



Planning & Transportation Commission Action Agenda: March 10, 2021

Virtual Meeting
6:00 PM

Call to Order / Roll Call

Approximately 6:05 pm

Chair Hechtman: Thank you and good evening everyone and welcome to the Planning and Transportation Commission meeting of March 10th, 2021. Mr. Nguyen, would you provide the video introduction?

[an automated voice recording begins to play disclosing Zoom procedures]

Chair Hechtman: Thank you mystery voice. Mr. Nguyen, would you please conduct the roll call?

Mr. Vinh Nguyen, Admin Associate III: Yes. Chair Hechtman?

Chair Hechtman: Present.

Mr. Nguyen: Vice-Chair Roohparvar?

Vice-Chair Roohparvar: Present.

Mr. Nguyen: Commissioner Alcheck?

Commissioner Alcheck: Present.

Mr. Nguyen: Commissioner Lauing?

Commissioner Lauing: Present.

Mr. Nguyen: Commissioner Doria [**note – Commissioner Summa**]?

Commissioner Summa: Present.

Mr. Nguyen: I'm sorry, that was Commissioner Summa.

Commissioner Summa: That's alright. Present.

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1
2 Mr. Nguyen: Commissioner Templeton?

3
4 Commissioner Templeton: Here.

5
6 Mr. Nguyen: We have a quorum, thank you.

7
8 Chair Hechtman: Thank you.

9 **Oral Communications**

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

11 Chair Hechtman: We now move onto oral communication. This is the section for the public to
12 speak on items not on tonight's agenda. Please raise your hand if you wish to speak. On the
13 Zoom App, there's a raise hand button on the bottom of your screen. If you're dialing in from
14 your phone please press *9. Mr. Nguyen, are there any public speakers for oral
15 communications which we are limiting... which will have a 3-minute limit per speaker tonight?

16
17 Mr. Vinh Nguyen, Admin Associate III: There currently are not any raised hands for oral
18 communications.

19
20 Chair Hechtman: Well, we will wait just a few more seconds to see if any hands pop up.

21 **Agenda Changes, Additions and Deletions**

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

23 Chair Hechtman: Seeing none we will... I will ask the Commission if they desire any agenda
24 changes, additions, or deletions?

25
26 Ms. Rachael Tanner, Assistant Director: There are no requests from Staff.

27 **City Official Reports**

28 1. Directors Report, Meeting Schedule and Assignments

29 Chair Hechtman: Then we will move to City official reports. Ms. Tanner, your report, please?

30
31 Ms. Rachael Tanner, Assistant Director: Thank you, good evening Commissioners. Just a few
32 quick reports. We closed last Friday our application process for our Housing Element. I'm happy
33 to report we had almost 80 applicants for a group of 15 so we're really, really excited that we
34 have such a rich pool. We're sad that obviously everyone can't be on the working group so the
35 City Council on April 5th will be deciding who will be on that working group. And we're also
36 happy that we got a really broad swath of Palo Altans to apply. We have folks who are residing
37 in subsidized housing, folks who are persons of color, young people, seniors, folks who are
38 either members of or serve the disabled community. So, we really have a cross-section that's

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1 quite broad which is just really exciting and we look forward to seeing and working with the
2 Work Group who reflects a broad range of Palo Alto needs and hopes for the future. So, our
3 Housing Element will be going to Council in terms of the working group on April 5th and we'll
4 also have a separate item which is the contract with the consultant hopefully for Council's
5 approval on April 5th. And so, we'll really begin going in earnest once that working group is
6 seated and when we have our consultant on board. So, just all around it's quite the task we
7 have ahead of us but we are looking forward to it and we are really... just really excited to roll
8 up our sleeves. I will warn you all that we'll be coming to you quite a bit this next year and still
9 continuing to think about how we're going to work with our Council subcommittee with PTC
10 with ultimately PTC recommending to Council the site selection as well as the other programs in
11 the Housing Element in general. So, I hope you all are as excited about the Housing Element as
12 we are but certainly, a big topic that will come to you several times for over the next about a
13 year and a half and change we have to complete it. We need to have it submitted to the state
14 by the end of 2022 for ratification or I guess certification by the beginning of 2023 which is
15 when the new cycle begins. So, that's really big news, I want to give a big thank you to Tim
16 Wong our Senior Housing Planner, and Clare Campbell his manager who did really just
17 extensive work doing the outreach to make sure folks knew about the opportunity and that
18 they put in their applications. So, it paid off and we're looking forward to even those who are
19 not on the working group to continue to be active and even thinking of roles they can play.
20 Doing outreach with their constitutions and people they know to bring it back to the working
21 group to the Housing Element. So, that's big news for us, we're very, very excited about that.

22
23 And the last thing I'll say is just a plug for Commissioners and those who are watching and
24 participating to consider visiting one of Uplift Local Streets here in Palo Alto. We have
25 University Avenue and California Avenue where outdoor dining is allowed in the street and
26 parklets and an arrange of fashion so those restaurants continue to provide service. We are in
27 the Red Tier so we were in the Purple Tier previously. We're in the Red Tier now which does
28 have some allowance for up to 25 percent of a restaurant's capacity for indoor dining. There's
29 also movie theaters are open and a number of other options that you can participate in again
30 safely. Please continue to wear your mask when you are in public, wash your hands and
31 consider the other protocols that are in place to help prevent the spread of COVID-19. So, we
32 just encourage folks to take advantage of the Uplift Local Streets and also other... visit our
33 retailers as well as our restaurants who are located there whether they're on Uplift Local Street
34 or not, to consider shopping locally and supporting our local business community.

35
36 So, those are the updates that I have but I'm also available if there's any questions from the
37 Commission.

38
39 Chair Hechtman: Questions Commissioners? Commissioner Alcheck.
40

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1 Commissioner Alcheck: Has the City identified a date by which they're going to continue the
2 process to fill our vacancy?
3

4 Ms. Tanner: Yes, there are two dates. One is today and I believe the other's not the 22nd. It's in
5 a couple weeks from now where the interviews are being conducted for potential PTC
6 replacements Members. So, there's today, it's not the 22nd but something in March 20s and
7 then I think that it would be April at a Council meeting that they would make the appointment
8 of the seventh member.
9

10 Commissioner Alcheck: Great.
11

12 Ms. Tanner: And I should also mention Castilleja was at City Council this past Monday. Thank
13 you Chair Hechtman for being there and representing the PTC there. It will be continued to next
14 Monday, the 15th, as well and a part of the project was recommended back to ARB for
15 consideration. We do have Ms. French on the line who's the lead planner on that project in
16 addition to being the Chief Planning Official for the City. So, if you do have any specific
17 questions regarding that, obviously that would... it's not an agenda item so we wouldn't
18 want to do too deep, but it will be at Council on the 15th as well as to ARB at a date that's to be
19 determined.
20

21 The Council also considered a temporary ordinance, a second reading of it on Monday. That is
22 an ordinance that did not come to you all because it was temporary but they give us some tasks
23 for our retail consideration to... for the retail project they'd already given to the PTC some
24 further guidance on some items they'd like us to consider. So, some parts of the ordinance
25 went through, and then some parts were into the more wider and more comprehensive look at
26 our retail.
27

28 Chair Hechtman: Alright, Vice Chair Roohparvar.
29

30 Vice-Chair Roohparvar: When do you anticipate we're going to hit... I had read today that I think
31 San Mateo County is at Orange Tier. When do you anticipate that and what does that mean for
32 Palo Alto, Orange Tier, in terms for outdoor and everything?
33

34 Ms. Tanner: So, essentially every tier it's either that different activities may be allowed that are
35 perhaps not allows at all. For example, movie theaters in Purple were not allowed at all, and
36 then under Red, they're allowed at a certain capacity. So, from here on there may be a few
37 activities, I don't know all of them, I track certain ones closely and other ones I don't pay as
38 much attention to; but certain activities become allowed and the percentages typically increase
39 gradually. So, maybe it's instead of 25 percent capacity it's 50 percent capacity, and so on and
40 so forth as the tiers increase. You have to stay in your tier for at least 3-weeks before you can

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1 advance to the next one and you have to exhibit the characteristics and the measures... the
2 metrics of the following tier for two of those weeks. So, essentially if we have 2-weeks of acting
3 like we're in the Yellow, then we'll move to the Yellow, but you can't move any sooner than 3-
4 weeks of being in one color. San Mateo was one of the first counties to move from Purple to
5 Red in our area so they're a little bit... maybe a week or two ahead of Santa Clara County.

6
7 Chair Hechtman: You baseball fans, I heard this morning that once they receive permission from
8 San Francisco the Giants will be able to open at I think 20 percent capacity, and then when they
9 move to the next tier that would up them to 33 percent.

10
11 Ms. Tanner: So, certainly exciting, especially because it's outdoor stadiums so it makes sense
12 and hopefully something that we can enjoy safely.

13
14 Chair Hechtman: Alright, anything further on the official City reports? Ok, then we have two
15 agenda (interrupted)

16
17 Ms. Tanner: Chair, I think Commissioner Templeton had a hand.

18
19 Chair Hechtman: Oh, sorry, there it is.

20
21 Commissioner Templeton: Since we were talking about the COVID tiers I just wanted to throw a
22 plug in there for everyone who's eligible to get vaccinated as soon as you're eligible and that
23 will help us get the City and the county back on track.

24
25 Ms. Tanner: Yes, yes, underscore that.

26
27 Chair Hechtman: We do have two agenda items, substantive agenda items tonight, and before
28 we get to those a couple prefatory remarks. First, I want to congratulate Commissioners Lauing
29 and Summa on your reappointment. It's great to have you back and working with us for
30 another... for many more years.

31
32 Second, because of the meat on these two agenda items, I'm expecting that it could take us
33 past 10 o'clock. It's not my intention for us to go past 11:00. I'd like to conclude by 10:00 but
34 I'm going to ask the Commissioners to be efficient and concise in your remarks on both items.
35 I'm going to limit public comment on both items to 3-minutes, different rules apply for groups,
36 and using those tools I'm hoping we'll get through all of the material and complete it tonight.

37 **Study Session**

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

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- 1 2. Planning and Transportation Commission Study Session to Review Draft Objective
- 2 Standards That Would Modify Palo Alto Municipal Code Title 18 (Zoning Ordinance)
- 3 and Development Standards, District Regulations, Performance Standards, Overlays
- 4 and Related Code Changes

5 Chair Hechtman: So, we will move first to our study session which is Agenda Item Number Two.

6 Planning and Transportation Committee [note - Commission] study session to review draft

7 Objective Standards that would modify Palo Alto Municipal Code Title 18, which is the Zoning

8 Ordinance, and Development Standards, Development Regulations, Performance Standards,

9 Overlays, and related code changes. May we have the Staff report, please?

10

11 Ms. Rachael Tanner, Assistant Director: We do. We have Jodie Gerhardt who is our Manager of

12 Current Planning and also Jean Eisberg who is a consultant. The two of them along with Ms.

13 French have been doing just really incredible work. You know that Ms. Gerhardt is our liaison

14 for the ARB. We also have Osma Thompson from the ARB here. I mean we're really bringing out

15 the all-star cast today for this project.

16

17 We were with you probably a little less than a year ago for a study session. This evening is also a

18 study session so again, a lot of work has happened as you saw in the Staff report and they're

19 going to update you on it. We want to get your sense of where you are as a Commission. Not to

20 say that we... but we don't need an action item tonight. So, not to reduce the pressure but to

21 say that's the purpose is to let you all hear it, ask questions, see where we all are, have time to

22 think about it before returning later this year with an action item. So, we look forward to

23 hearing what the Commissioners think. I'm going to hand it over to Ms. Gerhardt and Ms.

24 Eisberg.

25

26 Ms. Jodie Gerhardt, Planning Manager: Yes, thank you very much. Thank you, you introduced

27 most of the team and maybe I'll just go over it quickly again. Just introducing ourselves on the

28 Staff side, I have myself, Jodie Gerhardt and we have Amy French our Chief Planning Official. On

29 the consultant side, our main consultants are Jean Eisberg and Chris Sensing [note - phonetics]

30 who's helped us out with graphics and architecture expertise. We also have the full ARB that's

31 gone over this project including Board Members Thompson and Board Member Hirsch served

32 as our subcommittee members and as Rachael said we have Board Member Thompson here

33 this evening. She will be part of the presentation.

34

35 Regarding the proposed changes, I know that you're Packet there probably are several pages in

36 your Packet. It looks a little daunting. Many of those changes really are minor in nature. We are

37 moving... picking up some sections and moving them to another portion of the code and things

38 of that nature that are minor just to streamline things for Staff and for applicants. In the

39 presentation though, Jean will go over the more significant changes so that you'll have some

40 time to discuss those. But if you wanted to... if there were any detailed changes that you

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1 wanted to make, we may not have time for that tonight but Staff would welcome an email from
2 you with those detailed proposals. We could then collect those and bring those back to the next
3 hearing because this is just a study session tonight. We would come back for a recommendation
4 at a later date. So, with that I'll turn it over to Jean, thank you.

5
6 Ms. Jean Eisberg, Consultant: Good evening Chair Hechtman, Members of the Commission.
7 Thank you, Jodie, for the introduction. That was great. I'm just going to launch right in. This
8 presentation is in two parts in addition to a little overview from what you saw about 10-months
9 ago. I'm going to talk about the Objective Design Standards and then other updates to Title 18.
10 I'm going to take a pause in between those two and give ARB Chair Thompson a few minutes to
11 talk about her experience on the ARB Subcommittee and her review and perspective on these
12 draft standards.

13
14 Just a reminder, the Subjective Standards project is being undertaken because of changes in
15 state law that are relying more and more on Objective Standards for multi-family and
16 residential mixed-use products. And essentially, the City can't enforce the Subjective Standards
17 that are on the books when you have projects that are compliant with the Housing Accountable
18 Act. So, what we've done is proposed to transform the existing Context-Based Design Criteria
19 that the ARB uses in evaluating projects during architectural review and made other changes to
20 Title 18 to strengthen those regulations into Objective Standards and so what do we mean by
21 Objective Standards? We'll talk a little bit about some examples.

22
23 This project is funded by Senate Bill 2 which has three purposes. The first being to streamline
24 housing approvals and that's our primary focus for this Objective Standards Project. The idea is
25 to facilitate housing affordability, accelerate housing productions. Those are the other two
26 goals of that bill.

27
28 So, what state law says is that Objective Standards are uniformly verifiable, they're known prior
29 to submittal, and are essentially not subject to any sort of bias or interpretation. And so, an
30 example of this our... the City's Development Regulations like a front setback should be a
31 minimum of 10-feet. On the other hand, what are Subjective Criteria? These are two examples
32 from the existing code. First, in terms of Performance Standards, there's a standard that
33 parking should be broken up into smaller groups to avoid large expansive so what does that
34 mean? That's subject to interpretation so there's no Objective Standard there. Second, an
35 example from the Context-Base Design Criteria, scale and massing should be compatible with
36 the existing patterns of buildings. Again, that's a subjective criteria subject to interpretation. So,
37 the challenge of course is making that transformation.

38
39 In terms of the schedule, obviously, we're here tonight, we're going back to the ARB next week
40 for an action item to take action on the Design Standards, and then we expect to come back to

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1 the Commission in April and then on to the Council early summer. And the thinking here is that
2 the City is starting to receive SB 330 applications which are compliant with Objective Standards.
3 The City has not yet received an application under SB 335, but these types of applications that
4 are always subject to Objective Standards. We want to make sure that we have standards on
5 the books that the City can enforce with respect to design and other elements of planning and
6 development.

7
8 So, first part Design Standards, so this is the component that we worked on with the ARB over
9 the last year. As a full ARB met five times, the sixth meeting will be next week, and we also
10 worked with the subcommittee comprised of two Board Members to workshop the standards.
11 So, this... what you'll see is in terms of the framework, is this two-path option so either you're
12 meeting Objective Standards or for some reason whether through preference or because
13 you're a Housing Accountability Act project, you can choose the discretionary path which is very
14 similar to the Architectural Review Process in effect today.

15
16 And I will say overall this was a really challenging project for the ARB in terms of how their role
17 has been overtime in the City. This is a change to a more prescriptive way of doing business and
18 so, that was a lot of the challenge that we worked on over the last year is trying to balance
19 prescriptiveness with flexibility. We don't want all buildings in the City to look the same but we
20 can't have that Subjective Criteria in terms of compatibility and context in Objective Standards.
21 So, finding that balance was really the challenge of our assignment.

22
23 Just a reminder about what the Housing Accountability Act is. These are projects that first
24 comply with Objective Standards. They must be at least 2/3 residential, so that's either
25 residential projects or mixed-use projects with 2/3 residential area, or transitional or supportive
26 housing project. And when a project meets this criteria the City cannot deny it or reduce its
27 density without making specific Findings under state law. So, that's not the ARB Findings, that
28 Findings under state law that would have a specific adverse impact which is narrowly defined.

29
30 And so, in terms of what this could mean in the City of Palo Alto, the Housing Accountability Act
31 projects relate to a multi-family project in the RM District, a mixed-use project in the CD or CN
32 District if there were 2/3s housing and just a 1/3 ground floor retail. The Housing Accountability
33 Act would apply to SB 35 project and SB 330 projects and so the idea is that these Objective
34 Design Standards would only apply to these Housing Accountability projects. All over projects,
35 commercial, residential projects undergoing discretionary review, projects that are maybe half
36 residential and half commercial and therefore don't meet that HAH standard. Those projects
37 would all continue to go through the City's Discretionary Process; up to three ARB meetings;
38 any other rezoning that would be needed would still come to PTC and Council for approval.
39 Additionally, the City's new Housing Incentive Program, that's a discretionary approval. That's
40 making modifications to Development Standards and therefore is not meeting Objective

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1 Standards. So, that type of project would not be subject to these Objective Standards. It could
2 only be subject to the Subjective Intent Statement as determined by the ARB.

3
4 In terms of applicability, these Objective Standards that apply to the Zoning Districts shown on
5 the screen. One caveat I do want to mention is that this 18.20 includes more office residential
6 districts. In the RML, multi-family residential uses are permitted and so in that way we want to
7 allow Housing Accountability Act projects in those districts to be subject to these Objective
8 Design Standards. However, this particular chapter of the code currently is not subject to
9 Context-Based Design Criteria. So, what we don't want to do is then subject these commercial
10 projects say in the GM District which are currently not subject to Context-Based Design Criteria.
11 We don't want to subject them to either new Objective Design Standards or the Intent
12 Statements, the subjective umbrella Design Guidelines, either. So, that's one note I want to
13 point out.

14
15 Shown here are just the topics in the Objective Design Standards. The way that the context
16 space design criteria are written right now, there's not a really hierarchy or topical organization
17 and so we've created that here where we've separated out the purpose and applicability site
18 design elements. Including the public realm, building orientation, and site access, and then
19 elements that affect the building design. Including façade design, open space, materials, and
20 sustainability.

21
22 In terms of how the document is organized, as I alluded there's this broad Intent Statement and
23 that's drawn sometimes verbatim from the Context-Based Criteria. So, that is a subjective
24 description of the intent, in this case as shown on the screen, behind building massing and so
25 again those are subject to interpretation. And then underneath that, we have a set of standards
26 so these are the Objective Criteria. They're dimensions, their measurements, their ratios, and
27 corresponding graphics for some of those items.

28
29 So, what happens is you have the umbrella Intent Statement and again, projects that are
30 commercial projects, discretionary projects will continue to go through the same Architectural
31 Review Process. So, the ARB is reviewing these projects to up to three hearings and making that
32 interpretation that the projects complies with the Intent Statement. Complies with that
33 Subjective Criteria and the ARB is making Findings in accordance. The new path is a Subjective
34 Standards Path where under that Intent Statement we have this, the Objective Standard within
35 that topic whether it's the dimension standard or the menu of options. And related to that,
36 instead of the three meetings at the ARB, the recommendation for streamlined review is to
37 have one non-binding hearing with the ARB. This provides an opportunity for advisory design
38 comments. It also provides an opportunity for public comment but again, because the ARB
39 Findings really can't be enforced, those Subjective Findings, we wouldn't be making them here.

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1 Instead, we would have more a checklist approach where Staff is confirming that the projects
2 meets those Objective Standards.

3
4 So, just to summarize, this is the existing regulatory context the City code includes. Use
5 regulations, development standards, the Context-Based Design Criteria, legislative action, and
6 ARB Findings. And these are just showing you which are Objective and which are Subjective and
7 so what's going to happen is the proposal is to remove the Context-Based Design Criteria,
8 replace them with the Objective Design Standards and the Objective Criteria would be the focus
9 of what's used for those Housing Accountability Act projects. For again for commercial and
10 other discretionary residential projects, those would be subject to both Objective and
11 Subjective Criteria. So, this proposes some process changes to two chapters of the Zoning
12 Ordinance and again, this is just summarizing what I said, that the compliance of Objective
13 Standards, one non-binding hearing with the ARB, no ARB Findings required.

14
15 I'm going to pause there and ask ARB Chair Thompson to provide her perspective as an ARB
16 Member and subcommittee member. Thank you and then I'll come back to my presentation.

17
18 Ms. Osma Thompson, Architectural Review Board Chair: Cool. Hi, everybody. I'm Osma, I'm the
19 Chair of the Architectural Review Board and I was working on... I was also on the ubcommittee
20 as well that work shopped with Jean and the team to work on these Objective Standards. So,
21 we've had a lot of heated debate on this as a Board as you can imagine. You know, I think
22 whenever there's something that is prescriptive there's a lot of debate over if that's the right
23 part to be prescriptive, what it is, and there's some discussion on whether it omits creativity
24 and imagination in design. But we've had some really good feedback also from architects that
25 work in Palo Alto and around Palo Alto. And I think in general we've put in a lot of effort and I
26 think we've done our best to provide feedback for these projects that would be... that need to
27 follow these standards to retain a vision of keeping Palo Alto's human-scale character alive as it
28 continues. So, I'm happy to answer any questions that you might have about the discussions
29 that we've had on this, but I think we've... we all understand that this is a very challenging thing
30 to do. Especially, to do something objective especially when it's context-based which can be
31 extremely subjective and it has to be applied as well. So, we tried to maintain that balance
32 between allowing for flexibility and also encouraging the design. I'm looking forward to hearing
33 your feedback as well. I'll kick it back to you, Jean.

34
35 Ms. Eisberg: Ok, thank you.

36
37 Chair Hechtman: Ms. Eisberg (interrupted)

38
39 Ms. Eisberg: So, shifting gears (interrupted)

40

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1 Chair Hechtman: Before you shift gears, as I understand it I think you were going to shift gears
2 into the additional work that Staff and the consultants have done not on the issue of Objective
3 Standards. Is that right?
4

5 Ms. Eisberg: Not on the issue of Objective Design Standards but rather other updates to
6 strengthening the standards in the code.
7

8 Chair Hechtman: I'm wondering if at this break point it might appropriate to see if any of the
9 Commissioners have questions of you or Ms. Thompson specifically on the Objective Standards
10 portion of the work you've done. So, let me find out if any Commissioners do and then we'll
11 have another opportunity for questions after you finish the balance of your presentation. So, I
12 see a hand from Vice Chair Roohparvar.
13

14 Vice-Chair Roohparvar: Just a quick clarifying question for me. What's the purpose of the non-
15 binding ARB hearing if it's going to be subjective? Is it just to be like make suggestions? What's
16 the purpose of that?
17

18 Ms. Eisberg: That's right so the idea is that there can still be this conversation that happens
19 between the applicant and the ARB and so even though it's an advisory comments only and
20 maybe non-binning. There's still that conversation that happens and that can improve the
21 design through that conversation. And then secondly it does provide that opportunity for public
22 comment in the public forum.
23

24 Vice-Chair Roohparvar: And but it's... and it's optional by the applicant, right? If they are... no,
25 it's not optional.
26

27 Ms. Eisberg: No, the idea is that that would be included as part of... written into the Zoning
28 Ordinance as part of the process.
29

30 Vice-Chair Roohparvar: Got it, got it. Ok, so it's not an option but it's non-binning. Thank you.
31 That's really helpful.
32

33 Ms. Eisberg: It's like a study session.
34

35 Vice-Chair Roohparvar: Yeah, understood now.
36

37 Chair Hechtman: Commissioner Summa.
38

39 Commissioner Summa: Thank you. I was wondering if a Member of the... if the member of the
40 public can bring the state Findings that have to be made and I don't remember the exact

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1 wording but it's direct and actual harm to somebody basically. Is that something that the
2 Director of Planning brings up or can a member of the public bring that up if they feel that the
3 project nearby because as I understand there's a 600-foot notification. So, how does that work?
4

5 Ms. Eisberg: Well, I mean anyone can raise issues related to specific adverse impacts. I see that
6 Albert has entered the conversation so he may have something more to say. Albert?
7

8 Mr. Albert Yang, Assistant City Attorney: Among the process changes that Staff is proposing
9 here to accommodate this new way of processing these applications. We've retained the ability
10 for any member of the public to appeal the project but we specify that if you're going to appeal,
11 it needs to be on the basis of either one, we don't think it actually meets all of the Objective
12 Standards or two, it has one of these specific adverse impacts that's identified in state law. So,
13 that in addition to making comments to Staff as the application is being processed. After there's
14 been a Director's decisions, there's also an opportunity for a member of the public to appeal on
15 that basis.
16

17 Commissioner Summa: So, they would still be able to make comments to Staff and maybe at
18 the non-binding ARB appeal?
19

20 Mr. Yang: Sure.
21

22 Commissioner Summa: Ok, thank you for clarifying that.
23

24 Chair Hechtman: Alright, I had a couple of questions. I think the first is for Staff. The non-
25 binding ARB hearing, would that... would there be some sort of time limit on how long it could
26 take to get to that? I wouldn't want to overly delay projects for that add-on. Is that
27 contemplated?
28

29 Ms. Eisberg: We haven't contemplated specific timelines for that process. Those projects would
30 be subject to the Permit Streamlining Act which has its own set of timelines, but beyond that,
31 we haven't contemplated additional deadlines.
32

33 Chair Hechtman: Maybe... is it SB 35 projects? There's one project that you have to process
34 through in 60-days and so I'm (interrupted)
35

36 Ms. Eisberg: That's right.
37

38 Chair Hechtman: And so, I'm... right and so this... the concept is that this non-binding ARB
39 hearing would get folded into that 60-days. It wouldn't extend things, is that right?
40

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1 Ms. Gerhardt: Yes, and that's a lot of what takes us time to get through a hearing is writing the
2 Staff report and things of that nature. So, the idea with this non-binding hearing is that it would
3 be more of a checklist and not so much of a Staff report. So, it would be easier to get it to a
4 hearing more quickly.

5
6 Chair Hechtman: Ok and then my other question is for Ms. Thompson. When this first came to
7 us, which I think was last May, one of the things... one of the aspects of converting these
8 Subjective Standards to Objective Standards that I and I think other Commissioners were
9 interested in was where we would set the bar on these Objective Standards? With the...
10 because the... our approach here is if you don't want to meet the Objective Standards. If you
11 had something else in mind, you can opt for the Discretionary Process. You can and that's the I
12 think the right-wing of that flow chart that was shown. And so, the... one of the things I was
13 wondering and concerned about was whether we might set our Objective Standard bars in a
14 way that they were not attractive to builders and so almost everybody needed to opt into the
15 discretionary channel. And so, I was wondering if that was a concern of the ARB as you worked
16 through this in I think nine meetings, and maybe if so, you can give us a little flavor of the ARB's
17 thoughts on that.

18
19 Ms. Thompson: We definitely... we had some discussions about... maybe it was more like
20 feasibility for some of the standards. You know we've... especially with the façade breaks and
21 some of the other breaking down. I think the objective in those was really about breaking scale
22 and not having big walls of design, but if you put too much then sometimes it doesn't make
23 [unintelligible – possibly units?] feasible for example. And so, we had a lot of conversation
24 about that and I think even as recent as our last meeting study session we had feedbacks to
25 make edits to those parts of the Objective Standards. Our goal... I think there's a comment
26 earlier about we're kind of forcing in some ways a cookie-cutter approach and that there was a
27 lot of discussion about well, we want a really nice cookie but we want a cookie that works as
28 well. It actually is able to be flexible and still gives housing units and make the space desirable.
29 It's a big ask but I think yeah, we've talked a lot about it at length and like I said, we've given
30 feedback as recent as this last meeting and so I think it's going to be something that we
31 continue to talk about as we look to approve it next week.

32
33 Chair Hechtman: Thank you. Vice Chair Roohparvar, your hand is... is it still up or no? Ok and
34 Commissioner Lauing.

35
36 Commissioner Lauing: Just a couple quick questions. I didn't know where this fit but since you
37 just brought it up Ms. Thompson, I wanted to ask it. So, how did you parse that and get over the
38 fact that it won't all be cookie cutters? I mean there has to be some way that you can get
39 around that and I know everybody is concerned about it.

40

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1 Ms. Thompson: I think there's... so, it's not as prescriptive as say, for example, the Victorian
2 homes of San Francisco which were super prescriptive. That had a very specific form for the bay
3 windows, specific siding and really there's a color, and there were very few things you could
4 change. We haven't gone so specific to be prescriptive such that every building will look like
5 one thing and there has been some discussion... so we have a lot of graphics that show
6 examples of the different conditions. There's some chat about not using the same building
7 every time to encourage diversity in terms of the style of architecture on there. So, I think in
8 our minds it is not so prescriptive that it will allow for diversity in design.

9
10 Commissioner Lauing: The other side of that question I was thinking as I was studying for this, I
11 want to come up with some outrageous example to say if in spite of Objective Standards. If it
12 met all of the standards, what... is there anything that over rules that and the crazy idea I came
13 up with is that somebody likes Egyptian pyramids. So, they build a house in Crescent Park that's
14 an Egyptian pyramid and somehow it meets the specs but that's just so out of character with
15 the entire neighborhood. Any overruling can happen there or no?

16
17 Ms. Thompson: I'm sure we'll probably some opinions in that non-binding study session. I think
18 it would be hard for that pyramid to be met only because we have some stipulations about
19 adjusting material... modulating a façade. But I guess I'd have to see this project that you're
20 thinking of to really know if that would really work, but I guess are you concerned (interrupted)

21
22 Commissioner Lauing: I'm trying to come up with a crazy idea because I'm trying to see if
23 there's any definition of crazy that would overrule the Objective Standards. That's all. There
24 may not, I'm just trying to push the envelope. That's ok.

25
26 Ms. Tanner: Yeah, as somebody who use to work for a City that has a blue pyramid in it, Cal
27 State Long Beach, I can say at least it wouldn't be necessarily in an R-1 Zone I don't think based
28 on the projects that are applicable. I know that's maybe not much consolation that the pyramid
29 could be on El Camino or something and I am not the design expert, but I do want to just draw
30 that it would be in certain parts of the City that even some of the more let's say out of the box
31 projects would occur. I do think part of what the HR or ARB did try to do, and of course Board
32 Member Thompson can speak more specifically, is trying to think how to have a box that is not
33 too constrained but constrained enough so that if folks do want to do something more creative.
34 They have the avenue of going down the Context-Based Criteria still so that we're not
35 constraining architectural creativity but having a place for it to go. I don't know whether
36 necessarily where the pyramid falls within that but we... they did do a great effort to try to get
37 that direction.

38
39 Commissioner Lauing: Thank you.

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1 Chair Hechtman: Alright, I don't see any more Commissioner hands so... oh, there's one.
2 Commissioner Alcheck.

3
4 Commissioner Alcheck: I just want to clarify this doesn't apply to single-family. ARB doesn't
5 oversee single-family. If a guy wants to build a pyramid in an R-1 Zone in Crescent Park, which is
6 single-family, he can do it and if it's one-story, it can look exactly like Egypt as long as it's not
7 taller than a certain number of feet. So, if it meets all the code requirements and doesn't look
8 anything like its neighbor's house and it's one-story. He doesn't have any oversight and if it's
9 two-story then it would go through a process called (interrupted)

10

11 Ms. Gerhardt: Individual Review?

12

13 Commissioner Alcheck: Individual Review which is subject to some input but none of this about
14 single-family homes. But if theoretically someone wanted to build a multi-family pyramid, I
15 think that what should give you the most solus is that it probably would be financially
16 imprudent and so rest assured that I don't think you have to worry about it.

17

18 Chair Hechtman: Alright, thank you Commissioner Alcheck. Any more Commissioner questions?
19 Then let's hand it back to Staff for part two of the presentation.

20

21 Ms. Eisberg: Thank you, so part two in four parts. The first we've already discussed. We're
22 eliminating the Context-Based Design Criteria and replacing it with a new Chapter 18.24. I'm
23 going to talk about the final three topics here. First in terms of Development Standards and
24 district regulations, meaning the RM Districts, CD District, the idea here is to, as Jodie said at
25 the outset, do some reorganization, removed redundancies, make clarifications. In some cases,
26 do some strengthening in Objective Standards and I'll highlight some of those key items.
27 Number three is transforming other subjective regulations that appear throughout the code.
28 Most notably these are in the Performance Standard sections of the code under a few things
29 related to parking, landscaping, and other code sections. And then lastly this is kind of a big
30 item that's a little bit beyond the Objective Standards project but as we've been going through
31 and looking at streamlining options. One of the recent issues related to the existing Combining
32 Districts like the AH and WH Overlays and the PTOD. That's the Pedestrian Transit Oriented
33 Development Overlay in the Cal Ave area. So, talk about those in the context of streamlining.

34

35 The second bullet again is looking at Development Standards and here we haven't made any
36 substantive changes or recommendations that affect the building envelope. But we want to
37 make sure that these... any Subjective Criteria in these code sections are made Objective and so
38 one item that I did want to highlight. There's within several districts in the code, there's this
39 regulation about height transitions and what it says is that within 150-feet of a lower density
40 residential district, there's a lower height limit. The actual text of this code has always been

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1 confusing to Staff and to applicants and in reality, Staff has interpreted it as saying within this...
2 so here, if we're looking at this graphic. We've got a lower-density district on the left, the
3 higher density commercial district on the right and so when you're within 150-feet of that
4 lower-density district. You are subject to a lower height limit so in this case, you end up with
5 this three-story building on one side and a four-story element beyond that 50-foot limit. And
6 so, the recommendation is to change this language to state that any portion of a structure
7 within 50-feet of a residential zone would be subject to that lower height limit and that again, is
8 consistent with Staff's interpretation to date.

9
10 The second item I wanted to talk highlight is how useable open space is regulated and this is
11 just to say that the district regulations would continue to articulate the per unit open space
12 requirement which in all cases is 150-square feet per unit. And so that would be a standard that
13 could not be waived through that whole Intent Statement bar graph that I showed the process.
14 However, Design Standards related to open space in terms of its location or minimum
15 dimensions or how it's accessed would be located in this new Design Standards Chapter, and in
16 that way, there would be some flexibility to accommodate different ways that open space could
17 be designed in a project.

18
19 Item three, again it's about other design regulations and Performance Standards in the code.
20 And so here again, a number of these are written in a subjective way and so, we both wanted to
21 strengthen them but also make them more clear about when they apply. So, the way the
22 Performance Standards Chapter was written, it was originally written for commercial projects
23 that were adjacent to residential uses or residential zones. In practice, these standards,
24 Performance Standards, have been applied to all different types of projects. We wanted to
25 make that explicit and move... we're going to... we're proposing to remove that Performance
26 Standards Chapter and put them into other locations in the code where they make more sense
27 and they're easier for an applicant to find. And so, this relates to water quality, to landscape
28 screening, glare and offsite lighting impacts, mechanical lift parking which I'll mention in a little
29 more detail, and refuse storage and capacity and location of trash containers.

30
31 In terms of mechanical lift parking, the way it is now the cost requires that mechanical lifts are
32 approved by the Director or the City Council. The proposal is to allow these by-right and the
33 ARB would continue to review them as part of any architecture review. And the idea here is
34 that mechanical lifts have become more common place in the Bay Area over the last several
35 years. So, they would be allowed with subject to Objective Standards in the overall plan review.

36
37 In terms of Performance Standards, Staff is working with the Zero Waste and Water Quality
38 Staff to update those criteria. As you might imagine, [unintelligible] may change capacity and
39 requirements from time to time and so instead of stipulating that in the code. The proposal is
40 to cross-reference those requirements in a handout or to locate those standards on a website

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1 just to indicate that they may be updated from time to time. As part of that, we're also
2 updating design for screening, for trash enclosures, and identifying when the triggers are
3 happened for upgrades of these facilities. And so, this is just showing... from the Staff report
4 showing where these codes sections are proposed to be relocated.

5
6 So, the last item is this rethinking of potential... potential rethinking of legislative action into
7 Objective Criteria. So, the way it is now, the Workforce Housing Overlay, the Affordable
8 Housing Overlay, the PTOD, those are applied through a legislative process. An applicant
9 requests that Combining District. The... essentially a rezoning that Combining District and so
10 those go through a legislative process, it goes to the PTC, and the Council for approval to get
11 modifications to design... excuse me, Development Standards. Typically allowing more density,
12 more height, but since these are types of overlays that are pursuing affordable housing. In the
13 case of the Affordable Housing Overlay its 100 percent affordable projects, the Workforce
14 Housing at least 20 percent. These are the types of projects that the City and the Housing Work
15 Plan have identified as type of units that we want to see, affordable units. And so, the thinking
16 here is what if instead of being legislative actions these were tied to the affordability thresholds
17 that are already in the code. So, if you meet that 100 percent affordable housing threshold then
18 you automatically qualify for modified Development Standards, and to determine what those
19 would be you would go through architectural review with the ARB. And so, we can think of this
20 as kind of like the Housing Incentive Program that the City has in place on Cal Ave, on El
21 Camino, and now on San Antonio and downtown. So, it requires architectural review but is
22 subject to flexibility in Development Standards.

23
24 So, these last two slides looking at that a little bit deeper. Just a reminder about what the
25 Affordable Housing Overlay is. It states that if you have a 100 percent affordable rental project,
26 less than 120 percent of AMI located in a commercial district near transit. Then you can get a
27 FAR up to 2.4, building height up to 50-feet, reduced parking ratios, and again this is an
28 alternative to State Density Bonus Law and, in that way, requires architectural review.

29
30 The Workforce Housing Overlay, for that overlay a project needs to provide at least 20 percent
31 of moderate-income housing between 120 and 150 of AMI. Because this was created for a
32 particular project, it only applies to Public Facility Zones near fixed rail. One idea is that it could
33 potentially could be expanded and applied to other zoning districts but again, here are the
34 stipulations about maximum FAR, height, a reduced parking ratio. That Work Force Housing
35 Overlay has reduced usable open space ratio and also a maximum unit size.

36
37 And then lastly, just comparing the PTOD to the Housing Incentive Program in the Cal Ave area
38 and this is... this table is also located in your Packet and this is just to show that the Housing
39 Incentive Program provides a lot more FAR. So, you have this opportunity to go up to 2.0 or
40 even 2.4 FAR with a 100 percent affordable project, and part of the key thing here to is that the

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1 Housing Incentive Program your only subject to architectural review. Where as for a PTOD
2 legislative action a project would be going to the PTC and Council for that application, that
3 rezoning, and then as well as architectural review. One key note about the PTOD which is
4 shown here in green, it's not coincident with the Housing Incentive Program right now. So, the
5 Housing Incentive Program is shown in red. Those are sites that are eligible for that incentive
6 program. This may be a little hard to see but there's along Cal Ave and the two side streets that
7 a project right now today could pursue a PTOD rezoning or could seek a Housing Incentive
8 Program application. So, there's other parcels within the PTOD that don't have that Housing
9 Incentive Program eligibility. And then last point is just the... there are some sites that are
10 within the NVCAP which as you know is going through its own planning process and may come
11 up with its own zoning.

12
13 Last slide, this is just summarizing some of the questions we're looking for your feedback today.
14 So, in terms of your support for specific elements of the proposed code changes first. Have we
15 translated the Context-Based Design Criteria appropriately into Objective Standards? Second,
16 just confirming the applications of these Objective Design Standards only to the projects that
17 meet the definition of a housing development project in the Housing Accountability Act? Third,
18 confirming that the streamlined review of those projects is appropriate? That there be no
19 required ARB Findings. Again, that we'd have that non-binding hearing only with the ARB and
20 then lastly what I was just discussing. Should the City codify those Combining Districts, those
21 overlays, so that legislative approval is not required but instead if the project meets that
22 affordability threshold, that it could receive waivers for certain Development Standards?

23
24 That concludes my presentations. I'm happy to answer any questions.

25
26 Chair Hechtman: Thank you, Ms. Eisberg. Commission questions of Staff on the Staff report
27 before we move to public comment? Let's see, I'm not seeing any hands so Ms. Eisberg and Ms.
28 Thompson, thank you very much. We'll move into public comment at this point and so we're
29 going to open the floor for public comment. Please raise your hand if you wish to speak. On the
30 Zoom App, there's a raise hand button on the bottom of your screen. If you're dialing in from a
31 phone, please press *9 and remember public speakers, we're going to limit public comment to
32 3-minutes per speaker. Different rules apply for groups. Mr. Nguyen, are there any public
33 speakers for this item?

34
35 Mr. Vinh Nguyen, Admin Associate III: We do, yes, so let's get the speaker timer up. There it is.
36 Thank you. Our first and only speaker is Chris.

37
38 Chair Hechtman: Chris?

39
40 Ms. Nguyen: Chris, if you're there, you can unmute yourself and speak.

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Mr. Chris Wuthmann: Thank you. Yes, my name’s Chris Wuthmann. I’m with Stanford University Real Estate. I have responsibility for project design and construction of faculty and Staff housing. And the purpose of our comments this evening is to supplement written comments we’ve submitted by highlighting a couple of the challenges that Staff and the ARB have been wrestling with in this project.

First, a primary hurdle to the production of affordable housing are development costs, both hard and soft, that have increased more than allowable rents and sale prices have. The state housing legislation that is mandating these Objective Standards is written to facilitate the production of greater than inclusionary affordability by reducing soft costs through enabling streamlined ministerial project approval. The standards themselves could also contribute to affordability by recognizing the difference in feasible hard costs between rental and for-sale projects and between projects with greater and lesser affordability. The standards as they are currently drafted however do not recognize these differences because they’re intended to apply to all multi-family projects or mixed-use-containing residential in the interest of comprehensiveness. And alternative compliance provisions is included if a project cannot comply with the standards but the hope is that the standards are not such that they unintentionally cause projects with greater affordability to have to use this alternative route and lose the streamlining. So, our suggestion is to address this concern would be to supplement the stated purpose in the draft new chapter with the additional wording that this is being done with a review of increasing housing supply and affordability.

The second challenge to bring to your attention that these Objective Design Standards are wrestling with is how to avoid having the prescriptive language preclude changes in residences space planning needs that affect building planning? For example, a need that has emerged during the pandemic that we think is here to stay is the availability of increased work from home space. Well, tenants and buyers of affordable units cannot be charged for more square footage. Interior common work areas for quiet and privacy could be added within projects and this could be noted as a type of common facility within the open space section of the standards which currently is primarily oriented to recreational uses.

So, to conclude our general comment is that the Objective Standards thus far could be made more broadly applicable in order to increase the housing supply and affordability and flexible with the addition of some general but focused complimentary wording to address the changing ways in which we are occupying our spaces and homes. Thanks for considering our comments.

Chair Hechtman: Thank you. Mr. Nguyen, are there additional public comments?

Mr. Nguyen: There are no more raised hands so that concludes public comments for this item.

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Chair Hechtman: Thank you. In that event, I will move it to the Commission for deliberation and as we get started let me just suggest a couple of things. First, as I mentioned up front, encouraging the Commission to be concise and what I'd like to do is I'd like to start with an initial round of comments say 5-minutes per Commissioner and you will measure yourself on that.

The other point I wanted to make is that I'm hoping that this will be a high-level conversation really focused on those four prompts that Ms. Eisberg gave and maybe she'll put back up for us. I wanted to echo what Ms. Gerhardt said and that is attached to our Staff report is a draft of the new Chapter 18.24 as well as revised sections throughout the Zoning Code and I've looked through those. I expect the other Commissioners have as well and frankly, I found some wordsmithing, somethings that were not clear. I'm not intending to raise those tonight but rather because this is a study session, I'm just going to mark up those pages and send them to Staff for Staff's consideration with all the other information they're gathering as they try to develop final version of these documents to bring back to us. So, I'd encourage my fellow Commissioners similarly to let's talk about the big issues and only go to the wordsmithing tonight if you feel like there's something that really needs clarification in the public forum here. So, with that, which Commissioner would like to lead off? Commissioner Alcheck, I see your hand and I can't hear your voice.

Commissioner Alcheck: Why not, why not. I love starting. I'll try to be quick but no real promises. I want to thank Staff and I appreciate the ARB representative joining us tonight. It's not often that we get to work in tandem with the ARB and so I am excited for that opportunity.

I want to start by saying that I think that this discussion, especially as I've reviewed as a climate for housing I think or the conversation for housing has changed over the last year. I think this discussion really required us to look in the mirror and acknowledge that our City's modus operandi with respect to our Planning Department protocols, our Boards and Commission's involvement and the City Council's ultimate discretion has and continues to be essential cause of the local housing crisis. I think this is why the state is stepping in and we need to face this truth openly and honestly. And I'm going to spend a little time on this because I think it supports some of my suggestions.

I think our process is so poisonous to progress that it has become absurdly abused by the usual suspects who live in neighborhoods all across our City. So, that what we've seen in recent years, for example, is that the opposition to a development application isn't predicatively limited to residents in the immediate vicinity of a proposal who don't want to see this development or that development in their back yard. No, what's happened now is that our process has encouraged nimbys all over the City to band together and speak as neighbors in opposition to

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1 any progress anywhere in the City. Essentially, they're forcefully articulating the battle cry let
2 no precedent be set. Holding the City back from making any progress in responsibly addressing
3 the housing crisis and I'm not the first to recognize this. This is not some informal result of local
4 civic involvement. This is a deliberate strategy of the anti-housing movement and the alliances
5 are built on this premise that if you are there to oppose the project in my back yard. I'll be
6 there to oppose the project in your back yard and so we're here tonight talking about
7 strategically amending our process to overcome this problem. And what I'm trying to make
8 clear and some basketball fan and specifically Sixers fans might find this sacrilegious but, in my
9 mind, the clear takeaway don't trust the process. It cannot withstand the coordination that I
10 spoke of earlier and frankly, the very individuals who are trusted to stir Palo Alto to the other
11 side of this housing crisis cannot be relied upon under this existing framework to do so in an
12 objectively fair way. Now I think that's a very tough pill to swallow, history is our teacher, and
13 history has demonstrated time and time again that those in power don't often expect limits to
14 their power willingly. So, in my mind the ask tonight is do we want to be proactive and get the
15 jump on this medicine or do we want to be remembered as begrudgerly acquiescing to the bare
16 minimum required by state law until such time as the state inevitably forces us to completely
17 reform our process. I vote to take the medicine now, make the changes now.

18
19 I would support a recommendation, a motion to recommend that the new Objective Standards
20 be applied to as many potential projects as possible as opposed to being limited just to those
21 housing development projects as defined by the Housing Accountability Act. Meaning
22 broadening the applicability of the Objective Standards to the Affordable Housing Overlay, the
23 Work Force Housing Overlay and so that legislative approval is not required in those cases. And
24 not just for projects that meet the affordability threshold, but consider going further. Like not
25 required legislative approval for projects that substantially satisfy our RHNA allocation. What is
26 substantial? I would define substantial as all housing developments that bring Palo Alto closer
27 to the halfway mark in any given income category. Essentially housing developers would be
28 incentivized to submit applications early in our Housing Element Cycle.

29
30 With regards to the specific standards, I think Council should direct Staff to publish the draft
31 standards and maybe by email, notify architects who are active locally and have submitted
32 multi-family development plans to Palo Alto in the last decade. To essentially provide feedback
33 over a specific period. We're going to publish these Development Standards, every single
34 architect who submitted a multi-family housing project or maybe even broader. Maybe the
35 AIA? I don't know if that's a thing. The American... I don't... the California Association of
36 Architect? Put it out there like an RFP. We'd like to hear back from architects who are
37 interested, who want to be active in Palo Alto. I personally would feel a lot more comfortable
38 supporting adoption of these specific standards knowing that feedback was solicited from a
39 broad group of professionals who have personal experience working in Palo Alto. That would
40 make me feel more comfortable. I very much value the professional experience of the ARB but

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1 there are a number of architects who work in Palo Alto who have a lot of experience and
2 understand lots of different nuances and they might be able to really provide valuable feedback
3 for us.

4

5 Chair Hechtman: Would this be a good point to break it?

6

7 Commissioner Alcheck: [unintelligible](interrupted)

8

9 Chair Hechtman: Again, we'll do multiple rounds.

10

11 Commissioner Alcheck: This is my final point, this is my final point in line with the general
12 theme of these comments. I would also support formally directing Staff to return to the
13 Commission with some research on how municipalities have transitioned from Subjective to
14 Objective Standards. I imagine there are more than a few case studies on Cities in the US that
15 have evolved to incorporated Objective Standards. This could be a very useful model for Palo
16 Alto. There are plenty of Cities that have grappled with inclusionary housing practices because
17 of Subjective Standards and we could learn something from them. And this is coming from one
18 very unique concern, it's a sincere concern, that our special treatment for 100 percent
19 affordable projects and low and very-low-income projects is the only projects that are
20 deserving of a streamline or objective path of review. I think in and of itself is an exclusionary
21 practice because those projects are increasingly rare. And even housing that is priced to serve
22 those described at moderate-income, which whenever there's a project that's priced for 80
23 percent to 120 percent AMI, we get the pressure from the community. Oh, that's not good
24 enough, that's not doing it. First, let's see here, I'm looking at it right here, a teacher in Palo
25 Alto has to work 10-years to break the threshold of 80 percent AMI. AMI in Palo Alto is
26 \$126,000. To break the threshold a teacher in Palo Alto would have to work sorry 9-years; 9-
27 years. So, we have to understand to the extent to which we're making the hurdle too high and
28 maybe create standards that allow for that objective treatment even if it's moderate-income
29 targeted. I'll stop there.

30

31 Chair Hechtman: Thank you, Commissioner. Who would like to go next? Vice Chair Roohparvar.
32 Thank you. You're muted.

33

34 Vice-Chair Roohparvar: I was like I don't know how I'll fair after Commissioner Alcheck's
35 compassionated speech but so I just want to say that I... one thing I want to step back and for all
36 of us to keep in mind and we see it in the Staff report too. That these... the request or the
37 require for objective changes has come from the state legislature and now being required to be
38 in align with that. But stepping back and thinking about housing from a state level and from a
39 national level, I think there's no question that we are in a housing crisis. There's no question
40 that housing is a for front... is at the forefront of a lot of political movements or a lot of political

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1 campaigns. And I do want to remind us that we just saw the state legislature, in this last RHNA
2 round, come out and double the RHNA numbers they gave to ABAG for the Bay Area and tripled
3 them for LA when we are not even close to meeting them. And we're 100,080 units short per
4 year in the state of California in terms of the housing need. So, I'm like... I would just say the
5 direction is coming very loud and clear in my opinion from the state telling Cities you need to
6 step up your production of housing and if you don't, you're going to continue to lose your
7 discretion. So, I do think it's incumbent upon Cities and I do think we need to be serious and
8 start taking real steps to produce actual housing. And I would be supportive of being more
9 expansive than even what's set forth here in order to show the state like we're hearing you. We
10 get it. We don't need you to come in and continue to hammer and remove our discretion.
11 That's it.

12
13 Chair Hechtman: Thank you, Vice-Chair. Who's next Commissioners? Commissioner Lauing,
14 thank you, followed by Commissioner Summa.

15
16 Commissioner Lauing: I just wanted to reference the excellent letter that was sent to Staff in
17 [unintelligible] by architect Heather Young and it's coming back to the same thing. Is if we go
18 too far with Objective Standards, what's going to happen if there are Variances? So, I'm not
19 going to repeat that but I'm sure you all know the letter but she speaks about a one-size-fits-all.
20 Fixed dimensional requirements regardless of site, use, context or style completely misses the
21 opportunity and the nuance and so I think that's to the point. So, somehow that has to be
22 addressed and it probably has. So, whether Staff or Ms. Thompson or something could address
23 that or how are you going to address those corner cases if you want to call it that?

24
25 Ms. Thompson: Do you want me to answer?

26
27 Commissioner Lauing: Whoever's best, that'd be fine.

28
29 Ms. Thompson: Maybe I'll take a stab Jean and then if I miss something you can supplement.
30 So, one of the things in the Objective Standards that we've done... a few of the things that
31 we've done is for dimensions we've provided a range. So, in some cases, it's a range for if you
32 have a certain condition. We'd like for example a break to be within a certain distance from the
33 corner and we have it prescribed. It has to be 20-feet. We've kind of done a range from... I don't
34 have it in front of me, maybe Jean does but it's from 14 to 25 or something like that. So, one
35 way that we've tried to incorporate flexibility is for most breaks in dimensions and stuff. We've
36 tried to issue a range and then we've also provided a menu of options to satisfy some
37 requirements. So, we have, for example, treatment of corners in buildings and there's a menu
38 of things you can do that would satisfy the Objective Standards and they're very different
39 approaches for how you could treat a corner. And so that's another way that we're trying to
40 incorporate flexibility. Jean, go ahead.

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1
2 Ms. Eisberg: Just to add to that and also to help respond to Commissioner Alcheck's point. We
3 did... I didn't mention the outreach, so Staff did contact about 30 stakeholders. So, these were
4 architects, developers who've been working in the City in recent years to solicit feedback and so
5 we did as Commissioner Lauing pointed out. We received a number of letters which are in the
6 Packet [unintelligible] feedback and we did make some changes in response to some of those
7 letters. And notably, a couple of respondents talked about townhome of the... as a topology of
8 housing and so how does that relate to the Objective Standards and so we made some
9 modifications in response about when Objective Standards come into play for buildings over
10 three-stories since townhomes typically are no more than three-stories. But as Board Member
11 Thompson indicated, the menu of options is one of the key ways that we try to create flexibility.
12 So, another example is in terms of façade articulation. The applicant has an option of making a
13 change in materials or changes in colors or a change in horizontal articulation versus vertical
14 articulation. They can use the fenestration pattern to change the façade. So, there are many
15 different ways to achieve façade articulation, and not... we're not prescribing one vertical
16 movement or horizontal movement.

17
18 Ms. Thompson: And if it brings the Board any comfort, the two people that were on the ARB
19 that were on the subcommittee, myself and Board Member Hirsch, both have multi-family
20 housing experience as architects.

21
22 Commissioner Lauing: Ok.

23
24 Chair Hechtman: Do you have more questions or comments, Commissioner Lauing?

25
26 Commissioner Lauing: No, not now.

27
28 Chair Hechtman: Alright, Commissioner Summa.

29
30 Commissioner Summa: Thank you very much. Thank you to Staff. This is a lot of work and I
31 guess we're making general comments now. And I also, and this is for our Chair, I guess we're
32 not going to... the plan was not to go through 18.24 with a fine-tooth comb rather that we
33 should do that... the new section of the code. Rather we should do that by email, is that
34 correct?

35
36 Chair Hechtman: Only the wordsmithing if... and that's just a suggestion. I'm not insisting on it.
37 If there are particular clauses or provisions in that draft ordinance that you want to daylight
38 here, that's your prerogative.

39

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1 Commissioner Summa: Ok, thanks for that clarification, and then I guess I'll follow the
2 precedent set here and just speak in generalities. And before I do that I would like to ask the
3 Staff if they have any... if they know how many... if they have any idea how many projects we
4 might be getting annually perhaps or some other way that fall into the Housing Accountability
5 Act?
6

7 Ms. Gerhardt: So, right this minute we have two projects that are likely to use the SB 330
8 regulations which is mainly setting the current regulations in stone. We don't have any SB 35
9 projects at this time. We do have other housing projects, a good... I would say a good five or so
10 projects that are working their way through the process.
11

12 Commissioner Summa: Ok but we... there's no way to forecast how many a year? No.
13

14 Ms. Gerhardt: No, there really isn't. I mean it's... yeah, they're just... there isn't.
15

16 Commissioner Summa: And Mr.... the member of the public that spoke had some ideas. He
17 spoke rather quickly but ideas about how to maybe help get more affordable housing options
18 and that would be... I don't expect Staff to respond tonight in real-time but it would be
19 interesting when we hear this next to hear a response to that.
20

21 In general, I think it's important to remember a couple of things and one is over the housing...
22 the RHNA Cycles we've done well with market-rate housing. So, what we really should be
23 prioritizing is below-market-rate housing of course to me and that's what I think this is trying to
24 do and I also wanted to remind everyone that it's the Executive Branch actually at the state
25 level. It's HCD, the Department of Housing and Community Development that sets the RHNA
26 goals and not the legislative, and not everybody interprets the need for housing in the same
27 way. So, I think we should remember that we are not here to tell everybody what they think
28 and others that they're wrong. There's a lot of pushback on those HCD numbers and a lot of
29 other ways to interpret what might have happened at the state level. And it's also important I
30 think to remember that Cities do not build housing. What we're trying to do here is respond to
31 state law which we should of course always do and make sure that we have Objective
32 Standards for these projects to use. And I very much appreciate the work on that but as to
33 going a lot further.
34

35 I don't want to under mind the process that we have in place that uses our ARB and I think
36 Heather Young's letter reflected this. We don't want to get to the point where all the buildings
37 are using the same Objective Standards so that's one of my concerns.
38

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1 And then I guess maybe those are my general ideas and then I do have ideas about some of the
2 other items tonight that are not part of 18.24, the new section of code. I don't know if we want
3 to take them one by one Chair or how you want to do it?
4

5 Chair Hechtman: Well, if those are the end of your general comments, as I suggested we'll go
6 around again, and maybe you can bring up any of those that you want in your next round.
7 How's that?
8

9 Commissioner Summa: That's fine. Thanks.
10

11 Chair Hechtman: Commissioner Templeton, you're next.
12

13 Commissioner Templeton: Hi, thank you. A lot of good comments and questions have already
14 been made and per the request to be concise I will limit it to this question for Staff and Ms.
15 Thompson. So, just thinking about the objectives that have been described by the state
16 legislature and members of Staff. Do we think that these changes that are proposed here will
17 increase the likelihood that we... that proposals will be approved? I know that... I'm super
18 simplifying all this but is that what Staff is saying and what the ARB is saying?
19

20 Ms. Gerhardt: I think at the moment 99 percent of our projects are approved. Some take a little
21 longer than others and need a little more changes than others. I think what these Objective
22 Standards are doing is giving more certainty to developers and all of the other changes that
23 we're making are streamlining the process. So, it will make the entire thing more predictable
24 and more streamlined.
25

26 Commissioner Templeton: Streamlining meaning shorter time from beginning to approval?
27

28 Ms. Gerhardt: Correct.
29

30 Commissioner Templeton: Ok and what kind of improvement are we talking about?
31

32 Ms. Gerhardt: So, for the Objective Standards projects, we're talking about the Housing
33 Accountability Act projects. If those only have the one non-binding hearing with the ARB, that's
34 two hearings that they don't have to go to and it takes us a good at least two or so months to
35 get to each hearing.
36

37 Commissioner Templeton: So, just to summarize and reflect back my understanding of what's
38 proposed here is it brings us into compliance with state regulations and reduces the total time
39 it takes to get a project approved.
40

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1 Ms. Gerhardt: Correct.

2

3 Mr. Yang: I guess one clarification I would add is that state law doesn't require us to adopt
4 these sorts of Objective Standards. It just says if we don't have them, we don't get any say in
5 design. So, you know by not... if we don't adopt these standards we just have to approve
6 projects without respect to their design because we haven't specified what we want it to look
7 like.

8

9 Commissioner Templeton: Thank you. That's an important clarification, so this gives greater
10 agency to the City by being able to specify these are the kinds of projects that we would fast
11 track or streamline. Alright, well that's the clarification and simplification that I wanted to so
12 thank you for addressing those questions.

13

14 Chair Hechtman: Thank you, Commissioner Templeton. So, I guess my preparatory marks and I
15 first want to clarify and I think it's amplifying but Mr. Yang just said. As I'm understanding that
16 state law is already in effect for certain types of projects, housing development projects and if
17 they come to us. We are limited to applying... and they qualify, we are limited to applying only
18 the Objective Standards we have. So, if, as is the case currently, our code is slathered with
19 Subjective Standards, ~~none~~ none of those can be used. We have to essentially set all of those aside
20 and only look at setback and building height and whatever other numeric qualifications we
21 have. So, at the moment because we haven't completed this exercise, we are at a low point in
22 terms of what you might want to call local control, which is of course important to us. And so,
23 the importance of converting so many of these subjective concepts into Objective Standards is
24 we get back the ability to ensure that there's building articulation because we've put
25 quantitative numbers on it. And so, I think that that's something that people on both sides of
26 the fence should be interested in. People who are promoting development wants clarity and
27 they want streamline and people who don't want anything in their backyard want even less
28 something that the City really has no control over what it looks like. So, I think it's in
29 everybody's best interest in this City to move forward with these concepts properly and adopt
30 an ordinance that has this conversion of subjective concepts into objective content.

31

32 And I also want to say in that, that in that sense, speed is important and so we should recognize
33 that this is a new horizon for us to some extent and that we can refine this over time. So, once
34 we adopt the ordinance and live with it for a while, ~~we~~ we can see how it's working and
35 whether everybody's always choosing option three in subpart seven and so everything has the
36 exact same gable on it of the first eight projects that come through. We can see those things
37 and make adjustments and I think that's an important aspect of it.

38

39 So, I am... and I am going to now just kind of quickly go through the four discussion points. I am
40 interested... well, I am supportive of the... of number one, the Staff's translation into Objective

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1 Design Standards. Again, my concern is they not be so prescriptive that they force people into
2 the discretionary tract. And when I read through the ordinance I really didn't get that sense but
3 I'm not an architect and I'm trusting the architectural community, including the ARB, to be our
4 guides on that.

5
6 I do... on number two I want to say that in the long run, I think I share Commissioner Alcheck's
7 vision that we should be processing faster and applying Objective Standards to as many
8 projects as we can. But in the short run, I think we need a test drive first and so I am supportive
9 of limiting the Objective Standards initially to housing development projects, but I would like
10 the Commission to consider in its recommendation to Council to visit that say 3-years after
11 adoption of Chapter 20... 18.24. Specifically, to discuss expansion of that concept to other kinds
12 of projects in light of the experience we've had during those first 3-years.

13
14 The streamlining, I am supportive of the streamlining review and to having an ARB non-binding
15 hearing only, ~~z~~-P provided that there are protections that don't slow down the project or as our
16 one speaker said, [unintelligible] increase soft costs. If the developer has to put on a big dog
17 and pony show when they go to the ARB and it costs a lot of money, ~~z~~-T that's a hindrance to
18 that development so I would hope... I would like to see some controls on that.

19
20 And finally, even though it would give the PTC less work, I do like the idea of codifying the
21 Combining Districts and overlays so that if you qualify you don't have to come to PTC. You go to
22 the ARB and Staff so that's my initial brush on all four of those items.

23
24 So, now I'd like to come back around possibility but not necessarily in the same order. Which if
25 of you Commissioner would like to speak again? Commissioner Alcheck, your hands up. Thank
26 you.

27
28 Commissioner Alcheck: Yeah, no, I'll retain my order if that helps. Well, first I want to respond
29 to this idea that we are at a low point of local control. I guess I want to ask Staff. So, I have two
30 comments but the first question is, is it... my impression that this is true only to an extent
31 because not all housing projects are treated the same way. So, what housing project would
32 qualify for simply being subject to Objective Standards?

33
34 Mr. Yang: Any housing development project under the Housing Accountability Act right now.
35 That's a housing project of two or more units or that's a mixed-use project with 2/3s more
36 square foot devoted to housing. We cannot deny or reduce the density of those projects on the
37 basis of Subjective Criteria.

38
39 Commissioner Alcheck: Well, we don't necessarily have to... there's no bonus entitlement.

40

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1 Mr. Yang: I'm not sure I understand that question. So (interrupted)

2

3 Commissioner Alcheck: They would have to meet the zoning criteria we have in place so if we
4 have a density of 20 units per acre. Then that's the maximum they could do but that doesn't
5 (interrupted)

6

7 Mr. Yang: Correct.

8

9 Commissioner Alcheck: I guess what I'm trying to say is are the options to acquire bonuses that
10 exceed our standards are not by-right?

11

12 Mr. Yang: No, they're not but I think I would agree with Chair Hechtman's characterization of
13 this moment. Before we adopt these new standards as being a low point in local control
14 because four of those projects that meet our Objective Standards with respect to density, the
15 20-unit project. It could be just a cube or it could be a pyramid as long as it didn't exceed 35 or
16 50-foot height and provided the setbacks that are required. There (interrupted)

17

18 Commissioner Alcheck: Ok, I get it, I get it. I mean you say that like it's a bad thing. Here's the
19 thing, I believe that this notion that uniformity is going to be a... that the application of
20 Objective Standards will lead to some kind of uniformity and cookie-cutter thing. I think it's a
21 total red herring and I would suggest to anyone who... is... finds that argument somewhat
22 reasonable, I would suggest that you consider the diversity, the sheer unreal diversity in our R-1
23 single-family development. Our R-1 single-family homes go through a process that takes 2-
24 months, the standards are unreal they're so objective. There's no subjective... here are the
25 standards, you meet the standards, you get your permit approved. Yeah, if you go two-stories,
26 there's an Individual Review Process but you can't break any Objective Standards. You still have
27 to be within the envelope, within the height limit, within the FAR, within the setback; but
28 maybe there's some privacy concerns that we, the Planning Department, isn't aware of in your
29 neighbors' lot that they want to become aware of, or at least be abreast of before they stamp
30 the project for approval and then there can be some influence as a result of that. But there you
31 go, if you go look at the homes that have been constructed just in the last 2-years you will see
32 such unbelievable diversity in design and yet, it took 2-months. It can be 2-to-4-months. I think
33 the Planning Department has its own... the residential side... has its own set criteria for
34 returning responses. I don't want to give misinformation but I feel like they have their own sort
35 of goal. They try to get back in 30-days. That could have been a pre-COVID goal but they try to
36 get their responses back in 30-days. That's such an unbelievably great example of Objective
37 Standards that don't hamper creativity. There's no architect building Egyptian pyramids but it
38 hasn't stopped people from having Spanish homes and Italian homes and mid-century modern
39 homes and ultra-modern cubes stacked on cubes, shoe boxes that look like they're going to fall
40 over. It hasn't stopped any of that.

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1
2 And so, I personally think that this idea... it's so ironic to me because one argument for adopting
3 Objective Standards is hey if we don't, we have no local control and you know, on the other
4 side, there's this idea that if we make the standards to objective. Then we won't be able to
5 really influence the direction of projects in any... it's like... my opinion is that the sooner we just
6 put what we're comfortable with out there. We'll get what we want and the biggest hurdle to
7 achieving success in our City has been that... and here's the thing. We really do want affordable
8 housing and we're willing to give affordable housing units this choice of options, this menu of
9 options but we could just make it clear. We could just say, you don't even have to go through
10 the process. You tell us the percentage of units you're going to devote to this category and this
11 income level and then you get this. Just done. Why do we have to even... are we so afraid that
12 someone is going to build a building that might not... I would say this to you, ok? I'm a big lover
13 of architecture and I think in the world of architecture lovers; the City of Barcelona represents a
14 very unique place. And the reason why is because you go to Barcelona you will see the most
15 insane architecture. There's nothing contextually sensitive to [unintelligible] homes.

16
17 We're so afraid of allowing something to go through without our thumb on it that the
18 development community has walked away from Palo Alto. So, I am not going to suggest that we
19 should adopt Objective Standards because right now we have no control. I'm going to suggest
20 that we adopt Objective Standards to make our City better. We... imagine how much better we
21 would get along with each other if we didn't put ourselves in the position to fight like crazy
22 people over every development. This idea that we have people pre-screening and everybody
23 gets upset and the projects just a light bulb in somebody's mind 6-years from fruition. I'm going
24 to stop because I'm taking too much time but there's so many good reasons to create an
25 Objective Standard and if you need a good example look at R-1. It's fast, it's very verse, it's
26 architecturally unique, and it works and we should be able to do that for multi-family.

27
28 Chair Hechtman: Commissioner Lauing.

29
30 Commissioner Lauing: Just a couple quick follow-ups. Who actually is the person... since it
31 doesn't have to go ARB by default, who actually makes the decision that it's consistent with the
32 Objective Standards? Is that Ms. French?

33
34 Ms. Gerhardt: No, so these projects... as they do today, projects go before the ARB and the
35 Director ultimately makes the decisions. With the Objective Standards process, there would just
36 be the one non-binding hearing and the Director would make the ultimate decisions.

37
38 Commissioner Lauing: Ok, I didn't know it if was being delegated lower so that's exactly what I
39 wanted to know and then I substantially agree with Chair Hechtman on the comments he made
40 on the first four items. Well, five items actually I guess but just a quick... where you're talking

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1 about strengthening Landscape Standards. Is that mostly wordsmithing? You know just getting
2 it more specific so it's understood or are you talking about changing the standards?

3
4 Ms. Gerhardt: So, with the Open Space Standards, we're going to leave the actual size
5 requirement in the code. Those are 100 percent requirements but the dimensions and other
6 items would go into the Objective Standards and if a project decided that they wanted to do
7 something different than what's in the Objective Standards. They could go to the ARB and
8 suggest those changes.

9
10 Commissioner Lauing: Yeah, I meant on number three... bullet point three, strengthening
11 Landscaping Standards and bring up to date.

12
13 Ms. Eisberg: That's related to the Performance Standards in terms of screening where you have
14 the interface between different uses or different properties. So, that really is just strengthening
15 the language so sometimes that means actually the linear feet of how trees are planted in
16 terms of the canopy. Things like that.

17
18 Commissioner Lauing: Ok and then just back on the... I think this question was already asked
19 but perhaps by Commissioner Summa and not to push Commissioner Alcheck's button here but
20 if there is an appeal. What is that? Is it just a [unintelligible] process as it was before? That
21 some neighbor says I want to appeal and it just goes through normal process?

22
23 Ms. Tanner: I'm happy to take that or Mr. Yang if you want to.

24
25 Mr. Yang: That's... I think that's what proposed right now. It might be a little bit streamlined
26 depending on if there are any state timelines that apply that we need to meet.

27
28 Commissioner Lauing: Great, that's all, thanks.

29
30 Chair Hechtman: I'll mention that if you look on Packet Page 122, that's the draft section of the
31 ordinance where it's actually described the right of anyone to appeal. And also, the limited
32 grounds for appeal that exists and in challenging the application of Objective Standards for
33 these particular projects that qualify as housing development projects. Alright, Commissioner
34 Lauing did you have more? Alright, who's next? Commissioner Summa, did you want to dive
35 into the ordinance now?

36
37 Commissioner Summa: Sure, I'd love to. Thank you. Does Commissioner Roohparvar [note –
38 Vice-Chair Roohparvar] go first or? I don't know.

39
40 Chair Hechtman: [unintelligible] a hand so.

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1
2 Commissioner Summa: Ok. Great, thank you. In general, I think the new section 18.24 is good. I
3 think there was real effort made. I do... there are places where I feel like there's still a lot of
4 subjectivity and I can go into some detail if you want to. And there's areas where I think it says
5 should... where it says should and I think it should say shall and one of those... an example of
6 one of those is 18.54.020 and it's a new section. It's number seven through ten and I think that
7 those... I think there's areas that we want to make stronger by changing should to shall. I think
8 that there is... are areas where there's still some subjectivity such as an example of one of those
9 would be where there's a... there're ranges of options instead of real specificity. One of those is
10 18.23.050 (1), a solid wall or fence between 5-and 8-feet in height shall be constructed. I mean
11 maybe Staff thinks that's ok but I will be putting all of those in writing as suggested but I did
12 want to touch on some of the other things that were stand-alone items in our Staff report and
13 reflected in the changes in 18.24. And that refers to Packet Page 19 in the height transitions and
14 if Ms. Eisberg would like to bring up that slide, she could if she wants to. But in the first
15 paragraph, second sentence, it actually... Ms. Eisberg's slide got it right and this sentence is
16 incorrect. It flips the 50-feet and the 150-feet. Yes, so our Staff report said within 50-feet of a
17 property line when commercial zone site is in within 100-feet of a residential zoning district. So,
18 our Staff report flipped that so I did want to point that out, but then secondly (interrupted)

19
20 Ms. Tanner: Commissioner Summa, you're giving a lot of great feedback. I want to make sure
21 we're catching up with you so I just want to repeat a couple things that I heard. I need to make
22 sure (interrupted)

23
24 Commissioner Summa: Ok, I'm sorry.

25
26 Ms. Tanner: [unintelligible](interrupted)

27
28 Commissioner Summa: Stop me if I'm going too fast.

29
30 Ms. Tanner: It's good, it's good but I want to make sure that we are capturing it. So, the first
31 comment you made about should to shall, we can take a look at that. When you said you were
32 concerned that that... there were areas that were still subjective. Does that comment apply to
33 the should to shall or is that some other topic that you're going to go into?

34
35 Commissioner Summa: That was other topics. The should to shall in that section which is
36 18.54.050 is a new section because it's all purple and it's about parking facility design
37 requirements. And it starts out with shall in one and then it... in two it switches to should and
38 there's a caveat at the end of each one of these ideas that said as long as it's feasible. So, I think
39 they should... is... I don't think you need to say should and as long as it's feasible if the intention
40 is really to do what those numbered ideas say.

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Ms. Tanner: Ok.

Commissioner Summa: That was the first and then there was the one about the distance for screening on 18.23.050 (b), first bullet under little i; solid wall or fence between 5- and 8-feet in height shall be constructed and maintained along the residential property line. That phrase is in example one, to me, that is pretty subjective because who decides? You know you're screening from a residential property, who gets to decide if it's 5- or 8-feet and which would be appropriate? So, I think it still has a lot of subjectivity and it's not clear for the person who's receiving the benefit of the screening who would get to decide. I mean so that one was an example of one that was kind of confusing to me.

And on the next page under Guidelines, C [note – Letter C or see?] Guidelines, there are terms under in Roman numeral six and Roman numeral eight for example where you recommend subdued hues. I think that's pretty subjective also and then in eight, Roman numeral eight, appropriate landscaping should be used to add in private screening. Even nine, planting strips and street trees should be included in the project. Appropriate landscaping to me is very subjective. What's appropriate to one person is inappropriate to another so I think we could drill down on that more and planting strips and street trees I think shall be included in the project, not should.

And I had a whole lot of little ones like so I don't want to waste everybody's time because we have a lot on our plate.

Ms. Tanner: Thank you.

Commissioner Summa: So, I'll submit those but those are some examples and I have more but I will submit those in writing but (interrupted)

Ms. Tanner: Thank you [unintelligible](interrupted)

Commissioner Summa: I did want to talk about Packet Page 19.

Ms. Tanner: Ok, great and I want to make sure. Staff, are you caught up to where we are with this [unintelligible](interrupted)

Commissioner Summa: I'm sorry [unintelligible - crosstalk].

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1 Ms. Tanner: No, no, it's great, it's great. This is really helpful. We're glad that we have
2 Commissioners who are actually reading our reports and our documents so thank you. And the
3 comment about the slide that's up, I think Staff was able to capture that comment.
4

5 Commissioner Summa: So, the numbers are just reversed in our Staff report and this transition
6 zone, we've talked about it a lot on the NVCAP. So, it would be familiar but I think it's really
7 important so we don't have... so people don't object to projects next to them. And I would
8 like... I just have never found it confusing at all so perhaps you could clarify why this is
9 confusing? It seems super clear to me and why it needs to be... if the language is confusing,
10 which it's not to me, I'd love to know what you think is confusing about it.
11

12 Ms. Tanner: Ms. Gerhardt, do you want to respond to that?
13

14 Ms. Gerhardt: Yes, this is a very confusing section to me and I read code for a living so. So, this
15 is... it's saying... it has two numbers in it is part of the problem. The within 150-feet of a
16 residential district abutting or located within 50-feet. So, those two numbers I don't... it's just I
17 don't know how to read that and so that's why we're trying to keep the intent. We're not trying
18 to change anything. We're just trying to streamline the language so that it is more
19 understandable.
20

21 Commissioner Summa: So, maybe I am not understanding this then. I thought it was clear
22 before but the intention of the law is to... within 150-feet of... that abuts a low-density
23 residential zone basically. The height has to be lower from the property line and it also says if
24 it's within in 50-feet of the property line of the taller building. It has to be... it falls into that
25 category also so there's two points at which the protection begins. One is the property line its
26 self and one is 50-feet from the property line but the area to the... the area where the height is
27 reduced and so it doesn't negatively impact the lower density zone is the same basically. But
28 you're proposing here I thought to reduce it so the protection zone where the height is reduced
29 is only for 50-feet from the property line. So, that changes the intent unless I'm reading... very
30 much. It reduces the area to be protected by lower heights of the lower density zone... that
31 reflect the height of lower density zone. It reduces it by basically 2/3s. Am I not (interrupted)
32

33 Ms. Gerhardt: I'm unclear when the 150-feet would apply. I mean because (interrupted)
34

35 Commissioner Summa: But are we retaining any 150-foot protection where the height is
36 reduced to reflect the lower density zone it abuts?
37

38 Ms. Gerhardt: We're saying as shown in the diagram and this is how we've been implementing
39 this code thus far. And so there... from my perspective, there's not a change in how we've been

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1 implementing this code section but we're saying that any portion of a structure within 50-feet
2 of a lower residential zone would have this lower height limit.

3
4 Commissioner Summa: Yes, you are reducing the transition zone from 150- to 50-feet. I mean
5 this is even represented in our Zoning Maps as a blue hash mark and it's clarified. So, I'm not
6 sure we shouldn't reduce that 150-feet but that's the way it's been done as far as I know and I
7 think it's clear in the code and I think this is a big change. If we're going to reduce that zone
8 where the height is kept lower to protect and reflect the height in the lower density zone. Then
9 I think we need to understand what the impacts of that are.

10

11 Ms. Gerhardt: Yeah, we can take another look at it and I'd love to understand your comments
12 some more. Maybe if you had an example that you could send us and we can take a closer look
13 at that.

14

15 Commissioner Summa: Well for... I can tell you that when the Mike's Bikes project was
16 approved on El Camino. There was only a portion of the building that could be 50-feet height...
17 at 50-feet high because of its adjacency to R-1 behind it. So, I don't see this as an adjustment
18 and clarification of language. I see it as a big policy change so and it's something that I don't
19 support and it's in the new section 18. 24. So, that would be the area that would be the hardest
20 for me to support because I see it as a huge change in policy and not a clarification of the
21 language. And I guess if Staff has anything else to say about that?

22

23 Ms. Tanner: Commissioner Summa, we appreciate you bringing that up and we'll certainly take
24 a closer look. I think the Mike's Bikes site is a really good example because it did struggle with
25 that proximity and then created the solution that was proposed and ultimately approved. So,
26 let us take a look at that and when we return next time we can have our discussion. We can
27 even correspond with you a little bit in between about that topic.

28

29 Commissioner Summa: Ok and (interrupted)

30

31 Ms. Tanner: Thank you for bringing it up.

32

33 Commissioner Summa: And as to making the overlay zones more automatic, I don't see a real
34 problem with that unless my colleagues, if any of them have ideas about that. I'd be interested
35 in hearing it. It seems like almost... it seems like just taking the step out but it wouldn't enable
36 any difference in what the result would be. So, I'll stop there, for now, thank you.

37

38 Chair Hechtman: Thank you. Other Commissioners for round two?

39

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1 Commissioner Summa: May I add one last comment? Sorry. I do note that the... that we're
2 getting tons of mixed-use residential developments that are coming forward. I mean they're
3 really flooding in, which is great, so there's something in our code that's working pretty well
4 right now I think.

5
6 Chair Hechtman: Alright, not seeing any other Commissioner hands so let me ask a question
7 because I thought I... a couple questions about this setback issue with the image that's on the
8 screen now. I thought I understood what was happening here until listening to the dialog
9 between Commissioner Summa and Staff but first let me just clarify. Is this particular issue... I
10 didn't quickly find it in 18.24. I found it in a couple of places in the other revisions to other parts
11 of the code but is it also in 18.24 and I just didn't see it?

12
13 Ms. Eisberg: No.

14
15 Chair Hechtman: Ok.

16
17 Ms. Eisberg: It only appears in the Development Standards table across a number of districts.

18
19 Chair Hechtman: Oh, alright and so that's another kind of a clarification I wanted to make and
20 that is new Chapter 18.24. As I understand the way this has been designed by Staff is your... is
21 your stopping point if you want to... a housing development project that purely meets all
22 Objective Standards and you don't for any reason? ~~I~~ including fascinating architectural design
23 that might not fit those Objective Standards in which case you go to the alternate prong, the
24 Design Review. Is that right? The 18.24 is where we're collecting Objective Standards for
25 projects that would comply... that want that direction?

26
27 Ms. Eisberg: Yes, the only (interrupted)

28
29 Ms. Gerhardt: Jean, if you could (interrupted)

30
31 Ms. Eisberg: Other aspect is that projects... just as today, commercial projects or mixed-use
32 projects with more than half commercial area would also go to that section. So, the purposes of
33 meeting the Intent Statements as determined by the ARB; in much the same way as they
34 currently need to meet the Context-Based Design Criteria.

35
36 Chair Hechtman: That is a helpful clarification. That's right and I did read that. So, in most
37 projects, once they meet the Intent Statement and any other project that doesn't qualify as a
38 housing development project, ~~those~~ those go through the Discretionary Project [note – Process]
39 where all of our other codes apply and those other codes, including all the revisions that Staff is
40 proposing, that's really a combination of Objective and Subjective Standards. Right? And in that

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1 context, those are allowed. That's not currently the state legislature's issue is whether you can
2 have Subjective Standards in these other areas. Am I understanding, that right?

3
4 Ms. Eisberg: That's right, so the legislature says after January 1st earlier... well, last year we can
5 no longer create new Subjective Standards. We can continue to have and apply Design
6 Guidelines to discretionary projects going forward but for the purpose of those housing
7 development projects as defined in state law. Those in terms of denying or reducing the density
8 of those projects, you can only rely on the Objective Criteria. Through the non-binding hearing
9 with the ARB, the ARB may raise the issues related to Objective Criteria and have that
10 conversation with the applicant.

11
12 Chair Hechtman: So, with for example the appropriate landscaping example that Commissioner
13 Summa found. That... while I agree I don't know what that means and it's certainly something
14 that can... people can argue about but that is... where that's located in our code as proposed by
15 Staff, ~~that's~~ that's part of a Discretionary Review so it doesn't have to be Objective. It can be
16 subjective?

17
18 Ms. Eisberg: That's right. So, those particular code sections are organized in guidelines and
19 standards and all the... well most of the Performance Standards are organized like that. So,
20 there's still this set of Subjective Guidelines and that's the intent just to provide the sense of
21 intent to the applicant and then the standards underneath that. But those Objective Standards
22 projects are only held to the Objective Standards.

23
24 Chair Hechtman: Then let me go back to the three... the 50-foot, 150-foot diagram and ask my
25 question there and then I'm going to call on Commissioner Alcheck who's hand I see raised. So,
26 the way I thought I understood this is it's really kind of a step-back issue. That the way Staff is
27 and has been interpreting these ordinances which are less than clear, ~~the~~ the portion of the
28 larger building closest to the... and these are representing stories. So, the portion of the largest
29 building closest to the three-story building, it can't have a fourth-story within 50-feet of the
30 property line and that's what I think is shown here. Is that right? That it's (interrupted)

31
32 Ms. Eisberg: Yes.

33
34 Ms. Gerhardt: Yes.

35
36 Chair Hechtman: Alright but what was perhaps vague in the language was whether because the
37 other half of that larger building, which is more than 50-feet away, is still within 150-feet. There
38 was a question about whether they could have that section of fourth-floor. A vagueness about
39 whether they could have that section of fourth-floor or was that to prohibited because it was
40 within the 150-feet? Is that the unclear issue? It's the domino on top closest to C.

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Mr. Yang: Right, I think that's the question that Commissioner Summa raised.

Chair Hechtman: Ok, alright, alright. So, and my understanding is that Staff has been interpreting this less than perfectly clear language the way it's depicted here rather than to prohibit the partial fourth-floor and I am supportive of that interpretation because it's typical. Not just in this area but generally when you have multi... you know something that rises above something else. You're always looking at some kind of step back and so I think this does that. It preserves some density while recognizing some step back from the lower profile building in the residential zone next to it. Alright so that's what I... that's my view on that particular change and I want to go to Commissioner Alcheck who has got his hand up.

Commissioner Alcheck: So, I'll... only because it... I would just suggest to you that the irony here is that this isn't something that we would review. This wouldn't come to us and so it just seems so disingenuous for us to even spend a minute talking about the application of this rule. It seems more appropriate for the ARB to have this discussion. If they found that the interpretation some what conflicted with the practice that they saw in the community. From my perspective, this is not the sort of criteria which we typically review. In fact, it is the opposite, we're an objective review body and so I mean unless someone had reason to suspect that Ms. Gerhardt or Ms. Eisberg were disingenuous and that this wasn't common practice or common interpretation. It just seems a waste of time.

And this goes to the point I made earlier tonight which is that I really struggle, as much as I love architecture and I don't know if you all know this but I first applied to the ARB. And it was during that meeting... interview where they suggested why don't you stick around for Planning Commission and interview for that. You know what watch what you're... be careful what you ask for, but the point I'm trying to make is that I'm uncomfortable. I love that our ARB in this community is made up of professionals and it seems to me that is the appropriate body to be discussing these elements. It's just not appropriate for us to do it. We don't have the expertise and so... and sort of outside of our purview so that's my thought there. Personally, yeah, I could tell you how I feel about this but I will not do that because I really just don't think it's appropriate.

And then I would add, I don't know, there's a... I'm curious to know if Ms. Thompson, if the ARB... if it came up during the ARB discussions. Is there is a municipality in California or maybe it's nationally that is doing this well? I would personally invest the time before our next meeting to review some sort of objective multi-family design guidelines if you knew of one. And if you don't know of one, I'm sure you know how to reach out to the Planning Commission, or if you asked around. And I think that would be tremendously useful because what I'm suggesting is something akin to our single-family development guide book or whatever that so perfect lays

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1 out how someone can approach single-family development in all this nuance. I'm wondering if
2 that discussion took place? Is there is some City you think is doing it well?

3
4 Ms. Thompson: It did get brought up. There are... I think what I remember hearing at the time
5 was that a lot of Cities are in the process of doing this right now still and so the closes thing that
6 we really have to reference are... what has been done a lot are just Design Standards and
7 Guidelines, which for example San Francisco has that for certain neighborhoods or permits.
8 They don't have an ARB but they have Design Standards and Guidelines for just special areas in
9 the City. And so, in a similar vein, I think the theory is that you have a vision for what you're
10 trying to go for and these guidelines are supported by that vision. So, in this specific case, the
11 City of Palo Alto, a lot of discussion we had are that knowing how multi-family housing is built
12 these days. You know a lot of typically what we end up seeing is that construction costs drive
13 aesthetics a lot of the time and that's something that we want to be worried about in terms of
14 having architecture that is not high quality and yes, the affordability part has been discussed.
15 You can make affordable buildings. You don't have to spend lots of money on the materials at
16 all. It's really more about articulation of the façade which is what we focused on as part of the
17 Design Guidelines. Is that helpful?

18
19 Commissioner Alcheck: Fair enough. Yeah, no, I appreciate that. Look, I know that we're going
20 to pass a motion tonight where we direct Staff to publish the Design Guidelines and email all
21 the architects who have done work in Palo Alto over the last 10-years to respond. But I will
22 reach out to a few of the architects that I know and ask them to pass these guidelines one
23 because I think we should be eliciting feedback. And I'm going to encourage those architects
24 who I know who are in leadership positions and what I would ask you, Ms. Thompson to do, if
25 you wouldn't mind personal, is to do the same. Maybe to ask individuals to review these
26 guidelines and provide some feedback to the Commission because if we are going to at some
27 point recommend that City Council adopt these Development Standards. I just think it would
28 mean a lot if architects shared some feedback with us so that we knew where they stood on
29 some of these items honestly.

30
31 And I just want to also add Ms. Eisberg, the... you say it so nicely when you articulated that
32 moving forward from a certain day we can't include any more subjective. I mean it's like the
33 state thinks we're horrible. We can't be left to our own devices. Our Subjective Standards are
34 objectively exclusionary and the state is unwilling to allow us to adopt any new criteria. I mean I
35 just think if... it's hard because I've been apart of this process for 10-years so I know but we
36 have to admit that our process has been the hurdle. And so, I'm ready to recommend that we
37 encourage... well, I think the next step is probably to bring this back but I don't know. I'm
38 curious to know where Chair Hechtman is hoping the... where he sees consensus here but I am
39 prepared to support a recommendation to the Council that we very actively pursue the
40 implementation of the Objective Standards. If assuming I guess they come back to us in their

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1 next form and then they go out but also their application to as broad an implementation as
2 possible. Because it is a really first step and I agree with Commissioner Hechtman's [note –
3 Chair Hechtman] statement at the beginning of the evening which was this was a good start but
4 I also think instead of picking apart some of the nuance and acting like its to big a pill to
5 swallow. I think we should maybe acknowledge like maybe we err on side of over standardizing
6 to correct what I think the broader state community is telling us which is that maybe we can be
7 trusted. You know so.

8
9 Chair Hechtman: Alright, so Commissioner Alcheck you've given ~~we-us~~ a good segue to try to
10 bring us to the finish line on this item. Ms. Eisberg, can you pull up the four feedback items of
11 us, please? So, there it is, so I don't... this is a study session. I don't think we're looking
12 necessarily for a motion here but I think that what Staff is asking us for tonight is to get a sense
13 of our feelings on these four particular items.

14
15 I have provided my feedback on one through four and my thought, and I'd like to actually hear
16 from Ms. Tanner whether this would be sufficient for Staff purposes, is if those Commissioners
17 who want to briefly go through these four items and give their feedback. And then we could
18 leave it to Staff to correlate the information and figure out where there was consensus and
19 when there was divergen~~ce~~. Would that be sufficient?

20
21 Ms. Tanner: Certainly, that would be excellent. I think I think Commissioner Lauing for example,
22 I think underscored some of the statements you had made and so that's kind of what I've taken
23 down as well as the other notes that Staff have taken. Certainly, Commissioners have maybe
24 given some opinions, maybe not by directly linking it to one through four, that we can also go
25 through. But certainly, if there are summary statements that Commissioners might want to
26 make to encapsulate how they're reflecting on these items that would be helpful.

27
28 Chair Hechtman: Let me invite any Commissioner that wants to take that on and provide it's...
29 that Commissioner's guidance to Staff on its feelings particularly on these four items. So, I'm
30 looking to see if anyone is raising a hand and if not, I'm going to say that that's all the... there
31 we go. Commissioner Summa.

32
33 Commissioner Summa: Thank you. I think I touched on all of these but just to clarify. Translation
34 of the Context-Based Design Criteria, number one and two of Objective Design Standards, I
35 think that is contained in the new part of the code that's 18.24.100, right? Correct? So
36 (interrupted)

37
38 Ms. Tanner: Yes.
39

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1 Commissioner Summa: And I will get... I touched on some things and I will send in notes unless
2 somebody wants to go through things line by line tonight which I don't think they do. I think
3 two, the application of Objective Design Standards only to projects that meet the definition of
4 housing development project in the Housing Accountability Act, I agree with it. And I think that
5 agree with Chair Hechtman who said we should just give it a trial run or test drive and not move
6 too quickly. Three, I think that's required. I don't... unless Staff... unless I'm getting this wrong I
7 think that's a requirement of what we're doing tonight, number three. So, I don't have anything
8 to say and I would really appreciate any other comments from my colleagues about codified the
9 Combining District Overlays so that legislative approval is not required. It seems sensible to me
10 because it won't result in any difference in the project but will just take one step out so that
11 seems reasonable to me. Those are my thoughts and with regards to the... my other concern
12 about the transition height. I would say compared to where it exists in the code today and one
13 example is 18.16.060 in Development Standards. It isn't... it is more confusing to me what
14 you're suggesting than it is... than how it exists now in the Development Standards and I think
15 it's also a reduction. It's a big policy change, so those are my comments.

16
17 Chair Hechtman: Thank you. Other Commissioners want to give Staff guidance on items one
18 through four? I'm seeing a thumbs up from Commissioner Alcheck and I'm not seeing
19 (interrupted)

20
21 Commissioner Alcheck: I just wanted to... I think I did speak to the four items so I'm... I think I'm
22 good.

23
24 Chair Hechtman: Alright, then I am going to conclude this study session item and hope that we
25 have given Staff enough information on our views that they can move forward and we look
26 forward to having back before us a revised version of the ordinance. And I will encourage my
27 fellow Commissioners other than Commissioner Summa, who I know is going to join me in
28 submitting some written comments, to send to Staff any of the wordsmithing that you might
29 have. So, it is 8... I've got 8:21 right now and I think this is an appropriate time for a break and
30 so I'm going to suggest let's say we're going to come back in 7-minutes at 8:28. So, that we
31 really get started at 8:30.

32
33 [The Commission took a short break]

34 **Action Items**

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

37 **3. PUBLIC HEARING: Recommendation on the Preferred Plan Alternative for the North** 38 **Ventura Coordinated Area Plan**

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1 Ms. Rachael Tanner, Assistant Director: We do have a Staff presentation for the NVCAP item.

2

3 Chair Hechtman: Let me identify the item and welcome everybody back. This is Agenda Item
4 Three. It's a public hearing. It's a recommendation on the Preferred Plan Alternative for the
5 North Ventura Coordinated Area Plan, NVCAP. Ms. Tanner.

6

7 Ms. Tanner: Thank you, Commissioners. Rachael Tanner, Assistant Director of Planning
8 Development Services. I joined by Clare Campbell who is our Manager of our Long-Range
9 Planning team as well as Chitra Moitra who is our Planner on our long-range planning team as
10 well as Jean Eisberg who will be sharing with us. She has joined our team as part of the
11 consulting team there. We also have Sujata Srivastava who is part of Strategic Economics. She is
12 the author of the report that you have before you but also has been working as part of the
13 team both for NVCAP but she was also the lead on the report that came to us last year about
14 our below-market-rate housing and how and if we could raise our rate from 15 percent to 20
15 percent. So, you may recognize her from that presentation as well and so she has a history of
16 working with Palo Alto. I'm going to turn this over to Ms. Campbell who will introduce the
17 presentation and do a few slides and then Ms. Eisberg will take over.

18

19 Ms. Clare Campbell, Manger of Long Range Planning: Great, thank you so much. So, good
20 evening Chair Hechtman and Commissioners. My name's Clare Campbell and as Rachael
21 mentioned I'm the Manager of the Long Range Planning team which is the team that's primarily
22 leading this work effort. So, I was going to do an introduction but we got everybody covered I
23 think with Rachael's introduction there. I would also like to mention that we do have a few
24 Staff... City Staff here who is supporting us tonight. We have transportation Staff Sylvia Star-
25 Lack and Joanna Chan and from the Parks Department, we also have Lam Do.

26

27 So, for the agenda tonight we will review where we are in the NVCAP process. We're going to
28 provide a brief summary of the past PTC reviews. We're going to review the Staff's responses to
29 the Planning Commission motion back in January and review next steps. Alright, so next slide.

30

31 So, alternatives development, as mentioned in the meeting back in January the draft
32 alternatives represent a culmination of a lot of hard work by our NVCAP Working Group who
33 we cannot thank enough for all of their contributions and hard work and effort that they put in.
34 So, right now we are currently at the stage where Staff is looking for feedback from the
35 Planning Commission on the Preferred Plan Alternative to carry forward to Council for
36 consideration.

37

38 For the process, we are tentatively scheduled to go to Council in May for the selection of the
39 Preferred Plan Alternative. After that decision then Staff will begin the deeper analysis of that
40 Preferred Alternative with the assistance of our consultants Perkins and Will. And work then

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1 will be focused on the technical studies and analysis that are needed in order for us to prepare
2 that draft plan and then to get started on the environmental review. And our goal is to
3 complete the project, fingers crossed, by the end of 2022.

4
5 Our meeting tonight will be our fourth Planning Commission meeting related to reviewing the
6 plan concepts. We first brought three financially feasible plans to the Planning Commission
7 back in April last year and then Staff was directed to continue refining those alternatives. So,
8 then Staff was working very closely with the working group for many months and then we
9 brought back three revised alternatives in December of last year. And these three alternatives
10 are the ones that are reflected in your Packet tonight in Attachment A and tonight's discussion
11 on the current draft alternatives was continued from the December and January meeting to
12 tonight's meeting.

13
14 Here you have the motions. So, at the last meeting, the Planning Commission made the
15 following motion to direct Staff to evaluate Alternative Two, to determine the amount of public
16 funding needed to make the residential development financially feasible. And for Alternative
17 Three, to modify the BMR requirements to increase it from 15 percent to 20 percent with the
18 added 5 percent at the very-low-income level and as needed to do additional analysis to see if
19 there was public funding needed or that would be required to make that financially feasible.
20 And then lastly for Alternative Three, Staff was asked to increase the amount of open space to
21 meet the current ratio reflected throughout the City which is currently on average about 2.5
22 acres per 1,000 residents. So, that completes my introduction, I'm going to turn it over to Sujata
23 now who will review the details of the feasibility analysis. I think Jean is going to start sharing
24 her screen as well so give us a quick second to make that change. Thanks.

25
26 Ms. Sujata Srivastava, Consultant: Thanks Clare and Jean. So, our approach to this analysis was
27 to build off of the work that we've previously done. So, the first step was we have these
28 conceptual alternatives and some estimates of build-out. So, we had to translate those
29 estimates of build-out by different zones or sub-areas that had different kinds of height limits
30 associated with them into development prototypes. So, we made some assumptions that we
31 found... we thought were reasonable about what type of development would be most likely to
32 be built based on those parameters and for the purposes of this analysis, we basically
33 categorized them into three types. Townhomes and condos which were for sale products and
34 rental apartments which make up the majority of the units in both of the alternatives. Then
35 using our previous Financial Analysis, we ran some calculations on the development cost per
36 unit, and as I'll explain later. The develop costs are a little different in Alternative Two and
37 Alternative Three because they have different parking requirements. And then we calculated
38 the average per unit value which varies depending on how many of the units or what
39 percentage of the units are below-market-rate prices or rents within the project. And we also

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1 looked at different income categories within those BMR percentages too. So, that changes the
2 equation a little bit and I'll go over that a little bit more in a second.

3
4 So, for projects where the revenues or the values exceed the development costs, there's no
5 funding gap and that's considered a feasible project. But when the costs exceed the revenues,
6 there's a short fall or a funding gap, and essentially that's the basis for estimating the amount
7 of potential subsidy that would be required for each alternative. Next slide.

8
9 Just to summarize our findings for Alternative Two, most of the development types were found
10 not to be financially feasible and for Alternative Two we did assume that 15 percent of the units
11 would be at below-market-rate rents. And we found that most of the... for both of the condos
12 and the apartments, the costs exceeded the values of the units. A short fall for condos was
13 about \$94,000 per unit and the short fall for rentals was about \$83,000 per unit. So, that gap
14 could be somewhat closed by reducing the Parking Requirements to one space per unit because
15 that does account for a big share of the cost. Next slide.

16
17 For Alternative Three, the question is was to what extent can Alternative Three potentially
18 provide a greater percentage of BMR units. So, we tested a few different ways of getting to 20
19 percent, and Alternative Three, as this table shows, has lower development costs per unit for all
20 of these prototypes. That's because you have one space per unit compared to two or one and a
21 half spaces per unit in the Alternative Two scenario and because of the high values for
22 ownership products. We found that townhomes and condos could feasibility provide 20
23 percent of the units on-site... BMR units on-site without any need for subsidy. Those units
24 would be in accordance with the City's existing policy be targeted to moderate-income
25 households. Multi-family rental, right now the City's policy is to charge a Housing Impact Fee on
26 rental development so here we're looking at 15 percent on-site. We found that that could be
27 provided for low-income and more moderate-income households without any public subsidy,
28 but if we wanted to go to 20 percent and also include very-low-income households. That would
29 require a subsidy of about \$37 million which is about... comes out to about \$20,000 per unit.
30 Next slide.

31
32 This is just kind of walking you through some of the underlying assumptions. So, what we did
33 was, as I mentioned before, we took the maximum build-out numbers from the alternatives.
34 This is taking into account different kinds of capacity assumptions and for anything that was
35 within this 35-foot zone, we assumed that those would most likely be some sort of a
36 townhouse product. For things that were within... for units that were within that 50- to 70-foot
37 zone, we assumed a mix of rental and for sale; but excused more heavily towards rental just
38 based on what we've seen in the market in terms of recent development and what the demand
39 is in the region for rental versus ownership at that scale. So, for Alternative Two you have about

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1 1,600-units, for Alternative Three you have about 2,100-units, and the majority... the large
2 majority of those as you can see are the rentals. Next slide.

3
4 On Alternative Two, this is just walking through that funding gap. We have the weighted
5 average value per unit on the top line, that's basically the value. We converted the rental
6 income into a value number, a capitalized value number and that's what you're seeing there for
7 multi-family rentals. And for the condos and townhomes, those are essentially the sales prices
8 and then the second line shows you the development cost per unit. And there's a slight
9 shortfall for townhomes... I'm sorry. There's no shortfall. There's a slight surplus for townhomes
10 but then there's that significant gap for condos and rentals and much of that is just due to the
11 fact that those products have underground parking. They're more expensive to build because
12 it's a little bit more vertical so it does create more of a gap between the cost and the value of
13 those units. Next slide.

14
15 And this is just a way of graphically demonstrating and I apologize. I think that the fonts pretty
16 small, but the blue bar here is just showing development costs per unit for Alternative Three.
17 And then the subsequent bars are the value per unit depending on how much BMR percentages
18 you're providing and what income categories. So, for the first scenario in the orange bar for the
19 townhomes and condos, you have 15 percent for moderate. So, based on the existing policy
20 and then the grey and the yellow for townhomes and condos are the same. Those are both 20
21 percent, so you're just increasing the same income targets but another 5 percent. And for the
22 townhomes, the development cost bar is lower than the value bars so your value is
23 compensating for a cost. And then for the condo, it works at 15 percent, and then it starts to go
24 down a little bit when you're getting into the 20 percent territory but it can still work. And for
25 the multi-family rental, we looked at three different alternatives. The first one is 15 percent
26 with a mix of very-low, low, and moderate-income. This is what we would expect under the
27 existing policy if you were to have the onset provision option instead of paying the Housing
28 Impact Fee. And then the grey bar here is 20 percent... I'm sorry, 15 percent low and mod [note
29 - moderate] and the yellow bar is 20 very-low, low, and moderate. And you can hopefully see
30 here that the values don't quite exceed the cost scenarios which is what accounts for that gap.

31
32 Just playing that out a little bit more. This is looking at that yellow scenario where you have 20
33 percent BMR for rent and then 20 percent for ownership for Alternative Three and while the
34 condos and townhomes do pencil out. The multi-family rental has that gap of \$20,000 per unit
35 so when you multiply that out by the 1,800 units in the maximum build-out. That's what gets
36 you to the \$37 million. So, all of these numbers of course are contingent on exactly how you
37 build out the project and some of the other details. This gives you an idea of what it might take
38 to get to that scenario in Alternative Three. So, that concludes my presentation, I'll turn it back
39 to Staff.

40

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1 Ms. Tanner: Thank you and just while we have this slide up I just want to make two notes
2 before we turn it back to Ms. Eisberg. I think there are two important parts to think about with
3 the Feasibility Study. One is there's really two parts of feasibility. There's the great work that
4 we see here kind of going the pro forma analysis based on our understanding of typical
5 development in like communities. What we might expect to see and of course making
6 assumptions about what a developer's rate of return would be on their investment.

7
8 The other feasibility is the actual property owners within the plan area and their willingness to
9 turn from the current uses they have now to a different use that is idealized in the plan. So that
10 is something that we can talk about as well but our conversations have been in the insight from
11 the actual property owners in the plan area.

12
13 The other thing I want to note is that if we do go to 20 percent or really anything over 15
14 percent required on-site or even fee out below-market-rate units. We do need to have a
15 Feasibility Study that shows that it is feasible based on state law and so even though... even if
16 the City were to perhaps fill the gap. We may need to find a way to make it more feasible and
17 we can speak about that at greater length during the question and answer period, but I do want
18 to note that that is something that we need to be mindful of as we consider what rate of
19 inclusionary to require, or perhaps how to structure that requirement. So, I'm going to turn it
20 back to Ms. Eisberg. Thank you.

21
22 Ms. Jean Eisberg, Consultant: Thank you, so last component of the presentation in response to
23 the motion in January is regarding open space. As Clare indicated, we looked into how to
24 generate open space to meet the population being generated in the Alternative Three. In order
25 to meet that 2.57-acre target which is what the City has today per 1,000 residents. We would
26 need to generate 9.4-acres of open space in Alternative Three and you can see the... how it's
27 graphically represented. It's about 15 percent of the land area, so it's a tremendous amount of
28 land area. We've looked at all of the different ways that we could try to generate open space
29 and what you're seeing in the dark green are the idea here is public parks either dedicated or
30 privately owned publicly accessible open spaces.

31
32 In the lighter green here along the creek, this is the idea for the creek naturalization to create a
33 real amenity along the creek. Adjacent to that is an idea for a creek trail that would run along
34 the creek and to seek trail easements from private property owners that have land abutting the
35 creek on the south side.

36
37 While showing in the hatched color the idea for a linear park or woonerf that we've talked
38 about before which may be a mix of hardscape, landscaped shared bike/pedestrian routes
39 through parcels. And this is Portage Avenue and this location happens to be private property,

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1 even though it's used as effectively as a street. It currently is running through the parking lot
2 and then also breaking up some of the larger blocks of the 395 Portage site.

3
4 This limeish-green is showing landscape buffers along some the street's edges including
5 locations where there already are mature trees. And then the hatching on Page Mill and El
6 Camino and these larger blocks at Lambert, Portage, and Acacia are showing opportunities for
7 ground-level open space which could be plazas. So, a mix of hardscape or landscaped areas in
8 setbacks. These wouldn't necessarily be contiguous areas. This could be discontinuous areas for
9 smaller open spaces. Another idea is to what if we reduced the lot coverage but increased the
10 height limits in this location to allow for taller skinnier buildings and therefore the idea being
11 more open space at the ground level.

12
13 Lastly, these stars in purple are showing rooftop amenities. The idea being on commercial
14 buildings to have roof tops that would be accessible to the public.

15
16 So, taking all of those ideas we actually met that target and we exceeded that 9.3-acre target
17 and got to 10.41-acres. That said we did shop this around to some of the large property owners
18 in the NVCAP and we took... we spoke with three property owners so far about this open space
19 concept and generally there was support for on-site publicly-accessible open space. However,
20 the feedback that we got was that the requested was generally too high to make a project
21 feasible. Particularly on some of those bigger sites where we were showing larger parks. There
22 were some concerns about site security and marketability. When you have private property
23 owners who have tenants, leasees, whether commercial tenants or residential tenants, that
24 there's some distinction between the private realm and useable space for tenants and their
25 security and the marketing of those tenant spaces if the public is allowed to access them. And
26 then lastly, if there were some flexibility or incentives such as additional height or density or
27 specific uses. Then that could help increase the viability of providing open space in exchange for
28 those potentially some... I mean just Development Standards or uses.

29
30 So, just wrapping up the presentation, as Clare said in the outset we are looking for a motion
31 tonight to recommend the Preferred Alternative to the City Council. As noted in the Staff
32 report, Staff is recommending Alternative Three. We think this is the financially feasible
33 alternative and achieves the greatest number of units including affordable units. And then as
34 Rachael was eluding, it the PTC prefers Alternative Two, Staff recommends consideration of the
35 reduced Parking Requirement of one space per unit since this is one of the ways to increase
36 feasibility. And additional, as Rachael indicated, we do have some concerns about the
37 opportunity costs as this proposal if office space cannot be expanded. That redevelopment
38 might not take place. Basically, that private property owners may not want to redevelop their
39 sites if they can't achieve the same amount of office which as mentioned generates more rent
40 revenue.

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As Clare indicated at the outset, just recapping our process. So, we're looking for a recommendation tonight, going to Council in May and then we'll be working again with the consultant team to refine the Preferred Alternative, analyze traffic impacts, transportation issues, additional fiscal impacts before producing the plan. That concludes my presentation unless we have any last words from Rachael or Clare.

Ms. Tanner: No. I thank you for... thanks to Jean, thank you Sujata and again we are available both for questions from Commissioners, and of course, we see that there are many members of the community here for public comment. We do want to thank our NVCAP Working Group Members and encourage them to offer their public comment if they are so inclined.

Chair Hechtman: Thank you Staff for the presentation. Before I move to public comment I do want to find out if there are Commissioners with questions. If so, please raise your hand. Vice-Chair Roohparvar.

Vice-Chair Roohparvar: Thank you. Could you please... and what I'm trying to get at is better understanding the funding gap and how that works from a practical sense. If you could just clarify that and specifically, I know the purpose of the study was to see what the funding gap is and the amount of public funds needed. So, if that's the case and we're like hey, we need \$130 million, is that... we would either cover that through parking or alternatively waive Impact Fees or actually give developers an incentive financially. How does that work?

And then I guess the second question for me how does that funding gap benchmark... how do you benchmark that? Like [unintelligible] \$130 million mean or \$37 million mean to the City compared to the entire budget? What is interplay with our budget and our finances [unintelligible], however you want to do it? So, overarching those two kind of questions to better understand and I assume that money would come from other Impact Fees or the General Fund.

Ms. Tanner: That's a great question, Vice-Chair Roohparvar and I'll take a first crack at the question and then I would also welcome Ms. Eisberg or Ms. Srivastava to talk about any other localities that maybe have used programs to help fill gaps and what's available.

I think there is a layer, as I said, about what we... first what the affordability rate is and its feasibility. So, even with Alternative Two, for example, looking at the 15 percent, it's not feasible at the moment and so that would not be something that we could as a City just impose knowing that's not a feasible scenario. And similarly, for Alternative Three, the 20 percent is not feasible and so we would need to I believe be able to directly say how that gap would be filled. I don't think we can pass the buck, pass Zoning Regulations that we know are not feasible, and

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1 then figure it out later. I welcome Mr. Yang certainly to opine if there's differing opinion or
2 strategy how to deal with that.

3
4 That said I don't think that \$37 or \$137 million is something that by waiving Impact Fees we
5 could achieve for these projects. So, we would really be looking at a City subsidy program. In
6 particular, if... it's very difficult for not... for projects that aren't 100 percent affordable housing
7 to take advantage of low-income housing tax credits which are a chief source for 100 percent
8 affordable housing projects. And so, it's unlikely that they would be able to rely on any other
9 public subsidy source that generally comes from the Federal Government or the state
10 government unless there's some sort of partnership. Maybe they split the building into a BMR
11 building and market building on the same site. Perhaps the BMR units could be subsidized
12 through that program and then the market rate could be built with a private investment dollars.
13 But again, depending on the size of the site, the feasibility of having two buildings or a building
14 that's split in half internally may not be feasible on some of the smaller sites certainly.

15
16 So, what we would be looking at is identifying a source of public funds, local public funds, that
17 could be used to fill the gap which could either be not... and I'm just saying this is order of
18 theoretically. We could do the General Fund, as you know we're currently cutting the General
19 Fund right now so that would not likely be happening unless there's another stimulus package
20 next year from the Federal Government that has even more trillions of dollars in it. We would
21 look at taxes that are directed towards affordable housing or bonds that the City could issue
22 that would be directed towards affordable housing. The other sources again for affordable
23 housing tend to be for 100 percent affordable projects. I'm not an expert in that field but that is
24 my understanding of reading most of the currently available sources.

25
26 So, I welcome either of our wonderful consultants to add to what I've said and again, if Mr.
27 Yang has any thoughts about the applicability of moving to 20 percent and how we would do so
28 in the absence of a funding source or Feasibility Study. I would also welcome his comments.
29 Jean or Sujata, anything to add?

30
31 Vice-Chair Roohparvar: That was extremely helpful. That that was extremely helpful.

32
33 Ms. Srivastava: I think you covered it well. (interrupted)

34
35 Vice-Chair Roohparvar: [unintelligible] understand things. Thank you.

36
37 Chair Hechtman: Alright any more questions Vice-Chair Roohparvar? Nope, alright, and
38 Commissioner Alcheck, questions for Staff?
39

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1 Commissioner Alcheck: Yeah and also a comment and answer [unintelligible], I understood that
2 Staff cannot recommend an infeasible alternative which that's good news. Imagine if Staff did
3 make a habit of recommending strategies that were infeasible. I guess my question has to do
4 with something I brought up last time which was, was any effort made in the last period of time
5 between our last meeting, and this one to consult with the elephant in the room here, and
6 discuss whether despite submitting an SB 30 app [note - application] or I may be quoting the
7 [unintelligible]. They would presumably hold off on their project if this process was completed?
8 I mean I'm just trying to... that's me imagining the conversation. Was the conversation had? Did
9 anyone reach out?

10

11 Ms. Tanner: So, we've been working with the applicant and I know Mr. Steel is on the line if you
12 would like to direct a question to him. I believe he was here. They are continuing (interrupted)

13

14 Commissioner Alcheck: Who is that?

15

16 Ms. Tanner: That's... Tim Steel is a representative of the Sobrato Organization. He may not be
17 on anymore but we have been working with them on their 200 Portage application. They've
18 continued to refine that application and work with Staff to advance that application at this
19 time.

20

21 Commissioner Alcheck: I guess my question is you presented a few maps tonight that I imagine
22 wouldn't be achievable if the plan that's currently submitted for, is it 200 Portage, proceeded
23 with the 85 townhomes along sort of I guess it's the Northeastern half of the property. So, I'll
24 just be really specific. Is there any indication that if any of the alternatives were adopted in a
25 reasonably timely fashion the applicant would consider them as opposed to moving forward
26 with the permit which could possibly be... that process could possibly be concluding before this
27 NVCAP alternative is implemented?

28

29 Ms. Tanner: I would say there is not such an indication. Ms. Campbell, is that your
30 understanding as well? I believe some of the requirements of the proposed plans may not have
31 been amenable to the property owner. Ms. Campbell, would you agree with that?

32

33 Ms. Campbell: I think that's [unintelligible] fair statement, yes. I think they... generally speaking
34 I think we could say that the way that the plan was evolving, they were not feeling so
35 comfortable and I think they were looking to submit their project which they did just because
36 they wanted to move forward with something that they felt was... that worked for them for the
37 site.

38

39 Commissioner Alcheck: Let me ask this question because I hate to beat around the bush. In your
40 opinion, are any of the alternatives under consideration for us tonight or even ever, in our

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1 professional Staff opinion completely unrealistic if 200 Portage is developed as the application
2 is submitted? Meaning these parks that would come through. All... the plan that you just
3 submitted, assuming 200 Portage is built, that couldn't take place. So, are the... how many of
4 the plans that we could spend time talking about tonight are not worth spending too much
5 time on tonight if 200 Portage presumably moves forward as indicated?
6

7 Ms. Tanner: Certainly, I would answer that perhaps somewhat optimistically but I think not too
8 much so which is to say while the 350 [note – 200?] Portage site is significant in size, 12-acres,
9 the largest site in the area. It is not the only large site. We also have the Page Mill site at the
10 corner of Page Mill and Park that's also 10-acres, not insignificant, and we have as we've seen
11 projects even being proposed while we've been doing the NVCAP along El Camino Real. So, I
12 think there are areas in our properties where the owners have indicated interest in developing
13 them and so while one significant property owner is not interested in these plans. I don't think
14 they're of disinterest to everyone.
15

16 I will point us back to what Ms. Eisberg showed which is that some of the open space demands
17 are probably too high in the Alternative Three concept we proposed that gets to 10-acres which
18 exceeds the I think it's 2.5 or 2.6-acres per 1,000 residents. That may be a game stopper for
19 some folks moving forward with their developments and that is likely at least what they've
20 indicated. Again, three large properties owners, that is not feasible for them so one of the other
21 elements that we would look for PTC recommendation tonight and consideration is just what
22 amount of open space to provide in Alternative Two or Three or One in relation to the project.
23 So, I don't think that 340 Portage or the 200 Portage project is a... stops this project dead. I
24 think there are still a lot of really good things that can come out of the area plan and I think that
25 considering the right balance of open space is a really important aspect of that.
26

27 Commissioner Alcheck: Thank you for your answer. Would you just clarify, were you talking
28 about the Page Mill Road and Park Boulevard corner?
29

30 Ms. Tanner: Yes, which I think is 345 Park. I don't know if I'm getting the address right.
31

32 Commissioner Alcheck: That's the site that is currently [unintelligible](interrupted)
33

34 Ms. Tanner: 345.
35

36 Commissioner Alcheck: Large office building?
37

38 Ms. Tanner: Yes. Yes, it is and I don't know if Jean, you have the slides, you could go to the slide
39 that has the open space map perhaps. So, it's that corner there. That's about 10-acres.
40

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1 Commissioner Alcheck: And I'm just... and you had... Staff has had indications that the parcel
2 owner is interested in redevelopment?

3
4 Ms. Tanner: Yes.

5
6 Commissioner Alcheck: Interesting. Ok, alright, thank you for your response.

7
8 Chair Hechtman: Commissioner Lauing, questions for Staff?

9
10 Commissioner Lauing: Yes, but Chair I have about 10. I don't want to delay getting to the public
11 but these are pertinent just along the same lines as the prior ones from the two other
12 Commissioners so would you like me to proceed?

13
14 Chair Hechtman: Do you want to pick your favorite two and then hold the rest for later?

15
16 Commissioner Lauing: No, I can't show my cards like that. Let's see how long they take and if
17 you want to interrupt me that's obviously your thing.

18
19 Chair Hechtman: How about you take 5-minutes, ask as many questions as you can get through,
20 and then you'll hold the rest.

21
22 Commissioner Lauing: I guarantee I can ask them in 5-minutes. I don't know if they can get
23 answered in 5-minutes so. One of my questions was are there any updates in general on any
24 other properties in the area other than what you just mentioned? If not, that's fine.

25
26 Ms. Tanner: I think since last we came we did have a proposal on Lambert Avenue I believe for
27 a redevelopment but I believe the other projects, which is the PHZ at Olive Street and the 200
28 Portage, the PTC is aware of I believe. Those are proposed not completed applications or
29 entitled or anything.

30
31 Commissioner Lauing: And with respect to the consultants' process, I presume you used the
32 same what you called originally a static computer model to do the projects? Which I thanked
33 you in our first meeting, which was four meetings ago, for talking about that and it's important
34 for the public to understand that. That this is a computer model. You're not looking at specific
35 costs in the area and so on. So, I just want to clarify that.

36
37 Ms. Tanner: I assume you want to answer that? Could you just verbally answer that so we can
38 (interrupted)

39
40 Commissioner Lauing: [unintelligible – crosstalk] (interrupted)

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1
2 Ms. Srivastava: Yeah it is a statistic model, an Excel-based model. It is based though on local
3 development cost data and local market data on prices and rents. So, it is calibrated to Palo
4 Alto in that sense, the imputes are very local.

5
6 Commissioner Lauing: One of my... I'll hold the follow-up question there and how close to
7 feasible were some of these units that were declared infeasible which is the same question I
8 asked when we looked at the 20 percent? I mean some of those things were just off by 100th of
9 a percentage point and they turned red instead of green. Did you see some that were close like
10 that so that there would be wiggle room or no?

11
12 Ms. Srivastava: The wiggle room could be achieved through things like the Parking Standards.
13 So, that's one of the places where there's the most amount of room to think about reducing
14 costs. So, but it does require some... it's not really just at the edges. It's pretty substantial on a
15 per unit basis as you can see here.

16
17 Commissioner Lauing: Ok, that's what I wanted to know, and then why did you chose to use the
18 maximum amount of housing as opposed to the realistic? Because I thought we talked last time
19 about the fact that the maximum was absolutely unrealistic.

20
21 Ms. Tanner: I think part of the reason we wanted to have her use that maximum is it's easier to
22 scale down than to scale up and so certainly we can do the math. Especially because it's broken
23 out on a per-unit basis. If you reduce the units then you can get to that same number. You
24 could do it so we wanted to go to max and then scale down. Similar to how we cost... we did
25 the unit count. What's the maximum and then what we think might be more realistic.

26
27 Commissioner Lauing: Yeah, it's just like in the Housing Element, we're not going to get all the
28 places that we want.

29
30 Ms. Tanner: Exactly.

31
32 Commissioner Lauing: And so, let's see, I'm going to try to be... oh, the one last question, I'll ask
33 the other ones later. When you looked at the value and calculated the feasibility, did you look
34 at all at the appreciation of the building for a future exit strategy on current costs versus future
35 sale price?

36
37 Ms. Srivastava: No, as I said before, it is a static model so it is based on... it's kind of assumes
38 that someone would build and sell basically. So, it's what the value would be today if you were
39 to build and sell the property which makes a lot of sense for for-sale. For rental, folks do hold
40 on to it so the way to think about that is this capitalization rate which we use to be able to

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1 estimate the value, and that's based on the transaction value of what similar properties are
2 trading for in the area. So, it's just a simplified way of looking at what the value would be for an
3 investor at any particular moment in time.

4

5 Commissioner Lauing: It's mostly focused on buying and selling now.

6

7 Ms. Srivastava: Yes, but I think that it still takes into account because we're assuming that the
8 units would be all leased. We're looking at a point in time when you already achieved full
9 occupancy. So, I think your kind of taking a static look of when that apartment buildings is
10 stabilized and then sold to an investor. That's kind of the... that's basically what we're modeling
11 here.

12

13 Commissioner Lauing: So, then you also didn't model specific properties in the NVCAP area
14 including those who already own the land versus those who would have to buy the land.

15

16 Ms. Srivastava: That's right.

17

18 Commissioner Lauing: I'll hold there. Thank you, Chair Hechtman.

19

20 Chair Hechtman: That's exactly 5-minutes. Thank you, Commissioner Lauing. I'll go to
21 Commissioner Summa with questions for the Staff on the Staff report.

22

23 Commissioner Summa: Sure, and I think along the lines of what Commissioner Lauing was just
24 asking. The model is looking at a particular moment in time and not the lifetime value of the
25 asset, the property. Is that correct?

26

27 Ms. Srivastava: It does actually represent the value of the property at a point in time once it has
28 achieved a stabilized... what we call a stabilized occupancy rate which does take time. So, you
29 know, typically that would be something that would be year 5, year 6. Regardless of whether
30 somebody is holding onto that property for a long time or whether they are going to build and
31 sell. They would still have the same expectations of what we're modeling so I think it is built
32 into the way that we are looking at the analysis. It's just that we're representing it in a simpler
33 way because as you know, the market goes up and down. Right now, we're actually at a very
34 low point so if we were just to look at today's rents and today's occupancy rates. It would look
35 worse than what we've calculated here so we're looking at something that is a more stable,
36 more representative market situation.

37

38 Commissioner Summa: Ok but we're not evaluating the revenue to the property owner the
39 many, many years they own the property and the sale price when they decide to sell the
40 property?

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Ms. Srivastava: We are looking at... I'm sorry Rachael, do you want to go ahead?

Ms. Tanner: I would say I think the difference is that one, there's a difference between ownership units and then apartment units. So, ownership units are modeled that they're built and sold within as soon as they're built, they're sold. With the apartments, there is a certain time period and a certain capitalization rate that is factored in that is typical for commercial development. I do not believe that it's modeling someone building and holding on for decades. Would that be accurate to say?

Ms. Srivastava: That's right.

Commissioner Summa: Ok, thank you, and does the model take into account that different properties are not all worth the same per square foot? Some (interrupted)

Ms. Tanner: It is not a parcel by parcel analysis of what we think that parcel would achieve but there are costs built in such as the land value to the model. So, it doesn't say this corner is less value than that corner I don't believe. So, it is a generalized but localized for the area but generalized. It's not a property by property analysis.

Commissioner Summa: Ok, thank you.

Chair Hechtman: Other Commissioner questions? Let me ask a couple. Ms. Campbell, can you pull up the Staff recommendation, please? Alright, so in Staff's recommendation of Alternative Three, am I understanding correctly that would be the Alternative Three as it was presented to us at our last meeting without additional BMR and without additional park land? Am I understanding that correctly?

Ms. Tanner: That is correct unless Ms. Campbell, I think we're on the same page with that recommendation.

Ms. Campbell: That's right.

Chair Hechtman: Ok and then the alternative recommendation the Staff has if the PTC prefers Alternative Number Two, Staff's recommending that we think about a reduced minimum Parking Requirement of one space per unit. So, I'm wondering if Ms. Srivastava had done... happened to have done the calculation if we did reduce the minimum parking space to one space per unit. How does that affect the \$130 million? Did you happen to do that calculation? It wasn't requested.

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1 Ms. Srivastava: Not exactly but what we do know is that an underground parking space is
2 about... it's close to \$100,000 per space. So, if you are able to reduce the Parking Requirement
3 from two spaces per unit for example for the condo to one space per unit. That makes up the
4 short fall, so I think that gives you a pretty good sense that you could come pretty close to
5 feasibility for Alternative Two for just the Parking Standard.

6
7 Chair Hechtman: That's helpful and then regarding the additional 5 percent of BMRs that Staff
8 studied for Alternate Three. Its... my understanding from the Staff report is that that is actually
9 achievable... feasible as to the townhouse category. In other words, you can move 5 percent of
10 the townhomes from market into I think it's very-low and that slice of the residential
11 development is still feasible. Do I understand that right?

12
13 Ms. Tanner: I think it might be the low-income category.

14
15 Chair Hechtman: The low, not the very-low.

16
17 Ms. Tanner: Yes, but that is correct. You're right.

18
19 Chair Hechtman: Ok and then similarly for the for-sale condo, you can do the same thing. Move
20 5 percent from the market into the low and that segment is still feasible.

21
22 Ms. Srivastava: If you are able to do one space per unit.

23
24 Chair Hechtman: Well, I'm sorry, I'm in Alternative Three.

25
26 Ms. Srivastava: Yes.

27
28 Chair Hechtman: That's the only place we talked about BMR (interrupted)

29
30 Ms. Srivastava: Correct.

31
32 Chair Hechtman: And in Alternative Three we are at one parking space per unit. Ok and so the
33 issue about feasibility and having a source really it sounds like relates to the multi-family rental
34 if I'm understanding that correctly. Because that's where we have the \$37 million short fall,
35 which I'll talk about in the discussion, but I guess my question is if we had a version of
36 Alternative Three that had a 20 percent requirement in the for-sale categories, only a 15
37 percent requirement in the rental category. That would be feasible and so we wouldn't have to
38 do... there's not this obstacle to it that needing a funding source would create. Am I
39 understanding that part right?

40

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1 Ms. Tanner: That's correct Chair and there are communities that do split their BMR
2 requirements between ownership and rental. It's very common. I do want to just clarify Ms.
3 Srivastava if that \$11,000 gap per unit also includes meaning what we assume is a typical rate
4 of return for the for-sale units, or is it just that there is some return? Does that \$11,000 and
5 also the \$28,000 meet or exceed what is... you assumed be the rate of return sought for those
6 units?
7

8 Ms. Srivastava: So, yeah, so that's positive so that's a surplus of \$28,000 and \$11,000, nearly
9 \$12,000 per unit on the condos and yes, that does already account for what to expect in terms
10 of returns for a private investor.
11

12 Ms. Tanner: Great, thank you.
13

14 Chair Hechtman: Those were my preliminary questions. Are there any... if... I'm not seeing any
15 other hands from Commissioners. Last chance. Alright, then let's see, this is a public hearing
16 and so I want to open the floor for public comment. I see it looks like we have 16 or 17 speaker
17 hands raised. So, please raise your hand if you haven't already and you wish to speak. On the
18 Zoom App, there's a raise hand button on the bottom of your screen. If you are dialing in from a
19 phone please press *9. I'll remind our speakers that we have a 3-minute time limit on your
20 remarks tonight and because we have now it looks like 21 people with their hands up. I'll
21 encourage you to be brief so if you hear something that you agree with before, ~~just~~ just mention
22 that you agree with it rather than restating it and that gives you more time to make new
23 comments. Mr. Nguyen, would you like to call the first speaker?
24

25 Mr. Vinh Nguyen, Admin Associate III: Yes, and I do apologize if I mispronounce anyone's name
26 tonight. Our first five speakers will be Hillary Hug, followed by Robin Bayer, followed by Andrew
27 Nupomuceno, followed by Jeffrey Hook, and then followed user with the username admin.
28 Hillary Hug, I was previously notified that you will be donating your time to Becky Sanders so I
29 will lower your hand. If that's incorrect, please raise your hand again. So, our first speaker will
30 be Robin Bayer. Robin, if you're there, you can unmute yourself and speak.
31

32 Ms. Robin Bayer: Hi, I'm allowing Jeff Hook to speak on my behalf.
33

34 Mr. Nguyen: Ok, does... I was not informed about this group. Does Jeff have five people?
35

36 Ms. Bayer: Yes.
37

38 Mr. Nguyen: Ok. Our next speaker is Andrew.
39

40 Mr. Andrew Nupomuceno: Hi, can you hear me?

-
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Mr. Nguyen: Yes, we can hear you thank you.

Mr. Nupomuceno: Can you hear me?

Mr. Nguyen: Yes, we can hear you.

Ms. Tanner: Sir, are you prepared to make comments? You have 3-minutes to make comments.

Mr. Nguyen: Andrew are you there? I see you have unmuted yourself and we could hear you earlier.

Mr. Nupomuceno: Can you hear me now or not?

Mr. Nguyen: We can hear you.

Ms. Tanner: We can still hear you, yes. If you're watching on TV or another device, you may want to mute that device and focus on the Zoom App that you may be logged into.

Mr. Nupomuceno: Ok, well again, Andrew is yielding his time to Jeff.

Ms. Tanner: Ok, thank you. We'll note that.

Ms. Tanner: Just to let folks know. If we don't know about your group ahead of time, you have to tell us when you come on that you're yielding your time to someone. Otherwise, we won't know that unless you tell us.

Mr. Nguyen: Our next speaker will be Jeffrey and before we begin the timer, Jeffrey, can you identify the people who will be yielding their time so I can verify that they are here?

Mr. Jeffrey Hook: Hi, can you hear me?

Mr. Nguyen: Yes, I can hear you.

Mr. Hook: Ok, yes, I have Harper Hug, Hilary Bayer, Ken Bayer, and Andrew.

[note – unknown female voice:] Andrew [unintelligible]. It was Robin Bayer.

Mr. Nguyen: Ok I have Hillary Bayer, Ken Bayer, Andrew, and Robin Bayer. Is that correct?

Mr. Hook: Yes.

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1
2 Mr. Nguyen: One moment. Ok, I do see that they're here so we can give you (interrupted)

3
4 Ms. Tanner: Sorry, just one moment. I was [unintelligible] there are two Hillary's. I believe that
5 Ms. Hug said that she was donating her time to Ms. Sanders so I just want to make sure. Can
6 you repeat the names again Vinh, of who you have?

7
8 Mr. Nguyen: Yeah, we have Hillary Bayer, Ken Bayer, Andrew, and Robin.

9
10 Ms. Tanner: Ok, thank you.

11
12 Mr. Hook: How many minutes do I get?

13
14 Chair Hechtman: 10-minutes for a group of five.

15
16 Mr. Nguyen: Yeah, you get 10-minutes. Madina, can we get 10-minutes on the board?

17
18 Mr. Hook: Hi, honorable Planning Commissioners. Thank you for letting me speak. I hope that I
19 don't come across to strident here but every time I hear someone mention feasible or not
20 feasible I feel sick to my stomach. Let's be clear, the way the term is being used is in terms of
21 whether the property owner and the developers can take a profit. Regardless of the benefit or
22 disadvantage to the surrounding community. Folks, please, we need to completely rethink our
23 approach to planning. We need to think in terms of what is best for the community, not what is
24 best for a private land owner. Think in terms of real sustainability as framed by scientists who
25 understand ecology, not by economists. You have been elected or appointed to serve our
26 community, not the interest of developers. Please put it on this other hat. I think if you do you'll
27 realize the best use for this site is open space. 2.6-acres per person which is the current average
28 in the City represents a deficit. A standard in the Comp Plan as I understand it is 4-acres per
29 person. If the City were to float a bond or seek a Parcel Tax on the existing properties that are
30 accosted by the entire property at \$12 million per acre. It would be \$720 million for which
31 financing I think can be done on the order of a dollar a day per current resident. That is feasible.

32
33 When you intensify land use at this point in human history you're doing a disservice. A
34 disservice to the community and a disservice to our future generations. The goal of the...
35 building higher, denser, deeper, more intense, these are things humans should be running as
36 far away from as fast as possible. We are an ecological overshoot. We are using somewhere
37 between two and three and four times as much resource per person in this country than the
38 earth can provide and this stuff is well documented. I'm not your crazy uncle who just jumped
39 out of the woodwork to tell you these things. These things are well-grounded in science.

40

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1 We have existing commercial space. We can convert this commercial space to housing
2 somewhere other than in NVCAP. If we have a shortage of housing and overabundance of jobs
3 where we have a shortage of supply. We can also address this by reducing demand. We can...
4 we don't need these jobs here. It's not ecologically sustainable. Our ideas about what
5 constitutes profit are incorrect. They do not make ecological sense.

6
7 I think building here versus building elsewhere, building here is expensive, and this guy named
8 Joseph Tainter who has a famous theory the collapse of complex societies. When infrastructure
9 and supply chain becomes too complex, the society collapses. It's happened before. It will
10 happen here. We are in a major, major challenge for humanity. We are climate change that is
11 like nothing that has occurred for thousands if not millions of years. We are extinguishing
12 species at a remarkable rate. We need to really go to school here folks. We need to really
13 understand what provides life and substance for humanity. You know, we cannot think in terms
14 of dollars alone. We have to think in terms of biophysical economics. Where are the resources
15 coming from? Where are they being wasted too?

16
17 If we add housing here, each person uses 181 gallons per day on average. If we build out to
18 1,170-units, that's going to be something like 550,000 additional gallons of water per day.
19 Where's that water coming from? We've got a Sierra snow pack that we may lose in the next
20 few decades, maybe 10-years. We're facing a water supply crisis here. We're either going to
21 have drought or flooding or both. Solid waste, each person generates on average about 6 lbs. of
22 solid waste per day. We're talking about... I have the numbers here somewhere. Tons of...
23 thousands of tons of solid waste per year. How can we possibly consider that to be a benefit to
24 our community?

25
26 We're... we've bought into a group think consensus trans insanity about growth about what
27 constitutes profit and that's incorrect. So, I invite you to consider these points, to go back to the
28 drawing board to think how can we provide open space here and possibly some... maybe half a
29 site open space, maybe half of it is low rise housing, and let's do something that's really going
30 to benefit the community. Not the developer. The developer's interest should not come into
31 the equation here. We are representatives of the community, not of them. I still have 4-
32 minutes. Yeah, I think I've said what I wanted to say. I sent an outline of my remarks to the
33 Planning Commission which you can read at your leisure but I think that I've made my point
34 clear. So, I will yield the rest of my time. Thank you.

35
36 Mr. Nguyen: Thank you Jeffrey for your comments and I guess I want to note that if you will be
37 donating your time to a speaker. Please lower your hand. Only the speaker needs to raise their
38 hand. Our next speaker will be someone using the user name admin. Admin, if you're there,
39 you can unmute yourself and speak. Last call for Admin. In the interest of time, we will skip this
40 person and try to come back to them at the end. Our next speaker is Becky Sanders. Becky has a

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1 presentation for us so Madina, if you can pull that up and Becky, you have indicated to me that
2 you will be representing a group consisting of Jan Bayer, Hillary Hug, Andy Reed, Mary
3 Sylvester, and Scott van Dune. So, I will go ahead and lower their hands and Becky will get 10-
4 minutes.

5
6 Ms. Becky Sanders: Ok, that's great. Right now, I... oh good so does everybody see the
7 Alternative M screen there? It looks a little wonky to me right now. Oh, looking better. I'd love
8 it to fill the screen because I get lots of glories but I guess I do need to see the timer so ok. Let's
9 march along. I'm... this is my first time doing a PowerPoint for you guys. I'm super excited about
10 that. I wanted to make sure that the Commission, which I'm very grateful to you for hearing this
11 and also grateful to the Staff by the way for working really hard on trying to pull some designs
12 and some ideas together. It's a very exciting opportunity for all of us but I don't... I want to
13 make sure you don't forget about beautiful Alternative M.

14
15 So, yes, this is Becky Sanders. I live in Ventura and I know this is something I've heard some
16 catch phrases zone for what you want to see and find a way to pay for it. So, there we go and
17 this the beautiful graphic of Alternative M and you can find more information at
18 paneighborhood.org. Palo Alto's Neighborhoods has got this on their website, plus all this
19 documentation. Ok, next slide, please.

20
21 Alright, so first of all I just wanted to just mega kudos to the slavish working group members
22 who donated years of thought and process to this. Meetings, prepping, workshops, taking a
23 tour, coming and talking to neighbors. I could just... I could really identify several people
24 particularly but I won't because they'll be embarrassed, but I just a very proud of them for
25 actually working so hard for us to represent the community and that was the whole point of the
26 working group. They ended up creating their own alternatives after the three alternatives that
27 you all are looking at really, they felt... many of them felt failed to reflect their collective
28 intention. So, let's have the next slide, please.

29
30 So, here's where the working group members who came from all over the place, had all kinds of
31 different values and visions. They could agree on these things like diversity, sustainability, park
32 land, services, the creek, gardens, run and play, bikes, walkable, and a village. So, all of those
33 visions' kind of where... those values were in their collective vision so we were... next slide,
34 please. Next slide, can you guys hear me still?

35
36 Chair Hechtman: Yes.

37
38 Ms. Tanner: Yes, we can hear you.

39

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1 Ms. Sanders: So, anyway, yes, no, this is fine. So, the Alternatives One, Two, and Three, none of
2 them really reflected the vision for everyone. Obviously, you can't please everybody all the time
3 so but you know what, we're going to carry on. So, as I said some of the members came up with
4 their own alternatives. None of them ever really made it into any real Packets or discussions or
5 had any serious discussion. The Alternatives One, Two, and Three were created by Staff, and
6 the consultants kind of based on something maybe related to stuff going on in the meeting. I
7 mean it... I couldn't really recognize a lot of that what they came up with but anyway.

8
9 So, let us go to the next slide which is the Alternative M values. So, I really am so tired... so sorry
10 about the... this lay... no, I don't want to use that word but this tired out word cloud. I think
11 word clouds are out not but I did a word cloud of a lot of stuff that came up in the meeting plus
12 some of the values that Alternative M astounds. So, I would like to read those values into the
13 record. Alternative M is focused on community needs, it welcomes teachers, seniors, people
14 with disabilities, first responders, City workers, and other community members with
15 approximately 400 below-market-rate housing units. It provides up to approximately 770 other
16 housing units through office phase-out and focused zoning. Reduces peak hour traffic, improves
17 our jobs/housing imbalance, offers more space for community-serving retail, local services, and
18 even health providers. It creates new community centers and park land, reduces cut-through
19 traffic, beautifies the streets, perseveres all existing residences with no displacement of owners
20 and tenants. Fully parks all new buildings to prevent impacting the neighbors and neighborhood
21 streets. Preserves historic Fry's site-building via adaptive reuse widens the bike lanes on Park by
22 eliminating the street spaces for parked cars. It does not rely on developer incentives to provide
23 key benefits and treats Ventura the same as other neighborhoods in Palo Alto by not increases
24 allowed density. Ok, so let's run over to the next slide, please. Thank you.

25
26 I didn't have time to do the math but here's the dealio. So, we see Alternative One, Two, and
27 Three. You see Alternative M gives us about what we have with Alternative Two. It gets us 400
28 BMR units, adds zero new office jobs which is... that's a cha-ching right there because the
29 jobs/housing imbalance is so... such... so hard for all of us to get our heads around to how we
30 can possibly reduce that. And then I didn't have a chance to do that park math but I think we
31 are right up there with getting some parity for Ventura, North Ventura with regards to park
32 space. So, but this... so, let's go over to the next slide, please.

33
34 So, this is all those values that I read before just so you can see them and put them into the
35 record. This is what Alternative M gives us and let's go rush over to the next slide. Gee willikers,
36 how can we pay for this, and do you have to pay to play? Well, I don't think that the residents
37 should have to come up with the money to pay for... we just don't have the money to actually
38 pay for this ourselves but we sure want to help out. So, Alternative M relies in part for... on a
39 proposed Business Tax plus other tools, and also, I just want to call out that Angela, in a
40 fabulous letter, Angela Dellaporta wrote a fabulous letter. She was on the working group. She

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1 had a link in the letter that you guys got today or yesterday that has all the research... a link to
2 all the research she has done where other municipalities have found exciting ways to build
3 below-market-rate housing so just so it's in the record. Anyways, I think it's really exciting and
4 it's... I mean we just want to get out of the box here and put some community values ahead of
5 the commercialism or the business. I mean yeah, people have... people that own property have
6 a right to be able to make a profit using it but maybe we can buy it and we can use it for better.
7 So, let's go to the next slide.

8
9 Thank you very much and we're not going to even look at this but this is in the Alternative M. I
10 can get this to you, here it is in the record, but this is the math that our geniuses did just trying
11 to base on what current opportunities are for say let's have a bond. When let's get this
12 property... this Business Tax up and running. So, there's a way to pay for this so let's leave. Let's
13 go to the next slide because I'm getting down there.

14
15 Palo Alto housing report card, oh goodie. So, I just want to remind everybody and their
16 grandmother that Palo Alto is meeting its housing goals for at-market and above-market rate
17 housing so there you go. We are filling that need. What about all the other people that have
18 either been... left Palo Alto or getting ready to leave Palo Alto because they're just getting
19 priced out? Alternative M preserves all the stuff we love about Palo Alto and gives us what we
20 really need which is 400-units of below-market-rate housing, a diverse community that's
21 walkable, that's not too dense, that is sustainable if done correctly, and will be an amenity that
22 all of Palo Alto can enjoy rather than an eye sore or maybe let's say a dumping ground for
23 where all of the housing that we're suppose to build can go. A hicklty-picklty, so this is my pitch.
24 I think it's an excellent one but you know what, I'm not in your position. I know you have to
25 weigh these things back and forth but thank you so much to everyone and to particularly the
26 working group. I am just so proud and grateful to be in a town where we got that kind of love
27 and dedication. Ok, that's it. Thank you, everyone.

28
29 Mr. Nguyen: Thank you Ms. Sanders for joining us tonight. Our next five speakers will be Angela
30 D., Hamilton Hitchings, Jeff Levinsky, Ken Joye, and then Waldeck. So, up next is Angela D.

31
32 Ms. Angela Dellaporta: Hi, thank you, and then you Becky for the really kind shout-out. I have to
33 say the City Staff did a lot of that research. So, I do want to repeat the vision that the working
34 group had and this is the vision that inspired the proposals that Staff put together. I just want to
35 repeat it. You maybe have encountered it before. Please picture ecologically sustainable
36 inclusive housing of various types, sizes, and costs. Envision a plaza with cafes and markets that
37 will encourage diverse residents to gather. Imagine a re-naturalized creek, tall trees, community
38 gardens, and amply space that meets the City's Park Requirements, not on roof tops, where
39 adults and children who live in small apartments can relax, run and play. Bikes and pedestrians
40 travel the quiet, safe streets. The residents of the area do not need to get into their cars to

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1 access neighborhood-serving retail, community services, a medical clinic, and other small
2 offices which are right there. It is essentially a village that invites all of Palo Alto and its
3 neighbors to participate.

4
5 Is this really an impossibly impractical, unfeasible utopia? I do not think so. There are Cities all
6 over the Bay Area and indeed the country that have successfully created developments that
7 embody the values of inclusivity, natural beauty, environmental balance, and community
8 connection that are Palo Alto hallmarks. I find it really difficult to believe that in this City where
9 unparalleled wealth has been created by unparalleled innovation, we could not figure out how
10 to use that wealth and that spirit of innovation and creativity to craft a feasible development
11 that lives up to these essential Palo Alto values.

12
13 In fact, in deed, the working group included in its meeting Packet of August 18th, 2020, a list of
14 creative pathways by which the City could pay for its park and housing goals without bowing to
15 the needs of developers and without squeezing far too many people into the area. I call upon
16 you to peruse that list and to recommend that the City Council create a Commission or a
17 working group whose express charge is to develop and recommend a viable way to finance our
18 ideal vision rather than something that we have been forced reluctantly to accept. Thank you
19 very much.

20
21 Mr. Nguyen: Thank you Angela for your comments. Our next speaker is Hamilton Hitchings.

22
23 Mr. Hamilton Hitchings: Hi, sorry about that. Can you hear me?

24
25 Mr. Nguyen: Yes, we can hear you.

26
27 Mr. Hitchings: Hi, I've been a resident of Palo Alto for 27-years. First as a renter and now as a
28 homeowner and I do think this is a good location for housing. I want to start with the accuracy
29 of the model that Staff has presented to us. For those of us who model, we know that a model
30 is only as good as the quality of its inputs and I want to challenge Staff on whether they have
31 and really accurately modeled the sales price that would be obtained for selling condos and
32 townhomes. I just took a cruise through Zillow for Palo Alto and I think the minimum I would
33 model a sales price for a condo at, I understand there's square footage, but \$1.1 million or
34 higher and for townhomes at \$1.5 million and higher. You talk about the funding gap, you can
35 just change the model input parameters and solve a lot of your problems and let me just give
36 you a few examples.

37
38 So, at 800 High Street, which is that very large condo building next to Whole Foods, the condos
39 have been selling for \$1.8 to \$2.3 million. Now there is one condo that sold for \$50,000 so that
40 was probably a family-to-family transfer or something which is another reason why you have to

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1 be careful about averaging recent sale prices because that has nothing to do with market value.
2 If you look at near my home, you know at Edgewood Plaza they built townhomes and they sold
3 each of those for \$3 million. So, I think the numbers I gave you for the condos and townhomes
4 are significantly lower even than what the developers might get, but I ask the Commissioners
5 and the City Staff to really revisit the number they're using to model the sales prices because it
6 currently represents a massive upside for developers and is forcing out a poor decision I
7 believe.

8
9 When you look at what makes a successful project, you have to look at the goals and if you look
10 at Alternative M, what they clear got right was the goals. They're focused on BMR housing
11 creation, not just the percentage but the total amount, and no new office should definitely be
12 two of the guiding principles.

13
14 If I look at Zillow there are currently, at this moment, 264 units for rent in Palo Alto. So, despite
15 all the claims, there's plenty of availability. The key issue as we all know is they're expensive
16 and affordability is an issue. And this is reflected in our housing reporting card which is why it's
17 critical this project focus on BMR. Twenty percent is the absolute minimum but I think as you've
18 seen with Alternative M, you can actually do a lot better.

19
20 And another key is we really need to limit office. There's way too much office in Alternative
21 Three and just in general I feel Alternative Three looks very dense, but it's really hard without a
22 visual walkthrough to see what we're getting and I really feel that that should be presented
23 before Staff goes to City Council.

24
25 And then there's just one last thing I want to say and this was discussed in Title 18 but height
26 transitions between single-family and these large complexes are really critical. And Staff needs
27 to be very cautious about making substantial changes because they're going to get a lot of push
28 back from the community and they could easily get it shot down by City Council. So, I just want
29 to cautious you, that you're walking into a mine field. If you really reduced it from 150-feet to
30 50, I don't think that's going to pass the Council so just be careful about what you're doing so
31 we don't waste a lot of time. Thanks a lot.

32

33 Mr. Nguyen: Thank you for your comments. Our next speaker is Jeff Levinsky.

34

35 Mr. Jeff Levinsky: Give me... ok. Good evening everyone. I to am concerned that the key goals in
36 our community are getting lost in this process. We want less traffic, especially peak hour traffic.
37 Alternative One, Two, and particularly Three would all increase peak hour traffic. We wanted to
38 create true affordable housing for those whose incomes are well below the median. The term
39 below-market-rate housing sounds good but it covers a wide swath. A family of four earning
40 \$170,000 a year qualifies for some below-market-rate housing in our town. What our

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1 community needs though is housing for people earning far less. That is below 80 percent of the
2 median income. That's not just my opinion, that's also what RHNA says.

3
4 The three alternatives in the Staff report generate very little housing in that price range. We
5 want to solve the job/housing imbalance, yet the alternatives presented would add jobs and
6 likely more than the report claims because it ignores how workers are packed more closely
7 together in modern offices.

8
9 We want to also create a beautiful and livable neighborhood in North Ventura like many others
10 in our town. The alternatives presented in the Staff instead add offices, height, density, and
11 parking problems. We have a cap of 350,000-square feet of new office in Palo Alto and
12 Alternative Three proposes to cram more than 1/3 of all that into the tiny two-by-five-block
13 North Ventura area. That's no way to help a neighborhood, but there's a much better solution.

14
15 It comes from the community, not from behind closed doors meetings with landowners. It
16 creates a new community center right in North Ventura. It adds park land, it creates far more
17 truly affordable housing than any of the Staff proposals. That means more economic diversity,
18 not less, which is essential for the long-term health of our City. This other solution preserves
19 historic buildings vitally linked to our economic and racial past. It reduces traffic, that's right,
20 actually reduces it. It creates a lovely neighborhood for people of all ages and incomes. It can
21 be funded by just a fraction of the already proposed Head Count Tax on larger businesses and
22 it's in sync with the time because we don't need and we don't want more offices. Rather we
23 should be limiting office and converting them into housing or replacing them with housing. That
24 the direction we should go. What's the solution? You've already heard it. It's Alternative M.
25 Please don't spend more time tonight figuring out how to craft more mega-dollar developer
26 giveaways that regulate new residents to living in dense office complexes on overcrowded,
27 under parked streets. Instead focus on what the community is asking for in mainly traffic
28 reduction, housing for those with the greatest economic need, community centers, parkland,
29 and to raise North Ventura up to the level that other neighborhoods in our City enjoy. That's
30 Alternative M. Thank you.

31
32 Mr. Nguyen: Thank you for joining us tonight. Our next speaker is Ken Joye.

33
34 Mr. Ken Joye: Over the course of the NVCAP process I have pretty much-lost hope that there
35 can be a coordinated approach to development in the study area and accordingly there are two
36 fairly narrow points I'd like to address.

37
38 Number one, I hope that the PTC and the City Council will direct Staff to require any
39 development in the study area to treat sidewalks and bike lanes as they would treat street
40 trees. An example of what I mean is the construction site of Wilton Court at El Camino and

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1 Wilton Avenue. The developer there has erected a scaffolding system such that the sidewalk
2 remains open while work progresses. I think it's much more important to keep sidewalks and
3 bike lanes useable Park Boulevard than it is on El Camino Real given the number of people who
4 walk and ride on the former.

5
6 Number two, I hope that the PTC and City Council will direct Staff to address traffic flow such
7 that motor vehicle traffic in the study area is primarily from El Camino Real and that cut
8 through traffic to Park Boulevard is kept to a minimum. An example of what I mean is the way
9 that the Elk Lodge redevelopment was planned such that access to the bulk of construction
10 there is via El Camino Real, leaving Wilkie Way relatively unaffected. Please note there is a bike
11 and ped access between El Camino Real and Wilkie but no motor vehicle access except for
12 emergency vehicles.

13
14 As you well know Park Boulevard is part of Palo Alto's bicycle boulevard network. Also, many
15 pedestrians use Park Boulevard to walk between the Ventura neighborhood and the California
16 Avenue Shopping District. Thank you for making sure that those things are preserved during any
17 development in the NVCAP study area. Thanks very much.

18
19 Mr. Nguyen: Thank you for your comments. Our next five speakers will be Waldeck, Kevin Ma,
20 Saman de Silva, a phone caller with the last four digit is 0002, and then Katherine. So, up next is
21 Waldeck.

22
23 Mr. Waldeck Kaczmariski: Hi. My name is Waldeck Kaczmariski and I was serving on Ventura
24 Working Group. We are a very diversified group there and we stand for whether it was dear to
25 our heart. Some of us were more oriented toward dense development and providing more
26 housing. Some of us care more about keeping a quiet, low village-like atmosphere in the area,
27 but there were some times that we all agreed on and I think that if there was any sense of
28 creating this group in the first place. That should be a message that somehow it's getting
29 carried through further and those things were that we all agreed that this neighborhood should
30 have a more pedestrian bicycle-like orientation rather than the car orientation and we all care
31 greatly about a park.

32
33 So, just like Ken mentioned about the Park Boulevard being a connection for bikes and
34 pedestrians to California Avenue. I think that was something that we all agreed on and we kind
35 of emphasizing all of the schemes.

36
37 The second thing about the parks you also see in all of the schemes and important part is that
38 with densification of the area which is a new thing for Palo Alto. There is more need for the
39 parks in the areas where you have a dense development than in the areas that live in
40 residential neighborhoods. So, if we set up ourselves a standard that worked so far for

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1 residential neighborhoods with everybody having a back yard and now we're creating this
2 dense area where people are going to live inside of their houses, inside of their apartments.
3 Then we are obliged to provide them with an alternative to basically have a place to stretch
4 their legs and take their kids for a walk. And therefore, providing the parks, providing the green
5 areas, it's more critical than anywhere else in Palo Alto, and honestly, if we don't have money
6 for that. We should sell some of the parks in these less developed areas and buy the land for
7 the parks in this area. Thank you.

8

9 Mr. Nguyen: Thank you for your comments. Our next speaker is Ken Ma.

10

11 Mr. Kevin Ma: Evening Commissioners. My names Kevin Ma and I'm a renter in the Ventura
12 Neighborhood and I'd like to thank all members of the working group as well as the
13 Commission tonight for undergoing through this large amount of public scrutiny to ensure that
14 the plan we create at the end at least gets built somehow.

15

16 I will start out with a quote from [unintelligible] Kibin [note – phonetics], [unintelligible]
17 environmentalist. In California the reluctance of too many otherwise committed
18 environmentalist to allow denser Cities which would decrease the use of cars is a hypocrisy of
19 the highest order and part of the answer is the newest... that reflects the reality of where we
20 have it. We need to see dense vibrant Cities as more protected instead of suburbs.

21

22 We realize that in Palo Alto we care a lot about affordable housing but that there's not enough
23 built and as such, any kind of plan we should create should have a likelihood that affordable
24 housing gets built in the end. If we make a bunch of plans that will look nice on paper but
25 nothing in reality. That's just a damnation on our City and our City's processes. That ignores the
26 many people who are waiting decades-long in our City's BMR list where as people who just sit
27 here with their houses being housing safe don't really care about that. They are very careful
28 about how their house... how their traffic problems get solved which is why... which is weird
29 when we talk about Parking Requirements that people don't like traffic but people think that
30 who will be in these apartments need their cars. This is near Caltrain. If there's any place we
31 don't need cars, it's near a well-run Caltrain station. Especially since Caltrain is intending to
32 increase service throughout the peninsula. If we can't reduce cars in our transit stops, we're
33 kind of screwed over our environmental terms. We can't just depend on everyone
34 [unintelligible] to use EVs because EV adoption [unintelligible] is so lows as well as causing
35 major equity issues for people trying to pick it up as well as still depending on roads. And
36 everyone likes open space, not a lot of people like roads, but people would rather pick the
37 roads than the open space because they want to get somewhere.

38

39 Yes, we talked a lot about likelihood. Unfortunately, this is a capitalist society, what we care
40 about unless we put the money up for it by eminent domain or some kind of bonds or some

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1 kind of Parcel Tax at the mercy of the developer. So, the best we can do is make the developer
2 have a better choice about choosing housing. Either that or we actually get our asses up, find a
3 lawyer and make our own valid prop to actually put it on the ballot for money because City
4 Council as this point is not going to be considering that any time soon given how slow it is and
5 given how else other items like Castilleja seems to take so much time on City Council agendas.
6

7 We... this City really needs to get its act together. We all realize RHNA shows that we're not
8 doing so well which is a reflection of the City's policies. And we will have to figure out that soon
9 in the next 8-years otherwise the new Housing Accountability Act will get our asses and
10 sometimes I do hope that actually happens. Thank you.

11
12 Mr. Nguyen: Thank you for your comments. Our next speaker is Saman de Silva.

13
14 Mr. Saman de Silva: Hello Commission and thank you for giving me the time to speak today. My
15 name is Saman de Silva and I am a junior at Gunn High School and President of our Green Team,
16 our environmental club. I would like to express my support to Alternative Three. As a junior
17 currently enrolled in AP US History, we're learning about Roosevelt, Taft, and Wilson within the
18 context of the progressive era. This period marked the earliest efforts of conservationism
19 pioneered by the Federal Government and most importantly it established precedent.
20

21 Alternative Number Three is an exception of precedent that Palo Alto needs to establish. Open
22 space and taller, denser housing means that there's more space for parks, trees, and non-
23 polluting facilities. By decreasing parking size, we are de-incentivizing car usage within the new
24 neighborhood and advocating for the use of public transit, particularly Caltrain. This selection
25 would not only air on the side of precedent for the sake of creating more parks but it would
26 also support the notion of precedent for public transit. A crucial step in ensuring Palo Alto is
27 truly passing legislation for its younger generation. My generation and a crucial step towards
28 saying Palo Alto is going to preserve its precedent of tackling the climate crisis head-on.
29

30 A top priority needs to be the environment and we cannot afford to underestimate the power
31 of precedent and how this power will play a role in the future of urban development in Palo
32 Alto. If we're not going to optimize for the environment now, then when are we going to?
33 Thank you.

34
35 Mr. Nguyen: Thank you for your comments. Our next speaker is a phone caller with the last
36 four digits 0002. Please press *6 to unmute yourself.

37
38 Caller 0002: Hello? Can you hear me?

39
40 Mr. Nguyen: Yes, we can hear you.

-
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39

Mr. Terry Holzemer: Yes, my name is Terry Holzemer. I was a member of the working group. I'd just like to say a few words if I could? For the past few years, I have come to learn a lot about this process and about the North Ventura Comprehensive Plan that we've been working on. One of the key issues or I should say two of key issues that we should be thinking about seriously tonight is these... first of all, the historical aspects of the 340 Portage building and second of all, why should we consider more... what we need to do is consider more discussion and study of Alternative M.

The history of this site, let me go into it for just a moment, is something not small or insignificant to consider. Before Silicon Valley ever was a thought by anyone, this place we call home today was one of the best fruit and vegetable growing regions in the entire world. A part of that was of course the cannery process of which 300 and 340 Portage played a major key role. Under the guidance of Thomas Foon Chew, likely California's... one of California's first Chinese-American entrepreneurs, the Bayside Cannery Company grew into being the third-largest cannery operation in the entire world. We are very, fortunately, today that most of the original structure at 340 Portage still exists here in our own City and 340 Portage is likely one of the last of its kind in all of California and it is well worth preserving.

With that being said, certainly, one way to help preserve the importance of this site is to find ways to adaptively reuse the structure and that's what the working group was trying to do and we did it with Alternative M. I urge you, take a close look at Alternative M tonight which allows for the adaptive reuse of not only the cannery building but the entire site as well. It also produces over 400 below-market-rate housing units. It also creates a new community center desperately needed in this area. Parks space and it treats the Ventura Neighborhood like any other residential neighborhood in Palo Alto by not increasing the densities and putting all of the extra housing in one small area.

It's long overdue that this Commission look at Alternative M and I urge your support of it. One final statement I would like to make and that is about what happened with our vote when we decided to look at Alternative One, Two, and Three. I don't think Staff has told you that vote and I hope they will because Alternative Three only got one vote. One and I hope that sends a clear message that the working group does not support Alternative Three. Thank you.

Mr. Nguyen: Thank you for your comments. Our last three speakers will be Katherine, Keith, Carol and I see Kelsey has just raised her hand as well and along with Cedric.

Chair Hechtman: Before we take the next speaker, Mr. Nguyen, I'm going to ask if there are any additional people who have not raised their hands, I'm going to... we're going to stop taking

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1 raised hands... additional raised hands in 5-minutes so now is the time to put up your hand so
2 we can have an accurate idea of who's left that wants to speak. So, please do it now, thank you.

3
4 Mr. Nguyen: Thank you, Chair. Our next speaker is Katherine.

5
6 Ms. Katherine Rueff: Hello, my name is Katie Rueff and I'm a sophomore at Gunn High School. I
7 first wanted to say that I'm so grateful to have grown up in Palo Alto. It's such a lovely area with
8 beautiful parks and kind people. I personally want the opportunity to live in Palo Alto when I'm
9 older but because of high prices and limited housing. Right now, this isn't really a realistic
10 dream for me or for many other people here.

11
12 Alternative Three, aside from having more open space which provides more opportunities for
13 urban forestry and parks, is the best option my generation and our community because it
14 provides overwhelming benefits to us. For one, I recognize that as a young person I will be most
15 affected by long-term legislation passed by our City. Alternative Three not only assures my own
16 future but the future of our planet. With more dense housing than Alternative Two, more
17 people will be closer to smaller businesses which means people like me won't have to use
18 transportation as much and when we do, we'll be more incentivized to use sustainable methods
19 like trains or buses. Especially since we're so close to Caltrain. Since transportation is one of the
20 leading contributions to global warming, this is especially important to me because the burden
21 of climate change is beginning to fall more heavily on my generation's shoulders. So, it is up to
22 us to mitigate it as best we can.

23
24 Beyond that, Alternative Three will help set a precedent of progressive climate action in Palo
25 Alto. I wholeheartedly believe that its environmental and community center benefits make it
26 the best option despite the financial cost. Overall, as a young citizen of Palo Alto, I hope that
27 Alternative Three will be passed for our future and for the health of our community. Thank you.

28
29 Mr. Nguyen: Thank you for your comments. Our next speaker is Keith.

30
31 Mr. Keith Reckdahl: Thank you. I'm Keith Reckdahl, I'm a member of the NCVAP Working Group.
32 You know Palo Alto is a really great place to live, but the new North Ventura residents are not
33 second-class citizens. Our new neighbors should be able to enjoy the same amenities that the
34 rest of Palo Alto enjoys.

35
36 First, none of the alternatives have sufficient park land. Landscape buffers and planting strips
37 are fine ideas but they are not parks. Similarly, rooftop gardens may be a pleasure but they're a
38 terrible replacement for parks. These are just despite attempts to avoid building real parks. We
39 currently enjoy parks that previous generations paid for so we should be willing to pay for the
40 parks for our new North Ventura neighbors. And I agree that this may be financially difficult but

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1 there are options like new taxes or bonds that would love the City to pay for such an
2 investment in our community. Past generations found the money for parks, so can we. People
3 in Palo Alto, the rest of Palo Alto, are not stuck with landscaped stripes or rooftop gardens.
4 They get real parks, so we should not stick our new neighbors with such shortcomings.

5
6 Number two, most of Palo Alto enjoys safe and enjoyable bike boulevard, yet the work group
7 was troubled by the volumes and the speed of the current vehicle traffic on Park Boulevard.
8 Yet, no Traffic Study was done so we have no idea how these new units will affect traffic in the
9 neighborhood, especially on the bike boulevard.

10
11 And finally, the idea of making housing feasible by adding office space is the kind of short-sided
12 planning that got us in this terrible jobs/housing imbalance. Adding offices to NVCAP just digs
13 our hole deeper. Because of this much of the work group wanted NCVAP to be primarily
14 housing. Additionally, considering that housing is one of the Council's priorities, we should be
15 recommending an NVCAP design that is consistent with Council priorities. Thank you.

16
17 Mr. Nguyen: Thank you for your comments. Our last three speakers will be Carol Scott, Kelsey
18 Banes, and then Cedric and then we'll circle back to the user with the user name admin who
19 couldn't speak earlier. Carol Scott, you're up next.

20
21 Ms. Carol Scott: Good evening, Commissioners. I'd like to keep this very short and say that I
22 support Alternative M as presented by Rebecca Sanders. This is a proposal that is pretty unique
23 in our history and has been designed by a very diverse work group that spent considerable
24 amount of time in its development. It includes the input of residents and a number of other
25 parties. Furthermore, it is the only solution that provides sufficient below-market housing. This
26 is what we need in Palo Alto and this is what that alternative provides.

27
28 I'd also like to suggest that this proposal is much more in line with the traffic capabilities in this
29 area. Park Boulevard is the subject of much development as anyone who looks at all the
30 currently proposed and currently approved projects in that area can attest. There is a limited
31 number of ways in and limited number of ways out. Creating a village is a much more
32 sustainable option and it fits much more in line with the current-carrying capacity of that
33 neighborhood. So, I urge you to consider Alternative M. Thank you.

34
35 Mr. Nguyen: Thank you for your comments. Our next speaker is Kelsey.

36
37 Ms. Kelsey Banes: Hi, good evening Commissioners. My name is Kelsey Banes, I'm a Palo Alto
38 resident and I'm calling you to urge you to support Alternative Three which is both feasible and
39 also would provide a lot of desperately needed housing for people in this job center that is Palo
40 Alto. And I think the fact that only one work group member supported Alternative Three is an

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1 inditement of what was a very flawed process that did not include a representative sample of
2 Palo Alto residents or Ventura residents for that matter. Most of Ventura residents are renters
3 and I am curious how many renters were represented on the working group and additionally,
4 this is a neighborhood that was formally redlined. How many people of color were
5 represented? Furthermore, the median age in Palo Alto is 41 and we're making a plan that goes
6 years into the future that is going to disproportionately affect young people. How many young
7 people were included in the working group?

8
9 And I think all of these criticisms that I just listed as far as the working group representation are
10 even more of a problem with Alternative M. As far as I know no outreach was done to groups
11 other than the primarily older home owners who developed this plan and when I look at the
12 plan I'm just befuddled by it. I don't understand the financing mechanisms. I've been told there
13 would be a bond and what I would... the feedback I would give is if you're going to do a bond.
14 You should seek to bring along community members in your plan and actually do outreach to
15 people who maybe don't have the same perspective as you. And the other reason I'm confused
16 by Alternative M is just the amount of surface parking. At least the way I look at the map is
17 there appears to be more surface parking than park land and if we're making a plan for the
18 future, for 20-years into the future, I don't want to see any surface parking lots. I think that's
19 not a good use of land. We can make much better, more efficient use of our land. We could be
20 building housing, building parks, and so I support density. Density allows us to make more
21 space for more things we want and it's good. You can have density that's beautiful so thank you
22 again for your time and for considering all these plans. Thanks.

23
24 Mr. Nguyen: Thank you for your comments. Our next speaker is Cedric.

25
26 Mr. Cedric de la Beaujardiere: Hello. I had sent to the PTC email a PDF presentation which I'd
27 like to show and I also have it here if I can share my screen. So, I don't know if I can share my
28 screen?

29
30 Ms. Tanner: Can we stop the time until we get the presentation up?

31
32 Mr. Nguyen: I do not recall receiving a presentation from you. Where did you send it to?

33
34 Mr. de la Beaujardiere: To the PTC... to the email address that's in the agenda and I sent it
35 tonight so it wasn't ahead of time.

36
37 Mr. Nguyen: Ok, I see you had sent it in about 30-mintues ago. Let me see if I can pull this up
38 for you.

39
40 Mr. de la Beaujardiere: Thank you.

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Mr. Nguyen: I won't be able to display a timer. I'll let you know when you have about 30-seconds left.

Mr. de la Beaujardiere: Ok, great, thanks. So, generally, I'm advocating for a building form which is terraced such that each level is set back from the one below with rooftop gardens. This means that we can have greater residential density without tall buildings looming over neighbors and also, I support the widest creek restoration alternative. It is more affordable per acre than creating a brand-new park and it has greater ecological value. The City has the resources to do this option and the possible [unintelligible] price tag is a drop in the bucket compared to for instance \$130 million to fund more housing.

So, I thought it would be helpful to show images of what I'm talking about to make it less abstract. So, this first image is an example of a mixed-use building with multi-family apartments over retail commercial space on the ground floor.

The next page presents another version with a wavy balcony version with planters on the edges and the next page has interior layouts showing that each bedroom has a bathroom, multiple bedrooms on a level share common space for kitchen and dining. And each bedroom has access to a large usable balcony and the common area has access to larger rooftop gardens.

The next page shows a possible layout of these garden apartments within part of the NCVAP area. It protects existing single-family homes and places multi-family apartments on the Fry's and Cloudera sites and on both sides of the Matadero Creek. Here again, I show the widest, fullest, natural naturalization of Matadero Creek and I also preserve the more interesting historical structures from the Fry's site.

The next slide shows the distribution of bedrooms. This plan would have 769 bedrooms within a range of 353 to 769 units depending on how the... depending on the average number of bedrooms per unit which is a fairly abstract concept.

The next slide shows the Cloudera site which has another version which I call the spiral coil. This building spirals upward. Each quarter is a little bit higher than the one below and it just rises up.

And in the next slide, we see that from a bird's eye view the building is almost entirely planted and has a great ecological value than a boring empty roof. And maybe you could... so I think generally I think we should zone for what we want. Not for what we (interrupted)

Mr. Nguyen: 30-seconds left.

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1 Mr. de la Beaujardiere: Not for what will make a profit for developers. I support public subsidy
2 for housing and parks and that's it. Thank you very much.

3
4 Mr. Nguyen: Thank you for your comments. Are... we will not circle back to the user with the
5 user name admin who could not speak earlier. Admin, if you're there, can you please unmute
6 yourself and speak?

7
8 Admin: I am here. Can you hear me?

9
10 Mr. Nguyen: Yes, we can hear you. Please go ahead.

11
12 Admin: 50-years ago I first came to Palo Alto [unintelligible] a group of scientists at MIT hired by
13 a who's who of global business government who called themselves the Club of Roman created
14 the first computer simulation of the global ecosystem in human enterprise. With their model,
15 they accounted for population, resources, pollution, food production, and industrial output in
16 using various scenarios projected changes to the year 2100. To everyone's dismay, they found
17 that in the absence of radical policy changes to limit population and industrial output, collapse
18 in the second half of this century was all but certain.

19
20 If we look at what has actually occurred in the 50-years since they published their simulation.
21 We see that the factors they modeled, population, resources, pollution, food production, and
22 industrial output, have very closely tracked their projections.

23
24 If we look a few decades into the future we can see collapse looming. All of the sense that the
25 world of which we dreamed is slipping away from us. Signs are all around. We talk to each
26 other in person at distance and through masks. During fire season, we endure air quality as
27 poor as that in the most polluted third-world Cities. When we are eventually allowed to return
28 to Big Basin and Portola State Parks, the forest we thought we were protecting in perpetuity
29 will be in many places gone.

30
31 Tonight, as we shelter at home and stare at each other on screens. We seem oblivious to the
32 accelerating changes underway like the proverbial prog in the pot of hot water being slowly
33 brought to a boil. If we persist in business as usual, planning a once-in-a-generation land-use
34 transition with the same assumptions that we brought to such enterprises in a much more
35 stable past. This is not just irresponsible, it's foolish. The longer we persist in business as usual
36 to try to salvage some part of it, the less of it we'll be able to save. Thank you.

37
38 Mr. Nguyen: Thank you for your comments. Chair Hechtman, that concludes public comments
39 for this item.

40

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1 Chair Hechtman: Alright and now we will conclude public comment. I want to thank all of our
2 public speakers tonight and particularly call out our two high school students who spoke. I
3 thought you were both wonderfully articulate and frankly, I would not have known you were
4 our high school students had you not told us so. So, I would encourage all of our high school
5 students to participate in this civic activity with the Planning and Transportation Commission
6 and thank all the speakers.

7
8 Alright so I'm going to bring it back now to the Commission Members and it is 10:23. I
9 announced earlier tonight that I don't intend to take us past 11 o'clock tonight. I'm not
10 confident at this moment that we will make decisions but I do want to have... what I'd like to do
11 now is have a round of up to 5-minutes of comments. And then at approximately 10:50, I'd like
12 to stop us if we're not about to make a vote and I want to dialog with Ms. Tanner about
13 bringing this back at our next meeting and what would need to be bumped from the March 31st
14 meeting to make that happen. So, that's how I'd like to proceed and so I'm going to call on
15 Commissioners. Again, given the hour I encourage you to be mindful of a 5-minute limit, and
16 Commissioner Lauing, you have your hand up first so lead off.

17
18 Commissioner Lauing: Yes, thanks. I'm going to continue with my list of questions. So, I think
19 where I left off was on the issue about land value and I think it was a little unclear so I'm just
20 going to re-ask the question of the consultant. It seemed like the final disposition price or value
21 was probably not calculated in. It was just the return on cost. Is that correct? Oh there, you are,
22 I see you now.

23
24 Ms. Srivastava: Yes, the land value is factored into the analysis. It's part of the development
25 cost.

26
27 Commissioner Lauing: And that's a future value?

28
29 Ms. Srivastava: Current value.

30
31 Commissioner Lauing: Current value. Ok, so you're still not looking at any appreciation over the
32 next 10-years or something? [unintelligible]... go ahead.

33
34 Ms. Srivastava: Well, yeah, and well, as... the value of land is really contingent on what you
35 allow... what you enable the land to be used for. So, it is factored into in the sense that if no
36 development were enabled on any particular site it would have a lower value. So, we did... the
37 valid value on the prospect of future residential or mixed-use development.

38
39 Commissioner Lauing: Is it... when we're looking at the missing middle project that's going up
40 now on Page Mill and El Camino. I talked to the developer there and said can you really get

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1 these rents and he said I don't know. I said well then why are you doing it and he said I'm not
2 worried because the value in land always goes up. So, there is that value accumulation that
3 could happen if it always goes up. That's just his comment.
4

5 I appreciate your input on the parks on Page 177 of the Packet. Could you just... two things
6 there, one could you tell us where you developed \$12 million an acre. That was just a new
7 number to me. You're on mute.
8

9 Ms. Srivastava: That's the value of land that we were calculating. This is based on older market
10 data that we collected so we looked at land transactions for Palo Alto and that was the figure. I
11 mean really there's a range from anywhere to \$10 to 15 million.
12

13 Commissioner Lauing: Ok. When we were redoing the golf course I think we're using more like a
14 \$5 million per acre so I was surprised that it went up and then do you have any data on what
15 we paid for the parks that listed here on the same page, 177? So, when we acquired these
16 parks or pieces of land to add to parks. Do we data on that as what it cost?
17

18 Ms. Tanner: I think that would be our representative from our Parks Department, Lam Do, who
19 could provide any information he has about land acquisition.
20

21 Commissioner Lauing: He's a good numbers guy so he probably has it.
22

23 Mr. Lam Do, Superintendent Community Services: Thank you, Commissioner Lauing. The
24 examples that were brought up on Page 177 was something which I believe you were referring
25 to [unintelligible](interrupted)
26

27 Commissioner Lauing: Yes.
28

29 Mr. Do: In which we were able to convert them to dedicated park land. The 13-acres in the
30 example number one, which was back in 2005, was in open space preserves. It's the
31 [unintelligible] that was formally known as the [unintelligible] Property. I believe for some
32 reason in my mind it was \$2 or \$3 million but keep in mind this was identified in its land that's
33 in open spaces. Not necessarily urban land. The example that number two that became
34 Heritage Park, the City acquired that land. We did not purchase it. It was acquired from the
35 developer [unintelligible] Homes I believe it is. They had purchased the former PAMPF lot and
36 developed it and then part of that was to allow the City to acquire 2.40-acres which we later
37 then converted to Heritage Park. Example three, 7.7-acres, the City had always owned that
38 land. (interrupted)
39

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1 Commissioner Lauing: Oh, just a second. Just a second Lam, did you not add the price for the
2 Heritage Park land?

3
4 Mr. Do: The Heritage Park no, we did not buy. We acquired it as part of the Development Land
5 Agreements.

6
7 Commissioner Lauing: Ok, sorry.

8
9 Ms. Tanner: We did not pay... yeah, they didn't pay for it.

10
11 Commissioner Lauing: Ok, got it. Ok, I didn't understand that, go ahead, thank you.

12
13 Mr. Do: And then in example number three, the 7.7-acres that was added to Foothills Park. The
14 City had always owned that land. It was used for an extensive period of time that was leased to
15 an adjacent property owner and then the City stopped the lease. And then took the land and
16 converted it to park land. So, we did not buy that, we already owned it for quite a few times.

17
18 Commissioner Lauing: Ok, for time, why don't you just skip to five because four is not a good
19 example for what we're doing.

20
21 Mr. Do: Yes. Example five, the property that is referred to also as Birch Street was .64-acres and
22 we paid approximately \$2.7 million for that.

23
24 Commissioner Lauing: \$2.7 million for .64-acres, ok.

25
26 Mr. Do: That's correct. That's what the City paid for and we paid with Development Impact
27 Fees.

28
29 Commissioner Lauing: Ok, great, and then also I wanted to just inquire briefly and I don't want
30 to get into a lot of detail for a lot of reasons including time but 190 you reference rents. Packet
31 Page 190, for example in either prototype there, you know you got like a 700-square foot family
32 multi-family rental. Do you have a ball park of what your modeling that rent at?

33
34 Ms. Tanner: Sujata, did you have a square footage or?

35
36 Ms. Srivastava: Yeah, let me just... yeah, it's about... if it is 700-square, just give me a moment
37 I'll be able to tell you the rent. So, the rents are \$3,850 per unit so \$5.50 per square foot. So,
38 that was I think on the higher end of what you could achieve for rents in Palo Alto.

39
40 Commissioner Lauing: Probably and now I have a few questions about the model itself.

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1
2 Chair Hechtman: Commissioner Lauing, excuse me, you had more than 5-minutes again.

3
4 Commissioner Lauing: Oh, sorry.

5
6 Chair Hechtman: We're not cutting off permanently Commissioners, I just was hoping to get
7 everybody who wanted to speak tonight an opportunity before we end and so can you hold
8 additional questions until we come back around?

9
10 Commissioner Lauing: Yeah, sure.

11
12 Chair Hechtman: Thank you.

13
14 Commissioner Lauing: Sure.

15
16 Chair Hechtman: Is there another Commissioner who would like to speak tonight?
17 Commissioner Templeton.

18
19 Commissioner Templeton: Thank you. I just want to thank Staff for taking the time to
20 investigate the ideas that we had brainstormed about at the last meeting. Clearly, our... we
21 didn't find the magic bullet to make this work with all the things that we wanted in it but it's
22 really helpful to see the way it plays out and what the different levers are.

23
24 I also wanted to acknowledge that there are some ideas that the public has brought that are
25 very much out of scope for the PTC. Including finding ways to do creative financing and things
26 like that. What's before us today doesn't include that so I think that unfortunately puts us in a
27 different situation than what some of you have asked us for.

28
29 So, looking at what's in front of me and having had a really thorough discussion before. I feel
30 that we probably could drive towards a decision tonight Chair. So, I want to throw that out
31 there in case there are others who feel that way.

32
33 I would also like to say and as a former resident of Ventura, I'm very sympathetic with the
34 whole project here and very interested and invest in it. Many of my friends still live in that
35 neighborhood and it is an absolute treasure for Palo Alto. It's a very different part of town than
36 many of the other neighborhoods. It has its own unique identity and we do want to bring
37 services here and bring energy and vitality and invest and specifically thinking about park land.
38 You know finding a way to increase the open space is something I really hope we find a way to
39 do. So, once again, thank you to the Staff for taking a look at it and understanding how much it
40 means to this currently underserved part of town. So, that's all I want to say, thank you.

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Chair Hechtman: Thank you. Commissioner Alcheck.

MOTION #1

Commissioner Alcheck: I'll try to speak quickly. I think one of the most profoundly relevant comments tonight was when Ms. Srivastava suggested that reducing the parking ratio to one space to unit would eliminate the funding gap or go along way to doing so. I would suggest that we remember that when we come back to the parking discussion. That is a bullet, a magic bullet. I think a City that wants to address the housing crisis among its top priorities would start with the one space per unit idea. Not any alternative.

I want to respond to the widely debunked notion that living in a building in Palo Alto is somehow ecologically insensitive. In fill, housing is the most ecologically responsible way to address our housing crisis. The notion that building elsewhere, presumably farther away from where people work, is so inconsistent with the well-supported positions of pro-environmental organizations which have [unintelligible] for decades. It's almost shocking. If you even remotely care about the environment, then infill housing is the tool. I suggest anyone listening Google it. Suburban sprawl has been uniformly cited as the most ecologically insensitive form of development. There are plenty of studies that you can search for that demonstrate that denser development practices, particularly infill development, overwhelmingly improve the collective impact on the environment. So, I want to start there. It is a misconception that somehow building in Palo Alto is ecologically insensitive and putting housing, I don't know what, the alternative would be somewhere off 68 is somehow an improvement. It is so vastly the opposite.

I also want to acknowledge that none of the alternatives, including the most reasonable one, Alternative Three, would satisfy our immense housing needs. And I would like to put an end tonight to this notion that those involved in supporting this effort to encourage housing in the North Ventura Area are relying on this plan alone to zone for our housing allocation. In the most feasible scenario, the North Venture community will provide only a small percentage of the total housing units our community needs to zone for. If you are watching this and you are thinking why should Ventura shoulder the burden on their own? Rest assure the NVCAP is one of many areas where increasing zoning will be required. I think a far better question is why was the North Ventura neighbors exclusively the subject of a two-plus year effort to come up with a new promising Coordinated Area Plan? A hyper-focused and resource-intensive effort that will not be replicated for any other neighbor in our City which will soon will be collectively reviewed in half the time for opportunities to zone... up zone sites in every neighborhood to manufacture a legally compliant Housing Element. And the answer to that question is because of the Fry's site. Yep, the prospect of the Fry's site being redeveloped was the lynchpin for this entire multi-

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1 year effort. And the fact that the Fry's parcel owner is moving forward with a development
2 application that relies on the existing zoning of the site tells you everything you need to know
3 about how the market feels about the feasibility of the alternatives proposed tonight.

4
5 Listen, it is a waste of our City's precious resources to continue to pander to the unreasonable
6 demands that we support alternatives that are both deemed unfeasible by our consultant and
7 apparently unappealing by the owners of the very parcel that represent the greatest
8 opportunities here. This is literally the worst possible result that the work group couldn't come
9 up with an alternative that was endorsed by the various commercial parcel owners
10 representing a real compromise among all the relevant stakeholders. This is the worst. This is...
11 it's a terrible, disappointing, and unfortunate failure. What we need the NVCAP group to do
12 was to work with those stakeholders and try to get them aboard. There is no evidence, literally
13 none, that any of the commercial parcel owners view any of the alternatives as encouraging or
14 appealing. They may represent commercial interest, they are also property owners with the
15 same rights as those who own single-family homes, and in the absence of any of this evidence.
16 The most responsible and it is with the greatest disappointment that I'm saying this. The most
17 responsible thing to do is to recommend adoption of the only alternative which is remotely
18 feasible. I would suggest that we adopt Alternative Three as it was presented at our January
19 meeting without for example the 5 percent increase in BMR or any other changes that would
20 further reduce feasibility. So, I'm making that motion that we move to recommend Alternative
21 Three to our City Council and conclude what is, unfortunately, a plan process that we don't
22 know how it will turn out, but we know for sure the other alternatives are not going to succeed.
23 And so, I... this is a scenario where I believe good money is being thrown out after bad and it
24 is... I wish it was not that case.

25
26 Chair Hechtman: Thank you, Commissioner Alcheck. We have a motion. There are a number of
27 hands up but before I call on Commissioner Summa and then Roohparvar for their comments.
28 Do I have a second on this motion at this time?

29
30 SECOND

31
32 Vice-Chair Roohparvar: I'll second that motion.

33
34 Chair Hechtman: Alright, we have a second. Commissioner Alcheck, have you spoken to your
35 motion, or do you want to speak more?

36
37 Commissioner Alcheck: I have said everything I think I need to say tonight.

38
39 Chair Hechtman: So, Commissioner Roohparvar [note – Vice-Chair Roohparvar] I'm going to ask
40 you to... if you want to speak to your second and then Commissioner Summa, I'll ask for your

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1 comments after Commissioner Roohparvar [note – Vice-Chair Roohparvar] since she made the
2 second.

3
4 Vice-Chair Roohparvar: You know thank you for Staff and everybody in the working group for
5 spending all the time they did on it. The reason I second this is I agree from everything that I've
6 heard from Staff and from our own consultant that the only feasible alternative is Alternative
7 Three. I don't think it makes any sense for us to recommend something that's not feasible from
8 a financial perspective and also that would require a funding gap when we don't even have the
9 monies to cover it. And I would also agree what I also heard from Staff is that adding that
10 additional 5 percent BMR to make it 20 percent is also not feasible and would require
11 additional studies etc. So, for those reason I just... I think it's the most pragmatic thing to do
12 and it makes sense and it doesn't make sense to waste time and resources, anybody's, on
13 alternatives that our own City Staff and consultants are telling us don't work. Even though they
14 might sound good on paper, they just don't... are not practical. So, what's the point of passing
15 something that we know is never going to get implemented? Just for, I don't know, brownie
16 points or to sound good so that's why I seconded that motion.

17
18 Chair Hechtman: Thank you. Commissioner Summa.

19
20 Commissioner Summa: Well, I'm confused, are we carrying out the 5-minute discussion or are
21 we executing the vote?

22
23 Chair Hechtman: From my perspective, we're continuing on with your 5-minute discussion
24 during which you have the opportunity to discuss the motion on the floor or other aspects of
25 the issue.

26
27 Commissioner Summa: Ok, thank you very much. So, as you all know I was a member of the
28 working group for the whole time and a lot of work and a lot of effort went into it.
29 Unfortunately, and I don't... my position has not changed since the last time we discussed this.
30 None of these alternatives really fit the bill. They are inconsistent with Council's direction, they
31 are inconsistent with the working group's goals and objectives. There's some good things in all
32 of them and I was never comfortable with the modeling.

33
34 I'm not a mathematician, I'm not an expert but I'm on this Commission to evaluate these things
35 as a member of the community and I read everything I can. I talk to them about it. I talk to
36 people about it. We heard from members of the public that were very skeptical. The
37 mathematical model that was used, that it caught the... really captured the variables that are...
38 were more statically and perhaps simply discussed in the model. Commissioner Lauing just
39 found out that the most recently purchased acreage for park land, for instance, 6.4-acres for
40 Boulware Park addition, was \$2.7 million which puts an acre at pretty far below \$10 to \$15

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1 million. So, I think that work was done in a way that it didn't get us the best information to
2 make these decisions.

3
4 Furthermore, there is a ton of... projects are flooding into the City for housing and mixed-use
5 projects right now. And there are, I forget if it's nine or 11 projects within the NVCAP area at
6 various stages of entitlement which indicates that the... all of those projects and the ones in the
7 loop, in the pipeline, the ones being applied, for now, going through the process now. All of
8 them are profitable without this assumption.

9
10 And I have to say I was very interested in the idea of the gap evaluation, I'll call it that, that
11 Commissioner... Chair Hechtman put forward at our last meeting. and so, this analysis was done
12 but... and I'm glad because the more I think about it and the more I read about it. I think it's a
13 weird way and a wrong way to approach zoning. There is no real gap. I mean each... and I'm not
14 suggesting that we're not going to densify in a certain way this area but I think we've done it in
15 the wrong way. And each property... if I learned one thing on the NVCAP from Tim Steel it was
16 that you can't generalize about properties. Each one is unique, each one's financing is unique
17 and I know one thing that if what may not appeal to one developer because their business
18 model may not accommodate it, will appeal to someone else. Especially land in Palo Alto, so if
19 one developer doesn't find something that we have attractive, our Development Standards.
20 They can sell it and someone else will buy it.

21
22 Another member of the public brought up the fact that up zoning... and this is a fact...
23 contributes to this escalating inflationary land values we have in Palo Alto and in most urban
24 areas across the country which make the land... which make it... which creates the
25 unaffordability. So, we aren't going to solve any of the problems we have with traffic, our
26 jobs/housing imbalance by up-zoning this land in ways that does not create housing. We don't
27 need more office. I also did not see any analysis of how the maximum build-out of office in
28 Alternative Three has... how that works with the business caps in the City. Does it deprive
29 everybody else... other property owners around the City of doing a development if it's all
30 dumped into this one little area? There's no analysis of that.

31
32 I also will note of all the speakers, only three mentioned any of the alternatives and they all
33 liked Alternative Three but the vast majority of the speakers this evening didn't like any of the
34 alternatives. So (interrupted)

35
36 Chair Hechtman: Commissioner Summa?

37
38 Commissioner Summa: So, I don't think we have something here that the people of Palo Alto
39 are going to like. I'm skeptical that the Council will like it as is. I don't know what we do now
40 because of the timeline. Am I going over?

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Chair Hechtman: Yes, you are.

Commissioner Summa: Ok.

Chair Hechtman: Try to wrap up.

Commissioner Summa: No, I just saw your face. I thought I'm going over. So, I don't have faith that we've done the best work and I don't think any of the alternatives maximize the housing and we don't need more office or traffic. Thanks.

Chair Hechtman: My turn and I will... I'll be brief. So, I won't be supporting the motion but I'll get to why. So, we had before tonight an alternative, I'm going to call it Alternative Two, which was infeasible. Actually, I'm going to call that 2A. Staff has come back to us at our request by motion with what would it take to make it feasible and the answer is \$130 million. \$130 million addition would flip all the levers to likely. In my mind and I think that was a great exercise because it answered the question I asked and to me, I think an expenditure in that realm is not realistic for the City at least right now and so I'm not supportive of going in that direction.

I am... I would be interested and I think we're going to be coming back. I would be interested in knowing the... how far that \$130 million is reduced if we do go to one parking unit per space but ultimately, frankly with Alternative Two, the killer... the thing that kills 2A and 2B is that because of the limitation on office we're... the feedback we're getting is no one is going to do it. None of the property owners who have office are going to change because they're not... the office is too valuable to them. So, it's something that we'll... even if we can show it's financially feasible, it will never practically happen.

So, that brings us to Alternative Three and again, we have from last time, I'll call that 3A, and I thought I heard Staff a little differently tonight because what I thought I heard was so 3A that we had last time was 15 percent BMR across the board. Townhouse, condo, rental. What I thought I heard Staff say tonight is we can go to 20 percent on townhouse and 20 percent on condo and stay at 15 percent on rental and it's feasible across the board. And so, to me, that's a better alternative, 3B, than 3A and we haven't really talked about park land yet. So, the reason... and I want to talk about park land, although to preview that... and again, this is a great exercise because now I can see 9.4-acres which is 16 percent of the NVCAP area, which is too much. In... I don't know any Palo Alto neighborhood that has 16 percent park land and the reason is that we're looking at a more dense product in the NVCAP in Alternative Three. So, I think we've had a Commissioner or two that didn't get a chance to speak to the motion because they spoke first and so I want to hear them and then I think we should have a vote to wrap up tonight. So, I have Commissioner Lauing with his hand up first.

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2 Commissioner Lauing: Yes, thanks and I have some preliminary comments to make. One is that
3 I worked most of the last 4-days on this issue alone to try to get it right for the citizens
4 everywhere. Not just in Ventura. So, just because it's a late hour and people are now tired and
5 want to quiet. That's not what we're going to do. I have made zero comments yet. There's
6 already a motion with at least three people ready to go to bed. That's not how this works. You
7 know we got to play these things out. If you would like to continue the meeting now, tonight,
8 Chair Hechtman, I'm happy to do that. If not, I suggest we do a special meeting next week to
9 continue it so that we don't wait for 3-weeks. That is clearly up to you and however, you want
10 to manage that.

11
12 Let me expense with some of my comments... questions that I was going to ask and please
13 allow me to go over 5-minutes since I haven't talked at all on this issue. But the core issue here
14 is as the first sentence of the goals state, we're working on a rare opportunity to reimagine an
15 entire neighborhood for the long haul. It's true urban planning, it's strategic, it's long-term,
16 excuse me, my mouse just went dead. It's... got to get my comments up here sorry.

17
18 Chair Hechtman: Commissioner Lauing would it help if we went to... actually, we haven't heard
19 from Commissioner Templeton on the motion. I'm wondering if it would help you if while
20 you're getting a new battery perhaps, Commissioner Templeton if she wanted to speak to the
21 motion had an opportunity to do that?

22
23 Commissioner Lauing: Sure.

24
25 Chair Hechtman: Would that be alright with you?

26
27 Commissioner Lauing: Absolutely.

28
29 Chair Hechtman: Commissioner Templeton, do you want to speak to the motion?

30
31 Commissioner Templeton: Yes, I'm happy to speak to the motion. I would like Staff to clarify
32 some of the comments that you made Commissioner Hechtman [**note – Chair Hechtman**]. I
33 don't know if that's appropriate to do before we vote but it seems like you are bringing up
34 some sustentative differences in understanding.

35
36 Before we do that, I want to address the comments that Commissioner Lauing just made. I
37 don't think it's appropriate to accuse your colleagues of wanting to give up and go to bed
38 because they have difference of opinion. I'm very offended by that remark and I just wanted to
39 make sure that you understood that if I'm voting for something or if I'm having a discussion or

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1 continuing a discussion. It's because I have a different opinion. It's not of any other disparaging
2 reason.

3
4 Commissioner Templeton: Yeah, I was, yeah, I'm sorry that came across that way. I was
5 referencing the fact that when we have these late meetings, there's a tendency to want to
6 close them out quickly and I think that's unfortunate when we do that. So (interrupted)

7
8 Commissioner Templeton: I appreciate that.

9
10 Commissioner Lauing: That was my reference and I guess I'm to getting tired at 11 o'clock so I
11 didn't use exactly the right wording for that.

12
13 Commissioner Templeton: That said, I appreciate your clarification and if we do need to have
14 continued discussion. I'm happy to do it tonight or some other time. I just meant that I am
15 ready to vote and I'll be supporting this motion. Thank you. After the clarification, did Staff
16 want to speak up?

17
18 Ms. Tanner: Was there anything in particular about the motion or Commissioner Hechtman's
19 [note – Chair Hechtman] comments you wanted to clarify?

20
21 Commissioner Templeton: Yes, he asked specifically, he remarked that you said that there was
22 more financially feasible tolerance for additional BMR units at different levels or different types
23 units. Did you maybe want to bring that slide back up and clarify? It sounds like we have
24 differences of understanding.

25
26 Ms. Tanner: Certainly, so if they... so at... if the Commission wanted to distinguish the BMR rate
27 between ownership housing and rental housing, that could be supported. So, 20 percent, and I
28 believe I'd have to look back specifically at how the ratios of that 20 percent are split up but the
29 townhome and the multi-family condo, the ownership units, could sustain 20 percent BMR. Is
30 that 10 percent mod [note – moderate] Sujata? I don't remember.

31
32 Ms. Srivastava: It's at... so it's all mod [note – moderate] but at half of it is at 90 percent AMI
33 and half of it is at 110 percent.

34
35 Ms. Tanner: So, it's at the moderate level that those are feasible?

36
37 Ms. Srivastava: For the ownership.

38
39 Ms. Tanner: For the ownership units and then at the rental, the 15 percent would need to be
40 sustained which is our current BMR policy.

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1
2 Commissioner Templeton: Thank you for clarifying. Is this something Chair Hechtman that
3 you'd be willing to incorporate through an amendment on the existing motion?
4

5 Chair Hechtman: I would but I agree with Commissioner Lauing that I feel like we are trying to
6 rush this. We haven't talk yet about the park land, we set Staff off to examine that and they
7 made some important findings and I don't think any Commissioner has yet even really weighed
8 in on that information. And so, I'm not... while I'm supportive of that version of Alternate Three
9 that would include 20 percent for sale, I also want to talk about the rental and so I don't want
10 to facilitate short cutting this discussion by amending the motion.
11

12 Commissioner Templeton: Ok. Well, then in my closing push for... to get support here, we're
13 not short-cutting the North Ventura process. This is the fourth time it's been here, it's been
14 going on for many years, I've been encouraging for the last 2-years for people on this
15 Commission to get involved in the North Ventura Coordinated Area Plan meetings and to be
16 part of this discussion. So, I hope that everybody is as excited as I am to continue and move
17 forward with this, but I understand the need to talk it through and totally understand if that's
18 the motivation. But I'm excited about it and I am not trying to shortcut it. I'm just trying to
19 move it forward to Council. Thank you.
20

21 Commissioner Lauing: So, could I continue?
22

23 Chair Hechtman: Yes, Commissioner Lauing.
24

25 Commissioner Lauing: And I mean the reason I'm sort of hyper about this, not just because of
26 all the work that I put into it but because I have some comments on what you folks have said,
27 what the public has said, and an alternative that may look like it's way different but it may not
28 in terms of it has to come back anyway.
29

30 So, basically what I was saying when I lost my screen here is that we have the opportunity here
31 as it says in the first sentence. A rare opportunity to build a whole neighborhood from scratch.
32 Strategic, long-term, precedent-setting, a model for other areas. We're not trying to put up an
33 office park. We're not trying to put up a housing project. It's not a shopping mall. It's not a
34 nature preserve. It's a balance of all these components for a wonderful, walkable, vibrant
35 neighborhood and I'm just really eager to see that happen as you just said, for example,
36 Commissioner Templeton. And there's still lots of work to be done and a lot of detail on these
37 two proposals or others but I want to point out first.
38

39 What do we know now? And I think it's at least six things and the core one which a number of
40 the members of the public pointed out and I think this is the core one for our discussion

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1 tonight. Is that all these alternatives that we've reviewed don't accomplish the objectives that
2 Council set out, or that the working group set out, or that the neighborhood wants. So,
3 especially that has to do with what I think is a very limited amount of affordable housing. We
4 need more of that. There's no paid-for amenities yet like the parks and open space which we
5 now have some data on as Chair Hechtman said. There's a massive increase in office as a
6 percentage total land use which is plus or minus but it could have hundreds of workers and
7 vehicles to deal with. We don't know that yet and there's no data yet on other things that were
8 in the objectives that a couple of the members of the public read out. A community facility,
9 senior housing, open plaza, etc., and no analysis of how to fund them.

10
11 We asked for... we got real data back and I think as Chair Hechtman said it was very valuable to
12 get that data back on both things that we asked for. And the one number was 137 and the
13 other number was 37, 130, and 37, but what that exercise verified that with current
14 assumptions, to do something like that public or public-private funding is required. And
15 Alternative M by the citizen's group actually concluded the same thing which is the constraint
16 to doing Alternative M and I was going to hold up and quote from Angela Dellaporta's
17 document but she did because we need to get that vision involved here and we have not.

18
19 And we have to keep telling ourselves about the RHNA, 6,000 new units required, 60 percent of
20 those are roughly market-rate which is 3,600. Both Alternatives Two and Three are only going
21 to get us 200 affordable housing units. We need 20 more projects to make our numbers and
22 that's a really wasted opportunity. Office development, as we know, the numbers say that the
23 amount quadruples. Well, that's not sinful but the point is that it's because we're again using
24 the old fashion formula that we have to have office rents for developers to build any housing or
25 open space or whatever. Well, there are many other ways to do that and there's no guarantee
26 that we have offices... that the offices have appetite for this anyway as also architect Heather
27 Young noted in one of her letters. But in the meantime, we are exclusively leaning on only this
28 way of funding some of these other amenities that we want and we don't have to do that. I
29 mean Council has already behind a Business Tax and a number of things and Angela
30 summarized some from Staff, some from research, 15 other ways that we can look at financing.

31
32 So, we're then looking at the working group which has been said. I didn't know it was going to
33 be said, but we asked these people to work on this for years, and at the end of the summing up
34 only one person voted for Alternative Three. The other thing is that both Two and Three didn't
35 cover all of the variables as we have just noted. Parking comes up and could entirely change
36 Alternative Two if we wanted to make that adjustment. We could also look at any number of
37 sort of smorgasbord items if we just looked at not the maximum but the practical. We pick
38 about \$45 million off the \$137 million number.

39

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1 So, what should we do, and here's my bottom line? I don't believe we should reasonably
2 approve a project from the alternatives that we've looked at that doesn't meet the objectives
3 that Council has set. If a project doesn't meet objectives you don't do it anyway or at least in
4 this case I don't think PTC can do that. That's not our job, but we can call out the fact with the
5 new data that we have that we do think there should be some public funding of these projects
6 and this should be precedent-setting. Not just this one but going forward. So, the current
7 shortfalls include the very few housing units, no guaranteed park space yet, 126 of new office
8 taking up space in the neighborhood. This is not what is called for as a strengthening of the
9 neighborhood fabric.

10

11 So, what I recommend is that we ask Council to review the original objectives and ask them to
12 recommit to them with their recognition that we need non-developer funding, public and
13 private, and they need to commit to yeah, we'll figure out a way to raise some of that money.

14

15 As a starting point for me, there's an assumption that it have to be in there. One is that HIP
16 products... HIP projects by developers should be modeled in automatically because they're
17 already happening now and that's not contingent on anything. It's just working. The HIP
18 Program is working. I also think we should at least double the BMR units as an absolute given.
19 That we shouldn't do this project if we can't get... as is if we can't get 400 true BMR units
20 modeled for all segments below 60 AMI and up. And we have to guarantee park land in there
21 and build the rest around that. If they stay with the current objectives, they could return this
22 item to us. We can create a more detailed model with a bunch of variables on probably Two as
23 a way to start with a look at M as well. Recommending one of these two just because they're in
24 front of us now, I don't think it's appropriate given the documented CC goals. So, I want to
25 make this vision happen for Ventura, let's get a new read from what we've uncovered by
26 sending this information to Council and say you want the same objectives? Ok, let's do it. You
27 don't tell them what they are, we take your direction and there we go. So, that's the alternative
28 that I think makes more sense given what's in front of us and given the objectives and the
29 overall vision of this in a precedent-setting. Thanks for the time, Mr. Chairmen.

30

31 Chair Hechtman: So, Commissioner Alcheck your hand is up as is Ms. Tanner. So, I'm going to
32 start with Ms. Tanner.

33

34 Ms. Tanner: Thank you, Chair. Thank you, Commissioner Lauing. I did just want to point out a
35 couple things about where we are in the process. The goal is to have the PTC recommend to
36 Council a conceptual alternative to Council, then to decide if they agree with this concept or
37 make adjustments, and then to further study that concept. We do not have funding to study
38 three alternatives and so we need to get one preferred concept that we can further study.

39

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1 I do note that Alternative Three does include park land. It doesn't include the level that was
2 provided today in the revision but it isn't that Alternative Three has no park land in it. So, I just
3 wanted to make sure that that was clear. So, certainly, the path that you proposed could occur,
4 however, given our timeframe and our limited resources I'm not sure what would be different
5 in that path.

6
7 Commissioner Lauing: Could I respond, Chair? It will take 30-seconds. That's why I said I believe
8 that given the alternatives and what you just said. That we should take as our starting point the
9 current Alternative Two and look at new variables that would improve that.

10
11 Ms. Tanner: I see. Ok, thank you.

12
13 Commissioner Lauing: So, my recommendation is the opposite of the motion that's on the floor.
14 We don't approve Three and say we're done. We say we want your data coming back to us and
15 we will work it from Two. It doesn't mean we have to stop there but that's where we start.

16
17 Ms. Tanner: Ok, that makes more sense. Thank you.

18
19 Chair Hechtman: Commissioner Alcheck.

20
21 Commissioner Alcheck: I'm not working with notes here but here's what I would say and I'm
22 going to respond to some of Commissioner Lauing's comments. I want to... I appreciate your
23 sense of confidence on what I would describe as sort of this moon-shot idea and what I'm
24 hoping to do here is sort of reflects what I think where our Commission's at Chair Hechtman. In
25 an effort to sort of demonstrate what I think is an opportunity to make a responsible decision
26 here tonight.

27
28 Commissioner Lauing mentioned delving into reducing parking standards. That is not something
29 that imagine the members of the NVCAP group would support. They didn't support it in fact. In
30 fact, the notion Commissioner Lauing suggested tonight that he wasn't satisfied with the
31 number of the density. That it wasn't significant enough. That there weren't enough units. The
32 project that's been proposed with our current zoning of 85-units on 4 1/2-acres is approximately
33 20-units per acre. That is not what someone would consider in Palo Alto low-density
34 development and so the alternatives were to enhance the development... the developable area.
35 The notion that Mr. Lauing is suggesting that we would... that we will find success in reducing
36 parking standards, increasing density further, increasing BMR housing, using funds private and
37 public, I think is so unlikely to reach consensus. Not just in this Commission but in the City
38 Council, in the City.

39

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1 I have been imagining a development opportunity at the Fry's site for 5 ½-years since I learned
2 that the Sobrato group invested in that space. It was public information and then we were all
3 wondering was Fry's going to extend their last option which they didn't. I don't think they did. I
4 can't remember and I remember the excitement we all had, but I think what I would suggest to
5 you is that the most unfortunate situation here is that the commercial parcel owners were not
6 more significant members... voting members of this stakeholder group because this is what...
7 this is the perfect scenario. The perfect scenario is they find one of these alternatives even
8 remotely interesting and then go ok, we want to develop under the proposal. However, we
9 need... we're looking for some alteration to the plan and then the City Council could say ok or
10 the Planning Department or whoever has..., ok in exchange for adjustments here would you
11 consider increasing your BMR allocation? That is what typically occurs for a project that would
12 achieve the results of adjusting our housing crisis. I

13
14 am not going to say that the 85-units is nothing. It's almost 20-units an acre. It's not an un-
15 dense development. It meets our height standards. This City has had a very difficult time
16 increase the height standards... the height limit. So, this notion that we... my biggest issue with I
17 think the amendments you need to see are they reduce feasibility. It doesn't make it infeasible
18 but they reduce feasibility for projects no one has expressed interest in doing. I mean if I gave
19 someone all the money that it would cost to do this and they decide I'm going to do this. This is
20 a bad use of money, then it does get done. I think you know probably as well as I do that the
21 commercial parcel owners on the corner of Page Mill and Park probably isn't thinking to
22 themselves I'm going to tear down all of this commercial and build housing in line with
23 Alternative One or Two and it's not clear that Alternative Three is appealing to them. Even if
24 they've expressed interest in redevelopment that's... any individual who owns a parcel in an
25 area that could be promising in an environment like this one could say look, I would be
26 interested in redevelopment if the numbers add up. But I think the most telling thing is there's
27 no single business commercial parcel owner here. They've avoided our process. I asked our
28 Staff is anybody going to reach out? I asked outside of our meetings if City Council Member or
29 leadership members in our community or if NVCAP Members were going to reach out to the
30 Sobrato group to figure out whether they would consider participating in this project that was
31 the lynch pin for the whole thing.

32
33 I am not tired. I have never concluded a meeting early. I have never suggested that we quite
34 early. I am not easily offended but I just want you to know that that will never be my incentive
35 for making a motion. I loath this motion. I loath this result but we aren't capable in this forum
36 as this dais to come up with the moon shot. It's not... it's so unreasonable and the best thing
37 that Council could do is realize that time is not on our side. By the time we explore all of the
38 ideas that Commissioner Lauing suggest that we explore. We will be halfway through our
39 Housing Element development. That's how I feel. I feel if we honestly got community feedback

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1 on reducing parking standards, increasing below-market-rate housing density, public-private
2 (interrupted)

3
4 Commissioner Lauing: Well, as you continue on there, you're saying a bunch of stuff about me
5 that I haven't said so.

6
7 Commissioner Alcheck: No, I'm suggesting that all of the suggestions that you said we explore
8 are challenges that don't represent I believe an opportunity for consensus. Not that they're not
9 worth exploring but they don't represent opportunities for consensus and the most important
10 thing that we need to consider is whether or not we are using our Staff resources well. I think
11 that they told us last (interrupted)

12
13 Commissioner Lauing: You know let me just simplify. All I'm asking is (interrupted)

14
15 Commissioner Alcheck: I'm not done, I'm not done. I'll wrap up and then you can (interrupted)

16
17 Chair Hechtman: [unintelligible] Commissioner Lauing.

18
19 Commissioner Alcheck: [unintelligible- crosstalk] I would suggest to you that at the last meeting
20 we were told that the Staff resources weren't there to continue and so I'm not suggesting to
21 you that we don't dream big. I am willing to accept some amendments from you and if you
22 want to bring back our consultant in 2-weeks or 4-weeks to explain to us again feasibility and to
23 again be challenged on whether the model is correct or whether the inputs are reasonable. I
24 don't think that's a good use of our time. I think that sends the message that we don't have
25 faith in the evaluation that was conducted for us and I want Staff to know that I have absolute
26 faith. I'm not questioning it and I think the best indication, like I said earlier, of the market's
27 opinion on this is what the Sobrato group is doing without this.

28
29 So, my point to you is if you think that feasibility is improved by any adjustment to Alternative
30 Three, I will support it. If you think that the NVCAP area is improved by any amendment to
31 Alternative Three, I will consider it but I don't think that you will find an improved result in 2 or
32 4-weeks' time. I think the only result will be more resources poorly spent on a disappointed
33 conclusion to a 2 1/2 -year project. I wish it was different and I want to express to you that I
34 don't believe this... I don't believe there's any alternative if we spent two more months on this.
35 I believe there's any alternative that would get six votes. I just don't, so I think my question to
36 you is at what point do we acknowledge what are we here to do? Are we here to get the
37 business of the City done? Are we here to get this process started? Are we going to continue to
38 discuss the NVCAP and when are going to start talking about the other items that are on our
39 agenda?

40

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1 Commissioner Lauing: Chair?

2

3 Chair Hechtman: So, Commissioner Lauing before you respond I do want to give you an
4 opportunity to but I feel like this motion... the fact that there's a motion on the floor is kind of
5 hanging over our heads and justifying (interrupted)

6

7 Commissioner Lauing: Well, it's (interrupted)

8

9 Chair Hechtman: Whether we wrap up tonight or not and so (interrupted)

10

11 Commissioner Lauing: It's hanging over our heads because I'm trying to provide an alternative
12 point of view that reverses it.

13

14 Chair Hechtman: Well but right but I mean honestly, I've been listening. From what I've heard
15 tonight we have six Commissioners here and I'm hearing that three indicate that they would
16 support the motion and three indicate that they wouldn't. So, I'm... first of all I wanted to find
17 out with... from Mr. Yang if the Chair... I know every Commissioner can Call the Question but I
18 was wondering if the Chair also has the prerogative so we can see if this motion is going to go
19 forward or not. And then we can start over if it doesn't and you can make the next motion. And
20 we can... but first, we would decide whether we're going to do that tonight or in the future.

21

22 Commissioner Lauing: The only point I'm trying to make Chair Hechtman is that I haven't had a
23 chance to respond to some of the faulty statements. So, I just think that that should be
24 corrected. It's not going to be mean or long. I just want to correct those statements.

25

26 Chair Hechtman: So, let me suggest then at I'm going to hear from Mr. Yang if I can Call the
27 Question. If he says I can and I do and there's a vote and somehow your... you end up on the
28 losing side of that, ~~then~~ then you can explain all your reasons for voting no in that explanation, but
29 again, what I'm hearing is you're not going... that's not going to happen. I could be wrong. So,
30 Mr. Yang, do I have the discretion to Call the Question?

31

32 Mr. Yang: So, you can make a motion to Call the Question but that is a secondary motion and it
33 requires a vote of its own. I think it would be quicker and more effective to try to get to a point
34 where we're ready to just vote on it or you can also make a secondary motion to continue this
35 item before we resolve the main motion.

36

37 Chair Hechtman: Ok, I appreciate that guidance, and I will adhere to it. So, let's keep talking and
38 see if we can get to a point where everybody is ready to vote on the motion. So, Commissioner
39 Lauing?

40

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1 Commissioner Lauing: The core point that I tried to make in the first sentence is that the reason
2 I don't think we can support that motion is because that motion doesn't support the objectives.
3 And so, the simple task... to simplify the task, going back to Council and saying do you want to
4 stay with these objectives 100 percent because here's the dilemma we've come up against with
5 respect to housing feasibility in terms of the assumption that are in the model. And if so, then
6 you know basically... someone said, I think it might have been Commissioner Roohparvar [**note**
7 **- Vice-Chair Roohparvar**], that we can't act on this. Well, we're not trying to act on it. We're
8 saying since this doesn't meet the objectives, Council you tell us you want to raise some money
9 or not, and basically what this Commission is saying in a 3-3 vote is that the only other
10 alternative is three as is or with some changes.

11
12 So, the substance of it and the issue of adding more affordable housing I think it straight
13 forward. I didn't understand his comments about adding density and I want to underscore that I
14 have not said that I want to support the housing magic bullet. I want to look at that variable and
15 see what it does and I also think that even Council would like to see what it does. Just so they
16 know if they veto it, the money that they have to come up with to bring that thing down... to
17 bring to Alternative Two down is justified. So, I think we are missing some data here in terms of
18 how we would go forward on any alternative and that's the answer. Thank you, Chair.

19
20 Chair Hechtman: Commissioner Summa, you've been very patient.

21
22 Commissioner Summa: Thank you. I think from my former comments you assumed... everyone
23 has assumed I won't support the motion and I am really struck by the fact that we are just
24 settling for not doing our best. Even the maker of the motion just stated he loathed the motion.
25 I don't think it's what the City Council wanted, I don't think it's what the NVCAP Working Group
26 wanted, I don't think the members of the [**unintelligible**] want tonight.

27
28 Commissioner Alcheck thinks that the large property owners don't want it. They weren't
29 involved enough. I have to say that two of them or representatives from two of the biggest
30 property owners were on the working group the entire time. And I know that Assistant Director
31 Tanner was reaching out to the other Cloudera site, Jay Paul, who could have been involved if
32 he wanted to be and but she was reaching out to try to get him involved. So, I feel like they
33 were as involved as anyone.

34
35 I think we can do better with the information that Staff and the working group came up with
36 already and by that, I mean taking elements from all three of the alternatives and considering
37 making a secondary recommendation to the Council outside of the alternatives perhaps. But
38 this notion that there's no way to get affordable housing except through tax credits or the now
39 depleted Housing Fund in the City is not true. There are other reliable methods to do this,
40 including but not limited to, bond measures and I think this Council is probably going to enact a

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1 tax... a Business Tax at some point when it's appropriate. So, I just think we're settling for
2 something really poor when we could sort of work together and come up with something
3 better.

4
5 One of my greatest disappointments and I've said this before. I'm sorry to bore people is that
6 the track side of Park Boulevard is the best place for housing because it doesn't have the
7 negative impact that will be fought by the public on the low-density residential and it would
8 also continue a pattern that is created by the two Halbach [note – phonetics] buildings. The one
9 with Café Reachie [note – phonetics] and the Mondrian [note – phonetics] one which is on Park.
10 And we should be looking towards doing things that are feasible from that point of view in my...
11 I think because what's not feasible is to create conflict by having a plan that people will oppose.
12 That doesn't mean we can please everybody all the time but we know where a lot of the pinch
13 points are for the public in this kind of conversation.

14
15 So, I think we could do this. I think we... I have very much would like to get the NVCAP off my
16 plate. I'm sure many others would but I don't feel so... I don't feel like we need to do that at the
17 expense of having a plan that does bad.

18
19 And if we cannot... I think the park choice is kind of false between the three plans. I think in all
20 scenarios, all three alternatives, the City is going to have to buy land to create park land. That's
21 a given and I don't think that rooftops and setbacks are park land and neither does our
22 Municipal Code or our Comp Plan.

23
24 So, I think we should also submit as a plan for expanding the Boulware Park by connecting the
25 creek and developing the creek. Naturalizing to some point and developing park land across
26 there that of course is going to be put on the shelf until somebody... until the Council has
27 enough... has a budget to do it. But we have an opportunity that we will not have very many
28 times about restoring to a more natural condition one of our many creeks that has been paved
29 over, over time. I imagine most of us would prefer to have some of those creeks exposed just
30 like in Boul Park in Barron Park which is a real... it's charming because it's a neighborhood park
31 but it has a creek in it.

32
33 So, I do not want to rush it but I do want to accomplish finishing it. I think we can do that by
34 talking amongst ourselves about the issues at hand and where we see deficiencies. Another
35 deficiency for me is there's no tree plan explicitly included as part of this. And you may say well
36 we don't need it because we have tree plans all over but I think there's a very big lack of trees.

37
38 I also think everybody is just assuming you can demolish the historic resources. That would take
39 at this point the Council would have to make a CEQA decision required by CEQA of Overwriting

-
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1 Considerations that may or may not be feasible because they would have to prove that there
2 was no feasible other use for those historic resources.

3
4

5 And lastly, I think we need to really emphasize the bike boulevard on Park Boulevard. So, I'm
6 not trying to slow things down, I am trying to put housing there, I am trying to retain a
7 community that the Venturians will be excited about. The new north end of their neighborhood
8 and that will provide housing without providing more offices which we don't need.

9

10 I'm very concerned that at this point we don't know if... what the vacancy is going to be long-
11 term for existing office and I would hate to build more office. And then people who have...
12 property owners who have offices, I think we should worry about them being refilled. I mean
13 we just don't know what's going to happen with that office vacancy issue. So, I just think we're
14 moving too fast and I'm sorry that I cannot rely in the face of the... all the development projects
15 that we're getting, mixed-use. I mean look, there's a three-story, all residential project that's
16 being... you may have read about it, being proposed for College Terrace of Wellesley and... it's
17 wrong... that's a wrong location but it's... if they can propose a three-story, all residential
18 building that pencils out. Why are we told other people can't do it? This is... I'm just having
19 problems with some of these issues and obviously, I won't be supporting the motion on the
20 floor. Thank you.

21

22 Chair Hechtman: We have a motion and a second. Does any Commissioner... I see two hands
23 are still up but those may be carryovers. Commissioner Alcheck and Commissioner Lauing?
24 Commissioner Alcheck, your hand is still up. Do you want to speak to the motion?

25

26 Commissioner Alcheck: Yeah look, I want to recognize two things. I don't... I'm not suggesting
27 that a solution couldn't one day be reached. I just believe perfect is the enemy of good here
28 and I think here's what I would suggest to you. If I was a City Council Member and I got this
29 proposal next month which as I understood from our Staff. Involves an opportunity to review it
30 and then take in... I guess drill down further into the alternative. I would say as a City Council
31 Member, let's put this on pause because in 6-months we're going to begin the process of
32 investigating our housing allocation and where to apply it all. And instead of determining right
33 now what the density should be there, let's figure out how much we're actually going to need
34 to put there based on how much we were able to put everywhere else. That's what a prudent
35 City Council Member would do. They wouldn't lock down an NVCAP here only to amend it 6-
36 months later with a Housing Element that's going to require potentially up zoning a number of
37 areas.

38

39 So, I fear that we are sort of operating under the assumption that what we do today is going to
40 be relevant in 10-years or 20-years and it won't be. This plan would have been relevant for the

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1 people who are submitting applications in the year 2021, 2022 and it took so long to get this
2 idea put forward that it has now run into what is going to be our Housing Element process
3 which will require up zoning. We will have to identify sites that are suitable and we won't be
4 able to rely on old sites that we have used multiple times. And I think what will end up
5 happening is we'll say, well you could put on this Cloudera whatever it is or you could put on...
6 and I would just add one more comment which is just that. A buyer of a park needs a seller and
7 once you identify the parcel you want the most, that person is going to say well ok, here's my
8 price. I think if you came to me said there's somebody willing to sell their land to the City, that
9 would be a different story, but the minute they know you want it. You've lost a lot of
10 negotiating power. I just think it's.... we're talking about things as if they're so easily achievable
11 and I'm worried that we're going to spend so much time on this trying to make perfect that...
12 you guys... it won't be me. I won't be here anymore but you guys working on the Housing
13 Element, you'll be talking about the same sites in I think less than a year and you'll be talking
14 about how to up zone them. And I just... that's why I am really.... I'd really like to send this to
15 Council, get their input since it sounds like they were going to send it back anyways, and
16 determine whether they want us to continue spending any resources on this; or maybe hold off
17 until we figure out how many actual units we need to allocate for in our Housing Element.
18 Depending on I guess their appeal.

19

20 VOTE

21

22 Chair Hechtman: Any other Commissioners wish to speak before [unintelligible – audio cut
23 out]? Mr. Nguyen, will conduct a roll call vote, please?

24

25 Mr. Nguyen: Yes. Commissioner Alcheck?

26

27 Commissioner Alcheck: Aye.

28

29 Mr. Nguyen: Chair Hechtman?

30

31 Chair Hechtman: No.

32

33 Mr. Nguyen: Commissioner Lauing?

34

35 Commissioner Lauing: No.

36

37 Mr. Nguyen: Vice-Chair Roohparvar?

38

39 Vice-Chair Roohparvar: Yes.

40

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1 Mr. Nguyen: Commissioner Summa?

2

3 Commissioner Summa: No.

4

5 Mr. Nguyen: Commissioner Templeton?

6

7 Commissioner Templeton: Yes.

8

9 Mr. Nguyen: The motion does not carry.

10

11 MOTION #1 FAILED 3(Alcheck, Roohparvar, Templeton) – 3(Hechtman, Lauing, Summa)

12

13 Chair Hechtman: Alright so it's 11:30. We can continue on. I'm willing to continue on or we can
14 continue. I would like to find out from Ms. Tanner, our next meeting is the 31st. I know that we
15 have I think a number of items that are already planned for that date but is there... if there was
16 an interest in continuing this item, I do know from the Staff report that there was a desire that
17 we get this done sooner rather than later. So, if we move this to the 31st, is there something
18 that could be bumped off of the 31st into April?

19

20 Ms. Tanner: Certainly, the next meeting we have four items. The long answer or short answer I
21 suppose is a yes. Everything cannot be bumped. We do have a time-sensitive item from
22 transportation that would need to stay on so we could do that. We could easily put this on the
23 14th of April although that is quite a bit from... time from now so it would be preferable to do
24 the 31st or find a different day, a special meeting day. I know that in its self can be a challenge
25 with trying to arrange the dates of all the people present now on the panel could be difficult
26 but we could make it work on the 31st I believe.

27

28 Chair Hechtman: Alright, so that being the case what is the will of the Commission? Should we
29 continue on a bit tonight? Is there desire to continue? Commissioner Lauing, I see your hand.

30

31 Commissioner Lauing: Yeah, my real hand.

32

33 Chair Hechtman: Both.

34

35 Commissioner Lauing: I kind of, with respect to Staff Tanner, if there's any urgency then I would
36 recommend a special meeting. If it can go out a ways then we can go out a ways but I want to
37 be respectful to her needs and Staff needs on this.

38

39 Ms. Tanner: I would recommend either the 31st. Next... if we try to do it next week, I know I
40 have to go to the HRC on a week from now and so then that puts us almost back to the 31st. We

-
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1 could poll Commissioners now if they're available. If that fails we could look at... is it the 24th of
2 March? If there's availability from the Commissioners we could do that. That's another
3 Wednesday but I don't know if we want to do that now and do it live.

4
5 Commissioner Lauing: But I do think... the second thing I was going to say Chair, is that I don't
6 think now that we should probably try to progress on with this given that we've kind of... we're
7 kind of a hung jury at this point and you had some points that you wanted to discuss as well.

8
9 Chair Hechtman: Ok, then let me hear from some other Commissioners. Thank you,
10 Commissioner Lauing. Commissioner Templeton, what are your thoughts?

11
12 Commissioner Templeton: Thank you. I was wondering if we might be able to have a
13 compromise but it depends on Staff's answer to this question. Is it... I hate that we are moving
14 the goal post slot here but if it would help the other Commissioners come to a decision to have
15 a model that included parking. Is that something you could prepare by the next time we... when
16 we continue this item?

17
18 Ms. Tanner: I'm not sure what you mean by that.

19
20 Commissioner Templeton: There was a suggestion I believe by the Chair that we have another
21 model for 2A that included reduced parking to see if that made it more financially feasible.
22 Reduced the number of millions of dollars that were required to make the proposal work.

23
24 Ms. Tanner: I think it would be easy for us to model one-to-one parking on Alternative Two if
25 that's what you're suggesting?

26
27 Commissioner Templeton: Yes.

28
29 Ms. Tanner: And we could just get the cost of the reduction for that. I mean I think
30 [unintelligible] (interrupted)

31
32 Commissioner Templeton: It might (interrupted)

33
34 Ms. Tanner: Spread sheet strokes.

35
36 Commissioner Templeton: Yeah, it might be good to then maybe the other Commissioners... I'll
37 float this. I'm not actually going to make this motion at this point but perhaps that's a motion
38 that we could make tonight is to motion to continue and ask them to come back... ask Staff to
39 come back with the whatever information that we have identified tonight as critical towards
40 making... forwarding a decision to Council perhaps. That's just a suggestion.

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1
2 Chair Hechtman: Ok, thank you. Let me hear from other Commissioners. Commissioner Alcheck,
3 your thoughts on this procedural issue?
4

5 Commissioner Alcheck: Yeah, I'd like to suggest in conjunction with... well, one thing. I don't... I
6 earlier said that I loathed this motion. What I meant by that is that I am sad and disappointed
7 that the best... in my mind, the best result is the motion I made. So, I'm disappointed that that
8 in my mind is our best-case scenario. So, that's what I meant by that statement and I would
9 suggest to you is that I believe scheduling a special meeting on a day that we're not normally
10 meeting. I think would be unfortunate because I continue to believe that we shouldn't spend
11 more valuable resources on this than otherwise necessary.
12

13 But I'd like to draw your attention to Page 173 of the Packet and suggest to you in line with
14 what Commissioner Templeton just raise which is that if we are going to come back and if Staff
15 is going to do anything. I think that one line, the one single line on Page 173, should... they
16 should find a way to incorporate that proposal into the feasibility so that all of us can better
17 understand the impact to the alternatives and their feasibility with the absence of the 200
18 Portage Avenue project. So, there a line on Packet Page 173 that says please note the total
19 build-out disregards the proposal for 85 townhomes on 200 Portage. It's not clear to me that
20 Alternative Three's feasibility or the analysis incorporated those proposals. In fact, it would be
21 premature to consider those as built, but what I would suggest to you is since it appears that
22 they likely will be proceeding with that application. It might be helpful if we understood how
23 the alternatives are impacted by that development. So, if there's going to be a motion like the
24 on-Commissioner Templeton suggested and you guys are going to ask Staff for something. I'd
25 like you to... I'd like it to be considered maybe understanding better [unintelligible – audio cut
26 out] as a result of the 85 townhomes.
27

28 Ms. Tanner: I just want to offer that the 85-townhome development is factored into some of
29 the tables that look at the maximum build-out of the sites. Without that property or with the
30 property only becoming 85 townhomes and the balance of the building remaining, it doesn't
31 affect the feasibility of the other product types. So, townhomes in other parts of the
32 development would still be feasible if 85... if 200 Portage happens or a multi-family building
33 else ware is not dependent on 200 Portage coming or going.
34

35 Commissioner Alcheck: I understood that the parkland ideas does affect the feasibility and it
36 looked to me like the parkland suggested would be affected if Portage Avenue didn't
37 incorporate any parkland.
38

39 Ms. Tanner: Yes, that would be the impact, yes. That would be the impact (interrupted)
40

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1 Commissioner Alcheck: Yeah and I know Commissioner Hechtman [note – Chair Hechtman]

2

3 Ms. Tanner: That would not happen.

4

5 Commissioner Alcheck: Is particularly interested in delving into that. I just think that if Staff
6 could somehow incorporate into the feasibility impacts with respect to parkland if Portage isn't
7 included. It might help us get to the bottom of that issue.

8

9 Ms. Tanner: Right, we do have a table and maybe... I think it was in the report that showed that
10 if there is 200 Portage, what the remaining parkland allocation would be at trying to still have
11 the .2 or 2.6 per 1,000 residents and so we can make that more part of the presentation next
12 time if that's desired from the Commission.

13

14 Chair Hechtman: Sujata?

15

16 Ms. Srivastava: Yes, thank you Chair. I just wanted to clarify that the Alternatives Two and
17 Three are pretty much identical except for the parking ratios in terms of feasibility. And so, if
18 you were to reduce the parking to be one per unit it would... you would see the same results as
19 Alternative Three. It's just that the build-out numbers would be a little bit different. So, you
20 would be able to achieve 20 BMR and I misspoke earlier when I said that the 20 percent was
21 just moderate. It's moderate and low-income for the ownership units and then you would be
22 able to do 15 percent on the rental. Although the mix would be more low and moderate rather
23 than very-low, low, and moderate. So, I hope that that helps at least clarify that point so that
24 you don't need to reconsider it at your next meeting. Thank you.

25

26 Chair Hechtman Alright, thank you. So, I'm not hearing an appetite from any Commissioner to
27 continue the dialog tonight. I've heard one suggestion for a special meeting. I've heard one
28 Commissioner say that that's not their preference. It would not be my preference and so I'm
29 wondering if there's a Commissioner who'd like to make a motion to continue this item our
30 next meeting which would be on March 31st.

31 Commissioner Alcheck: Commissioner Hechtman [note – Chair Hechtman], I would pause at
32 the same question which is I think the onus is on the Commissioners who weren't prepared to
33 conclude tonight to identify what they'll need to conclude. So, if we come at our next meeting
34 and the dialog is we need more data like some of the comments made by some of the
35 Commissioners who didn't support the motion. That would be the wrong time to say you need
36 more data. So, if you need more data, I think there should be a motion made tonight to
37 determine whether there's consensus for that request or whether there's even consensus to
38 direct Staff or if you need something from Staff and you don't ask for it tonight and it asks for it
39 for next time. That would be unfortunate is all I'm saying. So, I think the onus is on those who

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1 are not prepared to conclude tonight. What is it you need so we can make sure that we don't
2 do this for two more meetings?

3
4 Chair Hechtman: I hear you and so my question remains, does anyone care to make a motion to
5 continue and if there's anyone else... any Commissioner who feels like they want to make sure
6 that Staff brings some information back then you'll have a chance to mention that.
7 Commissioner Summa, your hands up.

8
9 MOTION #2

10
11 Commissioner Summa: I'm prepared to make a motion to continue as I think that's what this
12 body would like most to do. That being said before I make the motion I will say I was ready to
13 conclude tonight. I was just not ready to make the conclusion that Commissioner Alcheck
14 wanted so. I make a motion to continue this to March 31st, right? A date certain March 31st.

15
16 Chair Hechtman: [unintelligible – low audio] a second?

17
18 Commissioner Summa: I'm sorry, I didn't hear.

19
20 Chair Hechtman: Oh, is there a second to that motion?

21
22 SECOND

23
24 Commissioner Lauing: I'll second. I thought you had done so Commissioner Hechtman [note –
25 Chair Hechtman] so.

26
27 Chair Hechtman: No. Huh? Ok.

28
29 Commissioner Lauing: So, I second it.

30
31 Chair Hechtman: Alright, well that's interesting. Any discussion?

32
33 Commissioner Summa: No, I felt like this... that was what the body wanted to do at this point
34 and actually people... no offense to anyone but people do look kind of tired. So, but if the
35 majority wants to continue, I'm fine with that so we should just vote.

36
37 Chair Hechtman: Commissioner Templeton.

38

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1 Commissioner Templeton: My support for this motion is conditional and anybody who has
2 outstanding items they need or information they need please specify it before the vote. Thank
3 you.

4
5 Chair Hechtman: Commissioner Lauing.

6
7 Commissioner Lauing: I didn't quite understand that Commissioner Templeton.

8
9 Commissioner Templeton: Is there any other information that you require from Staff in order to
10 conclude at our next meeting. Please say so now.

11
12 Commissioner Lauing: Well, I'll just... Commissioner Hechtman [**note – Chair Hechtman**] said
13 that there were a number of things on parks that he thought deserved discussion so that's one
14 thing. It sounds like this housing... I'm sorry this parking item is easy to tweak but that doesn't
15 mean that in advance I'm going to support that. I do think it would be wise to understand what
16 that gives you in terms of the delta but it can also be that we... that isn't part of the objectives
17 of bringing a lot of cars onto the street. So, that's only going to be one variable so I'm trying to
18 answer both of your questions. I was going to suggest Chair Hechtman that we could actually
19 potentially send you or send Assistant Director Tanner thoughts about other variables to take a
20 look at as opposed to at midnight coming up with those things.

21
22 Chair Hechtman: I found Staff pretty responsive when you reach out to them as long as you give
23 them sufficient time to respond. So, I don't see Ms. Tanner grimacing at the [**unintelligible**].

24
25 Ms. Tanner: That would be fine and even if Commissioners want to have a phone call to explain
26 their requests they may. Sometimes it's hard to write things down and try to have a dialog to
27 make sure we understand what you want and some of it may be information we already have
28 and we can walk you through that as well. So, we'll be available to assist in the data inquiries as
29 we can.

30
31 Chair Hechtman: Vice-Chair Roohparvar.

32
33 Vice-Chair Roohparvar: I guess my just own personal preference would have been that we stay
34 up and hash it out and wrap it up. But yeah, I mean reading the tea leaves I just don't think
35 we're going to get there because I think people want additional information from Staff. So, I
36 would encourage again same thing, Commissioner Hechtman... Commissioner Templeton said.
37 Whoever wants additional information, flag it and raise it now, and hopefully, at the next
38 meeting, we will have that information to reach conclusion. Otherwise, yeah.

39
40 Chair Hechtman: Commissioner Alcheck, your hand is up again.

-
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1
2 Commissioner Alcheck: You know I just keep things late here. The irony, the humor here is that
3 I think our Chair was surprised to see Commissioner Lauing second this motion because of the
4 earlier statement about not being tired or too tired to deal with it. And so, I wouldn't support
5 this motion because there's no reason to continue this because no one has suggested
6 something they need to be able to make a decision and the only problem is that we don't have
7 consensus. And so, the question then goes well if this body can't create consensus and I'm
8 sorry. If someone here believes that I'm going to be convinced to support Alternative M, that's
9 not going to happen, and if you think I'm going to be convinced of support Alternative Two.
10 That's not going to happen. If you have an idea on how to improve Alternative Three, I am open
11 to considering it which is what I said earlier tonight. And so, if there's no chance that you can
12 support Alternative Three, then I think what we actually should consider doing is making a
13 motion to recommend... well, we should vote on this because it's got a second. Maybe if it fails
14 we should consider a motion to recommend to City Council that we were unable to choose an
15 alternative because we couldn't build consensus among the alternatives and we would like
16 direction on them on how to proceed. I mean, unfortunately, we are a six-person body and we
17 need seven people. And so that is a handicap and it's unfortunate but it is not our fault. And so,
18 I think that... I think what you heard from Commissioner Templeton and Commissioner
19 Roohparvar [note – Vice-Chair Roohparvar] and I said it also is that if there's something that will
20 help you make this decision or make an amendment or propose something. Just do it and I'm
21 happy to listen for 10 more minutes if it saves us an hour and a half at our next meeting.

22
23 Chair Hechtman: Let me respond and then Commissioner Lauing. I actually think that I have a
24 motion that I believe has a good chance of getting consensus but I think to talk it out properly is
25 not 10-minutes. I think it's 45-minutes or maybe an hour because there are some things we
26 haven't talked about and my feeling is that we should not carry this on until 12:30 or 1 o'clock.
27 And so, my support for the continuance is because... is strictly because of the lateness of the
28 hour and how long I think it will take us to talk through this. Commissioner Lauing.

29
30 Commissioner Lauing: That was my reason for seconding it because I thought you wanted to
31 discuss some things at length, including the parks. The missing element here though is that per
32 my alternative motion, which wasn't a motion, that Commissioner Alcheck is right and I was
33 thinking about that as well in the last 5-minutes here. Is that I still think that we need Council
34 direction and there's various ways to get that. One way to get that is to do exactly that is to
35 send this hung jury and say here's two alternatives. You can read the minutes and see why one
36 side says go for Three now and the other side says we haven't met the objectives. So, what do
37 you guys want to do here because it takes money? And in either case, however, we decide
38 they're going to have to make that decision anyway so that's an option.

39

-
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1 Another option Chair is you can sit down with the Mayor and have a chat. That would only be
2 with the Mayor, not with the Council so that has its limitations. So, there are ways to approach
3 it but I'm still willing to go to the 31st if you want that but it would accelerate it and might help
4 out Staff send a 3-3 to Council and now with both sides.
5

6 VOTE
7

8 Chair Hechtman: Well, the motion on the floor is to continue and so I think we're going to vote
9 on that motion. And if that motion fails then we will still be here and we will decide what
10 motion we might want to take up next. So, does anyone else want to speak on the motion to
11 continue? Mr. Nguyen, will you perform a roll call vote on the motion to continue to the 31st?
12

13 Mr. Nguyen: Yes. Commissioner Alcheck?
14

15 Commissioner Alcheck: I vote no.
16

17 Mr. Nguyen: Chair Hechtman?
18

19 Chair Hechtman: Yes.
20

21 Mr. Nguyen: Commissioner Lauing?
22

23 Commissioner Lauing: Yes.
24

25 Mr. Nguyen: Vice-Chair Roohparvar?
26

27 Vice-Chair Roohparvar: No.
28

29 Mr. Nguyen: Commissioner Summa?
30

31 Commissioner Summa: Yes.
32

33 Mr. Nguyen: Commissioner Templeton?
34

35 Commissioner Templeton: No.
36

37 Mr. Nguyen: The motion does not carry.
38

39 MOTION #2 FAILED 3(Hechtman, Lauing, Summa) – 3(Alcheck, Roohparvar, Templeton)
40

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1 Chair Hechtman: Alright well so I've been holding comments to see if we were going to see if
2 either that last motion would succeed or the actual, the substantive motion or the continuance
3 motion. So, let me delve into a couple of the issues that are on my mind as it seems like we're
4 going to be here for a while longer.

5
6 I am interested in a... while I'm curious about what happens when you eliminate... when you
7 reduce the Parking Requirement in Alternative Two to one space. As I said earlier, ultimately, I
8 don't think it's dispositive because no one... that plan would not become a reality because the
9 market is not going to want to give up its office space to convert. The money doesn't make
10 sense so I am interested in a version of Alternative Three but the version I'm interested in is 3B
11 and so that would include 20 percent affordable townhomes, 20 percent affordable condos and
12 I want to talk about the rental units. Because here's... the math I did... so the rental units, to get
13 essentially 5 percent very-low rental units which is really what we most need. The cost is \$37
14 million and so when I do the math I think that's for \$37 million you get 92 very-low rental units
15 which it seems to me is comparable to what the county paid a couple years ago for the RV park
16 down on El Camino. I thought that price tag was around \$40 million and then they had to
17 renovate all the units. So, it's not necessarily... and I think it works out to something like just
18 under \$400,000 a unit and so it's not necessarily an unreasonable price for the City to pay to if
19 you want to just look at it as a we're going to build 923 affordable rentals for \$37 million. That's
20 not outrageous. That's not unreasonable and I think somehow in our motion, if there's support
21 for it, we need to let the Council know if a majority of us feel that that would be a good
22 investment of money and really, they have to decide whether they want to stick ~~it to~~ with 15
23 percent, which requires no subsidy, or go to 16 or 17 because each percentage is roughly \$6
24 million... \$7 million. And let them decide but I think that a motion that is silent on that does a
25 disservice to the Council because here's an opportunity where for what seems to be market,
26 they can get some more housing for the least served community. So, that's my thought on the
27 housing.

28
29 On the parks, I think we do need to have a discussion about that. I am interested to hear. Again,
30 what struck me is that now that I know that it's 9.4-acres and that's about 16 percent of the
31 NCVAP area, ~~that's~~ that's unreasonable. That's unreasonable to expect that so much of this area
32 would be devoted to a park and even though it may work out on a per capita basis to be the
33 same as across the City, ~~I~~ I don't think it works out on a square footage basis. I think it would
34 create a lot more parkland in this 60-acre area than we have in other neighborhoods and so I
35 think it's a bad method of measurement. But I do think that going through the exercise showed
36 us there are some other ways... there are a variety of ways to achieve open space. And I'm... so
37 one of the things that I wanted to talk about was whether Staff going through that exercise has
38 seen that maybe there are some ways to increase the current 5.5-acres which is in the version
39 of Alternative Three we looked at last time. I think it was 5.5-acres. Are there things that
40 they've seen that made them realize that we could easily take that 5.5 and move it to 6 because

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1 if there are easy opportunities that we've learned of, ~~2-4~~ then I'd be interested in increasing the
2 open space without kind of more adventurous rooftop commercial gardens that we're going to
3 have issues about whether the business is going to want people there at night. So, I'm
4 interested in that as well.

5
6 And then the last thing, I do want to respond, nobody's really talked much about it but a lot of
7 our public attendees tonight talked about Measure M. And if I remember... not Measure M;
8 Alternative M. I if I remember correctly from the Staff report last time the working group came
9 up with a lot of different alternatives hence the lettering. I think they got them all the way to M
10 maybe and that M was not universally embraced by the working group. But clearly, a number of
11 the working group members who spoke tonight are interested in it but as Commissioner
12 Templeton said before it's not in front of us tonight. Staff, I know that they paid attention to
13 the working group and studied their proposals. You know one thing that struck me about
14 Alternative M is if it provided the same number of units as our Alternative Two, but 400 of
15 those units were BMRs which I think is about 35 percent. Then to achieve that, I would think
16 the price tag would similarly be well over \$100 million and that's before we started buying
17 parkland. That's just to make the units feasible but of course, we didn't have a feasibility
18 analysis done of Alternative M but just on the face of it, I don't understand how it could be
19 feasible. Basically, doubling the BMRs which are not profitable by definition.

20
21 So, those are my thoughts and I can make a motion but I'd like to hear some discussion from
22 Commissioners particularly on parkland and on the rental slice of the BMRs in Alternative Three
23 before I do so. So, I see hands up, Commissioner Alcheck you were first.

24
25 MOTION #3

26
27 Commissioner Alcheck: Let me just say, I think I addressed the points you made. My reference
28 to unreasonable demand was a reference to Alternative M. Precisely because of the
29 mathematics that you just did in your head about how unfeasible it was. I didn't go into a lot of
30 detail because frankly, I agreed with Commissioner Templeton on that.

31
32 I would suggest to you that I think that it would improve the plan if we incorporated the below-
33 market-rate housing... rental unit concept that you've come up with and secondly, I would
34 suggest to you that the... is it 5-acres of parkland that's currently in Alternative Three? 5.5
35 which would represent approximately what? Almost 5 percent of the total which I don't know
36 how that drives with the analysis that you did where as 9-acres represented 10 percent. Then 5-
37 acres has to represent a little more than 5 percent. I would suggest to you have I was
38 comfortable with the 5-acres and if there's a scenario where there's some really low hanging
39 fruit with respect to green space. I would support its incorporation. I personally don't believe
40 that roof top space of private property is a reasonable concept for parkland. I don't think these

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1 private developments should have to grapple with what I believe are the logistic and privacy
2 and legal issues that would be involved in making roof top space accessible to the general
3 public. I just... that is not, I think a 21st-century sort of reasonable idea, but I don't know if
4 you're still there but I am perfectly fine if there's low hanging fruit. And I'm even fine being
5 vague about it saying if Staff is able to identify some green space that can be added to increase
6 the space from 5 1/2-acres to 6 or 6 ½, I would be in support of it.

7
8 So, let me sort of reflect on your comments with action. I'd like to make a motion that we adopt
9 Alternative Three B as articulated by Commissioner Hechtman today or Chair Hechtman with
10 the incorporation of the additional BMR rental unit percentages as he described them. And also
11 encouraging Staff to determine and identify opportunities to enhance the park space with easy
12 or I should say with reasonably realistic opportunities. I don't know what those are to be
13 perfectly honest but there is opportunities that they identified in their analysis that aren't
14 difficult to incorporate. Then we should incorporate those and enhance the park space and
15 then finally I would say that I would be open to any other amendments that you think would
16 either increase the feasibility or improve the plan in this motion if there are any.

17
18 Chair Hechtman: Alright, so we have a motion. I see Commissioners Templeton and Summa,
19 your hands are up which so let me ask first, is there a second on that motion? Commissioner
20 Templeton, is your hand up to possibly second?

21
22 Commissioner Templeton: My hand was up to speak to your request for input on your idea for a
23 motion. So, I'm going to... I'm supportive of all of that. I'm not planning to second this. I think if
24 it meets your requirements Chair, maybe you should think about that.

25
26 Chair Hechtman: Before I do, Commissioner Summa your hand is up. I would be surprised if you
27 were raising it to second the motion.

28
29 Commissioner Summa: No, I was not, but I was raising it. Thank you for your thoughtful
30 consideration on how to get a little more BMR in this motion.

31
32 Commissioner Templeton: Wait, do we get to speak to this or are we just looking for a second
33 because I did want to speak?

34
35 Chair Hechtman: Yeah, initially I was looking for a second.

36
37 Commissioner Summa: Ok.

38
39 SECOND
40

-
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1 Vice-Chair Roohparvar: I can second it and then lets... we can all speak to it. I'll go ahead and do
2 that.

3
4 Chair Hechtman: Thank you, Vice-Chair. Alright, so Commissioner Templeton since you had your
5 hand up first, and then we'll go to Commissioner Summa.

6
7 Commissioner Templeton: Thank you. I am supportive of your ideas and of this motion which
8 appears to incorporate those ideas. Specifically, regarding the park space, Ventura is in open
9 space debt from years, decades of neglect from the City. As we know this is a formerly redlined
10 area of our City and has suffered lack of investment for along period of time and I think this is
11 an opportunity for us to encourage Council to find ways to invest in this neighborhood. So, I do
12 want to encourage Staff to look for opportunities as you mentioned for additional open space
13 and I would like to propose one of the ideas that came through public comment tonight which I
14 agree with whole heartedly which is can we make this a more bike and pedestrian-friendly
15 area? And then wallah, your open space will come from places that might have been previously
16 reserved for cars. So, I hope that we can minimize the space given over to that and use that for
17 people and bikes.

18
19 Chair Hechtman: Thank you. Commissioner Summa, did you have more?

20
21 Commissioner Summa: Well, I'll just... I'm not going to be able to support this despite your
22 thoughtful consideration of BMR housing which I appreciate because of the problems I've
23 already stated with them not being real parks. I agree with Commissioner Alcheck, it's
24 unrealistic to expect property owners to provide access to their roof for people not associated
25 with a building. There aren't any woonerf if anybody picked up on a woonerf is. A woonerf is
26 not a park, it's a street that helps to facilitate bikes and pedestrians but still allows cars and it's
27 not a park. There's just too much office in here. It doesn't optimize Park Boulevard. It assumes
28 that the historic Fry's building can be torn down which is a big assumption. It adds more traffic;
29 Greenhouse Gas emissions and it hasn't been explained to me how this affects property owners
30 that have vacancies currently in office. Whether or not that would be a long-term problem or
31 not for Palo Alto. I don't know and it also has not been evaluated how it is affected by the City...
32 the office caps in the City. It also makes some assumptions about tall buildings in shallow lots
33 on El Camino that won't work unless we do change our... unless we do make the change reduce
34 by 2/3s our transition zone. And I just... if it isn't something that anyone is excited about, I don't
35 know why we're doing it and I think we can do better.

36
37 FRIENDLY AMENDMENT

38
39 Chair Hechtman: Let me speak to the motion because I actually do have a friendly amendment
40 and this is really picking up on something Commissioner Lauing was talking about that I agree

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1 with. Alternative Three is not a great a match for the Council ideals that started this process but
2 it's the best match that has a chance of working and so I think in our motion and I'm trying to
3 think of how to word this. Our motion should include a recommendation that the Council
4 compares Alternative Three B that we are recommending to them with their founding
5 principles that began this process. To recognize as we did that it was necessary to depart from
6 those principles in order to find a feasible project.

7
8 Ms. Tanner: I would only ask if the Commission can articulate which principles are not met in
9 the current concept.

10

11 Chair Hechtman: Commissioner Lauing I'm going to ask you if... and I'm not trying to absorb you
12 into my motion, but I would get your support for it as much again, it's an important principle
13 that I think needs to be articulated. So, if you could help me with that even though you might
14 not vote for the motion.

15

16 Commissioner Lauing: Well, I thought Assistant Director Tanner asked a bit of a different
17 question so where do you want me to go first?

18

19 Chair Hechtman: I was... to answer her question, please.

20

21 Commissioner Lauing: So, your question was what variables are not met?

22

23 Ms. Tanner: Well, it was I guess you said that the objectives and goals Council gave us were not
24 met and I was wondering if... it seemed like Commissioner Hechtman [note – Chair Hechtman]
25 was saying that we should have that in the report to Council. I would need to understand more
26 as to write such a motion what objectives and goals the Commission is voting through the
27 motion to say have not been met. It's quite frankly not clear to me what has not been met.

28

29 Commissioner Lauing: Ok, so I think Commissioner Hechtman... Chair Hechtman is saying that
30 he wants parks as part of B and that is one of the things that was an item required by the
31 Council and the working group that wasn't in either one of the proposals at a sort of scale. Is
32 that (interrupted)

33

34 Ms. Tanner: I guess I'm just trying to understand if 5.5-acres is not achieving the goal of parks,
35 not achieving enough parks, I'm bringing up to Council. And I'm not trying to be argumentative
36 but I do feel a little bit at a loss when I hear that none of the goals were met because it just
37 seems like a broad statement and so I'm trying to understand more what goals the Commission
38 is referring to.

39

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1 Commissioner Lauing: In my comments, I tried to refer to the number of things that were not
2 met that were in the goals. I was just trying to address the specifics of parks for Commissioner
3 Hechtman but I feel that the... go back and read my comments but I think that the low number
4 of affordable housing units is not correct. That we don't have parks funded was another
5 comment.

6
7 Ms. Tanner: Well, we don't have no parks funded, that's where I'm confused because we do
8 have parks.

9
10 Commissioner Lauing: I was talking about Two.

11
12 Ms. Tanner: So, I thought we were supporting Three B though was the motion that was made
13 and seconded. So, I just want to make sure that I'm understanding what we're reporting on for
14 the goals.

15
16 Chair Hechtman: So, let me just clarify because I may have misspoken. Ms. Tanner if I said in my
17 proposal for a Friendly Amendment that none of the goals were met, that's not what I meant to
18 say. What I meant to say was that the adopted goals... we recognize that the adopt goals were
19 not fully met by Alternative Three B but it is as close as... it was the best feasible alternative
20 (interrupted)

21
22 AMENDMENT NOT ACCEPTED

23
24 Commissioner Alcheck: I might be able to make this easy by just saying that I'm not prepared
25 to accept this amendment because it's not clear to me which of the goals have not been met.
26 And maybe if either one of you could be a little bit more specific about how you think this
27 doesn't achieve the intent of the City Council. Then I could suggest acceptance of that
28 amendment.

29
30 Chair Hechtman: Commissioner Lauing, do you... again I was trying to pick up some of the flavor
31 of your concerns. If you have some... we're looking now at the adopted goal and if you're
32 (interrupted)

33
34 Commissioner Lauing: Yeah, I thought you were really just talking about parks and that
35 (interrupted)

36
37 Chair Hechtman: I was not.

38
39 Commissioner Lauing: Ok.

40

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1 Chair Hechtman: No necessarily. I was... again, what I thought I heard you say earlier was that
2 any version of Alternative Three did not meet the Council's adopted goals and so.

3
4 Commissioner Lauing: No, I don't think I said that but there is the item here that I think it was
5 Commissioner Summa mentioned that the park still needs to be funded. So, if we're going back
6 to them and ask if they're going to fund a park or if they're going to fund a park and more
7 affordable housing. It starts to get not that different.

8
9 FRIENDLY AMENDMENT WITHDRAWN

10
11 Chair Hechtman: Alright, well I think I misunderstood. So, let me withdraw the friendly
12 amendment concept and so I think we have a motion and we have a second. Ms. Tanner, do
13 you want (interrupted)

14
15 Ms. Tanner: Restate what I have?

16
17 Chair Hechtman: Restate it to make sure (interrupted)

18
19 MOTION #3 RESTATED

20
21 Ms. Tanner: Yes, what I have is a motion to support what I am called Alternative Three B which
22 is meant by that it is Alternative Three but with 20 percent affordable required BMR for for-sale
23 units both townhome and condo, 15 percent for rentals with the additional 5 percent that was
24 proposed to be funded by to be determined source or other means. I will just note I was even
25 communicating with Ms. Srivastava about some other things we could possibly do to try to get
26 that 5 percent to be feasible so we will keep scratching at that. Then along with looking for an
27 opportunity for additional open space which includes such ideas as vacating streets or portions
28 of streets or other ideas to try to get more open space into the plan area but with the 5.5
29 roughly that is in Alternative Three as the starting point. Does that reflect what Commissioner's
30 Alcheck and Vice-Chair Roohparvar were supporting?

31
32 Commissioner Alcheck: And it only took 15-minutes.

33
34 Ms. Tanner: Minutes before though that takes the time.

35
36 Chair Hechtman: Alright, is there any further discussion on the motion?

37
38 Commissioner Alcheck: I'll just say (interrupted)

39
40 Chair Hechtman: Alright then.

-
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Chair HechtmanCommissioner Alcheck: I'll just speak to the motion real quick. I really hope everyone appreciates that this is a reflection not of... a lot was said tonight and I just want to be very clear. I am not unenthusiastic about this motion. I am disappointed that I don't think it could be any better. I don't think that our Commission could improve and that was a disappointment for me, but it is, in my opinion, the best result that we could put forward. And so, I am enthusiastically supporting this and I do dream for the NVCAP to benefit from all of this work despite my skepticism. But let's hope City Council can improve upon what... our work as well.

Chair Hechtman: Mr. Nguyen, please conduct the roll call vote.

Ms. Tanner: I think that your mic is returning to its old ways, unfortunately.

Chair Hechtman: Oh, ok, so I'll try it again. Maybe my laptop is tired.

Commissioner Alcheck: It's just the first second. After the first second (interrupted)

VOTE

Chair Hechtman: Ok, yeah, I don't know how to fix that. Mr. Nguyen, please conduct a roll call vote.

Mr. Nguyen: Yes. Commissioner Alcheck?

Commissioner Alcheck: Enthusiastic aye.

Mr. Nguyen: Chair Hechtman?

Chair Hechtman: Aye.

Mr. Nguyen: Commissioner Lauing?

Commissioner Lauing: No.

Mr. Nguyen: Vice-Chair Roohparvar?

Vice-Chair Roohparvar: Aye.

Mr. Nguyen: Commissioner Summa?

-
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Commissioner Summa: No.

Mr. Nguyen: Commissioner Templeton?

Commissioner Templeton: Yes.

Mr. Nguyen: The motion carries 4-2.

MOTION #3 PASSED 4(Alcheck, Hechtman, Roohparvar, Templeton) -2(Lauing, Summa)

Chair Hechtman: Alright, thank you. So, in relocating in the middle of that motion I managed to leave my agenda in another part of the house. I think we are at the... is it approval of minutes at this point?

Vice-Chair Roohparvar: Yes.

Commissioner Templeton: Well, did you close... are we closed on Item Three? I assume there's no other motions but that would be (interrupted)

Chair Hechtman: Made a recommendation motion. Could there be another motion?

Ms. Tanner: I don't think so.

Commissioner Alcheck: I just think she means close the hearing, right? Is that what you mean?

Commissioner Templeton: Yeah.

Ms. Tanner: Just to say that we're done with that and moving on to the next item.

Chair Hechtman: Done with that, moving on to the next item. Thank you, Chair Templeton or Commissioner Templeton. Again, I'm lost without my agenda.

Commissioner Lauing: Let me just say one sentence of thanks before Staff signs off. If there's still some around. I really appreciate all the efforts and since the last meeting, it was just really helpful. We found real stuff out and that was the goal so it was very productive and in the midst of the consternation and fatigue I want to say the same thing to the Commissioners. We're plotting on doing the best that we can do so.

Ms. Tanner: Thank you. We appreciate that.

-
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- 1
2 **Commission Action:** Motion by Alcheck, seconded by Vice Chair Roohparvar. Fail 3-3
3 (Hechtman, Lauing, Summa against)
4 **Commission Action:** Motion by Summa, seconded by Lauing. Fail 3-3 (Alcheck, Roohparvar,
5 Templeton against)
6 **Commission Action:** Motion by Alcheck, seconded by Roohparvar. Pass 4-2 (Lauing, Summa
7 against)

8 **Approval of Minutes**

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

10 4. February 10, 2021 Draft PTC Meeting Minutes

11 Chair Hechtman: Alright, moving onto approval of minutes. Let's see, I think we have is it the
12 February 10? The February 10th minute?
13

14 Ms. Rachael Tanner, Assistant Director: We do have February 10th minutes.
15

16 Chair Hechtman: Alright and those are revised. Those are revised. Is there a motion to approve
17 the minutes as revised?
18

19 MOTION

20
21 Commissioner Alcheck: So, moved.
22

23 Chair Hechtman: Thank you, Commissioner Alcheck. Is there a second? Is there a second?
24

25 Commissioner Lauing: Yeah.
26

27 Chair Hechtman: I saw Commissioner Summa, your hand, thank you.
28

29 SECOND

30
31 Commissioner Summa: Second.
32

33 Chair Hechtman: Thank you. Mr. Nguyen, call the vote.
34

35 Mr. Vinh Nguyen, Admin Associate III: Commissioner Alcheck?
36

37 Commissioner Alcheck: Yes.
38

39 Mr. Nguyen: Chair Hechtman?

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Chair Hechtman: Yes.

Mr. Nguyen: Commissioner Lauing?

Commissioner Lauing: Yes.

Mr. Nguyen: Vice-Chair Roohparvar?

Vice-Chair Roohparvar: I'm going to abstain. I wasn't here.

Mr. Nguyen: Ok. Commissioner Summa?

Commissioner Summa: Yes.

Mr. Nguyen: Commissioner Templeton?

Commissioner Templeton: Yes.

Mr. Nguyen: The motion carries 3... I mean 5-0 with one abstention.

MOTION PASSED 5(Alcheck, Hechtman, Lauing, Summa, Templeton) -0-1(Roohparvar abstain)

Chair Hechtman: Alright, thank you and I'm pretty sure I know what the microphone problem is. It has to do with where I am in my house compared to where the extender is for my internet or like right now I'm downstairs on my extender from upstairs and so we're getting this lag.

Commission Action: Motion by Alcheck, seconded by Summa. Pass 5-0 (Roohparvar abstain)

Committee Items

Chair Hechtman: Ok, so Committee items? Any Committee items?

Commissioner Questions, Comments or Announcements

Chair Hechtman: Any Commissioner questions, comments, announcements, or future agenda items?

Commissioner Templeton: Yes, I wanted to follow-up on a couple of items with Staff. First, I was... I assume that we don't have anyone from transportation here at this time but (interrupted)

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1 Ms. Rachael Tanner, Assistant Director: We do not but I can convey a question or comment if
2 you have it.

3
4 Commissioner Templeton: Yeah, I would just like to follow up on a safety item that came up at
5 the beginning of this year with an incident just to see if that was investigated and if there was
6 going to be any safety improvements on Middlefield at Walgreens or in that vicinity. So, I will
7 follow up with Staff but if you could also put in a good word just that would be great.

8
9 Ms. Tanner: Yes.

10
11 Commissioner Templeton: And then the other thing is I emailed you and just wanted to let the
12 other Commissioners know that I emailed to see if we can get some additional ability
13 accommodations in our meetings to see if it would be possible to enable the live transcription
14 service. Did you find any more about that?

15
16 Ms. Tanner: Yes, Mr. Nguyen actually looked into that. Vinh, do you want to report on what you
17 found about the new service provided by Zoom?

18
19 Mr. Vinh Nguyen, Admin Associate III: Yes, so Zoom does have a closed caption service and
20 there's essentially two main types. One where we have to assign a Staff to manually write out
21 what people are saying and the other one is it uses an AI technology to try to understand what
22 we're saying based on the audio. And so, trying the second option, the AI option, it's pretty
23 decent. Of course, it's not perfect and there's going to be certain words that will misspell
24 depending on how clearly people are speaking but we give that a try if that's what the
25 Commission wants.

26
27 Ms. Tanner: Yeah, I can imagine it's kind of like when you try to maybe do voice to text or talk
28 to your phone. It doesn't get all the words right so it can be pretty good but it wouldn't be 100
29 percent accurate. You may even have seen that for yourself time to time watching closed
30 captions. Words are not quite accurate.

31
32 Commissioner Templeton: Yeah, I have seen it in action and it's remarkable. I mean the
33 technology has improved so much over the recent years. So, I wanted to throw that out there
34 for other Commissioners to think about and see if there's an interest in pursuing that. I believe
35 there was also, Mr. Nguyen you said that YouTube does it for our posted videos so it would
36 really only be closing that gap for our live meetings. If that would help anyone just like it is an
37 option. I wanted to throw that out there.

38
39 Ms. Tanner: Yeah and certainly being accessible is very important.

40

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1 Commissioner Templeton: That's it for me. Thank you.

2

3 Chair Hechtman: Commissioner Summa.

4

5 Commissioner Summa: Yeah, what would be using that for, Commissioner Templeton? I didn't
6 (interrupted)

7

8 Commissioner Templeton: So, when we speak it would type across the bottom of the Zoom so
9 that our viewers or each other could see in writing. I don't know if you have a lot of... like who
10 has the experience with this but in my household, we have closed captions on all the time and it
11 really facilitates understanding because some things are hard to hear. And especially over the
12 internet with Zoom it's a challenge because everyone's at their different speaker level, different
13 speaker quality, and sometimes having that additional clarification can help improve the
14 communication that's happening not just amongst us but for the people that are dialed into the
15 meeting.

16

17 Commissioner Summa: Ok. I think it could be helpful for motion. I've always (interrupted)

18

19 Commissioner Templeton: Oh, good point.

20

21 Commissioner Summa: That it's sometimes hard for us to remember our motions and then we
22 rely on Staff to do it because we don't have a clerk that writes them on the thing and it makes it
23 very difficult for the public to know what's going on also. So, and I think some of the people
24 calling in, depending on what technology they have, it's sometimes very difficult to understand
25 them. So, it might help with both those things if it works efficiently. I don't know that we need
26 it on for us all the time. It's pretty daunting to hear yourself... to read what you're saying
27 because people tend to um and err an awful lot. It could be disheartening during the meeting
28 for us.

29

30 Chair Hechtman: I do appreciate that about our minutes. That they seem to skip a lot of the
31 ums and errs. I'm grateful.

32

33 Commissioner Alcheck: I take it as a sign that I've never said um or err.

34

35 Chair Hechtman: That's true. Vice-Chair Roohparvar.

36

37 Vice-Chair Roohparvar: Yeah, I definitely feel you Commissioner Summa on the awkwardness
38 but I will say this. I use close captioning all the time on everything I watch at home and the
39 reason for me and maybe other moms have this issue, is I have a toddler that sleeps at home.
40 So, we need to stay very quiet and when we watch TV at night we can't turn up the volume. So,

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1 I think it would... if I wasn't participating in PTC, on the Commission, but I wanted to follow
2 along. It would be extremely helpful for me to have that. Just as a mom in addition to
3 accessibility and (interrupted)

4

5 Commissioner Summa: I just use for the Dutch foreign films.

6

7 Vice-Chair Roohparvar: That's a great idea Commissioner Templeton and thank you for bringing
8 it up and to everybody's attention.

9

10 Chair Hechtman: Alright, anything else from the Commission or Staff? If not (interrupted)

11

12 Ms. Tanner: I'll just say our next meeting we have four items. I don't think it will still be as long
13 as this meeting which is not a disparage into this meeting. We did some heavy lifting but two of
14 them are pretty brief and then two are from Office of Transportation which will be the more of
15 the substantive items that we'll have.

16

17 Chair Hechtman: Alright, thank you. PTC we adjourned.

18 **Adjournment**

19 12:27 pm

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