



CITY OF
**PALO
ALTO**

Planning & Transportation Commission Action Agenda: February 9, 2022

Virtual Meeting
6:00 PM

Call to Order / Roll Call

Approximately 6:03 pm

[note - The meeting video began with oral communications. All Commissioners were present and there was a quorum.]

Oral Communications

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

Madina Klicheva, Administrative Assistant, invited Ms. Wager to share her comments with the Commission.

Carrie Wagner requested the Planning and Transportation Commission (PTC) to include as part of its 2022 Workplan to investigate separated bicycle and pedestrian crossings in South Palo Alto. Safer bicycle and pedestrian crossings supported all four of the City Council's 2022 Priorities.

Agenda Changes, Additions and Deletions

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

Rachael Tanner, Assistant Director, stated Staff has no agenda changes.

City Official Reports

1. Directors Report, Meeting Schedule and Assignments

Rachael Tanner, Assistant Director, reported the Indoor Mask Mandate will be lifted on February 14, 2022 for the State of California but the Mask Mandate will continue in Santa Clara County for indoor facilities. Santa Clara County continued to explore metrics to indicate when they will lift the mandate. City Council will begin in-person meetings soon and all persons present will be required to wear a mask. Staff anticipated all City Boards and Commission will resume in-person meetings in March of 2022. The meetings will be hybrid meetings with the option of participating either by Zoom or in person. She requested that Planning Commissioners shared if they are uncomfortable meeting in person with Staff before in-person meetings begin.

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1 PTC’s first in-person meeting would be held on March 9, 2022, and would be dedicated to PTC’s
2 retreat. Staff will make accommodations to make folks feel comfortable and to mitigate the
3 spreading of the Covid-19 virus. The Development Center will resume in-person appointments
4 on February 28, 2022, but will continue to offer virtual services for the community as well.

5 Commissioner Chang inquired what planning-related items are coming up for City Council.

6 Ms. Tanner answered the Council reviewed and passed the Renter Allocation Assistance
7 Ordinance at their January 31th, 2022 meeting. Council adopted the ordinance with the 10-unit
8 threshold and directed Staff to explore incorporating the State’s language regarding at fault,
9 not fault and just case. Council also allocated funding for the affordable housing project on 231
10 Grant Avenue. They heard the Staff report and took public comment on permanently closing
11 parts of California Avenue and Romona Street. The item was continued to the Council’s next
12 meeting on February 28th, 2022.

13 **Action Items**

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

16
17 2. PUBLIC HEARING / QUASI-JUDICIAL. 985 Channing Avenue [21PLN-00167]: Request
18 for Public Hearing of a Preliminary Parcel Map with Exceptions to Remove Recorded
19 Height Restrictions on the Underlying Parcel Map. Staff Recommend the PTC also
20 Make Findings for an Amending Map. Environmental Assessment: Exempt from the
21 provisions of the California Environmental Quality Act (CEQA) in accordance with
22 Guideline Section 15315 (Minor Land Divisions). Zoning District: R-1 (Single Family
23 Residential).

24 Rachael Tanner, Assistant Director, introduced Planner Garrett Sauls who presented the item to
25 the Planning and Transportation Commission (PTC).

26 Garrett Sauls, Planner, remarked the project was located in the Crescent Park Neighborhood.
27 The property contained a single-story, single-family home and was surrounded by R-1 lots with
28 a mixture of one- and two-story homes. The subject property was subdivided in 1980 from 991
29 Channing Avenue. At that time, PTC and the City Council placed several restrictions on the
30 parcel that were recorded on the Parcel Map. Those restrictions included that all structures on
31 the site did not exceed 13-feet tall, no two-story homes could be developed, and no Variances
32 were allowed. At the time of the lot split, the City’s Zoning Code allowed homes to be at a
33 maximum of 35-feet tall and there were no privacy provisions in place at that time. The
34 applicant was seeking to remove the restrictions so that they could build a two-story home. The
35 dimensions of the lot were proposed to remain the same and a new Parcel Map would be
36 recorded without restrictions. The proposed two-story home would go through the Individual
37 Review (IR) Process which regulated privacy and massing. The PTC had reviewed the project in

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1 October and November of 2021. At the December 15, 2022 hearing, the neighbor's attorney
2 had submitted a late response letter to the October 13, 2021 Staff report and the December
3 2021 hearing was postponed to allow the applicant time to prepare their response. Staff
4 determined that a Parcel Map with Exceptions is the appropriate method to approve the
5 application. An alternative method was the Amending Map process but Staff felt the process
6 did not provide the same mechanism or means that a Parcel Map with Exceptions allowed for.
7 Staff recommended the PTC make the Parcel Map with Exception findings as well as the
8 Amending Map findings given there were procedural uncertainties surrounding the application.
9 Key considerations were the limitations placed on the property were one of a kind within the
10 City. Another was the lot is considered substandard based on its dimension but under current
11 City codes, two-story home was allowed on the lot. Lastly, the City adopted the IR Guidelines in
12 the year 2000 and those guidelines would be applied to a proposed two-story home.

13 Chair Lauing invited the applicant to present their presentation.

14 Steven L. Hammond, Clark Hill LLP, announced he represented Frank and Peimin Lin Dunlap
15 who have applied to remove the restrictions on their current Parcel Map. Conditions within the
16 City have changed and the constraints placed on the parcel were no longer appropriate. The
17 applicants fully supported Staff's recommendation to remove all restrictions on their Parcel
18 Map. Regarding the correspondence received from the opposition's attorney, the Staff report
19 addressed each concern highlighted in their letter on a point-by-point basis. Dunlap's
20 application was supported by Palo Alto Municipal Code (PAMC), California State Law and
21 furthered the City's current policy goals as outlined by the Municipal Code and the
22 Comprehensive Plan. The project promoted infill construction, it preserved the character of the
23 neighborhood and helped meet the housing supply challenges by increasing density. The
24 constraints were out of character with similarly situated lots in the neighborhood. Current local
25 ordinances addressed height concerns and the IR Guidelines process addressed privacy and
26 massing concerns. There were no objective reasons to keep the constraints in place and they
27 undermined the authority of current day City Officials. The Emergency Ordinance that
28 addressed Senate Bill (SB) 9 established Objective Standards that govern new construction
29 which standardized the approval process. The applicant's requested the PTC approve the
30 application for the proposed Preliminary Parcel Map with Exceptions as well as the Amending
31 Map that removes the existing restrictions regarding height, second-story structures and
32 Variances.

33 Chair Lauing invited Commissioners to ask questions of Staff.

34 Commissioner Hechtman understood that Staff's recommendation was to draft a new Parcel
35 Map that would contain none of the existing restrictions.

36 Mr. Sauls answered that is correct.

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1 Commissioner Hechtman recalled the Commission approved a Parcel Map with Exceptions
2 previously for a shorter than required lot width.

3 Mr. Sauls confirmed that is correct and City Council has approved a Parcel Map with Exception
4 regarding lot width for other parcels in the City.

5 Commissioner Hechtman acknowledged the written public comments that had concerns
6 regarding the proposed two-story home. He understood the IR process for the two-story home
7 proposal was paused while the City determined the request to eliminate the conditions from
8 the existing Parcel Map. If the Council declines to adopt the proposed Parcel Map with
9 Exceptions then the IR process would stop.

10 Mr. Sauls confirmed that is correct. If Council approved the proposed Parcel Map with
11 Exceptions then the IR process would be reopened.

12 Commissioner Reckdahl inquired if Staff has reviewed the deed and if the deed contained any
13 of the restrictions.

14 Mr. Sauls commented Staff does not have access to the applicant's deed documents but the
15 restrictions were recorded on the Parcel Map.

16 Albert Yang, Assistant City Attorney, declared he has not seen the deed but the neighbor's
17 submitted a letter stating that the deed references the Parcel Map.

18 Commissioner Reckdahl mentioned some of the public comments used the term deed
19 Restriction and was not sure if they knew that the deed contained the restraints. If the deed
20 contains the restrictions, even if the City changes the zoning the project still cannot be built.

21 Mr. Yang concurred but emphasized that was outside of the City's purview.

22 Commissioner Reckdahl argued that the City should not be approving projects that cannot be
23 legally built. That was not good public policy. The City should pull the deed and see if the
24 restrictions are written on the deed.

25 Mr. Yang suggested the applicant provide any information they have regarding the deed.

26 Mr. Hammond stated whether or not the deed references the restrictions contained on the
27 Parcel Map did not create an independent basis for enforcement contained in the deed. The
28 deed only points to the Parcel Map and the Parcel Map is the controlling mechanism. A Parcel
29 Map, and the conditions on it, were only meant for providing the best situation for the public
30 and were not about protecting the interest of individual landowners.

31 Commissioner Reckdahl pressed if the deed included the restrictions.

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1 Mr. Hammond answered the deed cannot incorporate the restrictions of the Parcel Map.

2 Commissioner Reckdahl explained the deed for Eichler homes restricts Eichler homes to a
3 single-story.

4 Ms. Tanner mentioned the City supports the Eichler restrictions by having a single-story overlay
5 for those homes. The City has purview over Parcel Maps and the parcel and not over the deed
6 itself.

7 Commissioner Reckdahl shared the single-story overlay was established because the City would
8 approve a second-story on an Eichler home. The neighbors would then hire lawyers to prevent
9 the second story from being built.

10 Ms. Tanner restated that regarding what the deed says, the City can decide on how it would like
11 the land uses to be governed and how the Parcel Map should be recorded.

12 Commissioner Reckdahl emphasized it was bad public policy to approve a project that cannot
13 legally be built.

14 Commissioner Templeton asked if the deed restriction topic was agendized and can that be
15 considered during deliberation.

16 Mr. Yang remarked it was an acceptable question and line of inquiry.

17 Commissioner Templeton restated does the line of questioning regarding the deed endangers
18 any recommendation the PTC makes to Council.

19 Mr. Yang answered no.

20 Commissioner Templeton recognized Commissioner Reckdahl's concern regarding good public
21 policy. She wanted to know if it was reasonable to discuss a topic if only one portion of the
22 problem can be fixed.

23 Ms. Tanner proclaimed the question before the Commission was whether or not it
24 recommended the Parcel Map adjustments. If the restrictions are in the deed then that was a
25 matter for the neighbors and the applicant to bring forward to a different decision-making
26 body.

27 Commissioner Templeton rephrased that Staff recommends the Commission discuss the Parcel
28 Map regardless of what was in the deed.

29 Ms. Tanner confirmed that is correct.

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1 Commissioner Chang referenced Packet Page 15, third paragraph from the top, where it stated
2 the analysis missed the mark and requested counsel explain that in more detail.

3 Mr. Yang explained the applicant's letter analyzed a section of the Government Code that dealt
4 with minor clerical corrections as well as a section that discussed amendments to Final Maps.
5 The applicant argued that PTC cannot make the appropriate findings but Staff disagreed. Staff's
6 primary analysis was the conditions can be removed through approval of a new Parcel Map
7 followed by approval of the Parcel Map. The procedure was different than clerical corrections
8 and amendments.

9 Commissioner Chang inquired if the section of the Government Code that allows clerical
10 corrections does or does not allow the removal of an amendment.

11 Mr. Yang remarked it was not intended to apply to the request made by the applicant. Neither
12 Staff nor the applicant has suggested that the City rely on the clerical section of the
13 Government Code.

14 Vice-Chair Summa noted this was a very complicated issue due to part of it being a civil matter
15 and the other part was under City purview. She recalled that restrictions are normally recorded
16 with Santa Clara County and she inquired if the restrictions would be recorded on the Parcel
17 Map or the deed at the county level.

18 Mr. Yang explained that deed restrictions were a separate document and could be included in
19 the language on the deed itself. He emphasized that a condition on a Parcel Map was not a
20 deed restriction.

21 Vice-Chair Summa understood from Mr. Yang that the City's action would not have been
22 recorded at the county level.

23 Mr. Yang confirmed that Parcel Maps are recorded with the county.

24 Vice-Chair Summa pressed would the restrictions be recorded on a Parcel Map if they did not
25 exist in a legal document.

26 Ms. Tanner informed there can be items on a Parcel Map that are not listed in a deed.

27 Vice-Chair Summa asked if the recorded map is legally binding.

28 Mr. Yang answered yes, a Parcel Map is a legal document that describes the boundaries of the
29 lots. A Parcel Map can describe conditions that are applied to the lots as well and was distinct
30 from a privately enforceable deed restriction.

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1 Chair Lauing commented on the Ropers Majeski letter from December 22, 2021 at the top of
2 Page two. Concerning 991 Channing Avenue's deed, the restrictions were recorded in the deed.

3 Commissioner Hechtman confirmed the Commission has a copy of 991 Channing Avenue's deed
4 which was the other half of the parcel. He explained that deeds describe the parcel and
5 describe the rights an owner has over a neighbor's parcel. Also, it was unusual for a deed to
6 include restrictions. On the deed for 991 Channing Avenue, there was language that referred to
7 the Parcel Map.

8 Vice-Chair Summa was surprised the applicant did not provide their deed and stated it would
9 have been helpful. She asked if PTC recommends that Council remove the restrictions, would
10 the applicant be free to move forward with their two-story development proposal or would
11 they have to remove the restrictions civilly?

12 Mr. Yang clarified there are no restrictions contained outside of the Parcel Map. If approved,
13 the application will have to submit its proposal and receive approval from the City.

14 Chair Lauing invited the public to provide their comments.

15 Jennifer Acheson requested to have the video turned on for Mr. Rogosa's comments.

16 Ms. Tanner explained that was not PTC's practice.

17 David Rogosa, owner of 991 Channing Avenue since June of 1980, stated the legal recorded
18 restrictions appeared on his Parcel Map and were incorporated into his deed. The 1980
19 subdivision produced two residences within very close quarters. The two structures contained a
20 minimum 6-foot setback on each side and the 13-foot height restriction on 985 Channing
21 Avenue should be considered as protection for livability for 991 Channing Avenue. The
22 proposed two-story structure would tower over the single-story structure at 991 Channing
23 Avenue which would violate existing scale, livability, privacy and other concerning aspects. The
24 protections were essential for the viability when he purchased the property and were regarded
25 as a guarantee for future privacy and livability of his residence. He saw the proposal as a long-
26 time absentee landlord seeking a large financial windfall from the removal of the Parcel Map
27 restrictions to the great detriment of adjacent properties.

28 Jim Weager, owner of 975 Channing Avenue since 1965, shared in 1980 he collected signatures
29 to deny the subdivision of 991 Channing Avenue. Those signatures were submitted to the
30 Planning Commission who approve the split but placed restrictions on the newly created 985
31 Channing Avenue. Those restrictions should be on any title report given to every purchaser of
32 985 Channing Avenue. The applicant shared that the height restrictions would not be a concern
33 but later denied having known about them. The current home blocks a portion of 975 Channing
34 Avenue's natural morning sunlight and if restrictions are removed, more sunlight will be

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1 blocked. He shared that 20-years ago, he submitted plans for a second story on his home but
2 discovered building regulations would not allow the additional height. The plans were modified
3 to include a small storage attic. He recommended PTC recommend that Council deny removing
4 the restrictions.

5 Beverly Weager, owner of 975 Channing Avenue, emphasized the City of Palo Alto made a
6 promise to adjacent residents in 1980 to honor the restrictions set on 985 Channing Avenue.
7 The restrictions protected adjacent residents' livability and quality of life. That promise should
8 be upheld and considered their fundamental right as long-term resident property owners.
9 Should the height of 985 Channing Avenue increase more, her home would see a further
10 reduction of sunlight and will cause financial impacts due to higher utility bills. Regarding the
11 statement that two-story homes dominate the neighborhood, within a one-block radius of the
12 subject property there was an equal amount of one-story and two-story homes. She concluded
13 by requesting the PTC uphold the restrictions placed on 985 Channing Avenue.

14 David Loftus, owner of 911 Lincoln Avenue, strongly opposed the removal of the restrictions
15 placed on 985 Channing. The restrictions have been in place for many years and all previous
16 owners of 95 Channing have abided by the restrictions. He argued the entire process could
17 have been avoided if the applicant had been notified of the restrictions in a timely fashion. All
18 of the Comprehensive Plan policies outlined in the Staff report contained no benefits to the
19 adjacent homeowners.

20 Ms. Acheson pointed out there was a mistake on Page 15 of the Staff report. She has submitted
21 three pieces of correspondence and the one missing from the Staff report was the letter dated
22 December 30, 2020. She agreed with Staff that the parcel is unique, but pointed out that the
23 Staff report placed more emphasis on land use policies than the law. Staff's conclusion that the
24 proposed Parcel Map was consistent with the Comprehensive Plan and policies was wrong.
25 Before those policies can be applied, the proposed action has to be legally supported. The Staff
26 report also did not acknowledge the protection of the historic and consistent design character
27 of the neighborhood as well as preserving the exposure to natural light for single-family
28 residences. She believed that many of the findings could not be made if the restrictions are
29 removed and urged PTC to deny the removal of the restrictions placed on 985 Channing
30 Avenue.

31 Commissioner Hechtman appreciated all of the comments made by the applicant and public
32 commenters. He remarked the proposed two-story home was under scrutiny by Staff just like
33 every IR application received by the City. Based on his tour of the neighborhood, he concluded
34 there was a mix of one- and two-story homes in the area. The adjacent homes either have a
35 two-story home already or under current City rules have a right to build a two-story home.
36 Given the current trend, many homeowners were opting to increase the square footage of their
37 homes by building up. There are no unique physical characteristics of 985 Channing that require

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1 special restrictions that do not apply to any other parcel in Palo Alto. The architect of the
2 project stated at the October 2021 PTC meeting that the parcel was more restricted than any
3 substandard lot in Palo Alto because substandard lots were allowed to build to 17-feet in
4 height.

5 Mr. Sauls shared a photo of 985 Channing Avenue's deed with the Commission. Regarding Ms.
6 Acheson's comment, all three of her letters were included in the public comment attachment
7 to the Staff report.

8 Chair Lauing pointed out the deed was not the original deed from 1980.

9 Commissioner Chang felt for all parties involved in the situation. She mentioned she could not
10 make several of the findings proposed in the Staff report. Under the Amending Map findings,
11 she could not find that the modifications did not impose an additional burden on the present
12 fee owner of the property. A change to the Parcel Map would impact 991 Channing Avenue.
13 Also, she could not find that the modifications did not alter any right, title, or interest. The
14 proposed Parcel Map would change the protections for adjacent properties. The conditions that
15 affected the neighboring properties had not changed and the height restriction was placed to
16 mitigate those concerns. She could not make that finding as well. She shared she also walked
17 the neighborhood and stated the neighborhood was not a predominant two-story
18 neighborhood. She stated if the City can simply reverse its previously set commitment, then the
19 City's commitment does not carry any weight. The owner of 985 Channing Avenue should have
20 known of the height restriction at the time of purchase because the restriction was in place
21 before they purchased the parcel. If the PTC removes the height restriction, the City was
22 redistributing the wealth and that concerned her.

23 Vice-Chair Summa stated removing restrictions that the neighbors have relied on was not the
24 right thing to do. She agreed with her colleagues that the neighborhood is a mix of one- and
25 two-story homes and that the block was uniquely dense due to flag lots. She stated it is
26 important that all neighbors be treated alike and removing the restrictions was not the right
27 answer to the problem.

28 Commissioner Roohparvar referenced Packet Page 23, Number Two and understood that the
29 property being referred to was 985 Channing Avenue and the fee owner was the owner of 985
30 Channing Avenue.

31 Mr. Yang agreed it was not clear what the present fee owner of the property means. He
32 pointed out that bold letters A, B, and C all contained findings that PTC must make. The findings
33 under bold letters A and B were the findings required for a Primary Parcel Map with Exceptions.
34 Even if the Commission cannot make the finding under the bold letter C, the PTC can
35 recommend approval of the project if findings under letters A and B can be made. If the PTC

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1 cannot make the findings under bold letter C and either bold letter A or B, then PTC should
2 recommend denial of the project.

3 Commissioner Roohparvar pressed why can Number Two on Packet Page 23 refer to either 991
4 Channing Avenue or 985 Channing Avenue.

5 Mr. Yang explained the findings are required to amend a Parcel Map. Typical Parcel Maps will
6 contain multiple parcels but split parcels are under sole ownership. It was unclear to him how
7 to interpret the phrase “the present fee owner of the property”.

8 Commissioner Roohparvar inquired if there was any case law or precedent on how to interpret
9 the language.

10 Mr. Yang stated he has not found any precedent within the State of California on how to
11 interpret the findings. The City has never considered an Amending Map before.

12 Commissioner Reckdahl agreed with Commissioner Chang’s assessment regarding the findings
13 listed in bold letter C. Regarding bold letter A, one and two, he could not find that the change
14 addressed the need of the community or benefit the community. The applicant would benefit
15 from the change but the adjacent properties would not. Changing the rules now would be
16 unfair and would hurt the City’s credibility. He agreed that the IR process will mitigate some of
17 the impacts on the neighbors but will not prevent impacts. Also, the IR process was subjective
18 and it was unclear what protections would be granted to the neighbors.

19 Chair Lauing found the summary made by Roper Majeski on point concerning the concerns. He
20 agreed with Commissioner Reckdahl’s comments regarding the IR process as well as other
21 Commissioner’s comments that there is a mix of one- and two-story homes in the
22 neighborhood. He aligned his comments with Commissioner Chang’s comments.

23 Commissioner Hechtman acknowledged in 1980 that the City did not have a mechanism to
24 address second-story issues. The purpose of the IR process was to balance property rights with
25 privacy interests. The neighbors do not have rights over 985 Channing Avenue absent a
26 document that gives them actual rights. He expressed confidence that the IR process will
27 provide that balance. In 1980, the City used its discretion to impose the conditions on the
28 Parcel Map and the City has the discretion to remove those conditions at any time. There was
29 no agreement between the parcel and the adjacent parcels. A covenant was a binding
30 agreement that could be enforced in court but no such agreement was made between the
31 parcel owners. It was not the City’s role to perpetuate a limitation that applied to only one
32 parcel in the entire city. Regarding Commissioner Roohparvar’s line of questioning, he stated
33 the meaning of property was the parcel seeking the amendment. There are Parcel Maps with
34 hundreds of units and seeking approval from hundreds of neighbors to a change on one parcel

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1 was not the intent of the Subdivision Map Act. He announced he could make all the findings
2 listed under bold letters A, B and C and supported Staff's recommendation.

3 Commissioner Templeton appreciated Commissioner Hechtman's comment regarding the
4 restrictions being imposed on a Parcel Map instead of in a covenant. She noted the neighbors
5 have benefited from the restrictions for 42-years. She found it odd and unfair that the City was
6 maintaining a separate rule for just one parcel. She concluded she supported Staff's
7 recommendation.

8 Commissioner Roohparvar announced she also supported Staff's recommendation. There were
9 no restrictions listed on either 991 or 985 Channing Avenues deeds that created any private
10 right. She agreed the restrictions were imposed on a Parcel Map by the City and can be
11 removed by the City depending on what the City feels is right for the community. She
12 announced she could make the findings outlined in bold letters A, B and C of the Staff report.

13 Chair Lauing disclosed the proposal was not about legalities but more about what the City's
14 commitment was. There were no compelling reasons to change the restrictions.

15 Commissioner Chang summarized the change was not to a boundary but a change to a
16 condition on the Parcel Map that directly affected the other parcel on the map. She understood
17 that the City is legally allowed to change the restrictions, but felt it was not wise to change the
18 restrictions at this time.

19

20 MOTION

21

22 Vice-Chair Summa agreed with Commissioner Chang that the relationship is between Parcel A
23 and B and both have relied on the same restrictions. The neighbors understood that the
24 restrictions would remain in perpetuity. She moved the PTC to recommend that City deny the
25 proposed Preliminary Parcel Map with Exceptions and the Amending Map because one or more
26 of the required findings cannot be made.

27

28 SECOND

29

30 Commissioner Chang seconded.

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1 Vice-Chair Summa could not make finding two under Bold Letter A. Under bold letters B and C,
2 she could not make findings one, two and three.

3 Commissioner Chang concurred with Vice-Chair Summa's comments.

4 Commissioner Templeton wanted to understand what the City's commitment was.

5 Mr. Yang disclosed the PTC can view the restrictions as a commitment made by the City. The
6 restrictions on the Parcel Map were similar to other regulatory actions made by the City. The
7 City creates the rules and was committed to not changing the rules without following a process
8 to change rules.

9 Commissioner Templeton stated that City has made other changes to zoning and maps in the
10 past.

11 Mr. Yang answered yes.

12 Commissioner Templeton asked if the legal terms and nuances of legal agreements should
13 factor into the decision.

14 Mr. Yang remarked from Staff's perspective, the City has the right to make changes to the
15 conditions which can be done in one of two ways but encouraged the PTC to make the findings
16 for both ways.

17 Commissioner Templeton announced she could not support the motion.

18 Commissioner Hechtman agreed he could not support the motion for the reason outlined in his
19 previous comments. He agreed with Mr. Yang that the City can make the rule and then follow a
20 process to change the rule when it feels it would benefit the community. He argued the City
21 does not guarantee the rules will remain in perpetuity and the neighbors did not have the right
22 to believe the restrictions would last forever.

23

24 VOTE

25

26 Ms. Klicheva conducted a roll call vote and announced the motion carried 4-3.

27

28 MOTION PASSED 4(Chang, Lauing, Reckdahl, Summa) -3(Hechtman, Roohparvar, Templeton)

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[The Commission took a 10-minute break]

Commissioner Templeton inquired if folks can speak to their no votes.

Chair Lauing answered yes.

Commissioner Templeton stated it is important for the City to be able to make changes to rules that can be better handled through newer and more efficient mechanisms.

Commissioner Hechtman appreciated the robust discussion.

Commission Action: Motion by Vice-Chair Summa, seconded by Commissioner Chang. Motion passed 4-3 (Hechtman, Roohparvar, Templeton against)

3. Review and Recommendation on 2023-31 Housing Element Sites and Associated Unit Yields

Chair Lauing shared that Commissioner Reckdahl and himself were on the Housing Element Working Group. Ms. Klein, a Co-Chair of the Housing Element Working Group, was available for any questions from the Commission. He outlined the process for the discussion which included a round of review of each strategy and then another round for motions. The Working Group tackled the workload by dividing up into small groups and reviewed each site individually within their small group. The site selection was a working document and changes would be made as the City moved through the process. The housing site inventory was a capacity analysis of potential housing units and nothing in the recommendation was at the project level. Later in the process, City Council will have to assess and plan infrastructure needs, change zoning if needed and other Municipal Code changes.

Sheryl Klein, Co-Chair of the Housing Element Working Group added the Working Group prioritized strategies where they thought housing should be located. The top strategy was to locate future housing near transit and many of the sites identified were within a quarter of a mile from transit. Stanford University also proposed three sites for future housing. One of the sites, the Transit Center, possessed the best opportunity for high-density housing within its 6-acre area. The Working Group supported using the site but at the lowest density allowed. She encouraged the Planning and Transportation Commission (PTC) to increase the density at the Transit Center.

Tim Wong, Senior Housing Planner, reported site selection was to respond to the State’s mandated Regional Housing Needs Allocation (RHNA). The 6th RHNA Cycle was the planning period between the year 2023 to 2031 and the City’s RHNA was 6,086 housing units. Staff

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1 provided the Working Group with several site selection strategies which they prioritized and
2 selected the preferred strategies. Besides locating housing near transit, another priority was to
3 protect low-density zone districts and neighborhoods. The State of California mandated that
4 every jurisdiction meet its RHNA but also have a buffer to ensure that the jurisdiction can meet
5 its RHNA at all times. He noted the proposed yields were projections only and could change as
6 the process moves forward. The first strategy the Working Group reviewed was pipeline units.
7 The State Housing and Community Development (HCD) allowed jurisdictions to use current and
8 approved land use applications to be applied towards their RHNA. The pipeline strategy yielded
9 a total of 565 housing units. The next strategy used the past 3-year average of the City's
10 accessory dwelling unit (ADU) production and this strategy yielded 512-units. Another strategy
11 looked at existing sites that already allowed multi-family housing and already received the
12 highest zoning designation from the City. This strategy yielded 461 housing units. Of the sites
13 used in the strategy, 28 sites were carry-over sites from the 5th Cycle. Per State Law, all carry-
14 over sites have a by-right provision and that provision applied when a development proposed a
15 20 percent affordability component. The next strategy used was upzoning which took existing
16 sites and upzoned them. This strategy yielded 1,640- housing units. The next strategy explored
17 additional residential development with a half and quarter-mile of fixed rail. Any sites within a
18 quarter-mile of a Caltrain Station were proposed to be upzoned to 50 dwelling units per acre
19 and sites a quarter to a half-mile from a train station were proposed to be upzoned to 40
20 dwelling units per acre. This strategy yielded 798-housing units. The next strategy was to locate
21 additional housing along with high frequency and frequent bus route services. This strategy
22 yielded 274-housing units. The next strategy was to allow faith-based institutions to develop
23 housing on their parking lots. This strategy yielded 148-units. The next strategy the Working
24 Group considered was developing City-owned parking lots in the downtown area for high-
25 density housing. The strategy would yield 168 housing units but the Working Group did not
26 recommend including the strategy in their recommendation to the PTC. The Working Group's
27 primary concern was the loss of parking in the downtown area. He noted the Council has
28 already directed Staff to explore using City parking lots for residential uses, regardless of the
29 Working Group's recommendation. The next strategy was to reintroduce residential uses in the
30 General Manufacturing (GM) Zone which yielded 596 housing units. Also, the Working Group
31 recommended introducing residential uses in the Research, Office and Limited Manufacturing
32 (ROLM) Zone which yielded 902-housing units. Stanford University proposed three properties
33 under their direct control for housing. The sites were a vacant parcel on Pasteur Drive, Palo Alto
34 Transit Center and 3128 El Camino Real. For Pasteur Drive, the Working Group approved 420-
35 housing units, 180-housing units for the Palo Alto Transit Center and 144-housing units for 3128
36 El Camino Real with a total yield of 744-housing units. Stanford University shared that there was
37 a previous land use pre-screen application for the site located at 3300 El Camino Real which
38 would yield 92-housing units. Also, the City was in negotiations with Palo Alto Square which had
39 a potential yield of 300- to 400-housing units. The last strategy was Staff suggested sites. The
40 sites had previously had planning applications that showed developer interest and the strategy

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1 had a yield of 91-housing units. Using the identified strategies, the Working Group identified
2 sites that yielded 6,845-housing units which were 150-housing units above the City's RHNA plus
3 a 10 percent buffer. Upcoming Housing Element update items were PTC would review the
4 Working Group's recommended policy and programs in April 2022. The entire Housing Element
5 would be brought to PTC in February of 2023 for final consideration and then PTC will consider
6 upzones in April 2023.

7 Commissioner Hechtman asked which Stanford site was Ms. Klein encouraging the Commission
8 to densify.

9 Ms. Klein mentioned the Palo Alto Transit Center was located near MacArthur Park next to the
10 train station. The site had a high walkability score and could support higher heights and density
11 due to its distance from surrounding single-family neighborhoods.

12 Commissioner Hechtman understood that some of the Working Group members wanted to see
13 higher density at the Palo Alto Transit Center.

14 Ms. Klein cautioned that HCD may frown upon the City for recommending a lower density when
15 Stanford University presented scenarios with a much higher density.

16 Commissioner Hechtman inquired if the six City-owned parking lots are surface lots or multi-
17 story lots.

18 Clare Campbell, Planning Manager confirmed they are all surface lots.

19 Commissioner Hechtman wanted to know what happens if a site develops higher than what
20 was contemplated for the site.

21 Mr. Wong answered the City will count all additional housing units built towards its RHNA.

22 Ms. Klein noted the majority of the Working Group wanted City-owned parking lots to be only
23 affordable housing units while the other supported all types of housing to be built.

24 Commissioner Chang asked what the nature of the debate was for the Palo Alto Transit Center
25 in terms of why folks did not want to have a higher density.

26 Chair Lauing answered folks were concerned about the height limits.

27 Commissioner Chang inquired what the process was in terms of community planning.

28 Chair Lauing emphasized that first HCD has to Certify the Housing Element and then the City
29 can plan for community infrastructure.

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1 Ms. Tanner confirmed HCD has to certify the work first and then the City will begin rezoning the
2 sites. Regarding community infrastructure, the City's Development Impact Fees helped pay for
3 parks and other services. Over time, as the housing is built, the City will work with various
4 agencies to determine parks, schools, libraries and other service locations for the newly built
5 neighborhood. Also, the Housing Element programs and policies will help guild the work.

6 Commissioner Chang inquired what happens if there is a mistake in the Housing Element and
7 the site is carried over to the next cycle, could the by-right process override zoning?

8 Ms. Tanner noted the City can decide not to carry over a site.

9 Vice-Chair Summa wanted to know how the Working Group defined low-density residential
10 neighborhoods.

11 Ms. Campbell specified low-density was defined as R-1, R-2 and RMD Zones.

12 Vice-Chair Summa asked if each site was reviewed individually to make sure it was not adjacent
13 to a low-density zone.

14 Ms. Campbell confirmed some of the sites were near low-density zones.

15 Mr. Wong noted the Working Group split up into small groups and each group was responsible
16 to verify their assigned sites throughout the City.

17 Chair Lauing agreed that each group had a different methodology to verify the sites. Some
18 groups visually inspected the sites and some used Google Maps.

19 Commissioner Reckdahl concurred.

20 Commissioner Reckdahl emphasized the unit yields were very conservative. The maximum
21 density in the City was 40-units per acre and that was used for a lot of the sites that could
22 accommodate higher densities. The Working Group agreed the Council should decide on when
23 to allow higher density.

24 Chair Lauing pointed out the Council could also decide to decrease the density for specific
25 parcels. There was room to make those adjustments in the Housing Element without
26 compromising the entire element.

27 Vice-Chair Summa predicted that identifying a site did not give any entitlements to the site. The
28 entitlement will come after the work is done regarding policies and upzoning.

29 Mr. Wong confirmed that is correct.

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1 Vice-Chair Summa remarked identifying the sites without knowing exactly the upzoning might
2 be tricky.

3 Ms. Campbell explained there was a formula the City used that was consistent with the
4 requirements and that was how the City produced the yields. There was no guarantee the units
5 will be built.

6 Commissioner Chang asked if any of the sites were within 500-feet of the freeway. She shared
7 she was concerned about air quality near the freeway.

8 Mr. Wong responded the Working Group did not go into the details of the environmental
9 review or more project-related review. The recommendations were a capacity analysis.

10 Commissioner Chang pressed if a site cannot be counted if it was close to the freeway.

11 Mr. Wong asked if the concern came from an environmental justice perspective.

12 Commissioner Chang answered yes.

13 Ms. Tanner articulated it was not a conflict with the regulatory approval of the Housing
14 Element. For developments that are close to an environmental concern, mitigation measures
15 could be placed on development to mitigate those concerns.

16 Mr. Wong noted that HCD will be checking to make sure all housing types are evenly distributed
17 throughout the City.

18 Commissioner Templeton wanted to better understand the discussion among the Working
19 Group regarding City-owned lots.

20 Mr. Wong shared that Working Group members were concerned about losing parking spaces in
21 the downtown area.

22 Commissioner Templeton understood the split among the Working Group was that some
23 members wanted all affordable housing and some wanted all types of housing to be on the
24 City-owned parking lot.

25 Mr. Wong confirmed that is correct.

26 Madina Klicheva, Administrative Assistant, began to call on public speakers to provide their
27 comments.

28 Steven Levy spoke as a resident and also as a Manager of a Grant from the Silicon Valley
29 Community Foundation to inform and help engage folks in the Housing Element process. He

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1 acknowledged the site selection process was a capacity analysis but believed the housing would
2 never be built on the sites. All cities in the Bay Area have failed to meet their RHNA
3 requirements in the prior cycles. He suggested the City adopt all new policies and programs to
4 make sure the housing is built. The Council has recognized that higher densities can be
5 accommodated within the City and several projects within the City had higher densities. He
6 recommended the City begin discussions with non-profit and for-profit developers, local
7 architects and folks who know about environmental constraints. He encouraged PTC to
8 recommend that the Council partner with the Urban Land Institute to conduct a feasibility study
9 to learn how to facilitate housing to be built on the sites. He recommended adding back the
10 Palo Alto Transit Center at its full density proposed by Stanford University as well as the City-
11 owned parking lots.

12 Kelsey Banes felt the Housing Element update was a paper exercise and not a planning process
13 to produce over 6,000 homes in the City. She stated what was lacking in the site selection
14 process was Affirmatively Furthering Fair Housing (AFFH). The proposal concentrated a lot of
15 housing in lower-resourced neighborhoods far away from transit. Sites identified in the multi-
16 family allowed strategy should be upzoned to a higher density. She was alarmed to hear the
17 City continued to plan for a 10 percent buffer when HCD recommended 15 percent to 30
18 percent. She encouraged Staff to reexamine the pipeline sites that were being double counted
19 from the 5th Cycle and remove any sites that have already been issued Building Permits. She
20 noted many of the sites are commercial sites and many folks will not redevelop their
21 commercial site into housing due to the commercial being more profitable. Also, the City will
22 have to provide evidence that the current use of non-vacant sites will discontinue within the
23 planning period. She concluded that the public outreach has been insufficient.

24 Scott O'Neil strongly supported expanding City-owned parking lots and that the Palo Alto
25 Transit Center should include a higher density. He agreed with the previous speaker that the
26 probability of housing being built was low. He did not believe that an objective and
27 dispassionate look at the economics of developing housing in the City could support
28 development. He acknowledged that developers who presented housing scenarios to the
29 Working Group were in favor of higher height limits and that should be allowed throughout the
30 City.

31 Commissioner Templeton requested members of the Working Group to explain the debate that
32 took place among the Working Group regarding what type of housing should be on the City-
33 owned parking lots. She mentioned the cost of land acquisition was often the biggest hurdle for
34 affordable housing and City-owned parking lots were a great opportunity because the City
35 already owned the land.

36 Commissioner Reckdahl noted the Working Group had general support for housing to be built
37 on the parking lots but the final vote was 50/50. He acknowledged that the City already owns

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1 the land and they also control the land which created a great advantage. The City could decide
2 to use the land for only 100 percent affordable housing or what they feel is appropriate. One of
3 the concerns was folks did not want to lose parking downtown and the impacts to ground floor
4 retail.

5 Chair Lauing added that the housing on the parking lots could be a revenue-generating source
6 for the City as well.

7 Commissioner Reckdahl recalled folks were concerned that a private company would be using
8 City land for a profit.

9 Commissioner Templeton understood from the discussion that the Working Group was
10 concerned about the type of housing that would be built on the parking lots.

11 Ms. Klein confirmed that part of the Working Group wanted to put a condition that City-owned
12 parking lots would only be included if it was for 100 percent affordable housing. That was not
13 part of the exercise, the exercise was to include the strategy in the site selection process.

14 Commissioner Templeton summarized it was not included because there was mistrust in how
15 the City would manage the sites.

16 Ms. Klein stated mistrust was the wrong word. It was more that the Working Group members
17 were not familiar with the process and it was a new concept for folks.

18 Commissioner Templeton

19 Mr. Wong added one of the concerns was that there was no guarantee of what could be built
20 on the parking lots.

21 Commissioner Templeton remarked she was most excited about development happening on
22 City-owned parking lots because it would bring more housing to the area as well as facilitate
23 parking.

24 Commissioner Chang confessed that while she supported development on City-owned parking
25 lots, she wanted to condition the units to be only 100 percent affordable.

26 Chair Lauing suggested those types of conditions be included in the recommendation to
27 Council.

28 Ms. Tanner specified that because the Working Group identified more sites than required. The
29 City can enforce different types of zoning or programs to ensure that the City-owned parking
30 lots become 100 percent affordable housing.

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1 Commissioner Hechtman asked if PTC will be making individual motions for each strategy or
2 one motion for the entire site selection inventory.

3 Chair Lauing restated the process was to discuss each strategy once, then come back and make
4 motions.

5 Commissioner Hechtman disclosed he had questions that did not pertain to any of the
6 strategies and asked when was the appropriate time to ask those types of questions.

7 Chair Lauing encouraged Commissioner Hechtman to ask his questions when he felt it was
8 appropriate.

9 Commissioner Hechtman acknowledged the Council has expressed interest in developing
10 housing on City-owned parking lots. He felt the strategy was low-hanging fruit and he expressed
11 confidence that Council would not trade parking for housing. For those reasons, he encouraged
12 PTC to include City-owned parking lots in their recommendation to Council. He inquired why
13 Staff was not recommending a 15 to 20 percent buffer as suggested by HCD.

14 Mr. Wong mentioned Staff used the 10 percent because that was the percentage used in the 5th
15 Cycle Housing Element. Also, Staff was trying to limit how many sites would be carried over and
16 the City's consultant was comfortable with the 10 percent buffer.

17 Ms. Campbell noted the City has a reserve list of backup sites that have been vetted and gone
18 through the process with the Working Group.

19 Mr. Wong added that the reserve list included over 2,000 additional units but the sites are not
20 HCD defensible. The sites before the PTC were more suitable and available sites.

21 Commissioner Hechtman predicted the sites on the reserve list will not be rezoned.

22 Mr. Wong confirmed that is correct, the reserve list was not part of the Housing Element.

23 Commissioner Hechtman wanted to know more about an Urban Land Institute feasibility study.

24 Mr. Wong explained the Urban Land Institute will send a team to review particular sites around
25 the City but that comes with a fee. The City would have to explore the benefits of that type of
26 study and how that would help with the Housing Element Update process.

27 Commissioner Hechtman suggested that the public speaker provide more information to Staff
28 and Council about the feasibility studies.

29 Vice-Chair Summa felt the parking lot sites did not need to be added back in since the City had a
30 reserve list and Council had already directed Staff to pursue it. She stated she had a strong

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1 preference for finding sites for 100 percent affordable housing and City-owned parking lots was
2 one way to have that. She did not feel it was a fair assumption that folks living in affordable
3 housing would not need a car.

4 Commissioner Reckdahl agreed developing City-owned parking was low-hanging fruit. He
5 believed it was more realistic to develop two parking lots, learn from them and then use the
6 remaining parking lots for the next Housing Element cycle.

7 Commissioner Templeton emphasized the PTC does not have to solve how the land will be used
8 but PTC should identify affordable housing sites when possible. She agreed with Commissioner
9 Reckdahl regarding the pace and to learn from early development on one or two parking lots.
10 She strongly encouraged PTC to include City-owned parking lots in its recommendation to
11 Council.

12 Chair Lauing predicted that the item will have to be continued to a date uncertain. He asked for
13 feedback on when should PTC stop the discussion for the evening.

14 Commissioner Hechtman suggested the meeting go to 11:00 p.m.

15 Commissioner Templeton commented PTC Members will not be at their best moving later into
16 the evening and requested the discussion stop now.

17 Commissioner Roohparvar agreed with Commissioner Templeton.

18 Commissioner Reckdahl asked if there was a time constraint for the item.

19 Ms. Tanner remarked Staff wanted to have the item to Council by April 2022. If PTC can
20 conclude its work in March 2022, then Staff will have enough time to make the April 2023
21 deadline.

22 Chair Lauing asked if there were time constraints for the item on the agenda for February 23,
23 2022.

24 Ms. Tanner answered the Annual Housing Element Progress report has to be submitted to the
25 State by April 1st.

26 Commissioner Chang was concerned the February 23, 2022 PTC meeting will be very late and so
27 she supported Commissioner Hechtman's suggestion to continue to 11:00 p.m.

28 Ms. Tanner suggested the Commission identify items where there is consensus and make a
29 motion for those items.

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1 Chair Lauing recommended the meeting go to 10:30 p.m. and then do another check-in. He
2 commented there was not a lot of debate about the pipeline units and announced many
3 Commissioners nodded their heads in agreement. Regarding ADUs, he felt the unit yield could
4 not change due to HCD constraints.

5 Mr. Wong concurred.

6 Chair Lauing noted the multi-family allowed strategy was strongly vetted by Staff and the
7 Working Group. Regarding faith-based institutions, he stated that was a new creative way to
8 find more sites.

9 Vice-Chair Summa wanted to know if the faith-based institution sites would be upzoned.

10 Mr. Wong mentioned there were many ways to approach it and see which approach was best
11 for the City.

12 Ms. Campbell agreed with Mr. Wong.

13 Vice-Chair Summa remarked the faith-based institution was a stretch.

14 Commissioner Templeton agreed with Vice-Chair Summa that the strategy was a stretch and
15 wanted to understand why the Working Group was not concerned about the loss of parking for
16 faith-based institutions.

17 Chair Lauing mentioned the parking was private, not public.

18 Commissioner Templeton argued that churches will still need parking for their patrons.

19 Mr. Wong mentioned there recently was a State Law that allowed faith-based institutions to be
20 able to build on their parking lots without replacing the parking.

21 Commissioner Templeton summarized that faith-based institutions already have a legal right to
22 develop their parking lots.

23 Mr. Wong was not sure if faith-based institutions could build multi-family structures.

24 Ms. Tanner noted a local ordinance would be needed to enable capacity.

25 Commissioner Templeton asked how Staff calculated the unit yield for faith-based institutions.

26 Mr. Wong explained the yield came from the estimated density of 40-dwelling units per acre
27 with the assumption the parcel would be upzoned to accommodate that density.

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1 Commissioner Hechtman supported the faith-based institute strategy and saw it as an
2 opportunity for a win-win situation.

3 Commissioner Reckdahl was also skeptical about the 148-unit yield and whether that was
4 realistic but agreed it was worth exploring. Any units on the parcels would be 100 affordable
5 housing as well.

6 Commissioner Chang asked how were the units conditioned to be 100 percent affordable.

7 Commissioner Reckdahl articulated in the Working Group's recommendation it was specific
8 that units under the strategy would be 100 percent affordable.

9 Commissioner Chang announced her support for the strategy.

10 Chair Lauing moved to the transit corridor strategy.

11 Mr. Wong confessed he made an error and clarified the unit yield for faith-based institutions
12 used a base density of 30-dwelling units per acre.

13 Ms. Campbell noted the majority of the transit corridor sites were located near El Camino Real.

14 Vice-Chair Summa inquired where the two contiguous blocks were located for transit corridor
15 sites.

16 Commissioner Reckdahl answered it was near the Walgreens at Maybell and El Camino Real. It
17 appeared long because there was an empty parking lot behind Walgreens.

18 Ms. Campbell confirmed the address was 4170 El Camino Real.

19 Vice-Chair Summa understood the vacant parking lot belonged to the adjacent building. She
20 expressed there may be an error made for that identified site. She wanted to investigate what
21 impacts the transit corridor sites, as well as the faith-based institution sites, would have on
22 nearby residential zones.

23 Commissioner Chang echoed Vice-Chair Summa's concern about exploring the impacts on
24 nearby residents. She acknowledged that public transportation was strongly lacking along El
25 Camino Real.

26 Chair Lauing moved to the fixed rail strategy.

27 Commissioner Reckdahl was concerned about having zoning changes that happen at mid-block
28 and circles facilitated that to happen more than a square would. Upon review, he announced
29 he could not see that happening for the proposed sites.

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1 Mr. Wong announced Staff has launched an interactive mapping tool for the Housing Element
2 Update that provided information for each site.

3 Commissioner Hechtman mentioned that all low-density zones near fixed rail were not planned
4 to be upzoned.

5 Mr. Wong confirmed that is correct.

6 Commissioner Hechtman requested that the item be held for the next meeting for further
7 discussion.

8 Vice-Chair Summa seconded Commissioner Hechtman's request. She mentioned the long
9 rectangle in College Terrace included RMD in the half-mile and noted that may be an error.

10 Ms. Campbell noted the online mapping tool had clearer maps than the maps in the
11 presentation.

12

13 MOTION

14

15 Commissioner Hechtman moved to continue the item to the February 23, 2022 PTC meeting.

16

17 SECOND

18

19 Commissioner Reckdahl seconded.

20

21 VOTE

22

23 Ms. Klicheva conducted a roll call vote and announced that the motion carried 7-0.

24

25 MOTION PASSED 7(Chang, Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) -0

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1 **Commission Action:** Motion by Hechtman, seconded by Reckdahl. Pass 7-0

2 **Approval of Minutes**

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

4 None.

5 **Committee Items**

6 Chair Lauing announced there are no Committee items.

7 **Commissioner Questions, Comments or Announcements**

8 Chair Lauing requested an update on Alta Locale.

9 Rachael Tanner, Assistant Director, agreed to provide an update at a future meeting.

10 Chair Lauing confirmed Planning and Transportation Commission (PTC)'s retreat will be held on
11 March 9, 2022. It will be held in the evening in the community room at City Hall. He requested
12 the Commissioners submit their proposals for the PTC to discuss at their retreat to Staff.

13 Commissioner Templeton understood the meeting will be held in person at City Hall.

14 Chair Lauing clarified the meeting will be a hybrid meeting with some Commissioners in person
15 and some being present via Zoom.

16 Ms. Tanner explained the retreat will be held during a regular scheduled PTC meeting. Staff
17 predicted all meetings moving forward beginning in March will be hybrid meetings.

18 Commissioner Templeton wanted to know why PTC was not meeting in Council Chambers.

19 Chair Lauing mentioned the community room was a more informal setting and better for a
20 retreat.

21 Commissioner Templeton asked who decided when PTC will resume in-person meetings.

22 Ms. Tanner explained State Law does allow Brown Act bodies to hold remote hearings, but
23 Council has to give that authority to subsequent Brown Act bodies.

24 Albert Yang, Assistant City Attorney, confirmed that the Council will provide direction on when
25 to begin hybrid meetings.

1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

- 1 Vice-Chair Summa added Council decided already that Boards and Commissions can resume in-
- 2 person meetings in March.
- 3 Chair Lauing adjourned the meeting.
- 4 **Adjournment**
- 5 10:38 pm

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