)

Vice-Chair Monk: Well in this context you’re saying that the review process is something that could be reevaluated.

Mr. Lait: I guess what I was talking about is we could take the Affordable Housing Overlay which exists and if there was interest in – for again 100 percent affordable housing projects – incorporating those standards into this ordinance without the need for the legislative change.

Commissioner Riggs: It makes total sense to me. I (interrupted)

Chair Lauing: Ok Commissioner Riggs is busting at the seams here.

Commissioner Riggs: Well no, no so I – actually one of the frustrations that I have with the Affordable Housing Overlay is that it’s not by right because we have to have a legislative action every time that a project comes in. That’s totally [unintelligible], we should not be doing that, I actually did not understand that when I originally voted on it. I probably wouldn’t have supported it otherwise because I assumed it was a by right overlay where we wouldn’t have had to have hearings like we had this morning. I would fully be supportive of folding that in,

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1 forgetting that every existed and making that a part of Citywide policy. Clearly has geographic
2 bounds, it maybe could have geographic bounds but I think that those standards could be – it
3 would be more efficient to do that. And I would – I find it silly that we would have downtown –
4 for example downtown standards of .8 for 1-bedroom unit when our Affordable Housing
5 Overlay which actually has the exact same geographic location would be .75. And then so we'd
6 have people coming in and saying well I'm under the Affordable Housing Overlay, no I'm under
7 the Housing Ordinance. That needs to be brought into consistency so I think it's a great idea, I
8 would support that – I'm blanking – Commissioner Sue [note- Vice Chair Monk].

9
10 But I don't know if you want me to continue because one of the things you said, I was not
11 supportive of eliminating site design. I think it's – I'm willing to compromise on that but I do not
12 think we should roll back on additional ARC [note- ARB] review. I don't think we should push
13 Staff on that and the reason is, as we hear from the public all the time, the devils in the details
14 and particularly ARC [note- ARB] is good at all of the decisions with regard to place making. And
15 when we talk about that it's the interface between the human being and the building and so
16 they're going to think about all the design – well their job is to think about all the design
17 features that are actually going to create a safe and inviting and livable urban environment.
18 That's way beyond what we deal with on the Planning Commission so I just – I would say that
19 we need that level of review to assure appropriate design standards that are livable, walkable,
20 human in our downtown and in our City, so I would suggest that we not noodle with that.

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Chair Lauing: Ok (interrupted)

Vice-Chair Monk: Ok and just to clarify on that point, we were distinguishing between Site and Design meetings that are purely residential (interrupted)

Commissioner Riggs: No.

Vice-Chair Monk: That they've already had a pre-application discussion and have been pre-vetted by Staff and limiting it instead of three meetings for those to maybe just two.

Commissioner Riggs: I would (interrupted)

Vice-Chair Monk: But were as the mixed use, which are like you said more impactful on the community, to have – leave those the way they are.

Commissioner Riggs: I'm deeply concerned about this as written if I were to be perfectly honest. I think the City's giving up a lot of review capacity but I'm willing to concede as written but I think if you roll it back more we're going to get -- the phrase my Jewish grandma -- schlocky development. I mean I think we're – no, no they [unintelligible], let me [unintelligible].

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Chair Lauing: Ok so let's get some other people involved (interrupted)

Commissioner Riggs: It's just I'm worried about that.

Chair Lauing: Instead of people a second time.

Commissioner Alcheck: I'm lit up.

Chair Lauing: Yeah, I understand but I'd like to get people who haven't talked yet talking about their views of Citywide and we can come back to debate this whole thing.

Commissioner Alcheck: [unintelligible – off mic]

Chair Lauing: I know but we're going to go with Waldfogel first because he's lit up too.

Commissioner Waldfogel: Ok so first of all thanks for putting together – threading a very difficult needle. We can all find things we love and things we hate but let's try to focus on things we love tonight. Just to reiterate what Commissioner Riggs was just talking about and then Commissioner Monk [note- Vice-Chair Monk], I just have a question for Staff which is

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1 there must be a best practice in planning for what is an efficient, fair, predictable review
2 process that also leads to good design. I mean there must be a best practice and do you have
3 any thoughts on what that best practice might look like? I mean I don't want to over under
4 constrain it but one of the other hats I wear is I'm on an Architecture and Design Committee for
5 SFMOMA. And we had a kick off meeting last week and had a long discussion about the built
6 environment in the Bay Area and that we're really not living up to our design potential. So just
7 what is best practice to do all these things, to get stuff built, and to – and for the City to have
8 and promote its interest in good design?

9

10 Mr. Lait: So, I – there's a lot of practice and I'm leaving out the word best practice as it applies
11 (interrupted)

12

13 Commissioner Waldfogel: [unintelligible – off mic]

14

15 Mr. Lait: There's – I think what we see is communities set up these Design Review Boards,
16 Architectural Review Boards to help get at the good quality design aspect because without
17 something like that, to borrow from Commissioner Riggs term, you'll get schlocky development.

18

19 Commissioner Riggs: Sorry.

20

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1 Mr. Lait: That's alright. And so, I think that's the fear or concern and I think part of that's
2 rooted in some of the development that we've seen. And then the question is does
3 Architectural Review Board achieve that goal? And so – and can they do it in a—can it be done
4 in a way that respects a compressed timeline? So just a couple thoughts, one is to improve
5 efficiency you need to have very clear objective standards and that's also where the state wants
6 to go too with passage of SB-35. Wanting to allow projects to go by right with clear objective
7 standards and one of the elements of our Work Program that we have that we're going to be
8 working on and coming back before the Planning Commission are where we have objective
9 standards in our code, how can we make those more objective? And so that's going to be in
10 2019 when we come back and have a conversation about that. Beyond that I think you – it's not
11 a – beyond that I think you could spend some time thinking about another process that exists
12 that rewards development for bringing on board a certain kind of quality architecture. And in
13 previous employment that I've had we were contemplating extension beyond permissible
14 development standards for award architects along with some other standards that would allow
15 for increased height, density, etc. etc. but I – that requires a lot of energy and thought into that
16 process.

17

18 Commissioner Waldfogel: Yeah probably past where we can get to tonight but I mean I think
19 that's where we need to go, is that we need to design process. I mean I'm not sure that we
20 need to – you know we won't get a lot of black cape architects just through some simple

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1 incentives but I think that's – you know we should be thinking about what actually promotes a
2 good built environment in the context of the other objectives.

3

4 Let me just jump over to one other thought which does tie in with the very first open space
5 topic although it's a little complicated but we've – I'll come back to the question of permissible
6 FARs when we get to those sections. But something that would be incredibly helpful in this
7 process, may be unattainable but I think would be helpful, is if we could look at some massing
8 studies relative to different FARs and different open space standards and configurations of
9 open space. Because it's hard for me – what I fear with some of the open space ideas, suppose
10 we allow 100 percent of the open space to be roof top within a 4.0 FAR, I fear that will lead to
11 very plan and unarticulated boxes as the default design move. I have a suspicion that pulling
12 some of that open space to ground level will encourage better design. Don't know for sure but I
13 think that some massing studies looking at the range of massing, the configuration of open
14 space, roof top balcony, ground level, starts to give us some insight. Because otherwise I
15 honesty I don't have the visual imagination to be able to translate a 4.0 FAR with 75 percent
16 roof top open space allowance to be able to even imagine what kind of buildings that that will
17 result in. So [unintelligible] 10,000, 20,000, 30,000-square foot lots, I just – I can't get there
18 from here. It's my failing but I think some of that would help us to think through this. I don't
19 know, does that make any sense to you?

20

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1 Ms. Eisberg: Yes.

2

3 Chair Lauing: Commissioner Gardias.

4

5 Commissioner Gardias: Thank you. So, we're discussing Citywide, correct?

6

7 Chair Lauing: Citywide Page 28 and 29 in the Packet.

8

9 Commissioner Gardias: Very good, just wanted to make sure, ok, thank you. So, in terms of
10 those – so I think that what we should do, we should just focus on those items that would really
11 move the needle. For this reason, review process, I think it's a separate side show and I think
12 that it would just distract us from the obtainable goal. This community pretty much clearly has
13 interest interviewing the projects and commenting on those projects. It is what it is and then if
14 you really want to change it that's a separate discussion and I don't think that this is the
15 discussion that falls into the parameters of the – of increasing the housing supply. I believe that
16 open space, retail preservation and parking it is within an obtainable goal and I completely
17 agree with those three items. I didn't see roof top comment here under open space so I
18 thought that maybe it's on some other page or maybe it was deleted from this. So, I totally
19 agree with this comment of just making this similar. I would have made it different if you had
20 asked me. I would just follow the algorithm scale if you want to be precise but you have a

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1 proposal like this I can go with this very well. I would – for this reason, just repeating, I would
2 remove the review process because it would spill lots of blood and then everybody wants to
3 have a piece of control and purview and discussion. So, let it be, this is what Palo Alto stands for
4 so you can still retain it. Its nothing bad, it provides some value, however those three items A,
5 C, D we can just pretty much agree upon very quickly and move them forward. That’s what I
6 would do, thank you.

7

8 Chair Lauing: Commissioner Alcheck.

9

10 Commissioner Alcheck: Yeah, ok, I’ll just respond to some of the comments which is I hope
11 helpful. Look I appreciate the sense of fear related to reducing the review process at the ARB
12 level. Do we need five meetings to talk about the – this item? I mean is our process improved
13 by having this discussion over five meetings? Maybe. Its not that I don’t think more time helps, I
14 think there’s a cost to more time as well, and so the question is are – is the ARB’s extra meeting
15 creating such a tremendous improvement in the – I want to use your terminology – less
16 schlockiness of the building to justify the cost, the tremendous cost associated with review
17 times? It would not be I think inappropriate to suggest that the process is a major problem here
18 and so the question is I think really one, that we need ARB to answer. I think it would be foolish
19 for example for the Planning Commission to suggest a change without the ARB Chair for
20 example providing some feedback to the Commission which can happen before the October

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1 10th meeting. Where they say hey, listen, we understand you're interested in knowing whether
2 you think we can handle this in two or three meetings and if they are confident that they can
3 get a little bit more efficient, I don't know why we wouldn't support it. If they come back in
4 their capacity and say in response to the inquire from Director Lait on this item that the
5 Planning Commission is interested in on some feedback for, we strongly recommend that you
6 don't make this change. Then I think all of us would probably say well we're not going to
7 disagree with them. So, my point here is let's ask the people in the room that need the extra
8 meeting whether they want it.

9
10 The next thing I would say is I talked you a little bit last time about this item what's better, a
11 100 percent affordable project that doesn't get built or a 50 percent affordable project or two
12 50 percent affordable projects that do? I think we have to start thinking – you know one of the
13 things about SB-35 is that if you make 50 percent of your project affordable that's part of the
14 process to qualify. So, do we really want to pit our process – do we want to say hey you can –
15 you are eligible for some of these hurdles help but only if you go 100 percent but if you go SB-
16 35 and you have a 50 percent affordable project then you know. So, I think what we need to do
17 is we really need to talk about can we create something that is a track let's say that is
18 appealing, 50 percent affordable, that you could sell to a developer to say listen doing use SB-
19 35. We want to create something – if every project that got built was 50 percent affordable that
20 would be a huge success and I think that's why SB-35 is popular in some regards.

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Chair Lauing: Are you still on the issue of review process?

Commissioner Alcheck: I'm talking about the Citywide items; A, B, C, D.

Chair Lauing: Right but (interrupted)

Commissioner Alcheck: So first comment I made was about the review process, the second one I'm making is about retail preservation.

Chair Lauing: Ok you didn't say that so.

Commissioner Alcheck: The notion is that we're suggesting that you can eliminate a retail site, like the one we're eliminating earlier this evening, simply in exchange for 100 percent affordable. And my point is we should be potentially open to the idea of allowing exemptions to retail preservation particularly because I would suggest to you that when we reviewed this Retail Preservation Ordinance the Commission was incredibly divided. This is not this Commission, this is the Commission makeup from the before the last nominations, was incredibly divided about the idea about whether retail preservation should be Citywide. I am still not convinced that Staff thinks that was a good idea. There's a part of me that believes that

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1 Staff would have preferred a retail preservation – I should say it differently. There’s a big part of
2 me that believes that the retail community would have strongly preferred a Retail Preservation
3 Ordinance that consolidated certain areas into retail districts.

4

5 Chair Lauing: So, are you suggesting we change C in some way?

6

7 Commissioner Alcheck: I’m saying that I think Staff should consider preparing something that
8 mirrored some of the benefits of SB-35 by giving a pathway for a 50 percent affordable project
9 that could jump over certain hurdles. Including some of the Retail Preservation Ordinance –
10 some of the including retail preservation exception in areas outside of downtown, Cal. Ave. I
11 think that’s – I think you get what I’m trying to say.

12

13 Chair Lauing: To Staff is **HIP** designed to address some of that?

14

15 Commissioner Alcheck: I don’t think it’s on the radar right now, the idea of a less than
16 affordable project.

17

18 Chair Lauing: I thought the intent of a **HIP** was to be better than SB-35 so that we get more
19 (interrupted)

20

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1 Commissioner Alcheck: The intent is to lure people away from using SB-35. I'm just suggesting
2 that this – especially in areas that are not downtown and Cal Ave. Ok and the final comment I
3 want to make about the AH (interrupted)

4

5 Commissioner Waldfogel: [unintelligible – off mic]

6

7 Chair Lauing: I don't know yet.

8

9 Commissioner Alcheck: I'll make a comment about the discussion that you guys had earlier
10 about the AH Overlay. Look I think it's worth pointing out, the majority of the Commission
11 didn't support the AH Overlay and so what – why? There were reasons and I think one of the
12 things that made the Council support it 7-2, it didn't even have full support from the Council. I
13 think one of the things that made it more supportive was this notion that the AH Overlay, they
14 still had to ask for it. It didn't feel – now I'm not suggesting I don't agree with you that the
15 process should theoretically be more streamlined but I just – I'm reading the room. I don't
16 know that the community is ready for that.

17

18 Chair Lauing: Ok so I'm (interrupted)

19

20 Commissioner Alcheck: It certainly wasn't at the time they approved it.

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Chair Lauing: I'm going – since I haven't spoken yet I'll just make a couple quick comments. One is we did discuss that open space has to be less than 100 percent and I think that's in the plan now, correct Jean? Open space is going to have to be less than 100 percent on roof tops when we get to that point.

Ms. Eisberg: Right the proposal is that it could qualify for up to 75 percent.

Chair Lauing: Right and we've already agreed that it's useable (interrupted)

Ms. Eisberg: Right.

Chair Lauing: Not HVAC equipment.

Ms. Eisberg: Right.

Chair Lauing: I do think that this review process, while it's controversial, that's a place where we can get things done faster. I mean no question about it and I'm not sure our greatest value add is on Site Design Review. I'm very glad that it's only going to go to – this is a change from last time that's only going to go to Council on appeal as opposed to also have to be decided by

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1 them. The one thing that sounds like a nit but I'll bring it up is that ARB meets at 6 o'clock in the
2 morning, that's an exaggeration, but they're early in the morning. So maybe that's not a
3 problem for people who have projects, it would be a problem for the public who are working
4 folks so they should look at making adjustments to that. Retail Preservation, I'm not sure why
5 the 120 percent AMI was picked. I mean I know all about this stuff but every time I read
6 affordable housing 120 percent AMI just seems a little contradictory to me. And I know its 120
7 percent and under, I'm not going to belabor it but I just want to sort of note that point. Sorry,
8 where you going to make a comment?

9

10 Mr. Lait: Well I – I mean I'm happy too. I'd only – just to tell you where it comes from, I mean it
11 comes from Title 16 of our Municipal Code where we define what affordable housing is. And so
12 affordable housing is defined as 120 percent of AMI.

13

14 Chair Lauing: And at 120 percent it's probably not fundable anyway relative to affordable
15 housing unless it's blended.

16

17 Mr. Lait: Right well we've – we know about the tax credits and how that's geared toward 60
18 percent AMI but there's also been some recent changes where its – you can have an average of
19 60 percent so some of the units can be more than 60 percent AMI.

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1 Chair Lauing: Ok, thanks. I'll be brief and I think next up was Commissioner Monk [note – Vice
2 Chair Monk].

3

4 Vice-Chair Monk: Yeah so on that topic just to confirm 120 AMI for a family of four comes out
5 to be like \$100 (interrupted)

6

7 Chair Lauing: 15 or something.

8

9 Vice-Chair Monk: \$13,000 a year in annual income roughly.

10

11 Commissioner Riggs: 120? It's like \$140,000.

12

13 Vice-Chair Monk: \$113.

14

15 Commissioner Riggs: AMI is like \$120.

16

17 Vice-Chair Monk: No, it's not, it's less than that.

18

19 Mr. Lait: Well hold on so (interrupted)

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1 Vice-Chair Monk: For – it depends on – AMI varies depending on the number of people in the
2 household so for a family of four – no the annual salary. I’m just saying it’s not – for a family of
3 four making just over \$100,000 a year in the Bay Area is something that is a demographic that
4 we need to accommodate. So, I don’t have a problem with housing projects going to 120
5 percent of AMI because that population is not being served with housing production.

6
7 I did have a clarifying question on the (interrupted)

8
9 Mr. Lait: Ok so medium income is \$113 and so moderate is \$135, \$120 is \$135.

10
11 Chair Lauing: So, the dollar income (interrupted)

12
13 Vice-Chair Monk: For a family of four?

14
15 Mr. Lait: For a family of four.

16
17 Chair Lauing: Is what for \$120?

18
19 Mr. Lait: So, for – the last data that I have is that for in this county for a family of four the
20 Median Area Income is \$113,000 give or take a little bit there (interrupted)

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Commissioner Riggs: (off mic) I bet it's about \$120 [unintelligible].

Mr. Lait: And for moderate for a family of four it's -- call it \$136,000.

Chair Lauing: Ok. Did you have other comments?

Vice-Chair Monk: So yeah on the housing I just want to confirm for Citywide you're making some minor changes to parking on a studio 1-bedroom but on the 2-bedroom there's no change, right?

Ms. Eisberg: Right.

Vice-Chair Monk: And then in regards to half mile within transit I would support what was advanced in the Affordable Housing Overlay figures just to make it consistent with regard to the .75 for studios and 1-bedrooms and then the .5 for micro units as you mentioned earlier. And we're not building more than the state allows on any of these proposals, here right? This isn't more liberal than what the state is requiring correct? This is just following the state direction essentially and it's not providing more than what the state allows correct?

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1 Mr. Lait: Right so for projects – for qualifying State Density Bonus Projects they can take
2 advantage of a reduced parking standard and that parking standard is what we’ve modeled this
3 parking program after.

4
5 Vice-Chair Monk: Does Staff want to revisit or discuss further on C2 at all or are you satisfied
6 (interrupted)

7
8 Mr. Lait: C2?

9
10 Commissioner Riggs: (off mic) Yeah [unintelligible] so are we already moving onto multi-family?

11
12 Vice-Chair Monk: On Page 29 – on the bottom of Page 29.

13
14 Mr. Lait: So, I – Chair can I – so I think what Staff is saying is that we plan on drafting an
15 ordinance based on the language that’s provided for in these Packet Pages here that we’re
16 going over. And unless we hear a clear majority of Commissioners agreeing that there needs to
17 be a shift or a move one way or the other you’re going to see an ordinance that reflects the
18 language in there. And we’re still fine tuning a couple of details but this is the approach that
19 we’re looking to advance, so I’m hearing a lot of individual comments and I think these are all
20 great. If there’s a majority perspective on changing something that’s feedback that would be

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1 helpful for us. Otherwise I concur with Commissioner Alcheck's comment about the number of
2 meetings that we take and how we're moving the needle forward. I've heard that there's stuff
3 in here that you – I'm pleased to hear that there are things in here that some of you like and
4 some of you don't like, that each of you like things and don't like things about this because
5 that's frankly what our objective was in trying to craft this.

6

7 Chair Lauing: Yeah so, I mean if you're asking for a hand vote or something I guess we could do
8 that on hot button items but it's not a voting system tonight.

9

10 Mr. Lait: Yeah, I'm not suggesting that we vote but I'm letting – for expectations I guess what
11 I'm suggesting is that I'm hearing from a couple Commissioners that this is fine, maybe there
12 was a couple points to hit, and maybe that's the way to go. Is that if there's something in here
13 that is objectionable to somebody, maybe there's a quick conversation about it (interrupted)

14

15 Chair Lauing: Yeah what I'm hearing is that there are still – let's just take review process, there's
16 probably at least three different ideas from six Commissioners but I also heard at least two of
17 them say it's not going to get into the way if that's the only thing that's sitting here. So that's
18 what I'm hearing, if there's something really in the way that at some point is going to make you
19 vote against this ordinance then maybe we want to hear that.

20

-
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1 Commissioner Alcheck: (off mic) Who are the six, can you just tell – who are they?

2

3 Vice-Chair Monk: I think we're ready to move onto the next section unless anyone has a
4 comment on C2?

5

6 Chair Lauing: No, no, I think that's the opposite of what Director Lait is asking for because he
7 wants to get some ideas of if there needs to be a changed based on our probable majority
8 perspective at the next meeting which is the first time that we're going to see the ordinance.

9

10 Commissioner Riggs: I've had my light on for a little while maybe I can (interrupted)

11

12 Chair Lauing: Yeah so let's take that into consideration here because starting with any of them,
13 if there's something that sort of like a non-starter then let's have a quick discussion. And maybe
14 we do have to do a hand vote because if it's 5-1 that's one thing. Commissioner Riggs.

15

16 Commissioner Riggs: Well I – sorry, I don't – the funny part is it wasn't a non-starter as written
17 but a non-starter is reducing the number of meetings further. That's a non-starter for me, I – if
18 we take that thing away I'm going to ask for (interrupted)

19

20 Chair Lauing: Reducing the number of ARB meetings?

-
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Commissioner Riggs: Reducing the number of meetings with – this is already reduction, this is already streamlining. Trying to noodle it and streamline it more I’m not supportive of that.

Commissioner Alcheck: Can I just ask a quick question?

Commissioner Riggs: I’m not done.

Commissioner Alcheck: Just quickly.

Commissioner Riggs: Yeah, go ahead.

Commissioner Alcheck: Let’s say we’re at the next meeting, the ordinance that they bring forward has that item, you don’t like it, you’re going to make that point and then we’re going to vote and you’re still going to support the overlay. I mean (interrupted)

Commissioner Riggs: No, I’ll abstain.

Commissioner Alcheck: You’ll abstain from the whole Work Plan because of this issue?

-
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1 Commissioner Riggs: Yep, yeah, absolutely.

2

3 Commissioner Alcheck: Ok, well (interrupted)

4

5 [note- many Commissioners started talking at once]

6

7 Commissioner Alcheck: I'm glad we now know that, let's move on. What are the concerns that
8 the majority is going to (interrupted)

9

10 Commissioner Riggs: No, you interrupted me.

11

12 Chair Lauing: Right.

13

14 Commissioner Riggs: I think this .75 in the Affordable Housing Overlay is actually something
15 that needs to be resolved. I think its disparity between the plans, I think it's a point of conflict,
16 and I think it will get messy unless there's – unless they are brought into consistency. That's
17 actually something that hopefully there's agreement on because it's -- it's very clearly
18 conflicting standards for the same geography.

19

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1 Chair Lauing: Ok but I'm saying – I'm agreeing with Director Lait that if there's things that are
2 deal breakers then we need to know about those. So, you're saying – I know so why
3 (interrupted)

4

5 Vice-Chair Monk: Can we take a – can I make a motion on that and just let's make a motion to
6 put it to bed?

7

8 Chair Lauing: We don't need a motion. If you would just state what you're saying and then we
9 can see if you are joined by two people or five people.

10

11 Vice-Chair Monk: Commissioner Riggs and myself agree that this should be matching with the
12 Affordable Housing Overlay.

13

14 Chair Lauing: I was – sorry, I was still on review process which is the first thing that you brought
15 up. Can I have your attention, please guys? Review process, tell us specifically what you think
16 needs to be change and we'll see if there's support. You think ARB should be three meetings.

17

18 Commissioner Riggs: I think that we shouldn't try to change Item One Option B which was what
19 suggested – was what was suggested.

20

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1 Chair Lauing: From [unintelligible – crosstalk] (interrupted)

2

3 Commissioner Riggs: I am not supportive of changing that.

4

5 Chair Lauing: No change at all?

6

7 Commissioner Riggs: No change from what is written here which is already a change.

8

9 Chair Lauing: Ok, got it so how many people (interrupted)

10

11 Commissioner Riggs: And I can explain why but nobody wants me to.

12

13 Chair Lauing: No, I think you did but go ahead.

14

15 Vice-Chair Monk: No, no let's move on, he already did.

16

17 Commissioner Riggs: That's ok.

18

19 Chair Lauing: Ok so how many people agree with him because that's the kind of direction that

20 Director Lait needs.

-
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Mr. Lait: So, listen, I'm sorry, I don't want to confuse this anymore.

Vice-Chair Monk: Such a minor issue.

Mr. Lait: I agree, it is a minor issue, I've heard the comments, I'm not hearing overwhelming support for changing (interrupted)

Commissioner Riggs: And so, it's not a change.

Mr. Lait: It to two so I think we can just move on (interrupted)

Chair Lauing: Ok, fine.

Mr. Lait: And look for the –what – is there anything about this ordinance – maybe it's best not to go down the line but just maybe by Commissioner, Commissioner and just say what's in here that you find objectionable and have a conversation about that.

Chair Lauing: Except that we're not going to benefit from our colleague's comment on that.

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1 Commissioner Alcheck: (off mic) Yeah, we are.

2

3 Vice-Chair Monk: (off mic) Yeah, we are.

4

5 Mr. Lait: Why couldn't you?

6

7 Commissioner Riggs: Ok so yeah if you don't mind Chairmen I'll just do that.

8

9 Chair Lauing: Go.

10

11 Commissioner Riggs: I have one other thing that bugs me about this.

12

13 Chair Lauing: Go.

14

15 Commissioner Riggs: I – option – on Page 31, Item Three, I don't like the optional consideration
16 for PTC, I would probably strike that. Item Three I, Page 31.

17

18 Commissioner Gardias: I'm sorry I'm just (interrupted)

19

20 Commissioner Riggs: Packet Page 31.

-
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Commissioner Gardias: I'm sorry to interrupt you but can we just maintain some order. We were just focusing on one item, City wide. If we're just going to be done with this let's move to another one. Let's just be clear to everybody so (interrupted)

Vice-Chair Monk: Yeah, he's in the down (interrupted)

Commissioner Gardias: We know where we are and what we're doing.

Vice-Chair Monk: He moved onto the Downtown District.

Commissioner Gardias: Thank you.

Chair Lauing: No (interrupted)

Vice-Chair Monk: Right?

Chair Lauing: Multi-family is the next one.

Commissioner Riggs: Alright sorry, I thought (interrupted)

-
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Vice-Chair Monk: No.

Chair Lauing: So, let's go with that process on multi-family which maybe there's nothing. You have anything? No. You have anything?

Commissioner Alcheck: Yeah [unintelligible – off mic]

Chair Lauing: On multi-family?

Commissioner Alcheck: Yeah, I'll speak on multi-family.

Chair Lauing: Wow, it's only like six lines.

Commissioner Alcheck: If we're going to go one by one then I'll just say one by one I support the liberalization of this entire process. I think this is going to come down – I think that the – I think that those who are concerned about this are likely to carry the day. And so again the question is, what items are you having a hard time stomaching so that maybe we can have a discussion on that and I can encourage you to feel more comfortable with it. If I can't sway you then next week we know how you're going to vote.

-
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Chair Lauing: Right so we need to know if anybody has objections there?

Commissioner Alcheck: Yeah, I mean I guess point is I would support over liberalization of these policies (interrupted)

Chair Lauing: I know, we know.

Commissioner Alcheck: So, what do you not support?

Chair Lauing: So, let's move onto the next person. Commissioner Monk [note- Vice-Chair Monk].

Vice-Chair Monk: I agree that we need to look at the in-lieu parking so I'd like to move onto Downtown Zoning District.

Chair Lauing: You have no comments on Number Two multi?

Vice-Chair Monk: Correct.

-
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1 Chair Lauing: Commissioner Waldfogel.

2

3 Commissioner Waldfogel: No comments on Number Two.

4

5 Chair Lauing: Commissioner Gardias.

6

7 Commissioner Gardias: No comment.

8

9 Chair Lauing: Ok so Three is downtown.

10

11 Commissioner Alcheck: [unintelligible – off mic]

12

13 Chair Lauing: So, it passes.

14

15 Commissioner Riggs: Do you want me to start off?

16

17 Chair Lauing: Fine, Commissioner Riggs, downtown.

18

19 Commissioner Riggs: Alright so I guess for the Downtown CDC Zoning District I guess the only –

20 I'm fine with this. The only thing that I see is I don't understand the ration (interrupted)

-
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[note- many people were talking off mic]

Chair Lauing: Back at the mics.

Vice-Chair Monk: What?

Commissioner Riggs: Commissioner Riggs is commenting.

Commissioner Riggs: That's ok, I – [unintelligible]. I just – ok I just – I don't have to repeat myself, I'm not clear on the rational for the optional consideration. I have thought about this from multi angles and I actually can't – I don't know the connection between housing production and that or at least I can't strongly justify the rational for that policy. So, I would suggest not pursuing 3-I.

Chair Lauing: I'm sorry, perusing which one?

Commissioner Riggs: 3-I, I cannot strongly justify the connection with that with affordable housing production, particularly since it deals with commercial uses.

-
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1 Vice-Chair Monk: It's 3-H little i.

2

3 Commissioner Riggs: Is it 3H, little i?

4

5 Chair Lauing: No, it's (interrupted)

6

7 Commissioner Riggs: Thank you, it is.

8

9 Chair Lauing: No, no.

10

11 Commissioner Riggs: Or is it 3-I?

12

13 Ms. Eisberg: It's 3-I.

14

15 Commissioner Riggs: It's 3-I.

16

17 Vice-Chair Monk: It's confusing how it's written.

18

19 Commissioner Riggs: Yeah because it's (interrupted)

20

-
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1 Chair Lauing: Ok any other (interrupted)

2

3 Commissioner Riggs: I- I- I.

4

5 Chair Lauing: Any other comments on 3 then?

6

7 Commissioner Riggs: No, that's good.

8

9 Vice-Chair Monk: Oh, it's just I, sorry.

10

11 Chair Lauing: Commissioner Gardias, your lights on for (interrupted)

12

13 Commissioner Gardias: For downtown?

14

15 Chair Lauing: Yeah.

16

17 Commissioner Gardias: Ok so yes so if we're going from the last one I agree with Commissioner
18 Riggs. I don't support any in-lieu fees and in this case parking.

19

20 Commissioner Waldfogel: This is to remove them.

-
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Commissioner Gardias: Oh sorry, this is to remove them, yes so yes so yes so this is – so I actually agree with this point so thanks very much Commissioner Waldfogel but there’s a couple of other items that I want to (interrupted)

[note- many people started talking off mic]

Commissioner Gardias: [unintelligible]

[note-Staff member:] [unintelligible – off mic]

Commissioner Gardias: Yes, I am on record but there’s a couple of minor items which I just believe that they are not deal breakers but there are some items that we should not be having. For example, establishing maximum housing units, I just don’t think that this is appropriate for us just to – which is B. Yes, establishing the maximum housing unit for a size of 1,800- square feet. It is just pretty much – I don’t think that we should not be just getting into this type of control in the zoning. It just doesn’t look right and then I already spoke about the retail parking. I don’t – I agree with exempting the first 1,500 of the square feet of ground floor parking because -- and you have me on record on the prior – at the prior meeting. Thank you.

-
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1 Chair Lauing: Commissioner Waldfogel.

2

3 Mr. Lait: If there's any value in us explaining our rational behind some of those, at least 1,800-
4 square feet, you let us know.

5

6 Chair Lauing: No, sure. I just thought other people might have comments but go ahead, that
7 could be helpful.

8

9 Ms. Eisberg: So, the thinking behind that was the concern about the construction of some
10 penthouse units downtown. In particular there's [unintelligible] 5,000-square foot units that
11 may rent for \$20,000-\$30,000 a month and that being driven by the parking requirements. So,
12 some developers are putting that large unit because they can get two parking spaces than
13 where as they did four smaller units and needed the eight parking spaces required, they can't
14 actually fit that on the site. So, it's a combination of the parking problem resulting in a large
15 unit size, that was the rational behind it. I understand you're comment that maybe it's to
16 controlling but that was our thinking.

17

18 Commissioner Riggs: But did you feel like you needed the parking – so we're trying to hit on
19 both policies. Do you need the square footage maximum and the policy? I actually kind of think
20 that's an astute point.

-
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1

2 Commissioner Gardias: No, I mean this is just a – you know when I see things like this it just
3 resembles me and remind me the name of the guy that was trying to just create the perfect
4 man? He was just – created the form and was just cutting off the feet, part of the fingers – some
5 fingers, so tip of your head just to pretty much squeeze the man to the required form so I just
6 think that this is from the same perspective. Sorry for the brutal example but I guess simply
7 don't – I agree with the thinking that if somebody wants to have the roof top pent house it's
8 going to be probably one, maybe two in the entire City.

9

10 Chair Lauing: Commissioner Waldfogel is next.

11

12 Commissioner Waldfogel: (Off mic) Ok well let me – let me speak to these points and then I
13 have a more general question that I just need some clarification on. On the unit size I
14 understand we're trying to balance between the desire to produce more units and – but we
15 also have another policy goal which is over time I think we'd like to see some people move out
16 of houses and potentially move into some units that we build downtown. And so, if we limit
17 them we probably won't achieve that second goal of freeing up some of the existing single-
18 family houses. And I would suggest in the interest of balance maybe we limit it to 10 percent;
19 20 percent of the development can be units above 1,800-square feet. So, we just have some
20 threshold so we can somehow accommodate both goals. I mean I'm making this up as I go so I

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1 don't want to push too hard on kind of what that percentage ought to be. On the rail parking
2 exemption, I'm ok with that, I think that that's just a necessary evil. On the in-lieu parking you
3 know we really need to review that program but I think that our in-lieu parking for office has
4 really put a thumb on the scale for office over residential so we really have to look at this.

5
6 But I would like some clarification on the FARs because I'm just having trouble reasoning this
7 out. So, what are – what is the maximum FAR – what is the maximum developable office FAR in
8 the Downtown District net of all TDRs and all other privileges versus the maximum proposed
9 residential FAR net of all the HIP or other programs. I just want to know where – do we net out
10 to a bigger number for residential, the same number, where does it net?

11

12 Mr. Lait: 2.0 for commercial.

13

14 Commissioner Waldfogel: And that's net of everything?

15

16 Mr. Lait: Yeah.

17

18 Commissioner Waldfogel: TDRs, everything?

19

20 Mr. Lait: Yeah.

-
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1

2 Commissioner Waldfogel: Ok.

3

4 Mr. Lait: That's not a mixed-use project but that's commercial.

5

6 Ms. Eisberg: (off mic) Unless you are a hotel.

7

8 Mr. Lait: Hotels are different, putting hotels (interrupted)

9

10 Commissioner Waldfogel: Ok, hotels are 3.0, right?

11

12 Mr. Lait: Yeah 2.0 plus a TDR.

13

14 Commissioner Waldfogel: Ok so office is 2.0, hotel is 3.0 and residential will be?

15

16 Mr. Lait: 3.0 as proposed.

17

18 Commissioner Waldfogel: 3.0 and what's the 4.0 that's on Slide 13?

19

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1 Mr. Lait: And so, the report doesn't say 4.0, the slide provides an example of what it could be
2 to incentive affordable housing is what – this is in response to Item 3-H romanette five, optional
3 consideration, right above the in-lieu one. And so, we were saying if the Commissioner thought
4 that we weren't going far enough on affordable housing, another alternative to consider is
5 more FAR for affordable housing but we'd also thing that you'd probably need more height also
6 downtown.

7

8 Commissioner Waldfogel: Ok so this is sort of AH on steroids?

9

10 Mr. Lait: AH?

11

12 Commissioner Waldfogel: Mild steroids.

13

14 Mr. Lait: Yeah or (interrupted)

15

16 Ms. Eisberg: [unintelligible – off mic] AH Overlay?

17

18 Mr. Lait: Oh, I'll refrain from the steroid comment but it does give a boost to affordable
19 housing.

20

-
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1 Commissioner Waldfogel: Ok so but what's in front of us the base plan is 3.0 for housing, 3.0 –
2 existing 3.0 for hotel and 2.0 for office? Ok, good, that's – I need to noodle on that a little bit
3 but I just – I was having trouble just reasoning out to all those numbers.

4

5 Mr. Lait: Right.

6

7 Commissioner Waldfogel: I think they are important. Ok thank you.

8

9 Mr. Lait: And yeah, 3.0 could be achieved today (interrupted)

10

11 Chair Lauing: Is your light on?

12

13 Mr. Lait: Through TDRs in mixed-use development.

14

15 Vice-Chair Monk: [unintelligible – off mic]

16

17 Chair Lauing: No, wait, that's ok we got other lights.

18

19 Commissioner Alcheck: [unintelligible – off mic]

20

-
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1 Chair Lauing: Commissioner Alcheck.

2

3 Commissioner Alcheck: Ok two things so I'm fondly remembering Commissioner Rosenblum's
4 time on our Commission. He used to always encourage us not to use a stick, instead use a
5 carrot. I understand optics of the 5,000-square foot pent house apartment over the office
6 building on whatever it is around the corner and its massive rent. I totally get it. I don't – it's not
7 – I don't know that I approach my dissatisfaction with that item in the same way that
8 Commissioner Gardias is but I think we get the same result which is to say let's not say you
9 can't have a unit that's greater than 1,800-square feet. Let's create an incentive to encourage a
10 residential developer to build many small units as opposed to a few large ones. So, let's –
11 maybe – I mean 1,800 is the most you – someone decided 1,800, that's a big unit, no one needs
12 a bigger unit than 1,800 but maybe what we really want to see is a lot of 500 and 1,100 – 500-
13 foot units and maybe 1,100-foot 3-bedrooms. You know something more of a – the point I'm
14 trying to make is if we want to encourage many small units let's create an incentive as opposed
15 to a limit that has absolutely no real communicative purpose other than to say we really don't
16 want any more \$16,000 a month penthouse. Great but what we really want is for that person to
17 have put four units on his thing and maybe we would have suggested a lower parking standard
18 if they would do that.

19

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1 I think this concept of the in-lieu parking, it's like we already got the cap, we have the annual
2 limit, the issue isn't making office so impossible that somehow residential will get built. It's
3 about making residential on the same playing field. I don't buy – it's not that I don't buy into it, I
4 know from my personal private practice that there – office space is not more valuable than
5 residential. It's just you can build a lot more of it in most of the Zoning Codes in the Bay Area on
6 the same piece of property when you – the intensity of what you can build with a residential
7 project. And so, if we can mirror sort of the intensity that you can get with office in the
8 residential format we'll see it. And so, look, it's not worth the fight, this paragraph, I just don't
9 know that it necessarily improves the work – I think it's a Red Herring. People are going to be
10 like stop letting them build those projects without parking them, fine. Those projects aren't
11 getting built because of the cap and a number of other reasons probably. The question is let's
12 not spend too much time fighting about that, let's try to make the incentives for residential more
13 – I mean I thought it was – I thought you know what would be interesting is if that paragraph
14 said why don't you explore the idea of in-lieu parking for residential projects. It's like
15 blasphemy but I just want to highlight the fact that everybody's beloved residential project, the
16 President Hotel, we can't build in today's environment. It's too tall and doesn't have parking
17 and yet everybody seems to love it. And so, I think one of the questions – I love the idea of an
18 AH on steroids in our downtown and I think we should – it's not that our recommendation
19 should be that Council adopt the – this plan with maximum parking standards simply because
20 we say so. I think what are recommendation should be is there – we are using – they are using

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1 parking maximums all over the Bay Area and the State of California. Its worth a deep dive into
2 whether you can tolerate that in our downtown for example or within very close proximity to
3 High Speed Rail or something. And maybe (interrupted)

4

5 Chair Lauing: Ok.

6

7 Commissioner Alcheck: It's the same with the height in – look I get it, you're rushing every
8 single time I get this mic. It's (interrupted)

9

10 Chair Lauing: Let's just say that's not my impression.

11

12 Commissioner Alcheck: Every time I'm on the mic I feel like you're cutting me down. I need you
13 to let me finish. I think that the biggest thing missing from this section is the height bullet and I
14 know that it's controversial. And I'm not saying Staff has to take a position on it but Staff needs
15 to put it on the table and say this is a hurdle. There is no project – any lot that's smaller than
16 1,500-square feet is not going to be attractive. You can't build underground parking if it's
17 smaller than 10, that's never going to happen. I don't know if any of you saw that letter we got
18 from the developer of the Windy Hill project and I thought that was really interesting that he
19 came in, his projects moving. His projects been approved so this is – he's just providing extra
20 guidance now and I thought that was really interesting that he was like we've had – you know

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1 what would be great, let's find out, what were the 20 projects he passed on? He said over two
2 dozen projects that he looked at in Cal Ave and downtown that they couldn't move forward on
3 because of – I think that' we're not being honest with ourselves when we suggest that the size
4 of our lots is a big problem if we don't start considering height. So, my biggest issue here and I
5 don't think there's a consensus – I don't think there's even close to a majority of individuals
6 who would support the inclusion of it but I think it's a mistake to not say from Staff perspective
7 this is a big hurdle and we're not even really touching it.

8

9 Chair Lauing: Commissioner Monk [note- Vice-Chair Monk]

10

11 Vice-Chair Monk: Just going down quickly on the list I agree with proposals for unit density. I'm
12 glad that you gave us some information on unit size. I am a little concerned about regulating
13 the maximum square footage and I think that when you send this to Council if you could just let
14 them know what the rational is behind it. Because I think it is problematic to limit housing size
15 and I'd rather when you send this to Council to maybe send some ideas of those "carrots" that
16 Commissioner Alcheck eluded too. I'm not saying to take it out but I have reservation on it.

17

18 Retail parking, did we discuss the 1,500-square foot? Ok fine. I would expand but we already
19 discussed it. Agreed on all the other items. Going to the optional consideration I think that for
20 Affordable Housing we should go up to a greater FAR with 4.0 and if we need – if that would

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1 require changing height to 11-feet to add another floor to achieve that I would support that
2 and would like to advance to advance that notion to Council.

3

4 Parking here I think would be the same as what we have in the Affordable Housing Overlay,
5 that's what I would advance in this section as well. Thank you.

6

7 Chair Lauing: Commissioner Riggs, your lights on. Ok. Commissioner Gardias.

8

9 Commissioner Gardias: Thank you. So, first part on my classical upbringing collapses so the
10 reference for you is the mustiest. The man that was just trying to create the perfect man was
11 the mustiest so I'm putting this on record for those that don't know. So, I just want to bring a
12 couple other points, so in terms of the open space on the roof tops I disagree that – with that. I
13 just believe that this is not the – and we're talking about the downtown right?

14

15 Ms. Eisberg: [unintelligible – off mic]

16

17 Commissioner Gardias: Yes, yes, it's just pretty much I think that – I already argued about this,
18 it's just if you want to -- repetition about this. It's not going to be as used as the ground open
19 space and then for this reason it will just be an excuse to reduce true amenity for some, an

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1 ersatz { That's a word which means something of a lesser value, substitute of a lesser value if
2 you want the German translation. That's what it is.

3
4 There's another item that I want to just touch upon and this is my question to the Staff. There is
5 a transfer of development rights for the downtown and my question to you is like this, would
6 you be – would you consider and would you find of value of having TDR in the Cal Ave area?

7
8 Mr. Lait: So, adding that policy of TDRs to Cal Ave? Yeah, I don't think we're prepared to
9 comment on that. That's not something that we've looked at.

10
11 Commissioner Gardias: If you could just please I'd be supportive of this and I know that TDR is
12 mainly focused for historical buildings. So, it may be not the discussion that we can just have
13 because of the time crunch but we can just look at the TDR from a greater perspective just to
14 allow people for farther flexibility and maybe expand it later on from historical to other
15 properties. But then for now if we can just have a quick win, if we can just have TDR for Cal Ave
16 I totally support it, thank you.

17
18 Chair Lauing: Ok I just have a couple quick comments. I was going to ask that question as well,
19 the TDR, as I read this, it doesn't change at all in downtown, right? Ok just wanted to confirm
20 that. Over to the optional considerations, as I understand the second one I do think that would

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1 be an incentive to – I would agree with this. That we should really take a hard look at this issue
2 because I do think it kind of shifts the playing field just a little bit. Whereas on the optional
3 consideration for PTC, the one above it, I feel like we’re going pretty far already but I wouldn’t
4 fight that one to the mat because I’m totally supportive of affordable housing. And I understand
5 the arguments on the square footage both ways so that’s one where we might have to split the
6 baby. That’s all mine, so if there’s no other comments we can go onto California Avenue. Light
7 up the boards.

8

9 Commissioner Waldfogel: (off mic) I’ll jump into that one.

10

11 Chair Lauing: Sure, Commissioner Waldfogel.

12

13 Commissioner Waldfogel: Yeah, I mean it’s substantially the same, the only thing I would say we
14 should think about is the urban condition on Cal Ave is a little different than downtown. And so,
15 the 75 percent open space on the roof might be an ok standard downtown but I wonder if we
16 need a different standard on Cal Ave but again, absent massing studies it’s hard for me to
17 visualize – you know I don’t want to make up a number. But I just – it feels like Cal Ave is a little
18 more open than downtown as an urban environment so let’s keep that in mind.

19

20 Chair Lauing: That all?

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Commissioner Waldfogel: That’s all.

Chair Lauing: Commissioner Riggs.

Commissioner Riggs: (off mic) Well I want to underscore on this one, I will – I am supportive of the optional consideration for the PTC. Oh shoot, on this one I am supportive of the optional consideration for PTC. I think it’s super progressive for this are, I’m actually wondering if that community is ready for this and if the Council is ready for this but I would totally think that would be awesome down there. I am referring to F-3 which is the optional consideration for the PTC to allow for 100 percent affordable housing project to achieve 2.5 FAR and 50-foot height within located between – basically between a half mile from the Cal Ave. I actually think this is not – we have housing that is this tall already in this area or at least close to it so I don’t think its that dramatic although it maybe not be right on Cal. Ave. But I think this would be a great thing to endorse and move forward.

Chair Lauing: Can we just get quick Staff feedback? Is 50-feet there now?

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1 Ms. Eisberg: Yes, so the PTOD designation, that Pedestrian Transit Oriented Overlay, allows 50-
2 feet for below market rate projects so that's maybe why it doesn't seem that different than
3 what's (interrupted)

4

5 Chair Lauing: How close is that to actually California Ave?

6

7 Ms. Eisberg: That is one in the same so that PTOD Overlay is eligible in the Cal Ave area, it just
8 needs to be legislatively applied. So, this (interrupted)

9

10 Commissioner Riggs: Which is the same project that the Windy Hill did not take advantage of –
11 no, they didn't. Never mind, shut up.

12

13 Ms. Eisberg: I think that it's – that was just outside (interrupted)

14

15 Commissioner Riggs: That was just outside the PTOD.

16 Ms. Eisberg: There are two projects that have taken advantage of it, they are fairly small.

17

18 Commissioner Waldfogel: [unintelligible – off mic]

19

20 Ms. Eisberg: The PTOD? No.

-
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Commissioner Waldfogel: [unintelligible – off mic]

Ms. Eisberg: I don't think so.

Commissioner Gardias: [unintelligible – off mic]

Commissioner Waldfogel: [unintelligible – off mic]

Commissioner Riggs: It would probably be – Mr. Chair, it probably would be good to maybe get consensus on that item unless there's (interrupted)

Chair Lauing: Yeah, no we're still trying to get clarification from Jean.

Commissioner Waldfogel: (off mic) We're just talking about the CC-2 District, right?

Ms. Eisberg: Right.

Commissioner Waldfogel: [unintelligible – off mic] Is that correct?

-
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1 Mr. Lait: Yes, just the CC-2 (interrupted)

2

3 Commissioner Waldfogel: Yeah just CC-2.

4

5 Mr. Lait: And probably not in the PTOD boundary.

6

7 Chair Lauing: Commissioner Riggs this is just in the CC-2.

8

9 Mr. Lait: Not. No, I can show you a map but it's (interrupted)

10

11 Ms. Eisberg: The Fry's site is outside of the PTOD Overlay eligible area but obviously is in the
12 North Ventura Coordinated Area Plan Process that's moving forward now.

13

14 Chair Lauing: I think the visual question for citizens is this 50-foot, how close to California
15 Avenue can it be? Are you saying it could be right next door to (interrupted)

16

17 Ms. Eisberg: And right now, today it could be on California Avenue (interrupted)

18

19 Chair Lauing: Next to Starbucks or something like that?

20

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1 Ms. Eisberg: Yes, except that you'd have to do ground floor retail so it wouldn't be 100 percent
2 residential but if you got the PTOD Overlay today you could get to 50-feet of height even on
3 California Avenue if you had the right site.

4

5 Commissioner Riggs: Can I add one more thing here?

6

7 Chair Lauing: Sure.

8

9 Commissioner Riggs: I do think that the – that this condition or this additional language needs
10 work because it doesn't have a clear AMI associated with it and that was one of the other
11 things I was going to mention. It says at a specified AMI and I don't know what you're meaning
12 there.

13

14 Mr. Lait: Yeah, that was just to give the Commission some latitude in conversation. From our
15 perspective affordable housing is 120 percent AMI and below.

16

17 Commissioner Riggs: Well I am always going to support – I mean I would say 120 percent but I'd
18 always nudge it a little higher because we don't have great workforce policy but I don't – I don't
19 see that anywhere – that workforce piece or that middle housing in here anywhere. So maybe
20 that's a place where we can talk about an opportunity for – to take advantage of this for

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1 workforce housing just the same as we talked about it for the Windy Hill property. I'll through
2 that out there as an idea.

3

4 Commissioner Waldfogel: [unintelligible – off mic]

5

6 Chair Lauing: Question from Commissioner Waldfogel.

7

8 Commissioner Waldfogel: Well let me tell you what I struggle about with some of those
9 standards which is I'm very supportive of housing that we can direct say toward families at
10 \$140,000 a year income. What I struggle over is if we set up units that then end up with 2-year
11 out of school, \$140,000 a year single people. I don't feel like we've achieved a wonderful policy
12 goal. I mean you may not struggle with that the way that I do but a question is sort of how do
13 we make it so it's affordable and attractive to families and that's actually what we get.

14

15 Commissioner Riggs: So, I think in my opinion is this a – I mean this is partially – I would say this
16 it partially academic based and partially opinion but I think that a lot of this is based on the Fair
17 Housing Act we can't prohibit who's going to go into those units. That's cut and dry, we cannot
18 discriminate against that just like we can't discriminate – a family can't discriminate against that
19 young person that's going into that unit. So that's item one but also, I think that's there's an
20 issue with unit type right now and that a lot of what's in here is incentivizing smaller unit

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1 typologies which may be not consistent with what a family or small family might be interested
2 in looking at. So, looking at more mixed-use three twos for example or townhome type – I
3 mean so the funny part is we brought up that issue of the 1,800-square foot limitation in
4 downtown but I mean that’s – how do we get more 1,800-square foot units on these larger lots.
5

6 Commissioner Waldfogel: So, I guess my question – I mean maybe this is a question for an
7 attorney but is there a way for us to promote 1,500-square foot units that families land in? Is
8 there a way for us to make that happen because if that’s what we’re trying – if that’s what we
9 get out of this then I’m really supportive. But if we’re creating those units and then they’re just
10 – it’s just a bigger unit for somebody who would have ended up in a micro unit or something I
11 don’t feel like we’ve done something (interrupted)

12
13 Commissioner Riggs: Yes, this is where I don’t like giving up the site design standards because
14 when a project first comes in you’re going to look at unit allocation and massing. And that’s
15 were one of the things we waive City wide in this is the first look at a project to look at unit mix
16 and massing. And that’s one of the first things we can actually weigh in on and I don’t think the
17 ARC [note- ARB] really focuses on that unit mix piece and that’s where I see it as. It’s a
18 discretionary thing that we look at in this – in the site design.

19

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1 Commissioner Waldfogel: Yeah but it's -- like I say the issue is you have a 3-bedroom unit
2 which could have -- it could have one person with high income, it could have three roommates
3 (interrupted)

4
5 Commissioner Riggs: Yeah [unintelligible] that code I think that'd be something as Jonathan or
6 (interrupted)

7
8 Commissioner Waldfogel: But that's where I struggle with this discussion.

9
10 Commissioner Riggs: Unit mix standard, have you ever seen that?

11
12 Mr. Lait: We'd have to -- we could certainly look into that.

13
14 [note -- multiple people started talking at once off mic]

15
16 Mr. Lait: Emeryville, ok.

17
18 Chair Lauing: Did you want to comment? Was there a legal opinion requested there? I'm not
19 sure I just didn't want to (interrupted)

20

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1 Mr. Albert Yang, Senior Deputy Attorney: I'm not sure that I heard a clear question.

2

3 Commissioner Riggs: Do such a thing as unit mix standards exist? Things where you can set a
4 threshold.

5

6 Ms. Eisberg: I've seen it in Emeryville. You can think maybe 10 -15-years ago they built a lot of
7 studio, 1-bedroom, it was more young professionals and so they made a shift in their General
8 Plan about 10-years ago and wanted to build more family friendly units. And part of that was
9 incorporated in a similar local density bonus program where you got sort of goodies, additional
10 density bonus, if you did 3-bedroom units. And then there was some design standards around
11 the lobby entrance and accommodating strollers and things like that.

12

13 Commissioner Riggs: (off mic) Oh actually I think San Francisco used those on the (interrupted)

14

15 Chair Lauing: Mic, Mic.

16

17 Commissioner Riggs: Yeah so, I think San Francisco used those on the – not Infinity Towers but
18 the ones that are near Civic Center. I can't remember the name of those projects, the three
19 buildings that were right next to BART.

20

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1 Chair Lauing: Commissioner Alcheck did you have other comments on Cal Ave?

2

3 Commissioner Alcheck: Yeah so, a lot of the comments I made on the downtown I think apply
4 to Cal Ave in some respects, specifically with the height issues. I will suggest on this particular
5 topic that I think it's a mistake to get into the weeds on unit mix. I think that the development
6 community is far more efficient in responding to the demand. I think one of the interesting –
7 you know you mentioned that the developments will always favor small units. I don't know that
8 that's true, I think it's interesting that we just had a discussion about creating a maximum unit
9 size which suggests that we've had a probably with getting people to build small units. Right,
10 that's the suggestion?

11

12 Commissioner Riggs: (off mic) No, what I [unintelligible].

13

14 Commissioner Alcheck: No, I think there's a suggestion that without that limit some people
15 might build these massive apartments. So, I think you can make the argument both ways is my
16 point. I think one of the things that we have to keep in mind is that we can't look at our housing
17 supply and say ok, we don't want to just encourage one kind of housing. The truth is that we
18 already do encourage one kind of housing massively in this community and that's the single-
19 family home. It's the vast number of units and so the idea here is creating alternatives to the
20 single-family home for individuals who the single-family home is not what they're looking for.

-
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1 So, I think in this particular instance I don't know that we have to work to hard to get what the
2 community needs. I think there is a likely hood that we're going to see unit mixes of studios,
3 ones, and maybe 2-bedrooms but look you just saw a project that was all studio and ones. All of
4 that was affordable but look at the work force housing one, that's also small unit mix and the
5 point there I'm trying to make is that these are 100 total units in a sea of three, four, five, six
6 7,000-square foot homes.

7

8 Commissioner Riggs: (off mic) Can I get the last word?

9

10 Commissioner Alcheck: I guess my point is I really think we let the market do this and it – and I
11 think you don't discount the single-family homes in the unit mix when you're thinking about
12 Citywide unit mix.

13

14 Commissioner Riggs: My last word, if I can have the last word, is that I think Commissioner
15 Waldfoegel's concern is actually highly valid and that we need to be attentive to that. Yes, unit
16 production, this urgency on unit production is fine but all of us that I'm aware of except for
17 Commissioner Monk [note -Vice-Chair Monk] live in a single-family home and there aren't many
18 options. If you want to live in a three two somewhere between 1,000 and 2,000-square feet in
19 Palo Alto there aren't many options for you and I think that's a fact. And I don't know – I don't
20 see the private market is producing that type, 1,000-2,000-square foot three twos that are

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1 affordable. And so that would just be I think something that we should pay attention too and I
2 agree with you Commissioner Waldfogel.

3

4 Commissioner Waldfogel: (Off mic) Yes, we just have to solve for that.

5

6 Chair Lauing: Yeah.

7

8 Vice-Chair Monk: Is it possible to – you know you’re using some terminology that was new to
9 me tonight but controlling the design such that if we want to encourage families that if it’s a 2-
10 bedroom they are not equally created so that two roommates could live there. It would be
11 really for a family where the second bedroom is really a smaller bedroom and therefore if it’s
12 just a percentage of the master bedroom then they’ll have a reduced parking requirement.
13 Maybe that would encourage great unit production versus that penthouse type of thing we’re
14 looking at. I don’t know if that’s a possibility but that might be a way getting around the legal
15 implications of saying who can live where.

16

17 Chair Lauing: Ok let’s move on to the adjacency to El Camino and Staff I would ask you first to
18 talk about the nodes and corridors. We just briefly touched on that in the pre-meeting
19 yesterday but address what you want to now or if you want to pull something out of here let us
20 know how you want to do that.

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Ms. Eisberg: Ok so I mentioned this briefly in the initial presentation but so the idea for this emanated out of the self (interrupted)

Chair Lauing: Hang on, we don't have everybody yet.

Vice-Chair Monk: Yeah Jean, there's some talking and also just before we move on we'll let them finish their side bar over there but I do support the optional consideration for PTC as well and would even support going greater on FAR.

Mr. Lait: We'll just – on that topic I'm only hearing from a couple of Commissioners on that optional item for Cal Ave, is that right? I've heard – we've heard from Commissioner Riggs and Commissioner Monk [note -Vice-Chair Monk] supporting up to 2.5 FAR and 50-feet which is (interrupted)

Commissioner Waldfogel: Well I'll say I think if we could solve this unit mix problem in some practical legal way I could support bigger numbers. It's just I don't want to do it without actually solving the problem we're setting out to solve and I don't know if that's possible.

Mr. Lait: Ok.

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2 Mr. Yang: Yeah so, I guess I'll just jump in because there have been a couple of comments
3 about encouraging certain families as opposed to room mates or something like that. I think we
4 have the ability to regulate unit mix with the idea that perhaps multi-bedroom units are more
5 attractive to families but the more specific and directed that we get is towards trying to favor
6 families as opposed to groups of people who are room mates that's when we're starting to get
7 into hot water. So, I guess I'd suggest there's probably some things that we can do but I
8 wouldn't want to promise Commissioner Waldfogel for example that we could really hone on
9 this specific issue that you're interested in.

10

11 Vice-Chair Monk: Albert to that I just – I think there's consensus around looking at unit mix
12 though to solve for it and maybe checking with developers and finding out if these 2-bedrooms
13 are really built equally in size. I think that would really address the issue.

14

15 Commissioner Riggs: I would specify, I mean I think that Commissioner Waldfogel and I are
16 referring too is our low income to moderate market place and what we're talking about here is
17 100 percent affordable. What we're seeing is that predominantly those are smaller unit types
18 that are coming in and what we're not solving for are low income families and because we're
19 providing a market – a typology that maybe doesn't sometime match the market place. And so,
20 I think that's just something we have to be really attentive to with this whole ordinance.

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Commissioner Waldfogel: And that's exactly why I raised the question with the earlier project we saw earlier. There are exactly three units in that project that might support even (interrupted)

Commissioner Riggs: This is not – this is affordable housing industry issue too so it's not like a Palo Alto issue.

Commissioner Alcheck: Well we get one project every decade right so we're talking about – it's not that I – it's a cost issue. I think you're suggesting I want my affordable housing developers to build family housing. I think if you create standards that require that it won't be popular, that's all I'm saying. You want broad flexibility.

Chair Lauing: Alright nodes and corridors.

Commissioner Riggs: Yeah well did they get enough feedback to go with – I think there's consensus but did you get enough feedback from us to maybe come up with something that response to that?

Chair Lauing: I think that was our ask, I think that was what we were asking.

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Mr. Lait: Yeah, we'll look into it as best we can.

Commissioner Riggs: Thanks, well I appreciate your interest and looking into it.

Mr. Lait: Well, we – it is complicated and I think that to do it right you got to – we got probably spend a lot of time and we're coming back – shipping out a Packet to you in one week. So, it's not of lack of interest, it's focusing on the big picture of trying to move the ordinance forward.

Ms. Eisberg: So, El Camino Real, the nodes and corridor idea, so this is – if we think about the Retail Preservation Ordinance and the requirements in the CN and CS there are trade offs that we discussed here in the past about wanting to support ground floor retail along the corridor as a whole versus wanting to support housing production. So, this is trying to locate a place in the corridor where 100 percent retail may be appropriate and as I mentioned in my initial remarks this particular – the blue outline on the screen and on the map is showing a location where it's just a little more mixed in terms of what's on the ground floor now. There're some larger sites, there's pretty tentative along the entire corridor, there's actually not a lot of vacancies. We know these are low rent opportunities for retail on El Camino which is attractive for many different types of business. So again, this is a location where we're suggesting that we could do a 100 percent residential projects and then along with that (interrupted)

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Chair Lauing: I understand this isn't the (interrupted)

Ms. Eisberg: Sure.

Chair Lauing: Ordinance but the discussion here is things like seek Council support to conduct a fee – a nexus – a fee nexus study. So, isn't that a separate issue apart from the ordinance?

Ms. Eisberg: Yes.

Chair Lauing: Right so I'm wondering if that's something we need to discuss right now?

Mr. Lait: You don't, I think what we were trying to do is put into place a system where within this sort of internode area a housing project – 100 percent housing project could go forward but it couldn't go forward until we've established this nexus fee. So, we wanted to put it into the ordinance and then it would be activated at some point in the future when we've don't the study, we've developed the program and allowed for the provision.

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1 Chair Lauing: Ok this – I mean this would be a perfect example of something that we’ll have to
2 see in the ordinance then because it seems like it’s so dependent on a lot more external data
3 that I don’t know how we’d put it in the ordinance. So, we’ll just (interrupted)

4
5 Mr. Lait: Yeah and the alternative is – I mean you would – it would say something to the effect
6 that at the point where the Council adopts – when the City adopts a fee nexus study for retail
7 waiver, at that point then a development would be able to take advantage of X, Y, Z. But we can
8 write it in there or alternatively we can have this conversation say yeah, we think that might
9 have value, let’s look at it in the future and not include it in this ordinance. That’s an option as
10 well.

11
12 Chair Lauing: Ok great, I just wanted you to have preliminary comments there. Commissioner
13 Gardias.

14
15 Commissioner Gardias: Thank you so I just want to make one observation about this and also
16 the drawings that were popularized among us which I believe that they were not reflecting the
17 true picture on El Camino. And I went there recently and I looked at this from perspective of the
18 retail. It is all retail throughout from left to right, all over, there is nothing like a node. I
19 understand there is a – by that sushi place and then California Pizza and Good Will, I know. It
20 looks like a node, this – there is this triangle because it is only because the node because there

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1 are streets that are just going at the open angle and then create another opportunity for retail
2 to expand. That's the only way, that's the only reason but other wise along El Camino you have
3 retail on left and right. And then pretty much whatever zoning is going to be for retail there
4 should be retail in the ground floor because historically there was propensity to do – to sell
5 stuff for 200-years and then we should respect that. Of course, yes, we had this discussion of
6 affordable housing that's a different story. I think it has been settled one way or the other. I
7 may not agree with this but it is what it is. It's been settled so -- but otherwise I think this is
8 already throughout so all of those should retain retail and there should be no exclusion for
9 retail parking, for any other – or any other tries to diminish the value of the retail. That's what I
10 wanted to say, thank you.

11

12 Chair Lauing: Commissioner Waldfogel.

13

14 Commissioner Waldfogel: Let's see, so I'm intrigued by this idea. I'm not sure I know enough to
15 act on it. What is your vision? I mean is your vision that these are the avenues in New York
16 versus the streets or sort of what's the – I think this has to build into a vision of where El
17 Camino goes and how it works and it's a little hard to just do this piece mill.

18

19 Ms. Eisberg: Yes, and I think things like the broader Grand Boulevard intuitive and what is this
20 corridor really look and feel like are important because it is a very big street. I mean even in this

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1 location there's only certain locations where you can cross maybe most safely with a signal. So,
2 we have sort of two priorities that we've heard from the Council. One about preserving retail
3 and one about increasing housing production and this is a place where there's a real tension
4 between the two.

5
6 Commissioner Waldfogel: Yeah so how's the conversation played out that [unintelligible] of El
7 Camino were sort of the last remaining cheap retail space in town. You know there's reweaving
8 studio or functions like that that probably couldn't survive in the downtown of Cal Ave Districts.
9 And there's some value in a community to having spaces for those kinds of businesses so how
10 does – how do you see that evolving if we move in this direction?

11
12 Ms. Eisberg: That was part of the thinking behind this nexus study and the development of the
13 fee, is that could those – could that fund support some of those businesses within these nodes.
14 And maybe the node is not the best terminology for this because I recognize it's strung out, it's
15 not really just a circular form but if this fund was set up could that subsidize rents in some of
16 these locations to maintain that lower cost retail? Could it be used for façade improvements or
17 other tenant improvements upgrades?

18
19 Commissioner Waldfogel: Yeah like I said I am intrigued by it, I mean I think there's some
20 thinking about that, about how this plays off of transit improvements, how the – how far will

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1 people be walking if they're – you know because I would assume the transit will be at the nodes
2 and then people would be walking through the corridors to their housing. So, I think there's a
3 lot of complexity here and I'd like to encourage you to pursue it. I'm just not sure that – you
4 know I'm not sure I'm ready to act on it yet.

5

6 Chair Lauing: Is your light on?

7

8 Commissioner Riggs: Yeah, my lights on.

9

10 Chair Lauing: Commissioner Riggs.

11

12 Commissioner Riggs: Well given the direction of ecommerce and I actually think this is not a
13 great idea. I do not see this as a sustainable business model to promote small business along
14 the El Camino corridor. I don't know why you would actually do this as an impediment to
15 building more housing – more affordable housing along the El Camino corridor. It seems to me
16 like putting an impact fee there makes it inconsistent with some of the Retail Preservation
17 waivers that we've actually – we've put in for Citywide. So, I don't understand why – I mean
18 does that mean that the Citywide retail preservation for 100 percent affordable housing does
19 not apply in this location? Is that (interrupted)

20

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1 Mr. Lait: It does.

2

3 Commissioner Riggs: It does, ok, so this would be non-affordable projects?

4

5 Mr. Lait: (off mic) Yeah this would be (interrupted)

6

7 Commissioner Riggs: Alright so (interrupted)

8

9 Commissioner Alcheck: [unintelligible - off mic]

10

11 Commissioner Riggs: But they would be (interrupted)

12

13 Mr. Lait: [unintelligible]

14

15 Commissioner Riggs: Yeah it wouldn't come – well I just – I'm – I guess I then would make the

16 recommendation similar to Commissioner Waldfoegel. I don't see it as ready for prime time yet,

17 it's to unflushed out.

18

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1 Commissioner Waldfogel: [unintelligible – off mic] this is the kind of retail that I think will
2 survive. I mean a lot of these kind of – there’s a lot of these sort of high touch things that need
3 cheap space.

4

5 Commissioner Riggs: Right you’re a tailor or I mean like (interrupted)

6

7 Commissioner Waldfogel: Yeah and so I think that having places where those can land is
8 important.

9

10 Commissioner Riggs: I just don’t – whether or not it’s a subsidy program that’s funded by a – I
11 mean this is not a fund that’s going to be in existence for perpetuity. It may get three projects
12 and it’s not going to – it seems like a lot of bureaucratic – administrative cost for not a lot of
13 money. I don’t know.

14

15 Mr. Lait: Yeah, I agree, it’s a concept this is (interrupted)

16

17 Commissioner Riggs: It’s a great idea, I just don’t think it’s ready for prime time. [unintelligible -
18 crosstalk] second Commissioner Waldfogel (interrupted)

19

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1 Chair Lauing: I would concur on that which is why I asked the first question earlier but it just
2 seems a bit cart before the horse because we don't have enough data and the tailor doesn't
3 need an ecommerce site but is valuable to neighbors. And we have to drive to the tailor maybe
4 5-miles now because there aren't enough of them so that is a good place. I agree with
5 Commissioner Waldfogel on that. So, I would really condense the stuff that we're committing to
6 now on that whole corridor. And as Jean said the whole idea of the Grand Boulevard there also
7 has impacts, so some of that stuff I think has to get done before we can make a lot of changes
8 to this so I see this is as needing to be really condensed.

9

10 Mr. Lait: So, to be clear we're going to jettison this from the ordinance.

11

12 Chair Lauing: Sorry?

13

14 Mr. Lait: We're going to remove this from the ordinance.

15

16 Commissioner Riggs: I think that's a good idea and I would – it's not – I would just want to say
17 it's super creative. It's – I want to commend you, it's very creative. It's -- I think it's just not
18 ready.

19

20 Mr. Lait: Thank you.

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Chair Lauing: Ok. Commissioner Gardias you have a comment?

Commissioner Gardias: I have a question actually, so like a week ago or so I proposed this overlay. And I wanted to understand if you had a chance to incorporate it in this document, that proposal or is this Number Five, property adjacent to El Camino, is this response to the email that I sent to you? What's the plan?

Mr. Lait: So, thank you for that email. We were kind of on our path of drafting this – these recommendations and we didn't really have time to engage and incorporate that. If there's elements of that that you want to bring out here and have that conversation this would be the time to do that. But this reflects some of our analysis based on the outreach that we've done and Staff recommendations.

Commissioner Gardias: So, if I – I hope that maybe there will be – as I expressed in my email right I hope that maybe there will be some support among the colleagues to (interrupted)

Mr. Lait: Yeah again so we sent that to the rest of your colleagues (interrupted)

Commissioner Gardias: Yes.

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Mr. Lait: So, if there's something that's not in here that was part of that concept this is the time to present that and see if there's support.

Commissioner Gardias: Yes, yes but let me just allow some thinking behind this. For example, I also included CC and CC2 in addition to CN, CS Zoning. And the reason was that I specifically excluded – so in terms of inclusion CC2 I only had in mind of rezoning for that overlay – EL Camino Overlay to some properties that are very close to El Camino. So, they would just get additional boost over this with California Ave allows. And then in terms of the CC which I think that Town and Country is part of CC which is specifically excluded because it's included throughout. But also, there are some properties where for example Garber has its architectural studio there and there are properties on the other side of the parking that's on the back side of Town and Country that from my perspective they could be raised easily to 55-feet. And those are the properties that are behind this affordable housing – affordable property – affordable development that is on El Camino and between the rail road there's a number of the lots that I think that could just go up higher to 55. But then also the thinking I had behind this was to increase density to 3.0, I think this was a proposal, I can even go higher, 55 was throughout all of these zones along El Camino and also, I proposed the elimination of some site setbacks for those properties if I remember correctly. I don't have it in front of me and that was pretty much from perspective of just allowing the retail to be – to create the wall of windows from El

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1 Camino. And then expand the syllable part of the retail, this front window – front display that
2 attracts the customer, that was the thinking behind this. Thanks.

3

4 Chair Lauing: Did anyone have comments on that? Commissioner Riggs.

5

6 Commissioner Riggs: (off mic) I didn't have any comments, I think some of my comments on it I
7 (interrupted)

8

9 Commissioner Alcheck: [unintelligible – off mic]

10

11 Chair Lauing: Let's see, Commissioner Monk's [note – Vice-Chair Monk] (interrupted)

12

13 Commissioner Riggs: Mike [note – Commissioner Alcheck] had a comment on it.

14

15 Chair Lauing: Yeah Commissioner Monk's [note -Vice-Chair Monk's] light was on, did you have a
16 comment on that?

17

18 Vice-Chair Monk: Separate.

19

20 Chair Lauing: Ok any comments on that Commissioner Alcheck?

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Commissioner Alcheck: I like the idea, I like his suggestions. I think there's room in our community to consider these bigger FAR ideas. I would support your suggestions because I think we need to – I think it would be great if the City adopted some zone that they were comfortable experimenting in and if this is that zone, fine. If this is a place we were can expand the heights and the density and be comfortable with it because of its proximity to transit and it's the context of the area around it being intensely retail for example with the Town and Country backdrop. I like your idea.

Chair Lauing: Commissioner Waldfogel.

Commissioner Gardias: Thank you.

Commissioner Riggs: Oh, did I get (interrupted)

Chair Lauing: Yeah, he was on first.

Commissioner Alcheck: Did I miss that email? Did you send that to all of us?

Commissioner Riggs: I didn't get it either.

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Mr. Lait: It should have come from our office.

Chair Lauing: I got it.

Mr. Lait: Ok.

Commissioner Waldfogel: (off mic) Did you have something to say about this?

Chair Lauing: Go ahead.

Commissioner Riggs: I had another – I had my thing on for another thing but I think it’s fine idea. Yeah, I – sir? Oh, I think it’s a fine idea. I don’t – my only question for both of you now is whether or not Staff can fold it into the ordinance but I think that – it’s a funny part – well there’s – we could divide – debate some details of how this interplay with the ADU – statewide ADU Ordinance which already give you additional lot coverage so yeah, that’s fine, yeah sure. I – is there more talk on this topic or can I bring up one more thing?

Chair Lauing: Commissioner Waldfogel where you going to comment on Commissioner Gardias’s?

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Commissioner Waldfogel: Just one quick comment on the thing. I mean the direction I think this is interesting. I'm not sure we can get to it in this scope but I mean I think all these ideas, I mean having zoning to experiment in is an interesting idea. I don't know if El Camino is the right one or the wrong one because we have to work out the transitions to other housing zones. I think that's actually a giant discussion we need to have but probably next year, not this year. So directionally I think there's some good thinking here, just a question of when can we dive into it a little deeper.

Chair Lauing: I concur with that. I think we have to do some experiments, not unlike we did on the VTA lot with the initial work force housing. Ok Commissioner Riggs.

Commissioner Riggs: Well I guess I should ask permission Chair Lauing because I'm kind of done with – I am fine with this. I actually have a bigger picture question so maybe I should ask permission to (interrupted)

Chair Lauing: Yeah anything else on 5?

Vice-Chair Monk: Yeah, I'd like to speak to it.

-
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1 Chair Lauing: Ok let's just finish up 5 first.

2

3 Vice-Chair Monk: So, on the Housing Incentive Program have we gone far enough there in
4 looking now back at the Affordable Housing Ordinance to see if there's opportunity to weave
5 any of those standards into this area? The landscaping or reduced open space? Also, there's an
6 edit that we caught earlier I believe when I met with you Jonathan under H-2 around the GF
7 Combining District needing that language to come out.

8

9 Mr. Lait: Right in our prescreening or premeeting on Packet Page 33 we just need to strike the
10 reference to the GF Combining District which is a downtown reference. This is on H romanette
11 2, middle of that paragraph we would strike GF – well the reference to GF Combining District.

12

13 Vice-Chair Monk: So is there opportunity here to incorporate any of the AH standards like the
14 50-foot (interrupted)

15

16 Mr. Lait: Yeah so, I think – I know we're sort of nearing the end of this and I think this has been
17 very helpful. One of the outstanding questions that I have in my mind and would benefit from
18 Commissioner discussion on is to what extent the Commission feels comfortable with us taking
19 the affordable housing – we've heard already from some of you. We didn't hear from
20 everybody about taking the Affordable Housing Overlay standards that exist today which is

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1 what you considered with the Wilton Court item tonight and incorporating those into this
2 process. And so that would allow for in these different zones that we're amending affordable
3 housing projects to go to 50-feet and basically take these standards and apply them to this
4 ordinance. So that we're not going through this additional legislative process and so it would be
5 helpful to know (interrupted)

6

7 Commissioner Riggs: I'll vote for it.

8

9 Mr. Lait: Where the Commission is on that.

10

11 Commissioner Alcheck: [unintelligible – off mic]

12

13 Chair Lauing: I'd like to see it in sort of a comparison table like Jean is so good at putting
14 together.

15

16 Mr. Lait: And so, I guess what I would say it's the same standard that exist today. The only
17 difference that we would be making is you don't have to go through the legislative process to
18 apply it to your property.

19

20 Commissioner Riggs: (off mic) Sort of transparent to the [unintelligible].

-
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Chair Lauing: Which means that Wilton didn't have to come tonight?

Commissioner Riggs: (off mic) Correct.

Mr. Lait: In that they would have only had to go to the Architectural Review Board for up to three meetings.

Commissioner Alcheck: (off mic) I mean I guess the notion is that in these districts – sorry. You know I think what I'm understanding it that in these districts we're essentially saying yeah, we support 100 percent affordable housing that isn't currently allowed because of things like ground floor retail requirements. I mean it takes care of a number of the hurdles but here's the thing about what we just did. We didn't review the project right so the question is in what planet would the optics of the situation allowed any rejection of the zoning change? I just don't think it's likely that anybody would have voted that way. Maybe somebody would have but we – it was unanimous, just seems interesting. I think the question really is does – here's the question Jonathan. The question is does City Council benefit from – Director Lait? I think the real question is does City Council benefit from this element of the process? Do they need our opinion about whether the AH Overlay should apply to a project that we don't really discuss its specifics or can they just take this and make their own – and then the real question is you'd be

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1 – are you removing it? All oversight? No, because doesn't the ARB recommendation then go to
2 City Council?

3

4 Mr. Lait: (off mic) It would for this Wilton project if we [unintelligible] (interrupted)

5

6 Commissioner Alcheck: It's not like we're removing it – oversight from the process. The
7 question is what is the – I think the real question is what is the benefit of our review to City
8 Council because we're just a recommending body. Are they really benefiting from what we did?

9

10 Mr. Lait: And I think at the time we were drafting it we were still learning about SB-35 and its
11 implications and so we were taking a cautious approach on how that would play out. And so,
12 we're exploring a concept here with this Housing Incentive Program (interrupted)

13

14 Commissioner Alcheck: I don't think it's so radical is all I'm saying. I mean (interrupted)

15

16 Chair Lauing: Well I think one disconnect here frankly is that when we're discussing the
17 ordinance in those two meetings part of the argument for going ahead with it and saying it was
18 not pervasive is that every project would come back to PTC for review. But that's actually not
19 happening anyway because it's only the fit to the ordinance.

20

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1 Commissioner Riggs: Maybe I should bring up my question now because it relates to the bigger
2 picture. It sounds like we're done with Item 5 Sue or we – alright. So why – I forgot some of SB-
3 35 I had to actually go back and look at it. I don't see how even the Affordable Housing Overlay
4 is relevant any longer. I mean like SB-35 invalidates most of it because of the proximity
5 requirements on – I mean – and so what I was going to ask is (interrupted)

6

7 Chair Lauing: So, specify what you mean by that because the proximity requirements.

8

9 Commissioner Riggs: Well so the fact that (interrupted)

10

11 Commissioner Alcheck: (off mic) [unintelligible] can't use SB-35.

12

13 Commissioner Riggs: Why – they could have come under – they would have had a guarantee –
14 they could have come in under SB-35. I mean like they didn't (interrupted)

15

16 Vice-Chair Monk: [unintelligible – off mic]

17

18 Chair Lauing: So, can we get Staff comment on that?

19

20 Commissioner Riggs: Why – it couldn't have prevented it.

-
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Mr. Yang: The reason that this project is going to the ARB is because the AH Overlay needs to be applied. If the AH Overlay were already in place then they could have taken advantage of SB-35 and asked for an administrative approval.

Commissioner Alcheck: (off mic) Right but now that the AH Overlay – theoretically if the AH Overlay gets approved it goes to City Council, they accept the recommendation, couldn't they still use SB-35?

Mr. Yang: Yes, but we're processing the architectural review concurrently so (interrupted)

Commissioner Alcheck: (off mic) If they don't like your recommendation in the ARB though?

Commissioner Riggs: So, I guess my question – let – this is way in the weeds. We don't need to have that – I mean my opinion that discussion is not what -- I wanted to bring up was some of what we talked about to start off today's – this discussion. I think is not as informed by AB-35 [note-SB-35] as it should be. A lot of the parking standards we looked at for within a half mile from transit don't relate to the actual standard under SB-35 which there is no standard. I mean so I don't understand – a part of me is like I keep on pushing on this parking maximum thing. Why are we even talking about a .5 standard for micro units or a .5 standard for all of these

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1 others. So, I don't understand why we're even dialoging that when we've already got a certain
2 segment which we want to come in -- a certain amount of affordable housing we want to come
3 in that doesn't require any parking what so ever. But we're holding the rest of our inventory
4 hostage to these parking standards or we're saying oh we're going to have these artificial
5 standards even for our affordable housing. I just think -- I think we should push a little harder on
6 some of these items that are in here, particularly at the front side on a Citywide piece.

7

8 Commissioner Alcheck: [unintelligible – off mic]

9

10 Chair Lauing: Staff do you want to address that?

11

12 Mr. Lait: Yeah, no I think there's opportunity for a conversation on parking and we have heard
13 from our outreach to developers that parking is probably one of the greatest constraints that
14 we have even with increased floor area that we're providing. At some point more floor area
15 and even height doesn't help because you can't park it if you're digging multiple levels down
16 and so parking really becomes one of the biggest constraints. So that's why we're looking to
17 provide -- easing up a little bit more in these transit rich areas, the fixed transit. So, what we
18 (interrupted)

19

20 Commissioner Riggs: Remind me because these have no requirement, right?

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Mr. Lait: Under – so I’m getting to SB-35, so what we’ve proposed of course is something that we thought moved the needle. And it may not move it far enough for some developers but we think that it does for others and so we’re trying to take that step in the right direction. With Sb-35 we understand that – and if the Commission is not aware of this, you can have SB – for qualifying SB-35 projects that are within a half mile of transit and that’s defined or actually it’s not really defined but there’s other state law that provides some guidance as to what that is. Basically, El Camino and downtown, all the areas that we’re looking at, if you have a qualifying SB-35 project which means 2/3s – at least 2/3 of the project is residential and for Palo Alto 50 percent of that project is deed restricted to affordable housing; 120 percent AMI and below. You can build that project without any parking spaces and so that’s a conversation that the community I think needs to understand about state law and we need to reconcile that with our own local ordinance. You – what you get with that project is 50 percent affordable housing which we heard some comments about that. If we got that that would be certainly moving toward the right direction but there’s other elements of SB-35 that might be less attractive to a developer. And there are some sites that get kicked out depending on what where the previous uses and other historic resources and things of that nature. So, what we’re talking about here are projects – standards that would apply to every project versus a subset for SB-35 (interrupted)

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1 Commissioner Riggs: Ok.

2

3 Mr. Lait: And so that's the rub.

4

5 Commissioner Alcheck: Can I ask him a follow up question?

6

7 Chair Lauing: Just – did you get your answer?

8

9 Commissioner Riggs: Well I think understand, I just – it seems like an opportunity to nudge
10 some of these but if we're going to try to bring it conformity with the Affordable Housing
11 Overlay then that's one amount of transparency we can provide. A sophisticated developer is
12 going to know how to take advantage of SB-35.

13

14 Commissioner Alcheck: That's what – I was – so I was going to suggest to you, you think a land
15 owner with – in this – in one of these zones with let's say acreage ok? Do you think that what
16 we're putting on the – I mean I guess the question is or do we really think what we're putting
17 on the table is appealing enough for let's say the Fry's site to not consider SB-35 as a much
18 easier process? I don't think they're – I don't think the SB-35 applicant is going to build it
19 without parking. I think they're going to look at a project and suggest we're going to park it but
20 they're going to have a streamlined process. And the parking might be relating to our parking

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1 standards or what the community wants. I think – look I think it’s really telling what happened
2 in Cupertino. I mean that – its still sort of unfolding, I don’t know that they – I think they made a
3 decision last week or the City Council had to make a decision and they were trying to push – the
4 developer was like we like your Option 2 but now your Option 1 and we can work with this but
5 the developer has significant leverage in that discussion. And I just think when that comes to
6 Palo Alto it going to feel like a slap in the face to some people. And I’m ok – I’m not suggesting
7 that I have an answer to solve that problem but it feels like what we’re going here is largely – I
8 feel like the project that is most effected here is the next Wilton Court, a 100 percent
9 affordable project by a non for profit which is barely capable of building units at a \$600,000-
10 unit price tag. I mean it’s – I wish I understood – I wish we had a little bit more time to get a
11 sense of whether any private developers thought this was even remotely appealing. And I’m
12 not suggesting that we slow down the process, I’m just saying one of my concerns is we’re
13 doing a lot of work and is it every going to get taken advantage of? That’s one of my concerns. I
14 hope it does but I don’t – I think that – I think what’s going to happen is it’s not far enough, the
15 needle is not far enough and – but I’m comfortable with getting to that day and seeing that
16 situation arise.

17

18 Chair Lauing: Commissioner Waldfogel.

19

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1 Commissioner Waldfogel: Yeah, I think we took some of – took up some of these matters when
2 we looked at the AH Overlay but I mean something that I think would be easy to do would be to
3 fold – would be to create a by right process for AH at 60 percent AMI and below. I mean I think
4 there'd be broad support for that and we know those projects are financeable. The 60 to 120 is
5 actually the tougher case. It's – I'm sorry?

6
7 Commissioner Alcheck: 60 to 120 is impossible now. The reason why it was under 80 – it was in
8 80 is because right now the financing doesn't – they don't have that process yet and we only
9 allowed 80 because (interrupted)

10

11 Commissioner Waldfogel: Ok excuse me, I have the floor.

12

13 Commissioner Alcheck: Yeah, sorry, I didn't mean to interrupt.

14

15 Commissioner Waldfogel: What we did learn from interviewing developers is that the solution
16 in the Bay Area for that bucket is inclusionary standards. So that's where the 60 to 120 units are
17 getting developed and so I think we need to look at all this as sort of in that context. That a 120
18 percent or 100 percent of 120 percent AMI just won't happen. That's just not – that's not a
19 financeable project in todays climate. You know 20 percent of 120 percent AMI probably is a
20 financeable project, maybe even 25 percent in the Palo Alto market. I don't know what the

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1 exact number should be but I think we need to look at some of this in that context. So, like I say
2 the 60 percent and below, I'd be fine if that was a by right process. That we didn't have to go
3 through this – we didn't have to go through a – that we didn't have to go through a map
4 revision.

5

6 Mr. Lait: At the AH Overlay standards?

7

8 Commissioner Waldfogel: Yeah at the AH Overlay standards but I think we'd have to look – we
9 just have to look a little bit harder at the other bucket and just figure out what is actually
10 financeable. I mean there's no point in passing an ordinance that doesn't lead to anything
11 happening so let's figure out what can actually make something happen.

12

13 Mr. Lait: I think financing with some of the recent changes use to read 60 percent but not it's an
14 average of 60 percent in the financing. So that some of the units could be more than 60 percent
15 but on average there's a 60 percent threshold.

16

17 Commissioner Waldfogel: Yeah, I don't know if that's going to – you know again we'd need to
18 talk to some developers. I mean I'm – yeah, I wish that Candice Gonzalez from – who's she with
19 now? She's with (interrupted)

20

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1 Vice-Chair Monk: Sand Hill.

2

3 Commissioner Waldfogel: With Sand Hill had stuck around because I'd just like to ask if there's
4 any willingness to share some models with us so that we can have an informed discussion
5 about that knobs actually have an effect.

6

7 Chair Lauing: Yeah, I want to chime in there because my one big picture item beyond the –
8 before getting into the analysis appendix is we're scheduled for 2019 to discuss economic
9 analysis to support BMR housing in the Housing Work Plan. But for the same reasons that have
10 come up here tonight and to Commissioner Waldfogel it seems like that's so central to getting
11 the right kind of housing built and looking at a housing overlays and we're trying to add more
12 affordable housing everywhere. Particularly now that you don't have to do anything with the
13 nodes and fishes or whatever that things called. I mean you could add this thing back in and we
14 could try to tackle that in this round of (interrupted)

15

16 Mr. Lait: (off mic) Put what back in?

17

18 Chair Lauing: The – it's 3.1, 2 and 3 in the Work Plan where we're talking about the Palmer Fix
19 and BMR percentages.

20

-
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1 Mr. Lait: Yeah, yeah, we're working on that, that's not part of this effort. We're – we've got a
2 consultant and they're – we're expecting some (interrupted)

3

4 Chair Lauing: I totally respect the fact that it's not even due till 2019. I guess I'm asking the
5 question of if it's possible to move that up since it's so critical.

6

7 Mr. Lait: Yeah, we're working on it but it's going to be a 2019 item.

8

9 Chair Lauing: Ok. Commissioner Monk [note- Vice-Chair Monk], is your light on? No, ok. Alright
10 so from Staff's point of view is there anything in the analysis/appendix sections that we need to
11 address tonight?

12

13 Mr. Lait: No, I think we got some good feedback. So just to summarize it, if we implemented
14 what we had here less the nodes and corridors, it sounds like we've got something that –
15 there's enough momentum to move forward. There are some other areas that we heard and
16 have notes on that we may make some tweaks and adjustments and we'll look at the affordable
17 housing and how that comes forward. We also want to make sure that we're dialed in with SB-
18 35 and if there's – we'll report out on all that stuff. So, think we're good from our perspective
19 and well come back with an ordinance at your next meeting.

20

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1 Chair Lauing: Ok, good.

2 **Approval of Minutes**

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

4 4. August 29, 2018 Draft PTC Meeting Minutes

5 Chair Lauing: 10 [note -minutes] till 11, let's take a glance at the next item which is I think
6 approval of minutes. Approval of the August 29th minutes.

7

8 MOTION

9 Vice-Chair Monk: I move to approve the minutes from August 29th.

10

11 SECOND

12

13 Commissioner Riggs: Second.

14

15 VOTE

16

17 Chair Lauing: Ok, I don't recall the attendance there but if you were not in attendance please
18 abstain but all in favor then say aye. Any opposed? No, ok.

19

20 Motion passed 6-0 (Alcheck, Riggs, Lauing, Monk, Waldfogel, Gardias)-0-1(Summa absent)

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1 **Commission Action:** Motion to Approve Minutes Made by Vice Chair Monk, Seconded by
2 Commissioner Riggs. Motion Passed 6-0 (Summa Absent)

3 **Committee Items**

4 **Commissioner Questions, Comments or Announcements**

5

6 Chair Lauing: So, shifting over to our calendar the idea is for 10/10 to see an ordinance. There's
7 also the roof (interrupted)

8

9 Commissioner Alcheck: I just want to highlight I have a back to school night on the 10th of
10 October that begins at 7 pm at my child's school. So, I was thinking that at the conclusion of the
11 back to school night which is typically an hour I could head back here. I assume that we'll still be
12 in a meeting at 8 pm considering but that's my plan.

13

14 Chair Lauing: Ok.

15

16 Vice-Chair Monk: Will that house roof deck be going forward that night?

17

18 Chair Lauing: That's what I was just going to ask.

19

20 Mr. Lait: Yeah, the roof deck is going forward, do you want to have that item first?

21

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1 Vice-Chair Monk: I think so because we don't want them waiting around for us to go over the
2 ordinance. Don't you think it's a quicker (interrupted)

3

4 Chair Lauing: Do you think it's short?

5

6 Commissioner Alcheck: Do you think the ordinance is going to take that long now that we've
7 (interrupted)

8

9 Chair Lauing: Yeah.

10

11 Commissioner Alcheck: Really?

12

13 Chair Lauing: I think it will because we're at an ordinance and there will be amendments and
14 discussion of that and so we have to at least leave time for that. So, I would support
15 Commissioner Monk's [note- Vice-Chair Monk's] suggestion of doing -- if we're going to do the
16 roof deck thing we should do that first.

17

18 Vice-Chair Monk: Well I mean if there's an applicant here I think it's more curious as well so
19 they have a better idea of their timing unless there's a reason for having it second on the
20 agenda?

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Mr. Lait: Ok, we'll set it up that way.

Chair Lauing: Ok and I'd also like to get thoughts form the Commission, we don't actually have the ordinance but we certainly have talked about the ordinance. Are we going to be comfortable approve it on the 10th unless we run out of time for some reason?

Commissioner Riggs: (off mic) Absolutely (interrupted)

[note – Commissioner Alcheck and Commissioner Riggs spoke at the same time off mic]

Commissioner Waldfogel: [unintelligible – off mic]

Mr. Lait: We're getting together tomorrow to work out some of the detail and we hope to be done – I mean your Packet's Wednesday. In theory we don't often hit that mark, we'll endeavor to do so this time and if we can get it out even a day before that we will do that so our goal is to get it to you as soon as possible.

Commissioner Waldfogel: (off mic) I mean you [unintelligible]. You know if it doesn't show up until Monday morning then that's going to be [unintelligible].

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Chair Lauing: That’s definitely a pacing item.

Commissioner Waldfogel: Sorry?

Chair Lauing: That’s definitely a pacing item when that document comes and obviously we want it out to the public as soon as it could be out there. Ok any other things you want to comment on in future agenda items? For 31 I’ve written in a pumpkin here so we’re not showing up? August 30th – October 31st but on 14th Boyce Road, El Camino Real Safety and CEQA.

Commissioner Alcheck: (off mic) I have a quick question of Staff?

Chair Lauing: Can we – are those still the agenda items as far as you know? Ok, fine, Commissioner Alcheck.

Commissioner Alcheck: Do you know are there any other public officials attending on Friday, the Urban Plan event?

Mr. Lait: I don’t know if there’s any others from Palo Alto but certainly from around (interrupted)

-
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Commissioner Alcheck: No, I know there (interrupted)

Commissioner Gardias: What is it?

Commissioner Alcheck: The – I saw the email list of the people who are attending from outside, I was just curious if any – if we’re sending anybody else?

Mr. Lait: You and Commissioner Monk [**note-Vice-Chair Monk**].

Commissioner Alcheck: Ok.

Vice-Chair Monk: And then at the beginning of this meeting you said I was on task for something on October 1 and I did not hear what that item was.

Mr. Lait: Attendance at the City Council meeting.

Vice-Chair Monk: For which item?

Mr. Lait: For the ADU.

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1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

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Vice-Chair Monk: Ok, again the ADU Ordinance?

Mr. Lait: Yes.

Vice-Chair Monk: Oh my gosh.

Chair Lauing: So, any questions, comments, announcements in general?

Commissioner Riggs: 14th [note -10th] and then what's the -- after that?

Chair Lauing: The 22nd, let me get over there.

Commissioner Riggs: Really? We're going to meet – we're really going to meet the day before Thanksgiving?

Chair Lauing: Nope, sorry, November (interrupted)

Commissioner Riggs: November 22nd?

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1 Chair Lauing: I believe it's November 22nd and that is (interrupted)

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3 Commissioner Alcheck: It says November 28th.

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5 Chair Lauing: I'm sorry.

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7 Commissioner Riggs: Yeah that makes more sense, I have the 28th on (interrupted)

8

9 Chair Lauing: That is Thanksgiving, 11/22 so the 28th. That's not on our docket yet – I mean our
10 Packet yet.

11

12 Commissioner Riggs: Alright cool and that's our last meeting of the year or?

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14 Chair Lauing: No, we still have one scheduled on 12/12.

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16 Commissioner Riggs: Really?

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18 Chair Lauing: Ok, thank you all, we are adjourned.

19 **Adjournment**

20 10:54 pm

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Palo Alto Planning & Transportation Commission

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Chair Ed Lauing
Commissioner Michael Alcheck
Commissioner Asher Waldfogel
Commissioner Przemek Gardias
Vice Chair Susan Monk
Commissioner William Riggs
Commissioner Doria Summa

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Material related to an item on this agenda submitted to the PTC after distribution of the agenda packet is available for public inspection at the address above.

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