



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

Council Chamber & Zoom  
6:00 PM

## Call to Order / Roll Call

Approximately 6:00 pm

Chair Lauing called the meeting to order

Madina Klicheva, Administrative Assistant, conducted a roll call and announced all Commissioners were present with the exception of Commissioner Roohparvar and Commissioner Templeton would join the meeting later.

Amy French, Chief Planning Official, read aloud protocols and procedures for hybrid meetings.

## Oral Communications

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

Chair Lauing invited members of the public to share comments with the Commission on non-agenda items.

Liz Gardner stated the City was playing a shell game with viable and feasible properties that would provide all-income housing within Downtown, California Avenue, and El Camino Real. She suggested an Ad Hoc Committee be formed to study the different sites.

## Agenda Changes, Additions and Deletions

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

Amy French, Chief Planning Official, stated there were not changes proposed by Staff.

## City Official Reports

### 1. Directors Report, Meeting Schedule and Assignments

Amy French, Chief Planning Official, reported the 1700 Embarcadero Road project would be placed on the Council's agenda after the Commission's review later in the meeting. Council

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1 began to hear and consider the North Ventura Area Coordinated Plan (NVCAP) item, but the  
2 item was continued to their meeting on November 14, 2022. The Council considered the  
3 Permanent Parklet Program at their October 24, 2022 meeting and the permanent ordinance  
4 was to come back to the Council in December 2022. With respect to upcoming Planning and  
5 Transportation Commission (PTC) meetings, the November 9, 2022 meeting was to be  
6 postponed to November 16, 2022. PTC would consider the Comprehensive Plan  
7 implementation, a Planned Home Zoning (PHZ) proposal at 660 University Avenue, an  
8 informational report on recently adopted regulations for Title 16, and upcoming zoning changes  
9 related to electrification. She noted that Commissioner Templeton was the Council liaison  
10 assigned to November.

11 Commissioner Hechtman asked if any planning items would be coming before Council before  
12 the November 16, 2022 PTC meeting.

13 Ms. French answered on November 7, 2022, the Council will consider the recommendation on  
14 the ordinance for CUP Thresholds. She added also on November 28, 2022, there will be a joint  
15 session with the PTC and Council to review the draft Housing Element.

## 16 **Study Session**

17 Public Comment is Permitted. Three (3) minutes per speaker.<sup>2,3</sup>

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

19 Chair Lauing introduced the item and requested that Staff share what feedback they were  
20 requesting for future Work Plan and evaluations.

21 Rafael Rius, Senior Transportation Engineer, stated the presentation focused on the City and  
22 Countywide Local Road Safety Plan (CLRSP), the projects the Office of Transportation was  
23 working on, and the next steps. The Valley Transportation Authority (VTA) initiated the CLRSP  
24 to assist in preparing all its member agencies for the Highways Safety Improvement Program  
25 (HSIP). The HSIP was a federally funded program that focused on road safety in municipalities.  
26 The CLRSP analyzed collisions countywide to identify high-level collision trends and emphasis  
27 areas. Safety partners who worked on the CLRSP included Staff from each VTA member agency,  
28 Caltrans and VTA Staff. Public engagement was conducted and included an interactive online  
29 tool, outreach through social media, and local news. Over 500 comments were received  
30 through the outreach process. The methodology used in the CLRSP was a literature review,  
31 collision analysis, emphasis areas, and future safety projects. The project considered the  
32 collision history from the year 2015 to 2019 and weighted them based on severity; with extra  
33 weight for fatalities and serious injuries. For each agency, the CLRSP identified five high-injury  
34 intersections and five high-injury corridors. The top five high collision intersections for Palo Alto

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1 were University Avenue at Crescent Drive, El Camino Real at Barron Avenue, Middlefield Road  
2 at Oregon Expressway, Alma Street at Meadow Drive, and Embarcadero Road at Middlefield  
3 Road. The five high collision corridors in the City included Oregon Expressway: Ash Street to  
4 Agnes Street; El Camino Real: Lambert Avenue to El Camino Way; Embarcadero Road: Byron  
5 Street to Newell Road; University Avenue: Crescent Drive to the City's limit; and Middlefield  
6 Road: 200 West of Portal Plaza and Garland Drive. The primary collision factors and emphasis  
7 areas identified for Palo Alto included bicycle and pedestrian collisions, rear-end collisions,  
8 unsafe speeding collisions, broadside collisions, head-on collisions, and night-time collisions.  
9 For the top two high-collision roadway segments, University Avenue at Crescent Drive and El  
10 Camino and Barron Avenue, the Office of Transportation had safety projects underway.  
11 Caltrans would soon begin a resurfacing project on El Camino Real between Lambert Avenue to  
12 El Camino Way. The City's current projects included the Charleston Arastradero Corridor  
13 project, a traffic single modification at San Antonio Road and Charleston, the South Palo Alto  
14 Bikeways, and others.

15 Chair Lauing invited the Commissioners to ask clarifying questions of Staff.

16 Commissioner Hechtman appreciated the presentation. He referenced Tables 2.2 and 2.3 and  
17 the columns labeled severity weight. He asked if it was an apples-to-apples comparison when  
18 comparing corridors versus intersections.

19 Eugene Maeda, Senior Transportation Planner VTA, explained the severity weight criteria were  
20 based on the number of fatal and serious injury collisions in a specific location. That criteria  
21 came from Caltran's Highway Safety Improvement Program.

22 Commissioner Hechtman rephrased if the severity weight for a corridor is the same severity  
23 weight for an intersection.

24 Mr. Maeda stated it should be the same, but requested additional time to explore it.

25 Chair Lauing asked if Oregon Express Way at Agnes Road was twice as bad as University Avenue  
26 at Crescent Drive.

27 Mr. Rius predicted that the two charts were not an apples-to-apples comparison.

28 Phillip Kamhi, Chief Transportation Official, agreed and that was why there were two different  
29 lists.

30 Commissioner Chang asked if it was correct to think that because University at Crescent Drive  
31 had a specific severity weight that was half the severity of the full corridor. That indicated that  
32 that specific intersection should be a high priority.

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1 Mr. Kamhi restated it was not an apples-to-apples comparison. He highlighted that a safety  
2 project for the intersection at University and Crescent Drive had recently been implemented.

3 Mr. Maeda added that folks needed to look at the number of fatal collisions because that gave  
4 more weight in terms of the severity for each location.

5 Commissioner Chang wanted to prevent fatal or serious injuries before they occurred and  
6 asked how can the City capture the “near misses”. She referenced a letter sent in from a  
7 member of the Safe Routes to School Parent Committee and the letter included a pedestrian  
8 and bicycle crash report. She stated that if the “near miss” data were included in the CLRSP,  
9 that would point to the areas where a serious injury or fatality could occur. She inquired if a  
10 Palo Alto survey would be helpful to collect the “new miss” data.

11 Mr. Kamhi commented that Staff does not receive a report on “near misses” but the Office of  
12 Transportation does receive comments from residents when they have concerns about an  
13 intersection. Staff reviewed all complaints and if warranted, Staff pursues additional studies to  
14 prevent incidents before they occur. He added that many comments are received through the  
15 311 system which allows Staff to track and manage the concerns.

16 Mr. Maeda added that the current safety programs at the federal, state, regional, and local  
17 levels were currently focused on reducing fatal and serious injury collisions. The next round of  
18 funding will provide funding for preventative-type projects. The CLRSP helped the county  
19 prioritize future safety projects.

20 Mr. Rius mentioned that the CLRSP did not ignore other types of collisions such as property  
21 damage or not-severe injury.

22 Chair Lauing mentioned that the prioritization maybe is wrong because there were no safety  
23 projects proposed for Oregon Expressway to Ash Street which was labeled as the top high-  
24 collision intersection.

25 Mr. Kamhi explained that some of the facilities identified were not governed by the City of Palo  
26 Alto. Oregon Expressway from Ash Street to Agnes Street was governed by Santa Clara County.  
27 He emphasized that the City prioritizes its work based on concerns, incidents, and severity.

28 Mr. Rius noted that the County did do a significant improvement project on Oregon Expressway  
29 in 2016 where they eliminated all permissive left turns for crossing streets.

30 Mr. Kamhi shared that the County also added continuous bike lanes at Page Mill Road as well.

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1 Commissioner Reckdahl loved the data but was disappointed that Staff did not take the last  
2 step. He was most concerned about bicycles and pedestrians and he requested that data be  
3 broken out from the vehicle data. Secondly, he asked for actionable data that could help  
4 identify potential changes to improve the roads. He noted a dangerous intersection for a bicycle  
5 or pedestrian may be different than a dangerous intersection for a car. He recommended three  
6 versions of the data one for cars only, one for cars hitting bicycles, and one for cars hitting  
7 pedestrians. With respect to Page 210, he inquired why there was a significant drop in  
8 accidents in 2019.

9 Mr. Kamhi was not sure why there was a decrease. He questioned whether there was a similar  
10 trend in other cities or was is a Palo Alto-specific trend.

11 Commissioner Reckdahl argued that could be answered with actionable data.

12 Mr. Maeda confirmed it was a typical trend throughout Santa Clara County and the region. The  
13 number of total collisions had decreased, and the number of fatalities had increased and one  
14 reason was that the bicycle network was expanding.

15 Commissioner Reckdahl mentioned he felt safer biking on Charleston and Arastradero than he  
16 did 10 years ago. He wondered if there were specific projects that helped reduce the number of  
17 collisions and if could those be mimicked.

18 Mr. Kamhi agreed with Mr. Maeda that it was a trend in other cities to have a decrease in 2019.  
19 The City did have a significant bicycle and pedestrian project completed in 2019.

20 Sylvia Star-Lack, Transportation Planning Manager, reminded the Commission that the City's  
21 Bicycle and Pedestrian Plan update would begin in early 2023. Part of that analysis would  
22 include a collision analysis specific to bicycles and pedestrians.

23 Commissioner Reckdahl referenced Page 212 and stated that if 20 percent of the collision  
24 involved a bicycle, that was scary.

25 Mr. Kamhi agreed and Staff considered that when thinking about the high number of bicyclists  
26 in the City.

27 Commissioner Reckdahl added that Palo Alto had more bicyclists when compared to  
28 surrounding cities. With respect to Page 215, he mentioned the chart was segregated by gender  
29 and age but he wanted to see if segregated by bicycles and pedestrians. With respect to Page  
30 2016, he appreciated that it was broken out into bicycle and pedestrian collisions but it did not  
31 give the full story of what type of accident it was. He stated it may be easy to determine that by  
32 understanding who received a ticket. He mentioned during school hours, the number of bikes

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1 on the road was significant. He shared that at Charleston and Alma the bikes pile up at the  
2 intersection and they all cross at the same time. This results in the cars being feet away from  
3 them at high speeds. He asked if the City had considered doing a bicycle/pedestrian-only cycle  
4 during school hours.

5 Mr. Rius confessed that Charleston and Alma were unique and bicycle/pedestrian-only cycles  
6 did not work due to the grade crossings. That concept though was used in other locations  
7 throughout the City.

8 Mr. Kamhi noted that the Charleston grade crossing was under review for safety  
9 enhancements.

10 Commissioner Reckdahl asked if there were any near terms plans for Charleston and Alma and  
11 Meadow and Alma.

12 Mr. Rius announced Staff was close to completing a design for Churchill and Alma and Staff was  
13 in the early phase of evaluating an improvement for Charleston and Alma. There were no plans  
14 in the pipeline for Meadow and Alma.

15 Mr. Kamhi added that the Section 130 safety project at Churchill and Alma was coming close to  
16 construction. The next section Staff would propose to Caltrans for safety improvements was  
17 Charleston.

18 Vice-Chair Summa agreed with Commissioner Reckdahl the data did not help identify specific  
19 areas for safety recommendations. With respect to Tables 1.22 and 1.23, she asked if the "W"  
20 in "Crescent Drive W" meant west Crescent Drive or if it was directional saying going west to  
21 the City limit.

22 Mr. Kamhi understood it meant west Crescent Drive.

23 Vice-Chair Summa thought 311 was limited to just code enforcement complaints and did not  
24 realize it was for suggestions for traffic improvements.

25 Mr. Kamhi guaranteed that many members of the community knew it was a system to register  
26 traffic concerns. Any Office of Transportation presentation included a note that 311 was a way  
27 to report transportation-related concerns.

28 Vice-Chair Summa mentioned she has read a lot about distracted driving and that being the  
29 cause of most accidents.

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1 Mr. Kamhi agreed it was a trend and it had become an enforcement issue. He strongly  
2 recommended that when driving in a residential neighborhood be aware of the surroundings  
3 and be mindful.

4 Vice-Chair Summa stated it was very crazy how folks drive. She referenced bicycle and  
5 pedestrian crossings at grade separations and asked if those types of crossings would be done  
6 before the grade separation.

7 Mr. Kamhi stated the City's Bicycle and Pedestrian Transportation Plan will consider additional  
8 east/west crossings at grade separations.

9 Vice-Chair Summa re-asked if those could be done in advance of the grade separation work.

10 Mr. Kamhi answered he was not sure but the Rail Committee was currently considering those  
11 components.

12 Chair Lauing concurred the frustration was not only about what should be done with the data  
13 but what can be done to get more current data.

14 Mr. Kamhi remarked that collision data always lagged and the Office of Transportation did not  
15 receive instant reports. He stated the purpose of the presentation was to share that the Office  
16 of Transportation had been addressing issues in locations that were within the City's  
17 jurisdiction. He emphasized the purpose of the study was to take the data and make the  
18 agencies eligible to apply for funding to fix areas that had high collisions.

19 Chair Lauing confessed he to was not aware that transportation concerns could be registered  
20 with the 311 system. He recommended that Staff not single source the data just from the 311  
21 system and pull from all available sources. He mentioned that a member of the public recently  
22 approach him and told him that the intersection at Middlefield to Lincoln was a disaster. With  
23 respect to the 500-plus comments that were received, he asked how where those were  
24 collected and where did they come from.

25 Mr. Kamhi stated that 311 was not the only way the City solicited comments from the  
26 community. If folks do register a concern with 311, they received tracking on how that concern  
27 was being addressed.

28 Mr. Maeda said the comments received came in through the Countywide Road Safety Plan  
29 website.

30 Chair Lauing stated the comments were not just from Palo Alto residents.

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1 Mr. Maeda confirmed that was correct.

2 Chair Lauing invited comments from the public.

3 Liz Gardner mentioned the 311 system was cumbersome for real-time data collection and  
4 recommended having a phone number or an email to file concerns. She expressed her strong  
5 appreciation to the Safe Routes to School Staff for their hard work. She resided at Mayfield  
6 Place and stated that the intersection near there was terrible. The bicycles gathered in a very  
7 narrow bike lane that ran through an intersection of speeding cars. She described the night  
8 before a child was killed at the intersection in front of Mayfield Place in the year 2020. She  
9 expressed that daylight savings were a very important factor in that incident. She mentioned  
10 that if a person Googled California Avenue it was named S. California when it actually is an  
11 east/west street. This caused a lot of confusion for folks trying to navigate the area. She  
12 suggested installing a roundabout at Embarcadero and El Camino Real and another at Page Mill  
13 and El Camino Real to calm traffic.

14 Commissioner Chang predicted that the Office of Transportation had the pedestrian and bicycle  
15 crash report from Safe Routes to School. The report had the data segregated into bicycle and  
16 pedestrian categories as recommended by Commissioner Reckdahl. She mentioned that the  
17 pedestrian and bicycle crash reports showed that the hot spots were different than what was  
18 identified in the CLRSP report. She suspected that interventions and mitigations would be  
19 different among the various modes. She agreed to segregate the different modes and identify  
20 the low-hanging fruit that could benefit from immediate interventions. She acknowledged that  
21 many of the dangerous areas are not under the City's jurisdiction and she asked what can the  
22 City, Commissioners, and residents do to encourage the governing body to prioritize those  
23 areas within the City.

24 Mr. Kamhi explained that the Office of Transportation coordinated with Caltrans and the  
25 County when there are areas that need improvement. The Office of Transportation did not  
26 have the authority to prioritize projects for the other agencies. He restated that the Bicycle and  
27 Pedestrian Transportation Plan Update will help identify ways to make Palo Alto bicycle and  
28 pedestrian transportation network safer.

29 Ms. Star-Lack restated that a collision analysis was a part of every bicycle and pedestrian plan.

30 Commissioner Chang mentioned that the Parent-Teacher Association (PTA) and Safe Routes to  
31 School Team's recommendation was for the City to adopt a Safe Systems Approach and a  
32 timeline for the zero severe incidents goal.

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1 Mr. Kamhi remarked that while the Office of Transportation was supportive of those  
2 recommendations and a zero severe incident goal was a part of the Sustainability and Climate  
3 Action Plan (S/CAP).

4 Commissioner Chang understood that goal could not be achieved without funding.

5 Ms. Star-Lack stated the federal government was moving to a Safe Systems Approach and so all  
6 jurisdictions would be required to do it.

7 Mr. Kamhi confirmed that the U.S Department of Transportation (USDOT) already adopted it.

8 Commissioner Chang asked how the prioritization for the county linked up with Palo Alto's  
9 prioritization of intersections.

10 Mr. Kamhi restated that the report was produced after the City had initiated projects on all of  
11 the identified corridors.

12 Commissioner Hechtman predicted that the intersections and corridors with the highest  
13 number of accidents would likely be the same locations with the highest number of near  
14 misses.

15 Mr. Kamhi answered yes, that is correct.

16 Commissioner Hechtman predicted that the severity of accidents was more situational and that  
17 would not be the same in every four-year cycle.

18 Mr. Kamhi wanted to see that over several years' time to make that determination.

19 Commissioner Hechtman recognized that the study used a small sample size. He inquired if  
20 Staff had access to the raw data that allowed TJKM to compile the information.

21 Mr. Kamhi answered yes.

22 Commissioner Hechtman noted that every figure in the Palo Alto section of the report would be  
23 higher if not for the work of City Staff and citizens. He appreciated the purpose of the report  
24 was to inform funding from state and federal sources for areas with the greatest severity. He  
25 said that was great to have that focus but there was an interest in complimenting that with a  
26 focus on pedestrian and bicycle issues. He hoped that the data would identify areas that  
27 needed improvements for bicycles and pedestrians that may not be state or federally-funded  
28 areas.

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1 Commissioner Reckdahl recalled there was a request to have a periodic update every month or  
2 two.

3 Mr. Kamhi agreed but noted that the Office of Transportation did not receive data on a month-  
4 to-month basis. Currently, the Palo Alto Police Department was updating its reporting system  
5 and he was hopeful that would produce data quicker.

6 3. 3200 Park Boulevard/200 Portage/340 Portage [22PLN-00287 and 22PLN00288]:  
7 Request for a Development Agreement, Planned Community Zoning, Tentative Map,  
8 and Major Architectural Review to Allow Redevelopment of a 14.65-acre site at 200-  
9 404 Portage Avenue, 3040-3250 Park Boulevard, 3201-3225 Ash Street and 278  
10 Lambert. The Scope of Work Includes the Partial Demolition of an Existing  
11 Commercial Building That has Been Deemed Eligible for the California Register as  
12 Well as an Existing Building With a Commercial Recreation use at 3040 Park and  
13 Construction of (74) new Townhome Condominiums, a one Level Parking Garage, and  
14 Dedication of 3.25 acres of Land to the City for Future Affordable Housing and  
15 Parkland Uses. The Existing Building at 3201-3225 Ash Street Would Remain in Office  
16 use, and an Automotive use at 3250 Park Boulevard Would Convert to R&D use.  
17 Environmental Assessment: The City of Palo Alto, Acting as the Lead Agency,  
18 Released a Draft Environmental Impact Report for the 200 Portage Townhome  
19 Development Project on September 16, 2022 in Accordance with the California  
20 Environmental Quality Act (CEQA). The Proposed Development Agreement is  
21 Evaluated as Alternative 3 in the Draft EIR. Zoning District: RM30 (Multi-Family  
22 Residential) and GM (General Manufacturing). For More Information Contact the  
23 Project Planner Claire Raybould at [Claire.Raybould@cityofpaloalto.org](mailto:Claire.Raybould@cityofpaloalto.org)

24 Chair Lauing announced the item was a continued item and public comment would be  
25 reopened. There was no action to be taken and the discussion would be focused on the draft  
26 Environmental Impact Report (dEIR) for the Development Agreement (DA). He mentioned that  
27 the applicant had submitted an application under Senate Bill (SB) 330 but then decided to go  
28 into negotiation on a DA with the City. The item would be returned to the Commission for  
29 action on several items soon. He wanted to understand from Staff what kind of feedback would  
30 be most helpful.

31 Albert Yang, City Attorney, stated Staff was seeking all types of feedback from the Commission.

32 Chair Lauing invited members of the public to share their comments.

33 Liz Gardner mentioned that the parcel in question was an amazing opportunity for housing. She  
34 expressed concern about parsing out the site and it never returns to its original state. She

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1 believed that the applicant could scale up their proposal because the parcel had no single-  
2 family homes around it. She wanted to see a multi-family project, all incomes, all ages, and all  
3 abilities placed on the diverse historic site that honored Foon Chew.

4 Jeff Levinsky stated he could not find in the traffic analysis any mention of the anticipated  
5 growth of the NVCAP and how that traffic would combine with the Sobrato proposal. He  
6 referenced Page 12 of Appendix H which discussed the overall City growth rate for traffic and  
7 the dEIR used that growth in its traffic analysis. The amount of housing was anticipated to grow  
8 significantly in the NVCAP area. He did not believe that the City's growth numbers reflected  
9 office densification and it was not right to use City-wide growth numbers in North Ventura.

10 Becky Sanders stated that the dEIR identified Alternative Two to be better than the original plan  
11 or the proposed DA. She encouraged the City to further pursue Alternative Two and adopt it.  
12 Destroying any portion of the Cannery canceled its eligibility to be listed as a historic resource.  
13 She noted that the majority of residents in North Venture supported adding more housing for  
14 new neighbors, no increase in R&D, preservation and enhancement of community-serving  
15 retail, transit planning that serviced all of Ventura, a more bike and walk-friendly design, and  
16 parks for families. That was all encompassed in Alternative Two, which was also similar to  
17 Alternative M the NVCAP Working Group had recommended. She pointed out that at the last  
18 PTC meeting, the representative from Sobrato did say that Alternative 3B, with minor  
19 adjustments, had been supported by Council and that was incorrect. Also, at the PTC meeting,  
20 the applicant was allowed to speak for 15 minutes and she requested that the PTC uphold the  
21 time limit of 10 minutes.

22 Chair Lauing brought the item back to the Commission for deliberation and suggested the  
23 Commission started with the DA.

24 Commissioner Hechtman stated he wanted to share some editing comments with Staff before  
25 moving to comments on the DA. He began with Page 5, the definition of Public Benefits Fee,  
26 and suggested adding the exact amount in the definition. Next was on Page 9, Section 5.1, he  
27 suggested reviewing the first and second paragraphs in connection with Section 5.2 and  
28 considering referencing Section 5.2 in the second paragraph. On Page 11, he asked why there  
29 was a provision to prohibit members of the Homeowner Association (HOA) from participating in  
30 a Residential Parking Program (RPP).

31 Mr. Yang stated the Council Ad Hoc wanted assurance that residents in the HOA would not be  
32 parking on the surrounding streets and the intention was that the townhome project would be  
33 fully parked on site.

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1 Commissioner Hechtman suggested that intention be reflected in the DA. On Page 13, Section  
2 6, he suggested Staff consider “Parkland Dedication Parcel” instead of “BMR Parkland  
3 Dedication”. He wanted to see language that the City promised to spend the entire Public  
4 Benefits Fee on the parcel. In the first paragraph of 7.1, he suggested adding the word  
5 “coordinated” in the second line. On Page 17 in Section 10.4 (B), there were several mis-  
6 numbered sections. On Page 22, Section 14.7, he mentioned he could not find the definition of  
7 “Development Agreement Legislation”. On Page 24, under surviving provisions, he suggested  
8 Staff consider whether any City obligations would survive and if so, then those be made clear.

9 Commissioner Reckdahl referenced Page 7, vested development rights, and remarked it was  
10 not in the public’s interest to not allow future modifications of the Comprehensive Plan or the  
11 Municipal Code to apply to the property.

12 Mr. Yang clarified that provisions expired in 10 years when the DA expired.

13 Commissioner Reckdahl asked where the date was on the DA.

14 Mr. Yang believed it was listed in Section 2.

15 Chair Lauing asked for an explanation in laymen's terms of what the subsequent approval was.

16 Mr. Yang restated that the provisions in the DA expired after 10 years, except for the surviving  
17 provisions. If any approvals come up that were not anticipated, the DA provided rules for how  
18 those decisions are made.

19 Chair Lauing did not understand the language “the applicant would pay 1/74 of the fee” as  
20 stated on Page 12 in Section 5.8.

21 Mr. Yang noted the Municipal Code allowed for certain fees to be delayed in payment until the  
22 final inspection. The fee in the proposed DA pertained to the 74 proposed townhomes and the  
23 City would collect the fees when each townhome was constructed.

24 Commissioner Hechtman addressed the comment about a cumulative analysis for traffic and  
25 shared that the analysis was on 4.9-20 in the dEIR. He mentioned he focused on Section 6 of the  
26 dEIR and suggested again that the project objectives for the DA be included in the dEIR. That  
27 then would show that Alternative Two did not meet the project objectives and that statement  
28 should be revised. The same concept applied to 6-21 and the project objectives should be  
29 corrected so that the comparison is correct.

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1 Commissioner Reckdahl noticed an error on 4-7.11 with respect to the noise modeling. The  
2 equation used to model the noise impact was wrong. He asked if it was standard practice to use  
3 a linear equation to evaluate noise levels at the edge of a property.

4 Mr. Yang could not provide an answer but assured that Staff would look at it again.

5 Vice-Chair Summa believed a member of the public was concerned that the NVCAP traffic  
6 analysis did not take into consideration the DA.

7 Commissioner Hechtman understood the comment was about the dEIR and that the  
8 commenter was not able to find a cumulative traffic analysis.

9 Vice-Chair Summa summarized the commenter wanted to see the proposed project's traffic be  
10 added to the NVCAP plan.

11 Commissioner Hechtman answered no, he believed the commenter was dissatisfied with the  
12 traffic analysis for the proposed project and that the dEIR did not consider the other projects in  
13 the NVCAP area.

14 Vice-Chair Summa asked if Staff understood the commenter's concerns.

15 Mr. Yang answered yes.

16 Vice-Chair Summa asked when the Statement of Overriding Consideration would be considered  
17 for the historic Cannery building.

18 Mr. Yang explained that the Council will have to make findings in order to adopt a Statement of  
19 Overriding Consideration to override the environmental impact. That consideration and  
20 adoption was the last step in the process.

21 Chair Lauing believed there were adequate mitigations for the issues that were identified.

22 Commissioner Reckdahl mentioned the toxic plume under the site and the monitoring well on  
23 the parcel that Sobrato was dedicating to the City. He asked if during construction high levels of  
24 pollutants are found, who was responsible for cleaning it up.

25 Mr. Yang explained Staff and the applicant continued to work on those details but once the City  
26 took possession of the land. It was the City's responsibility to mitigate any pollutants.

27 Commissioner Hechtman mentioned the DA had language addressing the plume.

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1 Vice-Chair Summa added that the typical procedure for toxic plumbs was to add a vapor  
2 barrier. Generally speaking, she supported moving forward with the process but noted there  
3 were items she was uncomfortable with in the DA. She acknowledged the concerns about not  
4 having more housing on the site and she was troubled by the potential loss of the historic  
5 integrity of the Cannery building.

6 [The Commission took a 10-minute break]

## 7 **Action Items**

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

10 4. PUBLIC HEARING / QUASI-JUDICIAL. 1700 Embarcadero Road [21PLN-00191]:  
11 Recommendation on Applicant's Request for Approval of a Site and Design Review,  
12 Design Enhancement Exception, Variance and Off-Street Loading Space Modification  
13 to Allow the Demolition of a Vacant Restaurant and Construction of a two-Story  
14 31,000 Square Foot Automobile Dealership. Environmental Assessment: Addendum  
15 to a Mitigated Negative Declaration. Zoning District: CS(D)(AD) Service Commercial  
16 (Site & Design Review / Automobile Dealership Combining Districts). For More  
17 Information Contact the Project Planner Sheldon S. Ah Sing at  
18 sheldon.ahsing@cityofpaloalto.org

19 Sheldon Ah Sing, Planner, provided a presentation on the background of the project, project  
20 overview, key issues, next steps, and Staff recommendation. There had been numerous public  
21 meetings and actions taken regarding the subject site. The most recent rendition of the project  
22 held a preliminary review with the Architectural Review Board (ARB) in 2021 and the first  
23 formal hearing with the ARB in 2022. The subject parcel was zoned CS(D)(AD), located within  
24 the Baylands Master Plan area, and was subject to the Baylands Design Guidelines. The site was  
25 2.4 acres and was surrounded by offices and other auto dealerships. The project required a Site  
26 and Design review from the PTC. Other requests included a Variance from the parking lot  
27 shading and a Design Enhancement Exception for relief from the build-to setback. The proposed  
28 project was 31,195 square feet with a .29 floor area ratio (FAR) and 26 feet tall. He noted per  
29 the City's Municipal Code, the drive-through area was not counted towards FAR. The site  
30 included inventory being housed on the surface lot with a tandem parking arrangement. There  
31 was a large setback along East Bayshore Road that was due to underground and overhead  
32 easements. The shape of the property and existing easements placed atypical constraints on  
33 the site. The building would include wood material, metal paneling, stucco, dark colors, bird-  
34 safe glass, and a living wall. The building did include a tower on the west elevation for signage  
35 but a sign application had not been filed. Staff provided the Site and Design Review Findings for  
36 the PTC to consider and he noted that Staff was able to make all the findings for the project.

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1 Key issues that were identified included the Baylands Master Plan compliance, bicycle pathway,  
2 parking lot shading, build-to setbacks, and the required loading space. With respect to the  
3 Baylands Master Plan, the building did comply with the low and horizontal elements of the Site  
4 Assessment and Design Guidelines as well as the use of muted and compatible colors, and  
5 appropriate materials. Lighting was to be addressed through Conditions of Approval. A 10-foot  
6 wide bicycle path was proposed as part of the project. Currently, there was no bicycle lane  
7 along the frontage of East Bayshore Road. The proposed bicycle path helped the project meet  
8 its Transit Demand Management (TDM) requirements. He noted there were mature trees under  
9 the powerlines and those trees would be removed for the construction of the bicycle path. The  
10 applicant was planting trees off-site to recover the loss of the trees. With respect to parking lot  
11 shading, the Municipal Code required 50 percent shading at the maturity of the trees. Due to  
12 constraints, the project was providing 41 percent and was requesting a Variance for the  
13 remaining shading requirement. With respect to build-to setbacks, this constraint had impacted  
14 every use that had been on the site in the past. Due to the easements, the project could not  
15 meet the requirement and was requesting a Design Enhancement Exception was. The project  
16 also requested a waiver to the Zoning Code for insufficient drive aisle width and Staff supported  
17 the adoption of that waiver. With respect to CEQA, the project met the criteria for an  
18 Addendum to the previously adopted Mitigated Negative Declaration for the 2019 approved  
19 project. The traffic and noise analyses were updated but there were no new significant impacts  
20 or mitigation measures. The next steps included a meeting with the ARB on November 3, 2022,  
21 and then to City Council on December 5, 2022. Staff recommended that PTC recommend  
22 approval to City Council the draft Record of Land Use Action approving the requests based on  
23 findings and subject to Conditions of Approval.

24 Chair Lauing invited members of the public to share their comments.

25 Arthur Liberman, Vice-Chair of the Pedestrian and Bicycle Advisory Committee (PBAC),  
26 announced he was speaking on behalf of himself. PBAC reviewed the plans, which originally did  
27 not have a multi-use path, and PBAC unanimously objected to its absence. He urged the  
28 Commission to insist that the project include the multi-use path. The ARB also supported a  
29 bicycle path to be installed. The path would connect the bicycle lane on East Bayshore to Gang  
30 Road and the Bay Trail and close a gap in Palo Alto's section of the Bay Trail. He expressed  
31 strong opposition in the Staff report that suggested the PTC consider the balance between  
32 providing the bicycle path and the removal of the street trees. He argued the mature trees and  
33 the bike path could coexist together with the right design.

34 Sean Reese, a field representative for the NorCal Carpenters Union Local 405, requested area  
35 standard labor language be implemented for the project. Healthcare and livable wages were a  
36 vital necessity to the workers building the project. The project would benefit from hiring from

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1 apprenticeship programs and hiring locally. Adding area standards labor to the project and the  
2 City's prequalification language would show constitute that the City valued the men and  
3 women building the city itself. He invited the Commissioners and the developer to reach out to  
4 him for further discussion.

5 Penny Elson shared Mr. Liberman's comments about the bicycle path. She asked why tree  
6 removal was necessary to create room for the multi-use path. Regional connectivity via the Bay  
7 Trails was very well supported by numerous Comprehensive Plan policies. Now was the time to  
8 provide that connection.

9 Gemma Lim, property manager of the neighboring office building, mentioned that her building  
10 shared a fence with the proposed project. She shared concerns about having the carwash  
11 located on the fence line, which was a few feet away from where employees gathered.

12 Eric Iverson, a representative for Mercedes Benz, confirmed that the proposed project had  
13 been reduced in size significantly with respect to massing and height. The proposal filled a need  
14 for having a Mercedes dealership in the area. With respect to the build-to setbacks, he  
15 concurred it was infeasible for the project to meet that requirement due to the easements. Also  
16 due to the easements, was infeasible for the project to meet the shade requirement. With  
17 respect to the carwash, the current proposal was to place the carwash inside the primary  
18 building and off the property line. With respect to the guidelines of the Baylands, the project  
19 was designed to respect the Baylands Master Plan. With respect to loading, the project  
20 provided two loading and unloading areas. He mentioned two Conditions of Approval that he  
21 was concerned about. One was Condition #19 with related to the relocation of a stormwater  
22 line. He stated the stormwater line was not impacted by the project and the line was not  
23 related to the project. The other condition was Condition #31 and while the project was  
24 amendable to resurfacing the streets. He found it wasteful and excessive to require 3.5-inch  
25 milling of existing asphalt.

26 Commissioner Reckdahl reminded the Commission to share any disclosures before the  
27 discussion.

28 Commissioner Hechtman disclosed he had biked by the site.

29 Commissioner Chang stated she also had biked by the site.

30 Commissioner Reckdahl mentioned he toured the site when the project came to the Parks and  
31 Recreation Commission but that was several years ago.

32 Commissioner Hechtman asked if trees were being proposed to be planted on site.

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1 Mr. Ah Sing confirmed the majority of the trees were to be placed on site.

2 Commissioner Hechtman referenced Packet Page 46, Condition #34, and asked if the dedicated  
3 easement was for the bicycle path.

4 Mr. Ah Sing answered yes.

5 Commissioner Hechtman asked if the majority of the bike path would be located on private  
6 property.

7 Mr. Ah Sing clarified that the path would be constructed on public property.

8 Commissioner Hechtman referenced Condition #37 and asked if the multi-use path was the  
9 same thing as the bike path.

10 Mr. Ah Sing confirmed that was correct.

11 Commissioner Hechtman inquired if any of the diagrams showed where the property line was  
12 between the private and public areas.

13 Mr. Ah Sing invited Commissioner Hechtman to review Exhibit C 4.1 on Page 5.

14 Commissioner Hechtman understood that the property line was located inside the bicycle path.

15 Mr. Ah Sing answered yes.

16 Commissioner Reckdahl inquired how much space was between the path and the property line.

17 Mr. Iverson remarked the path would be on the property line for the entire length.

18 Commissioner Hechtman summarized the inside of the bicycle path was essentially where the  
19 property line was.

20 Mr. Iverson answered that was correct.

21 Commissioner Chang requested further explanation with respect to the build-to setback.

22 Mr. Ah Sing explained that 50 percent of the building frontage had to be built up to the zero  
23 setback line. Along the street side yard, 33 percent of the building must be built along the zero  
24 setbacks. It was infeasible for the project to meet that requirement due to easements and  
25 operations.

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1 Commissioner Reckdahl asked what turning motions would bicycle have using the path.

2 Sylvia Star-Lack, Transportation Planning Manager, confessed she did not understand the  
3 question.

4 Commissioner Reckdahl asked if bicycles going north on East Bayshore come to the  
5 intersection, turning motions would they do.

6 Ms. Star-Lack shared that a bicycle user study had not been done for the area.

7 Commissioner Reckdahl noticed two types of power lines on the parcel and inquired if one line  
8 was Palo Alto's utilities or if both were PG&E. He mentioned they were visible on Slide 14.

9 Mr. Ah Sing predicted they were Palo Alto's utility lines.

10 Commissioner Reckdahl wanted to know if the pole was located on private property or would  
11 the pole have to be moved.

12 Commissioner Chang asked what diagram Commissioner Reckdahl was referencing.

13 Mr. Ah Sing shared Slide 14 and predicted the pole was in the public right of way.

14 Commissioner Reckdahl understood that Palo Alto Utilities will have to move the pole for the  
15 bicycle path.

16 Mr. Ah Sing confessed Staff would have to evaluate it further.

17 Commissioner Reckdahl asked if all of the pavement was proposed to be impervious pavement.

18 Mr. Ah Sing answered yes.

19 Commissioner Reckdahl wanted to understand more about stormwater runoff.

20 Mr. Iverson explained that there were stormwater treatment facilities onsite. The water went  
21 through those and then was flushed into the City's stormwater system.

22 Commissioner Reckdahl believed the areas identified as water quality were the treatment  
23 facilities.

24 Mr. Iverson answered that was correct.

25 Commissioner Reckdahl inquired if a noise analysis had been done.

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1 Mr. Ah Sing stated the noise analysis was within the Addendum document. The noise analysis  
2 confirmed that noise would not exceed the thresholds listed in the Municipal Code.

3 Commissioner Reckdahl asked if the tree species listed on Sheet L-4 were native.

4 Mr. Ah Sing answered yes.

5 Vice-Chair Summa pointed out that Blue Elderberry was not a native species. She asked Mr.  
6 Liberman if the proposed path satisfied PBAC and ARB's recommendations.

7 Mr. Liberman believed the proposal satisfied PBAC's vision. He noted it would be nice to have  
8 an unpaved section along the path for pedestrians to move off the path when bicycles come  
9 through.

10 Vice-Chair Summa asked Mr. Liberman to explain his comment about the balance between the  
11 trees and the bicycle path

12 Mr. Liberman believed both could co-exist together if the plans were modified.

13 Vice-Chair Summa could not find in the Municipal Code where the indoor display area was not  
14 counted towards FAR.

15 Mr. Ah Sing clarified the service drive aisle was not counted toward FAR. That space was  
16 between the showroom and the service area. That language could be found under the  
17 Automobile Dealership Combining District requirements.

18 Vice-Chair Summa stated the Staff report said that 4,097 square feet of showroom and the  
19 service drive were not part of the FAR.

20 Mr. Ah Sing clarified the asterisks indicated that the showroom was included.

21 Vice-Chair Summa understood that of the two required loading spaces, one was narrower than  
22 the other.

23 Mr. Ah Sing explained the space size and width were compliant. When a vehicle was parked in  
24 the drive aisle, then the space became non-compliant.

25 Vice-Chair Summa referenced Project Page 20074 and 01 which showed that the parking on  
26 East Bayshore was labeled as display with customer parking in front. On the other two sides of  
27 the parcel, the parking was labeled as inventory. She confessed she could not make the

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1 distinction between the two different areas. She asked because she believed the display ones  
2 must be parked while the inventory did not need to be parked.

3 Mr. Ah Sing confirmed that was correct. The display parking was visible to the public and the  
4 inventory was not displayed to the public. That was why the inventory cars did not require  
5 parking.

6 Vice-Chair Summa stated she didn't understand Staff's explanation.

7 Commissioner Chang referenced Packet Page 21 and mentioned that the Audi improvements  
8 were not listed in the proposed action. Another Commissioner mentioned it was addressed in  
9 Condition #14.

10 Chair Lauing invited the Commissioners to share their comments about the bicycle path.

11 Commissioner Hechtman stated the two biggest revenue generators for the City were the  
12 Transient Occupancy Tax (TOT) and Sale Tax from auto dealerships. He acknowledged the  
13 process has taken a long time to find a project that fit the site and now was the time to move  
14 forward with a compliant project. He supported the proposed project as presented. He briefly  
15 described the current condition for bicyclists traversing the area. He supported the proposed  
16 location of the bicycle path and strongly supported it being located on the public right of way.  
17 He stated that an auto dealership will not generate a lot of bicycle traffic and moving the  
18 bicycle path onto private land was an improper movement of the burden of the facility to a  
19 project that has nothing to do with it. He preferred to not lose the trees and wanted to know if  
20 Staff explored a smaller bicycle path option that kept the trees.

21 Mr. Ah Sing explained that the project was using the VTA Bike Technical Guidelines which  
22 recommended a minimum width for multi-use paths of 10 feet. Going into the street would  
23 have to be evaluated further.

24 Commissioner Hechtman appreciated that there was not a lot of room in the street to make it  
25 narrower. He encouraged Staff to explore it further to save the trees.

26 Vice-Chair Summa wanted to find a solution that allowed the bicycle path and the trees to  
27 coexist. She found the proposed project to be a vast improvement and more appropriate for  
28 the Baylands. She appreciated the use of bird-safe glass and the intention of reducing light  
29 pollution. She appreciated the relocation of the carwash, she supported the Variance for the  
30 build-to setbacks and she found the loading space to be adequate. She wanted to further  
31 improvements to the shading onsite and the removal of the trees for the bicycle path. She

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1 believed removing some of the inventory parking would mitigate both concerns. Now was the  
2 time to build a bicycle and pedestrian path that worked for the future.

3 Chair Lauing stated the trees were mature but they did not touch the wires and he understood  
4 that meant the trees could remain on site. He mentioned if that area wasn't identified as one of  
5 the worst multi-mode intersections in the city then he'd suggested to remove one vehicle lane.  
6 He understood that was not a possibility though and supported Commissioner Hechtman's  
7 recommendation to explore a narrower bicycle path to keep the trees. He asked if there was a  
8 method to move the bicycle path onto private property and give the property owner land  
9 somewhere else in the City.

10 Mr. Ah Sing suggested having a Condition of Approval to explore the options suggested by the  
11 Commission.

12 Commissioner Reckdahl did not want to lose trees but also did not want to have a narrower  
13 bicycle path. He stated it was problematic to go below 10 feet for a multi-use path. He inquired  
14 where the property line was on the other side of the street at the Stanford Eye Center.

15 Mr. Ah Sing confessed he did not know where the property line was located.

16 Ms. Star-Lack confirmed she too did not know where the property line was.

17 Commissioner Reckdahl referenced Page L-1 in the handout which showed replacement trees  
18 and asked what size the replacement trees would be.

19 Mr. Iverson predicted they would be 7 to 12 feet tall.

20 Commissioner Reckdahl stated if the trees under the powerlines could be replaced with 12-foot  
21 trees, that would be ideal. That would also allow for a 10-foot bike path.

22 Mr. Ah Sing agreed that once mature, the replacement trees will be robust.

23 Mr. Iverson concurred that a 36-inch box tree should be 12 to 14 feet tall.

24 Commissioner Reckdahl stated if that was the proposal then he preferred to have a wider  
25 bicycle path.

26 Chair Lauing asked if Staff had explored putting the bicycle path in the street and a pedestrian  
27 path in the area proposed.

28 Mr. Iverson stated that was their preferred option but Staff remarked that was not an option.

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1 Ms. Star-Lack concurred that was explored and if recommended, would require more analysis.  
2 Staff was operating from the basis of the prior applications for the parcel, and the rezoning,  
3 that had stipulated that a bicycle path be placed at the sidewalk level.

4 Commissioner Chang said given the trade-off she prioritized the bicycle over keeping the trees.  
5 With that said, she was concerned about the heat island effect in combination with all of the  
6 asphalt. She asked if anything else could be done to help reduce the heat island effect and she  
7 asked what was allowed within the easement.

8 Mr. Ah Sing remarked it was limited in terms of what was allowed in the easement.

9 Commissioner Chang understood that 10 to 15-foot trees will be planted.

10 Mr. Ah Sing confirmed that was correct. He noted that if folks were to be at sidewalk level, the  
11 existing trees would have to be pruned so that folks did not have conflicts with the branches.

12 Commissioner Chang recalled the ARB had recommended placing the bicycle path on private  
13 land. The applicant, in their letter, had mentioned vehicle spaces would be lost if the bicycle  
14 path were placed on private land and that would violate Code and manufacturing  
15 requirements.

16 Mr. Iverson shared when the ARB discussed the bicycle path and the shade trees. The project  
17 lost two or three parking spaces elsewhere on the site to add additional trees to the site. Those  
18 were the last parking spaces the project could forfeit without violating the minimum parking  
19 requirements. The plans were submitted to Mercedes and while they were concerned about  
20 the minimal inventory spaces. They approved it but with the understanding that the project  
21 would not have to be reduced further.

22 Commissioner Chang understood that the requirement from the dealership was twice the  
23 number of inventory spaces that were being proposed.

24 Mr. Iverson confirmed that manufacturers wanted as much parking as possible. With  
25 constrained sites, it was typical to have offsite inventory storage.

26 Commissioner Chang appreciated that the proposed project was smaller in massing and was a  
27 better project than prior proposals. She wanted to find a way to potentially under park the  
28 project in order to save the trees.

29 Commissioner Templeton recalled back in 2019 the PTC had discussed shorter trees for the  
30 project.

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1 Mr. Ah Sing answered yes, but that proposal had more room to plant more trees because it did  
2 not have much inventory outside. He restated that the bicycle path was a TDM requirement  
3 because of the number of trips that the project had coming to the site. They were required to  
4 reduce trips by 20 percent and it was difficult for auto dealerships to meet that requirement.  
5 So, the bicycle path was a way to elevate that restriction.

6 Commissioner Templeton agreed that the community did need the bicycle path. She asked if  
7 the bicycle path could be expanded towards the street instead of internally.

8 Mr. Ah Sing restated that would have to be explored further.

9 Chair Lauing wanted to understand how many parking spaces would be affected if the path  
10 were pushed internally.

11 Mr. Iverson explained that the tandem parking along East Bayshore would have changed to a  
12 single row of parking. That was infeasible with respect to Municipal Code compliance and  
13 manufacturing compliance.

14 Commissioner Hechtman asked if removing the street trees would affect the parcel's ability to  
15 reach its shading requirement.

16 Mr. Ah Sing believed the shading requirement would be closed if the mature trees were not  
17 removed. He restated that parking lot shading had always been a constraint for any project  
18 located on the site.

19 Commissioner Hechtman stated that removing the trees contributed to not being able to reach  
20 the shading requirement and that was evidence that justified approving the Exception. He was  
21 uncomfortable moving the bicycle path onto private property and believed there was no  
22 justification to do that. He encouraged Staff to explore ways to move the bicycle path towards  
23 the street but keep the trees.

24 Chair Lauing interjected that he was not suggesting removing parking for the bicycle path. He  
25 was proposing a land swap.

26 Ms. Star-Lack clarified that the City's TDM Policy required the site have a trip reduction of 20  
27 percent. The project would never be able to meet that policy and the bicycle path was an  
28 option for the applicant to use instead of meeting the policy.

29 Chair Lauing agreed that the bicycle path was not optional.

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1 Commissioner Chang asked if the applicant was meeting its TDM requirement by paying for the  
2 construction of the bicycle path.

3 Ms. Star-Lack answered the applicant would be funding construction and whatever was needed  
4 to build the path.

5 Chair Lauing invited comments on the shading requirement.

6 Commissioner Chang was largely okay with the shading as proposed because of the easement  
7 restriction. She was not comfortable having a project that would essentially never meet the  
8 TDM requirements.

9 Vice-Chair Summa asked if there was an expectation that employees would be biking to work.

10 Ms. Star-Lack clarified that the City would encourage TDM efforts would be attempted on  
11 employees if possible.

12 Vice-Chair Summa believed shower facilities would be needed at the location if the intention  
13 was to have employees bike to work. She inquired if there were a species of tree that could be  
14 planted in the East Bayshore easement.

15 Mr. Ah Sing mentioned the proposed trees were allowed but PG&E has very strict requirements  
16 and there were also constraints with the underground utilities.

17 Vice-Chair Summa agreed the site was tough but she was uncomfortable with losing the City  
18 trees and not having the shade trees. She wondered if the applicant would be willing to  
19 increase inventory storage off-site and plant more trees at the project site.

20 Mr. Iverson restated the project was reduced to minimum standards with respect to inventory.  
21 He emphasized he was not supportive of losing the trees but the project made up the loss  
22 through additional plantings on the rest of the site as well as the additional trees in the  
23 Baylands.

24 Vice-Chair Summa stated the pressure point for her was the inventory and she understood it  
25 was at the bare minimum.

26 Chair Lauing asked for more details about the solar canopy.

27 Mr. Iverson explained it would be located over the inventory parking between the Audi and  
28 Mercedes buildings. The canopy would have columns with a cantilevered roof.

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1 Commissioner Chang stated the design of the auto dealership was vastly better than other auto  
2 dealerships that had large buildings that house the cars. She remarked it was a better proposal  
3 to have a smaller building with less shade than a large building with maximum shade.

4 Chair Lauing recalled that the Level of Service standard identified the intersection as having an  
5 F grade. The standard was changed to Vehicle Miles Traveled (VMT) and the intersection was  
6 identified as acceptable. He mentioned that even with a smaller building, traffic to the site  
7 would not change and the grade level for the intersection would not change. He asked why  
8 Staff would not explore mitigation measures for the same problems that were identified in  
9 prior iterations of the project.

10 Mr. Ah Sing mentioned the 2019 project included the Audi site along with the Mercedes site.  
11 The project before the Commission was just for the Mercedes site which was a smaller project  
12 and did not meet the LOS thresholds. He restated there were no transportation impacts  
13 regarding LOS or VMT for the proposed project.

14 Chair Lauing summarized the Audi dealership would have brought more traffic to the site in the  
15 2019 proposal. He mentioned that that same Audi dealership was currently in the same  
16 location in the proposal before the Commission.

17 Mr. Ah Sing explained the showroom would have remained the same size for both properties  
18 but they wanted to increase the size of the Audi and Mercedes buildings.

19 Chair Lauing remarked he did not understand.

20 Mr. Ah Sing commented it had to do with the Institute of Traffic Engineers which had specific  
21 figures that they used for trip generators. Servicing vehicles was a bigger generator than the  
22 showroom.

23 Commissioner Reckdahl asked how did the City determine how many trips an auto dealership  
24 would generate.

25 Ms. Star-Lack answered it was based on the square footage of the showroom or it could be  
26 based on both the service bays and the showroom square footage.

27 Commissioner Hechtman invited Ms. Lim to contact Staff so that she can understand that the  
28 carwash had been moved. He asked about the remaining improvements for the Audi site.

29 Mr. Ah Sing shared that the City differed in the improvements to the rear of the Audi site in  
30 exchange for steady occupancy. The City and applicant entered into an Improvement Bond to  
31 ensure that the improvements be completed in a timely manner.

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1 Commissioner Hechtman asked the applicant about their plans to finish the Audi dealership.

2 Ms. Iverson remarked the dealership had submitted documents to the City for permits. The  
3 landscaping, light poles, and trash enclosure would be complete once the permit process was  
4 complete.

5 Commissioner Hechtman commented he was uncomfortable with Condition #14 because it  
6 imposed a requirement on one project that had nothing to do with the proposed project and  
7 recommended it be removed. With respect to Condition #19 referencing the stormwater drain,  
8 he asked why the storm drain could not remain in its current location.

9 Mr. Ah Sing answered that Staff did not have adequate time to discuss it with Public Works.

10 Commissioner Hechtman mentioned that it did not appear that the drain was located near the  
11 foundation. He encouraged the Commission to allow flexibility in the motion to allow Staff to  
12 address Condition #19 internally.

13 Chair Lauing agreed with Commissioner Hechtman's comments regarding Conditions #14 and  
14 #19.

15 Commissioner Chang asked for more background regarding pavement restoration.

16 Mr. Ah Sing stated it was a standard condition for projects to ensure that any damage done by  
17 the project be restored. A Public Works inspector visits the site and determines the extent of  
18 the damage and recommends what type of restoration was needed.

19 Commissioner Chang asked if the damage were not extensive, could the City request less than  
20 what was outlined in the condition.

21 Mr. Ah Sing answered the Commission could recommend it be more flexible.

22 Commissioner Chang supported having more flexibility.

23 Albert Yang, City Attorney, confirmed Staff could work with Public Works Staff to have that  
24 flexibility if the Commission directed it.

25 MOTION

26 Commissioner Hechtman moved that the PTC recommend Staff's recommendation on this item  
27 with the following modifications. The deletion of Condition #14, the deletion of Condition #19  
28 unless the City determines that it would not be able to reasonably access its storm drain in its

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1 present location without damaging the building foundation, and adding flexibility to Condition  
2 #31 regarding the extent of repaving that would necessary dependent upon the impacts.

3 SECOND

4 Commissioner Reckdahl seconded.

5 VOTE

6 Madina Klicheva, Administrative Assistant, conducted a roll call vote and announced the motion  
7 passed 6-0.

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

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

## 12 **Approval of Minutes**

13 Public Comment is Permitted. Three (3) minutes per speaker.<sup>2,3</sup>

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

15 MOTION

16 Commissioner Hechtman moved to adopt the September 28, 2022 draft verbatim and summary  
17 meeting minutes as revised.

18 SECOND

19 Vice-Chair Summa seconded.

20 VOTE

21 Madina Klicheva, Administrative Assistant, conducted a roll call vote and announced the motion  
22 passed 6-0.

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

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

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

2 **Committee Items**

3 **Commissioner Questions, Comments or Announcements**

4 Chair Lauing mentioned to Commissioner Templeton that she was the Council liaison for  
5 November.

6 Commissioner Hechtman mentioned that the Conditional Use Permit Thresholds would be  
7 heard on November 7, 2022.

8 Commissioner Templeton announced she was not available for that meeting.

9 Commissioner Hechtman stated he would attend the November 7, 2022, Council meeting.

10 Commissioner Chang thanked Commissioner Hechtman for covering the meeting for she could  
11 not make the meeting.

12 Chair Lauing highlighted that the liaison schedule for the year 2023 was in the Packet and  
13 would be reviewed at a December meeting.

14 **Adjournment**

15 10:28 pm

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