



CITY OF  
**PALO  
ALTO**

# Planning & Transportation Commission Action Agenda: October 26, 2022

Council Chambers & Zoom  
6:00 PM

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## Call to Order / Roll Call

6:00 pm

Chair Lauing: Good evening. I'd like to call to order the Planning and Transportation regular meeting for October 26<sup>th</sup>, 2022 and could we do a roll call, please?

Ms. Madina Klicheva, Administrative Assistant: Chair Lauing?

Chair Lauing: Present.

Ms. Klicheva: Vice-Chair Summa?

Vice-Chair Summa: Present.

Ms. Klicheva: Commissioner Chang?

Commissioner Chang: Present.

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1 Ms. Klicheva: Commissioner Hechtman?

2

3 Commissioner Hechtman: Here.

4

5 Ms. Klicheva: Commissioner Reckdahl?

6

7 Commissioner Reckdahl: Here.

8

9 Ms. Klicheva: Commissioner Roohparvar? I don't see her yet here. Commissioner Templeton is  
10 not in Zoom yet but I know she will join us later.

11

12 Chair Lauing: She's going to be a little bit late but yeah, she's joining.

13

14 Ms. Klicheva: Okay, we have a quorum.

15

16 Chair Lauing: Okay, thank you. If we could read the information for public speakers, please?

17 **Oral Communications**

18 The public may speak to any item not on the agenda. Three (3) minutes per speaker.<sup>1,2</sup>

19 Ms. Amy French, Chief Planning Official: Good evening, pursuant to AB-361 this meeting will be  
20 held with the option to attend by teleconference or in person. Members of the public may  
21 provide live public comment by submitting a speaker card prior to the start of public comment

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1 on that item. Speakers may address items that are not on the Agenda during the oral  
2 communications portion of the meeting. Spoken comments via a computer or a smart phone  
3 will be accepted through the Zoom App. To address the Commission, go to <https://zoom.us/join>  
4 meeting ID is 916 4155 9499. When you wish to speak, click on raise hand. To offer comments  
5 using a regular phone call 1-669-900-6833 and enter Meeting ID 916 4155 9499. When you  
6 wish to speak on an item hit 7 star (\*) 9 on your phone so we know that you wish to speak.

7

8 Chair Lauing: Okay and thank you very much and so our next item is oral communications. If  
9 someone either in Chambers or online would like to speak on a subject (interrupted)

10

11 Ms. Madina Klicheva, Administrative Assistant: Yes, we have... I have received one speaker card  
12 for oral communication and it is Liz Gardner.

13

14 Chair Lauing: Right and so these are on items that are not on the Agenda tonight.

15

16 Ms. Liz Gardner: That's right.

17

18 Chair Lauing: Okay.

19

20 Ms. Gardner: Yeah, I just... you know I... good evening, thank you. I just was really curious and  
21 you guys may be doing this already, but it appears like we're playing kind of a shell game with a

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1 lot of the viable, feasible properties that would provide really good all-income housing spots  
2 within the Downtown and California Ave and down ECR. I was wondering, you know if might be  
3 a bad idea to form some kind of a Ad Hoc Subcommittee that would, as a whole instead of  
4 playing kind of a shell game where one week one property is on and then the next week  
5 another parcel is off. That subcommittee, Ad Hoc Committee, would study all these different  
6 sites like the University Transit site, like parking lots that are owned by the City. Either surface  
7 or multi-level and of course, I know this is on the Agenda later but the Fry's site which is owned  
8 by Sobrato but zoned residential. Incorporate these different areas as a whole unit because  
9 there's already infrastructure in place. They're near schools, they're near shopping, they're  
10 near City services and for all levels, all ages, all incomes, all abilities, multi-family. I just think it  
11 really would be a cool thing to do. That's it.

12

13 Chair Lauing: Thank you. Are there other speakers Madina?

14

15 Ms. Klicheva: No, I don't have any other speaker cards and I do not see any raised hands in  
16 Zoom.

17

18 Chair Lauing: I don't either as I'm looking at the screen here. Okay, great, so we'll close oral  
19 communications.

## 20 **Agenda Changes, Additions and Deletions**

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

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1 Chair Lauing: Are there any Agenda changes, additions or deletions?

2

3 Ms. Amy French, Chief Planning Official: No changes.

4

5 Chair Lauing: None from Commissioners? Okay, so now we'll do the Director's report.

## 6 **City Official Reports**

7 1. Directors Report, Meeting Schedule and Assignments

8 Ms. Amy French, Chief Planning Official: Good evening, Amy French, Chief Planning Official. So,  
9 we have a number of items tonight. One of which will be going on after this meeting to  
10 Architecture Review and Council and that is the 1700 Embarcadero Road project. You'll hear  
11 from Sheldon tonight on that. We have the continued discussion tonight on the Portage project  
12 or otherwise known as Sobrato. Just to say, a couple nights ago at Council they began to hear  
13 that item and... not that item, sorry. The NVCAP item, tangential, and they did continue that  
14 discussion until their meeting in November, November 14<sup>th</sup>, so there's an opportunity there to  
15 tune in. There was some good questions that they asked.

16

17 Then also on Monday, the Permanent Parklet Program discussion was held and it went fairly  
18 later into the evening and into the next day. So, if anyone is interested in catching up on that,  
19 you can get the short version which is in the abbreviated action minutes and those are  
20 uploaded onto our webpage. So, we'll be coming back to the Council in December with the  
21 permanent ordinance to go along with those permanent standards.

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Chair Lauing: For the new parks?

Ms. French: For the parklets, yes.

Chair Lauing: Parklets I mean, yeah.

Ms. French: Permanent parklets.

Chair Lauing: Okay.

Ms. French: Then, let's see, the next couple of meetings we have in... we've postponed the 11/9 meeting and that is the regular date for the meeting. It's now on November 16<sup>th</sup>. So, we have several items for that. I mentioned a couple of these last time, those are still on the Agenda. We have the review of the Comp Plan implementation, a Planned Home Zoning at 660 University and I'm planning on bringing an informational report to update the Planning Commission on regulations that were adopted by Council for the Title 16. And related upcoming pending Zoning Ordinance changes that I'm preparing now related to electrification. There's a pilot program, the Heat Pump Water Heater Pilot Program, that is going forward.

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1 And then we have representation, I'm not looking at it but somebody is a representative in  
2 November, so (interrupted)

3

4 Chair Lauing: Commissioner Templeton.

5

6 Ms. French: Templeton, okay awesome, so work with Commissioner Templeton. There will be a  
7 couple of items there in at Council in November that would be... may be of interest and that  
8 concludes my report.

9

10 Chair Lauing: Okay, any questions from Commissioners for Staff? Commissioner Hechtman.

11

12 Commissioner Hechtman: Ms. French, I'm sorry if I missed it, do we have any Planning  
13 Commission items coming to the Council before our next meeting on November 16<sup>th</sup>?

14

15 Ms. French: Yes, on November 7<sup>th</sup> the recommendation on the ordinance for CUP Thresholds.  
16 So, that will be of interest to our Council liaison from the Planning Commission. So, Ms.  
17 Templeton [**note – Commissioner Templeton**] can confirm whether her attendance is available  
18 for that. Are you the back up for November?

19

20 Commissioner Hechtman: I am substitute backup for that.

21

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1 Ms. French: Ah okay, so yes, that's on the radar. Oh, the other thing on the radar for the month  
2 of November to be aware of, and more than just the liaison would be interested I'm sure,  
3 review of the Draft Housing Element. So, this is a joint meeting of the Council and Planning and  
4 Transportation Commission so that's everybody. Hopefully, that's on your calendar. It's a  
5 Monday and we do have a meeting that week as well so Monday and Wednesday. Lots of  
6 meetings that week.

7

8 Chair Lauing: Did everybody get that date for the joint session? Joint session of Congress I  
9 guess. That is the 28<sup>th</sup>, Monday the 28<sup>th</sup>. Any other questions from Commissioners? Alright,  
10 then we'll move to our first actual Agenda item which is a study session only titled Local Road  
11 Safety Plan and Traffic Safety Projects.

12

### 13 **Study Session**

14 Public Comment is Permitted. Three (3) minutes per speaker.

15 2. Review and Discuss the Local Roads Safety Plan and Traffic Safety Projects

16 Chair Lauing: And we'll have a presentation from the Traffic Department and then at the end it  
17 also says review future Work Plans and evaluations. So, please include that in your presentation  
18 as to how we're going to potentially help tackle some of this.

19

20 Mr. Rafael Rius, Senior Transportation Engineer: Thank you Chair Lauing and Commissioners.  
21 Let me try to share my screen. I think it's still working. Is this the (interrupted)

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Ms. Madina Klicheva, Administrative Assistant: Yes, we can see.

Mr. Rius: Okay.

Chair Lauing: Yes, we got it.

Mr. Rius: Thank you. I'm not able to see... oops, that's wrong. My name is Rafael Rius, I'm a Senior Engineer with the Office of Transportation and today we're going to do a brief presentation and open discussion. Just a little background, our presentation is going to focus on the City's and Countywide Local Road Safety Plan and we'll also get into a few of the projects we're currently working on. And then as you mentioned, I'll... we have other members of our Office of Transportation and we can discuss next steps and stuff. The bulk of the presentation is going to be focusing on a summary of the Countywide Local Roads Safety Plan, which is done by the Valley Transportation Authority and is actually still in progress but a draft final is currently out circulating.

Just as a little bit of introduction, the VTA is our regional congestion management agency for Santa Clara County. They initiated the Countywide Local Roads Safety Plan basically to assist all of its member agencies to be in preparing for the Call for Projects for the Highway Safety Improvement Program; which is a federally funded funding plan that focuses on road safety

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1 targeting facilities and serious injuries. The CLRSP includes analysis of all of the Countywide  
2 data to identify collision trends and emphasis areas around the County. Safety partners from  
3 each member agency, including Palo Alto, worked with VTA Staff as well as Caltrans to develop  
4 this plan. The plan did include public engagement that included an interactive online tool as  
5 well as outreach through multiple social media channels and even featured on local news. Over  
6 500 comments were received as part of the outreach process.

7

8 The methodology that the LRSP focused on 1) it reviewed the literature from each agency. You  
9 know, focusing on Comprehensive Plans and bike plans, bike and pedestrian plans, including  
10 Palo Alto's. It looked at the collision history from 2017 to 2019 and as mentioned, it weights  
11 them with extra severity... based on severity with extra weight for fatalities and serious injuries.  
12 And for each agency, it identified five high-injury intersections and five high-injury corridors.  
13 The emphasis area... and it also identified emphasis areas which could include the type of  
14 collisions, the parties whether it's bikes and peds and other factors such as time of day, night  
15 time or weather conditions. And finally, it also includes identification of potential future safety  
16 projects that might be suitable for Palo Alto.

17

18 Up on the screen right now is are the results of the analysis for the data from 2015 to 2019 that  
19 identified the top five intersections as shown. There's the intersection of University and  
20 Crescent; El Camino and Barron, Middlefield at Oregon Expressway; Alma and Meadow Street;  
21 Embarcadero and Middlefield Road. You may be familiar with these locations but they have a

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1 wide variety of travel demands and roadway geometries and other unique features such as rail  
2 crossings and school proximity, etc.

3  
4 This next table shows the five highest collisions corridors. As shown on this, the high collision  
5 corridors include Oregon Expressway from Ash to Agnus which is pretty much a bulk of Oregon.  
6 Almost from El Camino to right around Greer Street. El Camino from Lambert to El Camino Way;  
7 Embarcadero Road from Byron to Newel; University Avenue from Crescent Circle to the City  
8 limits with East Palo Alto; and then Middlefield Road from Portal to Garland which is really the  
9 area right around Green Middle School and California Avenue.

10  
11 So, on the left here of this slide, I have the emphasis areas which were identified for Palo Alto.  
12 The emphasis areas and the primary collision factors. So, bicycle and pedestrian collisions were  
13 identified as an emphasis area and then a lot of the collision factors were rear-end collisions.  
14 You know, unsafe speed or speeding, broadside collisions, head-on collisions and also, night  
15 time collisions. On the right side of this are the top two intersections. University/Crescent and  
16 El Camino/Barron and some... and then showing the number of collisions that were recorded.  
17 And then on the far right, it shows some either recommended projects or projects that are  
18 already in progress. For example, El Camino at Barron is up for a pedestrian hybrid beacon and  
19 University and Crescent we are right in the middle of a neighborhood traffic calming project.  
20 And also considering other improvements such as a pedestrian rectangular rapid flashing  
21 beacon crossings. The bottom two are the high corridor locations. El Camino to Lambert Way,

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1 you may be aware but Caltrans is about to begin a resurfacing project and have been working  
2 on numerous pedestrian crossing improvements in this area. And then we also have  
3 Embarcadero Road from Byron to Newel. Byron is just west of Middlefield Road and continues  
4 to Newel Road and what's identified are signal improvements. And we should mentioned that  
5 there was a pretty significant signal improvement at Embarcadero and Middlefield Road. Kind  
6 of right in the middle of the... this data collection sample that I think... I believe it was around  
7 late 2018 when it was implemented.

8

9 So, moving on, this next slide actually transitions to what's the City doing right now. On the left  
10 side of this table, we have some projects that are currently in progress that have safety  
11 elements to them. Most [unintelligible] like the Charleston/Arastradero corridor project which  
12 is the most high-profile project in the last few years. We're also in the middle of or getting  
13 really close to finalizing a traffic signal modification at the design plans for San  
14 Antonio/Charleston. Similarity, we're wrapping up the design for Churchill Road enhanced  
15 bikeways and also the grade crossing at Churchill and Alma. We have other projects, I  
16 mentioned the Crescent Park neighborhood traffic calming project and we're also working on a  
17 South Palo Alto bikeways improvement. On the right side of this table, we have several projects  
18 that we're currently evaluating. We conduct evaluation and analysis phase.

19

20 And with that, that's going to conclude the presentation portion. I know you mentioned  
21 discussing next steps and developing a Work Plan. We don't have that in this presentation but

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1 that's just definitely something we're open to discussing so and that concludes the  
2 presentation.

3

4 Chair Lauing: Is there anyone else from transportation going to speak or is that completed?

5

6 Mr. Rius: [unintelligible]

7

8 Chair Lauing: Okay, I just didn't want to skip somebody because I knew you had... I see you had  
9 other folks there so.

10

11 Mr. Rius: That's it for our presentation. I also do have our Chief Transportation Official, Phillip  
12 Kamhi, here or Transportation Planning Manager Sylvia Star-Lack; as well as Eugene Maeda  
13 from the Valley Transportation Authority who is the Project Manager with the Countywide  
14 Local Roads Safety Plan project so.

15

16 Chair Lauing: Okay, so let's just jump in from Commissioners to Staff and ask any number or  
17 series of questions. I see the first light is Commissioner Hechtman. Oh, was that left on from the  
18 [unintelligible](interrupted)

19

20 Commissioner Hechtman: It's a left over but I have one question I could go ahead and ask.

21

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1 Chair Lauing: Sure, fine.

2

3 Commissioner Hechtman: So, thank you... first of all, thank you for compiling this information  
4 and bringing it to us. I know I think Commissioner Reckdahl led the charge on this issue initially  
5 to get something to us and so I appreciate that it's here now.

6

7 So, the question I had actually is on the intersection and corridor ranking which are Tables 2.2  
8 and 2.3. Both of the last columns had something called severity weight. And what I noticed is  
9 that the first two items in the corridor rankings were significantly higher severity rates than any  
10 of the others in either list. And so, I just wanted to find out if the severity weight, when I'm  
11 looking at corridors versus intersections, is that an apples-to-apples comparison, or is it  
12 somehow different in corridors? So, I shouldn't think that for example, that Oregon  
13 Expressway, Ash Street to Agnus Street with a 799 is nearly twice as severe as University  
14 Avenue at Crescent Drive which a 409.

15

16 Mr. Phillip Kamhi, Chief Transportation Official: Thank you. I'm hoping that maybe Eugene who  
17 is I believe Senior Transportation Planner VTA might be able to help us answer this question.

18

19 Mr. Eugene Maeda, Senior Transportation Planner VTA: Sure, I can do that. So, the reason for  
20 the severity weight scoring, well let me see, the criteria is actually based on the number of fatal  
21 and serious injury collisions in that particular location. So, for example, if you have a high

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1 number of fatal collisions. There's higher weight given to that particular location and this is all  
2 developed by Caltrans following their Highway Safety Improvement Program Criteria. So, that's  
3 the reason for the high severity weight.

4

5 Chair Lauing: That wasn't quite your question, right?

6

7 Commissioner Hechtman: Yeah, so to... just to continue to build on that. Is severity weight for a  
8 corridor the same as severity weight for an intersection?

9

10 Mr. Maeda: It actually should be the same but I'll have to get back to you on that.

11

12 Commissioner Hechtman: Thank you.

13

14 Chair Lauing: I'd kind of like to chime in on that. I didn't think we'd got quite the answer there  
15 so for example, Oregon Expressway/Agnus is 799. Is that twice as bad as University Avenue at  
16 Crescent and if it is then it seems like we'd try to work on that one first. I thought that's actually  
17 what you were trying to get to is it sort of double the severity, twice as bad?

18

19 Mr. Rius: I can chime in a little bit. You know, it's... I think what you're getting at is correct. It  
20 might not be weighted totally equally. From Ash to Agnus I believe there's four to five traffic  
21 signals and major crossings whereas Crescent to the City limit there's no traffic signals. You

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1 know, but there's a couple of minor streets so I think that the corridors may not be equally  
2 apples to apples.

3

4 Mr. Kamhi: Yeah, I think that's really the answer is it's not an apples-to-apples comparison  
5 which is why there's two different lists. So, you've got one list that's looking at one specific  
6 intersection and then you've got this corridor that could have multiple intersections. And so,  
7 you're not exactly comparing apples to apples but I think that's why VTA did both of these. So,  
8 that you could see the severity on a corridor and the severity at a specific intersection.

9

10 Mr. Rius: Yeah and the length of the corridor, you know, 1.4 miles versus 0.3. I mean that might  
11 bump, if you're doing per mile, could (interrupted)

12

13 Chair Lauing: Okay, let's go to Commissioner Chang.

14

15 Commissioner Chang: Could you... I apologize for this. There were so many... so much paper for  
16 this meeting that I actually left the VTA part of this one at home with all my comments in it.  
17 Could you flip back to that... the other screen with the intersections on it? Right. I mean  
18 because to me actually, my question was is it correct to think that because University Avenue at  
19 Crescent Drive specifically has a severity weight of 409? So, that's like a single location has, you  
20 know, half... fully half the severity of the 799 on the corridor. That this is a really high-priority  
21 situation because the amount of change that's required to correct the problem along an entire

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1 corridor might be quite a bit. But to fix one intersection might be less if that makes sense  
2 because it just seems to me that... so is that a correct interpretation here?

3

4 Mr. Kamhi: I think that's... I think again this actually speaks to the fact that I think these are not  
5 apple to apples comparisons. So, I think that's a little bit hard but I do think that in comparison  
6 actually when you look to some of the other cities to kind of understand where it fits in the  
7 context. I think that's actually kind of helpful as well, but I do think looking at them kind of  
8 separately as the intersections versus the corridors is probably the correct approach. That's  
9 how I would look at it, as these intersections, I think these are the five that have higher  
10 severity.

11

12 I think it's worth mentioning, as you noted, the University Avenue at Crescent Drive has our  
13 highest severity weight. But we've also just implemented a safety project in that area since this  
14 study was done or since the data for the study was collected.

15

16 Mr. Rius: And just... yeah, I agree with Phillip on that and just to point out, for example, that  
17 high corridor was Oregon Expressway but number three on this intersection list is Middlefield  
18 to Oregon. Right in the middle of that corridor so that comparing the intersections, that  
19 Middlefield to Oregon Expressway, its on this list as a specific intersection but it's also part of  
20 that larger corridor sample.

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1 Mr. Kamhi: And also, similarly for University Avenue at Crescent Drive, which is the intersection,  
2 but then on the collision corridor you've got University Avenue from Crescent Drive to City  
3 limit. And the very likely that there's a connection between those because what happens in that  
4 specific intersection is you had very serious issues with cut-through traffic from people that  
5 were trying to get in and out of Palo Alto. And that's why we had that neighborhood traffic  
6 calming project there to reduce and eliminate that cut-through traffic that was causing these  
7 safety issues in both... at both the intersection and the corridor.

8

9 Mr. Maeda: And also, if I can add, need to look at the number of fatal collision because those  
10 give more weight in terms of the severity for each of these locations.

11

12 Commissioner Chang: So, I had a follow on question because while I'm certainly concerned  
13 about fatal and serious injury collisions. I'm also wanting... like I don't think it's the right... I  
14 want to prevent or to be looking at situations before they become fatal or serious injury. And  
15 so, what I'm wondering about, and one thing that I've always wondered about how we can do,  
16 is how do we capture the near misses that happen? So, a... one of the public commenters from  
17 a couple weeks ago was a member of the Safe Routes to School I think Parent Committee and  
18 sent a pretty detailed report on a pedestrian and bicyclist crash report for Palo Alto. Its dated  
19 February 27<sup>th</sup>, 2022 by Arnout Bowlens [note – phonetics] and it looks at much of the same  
20 source data. But then I also wondered is there any way to... because this high collision  
21 intersection is specifically looking at serious injuries, right? Not at things that might not get

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1 reported which I think actually become... if you include that information somehow. It would  
2 point to where we could have a fatality at some point or we could have a serious injury  
3 collision. Is there any way that we can get some of that data? Because I do see that there's a  
4 survey but that was a countywide survey with 500 data points. Would a Palo Alto survey be  
5 more appropriate to capture some of that information because I just... I mean I personally have  
6 witnessed probably hundreds of near misses? And so, I wonder if we crowd source that  
7 information if it might tell us where the next like child fatality or serious injury would be.

8

9 Mr. Kamhi: I'll take a stab at this and feel free to jump in if anybody else has any thing they'd  
10 like to add to this. But, you know, I mean obviously, we don't get a report on near misses but  
11 just to note what we do get is we get comments from residents and anyone frankly who drives  
12 through the City when they have concerns about an intersection and often times when we hear  
13 complaints from somebody about something. First, we take an initial look at it but if we think  
14 that there's need or warrant for us to do addition study. That's how we end up doing studies  
15 for things that are not identified as places with severe incidences. Because that's what we do  
16 first is we take a list like this one and we look at the places that have severe incidents. And  
17 that's where we focus our activities and try to improve first but we do hear about locations that  
18 have had near misses or even incidents. Maybe it's not a significant amount of incidents but we  
19 do hear about them and that's when we do our studies. And I think one of our slides we had  
20 projects that are currently in progress and the second column to that. What is... is that like our  
21 fifth slide or something? If you could go to... I don't know who's driving.

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Mr. Rius: I am.

Mr. Kamhi: Oh, thanks, Rafael. This slide. As an example, Middlefield and Lincoln is one where we've heard concerns from residents that that's an area that we should look at. And there are other ones that we're doing that are not on this list. But we're doing evaluations to determine if there's a potential safety project that we can do there in order to prevent incidents before they occur before they become severe incidents.

And yeah, just to add on this, Sylvia didn't want to get on and say it so she messaged me. But we have... a lot of the times we get comments and suggestions, recommendations through our 311 system; which hopefully everyone knows about and knows how to use it but it's readily available on our website. So, 311 system, that's how we track and manage concerns or recommendations or suggestions. So, if somebody says hey this street should have a stop sign or speed humps or whatever it is. That's often times how we'll initiate a study for something. Just noting that we have a lot more requests than we can actually handle for these things. So, there's always a queue and also, that we're continuing on with our existing current safety projects. But we do respond and review every single 311 requests that we receive.

Mr. Maeda: Hey Phillip, so maybe if I can also add that the current safety programs from at the federal state, regional and local levels is currently focused on reduction the fatal and serious

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1 injury collisions right now. So, all of the focus right now is reducing those types of collisions  
2 first. I can see that in the next round of funding will provide funding for projects in terms of  
3 preventative-type projects. But when it comes to scoring, its automatically calculated in  
4 Caltrans' Highway Safety Improvement Program and that's how all the projects are prioritized  
5 right now. So, those are the criteria which we are working under right now.

6

7 Mr. Rius: And to add, I'm actually on my other monitor I'm looking at the scoring used and it  
8 does give a heavy weight for fatal and severe injury. It does... I mean it also gives less but it does  
9 weight... I mean it does give... it doesn't ignore the other collisions. You know, whether it's  
10 property damage only or possible injury but not noticeable or where there's a visible but not  
11 severe injury. They all get at different kind of score, so they're not ignored they're just weighted  
12 less.

13

14 Commissioner Chang: Thank you.

15

16 Chair Lauing: I just want to add on to what your question was there because it comes down to  
17 how do you prioritize. It doesn't seem like its exactly according to the severity schedule  
18 because for example, Oregon from Ash has not been identified or worked on that's in this chart.  
19 Even though that's first and higher than the other two. So, that's kind of a question is how do  
20 you decide how to prioritize? I mean obviously, some of it is money and time and (interrupted)

21

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1 Mr. Kamhi: And I'm sorry, I do not mean to cut you off but I just want to note that although  
2 these charts that we have are for facilities that are within the City of Palo Alto. That does not  
3 mean actually that the facility actually is... belongs to the City of Palo Alto and Oregon  
4 Expressway from Ash Street to Agnus is actually a County facility. So, it's managed by the  
5 County (interrupted)

6

7 Chair Lauing: Yeah.

8

9 Mr. Kamhi: Not by Palo Alto. So, that's not to say that we wouldn't prioritize it as a project and  
10 that we wouldn't recommend it. And I am actually aware if the County has done anything there  
11 since then I'm not sure. Maybe Rafael has information but just noting that that is how we  
12 prioritize our work and our projects.

13

14 Chair Lauing: Okay so you... that was the question is that you prioritize it according to severity,  
15 right?

16

17 Mr. Kamhi: Well, I would say we prioritize it based on incidences and severity. It's both of those  
18 things. Its concern, incidences and severity. It's all of those things is how we prioritize our work.

19

20 Mr. Rius: And just to add on that, I know the County did do a really... a pretty... a very significant  
21 improvement project along Oregon Expressway. I believe it was completed in 2016 but I could

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1 be off by a year or two. Where they pretty much eliminated all of the permissive left turns for  
2 the street crossing. I believe Bryant is the only one that's kept it for various reasons but like  
3 Greer, Lewis, I'm drawing a blank on this. Is it Cowper and even adding a new signal at Ross was  
4 part of their project to improve safety because a lot of the... going back in my memory. A lot of  
5 the incidents there were permissive left turns conflicting with either oncoming traffic or  
6 oncoming pedestrians using the crosswalk at the same time that cars were trying to make turns  
7 onto Oregon Expressway. So, that was completed in 2016, kind of right also in the middle or  
8 maybe towards the beginning of this data sample so. We worked closely with them on that  
9 project so.

10

11 Mr. Kamhi: I didn't... I'm sorry and I missed it if Rafael mentioned this but the County also  
12 added continuous bike lanes at Page Mill which is right there as well.

13

14 Mr. Rius: Yeah, it's right at the edge so right by Ash.

15

16 Chair Lauing: Okay, Commissioner Reckdahl?

17

18 Commissioner Reckdahl: Thank you, this is great data. So, I had... I love the data. I'm a little  
19 disappointed, I don't think we went the last step and for two reasons. One is I'm most  
20 concerned about bikes and peds. They're the most sensitive, most vulnerable and I really want

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1 to see some of that data broken up. And quite often it's clustered together and we have so  
2 many cars it covers up the bike/ped data.

3

4 And the second thing I'm looking for actionable data and a lot of this is just oh really good  
5 information but what will we do with it? What changes can we make to prevent these  
6 accidents? So, of example, if we look on the document on Page 209 there's a really good map  
7 there showing locations of all these accidents but it includes everything together. Bikes, peds  
8 and cars. And so again, the cars are covering up and what a dangerous intersection is for a bike  
9 isn't necessarily dangerous for a car. So, I really would love to see three versions of this. One for  
10 cars only, one for cars hitting bikes and one for cars hitting pedestrians and that might tell us  
11 how to address this. Is that... oh this intersection is dangerous for cars, what can we do? This  
12 intersection is dangerous for peds, what can we do? So, that was one complaint I had.

13

14 If you look on the next page, 210, on the bottom right there we see something happened. We  
15 see consistent data for four years of about 370 accidents and then we go down to 315 at 219...  
16 2019. Do we know why that happened? Do we have any idea or is that just an adnominally?

17

18 Mr. Kamhi: I am... I'll jump in here but I'm not sure if Eugene might have other thoughts but to  
19 answer your last question regarding 2019. I believe that reflects a drop in traffic volume that  
20 occurred because of the pandemic. I'm not sure if I'm correct. Am I right?

21

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1 Mr. Rius: No, that would have been 2020.

2

3 Commissioner Reckdahl: That'd be 2020.

4

5 Mr. Kamhi: Oh, I'm sorry. You're right. Yeah, I'm not sure what could be the correlation there.

6

7 Commissioner Reckdahl: Okay.

8

9 Mr. Kamhi: I guess the answer to that question would be is a similar... is there a similar trend in  
10 other cities or is that Palo Alto specific?

11

12 Commissioner Reckdahl: And that's where again if we had actionable data for each of these  
13 years you could see maybe bike safety was taught at schools and we had better-behaved  
14 bicyclists. Or maybe we changed some speed limits or did some traffic calming and that's what  
15 improved it. But right now, you're just kind of scratching your head like why... what has  
16 happened? It went down by 20 percent.

17

18 Mr. Maeda: Well, I can add, it's a... this is a typical trend just in general. Not only here in Palo  
19 Alto but also throughout Santa Clara County and the region. So, the general number... the  
20 number of total collisions has decreased but the number of fatalities has increased. And one is  
21 we're developing and expanding the bicycle network and we're learning as we go along.

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1 Sometimes just painting the bike lanes green is not good enough so we're learning that maybe  
2 buffered bike lanes may be much safer is which you are seeing now. Especially... and you'll see  
3 that like in the City of San Jose where you're seeing the raised curbs and literally delineating the  
4 traffic flow between autos and bicycle.

5  
6 Commissioner Reckdahl: Well, I know like Charleston/Arastradero, when I bike on that I feel so  
7 much safer than I did 10 years ago. And it would be interesting to see if we look at the reports  
8 of Charleston or Arastradero 10 years ago and then compared to now. Is that part of the  
9 reason? Are there specific projects that we can point to and if so, we should say we should do  
10 more of those projects?

11  
12 Mr. Kamhi: So, and thank you and I want to apologize to everyone for trying to add an extra  
13 year onto the pandemic. But yeah, I just want to say that I did do a quick scan of the document  
14 and it is a trend in other cities. They've also saw a drop in 2019. We did have a pretty significant  
15 bicycle and pedestrian project that was quite controversial. But it did complete just before 2019  
16 or in the beginning of 2019 which was our Bicycle Boulevards Project and Sylvia wanted to add  
17 some information about bicycle and pedestrian safety.

18  
19 Ms. Sylvia Star-Lack, Transportation Planning Manager: I just wanted to remind the  
20 Commissioner or the whole Commission that our Bicycle and Pedestrian Transportation Plan

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1 update will kick off in 2023. Early 2023 and part of that analysis will include a collision analysis  
2 specific to bicycles and pedestrians.

3

4 Commissioner Reckdahl: Oh, that'd be great, that'd be great. Okay so then my next comment is  
5 on Page 212 where we talk about if we have a whole bunch of bicycles having 20 percent of the  
6 accidents involving bicycles. Might be understandable but if you don't have that many bicycles  
7 having 20 percent of your collisions involved bicycles that's kind of scary. And again, I think this  
8 is data but I think we could have gone the next step to try to make it more actionable.

9

10 Mr. Kamhi: Thank you for that comment. I was just going to say that you're absolutely right,  
11 that's something that we constantly try and consider when we're thinking about the number...  
12 the high number of bicyclists that we have in Palo Alto as we're looking at things. Its...  
13 percentages are sometimes misleading when you talk about the percentage of people that are  
14 actually bicycling in Palo Alto.

15

16 Commissioner Reckdahl: Yeah and also it's hard to compare Palo Alto to other cities. We have  
17 more bicyclists than many other cities.

18

19 Mr. Kamhi: Absolutely.

20

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1 Commissioner Reckdahl: Okay and my next comment is on Page 215. On the bottom there,  
2 there's a bar chart and it shows the accidents by gender and age and again this is all accidents.  
3 It would be really nice to see this by bicycles and by pedestrians. And that might tell you oh, we  
4 really need to... we're seeing a lot of young kids getting car accidents. Maybe we need better  
5 bike safety at school or other things. Again, this is really good data but if we broke it up into  
6 bikes and peds I think it would be much more useful.

7

8 And so then 216, we do get into the... I appreciate the fact that it broke out a whole bunch of  
9 this data into just bicycle and pedestrian collisions but again it doesn't really tell you. It tells you  
10 that a pedestrians was involved but it doesn't say whether the pedestrian was a jaywalker,  
11 whether they were in the crosswalk and those are two different types of accidents. And one  
12 that, you know, you have to work on pedestrian behavior and the other you have to work on  
13 car behavior. And again, to make it actionable, it would be really nice to have more data like  
14 who are cited and I mean that should be in the database if a ticket was issued for each of these.  
15 And so that might give you some insight into what was causing this and same with bicyclists.  
16 The sideways and hitting the bike while they're going down broadside. That's most common  
17 but is that because the bike went out of the bike lane, or that the people who were driving on  
18 the car, looking at their phones and weren't paying attention and hit the bike? So, that was my  
19 comment.

20

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1 Then I have a couple more questions about... okay so during schools hours we see these flocks  
2 of bikes. I live near Charleston and Alma and the light goes red and they all pile up and then it  
3 turns green and they all cross at the same time. And the cars are zipping by and these bikes are  
4 not single file anymore. They're three, four abreast and the cars are feet away from them going  
5 very fast. And they're turning right across the bike lane and that just seems to be you're asking  
6 for problems. So, do... are any of these bike routes would we consider doing a bike/ped-only  
7 cycle during school hours? Because we have a really narrow window where the school hours  
8 are and if you can give them... let them cross by themselves. That might be a safer... might be a  
9 way to avoid accidents. Is that something we've considered?

10

11 Mr. Rius: I could chime in, so Charleston and Alma is a unique monster in itself. But would... we  
12 looked into that at a couple of grade crossings and it kind of doesn't work due to the grade  
13 crossing. But we do have that phase at about five... I'll say five and a half locations right now  
14 that are all near schools (interrupted)

15

16 Commissioner Reckdahl: Oh.

17

18 Mr. Rius: Where we do focus or where we do allow a phase for pedestrian? You know we  
19 sacrifice a little bit of vehicular delays in exchange for this separated pedestrian and bikes use  
20 the phase also if it's safe.

21

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1 Mr. Kamhi: And just to note, and of course it's more complicated when we get to grade crossing  
2 which you're very much aware, but the Charleston grade crossing is one that we're currently  
3 looking at with CPUC and Caltrans for possible safety enhancements.

4  
5 Commissioner Reckdahl: So, for example, Charleston and Alma and Meadow and Alma, do we  
6 have any near-term plans to make those safer, or is it just too hard of a problem?

7  
8 Mr. Rius: So, we have... we are actually getting really close to wrapping up the design for  
9 Churchill and Alma which is right by Pally High School. And we are in the very very early phases  
10 of looking at a... like an improvement for Charleston and Alma. Meadow and Alma, we are not...  
11 I don't think we have anything currently in the plan to look at. I know there's... we did just  
12 recently finish, it was a... we snuck in some pedestrian improvements but it was really a damage  
13 due to a collision. And then we had to replace a poll and at the same time we were able to  
14 improve the pedestrian waiting island over on... at Meadow on that northeast corner where  
15 there's a little short frontage road. We did some enhancements to that island there, but aside  
16 from that and we don't have anything I think currently in program for Alma/Charleston. I mean  
17 sorry, Alma/Meadow. Alma/Charleston we are hoping to kick off a project with Caltrans to look  
18 at that grade separation or not separation sorry, grade crossing because doing a near-term  
19 improvement to improve... because that is one of the... actually separate from this list. It's a  
20 whole kind of other subject but CPUC has a similar effort to target crossings and high incident

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1 locations with crossings and Alma/Charleston is one. So, we're about to kick that off later on  
2 this year, 2022 so with them.

3  
4 Mr. Kamhi: Yeah and just to remind PTC a similar type of project that had actually been  
5 reviewed at PTC and was later recommended by Council occurred at Churchill. It's our Churchill  
6 and Alma Section 130 safety project that was initiated through collaboration of the City with  
7 CPUC and Caltrans. And now that we're finally getting close to moving forward with  
8 construction on that one. We're going to look... we're working with CPUC and Caltrans to  
9 evaluate Charleston as the next possible crossing to get these similar types of safety  
10 improvements.

11

12 Commissioner Reckdahl: Very good. That's all, thank you.

13

14 Chair Lauing: Vice Chair Summa.

15

16 Vice-Chair Summa: Thank you, so I think Commissioner Reckdahl summed up very precisely  
17 what was sort of a general notion in my mind when looking at this. It was that it's a lot of data  
18 but I didn't know where it was taking us in terms of recommendations for safety improvements.

19

20 And then I wanted to ask about the University... on those two tables, we were discussing  
21 earlier. The corridor and the intersection tables 1-22 and 1-23. It's a small thing but it says at

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1 the intersection it says University Avenue at Crescent and then on the next page it says  
2 University Avenue/Crescent Drive W to City limits. And I was just wondering if that W meant  
3 west Crescent Drive because there's west Crescent and east Crescent; or if it was a directional  
4 saying going west to the City limit? I was just curious.

5

6 Mr. Kamhi: My interpretation of that regarding the Crescent is was it was west Crescent Drive  
7 as it, you know, it goes in the loop. So, that was my interpretation of it was the western to the  
8 City limit which is Highway 101 there.

9

10 Vice-Chair Summa: Okay, thanks. It was just a little (interrupted)

11

12 Mr. Kamhi: [unintelligible] because it's .3 miles I assume that was the direction.

13

14 Mr. Rius: Yeah, .1 would be... I mean East Crescent would be like .1 miles I guess probably or  
15 less.

16

17 Vice-Chair Summa: Okay and then I didn't know 311 was for... I thought 311 was limited to  
18 Code Enforcement complaints and didn't realize it was for suggestions for traffic improvements.  
19 So, I'm not sure if the community really knows to use 311 for that so that might be something  
20 to think about; or maybe it's just me, I don't know.

21

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1 Mr. Kamhi: Well, I can guarantee that the community, at least many members of the  
2 community, do know about it because otherwise, we wouldn't get so many requests through it.  
3 But yeah, I try and share that whenever we're sharing anything with a presentation. That 311 is  
4 the way to report not just Code Enforcement but anything transportation, traffic-related and  
5 really anything frankly at the City. Sometimes we'll get something where it seems like it might  
6 be transportation-related and we realized oh, that's actually something that needs to go to PD  
7 or that's something that needs to go to utilities or something like that. So, it... we make sure  
8 that we route anything that needs to go to another department to them.

9  
10 Vice-Chair Summa: Okay, great to know and then I wanted... I've been reading a lot lately about  
11 distracted driving being the cause of accidents rather than all our best efforts to make  
12 intersections signalized and as safe as possible. Is that a trend that you have an opinion about  
13 or know something about or think we could anything about?

14  
15 Mr. Kamhi: Well, first of all, yes. The first thing I thought about when we were talking about  
16 near misses was I see near misses and half the time it's somebody looking down at their phone  
17 or doing something where they're really not paying attention to driving. So, I guess I'll just  
18 share my perspective. I think that that is a trend since the cell phones have become more of a  
19 computer that's with you everywhere. I do think that people are now taking meetings as their  
20 driving and other things so I think that's a reality. It does become an enforcement issue and so  
21 it's something that I know PD is watching out for. That's primarily what we can do. The only

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1 thing I could recommend and ask is when you're driving in a residential neighborhood or in our  
2 city. Be aware of your surroundings, be careful. Like roll down your window if you can so you  
3 can listen and hear people. Just recommendations but otherwise it really does become an  
4 enforcement issue.

5  
6 Vice-Chair Summa: Yeah, I've just anecdotally noticed the... more and more people turning left  
7 when clearly their green arrow is gone because my light has been green for four or five... four  
8 cars. I mean it's really crazy how people drive so.

9  
10 Oh, I was going to ask about, there's pedestrian/bike crossings of the train tracks associated  
11 with grade separations. Is there any reality to or what's the possibility of getting those done  
12 first, because we needed them anyway, ahead of the grade separations? And or has there been  
13 any talk about doing those first because they... we've needed them in our Bike/Pedestrian  
14 Master Plan for a while? And also, they'll facilitate... really help with circulation at least for bikes  
15 and peds when we are doing the grade separations. I don't know if any... if that's premature to  
16 ask or if somebody could opine on that.

17  
18 Mr. Kamhi: Well, yeah, I'm not exactly sure what the question was. I guess, you know, more  
19 broadly, our Bicycle and Pedestrian Transportation Plan will be looking at additional east/west  
20 crossings of grade separation. So, yeah, I'm not sure if there's any other specific question had  
21 within there.

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Vice-Chair Summa: Well, I guess the question was can they be prioritized and done in advance of the grade separation work? Because they don't (interrupted)

Mr. Kamhi: So, what I would say to that is I'm not sure. So, the answer to that is I'm not sure. The question becomes are they part of the grade separation project? I think we might be getting into a different topic a little bit because I'm [unintelligible](interrupted)

Vice-Chair Summa: Yeah.

Mr. Kamhi: This is the same thing but just to make sure I give you something at least on this. You know, there's some questions regarding additional crossings and how they tie to grade separation if they tie to grade separation. Some of the things that we might need to know as an example if we were considering a crossing for pedestrians in the south is whether the train tracks are going to be moving because if they're going to be moving up or down. We would need to know that before we construct a tunnel as an example for bike and peds. So, there are those challenges where as an example, we wouldn't build a tunnel underneath the tracks and then decide we need to move the tracks down and then we're going to reconstruct a bike/ped tunnel. But those are things that that Rail Committee is currently looking at under possible synergy with the grade separation and also our Bike and Ped Plan is looking at the possibility and needs for creating additional bike/ped crossings.

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Vice-Chair Summa: It sounds like it's just a little too early to know more. Thank you.

Chair Lauing: Before we go to a second round I had a couple of additional questions. Yeah, the frustration is not only what do we do with this data but as you well know, so I'm asking you a hard question. I disclose that before I ask you this question. What can we possibly do to get data that's younger than 2019? Is there a way we can get more immediate data from the Police Department, you know because we're making decisions with three year old data?

Mr. Kamhi: Right so I appreciate the question. I think just to be clear, I want to make sure that understand the purpose of this report and why we're sharing it. So, just to note that yes, we're sharing data that's three years and we always get... unfortunately collision data always lags so that is the reality of it. We don't get, at least in the Office of Transportation, we don't get instant reports. That's something that takes a while to go through a process of once it's in PD hand. PD typically takes collision reports. Once they deal with it, they have to do a process in order to make sure that they can share the information outward. Remove PII or anything else could be related to a crime or something else. So, just noting that it's always a lag.

But just noting that what we're here to share is that while we have this lag in collision data. The Office of Transportation has been on top of addressing issues in the location that are within our

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1 jurisdiction. And likewise, it seems that the other facilities in our jurisdiction have been on top  
2 of taking care of safety concerns.

3  
4 But just to note that the purpose of this study that Eugene and his team at VTA worked on and  
5 consultants worked on was to take this data and make use eligible to apply for funding in order  
6 to fix areas that have high collisions. And so, with this plan, we can update the plan in the  
7 future and then we can use more recently data and we can apply for funding in the future to  
8 help pay to repair any high incident corridors.

9  
10 So, I just want to say that because I understand that there's concern from this Committee and  
11 you know, all of us have concerns. That it would be great to have it look really specifically at  
12 bicycle data or other information. Ages and all those things that would be really really useful  
13 data where we hope to look at more in-depth when we can through our Bicycle and Pedestrian  
14 Plan. But I just want to share my thanks to VTA for creating this plan.

15  
16 Chair Lauing: Yeah, think we concur on that. I also want to comment on this 311 thing which I  
17 definitely had never heard about. That this was a way to do it but I hope we're not going to just  
18 single source. In other words, that the input from citizens comes in multiple... it doesn't have to  
19 come over 311. So, we don't just have that narrow channel of information and somehow try to  
20 make it known.

21

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1 Your mention of Lincoln and Middlefield is the second time today that I've heard of that and  
2 this is the first day I've ever heard of it. Because a lady came up to me on the street by school  
3 this morning and said hey you're on the Planning Commission maybe you can help us. That  
4 Middlefield to Lincoln is a disaster and the cars are coming up on the curb all the time. \And so,  
5 I'm glad that that's in your... you have visibility on that and I don't know quite how it was  
6 communicated but let's just make sure that folks know how to communicate that.

7

8 Just a detailed question that I had back in the Packet was you said there was 517 comments. I  
9 didn't quite understand the source of those comments and how we got them and what the  
10 timeframe was. It was early in the Packet. If you (interrupted)

11

12 Mr. Kamhi: I'll let Eugene respond to that. I just want to note that you are absolutely correct  
13 that 311 is not the only way that we solicit comments. Of course, we get calls and get emails  
14 and we hear somebody speaking at a meeting about an intersection and so there are many  
15 many ways. 311 is a great system though because what happens is if you have a concern about  
16 say Middlefield and Lincoln. And you put your concern in there, you send an email to us. Then  
17 you get tracking on what we're doing with the project. You get Rafael responding saying here's  
18 what engineering is doing with this project right now and you get updates on it. So that's why  
19 we use 311. It's in my email signature so anytime I send an email somebody there's a whole  
20 thing at the bottom that says use Palo Alto 311 to report items you'd like the City to fix.  
21 Download the app or click here to make a service request. Man, I think that's pretty widespread

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1 throughout the City in our emails but yeah, I really would encourage everyone to use that.  
2 That's not the only way though, but Eugene do you want to talk to the comments received?

3

4 Mr. Maeda: Sure, I can speak to (interrupted)

5

6 Chair Lauing: Phillip, I just want to say I'm glad that you have your antenna everywhere and are  
7 listening to all these [note – audio cut out]

8

9 Mr. Maeda: Sure, I can speak to the 500-plus comments that we recorded. So, those comments  
10 came in through the project website. Our Countywide Local Road Safety Plan website when we  
11 had a (interrupted)

12

13 Chair Lauing: So, were these countywide input comments? They weren't just Palo Alto, right?

14

15 Mr. Maeda: Correct.

16

17 Chair Lauing: Okay, that's really all I needed to know. Before we start the second round, I think  
18 there might be a public commenter out here that we should go with. So, Madina could you or  
19 (interrupted)

20

21 Ms. Amy French, Chief Planning Official: We have one speaker, Liz Gardner.

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Ms. Liz Gardner: There is nobody here. I was wondering can I have a little bit more time since I'm a TSR for (interrupted)

Chair Lauing: I'm sorry, I can't quite hear you.

Ms. Gardner: I said there's... I'm the only speaker. Can I have a little bit more time since I'm a TSR for the Palo Alto (interrupted)

Chair Lauing: Is there any other speakers on online?

Ms. Madina Klicheva, Administrative Assistant: I don't see any raised hands for this item but we have public speakers for next item.

Chair Lauing: Sure, sure. Yeah, we can default to 5 minutes.

Ms. Gardner: Thank you, Chair Lauing. Good evening. I do want to mention about the 311 service. It's a little bit cumbersome, especially for real-time data collection. Of course, you have to be on your phone or at a computer. So, once you see some kind of, you know, issue or challenge. You know you either have to stop and which might create another traffic problem, you know, either on a bike or being a pedestrian or even in a car. So, I don't think that that

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1 should be the only way. He was talking about the data collection on the 500 countywide  
2 comments and it would be really great to have a phone number in which to call right away  
3 because or just an email that's broadly broadcasted so you can capture a picture. As we know,  
4 pictures are worth a 1,000 words so.

5

6 I'm here tonight as well to just talk a little bit about I'm a resident of Mayfield Place and it's on  
7 the corner of California and El Camino Real. I know this data that the Transportation  
8 Department is talking about is from 2000 -2019 and I do want to put a shot out to our  
9 transportation, our TRTS group at the City. I think they deserve accolades for the drop in the  
10 number of collisions and accidents. I think they work really really hard and that 2000 drop in  
11 that number is just amazing. I just want to give them a really amazing shout-out. They're an  
12 incredible group of dedicated City service workers and leaders in our community.

13

14 So, yeah, I live at the corner of California. It's really terrible right there. We know there was a  
15 fatality of a young child in 2020, right on the verge of the shutdown. I think it was March and  
16 excuse me if I get very emotional about it because my children live within feet of that tragedy.  
17 That corner is just a mess. You are biking in a very narrow, almost gutter-like bike lane. There's  
18 a grate that you come up to, there's a bank, then the 522 comes and it stops almost in the  
19 intersection. I mean sometimes they even stack up two at a time and they speed through  
20 California.

21

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1 The other, just before I forget. If you guys haven't Googled California Avenue recently. I do not  
2 know why California is called S. California like South California when it goes... it goes east and  
3 west. And that is very confusing when people are looking for different destinations on that road  
4 to get to outdoor dining or to the Research Park there.

5

6 So anyway, getting back to my point, the night before Paul was killed. My son, who had been  
7 going to do an overnight at a friend's house, showed up at home at 10 o'clock at night. He  
8 didn't call me, he did nothing. He just came to the door and I'm like what are you doing home?  
9 And he said oh, I decimated I wasn't going to spend the night and I said to him, this was a  
10 Thursday night. I think Paul was killed on a Friday night and I pray for that family every day.  
11 Just... and I said you just don't do that. You have to call me. I don't... you know, I don't know  
12 when you leave. You know, he was 14 at the time. You know, you need to let me know when  
13 you're going to come home. Especially at dark and at late and anyway, it just... it... everything  
14 sort of was as we know was snowballing during that time. And the other thing that had  
15 happened that week was there was daylight savings which is a very very important factor for  
16 bike, ped driving safety. I really believed that the City should work with Palo Alto Unified School  
17 District to really let us know calendar when that happens because it just changes the trajectory  
18 of everything when something gets dark earlier or it's lighter for longer for our cyclists.

19

20 So, one of my ideas is and I know this is very nuanced and very... it might be considered radical  
21 but what about... and this has happened in Petaluma and Healdsburg on a historic highway.

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1 They both... both those towns have roundabouts on Old Redwood Highway and train their cities  
2 and I just kind of had this dream. I'm like wow, what about doing a roundabout at Embarcadero  
3 and El Camino Real, and then another roundabout at Page Mill and El Camino Real because  
4 what would happen is it would calm traffic. It would calm traffic, it would make people slow  
5 down and (interrupted)

6

7 Chair Lauing: That's time.

8

9 Ms. Gardner: Please finish.

10

11 Chair Lauing: Please finish.

12

13 Ms. Gardner: Oh okay, so anyway, thank you.

14

15 Chair Lauing: Thank you and if there are no other public comment then we'll go to second  
16 round. Commissioner Chang.

17

18 Commissioner Chang: So, I just wanted to make sure that I imagine that the team does have the  
19 pedestrian and bicyclist crash report from Safe Routes to School from Arnout Bowlens [note –  
20 phonetics] because it actually has the data already analyzed that Commissioner Reckdahl was  
21 asking for. Not probably in the granularity that we would like but the source data must be there

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1 which shows a probability to density map of pedestrian victims in Palo Alto specifically as well  
2 as for bike and vehicles and what I see is that it's actually very different. That the hot spots are  
3 different for cars versus bikes versus pedestrians. And I would also imagine that the  
4 interventions might be different if it were a pedestrian problem versus a bike problem versus a  
5 vehicle problem and so I'm sure that Ms. Star-Lack already knows about this report. But it...  
6 what I would really like to see is because I think that the interventions are different and possibly  
7 also, as a result, the cost is different. Meaning it could be as simple as painting green paint  
8 might make something dramatically better. That's much cheaper than for example the item  
9 that came before the PTC on the... at Churchill and Alma. It's a different scale of intervention  
10 yet it might make things much better for pedestrian or bicyclists. And so, I'm wondering if  
11 there's a way to look at the incidents by mode as Commissioner Reckdahl suggested and find...  
12 see if there's any low-hanging fruit there. Where we could make more immediate changes that  
13 could make really big differences for our bikes and pedestrians because when there is an  
14 incident with bikes and pedestrians as was I think indicated in the VTA report but may have  
15 been in this. I'm getting the two reports but it's just much more dangerous for a bicyclist and a  
16 pedestrian. So, that's just... that was one piece.

17

18 The second question I had was so many of these dangerous collision... high collision corridors  
19 and high collision intersections are not under our jurisdiction and what can we do as a city?  
20 Right, so I see over and over in both reports, both the Safe Routes to School report as well as  
21 the VTA report, that Palo Alto is doing great compared to other parts of Santa Clara County and

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1 that's good, but I don't care. Right, I care about how we're doing in Palo Alto and I want to...  
2 you know, we always want to make it better. So, what can we do as Commissioners and as...  
3 you know, in terms of lobbying our City Council and in terms of lobbying the County. What can  
4 we do? What help do you need for us to make things happen at these intersections that while  
5 they might be safe relative to others in the County are still real problems in our city?

6

7 Mr. Kamhi: Thank you, I'll take that question first. Just to note that I really appreciate that  
8 question, offer to help I think is what that was, as well but just noting that we as the Office of  
9 Transportation. We do coordinate with Caltrans and the County when we see areas that need  
10 improvement and can use improvement and we do advocate for them as the City. And we do  
11 recommend if we see something that could use enhancements. We recommend those  
12 enhancements to either Caltrans or the County. But just to note that we don't necessarily have  
13 the authority to prioritize projects for them. So, that is kind of the challenge is that they have  
14 their own list of projects that they have prioritized and might depend where Palo Alto fits into  
15 that and could frankly be on a list that is quite a long list so just want to note that.

16

17 In response to the first question, I'm trying to make sure I understand what the question is. Just  
18 noting we're aware of that... the study that Arnout did on bicycles and... incidents. And we... I  
19 guess just more broadly, we are going to be undertaking our Bicycle and Pedestrian  
20 Transportation Plan update. We're getting ready to kick that off fairly soon and that's really  
21 kind of one of the key things that we're going to be doing in that. Is trying to identify ways to

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1 make our bicycle and pedestrian transportation network safer. So, that's one of the things that  
2 we'll be looking at in that effort and that's a really huge plan for us in order to set up potential  
3 future projects. And I'm not sure if Sylvia if you have anything you want to add to that  
4 response.

5

6 Ms. Star-Lack: I just want to say that that collision analysis is a part of every bicycle and  
7 pedestrian plan and that's why you update a plan every sum number of years because  
8 conditions on the roads change. You can't keep the same plan. We've managed to keep this  
9 plan for 10 years but we... it is definitely time to update it because things change on the roads.

10 Thanks.

11

12 Commissioner Chang: Then the other third thing I wanted to ask about is I had seen in the same  
13 report and I've also seen it in my role with like a PTA hat on. Is the PTA's recommendation and  
14 the Safe Routes to School Team's recommendation that the City adopt the Safe Systems  
15 approach as well as a timeline for a zero severe incidence goal? And I wondered what your...  
16 what the Transportation Department's or Office of Transportation perspective is on both of  
17 those recommendations?

18

19 Mr. Kamhi: Yes, so I guess from a transportation perspective that's definitely something that we  
20 would be supportive of. It would be very helpful to us. Just noting that a key portion of that is  
21 data collection. It's a very very data intensive. Typically like a vision zero program has a

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1 significate amount of data resources and frankly it's a... it would be an additional resource  
2 that's needed in order to aggregate and collect and understand and analyze all of the data. So,  
3 that is something that is currently a part of the S/CAP plan which is the Sustainability and  
4 Climate Action Plan. So, that is something that is currently included in that Sustainability and  
5 Climate Action Plan as a manner of reducing climate impacts of non... of vehicular travel.

6  
7 Commissioner Chang: But it sounds like what's needed is funding, right? In order to bring that  
8 to life and fruition. Okay, that's helpful, it's really really helpful to understand. And then  
9 relatedly, what about the whole Safe Systems approach idea? What is... what are the  
10 implications if say Council were to adopt something like that?

11  
12 Ms. Star-Lack: I don't know Phillip, if you want me to speak to that? The... I believe the federal  
13 government is moving to Safe Systems approach so we're all going to have to do it. There's...  
14 it's... there's not really any kind of controversy about it. We're all going to have to do it.

15  
16 Mr. Kamhi: Yeah, USDOT adopted it so we don't... you know we don't have a choice  
17 [unintelligible].

18  
19 Commissioner Chang: Okay, that's good, thanks. And then finally, since you've mentioned  
20 Middlefield and Lincoln and... well actually, what... can you explain how the prioritization for  
21 the County, right like the VTA report, links up with our own internal prioritization of different

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1 intersections based on the data you received from 311 and everything else? How do you... how  
2 does that work? What is... is it funding that drives it or what is it?

3

4 Mr. Kamhi: Well, just to note, this report came after we'd initiated projects on all of these  
5 corridors. So, I just want to note that and so some of this likely came from hearing resident's  
6 concerns or from getting a 311 request, or from identifying collisions that had occurred. So, this  
7 report, you know, while I think this is it's kind of helpful and thanks again to Eugene's team for  
8 putting this together. It's really helpful to highlight areas where there were issues but most of  
9 which we've already been working on. So, I think that all of the different means are typical  
10 tools. We have intersections that we are working on that were identified through all of those  
11 different tools and different techniques.

12

13 Chair Lauing: Commissioner Hechtman.

14

15 Commissioner Hechtman: So, three quick questions and then a couple of comments. First  
16 question, an amateur question asking the professionals, it seems logical to me that the  
17 intersections and corridors where you have the highest number of accidents would likely be the  
18 same locations where you would have the... generally the highest number of near misses. And  
19 I'm wondering if any of our professional Staff has, through all the classwork and research that  
20 you do, found that that's, you know, that's generally true or surprisingly not?

21

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1 Mr. Kamhi: Sorry, I just had my baby just run up to me after taking a bath. So, I

2 [unintelligible](interrupted)

3

4 Commissioner Hechtman: [unintelligible]

5

6 [note – audio was garbled while Staff and the Commissioner talked over each other]

7

8 Mr. Kamhi: Let me just make sure I caught the whole thing. Was it where in actual incidents

9 occur correlation to near misses? Was that (interrupted)

10

11 Commissioner Hechtman: Yes.

12

13 Mr. Kamhi: That it? I believe there is, yes.

14

15 Commissioner Hechtman: Okay. Second amateur question, conversely I would think that the

16 locations... I would think that severity of accidents is more sort of situational. You know, it's

17 because... you know somebody's severely injured because they're in a small car and they get hit

18 by a big truck. And so, I would think that that wouldn't necessarily be the same in every 4 year

19 cycle and so again, I'm wondering if Staff has seen some evidence in their work to say that

20 yeah, the severity factor can change. Even if the level of accidents at a place doesn't.

21

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1 Mr. Kamhi: I think I'd need to see this over several year time to make that determination.  
2 Because of course, what you can have is you can have an area where there's a propensity for  
3 speeding and that can cause a higher severity in incident. You could be right that multiple  
4 vehicle accidents, a really bad one, could skew something like this in a certain way as well. Just  
5 one [unintelligible](interrupted)

6  
7 Commissioner Hechtman: Okay, yeah, and that's... you know because I'm... because I recognize  
8 that there's even though it's four years of data, it's kind of a small sample size, right? You know,  
9 at the number one intersection, 11 serious injuries over a four year period. That's not a big  
10 number.

11  
12 So, then the third question is the... this TJKM report we have which incidentally was just  
13 released in September so it is fresh even though the data is three years old for I think the  
14 reasons that Mr. Kamhi explained, but I'm wondering if our City Staff has access to the  
15 appendices. The raw data that allowed TJKM to compile all this information. I would think you  
16 would.

17  
18 Mr. Kamhi: Yes, so we do have access to the raw data.

19  
20 Commissioner Hechtman: Okay, so then a couple of comments. First, I just want to note that in  
21 this Palo Alto section of the report that we're looking at, virtually every figure we see would be

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1 higher if not for the work of our Transportation Department in conjunction with our citizenry  
2 and their active involvement in reporting and now calling 311. You know over years and years  
3 and years to... because again that intersection I just mentioned, that could be 15, it's 11 and so  
4 I'm appreciative that we're at that starting point because we've got a very strong  
5 Transportation Department. And you know, we've been hearing tonight in response to a lot of  
6 our questions how active they are in studying and moving forward with plans for so many  
7 locations throughout Palo Alto. So, I'm really deeply appreciative of that so that's the first  
8 comment.

9

10 The second comment is I do appreciate that the purpose of this TJKM plan is to inform funding  
11 from state and federal sources of places where the metric is the greatest severity of injury. But  
12 and obviously, that's of critical importance but what I've heard tonight from my fellow  
13 Commissioners, and I know this is shared by the Transportation Staff because I'm also hearing it  
14 from you, is that while it's great to have that funding source and that focus, we're interested in  
15 complimenting that with a focus on the pedestrian and bicycle issues because those don't move  
16 the needle in this kind of statistical analysis. Right because they don't involve the greatest  
17 overall number of fatalities or serious injuries because there are fewer of them. But as  
18 Commissioner Chang said when they happen they're more likely to be severe. There are just  
19 fewer of them. So, moving forward I hope one of the messages that Staff is getting from us is  
20 with the raw data behind this report and the data that Commissioner Chang mentioned a  
21 couple times, we hope that there... that will reveal to you some places to target in the

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1 pedestrian/bicycle area to move forward with programs that aren't maybe federally funded or  
2 state-funded but are funded by us. So, thank you.

3

4 Chair Lauing: Other comments from Commissioners? Did anybody want to go forward with  
5 some other suggestions or do we feel like that's contained in our comments of how we'd like to  
6 help and the kind of data we'd like to see going forward? And all in the interest of obviously  
7 reducing a very severe injury. Commissioner Reckdahl.

8

9 Commissioner Reckdahl: I mean one thing that we had requested before was have a periodic  
10 update. Every month or two just a quick view of what's happened recently. That would be very  
11 useful if we could do that.

12

13 Mr. Kamhi: So, just to respond to that and I appreciate that question because we agree. That  
14 would be very very helpful but just noting we don't get data on that month-to-month basis  
15 either. That's something that we do hope to... and I don't know if month to month basis would  
16 be even feasible but currently, the Palo Alto PD is working on updating their ability to produce  
17 reports for us in order to do this because like was mentioned earlier. We can get data but it's  
18 about a year old, the date that we get from the countywide database. PD is working on  
19 updating their system so that they can provide us with data more quickly but just noting that  
20 they also have some Staffing issues that they're dealing with. So, I think that's the one thing  
21 that's kind of keeping that from being more frequently produced for us.

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Chair Lauing: Well, thanks for providing what you have and thanks for having four of you appear to give us the full story. Appreciate your time.

Mr. Kamhi: Thank you very much and also, I want to once again thank Eugene Maeda for coming tonight.

Chair Lauing: Yes. Okay, thank you.

Mr. Rius: Thank you.

Chair Lauing: Alright we're now at 7:30 having finished that first item. I would suggest maybe we jump right into the second item and then as we get through there. Take a break in the middle of that depending on how long that might take. Is that alright? Okay.

3. 3200 Park Boulevard/200 Portage/340 Portage [22PLN-00287 and 22PLN00288]: Request for a Development Agreement, Planned Community Zoning, Tentative Map, and Major Architectural Review to Allow Redevelopment of a 14.65-acre site at 200-404 Portage Avenue, 3040-3250 Park Boulevard, 3201-3225 Ash Street and 278 Lambert. The Scope of Work Includes the Partial Demolition of an Existing Commercial Building That has Been Deemed Eligible for the California Register as Well as an Existing Building With a Commercial Recreation use at 3040 Park and Construction of (74) new Townhome Condominiums, a one Level Parking Garage, and Dedication of 3.25 acres of Land to the City for Future Affordable Housing and Parkland Uses. The Existing Building at 3201-3225 Ash Street Would Remain in Office use, and an Automotive use at 3250 Park Boulevard Would Convert to R&D use. Environmental Assessment: The City of Palo Alto, Acting as the Lead Agency, Released a Draft Environmental Impact Report for the 200 Portage Townhome

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1 Development Project on September 16, 2022 in Accordance with the California  
2 Environmental Quality Act (CEQA). The Proposed Development Agreement is  
3 Evaluated as Alternative 3 in the Draft EIR. Zoning District: RM30 (Multi-Family  
4 Residential) and GM (General Manufacturing). For More Information Contact the  
5 Project Planner Claire Raybould at [Claire.Raybould@cityofpaloalto.org](mailto:Claire.Raybould@cityofpaloalto.org)

6 Chair Lauing: Alright so just to recap this because it's a continued item. I did say at the last  
7 session we would take public comment again which we will. This is a study session, no action to  
8 be taken. This is primarily on the draft Environmental Impact Report and on the Development  
9 Agreement. Both of which came quite late last time so now the public and we have had more  
10 time to look at it.

11  
12 And the process here that was behind this again for any of the public that's listening, in addition  
13 to the people in Chambers, of course, is that the applicant made an application based on a  
14 SB330. And subsequent to that, it was decided to negotiate different around that and move to  
15 a Development Agreement and stay out of litigation. The Ad Hoc on Council met with the  
16 developer and then this was all taken to City Council. And they have moved it along with  
17 support and now it's going through the normal process of us and ARB etc. And we will be seeing  
18 it multiple times for things that we have action items literally to take on that but tonight is not  
19 an action item.

20  
21 So, kind of a question and I think maybe I should address this either... then you're light just  
22 came on there. That was very good. To counsel Yang or Claire is that we can make some more  
23 comments and the question basically I think just to get an opinion is what kind of suggestions

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1 do you want us to make or not make relative to things that are maybe more project-oriented  
2 down the line? For example, last night a number of Commissioners mentioned that they felt we  
3 were potentially losing the opportunity for more housing here so that was concern. I think  
4 more things could come up. Just picking an example out of the air. Somebody could say well,  
5 what about making those townhomes have to also include 15 percent inclusion which is outside  
6 the document that's come to us and the Development Agreement that's come to us? So, just to  
7 kind of help our direction here I wanted to kind of asked that because if we did come up with  
8 that. It would be kind of a wish list from our perspective and I know there's one from the public  
9 as well. Happy to go forward but if you want to help guide us or give us a perspective and then  
10 we'll see if we agree or disagree with you.

11

12 Mr. Albert Yang, City Attorney: Sure, so I can take the first crack at addressing that. I think that,  
13 at this point, Staff is seeking any initial feedback that the Commission has and it could be saying  
14 questions that you have. You know, why wasn't this included or it could be comments about  
15 you know, I'd really like to see this. And you know, I don't think for the most part that we are  
16 going to have a lot of responses tonight but those comments we'll take them and they'll help us  
17 to prepare kind of a better Staff report for you for those action items.

18

19 Chair Lauing: That's fine. There is no Staff report tonight because it's a continued meeting. So, I  
20 think we could go directly to public comment.

21

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1 Ms. Madina Klicheva, Administrative Assistant: Great so I have three speaker cards and our first  
2 speaker is Liz Gardner.

3

4 Ms. Liz Gardner: Okay, I'll keep this to three minutes. I'll keep this to three minutes.

5

6 Chair Lauing: Yes, thank you.

7

8 Ms. Gardner: So, I'm here tonight because I really... I keep reiterating this. This is an amazing 15  
9 acres of RM30 property or a parcel that is not only historic in its physician in what it produced  
10 food. We even know Foon Chew or what I found out last week was that he provided housing  
11 and I'm sure much of the housing in that North Ventura area were homes that families and  
12 people worked in that factory.

13

14 I also talked about this challenge of parsing this out. You know like when you pull up a train  
15 track it just will never return and I think if this is broken up or downzoned in portions of it. It  
16 just... it will just pull apart something that is incredibly one of a kind, one in a century, one in a  
17 100 years opportunity for the City to really make good on their housing crisis.

18

19 I also think that the partnerships are so critical in this time of planning and that, let's see, you  
20 know Sobrato owns the property. Yes, I get that. They have also a subsidiary where they do an  
21 amazing philanthropic work and they give low rents to some area commercial or non-profits.

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1 And that's all great and does some stuff and literacy. However, you know, when you learn how  
2 to read or you have a place to go to learn to read and you don't have a home to go and grow  
3 that. What good is that really going to take into the future? So, I think that Sobrato really could  
4 scale this up. I really think it could be a spot there. There's no single-family homes surrounding  
5 this. It's like a... it's a parcel that on all four sides it's just a commercial area. That's the zoned  
6 housing. Let's go for it. You know, let's work with Sobrato. Sobrato do it right. I know you  
7 have... the corporation has billions of dollars and I think they could just be a gold standard. A  
8 national leader on this and that multi-family, all incomes, all ages, all abilities. A diverse historic  
9 area that would honor Foon Chew's... you know this spot where food work and housing was  
10 provided. Let's carry that on into the next century. Thank you.

11

12 Chair Lauing: Thank you very much. Who's next?

13

14 Ms. Klicheva: Next speaker is Jeff Levinsky.

15

16 Mr. Jeff Levinsky: Good evening, Commissioners. Thank you for holding this extra session. I  
17 want to talk about traffic and the dEIR. You may know that a few decades ago there was an  
18 appeal of the We Work building and I think by... it just lost by just one vote but the issue was  
19 traffic. Then a few years ago the owner of the building at Page Mill and Park proposed  
20 expanding the office. Did a traffic analysis which showed there would be a significant impact on  
21 traffic flow on Oregon Expressway and that ended up scuveling [note - phonetics] that project.

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So, I was looking at the dEIR to see how it is looking at the traffic analysis for the Sobrato proposal. And what I couldn't find in it is any mention of the anticipated growth in the NVCAP plan and how that would combined with the... what's going to happen at the Sobrato site or what's proposed. My apologies if I missed it but what I did look at was Page 12 of Appendix H which is called the Local Traffic Analysis. And it discusses the overall city growth rate for traffic and it cites 1.62 percent for morning peak hour traffic. That's an annual growth rate and 1.58 percent for evening peak hour traffic and I believe that's what the traffic for the dEIR used. But if you look at the NVCAP plans the City discussed just 48 hours ago in this very room. The amount of housing is anticipated to grow significantly while there's no plan realistically to reduce offices in the NVCAP area.

So, if we're under... and we're under ABAG pressure to build lots of housing in Palo Alto and people talk about building... put a lot of that into tiny North Ventura. So, how would that affect traffic? Is it going to really only grow by 1.58 percent a year? I worked out some numbers. The NVCAP plan discussed putting 670 housing units in compared to 142 that exist now. So, that's a growth of 372 percent. Of over 10 years that would be 17 percent annual growth. Housing isn't responsible for all traffic in North Ventura but it's hard to reconcile 17 percent growth in housing with only 1.58 percent growth in traffic. Especially as we're told so many office workers take the train so they're not even part of the traffic number in the first place.

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1 I don't think the City's growth numbers reflect office densification. If you had people in a 250  
2 square-foot office and now they're in a 100-square-foot office. That building has more workers  
3 which means it generates more traffic. So, the traffic rates probably going up faster. I don't  
4 think it's right to use City-wide growth numbers for NVCAP... in North Ventura. With the  
5 exception of perhaps San Antonio, I think North Ventura is going to have the most explosive  
6 growth of any area in the City so you'd expect a larger number.

7

8 So, it would be great if that... those questions got answered in the next cycle of the EIR. Thank  
9 you very much.

10

11 Chair Lauing: Thank you.

12

13 Ms. Klicheva: Becky Sanders.

14

15 Ms. Becky Sanders: Okay, that's enough, fine Staff. Jeff thank you for that. Good evening,  
16 Commissioners. The dEIR evaluates Alternative Two to be better than either the original plan  
17 submitted by the applicant or the proposed new plan, the Development Agreement. I want to  
18 thank the City for putting the option of Alternative Two into the mix and to encourage the City  
19 to improve and iterate on this further and to favor adoption.

20

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1 The Cannery and its office building are historically and culturally rich. Destroying any part of it  
2 cancels its eligibility as you all know as a historic resource at both the state and federal level.  
3 And so, if we value our collected history as Palo Altans and respect the history of Chinese-  
4 Americans in Santa Clara County. Then Alternative Two represents a pathway forward that  
5 affords many community benefits while supporting profile redevelopment of the property for  
6 the applicant.

7

8 Now what most of us in Ventura, who have been following this process can agree upon, is more  
9 housing for new neighbors, no increase in R&D, and preservation of and enhanced community-  
10 serving retail. Transit planning that services all of Ventura and keeps parking off the streets.  
11 More bike and walk-friendly design and parks for families that live there to use. So, a lot of  
12 these ideas are encompassed in Alternative Two which is presented in the dEIR as I said. And  
13 also, by the way, are very similar to Alternative M from the NVCAP Working Group proposals.  
14 So, remember Alternative M ensured historic preservation of the Cannery and provided for lots  
15 of new homes at all income levels which is the City's stated goal. While handing Ventura a  
16 vibrant walkable, bikeable, family-friendly addition with lots of green space and shade with the  
17 bare minimum of added new office. Remember we want to keep whittling away at that  
18 jobs/housing imbalance and we don't want to cram all of the City's housing goals into one  
19 neighborhood.

20

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1 Oh my gosh, I have so much time. I don't know if you were watching Council on Monday night  
2 but I did point out that at last PTC's meeting at 41 minutes and 36 seconds into the taped video.  
3 The representative from Sobrato did say that Alternative 3B with some minor adjustments had  
4 been supported by Council and that actually was incorrect. Alternative 3B with some minor  
5 adjustments was not favored by Council at all. So, that was a little bit confusing and  
6 mischaracterizing... mischaracterization.

7

8 Okay and then on another note, the applicant was allow to speak at the PTC meeting for 15  
9 minutes and 37 seconds which is five minutes and half... five and a half minutes over what is  
10 allowed by the rules of engagement here I believe. So, please make sure the applicants are  
11 aware and stick to that time limit. And because you know the public has asked to pipe down  
12 after our allot time is finished so let's keep it fair. So, I think that concludes... yeah, thank you so  
13 much for hearing my comments, for you service this evening and all year long. Years, day in, day  
14 out. Thank you very much.

15

16 Ms. Klicheva: Thank you.

17

18 Chair Lauing: Great, thank you.

19

20 Ms. Klicheva: Our next speaker is Liz Gardner for (interrupted)

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1 Chair Lauing: She already spoke.

2

3 Ms. Klicheva: Ms. Gardner, you wanted to speak for Fry Sobrato project, right? Yeah.

4

5 Chair Lauing: What's that?

6

7 Ms. Gardner: Do you want to explain?

8

9 Ms. Klicheva: The Agenda Item Number Three, right? We're on agenda (interrupted)

10

11 Chair Lauing: I'm sorry, I can't hear.

12

13 Ms. Gardner: Yeah, Sobrato.

14

15 Chair Lauing: I can't hear. Go ahead.

16

17 Ms. Klicheva: Okay, three minutes Liz Gardner, right?

18

19 Chair Lauing: Wait but you've already spoke on this issue.

20

21 Ms. Gardner: But Sobrato is present right you said?

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Ms. Klicheva: Yes, it is right now 3200 Park Boulevard, Agenda Item Number Three.

Ms. Gardner: Yes, about Sobrato because they weren't present during... when I spoke before.  
So, I'm (interrupted)

Chair Lauing: I'm not sure if they were or not but you can't have two sessions of public comment on the same issue.

Mr. Yang: Yeah, I'm sorry, I think (interrupted)

Ms. Gardner: Okay, okay (interrupted)

Mr. Yang: Madina accidentally, you just cycled through twice.

Ms. Gardner: Oh okay. Alright, sorry about that. Okay.

Chair Lauing: Are there any speakers online Madina?

Ms. Klicheva: No, I do not see any raised hands and I don't have any speaker... any speaker cards for Agenda Item Number Three.

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Chair Lauing: Okay, thank you. Alright, so it's bad to the Commission for comments. Would you like to start for example with the Development Agreement and focus on that to go down? Or would you like to have individual just comment on everything? Just asking for (interrupted)

Ms. Claire Raybould, Planner: Are you asking Staff?

Chair Lauing: Sorry?

Ms. Raybould: Who are you asking that question to?

Chair Lauing: I was asking the Commissioners but if you have an opinion that's okay too. I just thought since the Development Agreement was brand new we might want to just take that first and then we can go back on the bigger item. So, lights on if you want to speak. Commissioner Hechtman.

Commissioner Hechtman: Thank you. So, I have... and I appreciate Commissioners having the time to review it since our last meeting since we didn't have time before our last meeting. So, I have just a... I have reviewed it now and what I want to do is just run through a few items that I saw. Point them out to Staff where they are and I'm actually not even asking for a response. Just for you to note it, think about it, and if you've... much like we do when we work with

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1 ordinances. If you think it's appropriate, include it. If there's a reason not to then don't, but  
2 these are just possible refinements or improvements.

3

4 So, the first one is on Page 5 and it's in the definition of Public Benefit Fee and my suggestion is  
5 since we know the exact amount of that fee and we stated it in other places in the agreement,  
6 perhaps it should be in the definition, so just add the \$5 million dollar figure.

7

8 Next is on Page 9, Section 5.1 which... so Section 5 are the owner promises and 5.1, the first  
9 paragraph, talks about the four things that the... four permits, four category of permits that the  
10 owner is going to apply for. And then the next paragraph is kind of a follow-up paragraph. It  
11 says after the permits are issued then the owners going to take action on three of those four  
12 things. Now, I think the fourth thing is covered in 5.2, it's the demolition of the portion of the  
13 Cannery and so I just suggest you look at those two paragraphs in connection with 5.2 and see  
14 if you want... if it would be clearer to have a link in that second paragraph making reference to  
15 5.2.

16

17 Next is on Page 11, actually, this one's a question. Sorry, I would like an answer to this. Page 11  
18 in the middle of the page. The owners are required to include in the CC&Rs a condition  
19 prohibiting members of the HOA, the people who live in these 74 townhomes, from  
20 participating in any Residential Preferred Parking District that includes the townhome parcel.

21 And so, I didn't really understand that and I was hoping somebody could help me.

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1

2 Mr. Yang: So, one of the concerns voiced by the Council Ad Hoc was to ensure that the  
3 residents of these townhomes would not be parking on the surrounding streets. The intention  
4 was that the townhome project would be fully parked on site and so if, in the future, there was  
5 a condition where the street parking was impacted in the neighborhood such that an RPP was  
6 formed. The intention is that this townhome development not participate in that RPP because  
7 it's intended to be fully parked on site.

8

9 Commissioner Hechtman: Thank you, Mr. Yang. So, that's really helpful, so for that paragraph  
10 maybe you want just a clause at the end to reflect that intent so that people reading in the  
11 future don't scratch their head. They'll know exactly why it's there. Again, just a suggestion for  
12 you to think about.

13

14 Page... I'm going to skip that one. Page 13, so Section 5, those are developer promises...  
15 applicant promises. Section 6 are City promises and the first one is they'll process subsequent  
16 approvals and second they will accept the BRM parkland dedication. I'd like for Staff to consider  
17 requiring the funds to be spent on the parkland dedication parcel. [note – audio jumped] It's a  
18 generous provision of funds by the developer here and those funds should be used in this  
19 coordinated development area where the developer is developing other properties. You know,  
20 certainly, we can use that park and I don't know if it's fair to say more but we can use the

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1 affordable housing. So, I would like to see the City promise to spend the entire Public Benefit  
2 Fee, one way or another, on that parcel.

3

4 The next paragraph below that, the first paragraph of 7.1 in the second line, I think you're  
5 missing the word coordinated. North Ventura Area, every place else it's listed as North Ventura  
6 Coordinated Area.

7

8 Let's see, then Page 17. Oh, Page 17, Section 10. 4B, you have some miss-numbered sections  
9 that need to be corrected. 6.9s and 6.7s that aren't that. They're some other sections.

10

11 Page 22 is next, in Section 14.7 you have Development Agreement Legislation as a defined term  
12 and I couldn't find a definition for it. I may have missed it, but if it's not there, then just I think  
13 all you have to do is make the legislation lowercase L.

14

15 And then the last one is on Page 24, Surviving Provisions and so this is something that's  
16 probably will be of interest to no one other than Mr. Yang and myself and maybe only barely

17 Mr. Yang. But we know what Surviving Provisions are (interrupted)

18

19 [note – unknown speaker spoke off mic]

20

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1 Commissioner Hechtman: Yeah, yeah, I'm finishing up right now. So, basically, when you end a  
2 contract, some parts of it live on and here this provision says that there are some parts of it...  
3 some owner obligations that may live past the termination. I'd like Staff to consider whether  
4 there are scenarios where there may be City obligations that survive a termination and if so,  
5 make that clear in 14.17. So, those are my comments, thank you.

6

7 Chair Lauing: Others? I've got a couple of... oh, you're light came on, okay. Commissioner  
8 Reckdahl.

9

10 Commissioner Reckdahl: Yeah, I had one question on Page 7, the Vested Development Rights  
11 and what this is saying is that no future modification of the Comp Plan or Municipal Code  
12 applies to this property. Forever and that seems not in the public's interest. I can see that you  
13 won't want to rezone it tomorrow but I would think you would want to sunset that provision. A  
14 100 years from now we really want the ability to rezone this if needed.

15

16 Mr. Yang: Just to clarify, that's a provision that expires at the end of the Development  
17 Agreement so in 10 years.

18

19 Commissioner Reckdahl: Oh, so where's the date on the Development Agreement?

20

- 
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1 Mr. Yang: The term I believe is in Section 2 but basically, the concept of Vesting is typically  
2 something that happens in California once you've broken ground. You've gotten your approval  
3 and you break ground on the project. The purpose of a Development Agreement is to secure  
4 those rights before you actually have to start the construction and then also typically to secure  
5 them for a slightly longer term than normally you would have. So, here you know, the  
6 Development Agreement is granting the right to develop this project under today rules for 10  
7 years.

8

9 Commissioner Reckdahl: Okay.

10

11 Mr. Yang: And then after that nothing is Vested anymore.

12

13 Commissioner Reckdahl: Very good, that's reasonable. Okay, thank you.

14

15 Chair Lauing: I'll just shoot with my two then. 4.2, Page 8, can you give us a laymen's view of  
16 the Subsequent Approvals? It sounds basically like it has to be mutual but I'm not sure if there's  
17 an ending date on that.

18

19 Mr. Yang: So, basically everything in this agreement expires after 10 years. Except for those  
20 obligations that Commissioner Hechtman pointed out as being surviving the expiration of the  
21 agreement. So, but this Section 4.2 is basically saying that you know what's the word I'm

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1 looking for? At the same time as the approval of this agreement, if it's approved, the City will  
2 also be approving a number of planning entitlements. But there are later approvals that are  
3 going to be necessary for the project to actually get built. Primarily Building Permits, but there  
4 may be follow-up permits that we didn't anticipate and this is just setting forth the rules for  
5 how those later approvals are made. For the most part, they need to be made consistent with  
6 the terms of this Development Agreement and under the rules as they exist on the date that  
7 the agreement is executed.

8  
9 Chair Lauing: Okay, fine and then just kind of a detail in the math on Page 12 which is under 5.8.

10 I didn't quite understand under what circumstances they might be paying 1/74<sup>th</sup> of the fee.  
11 Time after time after time I mean.

12  
13 Mr. Yang: Yeah, so this is an options for, which is allowed under our Code, for certain fees to be  
14 delayed in payment until the final inspection. After the structure is built and they have gotten  
15 the final inspection from the Building Department. And in this case, we're talking about fees  
16 that are applicable to the 74 townhomes. So, we would be collecting those fees with each  
17 townhome that is final and you know, it's probably not going to be 1/74<sup>th</sup> at a time. It will  
18 probably batches, you know six or 10 townhomes that are finalized at the same time. Then we  
19 would get the appropriate fraction.

20

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1 Chair Lauing: Okay, that makes sense. That's fine. Any other Commissioners on the  
2 Development Agreement? Okay. Alright, let's go back around for dEIR or any other things you  
3 want to chat about. Commissioner Hechtman.

4

5 Commissioner Hechtman: Thank you, Chair. I don't have many more comments on this. I did...  
6 you know one of our public speakers was... left... was talking about the cumulative analysis. One  
7 of the requirements of an EIR is you not look just at the impacts from your project but other  
8 projects in the area that are foreseeable and coming down the pipe. And we do have that kind  
9 of analysis in the dEIR. It's particularly on traffic. It's at 4- or 4.8-20 and there are some related  
10 tables and identification of the projects... other projects in I think 3.2 or something. So, that's  
11 there and I was glad to see it because I couldn't immediately find it and it would be a deficiency  
12 if the draft EIR didn't have it.

13

14 So, I really focused, you know this draft EIR is primarily about the project that Sobrato proposed  
15 and what we are talking primarily about is the alternate program that's reflected in the  
16 Development Agreement which is Alternative Three. And so, I mostly focused on the project  
17 alternative section which is Section 6 and I'm just trying to get there. Here we go and I  
18 commented last time and I hope that Staff will follow through with it, that... and Mr. Yang  
19 explained I thought very well... because of the way this project evolved, it really just focused on  
20 the original tenets of the Sobrato proposal and so when we look at the goals of the project, it  
21 doesn't... it was really... that was mostly focused on the SB330 portion of the project. So, it

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1 didn't look at the retention or use for office or retail or R&D as project goals which I think they  
2 are project goals and so I think they needed to be added to the draft EIR. And when you do  
3 that, as I mentioned last time, I think it affects the analysis or at least the statement that  
4 Alternative Two would generally meet the goals... the project goal because I think that  
5 Alternative Two, for all of its laudable characteristics, that's one of them. It doesn't not meet  
6 the project goals particularly well. Most of the... sorry I keep saying goals. The project  
7 objectives, that's what I meant.

8  
9 So, let's see, on 6-17 I just had a couple of... well actually that's just a typo. I'm not even going  
10 to worry about that. 6-21 is the other one. Yeah, so that same concept about getting the  
11 project objectives correct so that the comparison is correct. That really plays a role I think in  
12 Section 6-4, the Environmentally Superior Alternative because the conclusion here is that  
13 Alternative Two would be considered environmentally superior which I think, looking only at  
14 the environmental aspects I think that's true, but when you consider it in light of the goals of  
15 the... the objectives of the project, that is somewhat of a counterbalance to its environmental  
16 superiority so I think that needs to be reflected in the alternatives analysis. That's it.

17

18 Chair Lauing: Others? No further comments? Commissioner Reckdahl.

19

20 Commissioner Reckdahl: Yeah, there's an error here on I guess it's Page 4.7-12 talking about the  
21 noise modeling and what they did is when they modeled the impact of the 91 units. They took

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1 the center... took all the noise and put it at the center of the site and then looked at how much  
2 noise would that be at the edge. And that's super positional work if it was a linear equation but  
3 it's one over radius squared. So, you're much more sensitive to smaller radiuses and so that...  
4 this is going to give you... for near-field calculations, this is going to give you a terrible answer,  
5 an incorrect answer. So, we really need to look at those... this is 4.7-11.

6

7 Commissioner Hechtman: [unintelligible – off mic]

8

9 Commissioner Reckdahl: What?

10

11 Commissioner Hechtman: 11?

12

13 Commissioner Reckdahl: Yeah, 4 [unintelligible] 4-... pardon me, 4.7-11.

14

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

16

17 Commissioner Reckdahl: It is... I wish I could say Packet Page but it's not. It's about 25 percent  
18 of the way through the book.

19

20 Commissioner Chang: Can you move the mic closer to your... to you. Thank you.

21

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1 Commissioner Reckdahl: Oh, sorry.

2

3 Chair Lauing: Did everyone find the table?

4

5 Commissioner Reckdahl: Yeah so in the middle of the page there. Table 4 7-9, right under that  
6 there's the description and you have 91 units and they take the center of the noise... the total  
7 noise and put it at the center of the site. In which if you were dealing far field calculations that's  
8 going to give you a reasonable answer but we're worried about at the edge of the property line.  
9 And that's going to be dominated by those noise sources that are very close to the property  
10 line. I mean is this standard? I'm just kind of surprised that the person doing this is a noise  
11 engineer. Do we do this for our noise sources for other developments? Is this... do we do this or  
12 was it just a brain freeze?

13

14 Mr. Yang: This is one of those areas where we're not going to have an answer tonight but it's  
15 certainly going to be... will be addressed by the CEQA consultant in the EIR process.

16

17 Commissioner Reckdahl: Okay, thank you.

18

19 Chair Lauing: I'm going to go ahead and award Commissioner Reckdahl the award tonight for  
20 finding the best detail in a 2,000-page Packet and I hope there's no descent on that. Good job.

21 Other Commissioner comments? Question from Vice-Chair Summa.

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Vice-Chair Summa: One member of the public told about kind of a... it was a little hard for me to hear this individual through his mask and the mic. But I think he was asking a question about that the NVCAP plan for traffic did not take into consideration this Development Agreement. Am I... is that what people heard or? I'm asking for help.

Commissioner Hechtman: My understanding was he kind of flipped around from what you said. What I thought he was saying is we've got this project that's coming in. We're looking at the traffic and he couldn't find in the draft EIR that because this project is in the middle of the NVCAP area. That it was considering all of the development that's anticipated in that area which should be added to it to get... so you get a more true understanding of the total traffic that's going to come out of this area. I thought that's what he was saying.

Vice-Chair Summa: So, it was your impression that he was saying that this project should be added to the NVCAP consideration?

Commissioner Hechtman: No, because he was here I think to talk about this project.

Vice-Chair Summa: Right.

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1 Commissioner Hechtman: And he was... my impression was he was dissatisfied with the traffic  
2 analysis about this project because part... this is what I was talking about earlier. Part of what  
3 you're required to do in a traffic analysis by CEQA is look at other projects in the area and add...  
4 that are probable and maybe foreseeable. I can't remember what's in the reasonably near  
5 future but then you have to kind of factor those in because it's more than just the traffic from  
6 this one development that we're looking at tonight. So, I thought that his point is he wasn't  
7 satisfied with the bigger-picture traffic analysis in this document.

8  
9 Vice-Chair Summa: Okay so and this is a question for Staff. So, I guess he formed that into a  
10 question that you understood so it could be answered in (interrupted)

11  
12 Mr. Yang: Yes.

13  
14 Vice-Chair Summa: Okay.

15  
16 Mr. Yang: Staff understood the issue and the comment and it's... it will be sort of noted and  
17 responded to as part of the EIR.

18  
19 Vice-Chair Summa: Okay and then I had a question, if I can, also about the historic... the  
20 Cannery building. I think the other historic asset will be not altered significantly. The building on  
21 Ash but the Cannery building, I'm still confused about the process. When does the Statement of

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1 Overriding Concerns regarding the infeasibility to do anything else with the building. When  
2 does that come into the process?

3  
4 Mr. Yang: So, if there is a significant and unavoidable impact, in order to approve a project that  
5 would create those impact. The City Council has to make a Statement of Overriding  
6 Considerations as part of its action and you know, that means they will make findings about  
7 that there are benefits to approving the project that overrides the environmental impact that's  
8 identified. So, that is a part... one of the very last steps basically of the process.

9  
10 Vice-Chair Summa: Okay.

11  
12 Mr. Yang: It's only necessary if we are approving the project and it happens at that time.

13  
14 Vice-Chair Summa: Okay, thank you for clarifying that.

15  
16 Chair Lauing: Any others? I would just comment that I'm comfortable that the sort of adequate  
17 mitigations for the issues that are found. So, other than the one that Vice-Chair Summa just  
18 mentioned, it seemed like it's going to be pretty straightforward to mitigation these things as  
19 we look at it right now in the draft. So, that's comforting compared to some other projects that  
20 we've looked at.

21

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1 Commissioner Reckdahl: I guess I have one question. I'm not sure if this is in the EIR but with  
2 the plumb under this site and this site... actually, the land that we're getting from Sobrato has a  
3 well that's monitored and it detaches pollutants but it's below the cleanup level. So, if once we  
4 start construction of this affordable housing and if we find high levels of pollutants. Who's  
5 responsible? Is it the City's buying it as is? Is it Sobrato? Is it the original polluter? How does  
6 that work?

7

8 Mr. Yang: So, those are details that we are working out right now but once the City takes  
9 possession of the land it will be our responsibility.

10

11 Commissioner Reckdahl: Okay.

12

13 Commissioner Hechtman: If I could just add on to that, that the... this is... there is some  
14 information on this on this right now in the Development Agreement. It's in Section 5.4 which  
15 talks about the studies that have to be done for the dedication parcel and then to the extent  
16 somethings... and that... those have to be done before the transfer. And to the extent things are  
17 found there has to be a Work Plan to presumably remediate that. And there's also a  
18 placeholder note at the end of that, that says additional detail forthcoming regarding clean-up  
19 standards and parties' obligations under this section. So, I think that issue is... it's good to bring  
20 it up but just it's front and center as one of the things the City is concerned about in the

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1 Development Agreement. And so, I'm trusting that when they work out those details it will be  
2 carried forward.

3

4 Commissioner Reckdahl: Okay, very good and thank you.

5

6 Vice-Chair Summa: And I'll add that typically in this area where we do have this toxic plumb. We  
7 handle it by using a vapor barrier so it doesn't prevent anyone from building or occupying,  
8 typically.

9

10 Commissioner Reckdahl: Yeah, oh well there may be costs associated with that.

11

12 Vice-Chair Summa: Yes, and they might find something else that has to be remediated by  
13 removing it but that's soil.

14

15 Chair Lauing: If there are no other comments we can... what?

16

17 Vice-Chair Summa: [unintelligible – off mic]

18

19 Chair Lauing: What? Okay great. Vice-Chair Summa.

20

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1 Vice-Chair Summa: So, in general, I think that we should let this dEIR and this environmental  
2 process move forward. There's a lot of things that I'm not extremely... there's a lot of things in  
3 this Development Agreement that I think we might have liked different outcomes but I think  
4 this is the process and it was months of negotiation from our Ad Hoc and our City Council. And  
5 it's a little bit awkward for us to opine on the... how successful we think that it... negotiation  
6 was. We weren't in the room but I... so, I'm, you know I think that one of the concerns was that  
7 there wasn't enough housing on this site and for me it's great loss to lose the historic integrity  
8 of the Cannery building. But this is what was negotiated and I believe we should let the  
9 environmental review process move forward.

10

11 Chair Lauing: Thank you, so that will concluded this item. Alright, so it is now 8... almost 8:15.  
12 Should we take about 10 minutes and come back and tackle the next issue? Thank you.

13

14 [The Commission took a 10-minute break.]

## 15 **Action Items**

16 Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal.  
17 All others: Five (5) minutes per speaker.<sup>2,3</sup>

18 4. PUBLIC HEARING / QUASI-JUDICIAL. 1700 Embarcadero Road [21PLN-00191]:  
19 Recommendation on Applicant's Request for Approval of a Site and Design Review,  
20 Design Enhancement Exception, Variance and Off-Street Loading Space Modification  
21 to Allow the Demolition of a Vacant Restaurant and Construction of a two-Story  
22 31,000 Square Foot Automobile Dealership. Environmental Assessment: Addendum  
23 to a Mitigated Negative Declaration. Zoning District: CS(D)(AD) Service Commercial  
24 (Site & Design Review / Automobile Dealership Combining Districts). For More  
25 Information Contact the Project Planner Sheldon S. Ah Sing at  
26 sheldon.ahsing@cityofpaloalto.org

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1 Chair Lauing: Five persons in Chambers and one on video and our next item is an action item.  
2 It's a public hearing, it's quasi-judicial for 1700 Embarcadero Road. Recommendation on  
3 application's requests for a Site and Design Review, Design Enhancement, Variance, off-street  
4 loading. This is relative to a Mercedes dealership application so we do have a Staff  
5 presentation?

6  
7 Ms. Amy French, Chief Planning Official: Yes, introducing Sheldon Ah Sing who will be  
8 presenting the project. I'm sure he is uploading his presentation.

9  
10 Mr. Sheldon Ah Sing, Planner: Yes, thank you and I apologize. I intended to be there person this  
11 evening but I did come down with a cold. So, hopefully, by the end of the night, I don't sound  
12 like Darth Vader or something but. So, here we are with a Site and Design presentation. The  
13 applicant is also on Zoom as well.

14  
15 Just a little bit of a presentation overview. I'll have a more background regarding the project.

16  
17 Mr. Albert Yang, City Attorney: Sheldon, you're not quite full screen.

18  
19 Mr. Ah Sing: Oh, thank you. I did test this out earlier and so now I'm (interrupted)

20  
21 Chair Lauing: You are now very full-screen.

- 
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Mr. Ah Sing: Okay, so everybody sees it?

Chair Lauing: However, we don't see your presentation. Here it comes.

Mr. Ah Sing: There you go, okay we'll try this. No problem. Thank you, so have a project overview and then we'll talk about some of the key issues that are identified for the project. And then next steps regarding the project and the process and our recommendation on the Record of Land Use Action. And so, this picture anyway, just wanted to show you this. It's a photo simulation of what the project would look like when constructed at that intersection.

So, there have been numerous public hearings and actions regarding the subject site. It's pretty close to like 20 public hearings. All the way back to when this was rezoned for a hotel and there are two other Mercedes Benz and Audi dealership combinations on this site. The most recent project before you this evening went... has been to the ARB for preliminary review back in 2021 and it's already gone through a first formal ARB but you kind of see the evolution of the projects. So, prior to Mercedes Benz projects have been a lot larger in scale and in part that was because a lot of their inventory of parking was within the building.

The project... the subject property is zoned Service Commercial with a Site and Design Combining District. And that's the reason why we're here before the Commission is because of

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1 the Site and Design as well as includes Automobile Dealership Combing District and that rezone  
2 was completed with the prior project. The site is located within the Baylands Master Plan and is  
3 subject to the Baylands Design Guidelines. So, it's a 2 ½ acre site at the intersection of East  
4 Bayshore and Embarcadero Road. The surrounding uses include office and auto dealerships.  
5 And it is within the Baylands Reserve but the private portion of it, not the public portion and  
6 none of the public portion is actually adjacent to it. Though it is visible from the Renzel Trail and  
7 is also within proximity of Highway 101.

8  
9 So again, this project is before PTC because of the Site and Design. Other requests include a  
10 Variance from the parking lot shading as well as the Design Enhancement Exception for relief  
11 from the build-to setback. The project is 31,000 square feet in size and its.29 FAR. So, it's a  
12 much smaller project than the previous projects we've seen. This is very much under the  
13 allowable FAR for the size. Per Code, we do not count the drive-through area, so in this  
14 building, you can see and in the middle is that service drives. It's about 4,000 – 5,000 square  
15 feet that's not counted but it is covered. But it's essentially a drive-through for service vehicles  
16 to stop and then the attendants will help them get services. This is a 26-foot-tall building.  
17 There's a small component of the site that's two stories but for the most part, it's a one-story  
18 buildings. The site does include inventory parking that's on the surface lot and you can see it's  
19 in a tandem parking arrangement. Where the inventory and the show spaces for the cars are on  
20 the perimeter versus the customer parking is on the inboard side of that drive area around the  
21 property. There is a big setback along East Bayshore Road and primarily the reason for that is

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1 because there are a number of easements along that side that include the underground  
2 easements as well as overhead easements. There's a tall electrical tower at the intersection  
3 there for PG&E.

4  
5 So, this is the project as taken from the intersection and this project does differ a lot from the  
6 prior iterations on this site. The most significant change I mentioned that the automobile  
7 inventory is in the parking lot around the building rather than within the building. So, what that  
8 did was reduce the overall massing of the buildings but it does add some other issues such as  
9 complying with the parking lot shading when you have so much pavement area. The site does  
10 have some constraints as I mentioned with the easements but it's also the shape of the  
11 property being a trapezoid and having some narrow side at that intersection.

12  
13 The project did benefit from the preliminary ARB meeting as well as a formal ARB meeting. And  
14 there were comments regarding the multiuse pathway to eliminate a bicycle path, details  
15 regarding materials of the building were also discussed and in particular, the project was  
16 designed to complement the Baylands Design Guidelines for private development.

17  
18 So, I won't go through all of the details on the following slides about the elevations but just to  
19 demonstrate that the west elevation is East Bayshore and the Embarcadero elevation also has  
20 more heights and [unintelligible] architecture. More Materials such as wood and the living wall,  
21 so that's a vegetated wall. More texture regarding the ribbed metal paneling and you also have

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1 some bird-safe glass. The... that tower element there, it's kind of a perpendicular type of  
2 element with the building, includes what would be the logo. Signs are not a part of this  
3 application at this time. It will be differed for later. So, this is the Embarcadero side and you can  
4 see as it wraps around they have a little more stucco application to it. The colors are probably  
5 more rich on the fronts of the buildings but the dark colors are also indicative of the brand as  
6 well as automobile dealerships in general. They use more metallics, they use a little more dark  
7 colors and then when you get to the other sides. It does kind of lend itself to the Baylands and  
8 using that kind of greenish color for the stucco. And then you can see here, this is the side that  
9 faces the Audi dealership where you have the drive-through. That's that open cavity that's  
10 white and then you have that roll-up door for the service vehicles and then there's the door  
11 for... the far left there's a door for the car wash which is only for the automobile dealership use.  
12 And this is the elevation that faces the neighboring property. It's an office building and it  
13 includes the carwash elevation as well as the wrap-around for the vegetative wall.

14

15 So, in the Record of Land Use Action, you do have the Site and Design Review findings that need  
16 to be made. I won't go specifically for all of these other than to say that in the findings. We can  
17 make each of these findings. That we've provided some reasons for that and in part, a lot of it is  
18 because of the compatibility of the project using the right materials, the massing of it as well as  
19 the Site and Design and planning.

20

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1 So, some of the key issues that we've identified to discuss would be the Baylands Master Plan  
2 and compliance as well as the bicycle pathway, parking lot shading requirement, the build-to  
3 setbacks and the required loading spaces on the site. So, regarding the Baylands Master Plans  
4 there's implementation through the Site Assessment and Design Guidelines. Those General  
5 Design Principles are... they're not a lot for the private development. I think that these Site  
6 Assessment Design Guidelines were primarily for development on the public piece of the  
7 Baylands. But there are few that are relevant for private development and one of those has to  
8 do with promoting low and horizontal elements. So, the building is low at 26 feet. It also uses  
9 muted and compatible colors. As I mentioned using the green color on the backside and the  
10 black is a bit muted as well and using the wood paneling and then vegetative wall to soften  
11 things. Lighting is addressed through Conditions of Approval because it is not totally adjacent to  
12 the Baylands but it is within the vicinity. Its light could have potential to spill over. These images  
13 on the left, lower left are simulations. It's very hard to determine what's different about it  
14 because they're actually very much the same other than right now the existing building has a  
15 red tile roof. And that does go away but you really can't tell the difference between the two  
16 projects in terms of massing.

17

18 There is a bicycle path as part of this project. Right now, there's no bicycle lane along that  
19 frontage so if you're going along East Bayshore Road. You're coming from the Baylands, you  
20 have a bike path along the roadway there and it does drop off right at the property line  
21 basically. And I think part of that is because at the intersection you end up having a left turn

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1 lane. And so there needs to be some width for those lanes to happen and it does continue  
2 around that intersection onto Embarcadero Road when people are trying to maybe get to San  
3 Francisco Bay Trail on Gang Road as an access point. So, a way to meet their Transit Demand  
4 Management requirement is to have this bicycle path. We worked really hard with the  
5 applicant, the ARB also pushed for this and their recent submittal and this submittal that you  
6 see before you has that 10-foot bike path. One thing is that there are, as with the other project,  
7 there are mature trees that are under these powerlines and those trees would be removed as  
8 part of this bike path. So, that is the... one of the trade-offs here. The applicant is planting  
9 offsite trees. They're planting some trees within the Baylands and that's on one of the sheets in  
10 the Packet.

11

12 The other issue is parking lot shading. The Code requirement is to include 50 percent shading at  
13 maturity of the trees. The project is providing 41 percent and so every piece of pavement  
14 associated with the parking lot. That's the drive aisle, the parking spaces themselves, require  
15 some sort of shading so 50 percent. Because of the left exhibit shows the easements, that's 26  
16 percent of the property is occupied by easements and including that you have an above-ground  
17 restriction for vegetation because of PG&E. They've gotten much more restrictive lately  
18 because of the recent wildfires that they've had. The other issue is the shape of the lot being  
19 this trapezoid. You know some of the site planning on this site is to have all of their circulation  
20 be on site versus having trucks and vehicles go out one exit, go through the intersection, come  
21 through again. They can do all that on-site so some of that is extra paving associated with that

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1 and I said before they're having some of that planting of the trees off-site. They are planting...  
2 they are planting to an extent that they can but they just can't meet the 50 percent. So, they  
3 have requested a Variance and we have the findings to support that in the Record of Land Use.

4  
5 The other issue is build to setbacks and this has been an issue for any projects that's been on  
6 this site. The CS Zoning District requires a built-to of the building to the setback of 50 percent at  
7 the front setback, at 33 percent at the side... street side yard setback. I think primarily this really  
8 works well for buildings that are on El Camino Real where the CS District is primarily at, but  
9 here it doesn't work because of the easements. Number one they can't just meet it and then  
10 again they're trying to have some of that circulation for the site and the operations on site as  
11 opposed having those cars maybe go offsite if they were have that building right up to the  
12 street. So, a Design Enhancement Exception is requested, it's being supported and this has been  
13 supported for every project for a car dealership that has been on the site.

14  
15 [note – video jumped ahead] drive aisle width for the site, the space that's located adjacent to  
16 the carwash and that's indicated in red. The green one is okay and so there's a waiver pursuant  
17 to the Zoning Code and we are supporting that. The applicant can describe a little bit more  
18 about how they're managing their inventory about loading and unloading and other deliveries.  
19 But we do support the waiver of that space because they can't technically meet it. It could be  
20 the case that they get deliveries and people park there anyway as that may happen but it's not  
21 something that we can count as a space.

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So, regarding the California Environmental Quality Act, this project meets the criteria for an addendum to the previously approved Mitigated Negative Declaration and that was for the prior project in 2019 that was approved and adopted. CEQA does allow for that if there are no new impacts. Then we don't have to create a supplemental Negative Declaration. So, we needed to update though the traffic study, as well as noise analysis and part of that, is because there's a new traffic standard. So, instead of Level of Service which was the case back in 2019, 2020 that CEQA threshold changed to Vehicle Miles Traveled so that was updated. There's a new traffic study. It indicated that there are no impacts to transportation. And then we had to update the noise analysis in part because on the other project they... it did include both properties, the Audi property and this Mercedes property. The carwash site was really the subject of noise and that was closer to the property line. It was also a very different orientation so that's why we updated the noise analysis and there are no impacts to noise as well that requires any type of mitigation. So again, most mitigation measures were still applied to the project. The project is much smaller in size. There are no new significant impacts. The prior traffic mitigation measures do not apply this time.

So next steps, we are going to the ARB next week with their recommendation and then on to the City Council where we'll take both the PTC's recommendation as well as ARB's. So, we're asking this evening that recommend approval to the City Council the draft Record of Land Use action approving the request based on the findings and subject to the Conditions of Approval.

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1 So, there are a lot of different applications but because they're all kind of bubbled together.  
2 We're asking it for all those... all of those findings to be considered this evening with your  
3 recommendation.

4

5 Thank concludes my presentation. I'd be happy to answer any questions. Thank you.

6

7 Chair Lauing: Do we have any public comment on this item?

8

9 Ms. Madina Klicheva, Administrative Assistant: Yes, I have received one speaker card and I see  
10 one raised hand.

11

12 Chair Lauing: Okay, let's just go to that then.

13

14 Ms. Klicheva: Oh, now I see three raised hands, so our first speaker is Arthur Liberman.

15

16 Mr. Arthur Liberman: Good evening Staff, Commissioners. My name is Art Liberman, I'm Vice-  
17 Chair of PBAC, that's the City's Pedestrian and Boulevard Advisory Committee. I'm speaking  
18 tonight as an individual. Though I spoke before the ARB on June 16<sup>th</sup> representing the views of  
19 the full PBAC Committee. This was following a PBAC meeting in which our Committee was  
20 presented with the first set of plans by the applicant. Those plans did not have a multi-use path  
21 and PBAC Committee unanimously objected to its absence. Please insist upon a multi-use path

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1 around the property. This was a position of the ARB members at the June 16<sup>th</sup> ARB hearing.  
2 Subsequently, the developer has included a 10-foot wide multi-use path that would replace  
3 both the sidewalk and the planting strip on East Bayshore.

4  
5 Let me emphasize why a multi-use path on 1700 Embarcadero was essential. This path is  
6 important to cyclists because it would connect the bicycle lane on East Bayshore to Gang Road  
7 and the Bay Trail via the signalized intersection on Embarcadero. The Bay Trail, as you know, is  
8 350 miles of trails that ring the Bay running through multiple jurisdictions. The Bay Trail is used  
9 for recreation, commuting, for active transportation to work, school and other destinations by  
10 hikers, joggers, bicyclists and others. There's a paved trail in the Baylands along San  
11 Francisquito levy that ends at Gang Road. So, this multiple-use path would close a gap in Palo  
12 Alto section of the Bay Trail. Cyclists riding in Palo Alto on the multi-use path along Bayshore...  
13 East Bayshore who want to continue on the Bay Trail now but detour to [unintelligible] Place  
14 and then cross Embarcadero in mid-block. This, I can tell you, is a risky proposition. Cyclists  
15 must then ride back along Embarcadero to Gang Road.

16  
17 At the ARB hearing... meeting, Vice-Chair Pete Baltay was particularly forceful in his  
18 endorsement of a multi-use path on this property and considered it to be the responsibility of  
19 the property owner to include this multi-use path as a component of the Bay Trail.

20

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1 I take issue with the statement in the Planning Department’s Staff report summary which states  
2 that the Commission is encouraged to review the balance between providing the bicycle path  
3 and the removal of these street trees. That’s a false choice. It’s based on a premise that  
4 conceals what options were available. The developer who was reluctant to include a multi-use  
5 path in the first place. Chose to design the project to put the multi-use path where the mature  
6 trees are now located. What the Commission needs to decide is whether to recommend  
7 approval of the project as presented with the multi-use path. I ask you, please align the position  
8 of PBAC and the ARB have taken previously and insist on the presence of a multi-use path on  
9 this property. Thank you very much.

10

11 Chair Lauing: Thank you.

12

13 Ms. Klicheva: Thank you. I don’t have any other speaker cards but let me now call on people in  
14 Zoom. Our first speaker is Sean Reese.

15

16 Mr. Sean Reese: Good evening, Commissioners. My name is Sean Reese, I’m a field  
17 representative from the Nor Cal Carpenters Union at Local 405. I’m here to talk to you about  
18 providing area standards for labor on this project. Area standard labor language needs to be the  
19 template the developers use in the great City of Palo Alto and on this project. I would like to  
20 express to you that without these standards, the construction force is systematically abused  
21 through wage theft, 1099 where workers have no worker’s comp when injured on the job and a

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1 litany of safety violations. Healthcare and a livable wage are a vital necessity to the workers  
2 building these projects. Apprenticeship programs ensure the projects are built to the highest  
3 degree and local hire ensure not only tax revenue from the money spent by the workers. But  
4 ensures those workers can enjoy the basic things in life like spending evenings with their  
5 families, maybe attending their child's little league games, or going to a dance recital. Instead of  
6 sitting in traffic for two hours.

7

8 The language that should become the policy here in Palo Alto and on this project specifically  
9 would support responsible contractors that are already doing the right thing by their clients,  
10 employees and the City itself. These responsible contractors have proven time after time that  
11 they can perform the highest standards. This policy would bolster Palo Alto's working class and  
12 cultivate a responsible market for good contractors.

13

14 Those who create a minimum standard for developers that are coming into Palo Alto telling  
15 them you value your citizens that build on our land. Adding areas [unintelligible] labor to this  
16 project and to the City's pre-qual language. You will show your constituents that you value not  
17 just City but also the men and women building the City itself.

18

19 I would very much like to have a real and valuable conversation with each and every one of you  
20 as well as the developers on how we can cultivate a proper construction industry. The Nor Cal  
21 Carpenters have over 1,200 members in San Mateo County and each and every one of them

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1 can be a great asset to this project. I look forward to talking more about this with you in the  
2 future. Thank you for your time.

3

4 Chair Lauing: Thank you.

5

6 Ms. Klicheva: Our next speaker is Penny Elson.

7

8 Ms. Gemma Lin: Hello, can you hear me? My name is (interrupted)

9

10 Chair Lauing: Yes, we can.

11

12 Ms. Penny Elson: Hi, this is Penny Elson, can you hear me?

13

14 Chair Lauing: Yes.

15

16 Ms. Elson: Thank you. So, first I want to thank you for the opportunity to speak this evening and  
17 I also want to thank my PBAC colleague Mr. Liberman who I think shared with... gave you a  
18 pretty good summary of where PBAC has stood on this issue related to the bike path.

19

20 My first comment is actually a question. I want to understand why tree removal is necessary to  
21 create room for the multi-use path and you can answer that after I'm done.

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And secondly, I want to say that regional connectivity via the Bay Trails is very well supported by numerous Comp Plan policies. So, I... and I worry that this is an opportunity that will be lost until the property is developed next time if we don't meet this opportunity right now. And what that will mean is we won't have this connection to the Baylands in our lifetime or at least not in mine. So, I sincerely hope that you will support the position that both the ARB and PBAC have taken on this matter. Thank you very much for your time and thank you for your service.

Chair Lauing: Thank you.

Ms. Lim: Yes, hello, thank you. My name's Gemma Lim and I'm the property manager of the neighboring office building along... we actually share a fence with 1700 Embarcadero by the East Bayshore Road.

We are concerned by the location of the carwash along our shared fence line. It's a few feet away from our food truck business... food truck benches where our tenants gather to work, chat or eat meals.

Most of our tenants are tech startups, CPAs and also legal firms. We are hoping that the carwash noise and appearance will not results in our tenants not renewing their leases or affect our ability to attract new tenants. Thank you.

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Chair Lauing: Thank you.

Ms. Klicheva: Chair Lauing, I don't see any raised hands.

Chair Lauing: We have one on-screen though. Yeah, okay so that's the end of public comment and then the applicant has comments.

Mr. Eric Iverson, applicant: Yes, this is... if I'm recognized this is Eric Iverson, applicant for Mercedes Benz of Palo Alto.

Chair Lauing: Great, so that's 10 minutes I believe. Up to 10 minutes.

Mr. Iverson: I'll definitely keep it short here and leave plenty of time for questions. I think as Staff had adequately presented we have scaled down the size of the project significantly from the prior two applications. With the first one at 62,000 square feet, the second one at 54, 000 square feet and then us at a little over 31,000 square feet. So, we're approximately half the size and what we really believe half the impact of some of those earlier applications.

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1 We've also significantly scaled back the height of the facility where at one point it was up to 5  
2 50 feet, you know four stories tall and we're 26 to 36 feet. So, we're primarily a tall one-story  
3 building and as Staff said with a small section being two stories.

4  
5 The building is, as Staff had presented, what we're very excited for it. We're filling a need for a  
6 Mercedes dealership in this area. We have some very interesting components. One of those is  
7 the recycled wood siding being used throughout the exterior of the building. One of the other  
8 exciting components is the living wall that now wraps on two sides of the building. That is  
9 actually live landscaping. Definitely softens the building but just for me, it's something not  
10 found in an everyday car dealership and definitely will be an interesting... both of those will be  
11 very interesting features.

12  
13 As Staff had mentioned the setback requirements or build-to lines in this case, as much as we'd  
14 like to meet that, the PG&E easement really does prevent that from happening. Obviously, we  
15 can't build all the way up at Bayshore. We do have to setback from that easement. And also,  
16 we're unable to plant large trees, large shade trees within that easement; which creates the  
17 second issue that as Staff had discussed which was the percentage of lot coverage. If it wasn't  
18 for that easement, I'm confident we'd be able to meet it throughout the lot but we're having to  
19 cram as much landscaping in the other parts of the lot as possible. We have done that and  
20 we've also proposed some additional solar canopy covers between the Audi and Mercedes

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1 dealerships to provide additional shade. I know it's not the living shade but you know combined  
2 we are providing as much shade as possible on site.

3  
4 A couple of items that have been discussed with Staff and with neighbors and at the ARB. One  
5 of the ones, it's the carwash issue that we have discussed. In the current iteration of our  
6 application, we have actually moved the carwash off the property line. The previous application  
7 did have that carwash within a few feet of the property line of the neighboring office building.  
8 That car wash has now been moved to the part of the primary building. So, it's moved  
9 approximately 40 feet to 50 feet further away from the property line. So, that it... yeah, any  
10 acoustical issue will be less than any of the previous applications.

11  
12 Other issues that were discussed as far as are we meeting the conditions of the Baylands. We're  
13 definitely doing our best to respect the Baylands as far as keeping a low horizontal structure,  
14 keeping very muted similar sage and olive green colors for the side of the building that faces  
15 the Baylands. I actually think it will be able to be seen a lot less than the existing Chinese  
16 Restaurant that is there.

17  
18 We have at the request of the ARB added the bike path along the property line. So, that bike  
19 path will facilitate both bicycle and pedestrians. So, that has been added.

20

- 
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1 Loading has been mentioned as well and as long with loading comes vehicle storage. And you  
2 know, loading we have provided two loading and on loading. I think there's actually more.  
3 Probably the correct term for us will do more on unloading of vehicles than loading. So, we  
4 have provided two locations on site and as Staff had mentioned. We've provided circulation  
5 around the site and connection into the existing Audi site to provide for as much loading as  
6 unloading on site that will happen. We will get other deliveries of vehicles at offsite locations  
7 but like I said the loading and unloading that happens we're making provisions on-site for that  
8 to occur.

9

10 In the conditions, there were a few Staff conditions that I... that we are somewhat concerned  
11 about and that's primarily Staff Conditions 19 and 31. 19 relates to the relocation of a  
12 stormwater line that's been requested by Public Works. That existing stormwater line does not  
13 have anything to do with our project and we're requesting that that condition be removed.  
14 We're not impacting that stormwater line. It's existing, it exists right on the edge of the PG&E  
15 easement. It's just not... it's not any improvement that's related to this project. It's not related  
16 to the stormwater improvements on site. I don't see a rational nexus for Public Works to  
17 request that item.

18

19 And then the second one was Item #31 which refers to the resurfacing of adjacent streets. And  
20 we have no issues with any resurfacing that's required due to any damage from construction.  
21 But that item I think goes really above and beyond that and requests a very unusual and what I

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1 find is wasteful 3.4-inch milling of existing asphalt on both street frontages up to the other  
2 curb. The far side of the street curb. That's just doesn't seem to go along with our  
3 environmental awareness that we all have today.

4  
5 That's all I've got. I'm happy to answer any questions and really excited to see the pace that we  
6 are finally moving forward with this project.

7  
8 Chair Lauing: Does Staff at this point have any additional comments or do you want to wait for  
9 our questions?

10  
11 Mr. Ah Sing: No, nothing.

12  
13 Chair Lauing: Alright so it seems to me that the best way to handle this is to pick one of these  
14 issues that has be discussed, whether that's bikes or trees or something, and have all that  
15 discussion all at once but I'm open to suggestion. Otherwise, we're going to have seven people  
16 talking about seven or eight issues.

17  
18 Commissioner Hechtman: Could we ask questions first? I mean (interrupted)

19  
20 Chair Lauing: Yeah, yeah.

21

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1 Commissioner Hechtman: Before we get to comments? Right, could we do a round of just  
2 questions that can be on any topic?

3

4 Chair Lauing: Yeah, absolutely. Yeah, I was jumping ahead in terms of how we would handle  
5 this. Yeah, so let's do that now. Anybody? Light them up. Commissioner Hechtman has lit up.

6

7 Commissioner Hechtman: Yeah, so (interrupted)

8

9 Commissioner Reckdahl: Oh, should we do disclosures first?

10

11 Chair Lauing: Oh yeah, sorry. This is quasi-judicial so we do have to do disclosures. So, we'll  
12 start with Commissioner Hechtman.

13

14 Commissioner Hechtman: Alright, I did bike by the site as I have many many [note – audio cut  
15 off] times.

16

17 Chair Lauing: Commissioner Chang.

18

19 Commissioner Chang: No disclosures other than I have biked by that site as well but not since I  
20 received this Packet.

21

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1 Chair Lauing: No disclosures.

2

3 Vice-Chair Summa: Nothing to disclose.

4

5 Commissioner Reckdahl: We did when it came to Parks and Rec a couple of years ago... the  
6 previous... we went... we toured the site but just nothing official this time.

7

8 Chair Lauing: And that was a different project.

9

10 Commissioner Reckdahl: That was a different. Same site, different project.

11

12 Chair Lauing: Great so back to you Commissioner Hechtman.

13

14 Commissioner Templeton: I also have nothing to disclose.

15

16 Chair Lauing: I'm sorry.

17

18 Commissioner Hechtman: So, yeah just some very quick questions. First question Mr. Ah Sing,  
19 are any trees being proposed on-site or are all of the replacement trees just off-site in the  
20 Baylands?

21

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1 Mr. Ah Sing: Thank you. Yeah, there are replacement trees on site as well. I mean the majority  
2 of them are actually replaced on-site.

3

4 Commissioner Hechtman: Okay and then Packet Page 46, Condition 34, Packet Page 46,  
5 Condition 34, Dedication Easement. Is that for the bike path? Is that what's that about?

6

7 Mr. Ah Sing: Yeah, I think that that's at the very intersection. It is shown on the plans but yes,  
8 that... that's... it's just the tip of it. Just on the very and it has to do with the bike path but yes.

9

10 Commissioner Hechtman: Okay, does that mean that is most of the bike path on private  
11 property and it will stay on private property because it's not being dedicated?

12

13 Mr. Ah Sing: It's actually within public property.

14

15 Commissioner Hechtman: The bike path is (interrupted)

16

17 Mr. Ah Sing: Right the bike path is within public property.

18

19 Commissioner Hechtman: Oh, okay and then Condition #37 on Packet Page 47, the multi-use  
20 path, is that the same path as what's often referred to as the bike path in other places in the  
21 Packet?

- 
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Mr. Ah Sing: Yes, exactly because it also is for pedestrians as well.

Commissioner Hechtman: Okay, alright and then do any of our diagrams... going back to the location of this dedication easement, do any of our diagrams show where that right of way is? Where the City property is? So, for example, I can tell the sidewalk's on City property, the trees next to it are on City property, where the private property begins.

Mr. Ah Sing: Yes, a lot of the civil drawings show that where the property line is. You know one of the best exhibits is C4.1. I think that might be Page 5. It shows the dark shading as the multi-use path. So, I can try to share that here as well on this screen.

Commissioner Hechtman: Thank you.

Mr. Ah Sing: If that works. So, here's the bike multi-use pathway and it's all outside of the private property until you get to this corner here and this is the part that they would dedicate to the City. So, that gets kind of shaved here.

Commissioner Hechtman: So where is the private property... where's the property line? I think what you're saying is the property line is on the inside of the path.

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1 Mr. Ah Sing: Right, that's correct.

2

3 Commissioner Hechtman: Okay.

4

5 Commissioner Reckdahl: How much space is there between the path and the property line?

6

7 Mr. Ah Sing: I might have to measure that out but I don't know if the applicant may know that  
8 or his team right off hand.

9

10 Mr. Iverson: This is Eric Iverson, applicant, it is basically on the property line the entire length.

11

12 Commissioner Hechtman: So just to clarify that the inside of multi-use path is essentially where  
13 the property line is or the (interrupted)

14

15 Mr. Iverson: That is correct.

16

17 Commissioner Hechtman: Okay, okay, alright, great. Those were my questions. I have  
18 comments on the second round, thank you.

19

20 Commissioner Chang: Just explain to me build to, like what that means? I just didn't  
21 understand.

- 
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Mr. Ah Sing: Sure, let me (interrupted)

Commissioner Chang: [unintelligible] asked of them that they cannot do.

Mr. Ah Sing: Let me just share again and see... okay, so it's a little bright. So, the footprint of the building is the green. This exhibit doesn't show the driveway here. The build to line means that the building itself needs to be up to the setback which is zero. And so, 50 percent, which is the front, this is the front, 50 percent of that building frontage needs to be up to that zero setback line. And on the street side yard here, 33 percent of this building needs to be up along that zero lot line. So, they can't do it here because... along East Bayshore, because the easements and also just functionally for a dealership it just makes sense that they have a driveway here for circulation around. Fire trucks and trash trucks and just their own operations. You want to keep vehicles I think off the public streets here if they can. So, therefore, we've been supportive of every dealership that has come through regarding this constraint.

Commissioner Chang: Thank you for the explanation, super helpful.

Chair Lauing: Okay, let's pick one of the variables and... alright, another question.

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1 Commissioner Reckdahl: This is a question for Staff. The bikes that are going to be using this  
2 path, what turning motions do they have? Have we done a bike survey so we know what  
3 happens?

4

5 Mr. Ah Sing: I'm going to call upon Sylvia. Thank you for showing up to answer this. Thank you.

6

7 Ms. Sylvia Star-Lack, Transportation Planning Manager: Sorry, I'm not understanding the  
8 question exactly. Are you asking about how cyclists will access this path or?

9

10 Commissioner Reckdahl: So currently today, if bicyclists are going north on East Bayshore and  
11 they hit this intersection. What turning motions do they typically have? Do we know what  
12 percentage goes straight and continue on East Bayshore?

13

14 Ms. Star-Lack: Oh.

15

16 Commissioner Reckdahl: How many of them turn and go down to the Baylands? How many of  
17 them go on Gang Road?

18

19 Ms. Star-Lack: No, we haven't done a bicycle user study in this corner. However, it does, as was  
20 noted earlier, it does represent a major gap in our Bay Trail alignment so.

21

- 
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1 Commissioner Reckdahl: Okay, thank you. The wooden power lines, there are two power lines.  
2 They have the high voltage ones and also the lower wooden ones. Are the lower wooden ones  
3 Palo Alto utilities or are those PG&E also?

4

5 Mr. Ah Sing: I haven't paid attention to the wooden ones. If there are, I've only known the  
6 (interrupted)

7

8 Commissioner Reckdahl: So, if you... it's in the slides on... let's see I'll give you the slide number.  
9 Yeah, Slide 14 for example.

10

11 Mr. Ah Sing: Okay, I see that. Yeah, I'm going to say that those are the transmission lines for  
12 Palo Alto utilities on that one.

13

14 Commissioner Reckdahl: Okay and is that hole on private property or is that going to have to be  
15 moved?

16

17 Mr. Ah Sing: I'm just looking at that again.

18

19 Commissioner Reckdahl: I mean it looks like it's closer than 10 feet from the curb.

20

21 Commissioner Chang: Can you share where this is?

- 
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1

2 Commissioner Reckdahl: Can Staff?

3

4 Mr. Ah Sing: Yeah, let me bring that up. This pole right?

5

6 Commissioner Reckdahl: Exactly.

7

8 Mr. Ah Sing: That looks like (interrupted)

9

10 Commissioner Reckdahl: And it's only a couple feet off the sidewalk.

11

12 Mr. Ah Sing: No, that doesn't look. Now, I messed it up.

13

14 Commissioner Reckdahl: Display settings up top.

15

16 Mr. Ah Sing: Yeah.

17

18 Commissioner Reckdahl: And then say swap. Swap.

19

- 
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1 Mr. Ah Sing: Yeah, thank you. Yeah, I think this is within the right of way it looks like because  
2 the edge... you know these trees are within the right of way and this looks like it's in the  
3 landscape planter so yes.

4

5 Commissioner Reckdahl: So, Palo Alto utilities will have to move this pole then to make room  
6 for the bike path?

7

8 Mr. Ah Sing: We would have to take a closer look at that and see how we can design... yeah,  
9 how we can design that.

10

11 Commissioner Reckdahl: I have a question about impervious pavement. All the pavement that  
12 we're putting on this is all going to be impervious?

13

14 Mr. Ah Sing: Yes, I don't think any of this would be pervious types of pavement or pavers.

15

16 Commissioner Reckdahl: Okay and so what happens to the water when they hit this? Does it go  
17 down into the storm drain or does it roll off the property?

18

19 Mr. Ah Sing: I'm going to let the applicant answer regarding their stormwater control measures.

20

- 
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1 Mr. Iverson: This is... going to make sure... yeah, want to make sure I wasn't on mute. No, there  
2 is storm treatment facilities on site so it does neither. It doesn't go offsite directly. It goes  
3 through I think there's three different treatment facilities on site before it goes into the City's  
4 stormwater system.

5  
6 Commissioner Reckdahl: So, like on Sheet L-1, those areas that are called water quality, those  
7 are where the stormwater will go.

8  
9 Mr. Iverson: Yes, sir.

10  
11 Commissioner Reckdahl: Okay and then finally, there was a public comment about noise. Has a  
12 noise analysis been done?

13  
14 Mr. Ah Sing: Yes, thank you. We didn't include the noise analysis as part of the CEQA. That  
15 summary is within the Addendum document as well as the study itself is included as an  
16 Appendix. And the summary is that when we conducted the analysis it does not exceed the  
17 thresholds that are listed in the Municipal Code. So, it is a compliant project.

18  
19 Commissioner Reckdahl: Okay, thank you. One more question, L-4, Sheet L-4 that shows the  
20 trees that are being planted offsite and they list the species. Are those species all native?

21

- 
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1 Mr. Ah Sing: Yes, thank you, they are, yes.

2

3 Commissioner Reckdahl: Thank you.

4

5 Chair Lauing: Vice-Chair Summa.

6

7 Vice-Chair Summa: I don't... it looks like blue elderberry is not a native species. There's four of  
8 those listed on L-4. I had a question about this bike path and I don't know what's wrong. My  
9 ears must have cotton in them tonight but I also had a hard time hearing Mr. Liberman. So, I  
10 was wondering if I could ask him directly a question? And Mr. Liberman, I was wondering if this  
11 path satisfies what you were looking for and also what the ARB was looking for. What's being  
12 proposed here?

13

14 Ms. Liberman: It satisfies PBAC because it is a (interrupted)

15

16 Vice-Chair Summa: I still can't hear you.

17

18 Chair Lauing: Get closer to the mic.

19

20 Vice-Chair Summa: You probably have to move the... yeah, thanks.

21

- 
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1 Mr. Liberman: It satisfies... excuse me, it satisfies PBAC to have a path which is according the  
2 specifications that are required. 10-foot wide is the requirement for a path. It would be nicer if  
3 there were an unpaved section alongside the path for in fact a pedestrian is walking on the path  
4 and bicyclist is coming. Then the pedestrian maybe want to step off the path. That sort of thing  
5 it would be nice to have but 10 foot wide is a minimum and that would be accessible...  
6 acceptable to PBAC I believe. I can't speak for the entire Committee but I believe that is the  
7 case.

8

9 Vice-Chair Summa: So, what is being proposed is acceptable?

10

11 Mr. Liberman: Yes.

12

13 Vice-Chair Summa: Yes, and but you mentioned something about the trees. That it was a false  
14 choice.

15

16 Mr. Liberman: Well, Mr... the planner said that the Commission should consider the bike path  
17 and the currently... of the mature trees and the reason is because they're putting the bike path  
18 in the public right of way where the trees are planted. So, they're cutting down the trees in  
19 order to put the bike path. In other words, they didn't change the plan at all from the time in  
20 which they showed it to the ARB in June. What they just did was added the bike... the path on

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1 the sidewalk... area where the sidewalk and mature trees are which is really public land. They  
2 just put it on the outside.

3

4 Vice-Chair Summa: Okay, thank you.

5

6 Mr. Liberman: So, therefore they had to cut down the trees. I mean I say it's a false choice  
7 because they could have modified their plan a little bit, move the cars inward, or having instead  
8 of two rows of cars for their inventory. Have one row of car or alternate the arrangement of  
9 cars that they have in their... for their inventory but they did not do that.

10

11 Vice-Chair Summa: Okay, thank you so much. So, I had a question about the indoor display area  
12 not being counted as floor area because I couldn't find that in the Code.

13

14 Mr. Ah Sing: Yes, it's not the display area. It's the service drive aisle. It's that space between the  
15 showroom and the service area. So, that covering, if it's a continuous path through, that area is  
16 not counted and that's under the Automobile Dealership Combining District requirements.

17

18 Vice-Chair Summa: So, I am looking at... maybe I read this wrong but I am looking at two things  
19 that are exempted. One is the 4,097 square feet of showroom and the other is the service drive.  
20 So, I was referring to the former.

21

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1 Commissioner Chang: What page?

2

3 Commissioner Hechtman: What page?

4

5 Vice-Chair Summa: Oh sorry, 53. Its Attachment C, the Zoning comparison table. I just couldn't  
6 find where in the Code we exempt showroom from being counted so maybe you could direct  
7 me to that.

8

9 Mr. Ah Sing: Yeah, I think the asterisks there says includes the showroom in my notes. I'm not...  
10 and then there's excluded the service drive. I'm not (interrupted)

11

12 Vice-Chair Summa: Well no but the asterisks then... okay so... okay so you are including the first  
13 one and excluding the second?

14

15 Mr. Ah Sing: That's correct.

16

17 Vice-Chair Summa: Okay, thank you for answering that and then with the loading spaces. Two  
18 are required and you're providing two. One is just a little narrower than its... is that the issue?

19

20 Mr. Ah Sing: The space size and width is compliant. It's just that it... when a vehicle is there, it...  
21 then the drive aisle itself is non-compliant. So, if a car... a customer was parked perpendicular

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1 to that space and there was another vehicle there. They could get out. It would just kind of be  
2 like an Austin Powers style kind of getting out of it. So, it's... people could probably park there  
3 but we're saying that it's not compliant and we wouldn't count it as one.

4  
5 Vice-Chair Summa: Okay, I understand that now and I have another question about parking  
6 which this is... it says Project Page 20074-NO1. That's... it's not numbered the same as the other  
7 sections of the plan set but it's this page. And this one is showing the... is comparing the  
8 display... the exterior display area and the inventory area and then do you see which page I'm  
9 talking about?

10  
11 Mr. Ah Sing: I'm trying to find it but you have... keep describing. I think I understand  
12 (interrupted)

13  
14 Vice-Chair Summa: It's where the numbering changes. After T-4 it changes to just one, two... in  
15 the bottom right-hand corner, one, two, three.

16  
17 Mr. Ah Sing: Okay.

18  
19 Vice-Chair Summa: So, it's actually it's Page One, so I was wondering how... so, with the  
20 exception of the parking spots along the building on the East Bayshore side. Three sides of the  
21 building have tandem parking. On the East Bayshore side they're counted as display, the ones

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1 closest to the property line and then the customer parking is in front of that. And then on the  
2 other two sides of the parcel, they're a different color and they're inventory. I'm having a hard  
3 time making a distinction between the pink and the grey basically. With the inventory and the  
4 display. How are they not all the same and the reason I think it's a significant question is  
5 because my understanding is that the pink ones, the display ones, need to be parked and the  
6 inventory does not?

7

8 Mr. Ah Sing: Right, that is correct assessment there. So, the pink which is along East Bayshore  
9 Road are called display. They are visible to the public versus the other spaces in the back of the  
10 buildings are not. You know, they are... in front of them, you have customer parking so they're  
11 just considered inventory spaces versus display spaces that would require additional parking.

12

13 Vice-Chair Summa: Is that... well, so is that because they're only displayed... they're not  
14 displayed on the East Bayshore side? I mean I don't understand that.

15

16 Mr. Ah Sing: Yeah, the (interrupted)

17

18 Vice-Chair Summa: Can't customers go look at all the grey cars just as easily as the pink cars?

19

20 Mr. Ah Sing: I don't know, I have to... I'd have to ask the applicant that but I think for us, as  
21 people are kind of just walking by and they can see those are the display cars that are shown

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1 directly to potential customers versus ones that may need more conditions or so. But they're  
2 just not visible from the street and that's why we haven't counted those as display.

3  
4 Vice-Chair Summa: That's kind of hard for me to understand because I would think that people  
5 purchasing cars would be looking at the ones on the other two sides also. I mean I don't really  
6 understand that so.

7  
8 Okay, so there's that and then... I'm looking... okay, think that's it for now. Thank you.

9  
10 Chair Lauing: No more question level? Oh, Commissioner Chang.

11  
12 Commissioner Chang: I did have one more question for Mr. Ah Sing. So, in the Staff report,  
13 there was a... sorry, I just want to make sure I found it. There was something about some  
14 improvements being done to the Audi property before... oh there... here it is. Staff... on Packet  
15 Page 21, the report says that Staff would like to see the Audi improvements completed prior to  
16 the commencements of the subject property improvements. And is that in the... I didn't see it in  
17 the action. Oh, Condition 14, okay, thank you. I think I must have missed it. Okay, thank you.

18  
19 Chair Lauing: Alright, so again I think it would be helpful to just take... kind of take this section  
20 at a time. It doesn't matter where we start but then just kind of talk about the issues related to  
21 that. So, we've been talking about the edges here, both the bike path, the tree trade-off versus

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1 bikes which seems to be like a pretty big issues so why don't we just start there? Commissioner  
2 Hechtman.

3

4 Commissioner Hechtman: Alright, so I actually want to first just start with a more general  
5 comment and that is there are two... my understanding has always been that the two biggest  
6 revenue generators for a City are Sales Tax from automobile dealerships and Transient Tax from  
7 hotels. This is a site where, as much as I miss Ming's, we've had a car dealership trying to go  
8 here, get built and sell cars so we could get the Sales Tax revenue for a long time. And I'm not  
9 faulting the City or the property owners for not getting it done before, but I'm bringing that up  
10 because we've got to get it done now. We've got to... my belief is we've got to find a way to  
11 forward a positive recommendation to the Council, get them to approve it, get the thing built  
12 and start selling Mercedes at that location.

13

14 So, and overall, I mean I think it's a great plan. It's much more modest than the prior plans. On  
15 this, I guess if we're going to focus on this perimeter issue, I actually initially had some... first of  
16 all, I want to talk about the bike path, the multi-use path. I... it's pretty clear I'm an avid biker, I  
17 live just across the freeway from this site and I bike past this site two, three, four times every  
18 week. I doubt there are a dozen people in Palo Alto that go by this site more than me. So, I  
19 know it very well. I thought Mr. Ah Sing did a good job of briefly describing the pinch point on  
20 the street where as you're coming down East Bayshore you've got a bike path but then it ends  
21 because two lanes goes to three to create a turn lane. And then as you wrap around

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1 Embarcadero towards the duck pond, it doesn't pick up again until you get not only past this  
2 property but past the Audi property next to it because you've got this center median and  
3 you've got some turning motions. So, it's not a great location for biking and in fact, what I  
4 routinely do at that corner, because it's tight, is I ride the sidewalk. Right, and that works okay  
5 except right at the corner and I didn't see an image of it, there's this huge telephone pole right  
6 in the middle of the turning motion and it's actually pretty challenging to get around it without  
7 going onto the street or into the landscaping. So, it's not ideal and so you know, on the one  
8 hand, I'm very happy to see that this solution is being proposed and I'm even more happy to  
9 hear that all but a little bit of a corner of it is on public property because that's where this  
10 belongs. You know this is car dealership, this is not a dealer... this is not a use that will generate  
11 a lot of bike traffic. And the concept that maybe it should be moved interior in the property  
12 onto private property would be, in my view, an improper movement of the burden of this  
13 facility to private property that didn't really have anything to do with it, other than just being in  
14 the way of something that wants to be a public path. So, I'm really happy that it's on public  
15 property.

16

17 I would prefer that we not lose the trees and I'd be interested to know if Staff looked at some  
18 modified version that may be didn't give us the full 10-foot width but kept the trees. Because I  
19 know that when I come over the bike bridge at Embarcadero or well, I guess right that Oregon  
20 Expressway and Embarcadero. That's... that bike bridge is not 10 feet wide and then the path  
21 that I ride to Bayshore is not 10 feet wide and when I cross Bayshore and get to the little

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1 segment to reach the Bay Trail. That's not 10 feet wide and I don't even know that the Bay  
2 Trails are 10 feet wide in that back area until you wrap around and you're paralleling East  
3 Bayshore where it seems to widen out a little bit. So, I'd love to save those trees and I'd like to  
4 know if Staff has investigated with the applicant the possibility of narrowing that strip  
5 somewhat. Maybe taking a foot of the street if there's room for that and making a sufficient but  
6 less than ideal width of bike path so we could save the trees wrapping that corner.

7

8 Mr. Ah Sing: Thank you, so I think we... we're using the VTA Bike Technical Guidelines with a  
9 minimum dimension for multi-use paths are 10 feet. So, going into the street, you know that  
10 may provide some other constraints that we would have to look into.

11

12 Commissioner Hechtman: And I do appreciate that there's not much room in that street. Right,  
13 it's the reason that there's not a bike stripe lane there now is it gets tight in that corner and so I  
14 don't know that you'd have more than a foot or two that you could legitimately use. But I do  
15 think that that would be worth investigating to see if we could see... save... it's a row of I think  
16 10 trees along that side and then there are two more at the far corner by Audi. And they're  
17 lovely and they're low, right, they're under the power lines and when I told my wife about this  
18 project that was the first thing she asked me. They're not going to take out those trees, are  
19 they? So, I'd like to see if there's a reasonable way we could save them. Those are my  
20 comments on the wrap-around issue.

21

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1 Chair Lauing: Anybody else want to jump in otherwise I can? Go ahead, Vice-Chair Summa.

2

3 Vice-Chair Summa: Thank you. I also would like to find a solution that provided the bike path  
4 and kept the trees. And I think I'm not 100 percent... well, let me first start out by saying that I  
5 think this project is vastly improved at a smaller scale. Much more appropriate for the Baylands.  
6 I appreciate the use of the bird-safe glass and it seems like a good intention for not having  
7 lighting escape the building at during dark sky times to also help the birds.

8

9 And I don't... it seems like the carwash has been moved far enough away and there was no  
10 noise impact that needed to be mitigated. And that should provide comfort to the neighbors  
11 next door.

12

13 I don't have a problem with the Variance for the build-to lines. That seems quite appropriate  
14 here. I also think that the loading space situation is adequate.

15

16 Chair Lauing: Let's get to bikes.

17

18 Vice-Chair Summa: Okay but I will note that... well, anyway, but I think we need to find a better  
19 solution for two things and that is the shading on site, the tree shading on site and also the  
20 removal of the trees in the location of the bike lane. And if that resulted in a little kind of  
21 redesign that took away some of the inventory parking. I think that might be the easiest way to

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1 do it. And I think we should do that because I think we should make a bike/pedestrian path now  
2 while we have the opportunity that's really going to work for the future.

3  
4 Chair Lauing: I'll just jump in with a couple things. As it stated in the Staff report, note they're  
5 mature elms but they don't touch the wires. So, I took that to mean that they can stay there if  
6 forever unless there's some maintenance problem that they have to be taken down later but I  
7 took it that they're fine there. The problem is that we have to get in the bike lane. If it wasn't  
8 that that was the worst crossroads in pedestrian and car intersection in the City. I'd say take out  
9 that whole lane because once you get past there. You know, it's not too often that both lanes  
10 are taken up but I just throw that out as an alternative that I know is not possible. But if there's  
11 some way we could steal a little bit of that and I mean I'm on board with what Commissioner  
12 Hechtman is saying with that idea to try to come down from 10 feet. I don't know how that  
13 works with VTA standard.

14  
15 And then obviously the other thing we'd have to look at if you put the bike path in the street  
16 then it's just a bike path. It's not multi-use so that doesn't really solve that. So, I want to  
17 understand the conundrum but taking down 15 trees and/or skipping a bike path there. I agree  
18 it's a problem so what... are there other really creative designs like we could move into what is  
19 now the private property and somehow compensate the owner for that? Or give you some  
20 other land somewhere else? I know that sounds very complicated to be trying to figure out a

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1 land swap but I'm just trying to figure how to push the edges here to get all of what we need.  
2 I'm not sure anybody can address that right but again, it just (interrupted)

3

4 Mr. Ah Sing: Yeah, thank you, I mean there certainly are a lot of options that we're hearing from  
5 the Commission at this time and maybe there's a Condition of Approval to explore these  
6 options. We don't have any real answer for that at this point.

7

8 Chair Lauing: Okay well, let's go through some of the other comments from on this section of it  
9 and then when we get to the end. We can figure out if there's a way to approve it with  
10 recommendations to take further action or if we can't. So, Commissioner Reckdahl.

11

12 Commissioner Reckdahl: I don't want to lose trees but I also don't want to put an 8-foot bike  
13 path. I mean I've biked on 8 foot bike paths and it's not good. 10 feet is much better, 12 is even  
14 better because people walk side by side and they just don't give you room and people have...  
15 what? Okay, people walk side by side and you can't get by them. They have strollers, it's just...  
16 it's problematic if you get below 10 feet. On the other side of the street, there's a sidewalk.  
17 Where's the property line on that sidewalk? Does the sidewalk covered all of the public land or  
18 is there room? Do we know?

19

20 Mr. Ah Sing: Oh sorry, are you speaking about the Stanford Eye Center?

21

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1 Commissioner Reckdahl: Yep.

2

3 Mr. Ah Sing: I don't know what the... where the property line is there or if Sylvia if your team  
4 has explored any improvements on that side ever?

5

6 Ms. Star-Lack: No, I don't know where the line is.

7

8 Commissioner Reckdahl: I'm looking at Page L-1 in the handout and they showed the  
9 replacement trees. What size of replacement trees would we be getting on that? Do you know  
10 the height of those?

11

12 Mr. Ah Sing: I'm trying to look up the page but if Eric if you know.

13

14 Mr. Iverson: I do not know off the top of my head. I believe they're 7 to 12 feet but I'm with  
15 you. I need to look at the landscape plan and verify.

16

17 Commissioner Reckdahl: Because looking at these trees under the powerlines they look maybe  
18 20 feet tall. If we can replace them with 12-foot trees I think that's a big win. You get a 12-foot  
19 or a 10-foot bike path, you take a hit for a few years but you get back pretty quickly. In the long  
20 run, that bike path is going to be much much more important than losing a few feet of trees for  
21 several years.

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Mr. Ah Sing: I mean it looked like they're 36-inch box trees and yeah, I was going to bring up that comment about these new trees being oak and maple. I mean they're going to be potentially pretty robust trees over time.

Mr. Iverson: A 36-box tree should be 12 to 14 feet tall.

Commissioner Reckdahl: So, if we were doing that then I would much prefer having the wide bike path.

Chair Lauing: Was there any consideration given to putting the bike path in the street and a pedestrian path in the area that we're discussing? Or was that ruled out as not standard?

Mr. Iverson: From the applicant's perspective that was our preferred option but City Staff had told us that was not an option.

Mr. Ah Sing: [unintelligible]

Ms. Star-Lack: We did... yeah, thanks. We did look at that. That is something that would require more analysis. We are... Staff were operating from the basis of the prior applications here that... and the rezoning that had stipulated that a bike path should be placed at the sidewalk level. So,

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1 that was our stance but we did look at the other analysis and I... we did look at how we might  
2 be able to fit something in here. It is a much bigger project than just adding a bike path on the  
3 frontage of this property.

4

5 Chair Lauing: Okay. Commissioner Chang.

6

7 Commissioner Chang: So, I think given the trade-off, I think I would prioritize the bike path over  
8 the trees. However, I'm really concerned about the heat island effect here, in combination with  
9 the fact that we're also going to have all this impermeable asphalt and a car dealership.  
10 Everybody knows that when you go to a car dealership it's just hot because of all of that asphalt  
11 and then if we take away the trees it makes it even hotter. And again, that whole area, if you've  
12 ever biked through there, is hot because of all the buildings there. So, I just didn't know if  
13 there's any other... I know that we can't plant anything taller than 15 feet but if there anything  
14 else that can be done. Even if it's not living shade. If there's say solar... I mean what is allowed  
15 within that easement if anything at all?

16

17 Mr. Ah Sing: Thank you, I mean it's very limited. I think maybe you could put maybe some light  
18 fixtures in there but again they can't be where you have underground easements. So, it's pretty  
19 limited. I know the other project had like a storm drain kind of facility in that area but in all the  
20 projects we haven't seen very much that can happen there.

21

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1 Commissioner Chang: Okay and so it looks like it's 10-to-foot, 15-foot trees that will be there  
2 which isn't too bad it seems. Is that what I'm understanding correctly from L-1?

3

4 Mr. Ah Sing: Yes, that's correct. Another thing to add too, we were just thinking internally about  
5 the existing trees and if people and bicycles are going to be on basically a sidewalk level. You  
6 know there may be conflicts with the branches there that have to be trimmed and pruned. So,  
7 you know that's another potential reason to replace those trees as well.

8

9 Commissioner Chang: Okay, thank you. I don't have any other comments other than yeah, I  
10 think I'd prioritize the bike path but it's not a very... I wonder about Commissioner Summa's  
11 [note - Vice-Chair] idea about, can we... I mean I'm looking at the letter from the applicant in  
12 the Packet where there's an ARB recommendation to put the bike path on private land. And I  
13 understand that that's not great because this is not... that's not City-owned land. But the  
14 applicant said something about that vehicle spaces would be lost and that jeopardizes code  
15 requirements and manufacture requirements on site for vehicle storage spaces. And so, I'm  
16 wondering what are those Code requirements? What is the exact implication regarding the  
17 Code requirements or the manufacture requirements? And so, for Code requirements, I'm  
18 asking Mr. Ah Sing and for the manufacture requirements, I'd like to ask the applicant.

19

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1 Mr. Ah Sing: I'm trying to think through the Code because we never received a version of the  
2 plans where I had to assess the Code again based upon something revised. So, I'm not sure  
3 where the applicant was going with that.

4

5 Mr. Iverson: We did Sheldon, if you recall I think we did analyze that as part of the ARB and  
6 when we decided to put in the bike path and make up for the lost shade trees because the ARB  
7 spent a lot of time talking about these same shade trees. We lost I believe it was two or three  
8 parking spaces elsewhere on the site to add additional trees as well as we squeezed in some  
9 more where we could. But those two or three spaces were literally the last two or three spaces  
10 that we could lose and put us right up against the minimum parking requirement as required by  
11 Code.

12

13 And the same thing, the manufacturers... the part two of answering that question, is the  
14 manufacturers have a minimum number of spaces. We've submitted this to Mercedes. You  
15 know we are the franchise dealer and they've approved it. I think it was somewhat  
16 begrudgingly on the number of spaces. I think they would like to have two or three times as  
17 much as we have but they've understood the cost of property here and the availability of  
18 property on our site. We kind of have what we have and that's it.

19

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1 Commissioner Chang: To be clear, you're telling me that the requirement from the dealership is  
2 at minimum twice the number of inventory spaces that are currently in the plan. And  
3 (interrupted)

4  
5 Mr. Iverson: Manufacturers always want us to provide as much parking as possible. In a site like  
6 this, we actually would have additional off-site inventory storage. Month-to-month lease type  
7 storage. Very similar to what we have next door at the Audi dealership. We actually lease  
8 spaces from the City of Palo Alto to store access inventory and that's just to deal with as  
9 inventory increases and decreases.

10  
11 Commissioner Chang: Thank you and I do appreciate that this building is much smaller in  
12 massing than prior plans and is a better project than prior plans. But I'm just trying to think  
13 creatively about where do we have wiggle room here because if we could under park it and  
14 save the trees. That would be amazing.

15  
16 Chair Lauing: Commissioner Templeton.

17  
18 Commissioner Templeton: Thank you. I was just thinking about what Commissioner Chang said  
19 regarding the trees and I'm recalling back to probably the 2019 plan but did we talk about red  
20 buds or crepe myrtles or something that was short that would work?

21

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1 Mr. Ah Sing: Yes, there was that option did include some crepe myrtles and there was... I think  
2 they had a little more room in that one though because again that project had all... they had  
3 300 cars in a mechanical storage system in the building. So, they didn't have very much  
4 inventory on the outside. I think they had like one row of parking there, so they had a little  
5 more room to do such things.

6  
7 The one thing that I just want to mention, I don't mean to take your time on this, is that I did  
8 mention in the presentation, but not necessarily in the Staff report, is that this bike path  
9 requirement of a TDM requirement. So, because of the non-trips that they have, they need to  
10 reduce trips by 20 percent and because they're a car dealership. It is... it's difficult for them to  
11 meet that and so this is one of the ways for them to help kind of elevate that through this bike  
12 path. So, this is the reason that you're seeing this here. That's the reason you've seen in the  
13 other project. I mean part of it is yeah, there's a gap here but that's why it's imposed upon this  
14 project.

15  
16 Commissioner Templeton: I think it's a good point like we definitely need the bike path. Is there  
17 any chance or any way to expand it towards the street instead of... like if we don't have enough  
18 going into the dealership? Do we have enough going the other way? Maybe we could narrow  
19 the street by a foot or two feet?

20

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1 Mr. Ah Sing: That's something that we would need to explore. So, maybe that's part of a  
2 Condition of Approval that we put forward.

3

4 Commissioner Templeton: Yeah because I mean, you know, that might be a way to handle it.  
5 Okay, great, thank you.

6

7 Chair Lauing: Is there any way... just to chime in on this idea of reducing parking, assuming you  
8 could pass that with the manufacturer. Is there any estimate of how many spots we'd have to  
9 lose to not take down those trees? Is it another couple or is it have to reconfigure the parking? I  
10 hate to ask this question on the fly but that's what we're doing right now.

11

12 Mr. Iverson: So, if I can answer as the applicant here? We did look at that after the ARB  
13 suggested such and basically the tandem parking along East Bayshore would go away and it  
14 would be a single row of parking to do that. So, we get into two issues and one is Code... well,  
15 three issues actually. One is a Code issue whether or not we need a Parking Variance. The  
16 second one is as I said we are at, to us as far as being able to retail new and used automobiles,  
17 we are at just an absolute minimum on the site. It's extremely small to do this. It's about as  
18 small as I think we could do for full-service Mercedes dealership.

19

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1 Chair Lauing: Well, that's why I was asking because if you were just going to give up two spots.  
2 That's one decision. If you're having to give up 12, that's quite another decision so that's the  
3 kind of order of magnitude I was trying to get to.

4

5 Mr. Iverson: Thank you, yes.

6

7 Chair Lauing: Any other comments on this one? Now that we've got that fully solved. I'm sorry?  
8 Go ahead, Commissioner Hechtman.

9

10 Commissioner Hechtman: So, I just... actually, first let me start with a question. Mr. Ah Sing, if  
11 we weren't taking out... so one of the issues that we have here that we're supposed to be  
12 dealing with is this loss of shading. I think we're down to 41 percent where 50 percent is  
13 required. Is removing those mature trees affecting that loss of shading or are the replacement  
14 trees that we're putting there even though they're smaller, is that covering that so that's not  
15 really the problem?

16

17 Mr. Ah Sing: I think we'll get pretty close if the mature trees were there, but to be honest it's  
18 always been a problem, the parking lot shading, for any project that's been on this site. I mean  
19 this easement has been a major constraint for development on this site.

20

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1 Commissioner Hechtman: Alright, so it sounds like it's not the whole problem removing those  
2 trees but it's contributing to it. And to me, it seems like that fact justifies finding the Exception  
3 because really it's part of the price that's being paid to get a bike path. So, I'm okay with that,  
4 but I'm not okay and I don't think we should be talking about trying to slide this path over onto  
5 public... private property. And that's what we're talking about when we're talking about losing  
6 parking spaces and losing inventory spaces because the only reason you'd need to do that is if  
7 you're taking up part of the private property for the bike path. And I'll say it again, this project  
8 is not generating bicycle-related impacts. We've got a TDM plan and I think if I understand Mr.  
9 Ah Sing correctly, I don't think that he was saying... well, I don't want to put words in his mouth  
10 but we've done a lot of TDM plans and they don't all require a 10-foot bike path. The reason we  
11 want a 10-foot bike path here is because it's a good link for us, right? It happens to be a  
12 property where we don't have this bike connectivity. It's kind of in the way of our bike path and  
13 so we're going to impose a bike path on it on public property which again is fine. But I don't  
14 think we have justification that we would need to slide it onto the private property. So, I'd like  
15 us to focus... I hope we will focus our recommendation on this path staying on public property,  
16 on the City right of way, and whether it really does need to be 10 foot. And if so, is there a way  
17 to slide it over and take up a foot or two of the street which might require a little bit more  
18 analysis and if that happened would it save those trees which would reduce the shading  
19 problem?

20

21 Mr. Ah Sing: Excuse me, through the Chair, I think Sylvia wanted to make a comment.

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Chair Lauing: Sure, let me just respond to Commissioner Hechtman first because I just want to be on the record clearly that I was not suggesting that we trade off parking spaces to put our bike space there because before I was talking about something out there called a land swap. So, I'm not presuming that this is a cost that the property person... the property owner would be subject to.

Commissioner Hechtman: And I didn't understand your comments that way either.

Chair Lauing: Yeah, okay. So yeah, so Sylvia, go ahead.

Ms. Star-Lack: Thank you, Chair. I just want to clarify that our TDM policy for this area that's outside of downtown and Cal Ave requires a TDM... requires a trip reduction of 20 percent. This project will never be able to meet that policy and the bike plan is... I'm sorry the bike path is a fantastic option for this applicant. You know, it's... that... to put forward in lieu of meeting a policy. So, I just wanted to clarify that this is... this bike path is not here just because we want to have a bike path. It's here also to provide a way for this applicant to get a little closer to meeting a TDM policy that unfortunately because it's auto-oriented dealership they will not be able to meet.

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1 Chair Lauing: Yeah, I think we're trying... we're getting to consensus here that this bike path is  
2 not optional. It's absolutely essential for all the reason that we've discussed because it... and it  
3 really fixes a bigger problem that we have there. You know, of people just walking on the street  
4 to get to the Baylands, so I think it's going to be a great improvement.

5  
6 Ms. Star-Lack: Yeah, thanks.

7  
8 Chair Lauing: Any... Commissioner Chang, you have a comment?

9  
10 Commissioner Chang: So, as I understand it, this applicant will never meet the City's TDM  
11 requirements and yet, this bike path is proposed as a way to then meet it. Except the bike path  
12 is on public land so is it just that the applicant is paying for the construction of the bike path? Or  
13 I'm trying to understand how... what they are contributing given... other than the small little  
14 corner of easements to the construction of the bike path? That's sort of mitigates... you know is  
15 part of their TDM sort of. A substitute for their TDM.

16  
17 Ms. Star-Lack: So, I don't know, Sheldon you can jump in but I mean it would be construction of  
18 the path and whatever is needed to build the path. You know, other... and then their TDM  
19 obligation is done. Except for what little they could do if possible with their own employees. So,  
20 there's not... I don't know Sheldon, you can correct me but other... if there were any other land

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1 use that was coming in here that wasn't auto-oriented. They'd have to reduce their trips by 20  
2 percent and that would be an expense they would pay in perpetuity.

3

4 Commissioner Chang: Thank you that does clarify things a lot and I know it's not cheap to build  
5 a bike path but yet this is a one-time thing. Okay.

6

7 Chair Lauing: Do we want to step up to the shade issue? Do we have comments on that? The 50  
8 percent requirement and the proposal hitting 41 at this point. Commissioner Chang, go ahead.

9

10 Commissioner Chang: I think I'm largely okay with the shade requirement as is because of the  
11 easement restrictions. That seems pretty reasonable but that doesn't... I mean it is interrelated  
12 with the loss of the street trees. And so that's the part where I'm thinking gosh if we could  
13 just... I don't love the idea of going into the private property but maybe if there was something  
14 creative that we could do there because there is this traffic impact as well as the shade impact  
15 from the trees. You know, it just... I know that we as the City want the revenue from a car  
16 dealership but it does... it's not good that there's a project that will essentially never meet the  
17 TDM requirements.

18

19 Chair Lauing: Vice-Chair Summa.

20

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1 Vice-Chair Summa: So, circling back to something Ms. Star-Lack just said. Is there an  
2 expectation that employees will be biking to work? I thought I heard you say that.

3  
4 Ms. Star-Lack: Thanks, Commissioner. We would be requiring that TDM efforts would be  
5 attempted on what... on employees if possible but we are not... we're not requiring. We don't  
6 require particular methods but they would need to try to do something.

7  
8 Vice-Chair Summa: Okay but I think if we're thinking about that I think that they will probably  
9 need shower facilities at this location if we think people are going to be biking there. And then  
10 is it... is there no kind of tree that can be planted in the East Bayshore easement? The whole  
11 section.

12  
13 Mr. Ah Sing: I mean the trees that they're planting are locations in where and the size that they  
14 can put in there. I mean they're just... PG&E's pretty strict about things and then you also have  
15 again some underground facilities. So, you have to stay outside of those completely because  
16 you can't have any roots adjacent to the pipes or in the easement adjacent to the pipes.

17  
18 Vice-Chair Summa: Okay, yeah this is a pretty tough site actually, but I'm sort of uncomfortable  
19 with getting rid of the City trees and not having the shade trees. And I would think we could  
20 find a place to put some more hopefully and then also I don't know. I think... I don't know if the

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1 applicant can... there... I believe you said you're already have inventory on other sites.  
2 Increasing the inventory at... off-site and finding more room on this location.

3

4 Mr. Iverson: If that... was that a question?

5

6 Vice-Chair Summa: Sure.

7

8 Mr. Iverson: Sure? Okay sorry, I wanted to make sure that (interrupted)

9

10 Chair Lauing: Go ahead.

11

12 Mr. Iverson: We have... like I said we've knocked it down to what we feel is really absolute  
13 minimum of inventory on-site. Actual, read inventory is likely going to be below 25 or 30 cars  
14 which is extremely low. I think one of the reason we have this struggle is we chose not to build  
15 the five-story parking elevator cars big monstrous building. I think the shade from where we  
16 started with the first ARB application. The shade that we lost with those trees and Staff will  
17 know how many times I told them that I did not want to lose those trees. I am very much an  
18 urban tree person and I'm also a cyclist too. But we did makeup through additional plantings on  
19 the rest of the site as well as the additional trees at the Baylands. So, I think we did our best to  
20 mitigate those trees which I love but those trees that we'd be losing in exchange for the bike  
21 path.

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Vice-Chair Summa: I'm not sure who could answer this question but I think the very first car iteration of this project had all the inventory somewhere across the Dumbarton Bridge. I don't know. I think that's kind of the pressure point for me is the inventory and I understand it's almost sub... the bare minimum for your standards in our industry but it's kind of a problem at this location.

Chair Lauing: You'd referenced before a solar canopy. Can you just tell us what that would look like and if [unintelligible] architecturally and where that would go?

Mr. Iverson: Eric Iverson, applicant again, the solar canopy would be over the inventory parking between the Audi and the Mercedes stores, so along that property line. Not necessarily since... once again we can't put it underneath the PG&E easement. That really seemed like the only location. They'd be your traditional parking lot canopy-type structures.

Chair Lauing: Looks like an open garage basically.

Mr. Iverson: Not so much like a carport but more of a column with a cantilevered roof over it.

Chair Lauing: Commissioner Chang, you're lights still on. No? Okay. Are any other questions on... oh, yes she does. Commissioner Chang.

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Commissioner Chang: I did want to... I mean kind of in response to what Commissioner Summa [note – Vice-Chair] was saying about the inventory. I do... if we want a car dealership for the revenue for the City and because it's a good use here it seems. I do think that this design of car dealership is vastly, vastly, vastly better than all the other designs of car dealerships where there's a building in which to park the cars. So, if that were the trade-off because I am noted it.... noting that these guys are way below the FAR. This is a better trade-off to make. In other words, less shade but also there's not a massive building there. So, if... I don't know if that helps you at all to think about this.

Chair Lauing: Other categories you want to bring up? I want to just bring up sort of a new one here that's a real old one which is the traffic issue. And when we saw this last time and understand the... we used the LOS standard for determining congestion and that intersection was an F, defined as an F which means it's... literally, it's the worst one in the City. And now the standard has changed to VMT instead of LOS but it's sort of confusing to me that it seems like there still going to be pretty even with the smaller footprint of the building. There's still going to be the same kind of drop offs and pick up and repair and all that. So, it seems like the same kind of cars are coming through there. We just changed from VMT to... LOS to VMT and poof the problem is solved. I know that's the issue relative to CEQA but we actually haven't made that change in the City. So, why wouldn't we also take a look at that on LOS? And I went and read that document and printed out a few pages of it right here and there are suggested, from

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1 '19, there are some suggested mitigations to take care of the 138 new trips in the morning and  
2 177 new trips in the afternoon which could have changed plus or minus since then. But why  
3 wouldn't we take a look at mitigation measures for the same problems that we had 3 years  
4 ago?

5

6 Mr. Ah Sing: So yes, thank you for that and you're correct that CEQA's thresholds are Vehicle  
7 Miles Traveled and not Level of Service. The City's Comprehensive Plan has Level of Service but  
8 the 2019 project included the Audi site along with the Mercedes site. So, it was like five acres in  
9 size. It was a much larger project and much larger building, much larger enterprise and so the  
10 numbers that you've quoted are correct for the previous project. This project alone is much  
11 smaller and when we have run the LOS analysis. It doesn't reach those thresholds and those are  
12 contained in the transportation analysis in Appendix B of the Addendum which is the new  
13 transportation... the new environmental document and also summarized in the environmental  
14 document. So, there are no transportation impacts regarding VMT or LOS for this new project.

15

16 Chair Lauing: So, that's because the... I'm still just trying to do the math to get comfortable with  
17 that. So, the Audi dealership would have gone up with the bigger project, is that what you're  
18 basically saying? We had more traffic to the Audi dealership in and out than we're having now  
19 even though it's the same Audi dealership still sitting there?

20

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1 Mr. Ah Sing: So, what that would have done was the showroom would have stayed the same on  
2 the site. So, for both properties, the showroom would have remained and they would have  
3 added on to the Audi building. It would be much bigger with service and then you include on  
4 top of that the Mercedes' site which included a much larger facility.

5

6 Chair Lauing: Right but what I'm trying to figure out is that the Audi dealership is the same as  
7 when you looked at it before. Unless you thought there was going to be a lot more cars because  
8 it was a bigger dealership. Was that the case? Because it seems like the only thing that's  
9 changed is the size of the Mercedes' dealership in that street and we still have this amount of  
10 cars to deal with regardless of the size. I mean he has 25 cars on the lot but he'd love to sell 25  
11 a day and put more... 25 more in there, right? So, there's still going to be a lot of traffic to the  
12 site, it's not relative to the inventory there.

13

14 Mr. Ah Sing: I think that it has to do with there's certain institute of traffic engineers.  
15 [unintelligible] engineers has certain numbers that they use, trip generators, and there's the  
16 showroom aspect and then there's the service. The service is a bigger generator of it. The Audi  
17 site again, you know they would have to back out whatever was going to be on that site and  
18 just focus really on the Mercedes site. The Audi site now remains an existing project, a  
19 background project, so it's more part of the cumulative amount than the actual project impact.

20

21 Chair Lauing: I'm not sort of questioning your analysis. I'm questioning if you did the analysis.

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Mr. Ah Sing: No, we did, we certainly did. I'm just trying to make it clear because it is a little confusing how this project happened.

Chair Lauing: Because three years ago that was the stumbling block for me. You know, I mean that was just going to be more gridlock if you can imagine it than it is right now so.

Mr. Ah Sing: Right, I do remember there was going to be a roundabout and yeah.

Chair Lauing: Yeah, tough. Commissioner Reckdahl, I'm sorry I don't know who was on first.

Commissioner Reckdahl: Yeah, really basic question. How do we determine how many trips a car dealership is going to generate? Right because you have high volume dealerships, you have low volume dealerships but yet we're planning ahead of time. We don't know [unintelligible] this model, so is it like a percentage of cars as function of number of parking spaces or how do we calculate this?

Mr. Ah Sing: I'm going to call on maybe Sylvia to help here and not... I'll look at the actual analysis itself but it does have the trip generator and what they used but maybe Sylvia you can talk the Commissioners through that.

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1 Ms. Star-Lack: Sorry, can you restate the question?

2

3 Commissioner Reckdahl: So, if we have a car dealership, how do we predict how many trips it's  
4 going to generator? Is it dependent on the square footage of the showroom? Is it dependent on  
5 the number of parking spots that they're going to have for inventory?

6

7 Ms. Star-lack: Yeah, thanks. Its... I'm not sure about the inventory number. It's generally based  
8 on the... there are different ways you can do it. You can base it on the square footage of the  
9 showroom but you... but if there's service bays. The service bays are the major trip generator  
10 because those are going all day, right, so you would want to use both.

11

12 Commissioner Reckdahl: Okay.

13

14 Chair Lauing: Commissioner Hechtman.

15

16 Commissioner Hechtman: The carwash, I appreciate Ms. Lim speaking to us tonight and also  
17 sending in an email in advance and I also appreciate Mr. Iverson that you have moved the  
18 carwash from wherever it was. It sounds like pretty close to that property line in the last  
19 version, which our Council nonetheless found with mitigation wouldn't cause a noise impact,  
20 but now it's moved some 40 feet away. So, it didn't sound to me like Ms. Lim was aware of that  
21 because she was talking about it being so close to where their... I guess where their picnic

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1 tables are and their food truck comes. So, I'd encourage her, if she's still listening, to contact  
2 Mr. Ah Sing and he can help understand where it's been moved to and I'm hoping that'll  
3 adequately address your concerns.

4  
5 Next issue I wanted to ask about is the remaining improvements on the Audi site. Packet Page  
6 21, Mr. Ah Sing can you help me understand what's left to do over there?

7  
8 Mr. Ah Sing: Right, thank you, what are we talking about, so there's more history. So, the Audi  
9 site you have a very nice-looking showroom right now and that was part of a project I think like  
10 2015. Maybe a little less than that, maybe earlier than that and the whole site was going to be  
11 redeveloped. So, it was going to include some parking lot improvements in the rear, the  
12 change... the trash enclosure, but the City did have a deferral of those improvements in the rear  
13 of the property in exchange for a Certificate of Occupancy so the dealership can get going. So,  
14 we've been working with the dealership, there's a bond, an Improvement Bond, to ensure that  
15 these improvements get completed. We've kind of run into some snags, some delays and so we  
16 just want to ensure that the rest of the improvements that were approved and promised to get  
17 completed are completed timely.

18  
19 Commissioner Hechtman: So, it's reminding me sometimes when houses get built, you know,  
20 they tear down something and build a new one. And for some reason, the house gets built,  
21 moved in and like the landscaping doesn't get done for years and it's always kind of perplexing.

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1 Mr. Iverson, if I can ask you, is there... what's your... apart from conditions that the City might  
2 impose, what's your plan to finish off the Audi dealership?

3

4 Mr. Iverson: We have submitted that one to the City of Palo Alto for permit. There's three items  
5 that were required and that is landscaping, revising the lighting at the back of the lot, and a  
6 trash enclosure. And one of those reasons, the trash enclosure is going to be co-used with the  
7 brand-new trash enclosure at Mercedes. So, that takes care of one of the three issues. The light  
8 poles are actually sitting on site waiting for us to finish going through the permit process and  
9 the handful of trees will then follow. So, there's no issues from our side other than going  
10 through the permit process.

11

12 Commissioner Hechtman: Okay, I'm glad to hear that. I will say that I'm a little uncomfortable  
13 with Condition 14 because it seems like happenstance that we're imposing a requirement on  
14 one project that doesn't have anything to do with that project. It's a different project and you  
15 know, I wouldn't think it was right if Mr. Iverson had an Audi dealership 2 miles away in Palo  
16 Alto and we were trying to cross-connect them this way. So, again, I think he needs to get it  
17 done and I think we have other remedies and I just think it's kind of a slippery slope when we  
18 start imposing conditions in one project that don't relate to that project. So, I'd like to see  
19 Condition 14 gone.

20

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1 And then Condition 19, which Mr. Iverson referenced, and so I've looked at the site plan and I  
2 can see the storm drain running... it really runs through the row of parking closest to the  
3 building on the East Bayshore side. And so, I'd like to hear from Staff, and it kind of runs right  
4 through the middle of the parking spaces, a little closer to the curbside maybe than to the tail  
5 side. So, I'd like to hear from Staff what's the problem with the storm drain staying right where  
6 it is.

7

8 Mr. Ah Sing: Yes, thank you, so we actually just hear about this concern this afternoon and  
9 there wasn't enough time to kind of figure that out with our Public Works Staff. So, we do need  
10 to look into that.

11

12 Commissioner Hechtman: Okay, alright, again when I first read the condition I was thinking it  
13 must be sort of butting right up against the foundation. So, if you ever needed to get access to  
14 it you'd be chipping into the foundation but it doesn't look in this location like that. So, I think I  
15 would like to move this forward tonight and we'll have to figure out a way to craft some  
16 flexibility for Staff on that condition, so, that if they determine after looking at it, and I do  
17 understand it was just brought to you, if they determine that maybe that can go away then it  
18 should, that condition.

19

20 Okay, those were the last of my items. Thanks.

21

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1 Chair Lauing: I would concurred with both of those points that you raised relative to those two  
2 conditions. I think it's unnecessarily onerous on the property owner. Okay, comments on  
3 anything we haven't commented on? Commissioner Chang.

4  
5 Commissioner Chang: Mr. Ah Sing, I had a question for you about the pavement restoration  
6 piece that the applicant brought up. Can you tell us more why that's in there? Just give us some  
7 background.

8  
9 Mr. Ah Sing: Great, thank you, this one we did have a little more time... a heads up from the  
10 applicant on. So, the... so this is a standard condition for larger projects and what happens is  
11 you may have some large equipment that go in and out of the site. And that does damage the  
12 City's streets and so it's to ensure that any damage that's done by a project is restored. So,  
13 there's certain specifications that the City has and for the most part, we can't say exactly what  
14 those will be in the condition; but there will be a Public Works inspector that goes out there  
15 and determines the extent of the damage and the restoration requirements.

16  
17 Commissioner Chang: So, the follow-on question I have is that if the damage were not so  
18 extensive as to need the 3.5-inch grin and overlay. Then would the City request less? So, in  
19 other words, can we change the language to make it... I mean I hear the applicant's point about  
20 it. There's no point redoing a street if it doesn't need to be redone or to dig deeper if it doesn't  
21 need to be dug deeper. So, how is that actually handled in reality?

- 
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Mr. Ah Sing: Yeah thank you, I think the issue that the applicant has is with the 3 ½ inch dimension that's called out. So, you know, if the Commission wanted to... you'll have it so it's more flexible for the inspector to determine the extent. You know, that's fine with the City Staff but maybe we could get some clarification as well from our City Attorney on maybe what the best way to craft that condition so that the City is protected in that way.

Commissioner Chang: I would like to have... I think it would make a lot of sense to have some flexibility there if we can. Just so that we're not doing work that doesn't need to be done but also protects the City. Mr. Yang?

Mr. Yang: So, I think if the Commission just provides that direction to add flexibility to that condition. We can work with our Public Works Staff to make sure that the language covers our bases.

Commissioner Chang: Thank you.

Chair Lauing: Would someone like to make a motion of approval with some flexibility on Conditions of Approval with mutual agreement? Mr. Hechtman [note – Commissioner Hechtman]?

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1 MOTION

2

3 Commissioner Hechtman: Let me try it out. I move that the PTC recommend Staff's  
4 recommendation on this item with the following modifications. The deletion of Condition 14,  
5 the deletion of Condition 21 unless the City determines that it will not be able to reasonably  
6 access its storm drain in its present location without damaging the building foundation, and  
7 adding flexibility to Condition 31 (interrupted)

8

9 Commissioner Chang: Wait, do you mean Condition 19 instead of 21?

10

11 Commissioner Hechtman: Oh sorry, yes I did. I mean, yeah, Condition 21 is the storm drain  
12 condition.

13

14 [note – several folks spoke off mic]

15

16 Commissioner Hechtman: Sorry, I'm stuck, I'm stuck. Condition 19 is the storm drain that I  
17 intended to refer to and then adding flexibility to Condition 31 regarding the extent of repaving  
18 that would necessary dependent upon the impacts. So, I'll end the motion there. I didn't  
19 include anything about changing the bike path.

20

21 Chair Lauing: Let's just get a second and see if we want to trim it up at all.

- 
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SECOND

Commissioner Reckdahl: I'll second.

Chair Lauing: Second by Commissioner Reckdahl. Everybody okay with that motion as is? It's not the shortest I've ever heard but it does... is Staff okay with that motion in terms of understanding the direction there?

Mr. Ah Sing: Yeah, I think it's pretty clear to me, thank you.

VOTE

Chair Lauing: I'm glad this is recorded because it's long. Okay, any other discussion or comment? Alright, let's do a roll call vote please?

Ms. Klicheva: Commissioner Chang?

Commissioner Chang: Yes.

Ms. Klicheva: Commissioner Hechtman?

- 
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2 Commissioner Hechtman: Yes.

3

4 Ms. Klicheva: Chair Lauing?

5

6 Chair Lauing: Yes.

7

8 Ms. Klicheva: Commissioner Reckdahl?

9

10 Commissioner Reckdahl: Yes.

11

12 Ms. Klicheva: Vice-Chair Summa?

13

14 Vice-Chair Summa: Yes.

15

16 Ms. Klicheva: Commissioner Templeton?

17

18 Commissioner Templeton: Yes.

19

20 Ms. Klicheva: Motion carries 6-0.

21

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1 MOTION PASSED 6(Chang, Hechtman, Lauing, Reckdahl, Summa, Templeton) -0-1(Roohparvar  
2 absent)

3  
4 Chair Lauing: Okay, good work on a very complicated issue. Good work by Staff as well on a  
5 very complicated issue and thanks for the corporation of the developer. Next item I believe is  
6 approval of these minutes on 28<sup>th</sup> is the only one. Is that correct? Right, alright.

7  
8 **Commission Action:** Motion by Hechtman, seconded by Reckdahl. Pass 6-0-1 (Roohparvar  
9 absent)

## 10 **Approval of Minutes**

11 Public Comment is Permitted. Five (5) minutes per speaker.<sup>1,3</sup>

12 5. September 28, 2022 Draft Verbatim and Summary Meeting Minutes

13 Chair Lauing: So, read us what we have here Madina. We need a motion to approve September  
14 28<sup>th</sup>, 2022 draft verbatim and summary minutes, correct? Okay.

15

16 MOTION

17

18 Commissioner Hechtman: I'll move approval as revised. Did I revise the summary?

19

20 Madina Klicheva, Administrative Assistant: [unintelligible – off mic]

21

22 Commissioner Hechtman: Both, that's... both revised summary and verbatim.

- 
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Chair Lauing: Any second?

SECOND

Vice-Chair Summa: Second.

Chair Lauing: Vice-Chair Summa seconds. Any questions, comments? Alright, roll call vote, please?

VOTE

Ms. Klicheva: Commissioner Chang?

Commissioner Chang: Yes.

Ms. Klicheva: Commissioner Hechtman?

Commissioner Hechtman: Yes.

Ms. Klicheva: Chair Lauing?

- 
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1 Chair Lauing: Yes.

2

3 Ms. Klicheva: Commissioner Reckdahl?

4

5 Commissioner Reckdahl: Yes.

6

7 Ms. Klicheva: Vice-Chair Summa?

8

9 Vice-Chair Summa: Yes.

10

11 Ms. Klicheva: Commissioner Templeton?

12

13 Commissioner Templeton: Yes.

14

15 Ms. Klicheva: Motion carries 6-0.

16

17 MOTION PASSED 6(Chang, Hechtman, Lauing, Reckdahl, Summa, Templeton) -0-1(Roohparvar  
18 absent)

19

20 Chair Lauing: Okay, thank you.

- 
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1 **Commission Action:** Motion by Hechtman, seconded by Summa. Pass 6-0-1 (Roohparvar  
2 absent)

3 [The Commission moved to Commissioner questions, comments or announcements]

#### 4 **Committee Items**

#### 5 **Commissioner Questions, Comments or Announcements**

6 Chair Lauing: Then any Commissioner questions, comments, announcements? Okay and then  
7 on future agenda items, Commissioner Templeton before you came we just referenced the fact  
8 that for November you're the liaison and there probably will be some items there.

9

10 Commissioner Hechtman: Specifically, Ms. French mentioned that the CUP Thresholds are on  
11 November 7<sup>th</sup> and I'll be your backup for that night so let me know if you can't make it.

12

13 Commissioner Templeton: I can't make it.

14

15 Commissioner Hechtman: Okay, I'm on it.

16

17 Commissioner Templeton: Thank you.

18

19 Chair Lauing: Commissioner Chang.

20

- 
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1 Commissioner Chang: And I would just like to thank Commissioner Hechtman for being my  
2 backup for that because I was supposed to backup Commissioner Templeton and I cannot make  
3 it as well.

4  
5 Chair Lauing: Okay and then thanks to Staff, this time of year we start to plan out the liaison  
6 and so they've done this tentative sketch in basis for the first six months of the year. So, you get  
7 another chance in January Commissioner Templeton. You're up first as this is currently written.  
8 Well, we'll take an obviously a close look at that in December and we talked about agenda  
9 items for the future that are on the books. And I think that's it so any other questions? Alright,  
10 good work tonight. Thanks a lot, and we stand adjourned at 10:28.

11 **Adjournment**

12 10:28 pm

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