



Planning & Transportation Commission Action Agenda: November 16, 2022

Council Chambers & Virtual
6:00 PM

Call to Order / Roll Call

6:00 pm

Chair Lauing called the meeting to order.

Ms. Veronica Dao, Administrative Assistant, conducted the roll call and announced all Commissioners were present with the exception of Commissioner Reckdahl.

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

Oral Communications

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

Chair Lauing invited members of the public to share their comments with the Commission on items, not on the agenda.

Ms. Veronica Dao, Administrative Assistant, announced there were no public speakers.

Agenda Changes, Additions and Deletions

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

Ms. Amy French, Chief Planning Official, stated there were no changes from Staff.

City Official Reports

1. Directors Report, Meeting Schedule and Assignments

Ms. Amy French, Chief Planning Official, reported recently the City Council and Planning and Transportation Commission (PTC) held a joint study session to discuss the Housing Element. She shared that on December 5, 2022, the City Council would be considering the project at 1700 Embarcadero Road and hold a study session on the Stanford Community Plan. On December 12, 2022, City Council would be reviewing the project located at 525 Los Trancos and the Accessory Dwelling Unit (ADU) Ordinance. She noted Council would only be reviewing the State legislation

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1 items for the ADU item. On December 19, 2022, Council would receive the ADU Quarterly
2 Report. The next PTC meeting was scheduled for December 14, 2022, and PTC would be
3 considering the Zoning Ordinance changes for electrification equipment.

4 Chair Lauing announced that Commissioner Reckdahl had joined the meeting and was present
5 in Chambers.

6 Mr. Rafael Rius, Senior Transportation Engineer, provided an update on the
7 Charleston/Arastradero project. The City was waiting for materials to arrive to finalize traffic
8 signal improvements at Wilkie Way, Lewis Avenue, and Fabian Way. Those materials were
9 delayed and Staff anticipated that the improvements would be implemented in January of
10 2023. Staff continued to seek permits from CalTrans for the improvements at El Camino Real.
11 With respect to Assembly Bill (AB) 2264, he explained that the bill required State-owned and
12 operated intersections to implement leading pedestrian intervals. He noted that though the bill
13 only affected State-owned and operated intersections, Palo Alto has installed leading
14 pedestrian intervals at several intersections in the downtown area, along school routes, and in
15 other places in the city.

16 Commissioner Templeton asked if the pedestrian interval lead was being used on intersections
17 along El Camino Real that were used by school children.

18 Mr. Rius answered he was unsure if all intersections on school routes had the pedestrian
19 interval but CalTrans continued to install them at State-owned and operated intersections.

20 Commissioner Templeton stated there was no pedestrian interval at Los Robles Avenue and El
21 Camino Real. She acknowledged that was a State-owned crossing and inquired how
22 Commissioners and Staff could encourage CalTrans to install the lead pedestrian interval there.

23 Mr. Rius confirmed he would put in a request to implement it.

24 Commissioner Reckdahl mentioned there was a test happening at the Wilkie Way bike bridge
25 for non-slip surfaces. He asked if the paint and non-slip plastic surfaces installed had been used
26 in other locations.

27 Mr. Rius commented that the project was a Public Works Department project and that he was
28 not familiar with it. He shared he would reach out to the Public Works Department and would
29 bring back more information.

30 Commissioner Reckdahl recalled 10 years ago the City installed non-slip plastic that worked for
31 about 6 months before it broke.

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1 Mr. Rius recalled 13 to 14 years ago the City had installed rubber mats but those had been
2 removed due to deterioration.

3 **Study Session**

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

5 2. Study Session to Review 2022 State Legislation Related to Land Use and Housing

6 Ms. Amy French, Chief Planning Official, announced that several members of Staff have
7 attended training sessions on the new State legislation laws about land use and housing. She
8 shared a diagram highlighting current and past housing legislation. In 2022, several bills were
9 passed including Senate Bill (SB) 9, AB 2011, SB 6, AB 2097, AB 224, and several others. Staff
10 presented an interim ordinance to Council pertaining to SB 9, which passed in 2021, and a
11 permanent ordinance would be brought to the Architectural Review Board (ARB) and the PTC
12 for recommendation in the year 2023. She noted AB 2011 and SB 6 were to take effect in July of
13 2023 and AB 2097, AB 2244, and ADU legislation would become effective in January of 2023.
14 With respect to AB 2011 and SB 6, AB 2011 addressed fast-track housing development, and SB 6
15 required developers to employ union labor on every project. With respect to AB 2097, the bill
16 prohibited local agencies from requiring parking for residential and commercial developments
17 within ½ mile of major transit. Staff continued to research which sites were affected by AB
18 2097, was exploring future updates to the Municipal Code to eliminate minimum car parking
19 requirements, and was considering doing a study about how not meeting local parking
20 standards would have a negative impact. With respect to ADU legislation, PTC had provided
21 comments on the new State laws at a prior meeting and forwarded a recommendation to City
22 Council. Several ADU updates did not require Zoning Code updates and those had to do with
23 ADU permits and processing. With respect to AB 2668, the law clarified SB 35 with respect to
24 permitting and affordability. Other housing legislation included laws that pertained to
25 emergency shelters, no-net-loss, and the submission of the Annual Progress Report, which the
26 City was already doing. The City's updated Housing Element was in a 30-day public review
27 period until December 7, 2022. Then the City had 10 business days to review and address public
28 comments. The City would then submit the updated Housing Element to the Housing and
29 Community Development (HCD) Department by December 22, 2022, for a 90-day review. Other
30 housing legislation included SB 649 which pertained to fair housing and AB 2234 which
31 addressed post-entitlement.

32 Chair Laung invited comments on AB 2011 and SB 6. He asked for clarification on the language
33 that said: "as long as developers utilized stricter labor standards or stricter affordability". Mr.
34 Caio Arellano, Assistant City Attorney, explained that developers were required to pay a
35 prevailing wage, hire folks in apprenticeship programs for a minimum of 1,000 hours and make
36 specified healthcare contributions. He remarked paying a prevailing wage was not typically an
37 issue in the Bay Area due to the cost of living.

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1 Commissioner Templeton mentioned that the graphic shared by Ms. French was drawn by
2 Alfred Twu who was a planning and transportation activist.

3 Commissioner Reckdahl asked for the definition of a “strip mall” and what was an example
4 within the city.

5 Ms. French believed a strip mall would be a large parking lot surrounded by a number of one-
6 story buildings with tenants.

7 Commissioner Reckdahl asked if “mixed-use” meant retail and housing or office and housing for
8 AB 2011.

9 Ms. French explained mixed-use typically meant residential with some form of commercial use
10 in the same structure.

11 Chair Lauing noted the Staff Report indicated that Palo Alto has high-quality transit when
12 discussing AB 2097 and he asked who determines what high-quality transit is.

13 Ms. French shared the Metropolitan Transportation Commission (MTC) published a map that
14 showed what transit stops they were referring to. Staff was in conversations with MTC to drill
15 down further and have more precise knowledge of how MTC identified those locations.

16 Chair Lauing predicted that the sites identified in Palo Alto were not high-quality transit sites.

17 Ms. French further explained it was a complicated formula and that the Government Code had
18 language about intersecting intersections between various bus routes.

19 Chair Lauing understood it was unknown who makes the final decision or did Valley Transit
20 Authority (VTA) make the determination.

21 Ms. French restated MTC was an umbrella agency over the VTA and that MTC was the agency
22 that drafted the map.

23 Mr. Arellano remarked the term used in the statute was “public transit” which was defined as a
24 “major transit stop” which was defined as a high-quality transit corridor with fixed route bus
25 service with service intervals of no longer than 15 minutes during peak commute hours. It was
26 unknown what changes VTA may do to the bus service along El Camino Real and any changes
27 may affect what would be considered major transit stops.

28 Commissioner Chang shared that the train stations were considered high quality but during the
29 weekend, train service to San Francisco was once an hour. She asked if there was any advocacy
30 the City could do to express that the long wait times for the train during the weekend were not
31 high-quality transit.

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1 Ms. French reiterated that high-quality transit was related to weekday peak hours only.

2 Commissioner Chang restated it was not sufficient to have 15-minute intervals and then one-
3 hour intervals on the weekend.

4 Mr. Arellano confirmed the statute only addressed peak commute hours as the criteria for
5 being a “major transit stop”.

6 Commissioner Templeton remarked that there was no mention of “high-quality transit” in AB
7 2097 and that was Staff’s summary. She agreed “transit corridor” would apply to El Camino Real
8 in addition to the train stops.

9 Chair Lauing announced there were no comments on ADU legislation and moved to Density
10 Bonus, AB 2334, and AB 634.

11 Commissioner Reckdahl referenced the language that said “very low vehicle travel area” and
12 asked what area in Palo Alto qualified for that.

13 Ms. French imagined it was not an arterial.

14 Commissioner Reckdahl predicted it was Palo Alto Foothills.

15 Commissioner Hechtman commented the laws pertained to areas that were less than 85
16 percent of either regional or city miles traveled per capita.

17 Ms. French predicted travel area and traffic area meant the same thing.

18 Commissioner Reckdahl restated he wanted to know what areas in the city would be impacted
19 by the bills.

20 Mr. Arellano believed the designation was made at a County level and not specific
21 neighborhoods within the city.

22 Vice-Chair Summa asked if the City expected Santa Clara County to clarify which areas would be
23 impacted before the January 2023 implementation. She asked what the bullet “rent for 80
24 percent of the units must be consistent with low-income TCAC rents”.

25 Ms. French explained she did not know what TCAC stood for.

26 Commissioner Chang understood the law pertaining to low-vehicle traffic areas would not apply
27 to Santa Clara County.

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1 Mr. Arellano clarified that the statute defined “designated county” to include Santa Clara
2 County. He explained the Density Bonus statute changed every year and out of caution he did
3 not want to provide an interpretation until he had time to review it more thoroughly.

4 Chair Lauing requested clarification on the language for AB 2668.

5 Ms. French explained a planner taking in an application would not reject an application due to
6 small errors.

7 Vice-Chair Summa hoped AB 2668 gave more specificity to the degree to which something can
8 be deemed not substantial or substantial. She found it worrisome that projects could be
9 completed without a proper review from a safety standpoint.

10 Chair Lauing called for comments on Housing Element laws; seeing none he moved to Open-
11 Space Element, SB 1425. He asked what “access to open-space for all residents” meant.

12 Commissioner Templeton noted the words “open space” was not in the bill.

13 Chair Lauing restated it was titled “Open-Space Element, SB 1425” in the Staff Report.

14 Commissioner Roohparvar confirmed it was on Packet Page 11.

15 Commissioner Hechtman believed the bill pertained to the accessibility of open space for folks
16 with all abilities.

17 Mr. Arellano explained the bill was addressing environmental justice when updating the Open-
18 Space Element.

19 Chair Lauing wanted to know if the bill was requiring there be open space within a quarter of a
20 mile of a structure.

21 Mr. Arellano confirmed there was no other specific language in the bill.

22 Commissioner Templeton corrected as she looked at an older version.

23 Chair Lauing moved to SB 649 and stated the language “local tenant preferences for lower-
24 income households subject to displacement risk” was unclear. He asked how the preference
25 was determined.

26 Mr. Arellano explained the bill articulated that it was a policy of the State to support local
27 tenant preference for lower-income households which were subject to displacement risk. That
28 articulation allowed developers of affordable housing to apply for specific federal tax credit
29 programs. If a local agency adopted a local tenant preference for their affordable housing

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1 program, the website must be clear and the program available for all folks who were interested
2 in participating.

3 Commissioner Templeton added that the preference was who the City preferred to be the
4 tenants for affordable housing. It was not about what the tenant preferred.

5 Mr. Arellano concurred.

6 Chair Lauing clarified he wanted to understand how the preferences were ranked.

7 Mr. Arellano answered the preferences were a local decision.

8 Chair Lauing moved to SB 2234.

9 Commissioner Hechtman remarked that SB 2234 was the law that might be used and provide
10 benefits to Palo Alto residents more than any of the other legislation. He referenced the Permit
11 Streamlining Act applied to discretionary permits and imposed a schedule on the City for
12 development projects. SB 2234 applied for ministerial permits and imposed a time limit on the
13 City for processing those permits.

14 Ms. French confirmed that was correct.

15 Commissioner Hechtman asked if there was any reaction within the Building Department about
16 the law.

17 Ms. French explained the City struggled to keep Staff positions filled and if all positions are
18 filled, then there should be no problem meeting the requirements. She noted another
19 requirement pertained to architectural drawings and sharing those with the public. Staff
20 currently was not posting architectural drawings of folk's homes on the City website.

21 Seeing no other comments, Chair Lauing closed the Agenda Item.

22 **Action Items**

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

25 3. 3200 Park Boulevard/200 Portage/340 Portage [22PLN-00287 and 22PLN-00288]:
26 Recommendation to Submit to the Architectural Review Board a Request for a
27 Development Agreement, Comprehensive Plan Amendment, Planned Community
28 Zoning, Tentative Map, and Major Architectural Review Application to Allow
29 Redevelopment of a 14.65-acre site at 200-404 Portage Avenue, 3040-3250 Park
30 Boulevard, 3201-3225 Ash Street and 278 Lambert. The Scope of Work Includes the
31 Partial Demolition of an Existing Commercial Building That has Been Deemed Eligible

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1 for the California Register as Well as an Existing Building With a Commercial
2 Recreation use at 3040 Park and Construction of (74) new Townhome
3 Condominiums, a one Level Parking Garage, and Dedication of Approximately 3.25
4 acres of Land to the City for Future Affordable Housing and Parkland Uses. The
5 Existing Building at 3201-3225 Ash Street Would Remain in Office use, and an
6 Automotive use at 3250 Park Boulevard Would Convert to R&D use. Environmental
7 Assessment: Draft Environmental Impact Report for the 200 Portage Townhome
8 Development Project was Circulated on September 16, 2022 in Accordance with the
9 California Environmental Quality Act (CEQA). The EIR Comment Period Ended on
10 November 15, 2022. The Proposed Development Agreement is Evaluated as
11 Alternative 3 in the Draft EIR. Zoning District: RM-30 (Multi-Family Residential) and
12 GM (General Manufacturing). For More Information Contact the Project Planner
13 Claire Raybould at Claire.Raybould@cityofpaloalto.org.

14 Chair Lauing announced he was recusing himself from the item due to his future appointment
15 to the City Council.

16 Vice-Chair Summa introduced the item and invited Staff to share the Staff presentation.

17 Ms. Claire Raybould, Planner, reported the Development Agreement was filed under 3200 Park
18 Boulevard, but the project did encompass several parcels. She shared a photo that showed the
19 different site components of the project, including the Cannery building, the automotive service
20 structure known as the Audi building, and the office building on Ash Street. The project was
21 located within the boundary of the North Ventura Coordinated Area Plan (NVCAP) and was a
22 key site for planning in the area. Discussion related to the site began in 2018 and in October
23 2021, the Council formed an Ad Hoc Committee to explore a negotiated Development
24 Agreement with the applicant, Sobrato. The Ad Hoc Committee presented their work to the full
25 Council in three closed sessions and in June 2022 the Council voted in support of the general
26 terms and concept that was presented. The Council directed Staff to present the concept to the
27 public in a study session that was held in August 2022. At Council's direction, the City executed
28 a Tolling Agreement with Sobrato for the 91-unit townhome project to allow for the processing
29 of the Development Agreement before the Commission. In September 2022, the City published
30 a draft Environmental Impact Report (EIR) and the Development Agreement was considered in
31 Alternative Three of the draft EIR. At the request of the PTC and the public, the City extended
32 the public comment period to a 60-day comment period which closed on November 15, 2022.
33 The proposed Development Agreement included several discretionary actions that included the
34 Development Agreement, the Comprehensive Plan Amendment, a Planned Community (PC)
35 rezoning with architectural review, a Tentative Map, Final Map, and Historic Resources Board
36 (HRB) review. The discretionary actions were being processed concurrently per the PC rezoning
37 process and HRB review process. Upcoming hearings/study sessions were scheduled for
38 December 15, 2022, with the ARB, January 12, 2023, with the HRB, an ARB study session on

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1 January 19, 2023, and then formal ARB, PTC and Council hearings for February through April of
2 2023. The Tolling Agreement gave the City until April of 2023 to process the Development
3 Agreement unless Sobrato chose to extend the Tolling Agreement in coordination with the City.
4 Staff's recommendation was the PTC recommend that the applicant submit the proposed plans
5 to the ARB for review. Included in the Staff Report were additional documentation of the
6 Development Agreement, a draft Comprehensive Plan Amendment, and Traffic Demand
7 Management (TDM) plan. Staff requested early input on the proposed intent for rezoning,
8 timing on the conversion of the Audi building, use of the retail space, and Map with Exceptions
9 for private street width, as well as any additional comments the Commission had.

10 Vice-Chair Summa invited members of the public to share their comments with the
11 Commission.

12 Ms. Veronica Dao, Administrative Assistant, announced there were no public speakers.

13 Vice-Chair Summa reminded the Commission that the item was a pre-screen and the PTC would
14 not be making its final recommendation. She understood that per the PC process, any vote
15 taken from the PTC would not prohibit the project from being forwarded to the ARB.

16 Mr. Caio Arellano, Assistant City Attorney, clarified if the PTC did not recommend the project be
17 forwarded to the ARB, the project would return to the Commission with specific revisions
18 identified by the PTC.

19 Commissioner Templeton asked if the PTC could recommend the applicant make changes
20 before going to the ARB.

21 Ms. Raybould believed the PTC could make recommendations on how the project should be
22 changed but was unsure if those changes had to be made before going to the ARB. It would be
23 understood that those changes would have to be made before the item came back to PTC.

24 Commissioner Hechtman suggested the Commission start with one of Staff's requests to begin
25 the discussion.

26 Vice-Chair Summa interjected and asked the Commission to weigh in on the proposed structure
27 for the meeting.

28 Commissioner Hechtman noted he did not have any general comments for the overall project.

29 Vice-Chair Summa suggested Commissioners ask clarifying questions before the discussion.

30 Commissioner Chang understood the project would not go to Council again before the PTC saw
31 it.

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1 An unknown Staff member indicated that was correct.

2 Commissioner Chang asked if demolishing a portion of the Cannery would render the rest of the
3 building ineligible to be listed as a historic resource.

4 Ms. Raybould confirmed that was correct.

5 Commissioner Chang referenced Packet Page 90, Table Two in the third column where it said
6 3.92 gross acreages versus 2.447 net acreages, and asked what the difference was between net
7 and gross.

8 Ms. Raybould explained gross acreage was the total acreage of the site and net acreage
9 excluded creek and street easements. Also, once the private streets were developed, those
10 were excluded from lot area.

11 Commission Chang said the private streets were based on the current development plan. She
12 wanted to understand the actual amount of developable area in the total 14.65 acres. She
13 referenced Packet Page 73 where it stated the site was on the housing inventory list and
14 identified the realistic capacity was 221 dwelling units.

15 Ms. Raybould explained that the 3.92 gross acreage was for the individual parcel for the
16 townhome project and that lot had a developable area of 2.447 acres.

17 Commissioner Chang understood the tables in Attachment E and presumed that the townhome
18 project was moving forward and the office building would not be used for housing. Also, the
19 remaining Cannery building would remain and could not be used as acreage for housing.

20 Ms. Raybould confirmed that was correct.

21 Commissioner Chang asked how much of the 14.65 acres was not encumbered by any
22 easements.

23 Ms. Raybould mentioned Staff had that information but could not recall what it was.

24 Commissioner Reckdahl referenced Packet Page 19 and the 2.36 acres the City would receive.
25 He asked how much of that land was developable because the land near the creek was
26 undevelopable. He wanted to understand if \$12 million per acre for the land the City would
27 receive was the correct assessment.

28 Ms. Raybould explained the 2.25 acres did include some area that was in the creek easement.

29 Commissioner Reckdahl remarked land that could not be developed was not worth \$12 million
30 per acre.

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1 Ms. Raybould noted if the land was to be used for a park then that statement was not accurate.
2 Commissioner Reckdahl mentioned the AT&T property was bought at \$7 million an acre and
3 that was Public Facility zoned. For the Sobrato parcel, the park was the only use the City could
4 do on the land.

5 Ms. Raybould commented she did not have the exact number of how much of the land was
6 within the easement.

7 Commissioner Hechtman shared that sometimes water district easements were impressed on
8 creek land then there was a shift of development of that land.

9 Commissioner Templeton suggested that the topic be added to the list of questions the PTC
10 would like answered before the items come back to the Commission. She noted that the creek
11 was not re-naturalized and that changed how much could be developed.

12 Commissioner Chang referenced Packet Page 17 and asked if after 10 years could the City
13 rezone the parcel and was the PC zone permanent.

14 Ms. Raybould confirmed the Development Agreement had a 10-year term limit and the PC Zone
15 would be rezoned right away. She predicted the City could rezone the parcels after the
16 Development Agreement terminated, but the City typically did not rezone a parcel without an
17 application.

18 Commissioner Chang emphasized that the Housing Element was at top of the mind of the
19 community and large parcels were in short supply. She wanted to understand the implications
20 of whether the parcel could ever be changed back to residential.

21 Commissioner Hechtman mentioned that the 10-year term was not legally required but was a
22 standard term. The concept of a Development Agreement was to supply a developer with a
23 stable set of rules that would not change for 10 years. If at the end of the 10 years the
24 developer did not build what they intended to build, they were are risk of the rules changing as
25 to the portions that they did not build. If the City changed the zoning after 10 years, any built
26 structures would become legal non-conforming uses.

27 Commissioner Chang understood that but wanted to know if the project was different because
28 it had a PC overlay. She noted the project was proposing the development of the townhomes
29 and the other components were staying the same in terms of the footprint of the buildings. She
30 wanted to understand the limitation if any if the City wanted to revert to the RM zone to
31 facilitate future housing production after the 10-year term was up.

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1 Ms. Raybould could not answer at this time but promised to return with an answer at a future
2 meeting. She shared that if the terms of the Development Agreement were not fulfilled then
3 penalties would be applied and the parcel would revert to the original zoning.

4 Commissioner Chang appreciated Staff's effort to provide answers to the questions that were
5 raised at the prior meeting. She referenced Packet Pages 18 and 19, she asked if there were
6 more detailed reports on how the financial calculations were done.

7 Ms. Raybould confessed she did not know what was protected under the closed session and Ad
8 Hoc Committee discussion.

9 Commissioner Chang said she wanted to understand the range of \$25 to \$37 million at the
10 bottom of Packet Page 18 in terms of how the benefit was calculated. She said there were a
11 bunch of general statements in the Staff Report on how the benefit was calculated and the
12 math did not add up. She moved to Packet Page 21 and asked if the reference to 2.5 acres per
13 resident was a typo and should say 2.5 acres per 1,000 residents.

14 Ms. Raybould indicated it was a typo and should be 2 acres per 1,000 residents.

15 Commissioner Chang moved to Packet Page 24 and asked who analyzed the remodel that
16 would be required for the Cannery and the resulting implications on the historic integrity of the
17 building.

18 Ms. Raybould answered the applicant had done the analysis. Staff was under the impression
19 that the historic structure would be rehabilitated in alignment with the Secretary of the
20 Interior's Standards as feasible, even after it lost its historical eligibility. In further discussions
21 with the applicant, a large portion of the building's roof could not support the required solar
22 equipment.

23 Commissioner Chang asked if the City could relax that Code requirement for solar.

24 Ms. Raybould explained it was a new State Code that would go into effect on January 1, 2023.
25 She explained the entire roof would have to be reconstructed to support the solar. The other
26 concern was the state of the corrugated metal siding and that the majority of it could not be
27 salvaged. The applicant had agreed to do a salvage survey to see what pieces could be saved. In
28 summary, Staff recently became aware that there were going to be more modifications to the
29 building than was originally anticipated.

30 Commissioner Chang referenced Packet Page 18 and believed the directions had been flipped
31 on the map.

32 Ms. Raybould apologized and confirmed the east and west directions were flipped.

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1 Vice-Chair Summa understood the portion of the building that had the monitor rooves was the
2 portion that was in a worse state than originally anticipated.

3 Ms. Raybould clarified the portion of the building with the monitor rooves was proposed to be
4 rehabilitated and the applicant had agreed to do a salvage survey of the windows.

5 Vice-Chair Summa understood the Commission would receive more information on the state of
6 the building before final decisions were made.

7 Rob Tersini, applicant, remarked the exact timeline for the salvage surveys was not identified
8 yet.

9 Vice-Chair Summa mentioned that there were many exceptions for rehabilitating a historic
10 building and tax credits. She asked if all those avenues were explored before the application
11 was made.

12 Ms. Raybould commented if the building was not considered an eligible historic resource then
13 they could not apply for those resources.

14 Vice-Chair Summa clarified if those were explored prior to the decision to remove a portion of
15 the building.

16 Ms. Raybould answered in terms of saving the building for adaptive reuse she did not believe
17 the City or the applicant fully explored all the options.

18 Commissioner Templeton requested that Staff explain in clear detail why those avenues were
19 not explored.

20 Ms. Raybould restated that the City had not explored all of the tax benefits that might be
21 available for a registered eligible resource.

22 Commissioner Templeton asked if the reason it was not explored was that the building was not
23 a register eligible resource.

24 Ms. Raybould clarified it had to be a registered historic resource in order to take advantage of
25 the tax credits.

26 Commissioner Templeton mentioned that in prior years she had worked in both buildings and
27 they were in disrepair. She appreciated that the applicant was trying to keep the sense of the
28 building but make it a modern and useable space.

29 Tim Steele, applicant, concurred that Sobrato had not gone to that level of detail in the
30 investigation of the historic resource because there was a disagreement between the City and

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1 Sobrato about future uses in the building. That disagreement led to discussions with the Ad Hoc
2 Committee.

3 Commissioner Hechtman understood moving forward with the Development Agreement
4 project, Alternative Three in the EIR would change a portion of the Cannery building that results
5 in the remainder of the Cannery building no longer being eligible for historic designation. The
6 SB 330 project proposed to replace 84,000 square feet of the Cannery with 91 units. He asked if
7 the SB 330 project would also result in the Cannery building not being historically eligible.

8 Ms. Raybould confirmed that both scenarios would render the Cannery building not eligible for
9 the California Register. Staff was exploring whether the project could be identified on the City's
10 historic register.

11 Commissioner Hechtman understood under Alternative Two, adaptive reuse, the Cannery
12 building would be rehabilitated for all housing and any changes to the Cannery building would
13 also result in the building losing its historic eligibility.

14 Ms. Raybould could not say with certainty that it would lose its eligibility but any upgrades
15 needed for a residential project would be more substantial than for any other commercial use.

16 Commissioner Hechtman commented that the answer to those questions indicates that the
17 retention of all of the Cannery building as a historic resource was not on the table because of
18 the SB 330 project. Also, none of the three paths mentioned above resulted in a portion of the
19 Cannery building keeping its historic eligibility.

20 Commissioner Chang asked what protections did the structure receive if it were listed on a local
21 historic register.

22 Ms. Amy French, Chief Planning Official, emphasized there was already a Development
23 Agreement in place that protected the building.

24 Ms. Raybould explained with the Development Agreement it was unlikely that the building
25 would be torn down because the rezoning only allowed a specific development plan for the
26 site.

27 Ms. French explained the local register had Categories One through Four. Categories One and
28 Two throughout the City had more protections than the other categories. Category Three and
29 Four resources had been modified at some point but they had enough integrity to be listed on
30 the City's inventory. The Cannery building may be eligible to be a Category One or Two based
31 on events but it most likely was not eligible based on its architecture.

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1 Commissioner Hechtman appreciated that the applicant had begun the process of evaluating
2 the building's condition early in the process. He mentioned Edgewood Plaza and shared that
3 when the applicant had begun removing materials, it was discovered that the support
4 membranes have drastically deteriorated and the building had to be demolished.

5 Vice-Chair Summa referenced Packet Page 89, the zoning comparison table, and the parking
6 structure proposed to abutt the neighborhood on Olive Street.

7 Ms. Raybould confirmed that the Daylight Plane was not shown on the plan set.

8 Vice-Chair Summa mentioned there was a drawing in the plan set where it appeared that
9 parking would be available on the roof of the parking structure. She asked if the folks parking
10 on the roof would be able to look into the yards of the abutting residents.

11 Ms. Raybould remarked Staff could request line-of-sight diagrams which was a typical practice
12 for development applications.

13 Commissioner Reckdahl stated one of the goals of the City Council was to reduce
14 developmental density and have a low-density office on the site. He understood that zoning did
15 not prohibit the owner from having a general office on the site.

16 Ms. Raybould remarked the application could not have an office, only research, and
17 development.

18 Commissioner Reckdahl asked how research and development were defined.

19 Mr. Steele confirmed the Ad Hoc Committee did discuss at length the difficulty of drafting
20 language and how to enforce it. The dialog gravitated to a lower parking ratio and an aggressive
21 TDM plan which was easier to manage and more likely to be enforced.

22 Ms. Raybould added that through the NVCAP discussions there was a conclusion that
23 employee density was to be enforced through TDM.

24 Mr. Jonathan Lait, Director of Planning, confirmed that was correct.

25 Commissioner Reckdahl asked why the City did not consider placing a cap on employee density.

26 Mr. Lait confirmed a cap could be placed on employee density but it was a challenge to enforce
27 due to the City not doing regular inspections. He confirmed that through the Ad Hoc Committee
28 discussions there was an understanding of the City wanting to have a better definition of a
29 lower density employment use and there was an agreement to use TDM as a way to address
30 that concern.

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1 Commissioner Reckdahl noted historically the City did not have a great experience with TDMs
2 being efficient.

3 Mr. Lait explained recently the Code was changed to implement more aggressive TDM
4 standards and typically the City gave businesses two years to work through the TDM changes
5 and many had not reached that threshold. He agreed the City did not have many TDMs and
6 historically many had not met the community's expectations.

7 Commissioner Reckdahl commented his concern was not Sobrato going against the spirit of the
8 agreement but that a future owner will increase density to increase rent. He suggested putting
9 in writing that the expectation is to have low density.

10 Vice-Chair Summa believed the goal of a TDM was to reduce the need for folks to use cars and
11 not a way to limit the density of employees.

12 Mr. Lait agreed that TDMs strategies were intended to reduce vehicle trips and reduce traffic
13 impacts on residents in the area. He mentioned that the site as a retail use had a higher
14 demand for parking than office use and the proposed project provided from a ratio basis more
15 parking than was currently provided. He mentioned that there was a discussion that the site
16 would be prohibited from participating in a future residential parking program (RPP).

17 Vice-Chair Summa understood the TDM would reduce the impacts and that it was not going to
18 reduce the number of employees per square foot.

19 Commissioner Templeton inquired if there were any other reasons why folks would want to
20 limit the number of employees on the site.

21 Commissioner Reckdahl answered the more jobs on the site, the more strain was placed on the
22 local housing market.

23 Mr. Lait agreed that the City was in a constant effort to improve the imbalance between jobs
24 and housing in the City. He understood from the Ad Hoc Committee discussions that the TDM
25 objective was to decrease the traffic impacts on the residents.

26 Commissioner Templeton commented the TDM addressed the jobs/housing imbalance because
27 folks were either living in the City and walking or biking to work, or folks were taking the train
28 to their job. In that aspect, the net impact would be controlled by the TDM. She encouraged the
29 City to enforce TDMs better but found the proposed TDM a reasonable way to cap the number
30 of employees on the site.

31 Commissioner Reckdahl argued if 500 workers were coming to the site, those folks would need
32 500 places to live in and that caused a strain on the City's housing crisis.

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1 Commissioner Templeton noted those employees would have to be living in the community
2 and those employees could not live in the City if the housing units were not available.

3 Commissioner Reckdahl commented that just because employees walked to work did not mean
4 they were not putting pressure on the housing market.

5 Commissioner Templeton suggested Commissioner Reckdahl and herself continue the
6 discussion offline.

7 Vice-Chair Summa suggested a short break.

8 [The Commission took a short break]

9 Vice-Chair Summa invited comments on the timing of the conversion of the Audi building. She
10 asked what Staff's concerns were about the timing of the conversion.

11 Ms. Raybould stated Staff had originally proposed that the conversion would take place after
12 the rest of the project, including the townhomes, were complete. Sobrato proposed that the
13 conversion would be permitted at any time once a tenant was found. From Staff's perspective,
14 the key component of the project was housing as well as the parkland, and withholding the
15 conversion of the Audi building may influence Sobrato to build the housing sooner rather than
16 later.

17 Mr. Steele remarked the way the schedules worked out, the garage would be built first which
18 involved underground overhead powerlines. The underground project was estimated to take up
19 to two years and then the tenants could move into the garage which opened up the land near
20 the creek. The demolition of the building had not been done, nor any of the improvements on
21 the land because the tenants in that portion of the building had to be relocated to the restored
22 middle portion of the building. He predicted the amount of work that had to be completed
23 before the townhomes could be constructed would take 5 years. Included in that preparation
24 work was the dedication of the parkland and other improvements to the community.

25 Vice-Chair Summa asked if the Audi building was currently occupied.

26 Mr. Steele answered Audi had moved out but Sobrato signed a temporary lease for automotive
27 use.

28 Commissioner Hechtman commented that the Development Agreement was coming to the
29 Commission through a different process than what was typically used. The Development
30 Agreement gave a comparative view between the negotiated Development Agreement and the
31 SB 330 project that was submitted to the City. He noted that City Council had endorsed the
32 Development Agreement project over the SB 330 project. He was concerned that if PTC pushed

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1 too hard on the proposals, the City Council may ignore PTC's recommendation and take a
2 different approach, or Sobrato will pursue their SB 330 project. With that said, he mentioned in
3 his professional work he had seen cities in other jurisdictions require that the housing be built
4 before the office was built. In one scenario, the developer walked away from the project
5 because that requirement made the project infeasible. He expressed concern that the project
6 would become infeasible if the conversion of the Audi building was required to be placed on
7 hold. He asked during the phases of the different developments if there was an earlier step,
8 other than the townhomes, that the City would consider withholding to encourage the housing
9 to be built. If so, then the conversation could happen sooner rather than later.

10 Commissioner Chang agreed with Commissioner Hechtman but for a slightly different reason.
11 She reiterated that the public and the Commission were not aware of what the negotiations
12 were between the City and Sobrato. That made it hard to judge the project. She agreed to
13 withhold the conversation about the Audi building as an incentive but the biggest incentive was
14 the continuation of the non-conforming office use and the rezoning. She agreed that the
15 conversion could be done possibly earlier but only if other milestones were met.

16 Vice-Chair Summa inquired if the automotive dealership was an overlay over the baseline
17 zoning.

18 Ms. Raybould clarified it was not an automotive dealership but an automotive service use
19 which was currently a non-conforming use on the site. Sobrato was allowed to continue the
20 non-conforming use and that was what triggered the Ad Hoc Committee discussion was
21 defining what the allowed uses were for the site. Sobrato had identified that there was a lack of
22 clarity in the Code section discussing what uses were allowed.

23 Vice-Chair Summa restated the current process was very unusual because the Development
24 Agreement negotiations had taken place before the standard PC review. Those discussions
25 were not made available and the Commission did not understand what risks there were legally
26 or financially that determined some of the decisions. She said she was persuaded by Staff's
27 suggestion because Staff had a reason that was not privy to the Commission. She noted though
28 that she was deciding without knowing all the details. She agreed that there was time to revisit
29 the conversion of the Audi building at a future time.

30 Commissioner Reckdahl agreed with Commissioner Hechtman that moving the conversion to an
31 earlier date was reasonable.

32 Commissioner Hechtman asked if the Commission had provided enough feedback for the Audi
33 building conversion.

34 Ms. Raybould answered yes.

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1 Mr. Lait addressed the comment that it was unclear why Staff was concerned about the
2 conversion of the Audi building and why Staff suggested it be placed on hold. He restated that
3 housing was a large component of the City and concerns had been raised that market
4 conditions made the construction of housing challenges. Also, once the land was dedicated to
5 the City, the City would begin its process of converting the land to a public park and affordable
6 housing which took many years. Staff was trying to balance the scale between the City receiving
7 a benefit upfront and the applicant receiving a benefit as well. With respect to the feedback
8 from the Commission, he encouraged there to be a consensus among the Commission in the
9 feedback.

10 Vice-Chair Summa mentioned she supported Staff's idea while the other Commissioners
11 supported moving the converse of the Audi building to the beginning of the process.

12 Mr. Lait emphasized that if the Commission wanted to influence the direction Staff was going,
13 he recommended there be consensus and verbalization from all Commissioners. Staff could
14 only consider the feedback that was shared by each Commissioner.

15 Commissioner Hechtman shared that the issue with the retail space was whether the primary
16 use of the 2,600 square feet should be retail or an interpretive museum associated with the
17 historic structure. He noted that 2,600 square feet are a large space. He recommended the
18 primary use be retail which would serve the residents of the project with a secondary use for
19 interpretive materials.

20 Commissioner Chang stated that given the lack of services in the area, she predicted the
21 residents in the neighborhood and the project would appreciate a retail space. She wanted to
22 see the interpretive area be available to folks even if the retail space was closed.

23 Commissioner Templeton agreed and she envisioned a similar setup to the Cannery in
24 Monterey, California. She suggested there be interpretive information in the new park space
25 and commented that the historic information was not limited to being only inside the structure.

26 Commissioner Roohparvar agreed with Commissioner Templeton's comments and reference to
27 the Cannery in Monterey, California.

28 Commissioner Reckdahl inquired if the townhome project had common space for the residents.

29 Ms. Raybould stated there was no community room but rather the common space was the
30 aisles in between the homes.

31 Commissioner Reckdahl commented that having the space be retail was more practical and
32 novelty of having a museum would wear off fairly quickly. He wanted to see a retail space that

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1 served the residents but also provided a community meeting space for the residents was a big
2 win.

3 Vice-Chair Summa concurred with Commissioner Reckdahl but preferred an additional part of
4 the R&D use be dedicated to indoor and outdoor space for the community.

5 Ms. Raybould asked for additional clarification.

6 Vice-Chair Summa believed that 26,000 square feet were not big enough to accommodate the
7 needs for retail, a museum area, and a dedicated meeting space for the residents of the
8 townhome.

9 Commissioner Chang commented that it would be a benefit to the residents if the 2,600-square
10 feet retail space was bigger to accommodate varied uses.

11 Commissioner Templeton remarked that 2,600 square feet was a large space and could
12 accommodate a neighborhood meeting. She mentioned that many neighborhoods in Palo Alto
13 did not have a designated meeting space for their homeowner association (HOA) meetings.

14 Vice-Chair Summa exemplified developments like Oak Creek Apartments and Alma Place had
15 community rooms. She believed it was typical for developments to have some type of meeting
16 space.

17 Commissioner Templeton concurred apartments did normally have a large conference room
18 but not townhome complexes.

19 Vice-Chair Summa added that the parcel was in an isolated part of the neighborhood and
20 believed it was not a lot to ask the applicant to provide that type of space.

21 Commissioner Hechtman mentioned if it were his project and a dedicated community center
22 were required, he would reduce the number of housing units proposed instead of reducing the
23 R&D space. While he supported the concept of a community space, he did not want to trade
24 housing units for a space that may not be used.

25 Vice-Chair Summa clarified her vision was a meeting room instead of a community room and
26 2,600 square feet were very small for a variety of uses.

27 Commissioner Hechtman suggested Staff explain how the 2,600 square feet were determined.

28 Mr. Lait explained the Ad Hoc Committee spent a significant amount of time discussing the
29 space and there was a lot of interest on the City's behalf to maximize the size of the space for
30 the community. He acknowledged that the 2,600 square feet were smaller than what the City
31 wanted but it was larger than what Sobrato was anticipating. The square footage was a

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1 compromise of trying to balance to honor the historical aspects of the site as well as create a
2 community gathering place. The Ad Hoc Committee agreed they did not want to be prescriptive
3 for the space and understood that retail was a challenge for the neighborhood.

4 Commissioner Reckdahl asked if the space was not retail, would the space be open to the
5 public?

6 Ms. Raybould remarked it could only be retail and Staff was asking the Commission what the
7 expectations were regarding the availability of the space to the public. She noted that Staff
8 could explore having interpretive materials outside of the space that was available to the public
9 all the time.

10 Commissioner Reckdahl was concerned the space would be a coffee shop with limited hours
11 and felt it was a waste of space to only have it available for a couple of hours each day.

12 Mr. Lait commented that the intent was to have a use with typical retail hours of operation and
13 that language could be incorporated into the Development Agreement.

14 Commissioner Reckdahl noted that the space was out of the way and wondered if there were
15 enough folks in the area to support a retail shop.

16 Vice-Chair Summa reiterated that the space was not large enough for a shop but rather a coffee
17 or refreshment store.

18 Commissioner Templeton believed the PTC provided enough feedback to the applicant that
19 encouraged a variety of uses in the space and the park. Also, varieties held activities throughout
20 the day to keep the area safe and vibrant.

21 Vice-Chair Summa mentioned the History Museum in Heritage Park in Downtown Palo Alto was
22 providing a café with bathrooms for folks visiting the park and that was another option.

23 Commissioner Chang asked if the City had ever reduced the width of a private street in the City.

24 Ms. Raybould could not recall it happening before but also Palo Alto did not have a lot of major
25 townhome developments since the Code change was adopted.

26 Commissioner Chang commented there was a reason why the City required a specific street
27 width and she strongly encouraged the City to maintain that rule. If the City were to move
28 forward with the reduced width, she requested additional information about what impacts that
29 would have on circulation and emergency access.

30 Ms. Raybould understood that the Code change for private street width was implemented by
31 Staff due to voter initiative. The change intended to have wider streets to facilitate parking on

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1 the street for townhome-style developments. The Code did not require townhome
2 developments to provide parking on the street. The proposed project did have parking on some
3 of the streets. For garbage truck access, the trucks would service the project from the exterior
4 roads around the project. For circulation and emergency access, the requirement for the street
5 width was 26 feet. The project proposed 32 feet on the ground floor and 26 feet for the upper
6 portion to allow for fire ladder access.

7 Commissioner Chang mentioned she needed to review the parking plan to understand the
8 implications. She understood that the City could not require additional parking for visitors.

9 Ms. Raybould explained the private street width pertained to the drive aisles in between the
10 garages.

11 Commissioner Templeton appreciated the Staff's explanation concerning emergency and safety
12 access and stated that the proposed width reduction met all safety requirements.

13 Commissioner Hechtman restated that the first floors of the structures were 32 feet apart.

14 Ms. Raybould mentioned there were bulb-outs where the landscape would be planted but the
15 majority of it was 32 feet apart.

16 Commissioner Hechtman understood the buildings came closer together over the street and
17 the proposed Exception applied to the narrowing of the street on the second floor.

18 Ms. Raybould stated projects are not allowed to have encroachments of floor area into a
19 private street. The private street would be reduced in width through the map with Exceptions
20 to 26 feet for the drive aisles. The proposed project would still have 32 feet between buildings
21 on the ground floor.

22 Commissioner Hechtman understood the street would be 26 feet wide but would act like a 32-
23 foot wide street. The additional feet on each side would be owned by the townhome owner
24 impressed with an easement allowing access to those additional feet.

25 Ms. Raybould concurred that was a good point that Staff would have to explore more.

26 Commissioner Hechtman announced his support for the feet width. He suggested Staff explore
27 neighboring cities that did have reduced private street widths and hear what their experience
28 was.

29 Commissioner Reckdahl referenced Page A 2.7.2 in the plan set and asked if the diagram on
30 that page showed the reduced street width.

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1 Commissioner Hechtman noticed after looking at the plan set that an easement would not be
2 needed based on the layout of the landscaping.

3 Ms. Raybould confirmed the diagram did show the concept being proposed.

4 Commissioner Reckdahl understood the garage doors facing each other were 32 feet apart. He
5 asked what width was required by Code.

6 Ms. Raybould answered that the road had to be 32 feet if the road was serving more than four
7 lots. In the proposed design that measurement was taken from the face-to-face of the
8 buildings.

9 Commissioner Reckdahl understood the project was fulfilling the 32 feet width but the project
10 was not meeting that law due to the second floor only being 26 feet apart.

11 Ms. Raybould restated that buildings were not allowed to encroach into a street easement.

12 Commissioner Reckdahl mentioned in San Francisco there were areas where an overhang jettied
13 out over the sidewalk.

14 Ms. Raybould could not speak to San Francisco's regulations. She noted there were places in
15 Palo Alto where balconies overhung the sidewalk but those portions of the sidewalk were on
16 private land.

17 Commissioner Reckdahl asked if balconies could be extended into a setback.

18 Ms. Raybould answered yes.

19 Commissioner Reckdahl inquired where the 26-foot requirement came from.

20 Ms. Raybould restated that 26 feet are a fire safety standard.

21 Commissioner Reckdahl shared he found the proposal bothersome but noted he may be
22 convinced a reduced width was needed with more information.

23 Vice-Chair Summa asked if Staff knew the width of the streets for the upper Mayfield
24 development. For a point of comparison, the homes in that development were very close
25 together and no driveways were separating the lots.

26 Ms. French stated she would reach out to the project planner of that project to find out.

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1 Vice-Chair Summa supported the reduction as long as it was safe for emergency purposes. She
2 understood the reduction only applied to the interior streets and that garbage trucks would not
3 go down the streets.

4 Ms. Raybould confirmed the garbage trucks would service the site from the perimeter.

5 Vice-Chair Summa recalled the minimum width for a driving lane was 10 feet.

6 Ms. Raybould concurred.

7 Vice-Chair Summa restated that 26 feet were deemed to be safe.

8 Commissioner Reckdahl and Vice-Chair Summa discussed the diagram shown in the plan set off
9 mic.

10 Commissioner Reckdahl asked how garbage trucks would service the project.

11 Ms. Raybould recalled that Zero Waste was concerned about having the garbage trucks going
12 down the dead-end aisles and then having to back up. Zero Waste and the City's garbage hauler
13 reviewed the plans and had no concerns about servicing the other streets. Staff advised the
14 applicant to address garbage pickup for the dead-end aisles.

15 Commissioner Chang guessed that the proposed land use change was the product of the
16 negotiations between the applicant and the City. Based on her rough calculations, changing the
17 land use was a positive for the City for the current SB 330 proposal for that specific portion of
18 the parcel but the SB 330 proposal did not state it would preserve the office for the future. She
19 explained that Sobrato would receive a benefit of \$25 to \$34 million and the City would receive
20 a benefit of \$37 million. There was a value between \$3 and \$12 million on the financial side for
21 the City. With respect to housing value, the base case with no office would have a zoning of RM
22 40 due to the upzoning from the updated Housing Element. She explained there were 14.65
23 acres, then subtract out 3 acres for parkland and then apply 40 units per acre. That totaled 446
24 units of housing for the site and 15 percent of that would be BRM units. Based on those
25 calculations, she was concerned about the value of \$3 to \$12 million that the City was getting
26 worth the fact that the City was only getting 175 units of housing instead of 446 units of
27 housing. She was also concerned about having 500 employees continuing to work on the site
28 and being in the negative of 91 units of housing for those employees. She said that the
29 proposals on the table indicated that the historical resources were not going to be preserved
30 and if the building could not be preserved then it was worrisome that the building could be
31 demolished in the future and made into office per the land use change. If in the future the
32 building was going to be demolished, she wanted to see the zoning remain RM 40 and have
33 more housing on the site. The proposal was also to split the lots into multiple lots and the
34 updated Housing Element had a program that encouraged lot consolidation. She concluded the

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1 proposal was working against the objectives of the new Housing Element and that concerned
2 her.

3 Mr. Lait acknowledged the challenge the Commissioners had with not knowing what the
4 negotiations included and what was discussed. He shared that the Ad Hoc Committee and
5 applicant discussed a variety of development concepts. The proposed project reflected both
6 parties' interests. He noted that a larger development may not achieve the same benefits to the
7 property owner. He reminded the Commission that it had to consider the length of time it
8 would take to achieve more density on the site due to phasing out of the non-conforming uses
9 if the SB 330 project moved forward. The Development Agreement project provided several
10 benefits that the SB 330 project did not provide.

11 Commissioner Chang restated that it was strongly emphasized that the Cannery would be
12 preserved at the prior meeting.

13 Mr. Lait stated the building had historical value, as well as the site, had historical value. Both Ad
14 Hoc Committee members strongly advocated for the historic aspects and recognition of the
15 building. As the applicant explored rehabilitation for the remaining portion of the Cannery
16 building, it became clear that the building would lose its historical integrity due to a large
17 portion of it being demolished. With that understood, the City wanted the remaining portion of
18 the building to reflect the Secretary of the Interior's Standards even if it had lost its historical
19 eligibility. That rehabilitation coupled with the interpretive displays, Staff believed those
20 together achieved the community's interest in recognizing the historic integrity of the site.

21 Commissioner Chang remarked based on her calculations, the SB 330 project was superior to
22 the Development Agreement because it allowed housing production to happen on the other
23 portions of the parcel. She wanted to understand if the preservation of the Cannery, which was
24 not historically eligible in either proposal, was worth losing 400 units of housing. She hesitated
25 to rezone a large portion of the site to something other than housing.

26 Mr. Lait argued that just because there was a vision for high-density housing on the site did not
27 mean it could happen. That type of proposal would have to be economically viable to the
28 developer and that was not the current case.

29 Commissioner Chang predicted if the City was willing to allow concessions for the site, it may be
30 economically feasible to build high-density housing. With all that said, she did not agree with
31 the proposed land use and zoning changes but supported advancing the project to ARB for
32 review.

33 Commissioner Templeton agreed that many folks on the NVCAP Working Group wanted to see
34 more housing on the site. She acknowledged that the Ad Hoc Committee was not able to
35 negotiate for more housing. Zoning was theoretical housing and there was no guarantee the

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1 housing would ever be built. The SB 330 project and Development Agreement project was the
2 first time in a long time that housing was being proposed on the site. With that said, she found
3 the proposed Comprehensive Plan land use change discouraging but not a component that
4 should stop the project.

5 Vice-Chair Summa noted that Staff was seeking feedback on the Land Use Amendment to
6 designate the commercial portions of the Cannery from multi-family residential to service
7 commercial, to designate the City parcel to major institutions/special facility, and the third was
8 to designate the notch at the top of the parcel that was currently light industrial to multi-family
9 residential.

10 Commissioner Templeton restated she supported the proposed land use changes.

11 Commissioner Reckdahl agreed with the comments made by Commissioner Chang and that if
12 the zoning were changed it would take many years to build the housing. He agreed it felt wrong
13 not to build more housing so close to the train station. He agreed to move the project forward
14 but wanted Council to reconsider if this was the right approach. He summarized that the
15 proposed project was providing family units which the City needed, it was also providing the
16 potential for the City to build more affordable housing, and parkland but the City was giving up
17 a lot of housing.

18 Vice-Chair Summa asked if Commissioner Reckdahl wanted to talk about the land use change.

19 Commissioner Reckdahl understood zoning and land use were respectfully the same things.

20 Vice-Chair Suma disagreed.

21 Commissioner Reckdahl understood the proposal was to change the Comprehensive Plan to be
22 consistent with the proposed design.

23 Ms. Raybould clarified that all of the rezoning and the Comprehensive Plan Amendment were
24 to legalize what was being proposed.

25 Vice-Chair Summa believed the City could leave the land use as residential multi-family and still
26 allow a PC with commercial.

27 Commissioner Hechtman disagreed and requested the City Attorney clarify the inconsistency
28 between zoning and the General Plan.

29 Ms. Raybould explained that the current commercial land uses on the site were not consistent
30 with the underlying land use. To allow those uses to stay, the land use must be changed as well
31 as the zoning of the site.

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1 Commissioner Reckdahl asked what would happen if the Comprehensive Plan amendment were
2 not adopted.

3 Ms. Raybould answered that would not be allowed because the zoning would be inconsistent
4 with the Comprehensive Plan.

5 Vice-Chair Summa explained she wanted to hear all comments from Commissioners on the
6 topic because Staff indicated in the pre-meeting these topics were important.

7 Ms. Raybould clarified that Staff felt that a land use designation of service commercial aligned
8 the parcel with surrounding parcels. The definition of service commercial specified that a site
9 could not exceed .4 FAR the site currently exceeded that threshold. Staff proposed to include
10 the word “generally” and other language related to the PC to make it more limited in terms of
11 how it could affect other development. With the service commercial land use designation
12 proposed, a project with more commercial use would review approval from the PTC as well as
13 Council through a PC process.

14 Commissioner Reckdahl remarked if Council had to approve any future projects then he did not
15 see the risk of changing the land use.

16 Commissioner Hechtman referenced Packet Page 20 and the four bullets listed. He commented
17 there were no opposing comments to changing the Comprehensive Plan designation for the
18 3.25 dedicated land to the City to be used for parks and affordable housing. The same applied
19 to bullet four, the re-designation from light industrial to multi-family residential, in that there
20 were no opposing comments for that. He announced he was supportive of bullets two, three,
21 and four. Bullet four provided a benefit to the City in terms of parkland. With respect to bullet
22 one, he understood that Commissioner Chang’s reservations related to the re-designation of
23 multi-family residential to service commercial. He asked if Alternative Two identified in the EIR
24 had a unit account associated with it.

25 Ms. Raybould requested a couple of minutes to look it up.

26 Commissioner Hechtman asked Commissioner Chang about her calculations and if the 446 unit
27 count included 149 units from the Development Agreement.

28 Commissioner Chang answered no.

29 Commissioner Hechtman understood the base case had 300 more units than the Development
30 Agreement and that Commissioner Chang’s calculations relied on demolishing the entire
31 Cannery.

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1 Commissioner Chang confirmed that was correct and questioned if it was worth trying to save
2 the Cannery when it had already lost its historic eligibility.

3 Ms. Raybould noted that Alternative Two estimated 281 residential units could be produced.

4 Commissioner Chang found the unit count for Alternative Two unrealistic if the Cannery were
5 to be preserved.

6 Ms. Raybould confirmed that Alternative Two identified there would be an unavoidable and
7 significant impact on the historic resource.

8 Commissioner Hechtman asked if parkland was included in Commissioner Chang's calculations.

9 Commissioner Reckdahl answered it would be 3.5 acres of parkland.

10 Commissioner Chang confirmed that was correct.

11 Commissioner Templeton remarked there were concerns during the TDM discussion about
12 much traffic would increase with triple the number of residents living on the site.

13 Ms. Raybould shared that the unit count for Alternative Two was identified as the realistic
14 capacity based on the 12.9-acre site.

15 Commissioner Chang clarified that the 221 unit count assumed the zoning was RM 30 but she
16 noted the new Housing Element upzoned all RM 30 parcels to RM 40. Also, the 221 unit count
17 relied on the adaptive reuse of the Cannery instead of demolishing the entire building.

18 Ms. Raybould did not believe that the last comment was true.

19 Commissioner Hechtman asked with respect to parkland per resident, what was the formula
20 used to determine how many residents were represented in the 149 units proposed.

21 Ms. Raybould explained that parkland was based on the unit and that a certain fee amount
22 would be paid per unit.

23 Commissioner Hechtman summarized the SB 330 project provided 91 units with .625 acres of
24 dedicated parkland and the Development Agreement project was 149 units with 2.25 acres of
25 dedicated parkland. He wanted to understand how the two proposals compared to the City's
26 standard of four acres of parkland per 1,000 residents.

27 Ms. Raybould answered that math had not been calculated.

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1 Commissioner Hechtman suggested as the project moves forward, that piece of information
2 should be shared. He commented that Commissioner Chang's base case tripled the number of
3 housing units but it did not triple the parkland. During the NVCAP discussions, he recalled the
4 passion shared by the Working Group and the community to have adequate parks in the NVCAP
5 area. He was concerned that the high-density proposal would result in no parks which was
6 desired by the neighborhood and when Council discussed the parcel during the NVCAP concept
7 discussion. The PTC, including himself, recommended high density for the site, but the Council
8 approved a low-density concept. Lastly, he acknowledged a high-density development would
9 not happen for several RHNA cycles due to the existing non-conforming uses on the site. With
10 all that said, he announced he supported the first bullet presented on Packet Page 20 of the
11 Staff Report.

12 Vice-Chair Summa asked if a PC could exceed the FAR.

13 Ms. Raybould answered yes.

14 Vice-Chair Summa supported bullets two and three, but re-designating the land from multi-
15 family residential to service commercial was a deal breaker. She argued that service commercial
16 was not consistent with the uses in the City and she was much more comfortable with a land
17 use designation of neighborhood commercial. She noted service commercials by definition
18 relied on folks to get to the site by car and that was what the community wanted. Also, she
19 could not support allowing the non-residential FAR to exceed because she believed it was not
20 needed to allow a PC to move forward. She acknowledged that a PC was a gift to an applicant
21 and re-designating the land use to service commercial was a huge gift that would remain in
22 perpetuity. She asked if the land use change could be conditioned to sunset and revert to
23 residential.

24 Ms. Raybould confessed she did not know if the service commercial land use could sunset or
25 not. If they did re-designate the land back to multi-family residential then the site would
26 become inconsistent with the zoning.

27 Vice-Chair Summa said that the parcel would be changed from the hopeful multi-family
28 residential land use to the very intensive commercial zone which was inconsistent with an
29 interior neighborhood. She emphasized she was not doubting the work of the applicant, Staff,
30 or the Ad Hoc Committee but she was not comfortable with that change.

31 Commissioner Reckdahl asked if the land use could be neighborhood commercial instead of
32 service commercial.

33 Vice-Chair Summa said that was a possibility but it was not multi-family residential. She recalled
34 the comment made by Commissioner Hechtman with respect to Edgewood Plaza and shared
35 that what happened was the developer demolished the wrong building and had to pay a fine.

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1 She was concerned that the portion of the Cannery with the monitor rooves would not be
2 saved if the City changed the land use to a very intense commercial use. She believed the
3 Council did not have the full picture when it came to the historic structure and that the
4 renderings provided by the applicant did not do justice to the historic status of the building. She
5 concluded she could not support the project as proposed.

6 Commissioner Templeton suggested an Ad Hoc Committee be formed of Vice-Chair Summa and
7 Commissioner Reckdahl to explore alternative zoning possibilities.

8 Vice-Chair Summa said she did not want to redo the work of the City Council. She added that
9 she was uncomfortable with the retail space size as proposed, the length of time it will take to
10 build the housing, and the deteriorating Cannery building.

11 Commissioner Reckdahl referenced Packet Page 20, the first bullet, and asked what other
12 options were available instead of service commercial for land use.

13 Ms. Raybould recalled in the previous Staff Report to PTC, Staff proposed a land use designation
14 of mixed-use and that was another option. The reason Staff suggested service commercial over
15 mixed-use was because it made more sense when parsing up the different parcels.

16 Commissioner Reckdahl asked why it mattered what the land use was.

17 Ms. Raybould explained it affected what could be proposed in the future.

18 Commissioner Reckdahl inquired if the City was concerned about by-right issues.

19 Ms. Raybould did not believe so for PC zoning.

20 Commissioner Reckdahl noted it took Council action for any proposal.

21 Ms. Raybould confirmed that was correct. She restated Staff suggested service commercial
22 because it was consistent with the surrounding land uses and it made more sense for the
23 individual parcels.

24 Commissioner Reckdahl asked if there were an underlying land use, could an applicant use by
25 right to upzone the land per State law.

26 Ms. Raybould answered yes, especially with housing.

27 Commissioner Hechtman predicted that Staff did not have the opportunity between the prior
28 meeting and now to explore his proposed edits.

29 Ms. Raybould confirmed that was correct.

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1 MOTION

2 Commissioner Hechtman moved the Staff recommendation to submit to the ARB a request to
3 review the project and all of the elements described in the title of the action with Staff, in its
4 Staff Report to the ARB, conveying to them the consensus views of the PTC as to those items
5 within the ARB's purview.

6 SECOND

7 Commissioner Templeton seconded.

8 VOTE

9 Ms. Dao conducted a roll call vote and announced the motion passed 5-1.

10 MOTION PASSED 5(Chang, Hechtman, Reckdahl, Roohparvar, Templeton) -1(Summa) -1 (Lauing
11 recused)

12 Vice-Chair Summa could not support the motion due to the very intense land use designation of
13 service commercial.

14 **Commission Action:** Motion by Hechtman, seconded by Templeton. Pass 5-1 (Summa no)
15 (Lauing Recused)

16 **Approval of Minutes**

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

18 4. October 26, 2022 Draft Summary Meeting Minutes

19 MOTION

20 Commissioner Hechtman moved the approval of the October 26, 2022 draft summary meeting
21 minutes as revised.

22 SECOND

23 Commissioner Reckdahl seconded.

24 VOTE

25 Ms. Veronica Dao, Administrative Assistant, conducted a roll call vote and announced the
26 motion passed 6-0.

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

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

4 **Committee Items**

5 None

6 **Commissioner Questions, Comments or Announcements**

7 Commissioner Hechtman welcomed the new Staff member, Ms. Dao.

8 **Adjournment**

9 10:40 pm

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Palo Alto Planning & Transportation Commission

Commissioner Biographies, Present and Archived Agendas and Reports are available online: <http://www.cityofpaloalto.org/gov/boards/ptc/default.asp>. The PTC Commission members are:

Chair Ed Lauing
Vice-Chair Doria Summa
Commissioner Bryna Chang
Commissioner Bart Hechtman
Commissioner Keith Reckdahl
Commissioner Giselle Roohparvar
Commissioner Carolyn Templeton

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Show up and speak. Public comment is encouraged. Please complete a speaker request card located on the table at the entrance to the Council Chambers and deliver it to the Commission Secretary prior to discussion of the item.

Write to us. Email the PTC at: Planning.Commission@CityofPaloAlto.org. Letters can be delivered to the Planning & Community Environment Department, 5th floor, City Hall, 250 Hamilton Avenue, Palo Alto, CA 94301. Comments received by 2:00 PM two Tuesdays preceding the meeting date will be included in the agenda packet. Comments received afterward through 2:00 PM the day of the meeting will be presented to the Commission at the dais.

Material related to an item on this agenda submitted to the PTC after distribution of the agenda packet is available for public inspection at the address above.

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