



Planning & Transportation Commission Action Agenda: October 11, 2023

Council Chambers & Virtual
6:00 PM

Call to Order / Roll Call

6:01 pm

Chair Summa called to order the Planning and Transportation Commission for Wednesday October 11, 2023.

ROLL CALL

Veronica Dao took a roll call vote and established the Planning and Transportation Commission (PTC) had a quorum.

Oral Communications

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

None

Agenda Changes, Additions and Deletions

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

None

City Official Reports

1. Directors Report, Meeting Schedule and Assignments

Chief Planning Official Amy French reported a couple of changes in the Agenda packet, November 8th she will bring the State Legislation as an Info Report for the PTC. On December 13th staff will bring the NVCAP project as a study session rather than their original plan for the Housing Element. Vice Chair Chang is the PTC Rep to Council meetings for October.

Transportation Manager Sylvia Star-Lack reported that the active Palo Alto Plan, which is the update planning initiative to update the Bicycle and Pedestrian Transportation Plan, will be tentatively presented at the end of November; the first or second week of November will be

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1 when the Blake Wilbur Drive will be opened, it's the new portion between Sand Hill Road and
2 Welch Road.

3

4 Ms. French added she emailed the Commission regarding a possible early start time of 5 p.m.
5 on October 25 for a joint study session with the Human Relations Commission that is scheduled
6 before the regular PTC session, it is a study session for the action item for the Safe Parking
7 Ordinance.

8

9 Commissioner Hechtman stated he could be available at 5 o'clock on the 25th.

10

11 **Study Session**

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

13

14 2. Study session Safe Streets for All (SS4A) Action Plan & Safe Systems Approach
15 Introduction

16 Transportation Planning Manager Ms. Star-Lack presented the development of the Safer Palo
17 Alto Action Plan and the Safe System Approach to Road Safety. Her intention is to gather
18 feedback from the PTC, combined with comments from the Pedestrian and Bicycle Advisory
19 Committee, and the City School Transportation Safety Committee, for an informational report
20 that will be presented to City Council in mid-November. The Consultants were not available for
21 this meeting so she will defer detailed technical questions to them and share their responses in
22 the next PTC Agenda packet if needed. The project schedule spans from now until November of
23 next year, noting that the Road Safety Survey and Interactive Map are live now, through the
24 end of November. The community can go to the City's Safer Palo Alto webpage for the links to
25 these important data collection tools that will inform planned development. Cards with QR
26 codes have been provided to Amy French who can distribute them for the Commission to share
27 those with their networks. The Safe System Approach is a transportation system safety strategy
28 to eliminate fatal and severe injury crashes on roadways. The Safe System Approach is
29 promoted by the Federal, State, and Regional Transportation Organizations. This approach
30 identifies traffic safety as the highest priority for the design and operation of the transportation
31 system and views traffic fatalities and severe injuries as unacceptable and preventable through
32 joint action. Palo Alto has already made a start at some of the work that's needed for the Safe
33 System Approach with the long running Safe Routes to School partnership. This new effort
34 expands on the success of that partnership as the Safe System Approach involves a paradigm
35 shift to improve safety culture, increase collaboration across all safety stakeholders and refocus
36 transportation system design and operation on anticipating human mistakes and lessening
37 impact forces to reduce crash severity and save lives. It uses a particular model to improve the
38 transportation system. The five system elements are conduits through which the Safe System
39 Approach must be implemented and include safe road users, safe vehicles, safe speeds, safe
40 roads, and post-crash care. The approach also relies on six principles: that death or serious

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1 injury is unacceptable, humans make mistakes, humans are vulnerable, responsibility for safety
2 is shared, safety is proactive, and redundancy is crucial. The key focus of the Safe System
3 Approach is to reduce death and serious injuries through design that accommodates human
4 mistakes and injury tolerances. Making a commitment to eliminating roadway deaths and
5 severe injuries means addressing every aspect of crash risks through the five elements of a safe
6 system. These layers of protection and shared responsibility promote a holistic approach to
7 safety across the entire roadway system. If one part fails, there are redundant systems in place.
8 Ms. Star-Lack used a diagram of Swiss cheese to explain this concept. Layered safety measures
9 are represented as slices of Swiss cheese with the holes being weaknesses in individual parts of
10 the system. The holes represent weakness causing failures. When the cheese slices act as
11 successive layers of defenses, the holes are not lined up, a person is protected. The basic
12 principle is that lapses and weaknesses in one part of the system can occur, but other parts
13 compensate to not allowing a failure. This relates back to the Safe System principles that
14 redundancy is critical, and responsibility is shared. Next slide. Implementing the Safe System
15 Approach requires moving away from several traditional safety paradigms. Rather than
16 preventing crashes, generically, the Safe System Approach seeks to prevent death and serious
17 injuries. Second, in addition to trying to predict human behavior, the Safe System Approach is
18 designed for human mistakes and limitations. While the traditional safety approach focuses on
19 controlling speeding, the Safe System Approach attempts to reduce system kinetic energy.
20 Rather than asserting that only individuals are responsible, the Safe System Approach aims to
21 share responsibility among system users, managers, and others. Instead of reacting based on
22 crash history, the Safe System Approach proactively identifies and addresses these risks. A
23 safety action plan includes the elements and focuses on all roadway users, including drivers, so
24 it's different in scope from the Active Palo Alto update of our Bicycle and Pedestrian
25 Transportation Plan that is also happening concurrently. The federal government and state
26 governments have adopted this approach, and several funding sources require or recommend a
27 safety action plan for applicants to receive funds. The State recently required this for the HSIP
28 (Highway Safety Improvement Program) as a new element and the One Bay Area grant is also
29 moving in this direction. The Safe Street and Roads for All implementation grants also require
30 this type of plan. These two additional grants also privilege applicants that have done this work.
31 The City's recent efforts to address roadway safety include participation in the VTA Countywide
32 Local Road Safety Plan. The Safe Routes to School 5 Year Plan has tried to address safety from
33 that perspective. The 2017 Traffic Safety and Operations Report was a summation of work and
34 a look at some issues that needed to be addressed. The Bicycle and Pedestrian Transportation
35 Plan which was done in 2012 and is currently being updated, the Safe Streets for All federal
36 grant that supports the Safer Palo Alto Plan allows for a comprehensive multi mobile approach
37 that the city has not had the opportunity to consider in the past. PTC's role in this work is to
38 provide feedback at this meeting and at three subsequent ones where the Commission will
39 review the consultant work. It's also to represent the interests of the community, while
40 supporting this work; and staff's hope is that PTC will help publicize the initiative and encourage

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1 people to engage in planned development. There will be a blog post published soon, letting the
2 community know about this plan and the updates of the Bicycle and Pedestrian Transportation
3 Plan. That blog will also include links to the online survey and interactive map, which will be
4 open through November of this year. The map and survey can be found at the Safer Palo Alto
5 website www.cityofpaloalto.org/saferpaloalto. The mission statement is Palo Alto is committed
6 to an equity-focused, data-driven effort to eliminate traffic deaths and severe injuries on our
7 streets 2030. Staff has the following questions listed for PTC consideration: *What feedback to*
8 *you have on the Vision Statement and target year? What conflicts do you see that are*
9 *preventing, or may prevent, the city from achieving zero deaths and fatalities? What are the*
10 *specific areas of road safety that are most important to address?*

11
12 Commissioner Templeton commented that the cheese model is intellectually interesting, the
13 graphic was not demonstrative, because all the holes are in the same place and they line up,
14 and questioned what visual metaphor was being used to describe the redundancy concept and
15 that mentioning death and serious injury is unacceptable. The Commission had requested
16 changes multiple times and were told that death or serious injury is actually a requirement in
17 order to get the changes that are needed to get the intersections safer. Commissioner
18 Templeton requested Ms. Star-Lack address that prior to Commission comments and expressed
19 concern that the reasoning for the changes is for grants considering the number of young
20 victims that the city has seen over and over again, and suggested a more sensitive reason be
21 provided in the presentation.

22
23 Ms. Star-Lack responded that she will talk to the consultants about the holes in the cheeses and
24 make sure provides more clarity. The way transportation engineering evaluates change
25 requests, a warrant is conducted and part of that warrant study is to look at the collision history
26 at a particular intersection. When the collision history reaches a certain frequency over a
27 threshold, something like five a year or six a year, or five over the past three years, they will
28 then make the change that is requested. The new model does things differently. It will look at
29 collision history and notice certain kinds of intersections seem to produce certain kinds of
30 collisions, and the plan, or the consultants, will recommend particular counter measures to
31 address the collisions at those kinds of intersections, and also system wide. It's a systemic
32 approach.

33
34 Commissioner Templeton asked if there would be community input allowed and not just the
35 recommendation from the consultants.

36
37 Ms. Star-Lack explained that the interactive map is very useful community engagement tool,
38 which is currently open for two months, through the end of November. All of that information
39 gathered will be given to the consultants for analysis and integration into the plan.

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1 Commissioner Templeton offered Ms. Star-Lack the opportunity to address the motivation for
2 making the changes in how safety is being measured at this time.

3

4 Ms. Star-Lack answered that part of the reason is that it is a relatively new approach that was
5 recently adopted by the federal government that has been promulgated. This is the first year
6 that the federal government has offered the Safe Streets for All grant program to enable
7 communities the ability to utilize resources to develop such a plan. Palo Alto received one of
8 those grants. Additionally, there are additional grants for the implementation of Safe Streets for
9 All programming, the only way the city could tap into those grants funds is if one of the federal
10 grants was in place. All of the changes that are needed will require a lot of funds and will
11 require a re-orientation of how the city approaches safety. Instead of being reactive, they
12 become proactive. That means that a lot of places might need change, and that's going to
13 require some resources to make those changes.

14

15 Vice Chair Chang inquired how severe injuries are defined.

16

17 Ms. Star-Lack, Transportation Planning Manager explained that a serious injury is defined as an
18 injury which prevents the injured party from walking, driving, or performing activities that they
19 would normally were capable of before the collision.

20

21 Vice Chair Chang asked how staff are publicizing the interactive map outreach survey because
22 she's concerned about capturing near miss data and particularly for pedestrians and bicyclists,
23 and is it being publicized with respect to Safe Routes to School and PAUSD.

24

25 Ms. Star-Lack, Transportation Planning Manager responded that they would share the
26 information about through the Palo Alto City School Transportation Safety Committee e-news
27 that is sent to parents who are volunteering in that program. They are also sharing the
28 information with the Superintendent's office, who has been very accommodating when asked
29 to share items. There is also a website.

30

31 Vice Chair Chang requested the initiative be elevated to the level of the principles at each
32 school, who could then share it with all the parents.

33

34 Commissioner Akin suggested that on Packet Page 13 and 14 that electric bikes, and boards are
35 not included as safe vehicles, they may want to modify the illustration as there has been some
36 concern about those vehicles. Switching to Page 10, the traditional goal of controlling speeding
37 is being replaced with the Safe System goal of reducing system kinetic energy; Commissioner
38 Akin questioned how literally to take that statement. Further explaining that kinetic energy is a
39 product of mass, direction, and the square of the speed. So, if the goal is to reduce system
40 kinetic energy, then reducing speed still hugely dominates that goal. That would indicate that's

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1 the highest priority. There are obvious benefits from changing the directions of which
2 interactions occur, whether someone is hit from behind or from ahead, or from the side, clearly
3 that's going to be part of the analysis. What gets interesting is mass. First, if you're going to
4 reduce kinetic energy by reducing mass, the way you do that is by keeping larger vehicles off
5 the streets because you need to reduce the mass of the things involved in the interaction, thus
6 questioning if reducing the use of the streets by vehicles is an essential part of their exploration
7 in this.

8

9 Ms. Star-Lack explained that the entire transportation system as one system is a safe system
10 approach. Vehicle mass is something that the city of Palo Alto does not regulate, but the federal
11 government can. Anything regarding vehicles sizes and mass would be handled at that level.
12 Reducing exposure to vehicles is definitely something that staff will look at. That's not to say
13 that vehicles can't be on certain roads, but separating bicyclists and pedestrians from vehicles is
14 definitely something that they are going to look at.

15

16 Commissioner Akin commented that he echoed everything that Commissioner Templeton said.
17 When he read "replace the traditional goal of reacting based on crashed history" with
18 "proactively identifying and addressing risks", he was all in with support, however, he then hit
19 Action Plan Item 2, which sounds like it's all about reacting to existing crash history. There's a
20 huge amount of concern in the community that the records available are incomplete and
21 unreliable. It would be hard to develop an acceptable program based solely on what we know
22 exists today, at least what the community knows exists today. Perhaps rephrasing how they
23 intend to proceed with that, for example analyzing according to intersection type and then
24 applying the results proactively might be a good approach.

25

26 Chair Summa opened the item for Public Comment.

27

28 **PUBLIC COMMENTS**

29

30 Ms. Melissa Oliveira thanked the commission, and Ms. Star-Lack for the presentation and
31 commented on how imperative marketing to the community is going to be for acquiring the
32 community input that is so badly needed. Including data from Stanford officials and students is
33 also crucial particularly on Escondido. Citing that an accident happened a week after her son
34 was hit and she wasn't sure if that had even been reported. To Vice Chair Chang's point, how
35 they define serious injury is also important because it's not always physical, there can be lasting
36 psychological effects, most especially for children and parents who worry about their children's
37 safety; or anyone who comes into the cross-roads of death. She asked the Commission, City,
38 the Palo Alto Unified School District, and those involved to actually think about those long term
39 impacts; and encouraged all to have a broader scope of the importance of overall health,
40 wellness, and safety.

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Chair Summa commented that she really appreciated Ms. Oliveira’s comments and was very sorry that her son was hurt, and relieved that he wasn’t hurt more badly than he was; with an added to everyone that is why this work is so important.

Mr. Scott O’Neil commented regarding the East Meadow bikeways project and what concerned him was there was overwhelming cry out from the public to create safe bikeways next to the creek, which is completely away from traffic, but “stakeholders” found it more favorable to add more painted bike lanes in the roadways. Following the bike path down towards Louis there is a fence that prevents people from gaining access to the bike paths from the bike bridge. It makes no sense to have that path locked with a padlock, particularly with it being the City’s land. It didn’t make sense to him that people in his complex, people at Echelon across the street, their kids when their going to school at Hoover and Meadow and JLS, are on bike lanes, with only paint protecting them. they could just be riding along that creek safely.

Chair Summer closed public comment and brought the discussion back to the PTC.

Commissioner Templeton commented that she very much appreciated how hard everyone is working on the safety improvements and Ms. Star-Lack has dedicated most of her career to safety. It’s important that the Commission, staff, and the community engage in the conversation; and her feedback isn’t directed at one person rather it’s frustration that this has been a request of the Commissions for a long time, and they rarely were given the opportunity to weigh in on the topic. Moving about the City safely is a very high priority and she appreciated Ms. Star-Lack for bringing it before the Commission now. She would like more opportunities and appreciated the plans timeline of opportunities over the next year with the hope that those will include the PTC. Palo Alto is a community that requires children to get themselves to school because they don’t provide free buses. It is the City and community’s responsibility to ensure their safety. She didn’t feel the timeline in the presentation reflected the urgency the community feels and it’s important for it to reflect the priorities of the community and the priorities of safety of movement, transit, and transportation around this city. Regarding the map, she only sees 150 responses, in a community with over 60,000 and stated she believed they are not adequately getting the word out for that survey. Additionally, none of the recent collisions are on the collision map and it’s hard to take the tool seriously if not even those areas that have a documented history aren’t included. Commissioner Templeton requested they seed the map with relevant known collisions so that people can weigh in on it. Children being bumped off their bikes in known problem areas and then told nothing would be done because those children were not seriously injured, or it’s not “our” road, are not acceptable responses. She hoped that when the team is envisioning how the City is going to reach the very admirable bar of zero deaths and serious injuries, they include coordinating with other agencies such as Stanford, the State, and the County. This plan needs to ensure advocating appropriately with

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1 those other agencies. She encouraged staff to think about keeping the map beyond November.
2 The most urgent time frame for interactive incident maps is when school starts. That's when
3 people try new paths. The community needs to be able to easily report incidents of near misses
4 or minor incidents. If the ap is going to be taken down in November, they need to consider
5 ways for people to continue reporting those accidents in a way that will allow the proper
6 entities to follow up. The community should push for more because no one wants to tell their
7 kids they have to bike to school and bike to the library and then just hope that they don't get
8 hit while doing so.

9

10 Vice Chair Chang commented that she was really glad to see this item because they talked
11 about it during the Work Plan and during Safe Systems Approach. A goal of 2030 seems a long
12 time away as a target year. Implementing things that they already know is needed, should be
13 done sooner. She questioned if funding was really the challenge when through the years the
14 hesitancy for change has been explained as the need to complete studies. Her hope is that
15 there's some explanation for what can be done between now and the target year to bring them
16 closer to zero sooner. In terms of possible conflicts, many believe that the Housing Element is
17 going to put housing in certain areas that need a bike plan, a transportation plan, and a
18 pedestrian plan for those areas. She hasn't seen any planning or discussion, or study sessions
19 brought before the PTC for areas where there are going to be concentrated new developments.
20 Specifically, San Antonio and the industrial area over by the freeway and the 101 at the end of
21 E. Meadow Circle. There are other areas as well. If they don't do the prevention now, it may
22 affect their ability to put bike lanes in later. A grand plan for the bike/pred/car plan needs to be
23 implemented concurrently to ensure that each of the applications fit within that grand plan.
24 The specific areas of road safety that are most important are bike and pedestrian safety
25 because of the mass of a bike or a pedestrian compared to a vehicle, and because so many
26 bicyclists and pedestrians are young people. Safe Routes to School is really important, and that
27 also ties into all the new housing because it's going into places where drivers are currently not
28 used to seeing that many bikes and pedestrians and it needs to be planned.

29

30 Commissioner Reckdahl commented he likes the website but was concerned that they would
31 either not receive enough data or receive so much data it would be impossible to sift through it
32 all. He asked Ms. Star-Lack to explain the difference between Safe System and Vision Zero. Ms.
33 Star-Lack explained they are essentially the same, but the goal is zero death and serious injuries
34 and the way that is achieved is through a Safe System Approach.

35

36 Commissioner Reckdahl commented that as a cyclists he finds rush hour challenging particularly
37 on trash collection days. It would seem appropriate for the utility companies to find alternate
38 times than rush hour to do what needs to be done. Another concern is the higher speed roads
39 are not under the City's control. El Camino, Foot Hill Expressway, and Oregon Expressway are

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1 county roads. His concern was all the effort would have taken place to gather data only to find
2 out nothing can be done.

3

4 Ms. Star-Lack explained that the State has also adopted a Vision Zero target, although it has a
5 target year of 2050. The MTC Vision Zero Policy goal is 2030. Staff will have to work with
6 CalTrans and get grants and do the projects that need to be completed. CalTrans generally likes
7 it when communities take the initiative, and their policies are supposed to be changing with
8 regard to safety. Communication with CalTrans is currently project specific. Increasing
9 collaboration with both the county and the state is one of the strengths of this approach. She
10 remains hopeful they'll be able to demonstrate that as policies, procedures, practices are put in
11 place and making sure all the different entities are sitting at the same table during that process.

12

13 Commissioner Reckdahl expressed frustration that in the past different great ideas have been
14 made and they've been hit with a response that there aren't funds available.

15

16 Ms. Star-Lack explained her hope is that in bringing forth a different orientation from a systemic
17 perspective, they'll be able to find low cost systemic changes. A lot of communities are using
18 paint and posts as temporary treatments, before filling things in with concrete, she remains
19 hopeful they can do that as well.

20

21 Commissioner Reckdahl commented that it would be nice to receive a monthly report on how
22 the plan is progressing.

23

24 Ms. Star-Lack responded that Rafael will be providing that information to the PTC going
25 forward, and anyone can view progress on the City's website in the Transportation department.
26 Staff have been tinkering with what that format should look so there have been adjustments.
27 The Pedestrian and Bicycle Advisory Committee receives monthly reports from the police and
28 that information is on the site as well.

29

30 Commissioner Lu inquired about the amount of the grants and if they would actually move the
31 needle for safety.

32

33 Ms. Star-Lack explained one of the reasons she went after this particular federal grant is
34 because there is a safety implementation pot that is close to a billion dollars every year, over
35 the next five years. That's just the Safe Streets for All pot. There is also stated funding that is
36 available but only for recipients who have received the Federal grant. Palo Alto's process is
37 about democracy; however this plan is an opportunity for the community to make it's feelings
38 known about road safety.

39

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1 Commissioner Lu expressed concern that the execution of the plan will block the City from
2 making substance improvements until the end of 2024 and inquired if that is a valid concern.

3

4 Ms. Star-Lack further explained that by democracy she means there are competing interests.
5 One of the things about the plan is that it gives the community the opportunity to discuss
6 where safety falls within some of the other projects and what the community wants. This
7 process helps work through these issues and is a place where they can have that discussion.
8 There are current safety projects in place now. They are taking a long time to finish because of
9 supply chain issues, but there is the Charleston/Arastradero Road project, the Alma Churchill
10 enhanced bikeway study which will extend the bike trail that is along the CalTrain tracks down
11 Churchill all the way to El Camino. There's also the Alma Churchill Safety project that is
12 hopefully going into construction soon.

13

14 Commissioner Lu commented that he worries about the City's overall political will and their
15 willingness to move aggressively on safety. His hope is that on the topic of shared responsibility
16 and actual framework, everyone can make some assessments of how staff, the Commission,
17 and Council could be more aggressive and be more efficient for these projects.

18

19 Commissioner Akin commented that one of his favorite policies in the Comp Plan is T4.2.1
20 which requires periodic traffic measurement in residential areas, not just the major
21 intersections; and to prioritize traffic calming measures. This kind of proactive approach is
22 exactly what the City needs to identify developing hotspots in advance and perhaps generalize
23 the areas that don't have the funds to measure. If some of the funding that they hope to obtain
24 could be applied to that sort of measurement process, that would be of interest.

25

26 Commissioner Hechtman expressed his appreciation for the remarks from his fellow
27 Commissioners, particularly Commissioner Templeton and Vice Chair Chang comments and
28 questions really channel the concerns of the community and that's the pinnacle of what we as
29 Planning Commissioners are supposed to do. He echoed those concerns. He also appreciated
30 the work of the transportation staff because his belief is that they all feel the exact same way.
31 Protecting the children of Palo Alto is the most important thing to them. Overall, this plan is an
32 exciting step in that direction. He liked the fact that it's comprehensive and we are now
33 working on an aspect of the same plan that the VTA, CalTrans, and the federal transportation
34 system are working on. That integration can help. One of the chief challenges are the conflicts
35 in policies and the apparent lack of coordination between those entities; he really likes that the
36 intent of this plan eliminates that lack of communication. He agreed that the time frame being
37 analyzed will likely have flaws in the data given the two to three year period everyone stayed
38 home.

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1 Ms. Star-Lack explained the last five years is the time frame in which they have a complete set
2 of data and one of the things that this plan is going to set up is a set of metrics that they will be
3 able to continue monitoring in the future.

4

5 Commissioner Hechtman believed the focus should be on making roads safest for the most
6 vulnerable and those are pedestrians and bicyclists. Conflicts to achieving the goal would be
7 trying to predict human error, however he believed the system is designed for human mistakes
8 and limitations. We're focusing on understanding the mistakes that people more often make
9 and then designing to address that. In terms of the target year, how many hotspots that have to
10 be tackled is still unknown thus it's really hard, without any confidence, to pick a deadline. Year
11 2030 is reasonable because once the plan is completed at the end of next year, the City is going
12 to aggressively start to tackle those hotspots. In terms of the vision statement, as he read
13 through the staff report and saw that in December and January the City is going to be doing an
14 equity analysis to learn whether the accidents that happen in Palo Alto disproportionately
15 effect different groups of people, he honestly would have never thought to do that. It's also a
16 big piece of the Housing Element, and it's becoming pervasive in planning; Commissioner
17 Hechtman believed that's really important and really appropriate. Looking at the vision
18 statement, where it says equity focused, he believed that's not necessary because it's not really
19 equity focused, it's safety focused with a full consideration of equity. That's more accurate, but
20 not very eloquent. He encouraged staff to change that a bit so that it doesn't overstate the
21 equity aspect of this but acknowledges that equity is an aspect of this.

22

23 Chair Summa began with the vision statement, agreed with Commissioner Hechtman, equity
24 focused needs to become more nuanced and maybe not the first thing, and eliminate traffic
25 deaths and severe injuries, as that doesn't take into account the full sense of safety or that we
26 want people to feel safe using our streets as pedestrians and bicyclists, particularly children. It
27 also doesn't consider something that may not fall under the definition of severe but can still be
28 life altering. Broaden that aspect and nuance equity focus and put it in a different order. In
29 terms of a specific area of road safety, everybody agrees it's the most vulnerable and already
30 knows that school routes and school drop off and pickups are hot spots. While this is an area
31 that staff is already working on, there is more urgency because these problems appear to be
32 increasing. What conflicts could prevent, she agreed with other comments and added that bad
33 driving seems to be increasing anecdotally and sadly, there's not enough presence of police
34 officers on the street and that's unrealistic. Chair Summa very much appreciated the difference
35 between the last item on the traditional versus the safe system, react based on crash history
36 and traditional and proactively identify and address risks, that's a huge change and
37 improvement and thank you to staff for listening to the PTC on this; understanding that there's
38 some sort of inter-agency issues with getting police data, thanks to staff for working so hard on
39 it. She encouraged staff to consider temporary measures when they can be used.

40

-
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1 Commissioner Templeton agreed the temporary pilot programs are something that has been
2 long needed in the City and they provide a great opportunity for feedback. When providing the
3 data and analyzing it for areas that are problematic, she encouraged them to think about that
4 in terms of what's happening within the city limits and not only exclusively on streets owned by
5 the city. If there's anything they can do to automate data collection that would help in the
6 analysis, she suggested finding the funds to do so. She agreed the vision statement could be
7 much more powerful by focusing upfront on what the community wants. It's not necessary to
8 say they are committed to what's in the vision statement, by having a vision statement that's
9 implied. Put eliminating traffic deaths and severe injuries up front, also add collisions with
10 children. That would handle our ambiguity about people who are going to be perhaps
11 psychologically traumatized, as well as having broken bones which aren't considered severe,
12 we want those kids safe too and it needs to be reflected in the vision statement. If this Vision
13 Statement doesn't involve not having children hit on our roads, it is inadequate. As far as what
14 are the specific areas of road safety that are most important to address, she expressed shock
15 that had to even be stated. Every single school in this district should have a crossing guard in
16 front of the school so that the entire intersection is protected by those crossing guards. The
17 inadequate coverage at El Camino for kids trying to get to Gunn High School and the other
18 schools in the area is not okay and is a joke. Those kids need to actually be safe. That's a specific
19 area of road safety that is most important to address, to make sure that our crossing guards are
20 available and provided to protect the routes to school, especially across El Camino, Middlefield,
21 Alma, and in front of the schools, where children are getting hit. Adding that known areas that
22 have low visibility due to sun angles during certain times of the year need to be addressed. Find
23 the best solution and implement it in Palo Alto. There is a pandemic of bad driving and running
24 red lights is a big one. There's a big problem with people going around vehicles waiting to turn
25 left safely and the car behind them will go around them and turn left against the light. It's
26 completely unacceptable and something that we're counting on our transportation department
27 to advise us as a community and implement solutions. It's very dangerous. These are things we
28 can start with.

29

30 Vice Chair Chang agreed they need to think very carefully if using data during the pandemic
31 because those numbers are highly skewed. Some plans have come forward that used the data
32 configured during that time frame and it made the plan seem bogus and unreliable because it
33 didn't reflect adequate information.

34

35 Ms. Star-Lack responded that the PTC will be seeing some of the intermediate deliverables from
36 the consultant and will definitely get a chance to look at the data analysis and look at the
37 metric. What she has seen in the early stages of data being collected is that when there were
38 fewer people on the road, people were driving faster.

39

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1 Vice Chair Chang further explained that for example, there were no children commuting during
2 the pandemic so that is an entire chunk of data that's missing; and she's glad they will get
3 another chance to review it.

4

5 Commissioner Reckdahl commended staff for the work they did on the upgrades down
6 Charleston/Arastradero and it's so much safer. The traffic is going more smoothly, going slower,
7 and a lot of work was put into that project. The priority is the most vulnerable and that's
8 youths, bikers, and young bikers. Another category would be seniors. It takes senior pedestrians
9 longer to cross the roads and that should be taken into account. A potential conflict is people
10 like to drive faster than 18 mph. They are going to have to decide how fast is safe, that's going
11 to be a big conflict. Much of this plan centers around changing driving patterns, reprogramming
12 people, and that's hard to do. That's going to be a big hurdle to cross. Regarding the vision
13 statement, Commissioner Reckdahl agreed with much of what has been said. The target year
14 concerns him because as Chair Summa indicated, anything that they can do to get the low
15 hanging fruit temporarily right now, would be better, and they could then work on a permanent
16 fix. He suspects when they start looking at that map, there's going to be a lot of really good
17 suggestions. Even if it looks ugly, improve safety now and then look at the holistic ways of the
18 bigger problems later.

19

20 Commissioner Lu commented regarding the period for data and suggested making an attempt
21 at capturing data from some of 2023 to date to capture recent incidents, and potentially recent
22 behavior changes that make these incidents more likely. He totally agreed with all of the
23 feedback on the Commission. More explicitly, get alignment on how we prioritize aesthetics
24 and whether we can get a democratic mandate for things like road diets, that substantially
25 change how El Camino works with bike lanes, less parking, wider sidewalks, and other kind of
26 relatively drastic changes; but have a democratic mandate because they will be coming up for
27 discussion soon.

28

29 Ms. Star-Lack replied that they do not yet have a complete set of data for 2023 and are using
30 the most recent complete data set.

31

32 **Action Items**

33 Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal.
34 All others: Five (5) minutes per speaker.

35

36 3. Recommendation on a Resolution Amending the Land Use Element of the Palo
37 Alto Comprehensive Plan and an Ordinance Amending the Palo Alto Municipal
38 Code Title 18 (Zoning) to Implement Housing Element Programs 1.1A and 1.1B

39

-
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1 Chair Summa introduced the next item as a Recommendation on a resolution amending the
2 Land Use Element of the Palo Alto Comprehensive Plan and ordinance amending the Palo Alto
3 Municipal Code Title 18 (zoning) to implement Housing Element Programs 1.1A and 1.1B.

4

5 Commissioner Lu stated he would need to recuse himself on discussions relating to the El
6 Camino Focus Area due to proximity of his residence is less than 500 feet away, depending on
7 how it's measured.

8

9 Chair Summa stated he was welcome to stay for staff's presentation.

10

11 Director of Planning Jonathan Lait introduced consultant Jean Eisberg who provided the
12 presentation and explained that there is a bit of new information that staff focused on for the
13 Commission's review, it is the totality of the ordinance that is before the Commission as a
14 public hearing item. There is a deadline of January 31, 2024 to have some components of the
15 Housing Element implemented. Those are the items that are before the PTC. There will be other
16 changes as part of the Housing Element that will follow. The items in this hearing are prioritized
17 because of the deadline and staff are relying on the code amendments to meet the City's
18 Regional Housing Needs Assessment (RHNA) numbers that were provided by the state.

19

20 Ms. Eisberg presented that Program 1.1 in the recently adopted Housing Element necessitates
21 certain amendments to the Land Use Element of the Comprehensive Plan and Zoning
22 Ordinance. The proposed zoning amendments include a new chapter in Title 18 to consolidate
23 existing and proposed housing incentive programs. Consistent with Program 1.1, the proposed
24 zoning amendments rezone certain Housing Element opportunity sites to modify densities and
25 other development standards that support multifamily housing at capacities identified in the
26 Housing Element. Program 1.1A also includes higher-density site-specific zoning regulations for
27 Stanford-owned properties along El Camino Real near Page Mill Road, and at Pastuer Drive and
28 Sand Hill Road. According to Housing Element Law, the rezonings in Program 1.1A to meet the
29 RHNA must be completed within one year of the required Housing Element adoption date (i.e.,
30 by January 31, 2024). According to the adopted Housing Element, the City is also committed to
31 completing Program 1.1B (GM and ROLM rezonings). Attachment B represents amendments to
32 Title 18 in the form of a new chapter, 18.14: Housing Incentives and revisions to base district
33 regulations. Changes include rezonings to allow multifamily housing as a permitted use,
34 increases in residential density/FAR and modifications to other development standards, as
35 specified in the Housing Element to meet the RHNA and sites inventory estimates. These
36 proposed amendments necessitate changes to base district regulations in existing zoning
37 chapters (18.12, 18.13, 18.16, 18.18, 18.20, and 18.28); these changes are shown in
38 underline/strikeout in the version supplied in the staff report. The PTC reviewed a draft version
39 of the zoning amendments during a study session on September 13, 2023. This report
40 summarizes and responds to PTC and community feedback during the study session and

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1 highlights resulting changes to the draft ordinance. The ordinance now includes site specific
2 standards for the Stanford-owned sites on Pasteur Drive and on El Camino Real. Additionally,
3 the report and ordinance suggest expanding the policy recommendation for Program 1.1A to
4 extend proposed rezoning on El Camino Real to create an expanded Focus Area on El Camino
5 Real between Page Mill Road and Matadero Avenue. If supported by the PTC and City Council,
6 these proposed changes would be formalized during the next revision to the Housing Element
7 but are being advanced as part of these zoning amendments given the January 31, 2024
8 deadline. On August 3, 2023, the City received a comment letter from HCD requesting
9 modifications to the Housing Element prior to HCD certification. In particular, members of the
10 public and HCD have called for additional analysis of the Sites Inventory to ensure and
11 demonstrate that sites are viable for redevelopment during the 8-year planning cycle, including
12 that existing uses are likely to cease. To address these comments, City staff and the Housing
13 Element consultant are exploring changes to the Sites Inventory, including adding sites to the
14 inventory and increasing densities. Given the deadline for this rezoning effort, City staff are
15 daylighting these proposed changes as part of the Program 1.1 rezoning task. The next version
16 of the Housing Element will formalize updates to the Sites Inventory, Program 1.1, and
17 additional analysis to demonstrate viability of these sites. The PTC can expect to review the
18 revised Element before the end of the year. Ms. Eisberg continued with the outreach results
19 and comments from the community and previous PTC meetings.

20

21 Chair Summa opened the item to clarifying questions from the Commission to staff.

22

23 Commissioner Akin inquired about the housing Focus Area, if you want to allow a seven story
24 building on a lot with seventy percent coverage, you'd need an FAR of 4.9. An FAR of 4 is being
25 proposed and he wondered if this is because of the step back's for the floors near El Camino, or
26 if there was another reason of limiting to four rather than going to five.

27

28 Ms. Eisberg responded that they wanted to encourage those kind of cut outs, the objective
29 design standards require a certain amount of articulation, there is the upper story setback, they
30 didn't feel it was necessary to max out the FAR and create a fully rectangular building envelope,
31 however they did prepare some site tests to determine that, which was how they landed on
32 that particular FAR.

33

34 Commissioner Akin stated he is pleased to see the TDM is being considered because he had
35 very little confidence that an average of one parking space per multi-bedroom unit is going to
36 fly and asked if they should consider additional measures like an RPP district to protect Barron
37 Park.

38

39 Director Lait stated that may be a policy recommendation that this Commission may want to
40 make to the City Council and the City Council could consider. He noted that typically those

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1 RPP's are initiated by the community and if they have an interest and a desire for it, there's
2 some work that's done, and then it's presented. That would not be precluded, but it would not
3 be part of this effort.

4
5 Commissioner Akin explained his concern was they would have to be in a situation where
6 there's sufficient interest in the neighborhoods to drive that and that might not happen until
7 there's already overflow from a project that's been built. The State has regulations over where
8 the City can establish districts and they might not be able to exclude the Focus Area
9 developments from a Barron Park RPP, if they already exist. It's an area he is not well versed,
10 but wanted to bring it up because if it's going to be an option, it might have to be done early.

11
12 Director Lait replied they could explore that together, and work with the office of
13 transportation to understand what the local requirements are for initiating an RPP and how
14 that ties into anticipated or future development. Again, for this effort, and the same also for
15 TDMs, staff are not in a position now with this ordinance, to be implementing TDM measures to
16 advance these zoning changes. There is a provision in the Municipal Code that addresses
17 Transportation Demand Management and they would have to have a follow up conversation
18 with the Commission and Public Hearings to talk about what it would mean to have a robust
19 TDM, which was mentioned at the City Council meeting. Are there tiers, when do those tiers
20 kick in, and for what type of developments. In recognizing that there's a full discussion to be
21 had, and City Council initiated that last week, it's not timely for this effort that's going forward.

22
23 Commissioner Akin stated he wanted to make sure his comments were considered as an
24 expression of interest.

25
26 Director Lait stated he understood.

27
28 Vice Chair Chang inquired if the Stanford owned properties on El Camino are being considered
29 for affiliate housing as well, and would those properties potentially also lead to housing that
30 won't contribute to Palo Alto's property tax base.

31
32 Director Lait explained that the Stanford owned properties on El Camino or adjacent to El
33 Camino Real are not intended for affiliate housing, it's only the property on Pasteur that has
34 been identified in the Housing Element for affiliate housing.

35
36 Vice Chair Chang inquired if there was anything that would preclude Stanford from changing it
37 to affiliate housing in the future which would then result in no property tax.

38
39 Director Lait stated he didn't know if the Ordinance includes such restrictions. If that is a
40 concern of the Commission, the PTC can provide direction for that in the motion. If the intent

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1 and the interest is to have the housing on El Camino to be not for affiliate housing, staff could
2 likely draft some language accordingly.

3

4 Mr. Yang commented that the issue of whether they can restrict or regulate whether housing is
5 used for affiliates or not, is something they would have to further research more thoroughly,
6 but it's something that they potentially could do.

7

8 Vice Chair Chang asked if it is possible for to include in regulation for union construction labor,
9 including wages and health care provisions, for future projects.

10

11 Director Lait responded that was something they could look at as a part of the Housing Element
12 and possibly incorporating that as a program.

13

14 Vice Chair Chang recalled that Director Lait had mentioned that they needed to remove certain
15 opportunity sites for various reasons and as result now looking for more in order to meet the
16 RHNA requirement and questioned now the El Camino Real Focus Area may or may not help us
17 in terms of number and if they are still looking for additional sites.

18

19 Director Lait answered a week ago they were down by one or two hundred units, as of today
20 they have made up that difference and have a bit of surplus going into the next week.

21

22 Vice Chair Chang asked if the El Camino Real Focus Area is specifically meant to offset that
23 decrease from the removal of certain sites.

24

25 Director Lait explained that it's part of the overall response to RHNA. So, if they pulled off a site,
26 they would likely need to go back and find another site or sites, to make up the difference.

27

28 Vice Chair Chang asked how long they have to do the other changes in the ordinance that aren't
29 effected by the January deadline.

30

31 Director Lait explained the Housing Element that was adopted in May has a timeline of
32 December 2025 as what was reported in the timeline for that particular

33

34 Vice Chair Chang stated so essentially two years of applications that come in with commercial
35 FAR.

36

37 Director Lait answered yes and noted that they do not have a lot of commercial office FAR
38 development applications in process and the PTC will have an opportunity to look at those
39 timelines for those programs, because they have another opportunity to make a
40 recommendation to City Council if they feel the timeline needs to be adjusted.

-
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1 Vice Chair Chang referenced the GM ROLM Focus Area Table on Packet Page 77, if that meant
2 the density bonus could be used on top of these areas, and that the sixty foot maximum height
3 could then become thirty feet higher.

4

5 Ms. Eisberg responded that yes, in terms of GM ROLM Focus Area, that's resetting the base
6 density, however, there's not maximum density prescribed for that district. And so, in that
7 case, the density bonus would be calculated off of the floor area ratio. Now the height is
8 distinct. Someone can request a height waiver and typically it might add a story or two, but it's
9 not necessarily a 50% increase in height. It's only an increase in FAR, and then waivers those
10 associated with other physical development standards.

11

12 Vice Chair Chang expressed concern of bird strikes, because it's a migratory path, and asked if
13 there was a way that we can similarly put in place something that's an alternative to density
14 bonus, the way they have for El Camino.

15

16 Mr. Yang stated he's not sure that there is very much that they can do on that front. The best
17 they can do is try to avoid waivers in height by making other development standards permissive
18 so that additional height isn't going to be necessary. For example, if a project is getting an extra
19 10% or 15% of FAR under Density Bonus Law, and they are allowed to use that in other areas,
20 typically someone won't want to go up beyond an extra story because that adds more cost.

21

22 Director Lait explained it would be difficult. The reason the ROLM and the GM standards are
23 being reset to a new base district standard is to accommodate the outcome of the Housing
24 Element process. And for us to achieve the densities that we've stated that we want to achieve
25 in this area, we went through an analysis and found that these changes needed to be made to
26 the base zoning. With a base zoning standard, a developer can look at that and then elect to
27 take advantage of the State Density Bonus. That's the process that is currently before the PTC.
28 Next year they will return to the PTC with a housing incentive program which will provide what
29 staff believes are incentives for a developer to take advantage of in Palo Alto's local program
30 and not take advantage of the State Density Bonus, with the intent that the local program will
31 be more advantageous to a developer than using the State Density Bonus program. That's
32 distinguished from the El Camino Real Focus Area, where staff believes that the existing base
33 zoning standards can achieve a certain amount of density already, but the Housing Focus Area
34 allows us to achieve even greater density units in exchange for these inclusionary requirements
35 in different development standards; stipulating that this is an alternative to the State Density
36 Bonus. That's the distinction in those areas. Noting that when staff come back with the HIP,
37 he's not sure they are going to solve the Commission's primary concern about height, because
38 this was an area where there was a lot of focus growth opportunities. However, they are
39 working on an initiative city wide to address bird safe glass. That's an ordinance staff hoped to
40 have completed by June next year.

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1
2 Vice Chair Chang thanked Director Lait for that information.

3
4 Chair Summer opened the floor to Public Comments.

5
6 **PUBLIC COMMENTS**

7
8 Ms. Julie Baskind commented representing the California Redwoods, who submitted a letter
9 addressing a change be made in the language modification of the zoning code in two sections
10 and instead of saying “residential zoning”, say residential uses. That would greatly reduce the
11 work load for new project developments as they arise within the city and ensure all
12 communities citywide are treated the same with respect to residential uses.

13
14 Chair Summa noted that was not an Agendized item and the PTC would not be able to
15 comment.

16
17 Ms. Jessica Von Borck, Executive Director of land use at Stanford University, both Jean
18 Schnyder, who’s the Associate VP of Real Estate and she participated as representatives of
19 Stanford in the Housing Element working group over the past few years, and really appreciated
20 the discussion and the process, in terms of looking at future housing in the city of Palo Alto.
21 They noted from the most recent City Council meeting that Council had questions regarding
22 Pasteur Drive, specifically, Stanford’s position that this housing be for Stanford’s affiliates. Over
23 two years ago when Stanford initiated identifying sites across our lands in Palo Alto that we
24 believed were suitable for the inclusion in the Housing Element, we chose these for very
25 deliberate reasons. First and foremost, they are aligned with HCD’s requirement that a site be
26 available. Each is unincumbered with any long term land leases, or ground leases, meaning
27 Stanford could control the outcome. All sites meet several of Stanford’s planning principles
28 around housing and while some sites could be appropriate for community workforce housing,
29 we were clear from the beginning that the Pasteur Drive property would be restricted to
30 Stanford affiliates. The site is directly adjacent to Stanford campus and the medical center, it’s
31 across the street from university housing, and encompasses Welch Road Apartments which
32 currently house affiliates. We’ve been transparent about this intention throughout the Housing
33 Element process as well, and reiterated Stanford’s position has not changed. The motivation is
34 to provide housing for its affiliates at a discounted rate, to include faculty, researchers, service
35 workers, and other staff; all of whom are part of this community and happen to make up the
36 work force both on campus and in Palo Alto at the medical center. We are and will continue to
37 facilitate the development of housing for the community and other locations on Stanford land.
38 We cannot imagine a situation where Stanford would accept a restriction against 100% of
39 affiliate housing at Pasteur, nor proceed with building housing under that condition. They
40 wanted to share this with the PTC so that the Planning Commission and the City Council can

-
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1 make informed decisions about the next Housing Element draft and the zoning ordinance
2 updates. Thank you very much for the opportunity to speak today.

3

4 Mr. Mark Johnson with the Acclaim Companies, which is a real estate development company
5 who submitted an SB 330 application and formal application for 380 units at 3128 El Camino
6 Real, and 3150 El Camino Real. Their submittal includes affordable housing, as well as it
7 employs certain tools related to the State Housing Density Bonus Laws. It's not adjacent to any
8 single family residence, as well as being in the shadows of the two tallest buildings in the city.
9 The site is currently listed as part of the site inventory for the draft Housing Element and is a
10 site that is likely to be developed and add immensely to the RHNA numbers that the State is
11 requiring for Palo Alto. He was a bit surprised that the City may exclude this site from the site
12 inventory unless they agree not to use the State Density Bonus Law at all. The applicants
13 believe that the removal of a site with a pending project application from the site inventory
14 would be somewhat inappropriate at this stage, especially one with a willing developer. They
15 support the upzoning of this area and are really pleased with the movement in this Focus Area
16 to allow this density and endorse where this is going in this Focus Area. It's important to
17 acknowledge the benefits provided by the State Density Bonus Law, that may be essential to
18 making this project actually happen. While they're encouraged, they're concerned that we may
19 not be able to build this project using the development standards proposed for the El Camino
20 Focus Area, without implementing some of the density bonus waivers. I'm speaking particularly
21 of some step backs that may occur above 55 feet, as well as some step backs against the
22 adjacent Parmani Hotel. He urged the Commission to recommend to the City Council that they
23 reconsider this relationship with the State Density Bonus Law and make sure to retain this site
24 in the Housing inventory.

25

26 Mr. Giovannotto commented on the El Camino Focus Area. Currently it extends to Matadero
27 Avenue, and his family owns 4.2 acres across the street, which they've put together over a
28 number of years in order to provide housing. He requested the PTC consider including
29 Matadero Avenue to Kendall Avenue in the El Camino Focus Area. They would like to work with
30 the City on a great project for the city and for increasing housing.

31

32 Sheryl Klein commented she was in the Housing Element Working Group, and very pleased to
33 learn about the housing Focus Area that was proposed last week. It has her full support; and
34 would like to see it replicated in other parts of the city. The City could do more in downtown,
35 on California Avenue, with it close to retail, transportation, and her hope is they can get the
36 Housing Element approved. She expressed support for the Stanford project, the Acclaim
37 project, and extending the Housing Focus Group further down to El Camino. The City needs
38 housing, and this can be done without subsidies from the city. She expressed concern about the
39 buffer in the RHNA numbers. It's currently at 10%, other communities have higher buffers and
40 She encouraged Palo Alto to go a little bit further on its buffers.

-
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1
2 Ms. Keri Wagner, current Palo Alto PTA president, commented as advocate for all families and
3 students who will potentially be living in these projects that are under consideration. Her
4 primary concern is the Pasteur at Sand Hill project because it would not bring money into
5 support Palo Alto schools. Before the upzoning is permitted, an arrangement should be made
6 for Stanford to contribute to the education of their students. It costs approximately \$25,000 a
7 student per year, there needs to be some method of paying for that. The City can not support
8 that and that site alone could potentially bring two hundred or so students to PAUSD schools.
9 This is going to be an issue for, especially based on the previous discussion topic for Safe
10 Routes. These kids need to be able to get to the schools safely. She urged the PTC to consider
11 all of the methods that these kids are going to need to get to the schools, how are they going to
12 get there, how are we going to pay for their education, and encouraged this commission and
13 Council to look at funding for the schools.

14
15 Ms. Winter Dellenback expressed concerns about city creek setback requirements, as they are
16 currently in the Municipal Code and new development. Required creek setbacks are governed
17 by 18.40.140 Stream Corridor Protection Ordinance. In this ordinance there is only a twenty
18 foot setback requirement for the banks of a creek with a mile wide built in exception to that. It
19 only takes a geotechnical engineer to report that a building within the twenty foot setback
20 won't destabilize creek banks to allow development right up to the creek. But creek protection
21 can no longer be seen as only creek bank protection. They must protect creek ecosystems, a
22 mere twenty foot setback with as big as a bulldozer exception to it, is unacceptable in this day
23 and age with our increased environmental consciousness and impending rush development. It
24 is not just a matter of creek banks, but of entire Riparian corridors created by creek with
25 wildlife habitat, native riparian that provide a natural filtration system for stormwater runoff.
26 The current Creekside Inn proposal includes 185 apartments, four townhouses, and 137 hotel
27 rooms. Drawings show Matadero Creek as nearly obliterated, subsumed by six story buildings
28 jammed onto the property. The stated purpose of our Stream Corridor Protection ordinance is
29 is to provide site planning and development standards design to preserve riparian resources,
30 protect improvements from damage caused by potential stream flooding and bank erosion and
31 minimize stormwater pollution. And yet, the current ordinance doesn't fulfill its own purposes
32 stated and must be changed to provide increased development setbacks and added protection
33 for riparian ecosystems.

34
35 Ms. Terry Godfrey commented regarding the Stanford project proposed for Pasteur and Sand
36 Hill. The decision related to that proposed development of more than 400 units and limited to
37 Stanford affiliated renters, thus making it exempt from property taxes is concerning. That's
38 potentially hundreds of students at \$25,000 dollars per student per year to educate. While
39 Stanford and Palo Alto have a joint concern and desire to educate all children, we would hope
40 that Stanford would participate in that process. It would feel disrespectful to ask Stanford not

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1 to participate in that \$5 million dollar funding for the students that will potentially end up in the
2 district She urged the PTC to think about how this issue may be addressed, perhaps a
3 development agreement with Stanford, perhaps it's some other way to address what could
4 potentially be a funding shortfall and wouldn't really serve Palo Alto students well.

5

6 Mr. Scott O'Neil, Board member with Palo Alto Forward, commented on behalf of himself
7 tonight. He's been wondering what the Focus Area would mean for the Housing Element
8 Certification prospects. After reading the second HCD rejection letter, the scope of the problem
9 is just really dramatic and it's important not to lose sight of that. He doesn't believe the RHNA
10 rezoning helps much beyond table stakes because it's mostly spot zoning outside of GM and
11 ROLM. The ECR Focus Area is a significant change, it helps. As did the SB 9 expansion, the
12 second draft. Overall, He expects the ECR Focus Area to make considerably more progress than
13 the SB 9 change on questions like production and constraints, but again, in the context of that
14 rejection letter, it's hard to see it being enough given the limited area of the Focus Area. He
15 would like to see the City reach Certification sooner and asked that the RHNA rezoning changes
16 be taken citywide perhaps as a coupled workstream. That's a modest move, proposed by staff
17 just weeks ago, it's the kind of thing that would really impress HCD because it's a broad reform.
18 And townhomes are also good. The Planning Director stated that we won't be getting details on
19 HIP until next year so this is the last call for making an argument that the development
20 standards have been addressed as a constraint, at large... meaning not just constrained to
21 RHNA sites.

22

23 Mr. Ted O'Hanlon commented that he works closely with developers and has a unique
24 perspective on what is being considered tonight and what's been considered in the past in
25 trying to promote more housing development. He agreed with comments from speakers about
26 being open to standards across the city, the predictability of housing projects is very difficult to
27 prognosticate and by having standards that might be available in sites that would not otherwise
28 be known to the city at this point, might have those step forward while others that maybe are
29 identified go away. The Creekside Inn has submitted two applications to the city. One in 2022,
30 which was about 380 residential units and this past year, they submitted a secondary
31 application which was responsive to comments heard in 2022 related to maintaining some of
32 the hotel use. The current proposal is for 185 residential units and approximately 136 hotel
33 units with four townhomes. This would retain several buildings that are already on the site, and
34 we've always been mindful in designing that, of being aware and respectful of the riparian zone
35 that the Matadero Creed presents in this project, staying within 20-feet of the top of the bank.
36 They are encouraged by the height allowances that might allow for less parking below grade. By
37 allowing more height, you can do the parking above grade and within the core of the building,
38 rather than excavating below grade and disrupting more sensitive environments.

39

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1 Ms. Kelsey Banes, a former Palo Alto resident who lived in Palo Alto when this process started
2 years ago, but unfortunately decided that change was happening too slow in Palo Alto for her
3 to have any kind of future in the city, so even though I'm serving the city Palo Alto as a County
4 Psychologist, it's not a place where she feels people at her income level are welcome. She's
5 enjoying the stability of rent control in Mountainview, but here to support a lot of the proposed
6 zoning changes. As a starting point, it is really exciting to see some big numbers on a block of El
7 Camino and on the border of Mountainview. But the geographic scope is insufficient at this
8 point. It seems like staff have been taking an incremental approach to the Housing Element
9 revision process which warrants the question of how many more rejection cycles do we want to
10 go through before they start listening to housing advocates. Councilmember Bert correctly
11 pointed out that HCD really does care what Housing Advocates have to say and in
12 Mountainview, staff proactively met with housing advocates, they didn't get everything we
13 wanted, but they received meaningful changes based on Mountainview's input they now have
14 an approved Housing Element. She submitted several questions to the housing element website
15 that weren't acknowledged or answered, and those were submitted during public comment
16 period, and there was also a community meeting last year that ran out of time before the
17 questions were answered. Staff said they would post the answers to those questions on the
18 website but they have not yet been posted. Understanding they work hard, she strongly
19 recommended that the city actively and regularly meet with housing advocates, most
20 importantly Palo Alto Forward, before submitting the next draft, and really grapple with
21 affirmatively furthering fair housing and look at regional patterns of segregation to understand
22 why Palo Alto is so opposed to concentrating affordable housing by the freeway, where there
23 aren't amenities or transportation, no bike safety, and why aren't they imagining bigger
24 projects downtown. There are buildings and mixed use developments going up that are single
25 digit housing counts and it's just not good enough.

26
27 Mr. Owen Byrd, former member and Chair of this Commission and member of the Board of the
28 MV Action and the most recent addition to the Board of Palo Alto Forward and requested that
29 the PTC not follow staff's recommendation. Instead tell Council that as drafted, these changes
30 to the General Plan, or to the Comp Plan, and the zoning are insufficient. The El Camino Study
31 area should be extended to other areas of the city. There's a comment in the staff report that
32 specifically talks about precedential effect, the proposed concept, meaning the ECR Focus Area,
33 is not likely to be replicable in other parts of the city. He disagrees. It's a great process and
34 should be replicated in other parts of the city. A 10% buffer is not going to cut it with HCD.
35 Redwood City and Mountainview, who both have certified Housing Elements have buffers
36 closer to twenty and thirty percent, and that's what you're going to need so again, this draft
37 ordinance contains a finding around the zoning amendments that says an inventory of sites
38 suitable and available for development that is sufficient to meet the city's RHNA during the
39 Housing Element planning period. He disagrees and doesn't believe the PTC can recommend to
40 the Council that it adopt this draft ordinance.

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Chair Summa thanked the public speakers and called for a short break while Commissioner Lu recuses himself.

[PTC returned from break with all members present except Commissioner Lu who recused himself for the remainder of the item]

Chair Summa summarized that the PTC will discuss the remaining issues and will want four motions. Commissioner Lu will rejoin the PTC after the El Camino Focus Area, and then the PTC will discuss and vote on the Comp Plan amendments, Title 18 amendments excluding 18.14, and then the new portion 18.14.

Commissioner Templeton requested more information on why the City is doing one side of the street and not more of El Camino.

Director Lait explained this is a concept that sort of evolved from the City Council Housing ad-hoc and so in that conversation and for the reasons that they provided in that presentation. That doesn't mean that other areas, as City Council members noted, might be eligible, or could be considered for additional development potential. We're not relying on those other sites right now, with respect to RHNA, and they have this timeline that we're up against for January 31st, so the focus is on the sites for RHNA. Nothing would preclude staff from coming back and making some changes in the future. Including changes to the Housing Element if that was appropriate to do so. The other consideration is that a lot of the properties also fall within the North Ventura Coordinated Area Plan, which is a process that has extended for many years, as they are close to having that wrapped up. Adding more sites in that area would but a hamper on that effort.

Commissioner Templeton asked if any specific carve outs that they make for the El Camino Focus Area tonight will be in the one side of the road and not on the other side of the road to not interfere with NVCAP, or can they not be in both like areas.

Director Lait answered that they could be, except that staff has policy direction from the City Council about North Ventura Coordinated Area Plan that we are following up on, and it doesn't include the development scale in density effort that they're talking about on the west side of the street. Again, not precluding that discussion in the future, but if they want to meet the deadline, then staff recommendation is that we focus on the items that are before us, it's a function of time. We've not analyzed these other sites for eighty-five feet and 4.0 FAR. Why it makes sense at this location on the west side of El Camino in particular is because there are not sensitive land uses. A delay to NVCAP can have financial implications to the city. Again, nothing precludes us from making changes down the road. With respect to the buffer, HCD has looked

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1 at our Housing Element twice, and not once have they criticized the buffer that we have which
2 is a ten percent buffer, that is the standard that is provided for in the code. It met the Law, and
3 that's what we have.

4

5 Commissioner Templeton summarized that we're going to keep NVCAP El Camino boundaries
6 separate from this other El Camino stuff we're looking at because there are implications that
7 are not on the surface, that have to do with how we're handling each of these areas and
8 outside of the commentary we heard tonight, that we don't need more buffer.

9

10 Director Lait replied they have not heard from the State that they need more of a buffer zone.

11

12 Vice Chair Chang asked if the opposite side of El Camino is different specifically in a way, where
13 many of the parcels back onto low density residential.

14

15 Director Lait replied there are some, including some areas in NVCAP boundary. Context is
16 important and we have not done as extensive review, in fact we've not done a review of eight-
17 five feet and 4.0 FAR on the other side of the street. It may be appropriate, but if it's adjacent
18 to R-1, the city has a long interest in trying to ensure transitions between those two very
19 different density zones.

20

21 Vice Chair Chang inquired about removing a parcel from the housing element unless a
22 developer didn't use the Bonus Density Law.

23

24 Director Lait stated he was not aware of a letter that stipulated that but that aside, he had
25 conversations with Acclaim properties before we had the housing Focus Area. They have an
26 application that's on file for a builders remedy that the city doesn't believe is applicable
27 because they haven't adopted the housing element, staff also has concerns that the project
28 doesn't meet State Density Bonus Law as it's designed. That's an application that may not be
29 resolved locally as far as the outcome of that project. And if that takes some time and there's
30 some concerns about that it would be incumbent on us to find another site if we didn't think
31 housing was feasible at this location. He believes they have to find sites that are going to be
32 built and if there's uncertainty or question about that site, then it begs to question. The Focus
33 Area standards that we've identified are the ceiling of that. It's largely modeled off of the
34 development that's on file.

35

36 Vice Chair Chang asked if they could extend the Focus Area by a block on that same side of the
37 street. It's not specifically Agendized, but the Focus Area is.

38

39 Mr. Yang, City Attorney, stated that would be a fine and fits within what's been advertised for
40 this item. If that's what the PTC wants to recommend, that's within their study.

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1
2 Vice Chair Chang questioned what the implications would be and is that something that needs
3 to be further studied.

4
5 Director Lait commented that this is new information, and the owner has different properties
6 or different LLC's and so they show up as different owners, he received information during the
7 break that it could have potential, but we've not done the analysis and have not looked at it in
8 the context of the Housing Focus Area standards that are being contemplated. Ms. Eisberg
9 noted in her presentation, there's a parallel process that we're proceeding on right now, that's
10 before the PTC which is the implementing ordinance to make sure they we can meet the RHNA
11 numbers from the Housing Element. We are also having to update our Housing Element at the
12 same time and that's going to follow this effort. Making changes to our site inventory would
13 have a cascading effect in the Housing Element that was already given to the consultant with
14 the green light to go on doing the analysis based on the site inventory they have, meeting the
15 buffer that we have established; if we wanted to change that, there will be at cost and time to
16 the City to make those adjustments.

17
18 Vice Chair Chang asked what that process would be.

19
20 Director Lait stated it's not required for the action that's before you today. But it could be
21 extended to additional properties that we would want to extend the housing Focus Area too.
22 So, even if it's not included in this next round, they could talk about extending it on the west
23 side where appropriate, if we want to strive to meet the deadline and if we want to, not delay
24 the Housing Element itself, these may be things they would want to do as follow up actions
25 after the City gets they implementation ordinance adopted and our Housing Element approved.

26
27 Vice Chair Chang questioned if it was correct that the twenty-foot stream setback could be
28 dismissed by a geotechnical report.

29
30 Director Lait answered that got his attention as well. It does look like it provides some
31 exceptions based on a geotechnical study, he would have to read more about it. As noted, in
32 the presentation, this is something that Council also asked staff to look into. They are in the
33 process of securing a consultant to assist with that and it's staffs hope that by the end of the
34 fiscal year, they can have some standards before the PTC and hopefully before City Council.

35
36 Vice Chair Chang asked what's the implication for an updated ordinance on this Focus Area and
37 would it still apply or is the streamside ordinance as it exists today frozen in place at the time of
38 creation of the Focus Area?

39

-
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1 Director Lait explained that is a complicated question. Simplistically by saying that if there's no
2 building... if there's no application on file and the codes change, when they file the application
3 that's when the standards would apply. We have interest for redevelopment of the site and this
4 applicant, potential applicant is also asserting a potential builders remedy application for this
5 property, which again the state... the city doesn't believe is applicable because we have an
6 adoptable Housing Element, but nevertheless this may be something that needs to get resolved
7 in court. And the thing about SB 330 and Builder's Remedy is that it seeks to freeze the
8 development standards that are in place at the time. So, I would say that we've heard from the
9 Council, some comments at the study session and you heard a commenter tonight who has
10 some familiarity with that particular property at 3400 El Camino, if the planning commission felt
11 that some additional standards were needed, those might be standards that you'd want to
12 incorporate as a part of your recommendation to Council, but again, our starting place is the
13 code. And that's twenty feet.

14
15 Commissioner Akin requested clarification about the existence of the housing Focus Area that
16 doesn't preclude the use of the State Density Bonus Law, and is it that they just don't combine.

17
18 Director Lait clarified that one could not use the State Density Bonus Law in conjunction with
19 the 4.0 and eight-five feet. You could still use it for the base zoning if you wanted to do that.

20
21 Commissioner Hechtman asked what the penalty is if they fail to adopt a zoning ordinance
22 implementing at least program 1.1A by the January 31st deadline.

23
24 Mr. Yang explained it means that whatever Housing Element is currently adopted will no longer
25 provide any defense. Palo Alto could not argue that they are in compliance with State Law.
26 Right now, the City's position is we think our Housing Element complies with the minimum
27 requirements of State Law. [TIMESTAMP 3:43:29 audio cut out] our position again after January
28 31st, if we haven't adopted an implementing ordinance.

29
30 Commissioner Hechtman requested information on the relationship between those two
31 actions. If they adopt our implementing ordinance by January 31st, but the final form of the
32 Housing Element is not implemented by January 31st, is the City still protected.

33
34 Mr. Yang answered yes, because there's nothing precluding us from doing more in our
35 implementing ordinance than what program 1.1 states. So, as long as we are including what
36 they adopt in Program 1.1, that's the important piece. What they would be doing with these
37 additional elements is going a little bit further and then at a later date, we would have the
38 Housing Element basically catch up to the implementing ordinance.

39
40 Commissioner Hechtman asked if there is a downside to a bigger than ten percent buffer?

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Director Lait responded that the potential downside is if sites redevelop... if Housing Element opportunity sites redevelop for uses other than housing or not at the density that we've projected, then we would sort of eat into that buffer and if we ... if we see enough of those sites turn over in ways that we're not anticipating, then we would need to make some changes to our Housing Element to increase the buffer before it fell below zero. So, the only downside is if, you know, we may have to make amendments more quickly to our Housing Element and opportunity sites if we see those sites being turned over to other uses.

Commissioner Hechtman commented that it seems that a bigger buffer provides more protection from these sites that you're anticipating for housing not going to housing, going some other direction and now whatever, those fifty units, that site where you thought we'd get fifty units or we planned fifty units as part of our 6,087, now that is clearly off the table so we need to go into our buffer and pull fifty basically, kind of conceptually. Maybe this is the thinking of those cities that have gone beyond the state law minimum of ten percent, is this gives them some protection from having to quickly make decisions when they bump up against the edge of the buffer.

Director Lait stated potentially yes, this was a discussion point that with the Housing Element Working Group, and there was discussion of where to set that buffer and one of the concerns at the time, was as cities and jurisdictions identify site by sites on the inventory, their ability to reuse those sites have other strings attached to it. So, if you're going to carry over a site that wasn't developed for housing, then you have to meet some density standard or whatever the provisions were. That was one of the reasons that encouraged the city to keep the buffer to the minimum and yes, it could be changed. It could be fifteen, twenty, twenty-five percent. But to do that, they need to identify sites and that again would have this cascading effect and would delay the Housing Element itself.

Mr. Yang added that having more sites on our inventory now might limit us from using those sites in future Housing Elements. And there are also certain Housing Law provisions that only apply to inventory sites, that would limit their local control over those. Those are some of the down sides.

Commissioner Hechtman inquired if once they get successfully through January 31st, if somebody comes in with a proposal that is attractive to City Council, and they're interest in treatment similar to what's in the Focus Area, Council will have the ability to make whatever General Plan amendment and zoning amendment that would be necessary to allow that project to go forward under the same rule as the Focus Area.

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1 Director Lait answered yes, and that could proceed under a zone change, either that the city
2 initiates or applicant files. It can be done as a PHC, which we're not pushing that so much
3 anymore because the standards are going to be in place; it would take a zone change and
4 direction from the Council.

5

6 Commissioner Hechtman inquired why staff thinks the Focus Area incentives would entice a
7 developer to choose that option rather than State Bonus Law with the menu of incentives that
8 it offers, how does this pencils out better than State Density Bonus Law.

9

10 Director Lait explained that the main reason is when using State Density Bonus Law you're
11 looking at the base restrictive development standards. And this is an area of the city where we
12 don't actually have a density restriction. When you don't have a density restriction on the
13 commercial properties, you look at your density bonus based on floor area. And our floor area
14 for residential development about .4, if that, maybe it's .5, .6, somewhere around there. Your
15 35% density bonus is better if you're able to accomplish that based on that .5 FAR. So, even if
16 you doubled it you're now at 1.0 or 1.0 and change. Palo Alto is offering 4.0. In terms of
17 development potential, we see this as a substantial upside to what's available through State
18 Law.

19

20 Chair Summa inquired if conditions could be added for bird safety.

21

22 Director Lait stated that's going to be a more complicated ordinance with specific regulations
23 and standards, that aren't developed yet, as opposed to a setback which is measuring a
24 distance.

25

26 Chair Summa stated the City has recommendations.

27

28 Director Lait answered he thought it would be difficult to come up with some standards to
29 forward at this time.

30

31 Chair Summa moved the item on to Commission comments.

32

33 Vice Chair Chang thanked staff for the work on this and for including Council's comments and
34 commented that she would like to see a way to preserve that twenty foot setback without
35 relaxing it, because this is already a naturalized area of the creek that they want to stay that
36 way. She's concerned about the transitions for just the Creekside property, and she would like
37 to include something that helps us ensure the integrity of the twenty foot setback. She is also
38 concerned about the transition zone and we should study what is the right number for that
39 setback. In addition, what's good for the rest of Palo Alto should be good for this section too.
40 She would want to see it more evenly applied.

-
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2 Commissioner Templeton commented she agrees with Vice Chair Chang and is frustrated with
3 this item because the Commission has brought forward many valid concerns and have been
4 told we're throwing the city off track for their Housing Element. She commended staff for
5 jumping in and trying to work on this piece, which is very objectionable. Absolutely we have to
6 have the creek setback, there's no question about it and if it throws the city off, then we have a
7 problem. When talking about the setbacks against the R-1 residential single family homes, that
8 is so unfair in that Chimalus Drive. We keep talking about it and properties that are south of
9 Page Mill and Oregon, and we're not talking about that kind of stuff in other parts of the city
10 and well, there's properties everywhere in this city, and we don't want to treat people
11 differently in some parts of the city versus others, and we don't want to abut large, seventy
12 plus foot structures against R-1 homes. And, if that's our choice to accept this or reject this, it's
13 a hard choice to support the way it's been positioned so far, and the way that the feedback that
14 we're giving is being dismissed, in the name of getting this out the door. Commissioner
15 Templeton felt like they're stuck between a rock and a hard spot because this isn't ready. At
16 any other point in time, there's no way this would be considered for approval. She is really
17 uncomfortable with it.

18
19 Chair Summa agreed with Commissioner Templeton's concerns and has been a big proponent
20 of the 150 foot transition zone, but also thinks that we've never had a discussion about it. I
21 don't know what number it was based on, when. If you break up the lots there's maybe some
22 wiggle room to get thirty-five feet. Another concern with this property is both the daylight
23 plane, and this is the only property in which it's different from the others in the El Camino
24 Focus Area, and the ECRFA. There needs to be a reasonable setback to the residential property
25 in the rear. The preliminary plans had forty-five feet from the rear property line of the houses
26 on Chimalus, and that's where the circulation and parking. That might be a really good
27 compromise, to require the setback that would abut the low density residential. So, in addition
28 to being held to thirty-five feet for a certain distance, and then being able to jump up higher,
29 that thirty-five foot building wouldn't start until suggest twenty, because that's the normal
30 setback. An easy way to describe it is where you have a property in the El Camino Focus Area
31 abutting a low density residential, only on that property line, it should be held to the standard
32 setback of the zone next to it. That's a very common concept in our area and that's actually
33 where the transition height zone came from. It might really improve it and if the building
34 needed to go up a little on the interior, then that would be a good tradeoff. As much as she
35 appreciate the work that's been done she's very uncomfortable with it and doesn't think other
36 sites on El Camino have this problem at all. Twenty feet is pretty firm, although we have
37 contemplated going greater, but didn't think we have to worry about that.

38
39 Commissioner Templeton agreed but was concerned that it can't have both on this site. There's
40 not a lot of space between the creek and the back property line.

-
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2 Chair Summa stated that it's actually a really big site, and the twenty feet is not an
3 insurmountable problem, and their plans already show these types of setbacks.
4
5 Commissioner Templeton responded that she's looking at the drawing and wasn't sure that's a
6 workable project to space. Her concern is that the people who are adjacent, the residential
7 properties, don't have to look at a seventy foot building behind their house.
8
9 Chair Summa explained it would be an addition to the height transition and the daylight plane,
10 which they're not adjusting, rather diminishing the height transitions. This would add additional
11 protection which would be a setback by saying you can build up to thirty-five feet high, up to
12 the property line.
13
14 Director Lait commented that this property has a ten foot setback because it's split zoned.
15 There's CS adjacent to El Camino but there's RM 30 behind it. So RM30 is the zoning and so our
16 code today would require a ten foot setback for rear setback.
17
18 Chair Summa stated she's just suggesting it be twenty, which is the standard rear setback they
19 would expect behind their properties. (crosstalk)
20
21 Vice Chair Chang clarified that it's for low density residential. So, if it were a low density
22 residential lot behind it then it would be a twenty foot setback.
23
24 Chair Summa commented that her idea was in addition to the transition heights, to add a
25 setback requirement, only on the property lines that abut low density residential, that they
26 have the setback of that low density residential that they abut. Which is pretty minor and it's
27 workable, and it respects the development that we want to see happen in this area. It also
28 respects the houses on Chimalus.
29
30 Director Lait explained that it is RM-20 and he will note that it is a three hundred foot deep lot
31 from El Camino to the R-1 properties, so it is a fairly deep parcel. And depending on what other
32 development standards they/a property owner may decide to take advantage of the standards
33 that the city thinks is appropriate for this housing focus area, or opt to stay with the application
34 that they have submitted their preliminary application for, that would be their option or right
35 to submit one or the other, or neither. There's been a lot of talk about the setbacks and being
36 less than twenty feet, the application that is on file with the city is not, or the preliminary
37 application that's on file with the city is not proposing to encroach into that twenty foot setback
38 from top of bank. There are some existing structures that are there, that may encroach, and the
39 other factor is that this is a hotel site, and it's unknown if the housing focus area zoning that
40 you're contemplating tonight causes the developer/property owner to pursue an all housing

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1 project or to continue with a mixed use project that would include a hotel and housing. We
2 don't know exactly what their interests may be, and that may shift depending on what setbacks
3 or standards we ultimately implement.

4
5 Chair Summa stated she could be comfortable with what Vice Chair Chang suggested which
6 was, instead of reducing it to seventy-five feet, from 150 for the thirty-five, to go a hundred,
7 but that if that's not workable, keeping that box with the seventy-five feet, for seventy-five
8 feet, at thirty-five feet, and then the next one for the forty-five foot height, all she's adding to
9 that, is the idea of an additional setback. And because it's different from the others in this area
10 and there's not much to add to the work... from her point of view, except that.

11
12 Commissioner Templeton added that her point is not that they couldn't figure it out, it's that
13 we're probably not going to be able to figure it out on this timeline from what staff has said.
14 She's concerned, it looks like on Slide 22, we've been talking abstractly and not referring to
15 anything it has the potential to go well, and it has the potential to not, and usually we have the
16 time to go through and be really clear and clean about it, and that's where her concern is, not
17 that they couldn't be creative, but whether they have the time.

18
19 Commissioner Hechtman inquired about the number of units in the pre-application.

20
21 Director Lait answered 150.

22
23 Commissioner Hechtman inquired if they are hoping to get more residential from this parcel
24 with the Focus Area Incentive program.

25
26 Director Lait replied that it would depend on whether the property owner was interested in a
27 mixed use development or whether they went straight to housing. If they went to all housing,
28 staff would expect more units..

29
30 Commissioner Hechtman commented that the perfect is the enemy of the good. This is a fast
31 process, because it has to be, and there are some heavy risks to going too slowly. By his
32 estimation the benefits of moving slowly do not outweigh those risks. It's odd to be in the
33 context of a macro zoning ordinance that is implementing big picture programs, to be micro
34 designing one side of one parcel. He doesn't believe it's in the context of what's before them
35 and he's not supportive of treating an RM-20 site that has a ten foot setback, as though it were
36 an R-1 site that had a twenty foot setback. The people in this neighborhood that are next to
37 that property, bought next to an RM-20 that had a ten foot setback and they could reasonably
38 expect that something could be built that close. As a practical matter, we don't know what
39 would be proposed. And it could have drive-aisles in the back. It's not within the purview of this
40 item to address that tonight. I think we are expressing our concern that that interface between

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1 those single family homes and whatever might be built in this box we're designing might be too
2 impactful. Unfairly impactful to the residents and felt that was something that staff can
3 consider as this travels via the PTC's recommendation to the Council. Maybe there are some
4 adjustments, but he's really uncomfortable adjusting the setbacks and the daylight planes on
5 the fly from here because it hasn't been studied by anyone as of yet. He's not wanting to go in
6 that direction.

7
8 Vice Chair Chang commented that what Chair Summa suggested is a really good compromise.
9 To Commissioner Hechtman about not wanting to do something that addresses just one side of
10 one parcel, she looks at this El Camino Focus Area concept as a concept that could very easily
11 be pushed down the rest of El Camino and since they're looking at an Ordinance with very
12 specific numbers in it, and being asked to recommend that, she wanted to make sure they're
13 recommending something that has legs, that could then be extended, if applicable. As the
14 Focus Area is currently defined, the suggestions made by Chair Summa only effect one parcel.
15 But they want to get this concept of the Focus Area right. She believed that they can move fast
16 with this compromise.

17
18 Commissioner Reckdahl that he's struggling with this, on one hand we want to protect the
19 neighbors, the other hand, if we protect them too much, we may end up with a Builders
20 Remedy building here, which actually protects them less. He's more sympathetic to the step up,
21 changing that seventy-five to one hundred. Making a twenty foot setback on the RM-20, he's
22 not quite as confident. Looking at the current satellite image, it looks like one of the hotel
23 rooms is right up against the boundary, so in fact a ten foot setback would actually give the
24 neighbors some extra space. And there is still the daylight plane, so even with that ten feet,
25 they could only go up to twenty feet right away. He didn't feel strongly about twenty versus
26 ten. I feel more strongly about making the seventy-five, one-hundred feet.

27
28 Commissioner Templeton commented that it's a tragedy that they are all agreeing and there's
29 no time to hash it out and feels like it's a mistake to rush and if that's what they have to do as a
30 city, City Council can do that. She would not be supporting it even though she thinks the ideas
31 that are proposed are good. As a whole, this is disorganized and we're including a parcel or
32 parcels that are very different than the others and treating them all the same. They are going to
33 face unexpected consequences if they try and treat them all the same.

34
35 Commissioner Hechtman clarified that he thought the motion was just about the twenty foot
36 setback, not about the whole Focus Area. He believed that needs to be a discreet motion. If the
37 motion is for the Focus Area, and it include a twenty foot setback on that one side, then now
38 would be the best time to do that, because the changes to the ordinance he has don't have
39 anything to do with that.

40

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1 **MOTION #1**

2

3 Chair Summa motioned for the Creekside Apartment only they have an additional development
4 standard that says that on any property line that abuts a low-density residential, they mirror
5 the setback requirement of that low-density residential zone.

6

7 Vice Chair Chang seconded the motion for discussion and inquired why they are saying it's for
8 this property only and not for any property in the El Camino focus area because (crosstalk)

9

10 Chair Summa responded it only effects this property.

11

12 Vice Chair Chang commented she didn't see the point in spot zoning when they might be
13 extending the focus area.

14

15 **MOTION #1 Amendment**

16

17 Chair Summa agreed and amended the motion to read: In the El Camino Real Focus area,
18 properties that abut low-density residential shall have the same setbacks on property lines that
19 abut those low-density residential zones. What? You can fix the language if you're finding it...

20

21 Director Lait commented for ease of administration, he would suggest a 20 feet setback where
22 adjacent to a low-density zone.

23

24 Chair Summa agreed because it's the same for all low-density residential and they would allow
25 circulation and parking in that twenty foot setback.

26

27 **SECOND**

28

29 Vice Chair Chang seconded the motion.

30

31 Chair Summa: Would you like to speak to your second?

32

33

34 **VOTE**

35

36 Ms. Veronica Dao, Administrative Associate: Commissioner Akin?

37

38 **VOTE INTERRUPTED**

39

40 Director Lait: Pardon me, I thought we agreed to a fixed twenty foot setback.

-
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1
2 Commissioner Hechtman clarified the twenty foot setback was for the rear property line only.
3
4 Chair Summa answered yes.
5
6 Director Lait noted that this actually may be a side setback because Matadero, is the shorter
7 property line. The way the code reads for RM 20 is a ten foot setback for rear and side property
8 lines he's hearing Chair Summa say she wants a twenty foot setback where a property line
9 abuts a low density R1 zone.

10

11

12 **VOTE MOTION #1**

13

14

15 Ms. Dao recorded the Motion carried 5-1-1 (Commissioner Hechtman No, Commissioner Lu
16 recused).

17

18 **MOTION #1 PASSED 5** (Akin, Chang, , Summa, Reckdahl, Templeton) -1 (Hechtman No) -1 (Lu
19 Absent)

20 **Commission Action:** Motion by Summa, seconded by Chang. Pass 5-1-1

21

22

23 Commissioner Reckdahl noted that this is a Stanford property and in the Council meeting,
24 Councilmember Burt asked whether you could enforce property tax by zoning.

25

26 Mr. Yang answered there's no simple answer and probably not. You can't require the payment
27 of property taxes through zoning. You may be able to regulate that any residential uses must be
28 open to the general public.

29

30 Commissioner Hechtman reviewed revisions in the language of several ordinances for
31 correction.

32

33

34 **MOTION #2**

35

36 Vice Chair Chang motioned that the height transitions on Table 3, Packet Page 80 for the El
37 Camino Real Focus area, should be made to be universal, to R-1, R-2, or RMD and change
38 seventy-five feet to one-hundred-feet in low density residential housing districts.

39

40 **SECOND**

-
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Chair Summa seconded the motion.

Director Lait stated that Ms. French noted that R-1 is not included in residential low density housing and would Vice Chair Chang like that included in the motion.

Vice Chair Chang replied yes please.

VOTE FOR MOTION #2

Ms. Dao recorded the motion carried 5-1-1 (Commissioner Hechtman No, Commissioner Lu recused).

MOTION #2 PASSED 5 (Akin, Chang, , Summa, Reckdahl, Templeton) -1 (Hechtman No) -1 (Lu Absent)

Commission Action: Motion by Chang, seconded by Summa. Pass 5-1-1

Commissioner Hechtman spoke to his no vote and believes what’s happened here is they have approved what are essentially two constraints to this new concept that hasn’t been approved yet. They are already making it potentially less attractive to someone who has other options, specifically State Bonus Law; and doing do without an understanding of how much of a risk that is or is not.

Commissioner Reckdahl expressed a concern that with the Stanford property the upzoning could result in a lot of housing with a lot of children, potentially, and they have to protect PAUSD and to take advantage of this either they property tax, or pay equivalent fees to make up for that to help mitigate the impacts of their having both on PAUSD and on Foot Hill.

Mr. Yang stated that if the PTC wanted to just make the motion staff to research and implement a method to implement these sites.

MOTION #3

Commissioner Reckdahl motioned that staff research how to protect PAUSD, Protect the potential loss of property tax should the property become affiliate housing.

SECOND

Vice Chair Chang seconded the motion.

-
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Chair Summer asked if Commissioner Reckdahl wanted to speak to his motion.

Commissioner Reckdahl stated that Palo Alto is not penalizing them, they just want to be on an even playing field. Whether it's affiliates or not affiliates, they have the same impact on PAUSD and ensure that's covered in some way.

Commissioner Templeton suggested it might be phrased better to say that properties, residential properties built in this zone need to provide funding for school services, either through property tax or another means. I would be better to say it in a more positive way and felt a little uncomfortable with the word "protecting". They aren't protecting the school district, they are trying to make sure the kids who attend the school district are funding it, because that's what is needed to have a school district experience.

Commissioner Reckdahl responded that it's not just PAUSD, there's County education that gets funded by this, Deanza gets funded by this, there's a lot of educational functions there that are paid by the property tax. It should be kept generic and request staff research how to protect us. It doesn't change what staff is going to do.

MOTION #3 Amendment

Commissioner Templeton suggested saying funding for XYZ services... educational services should be provided whether through property taxes or a separate funding mechanism.

Commissioner Reckdahl accepted the Amendment.

Vice Chair Chang also accepted the Amendment.

Commissioner Reckdahl commented that the only caveat is it should be market rate as opposed to saying any residential, because Palo Alto does not charge property tax on BMR.

Commissioner Hechtman commented they should have staff figure it out, ideally, all those things that property tax covers whether it's paving the streets or other city services or county services, those residents are impacting whether they are affiliates or not. So yes, ideally the whole property tax would be paid. He wanted to clarify that.

Commissioner Reckdahl stated the biggest impact is PAUSD because it would be such an enormous part of their budget. Other entities are not nearly as affected.

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1 Commissioner Hechtman recalled that once upon a time, a developer would apply for a
2 development in the city and the school district would show up and say our costs are greater
3 and cities would tell the developer to go satisfy the school district, and until you do, we're not
4 going to approve your project. Deals were made. At some point the State stepped in and
5 intervened and said no, we're not going to have this, we're going to have a set way to fund
6 public schools. He's interested to see what City Council will come up with and if this can be
7 legally done, he didn't want to prejudge that by supporting the motion.

8
9 Director Lait clarified that while there's been some talk about Pasteur site, the Commission is
10 talking about the Housing Focus on El Camino right now, so this motion would apply to just the
11 El Camino Real property.

12
13

14 **VOTE MOTION # 3 (Amended)**

15
16

17 Ms. Dao recorded the Motion carries 5-1-1 (Commissioner Hechtman No, Commissioner Lu
18 recused).

19

20 **MOTION PASSED 5** (Akin, Chang, , Summa, Reckdahl, Templeton) -1 (Hechtman No) -1 (Lu
21 Absent)

22 **Commission Action:** Motion by Reckdahl, seconded by Chang. Pass 5-1-1

23
24

25 **MOTION # 4**

26

27 Vice Chair Chang moved that the PTC approve staff's recommendation for the El Camino Real
28 Focus Area, including the previous motions that we've made already.

29

30 **SECOND**

31

32 Commissioner Reckdahl seconded the motion.

33

34 **VOTE MOTION # 4**

35

36 Ms. Dao stated that the Motion carries 5-1-1 (Commissioner Templeton No, Commissioner Lu
37 Absent).

38

39 **MOTION PASSED 5** (Akin, Chang, Hechtman, Summa, Reckdahl, Hechtman) -1 (Templeton No) -
40 1 (Lu Absent)

-
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1 **Commission Action:** Motion by Chang, seconded by Reckdahl. Pass 5-1-1
2
3 Commissioner Templeton spoke to her No Vote and stated that her objection to this is it's not
4 well thought out, not ready for prime time and has a lot of risks to it. She's not yet convinced
5 that the risks are insignificant and so she wanted her objection on record.
6
7 Chair Summa stated they were ready to invite Commissioner Lu back in.
8
9 **MOTION # 5**
10
11 Vice Chair Chang moved that the PTC recommend the staff changes to the Comprehensive Plan
12 to City Council for adoption.
13
14 **SECOND**
15
16 Commissioner Akin seconded.
17
18 Director Lait noted that this motion incorporates the comments that were made by Ms. Eisberg
19 about the adjustments.
20
21
22 **VOTE MOTION # 5**
23
24 Ms. Dao: Motion carries 7-0-0.
25
26 **MOTION PASSED 7** (Akin, Chang, Hechtman, Summa, Reckdahl, Hechtman, Templeton, Lu) -0-0
27 **Commission Action:** Motion by Chang, seconded by Akin. Pass 7-0-0
28
29
30 **MOTION # 6**
31
32 Vice Chair Chang moved that the PTC recommend that Council adopt the staff recommendation
33 for the changes to Title 18, excluding 18.14 which begin on Packet Page 84, yes 84.
34
35 **SECOND**
36
37 Commissioner Akin Seconded the motion.
38
39 Chair Summa: Would you like to speak to your first?
40

-
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1 Commissioner Templeton noted that this has that GM ROLM information that we talked about
2 last time and asked if this what was talked about last time.

3

4 Director Lait responded that this motion would pick up on Packet Page 85, Section III and
5 continue to the end, and while there is some reference to ROLM and GM, that's for permitted
6 uses, not the development standards.

7

8 Commissioner Hechtman referenced Packet page 28, as it relates to Table 2 on Packet Page 86.
9 It says that residential densities for townhouses can vary from 10 to 40 dwelling units per acre
10 (DUA) and that discussion was to encourage property owners to build more densely than
11 townhouses. If townhouses can vary from ten to forty DUA but the draft ordinance takes a
12 modest approach raising the floor to at least twenty DUA, questioning if setting the floor at
13 twenty does that discourage townhomes, and if so, in what way.

14

15 Director Lait thanked Commissioner Hechtman for flagging that and stated that staff was
16 concerned as well and if this an area expecting higher density, setting too low a minimum
17 density standard may result in a housing product that we're not anticipating so, thank you for
18 flagging that and staff would appreciate the Commission's discussion on that.

19

20 Commissioner Hechtman stated one of Ms. Eisberg's slides showed what a 39 DUA looked like
21 compared to a 15 DUA, warranting the question of what the right DUA is. If townhomes can be
22 at 40 DUA, is that the floor that's desirable? And does that apply in RM 20 and 30? It already
23 applies to RM 40. And RM 20 is RM 20 because it's twenty DUA. So, are we talking about
24 collapsing everything at RM 40?

25

26 Vice Chair Chang commented she's not sure it's a problem they have the knowledge to solve
27 tonight. The thought of collapsing everything into RM 40 sounds like a really big decision so that
28 doesn't sound good because that's not what our Housing Element has said, and she's not sure
29 people realize that was something that the PTC would be considering during this meeting so
30 that doesn't sound good, but seconded Commissioner Hechtman's concern about is twenty
31 enough.

32

33 Director Lait answered he didn't know if they had a precise number either, which is why they
34 punted it to the PTC. Staff will continue to refine it and see if they can come up with a number.
35 When they write their report for Council they will note that PTC flagged this issue and staff's
36 done some additional work.

37

38 Vice Chair Chang requested staff read the motion that is currently on the table.

39

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1 Director Lait stated that the motion is to move the staff recommendation with respect to the
2 Title 18 Amendments starting on Section III and going for the balance of the Ordinance,
3 excluding 18.14. And I think you can have that motion, or you can have another motion to
4 second that if you want.

5

6 Commissioner Lu commented that in the GM zone it's saying that there can be no residential or
7 mixed use development outside of the designated sites, which we'll cover in 18.14. There are
8 substantial parts of the GM zone that would therefore be closed off and our plans of building a
9 real neighborhood are limited when large chunks of warehouses can't be further redeveloped. I
10 think in the ROLM zone there's more flexibility here.

11

12

13 **VOTE MOTION # 6**

14

15

16 Ms. Dao recorded that the Motion carried 7-0-0.

17

18 **MOTION PASSED 7** (Akin, Chang, Lu, Hechtman, Summa, Reckdahl, Templeton) -0 -0

19 **Commission Action:** Motion by Chang, seconded by Akin. Pass 7-0-0

20

21

22 Commissioner Reckdahl stated he had a couple of concerns about the Pasteur site. Whether it
23 is affiliate housing or whether it's open to the general public, and is there property tax. To a
24 certain extent, housing is fungible and so anything that affiliates take up on campus or near
25 campus reduces pressure elsewhere. He wants to ensure that the education systems aren't
26 impacted. He would have the same exact motion as they had before.

27

28 Vice Chair Chang agreed that the housing is fungible. If it's not built on campus, then Stanford
29 affiliates will need to use off campus housing. And we have so many Stanford affiliates right
30 now who live off campus already, so if there's more opportunities for them to live on campus,
31 that's fantastic. Her concern is solely with respect to the revenue. The property tax and parcel
32 tax revenue, and the implications for services for the rest of Palo Alto and for the rest of the
33 county. She would support the same motion they made earlier regarding the El Camino sites,
34 which is to have staff investigate options such that we can ensure that our city and county
35 services remain funded by property tax or some dollars.

36

37 Commissioner Akin stated he's less convinced that housing is so fungible but not going to make
38 a point of it because the Housing Element very clearly said, from very early on, that this was
39 going to be affiliate housing. He didn't see any reason to change that.

40

-
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1 Commissioner Lu commented he's totally fine with affiliate housing. I'm glad that most of it will
2 be relatively affordable to at least some of the affiliates. And also point out that there are 108
3 units already on well tread which is restricted to affiliate housing, so, the property tax issues
4 will get worse, but already a significant and non-trivial issue. He has mixed thoughts about the
5 existing apartment complex actually being really nice. It's 108 units, it's well located, he's
6 disappointed at the prospect of tearing down a perfectly good multifamily unit or complex,
7 when they're potentially more alternatives that and he would still encourage Stanford to look
8 into. He's happy that the minimum parking is .5 spaces per unit, most people will bike or have
9 Stanford permits for other parking lots. Minimizing parking in any development there and trying
10 to shift parking into the many surface lots and built up lots and underground lots that are right
11 next to the complex would be ideal and if we can get below .5 spaces per unit, that's even
12 better. His biggest concern is taxes and property taxes. Staff have plenty of direction on doing
13 research here. He would be interested holistically on the thousands of units that Stanford
14 already has and the thousands of units that Stanford plans to add on campus itself and how
15 those students are currently handled in PAUSD.

16
17 Vice Chair Chang added that it's been a perpetual issue and usually there's a general use permit
18 negotiation in which Stanford will compensate the district, but unfortunately these sites are
19 outside of that. And so, it's a significant impact. Usually, the district and Stanford work pretty
20 closely to mitigate impacts, as it is though, the district is not funded as well necessarily for
21 students on Stanford property. But historically, for example, like when there was housing built,
22 Stanford helped fund the building of Nixon elementary, as well as Escondido Elementary. And
23 so there has been a historical agreement, this process is a little bit outside of that.

24

25

26 **MOTION # 7**

27

28 Commissioner Reckdahl motioned to direct staff to determine options for protecting the county
29 and city's services.

30

31 **SECOND**

32

33 Vice Chair Chang seconded the motion.

34

35 Commissioner Hechtman commented that earlier tonight when the representative from
36 Stanford spoke, she made pretty clear that this was going to be affiliate housing and we don't
37 seem to have an issue with that, but my read of what she said is, if you mandate something
38 else, we're just not building. In that scenario, if they declare they're not building, is that still an
39 opportunity site. The same concern is with this tax issue. There is no idea what the tax
40 ramifications of this motion are on Stanford, or how it might change their analysis of the

-
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1 viability of housing that they build to provide subsidized housing to their affiliates. His concerns
2 are the unintended consequences. We dictate this thing and Stanford says fine, it's going to
3 stay 108 units and a nice field, would that lead to a buffer issue.

4

5 Director Lait answered that yes that creates a challenge. And if the facts stay as Commissioner
6 Hechtman described, then the City would probably need to come up with another 200 plus
7 units elsewhere in the city.

8

9

10 **VOTE**

11

12

13 Ms. Dao reported the motion carried 6-1-0.

14

15 **MOTION PASSED 6** (Akin, Chang, Lu, , Summa, Reckdahl, Templeton) – 1 (Hechtman, No) -0

16 **Commission Action:** Motion by Reckdahl, seconded by Chang. Pass 7-0-0

17

18 Commissioner Templeton commented that there aren't a lot of very tall buildings along 101 on
19 this stretch. She could only speculate it's the reasons that they were concerned about before,
20 geological reasons, migratory reasons, and location near a highway reasons, but she believes
21 they are overestimating what they can realistically pull off in this area and concerned about it
22 and not comfortable with how it's played out. There was a slide directly addressing her
23 concerns about two different Palo Alto's and she wanted to note that the slide completely
24 missed the point of that comment. The comment is not *Do we have buildings of certain styles in*
25 *Palo Alto in this area and other areas*. That's really not the point. The point is the way that the
26 neighborhoods are laid out and the way that they're going to function. The access to services,
27 the access to grocers, the access to schools; all of these things, it's different and it's visually
28 different, but it's also different in other notable and important ways in terms of how life in Palo
29 Alto is. That doesn't mean it can't be addressed, but it's not a superficial comment, and she
30 wanted to address that since it was a quote that was used on the slide.

31

32 Vice Chair Chang referenced the parking reduction on Table 2, Packet page 77. Parking
33 reductions make sense if there are services near that area, and if there's transportation near
34 that area. There is not. It's actually even really crappy to bike in that area right now. She's
35 concerned if we don't have adequate parking, that we're creating an area that's livable only for
36 certain people. And that's a problem, because it's a large amount of our RHNA allocation and
37 it's also a large swath of a section of Palo Alto. There's nothing going over there right now. That
38 would be something she would propose. It doesn't solve the larger issues of services in this
39 area, but at the same time, this is where the sites are and where they are there isn't a plan for
40 more schools, more bike lanes, more retail, more anything. She's glad to hear about the bird

-
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1 safe glass, she's not really glad to hear that there could be very high buildings there, just
2 thinking about the marina and like liquefaction. However, those units are needed.

3

4 Commissioner Akin commented he is a little less worried than Vice Chair Chang because
5 developers know when parking is needed and they tend to provide it. That's likely to happen in
6 GM, and ROLM as well, for the larger units. The smaller ones will stick to one space per unit.
7 However, there is one other factor and that is ... whether there's a safety valve that allows the
8 developers to push the burden of parking on to an adjacent area. The PTC needs to ensure that
9 is covered.

10

11 Commissioner Reckdahl expressed concern that they may use up all the street parking in the
12 neighborhood, and then get stuck with subsequent developments that don't have as much
13 option. They're not all going to be built simultaneously, he's concerned that the first one may
14 hog up all the spots.

15

16 Commissioner Akin confirmed that's why he suggested earlier to Director Lait that they have to
17 be proactive about this and have residential parking protection lined up. His understanding was
18 that the State will not allow you to arbitrarily draw districts when housing already exists. It is
19 something that has to be planned out up front.

20

21

22 **MOTION # 8**

23

24 Vice Chair Chang motioned to modify Table 2 on Packet Page 77 for the minimum residential
25 parking ratios column and change it where it says ... or add to one space per studio for one
26 bedroom, 1.5 spaces for two bedrooms, remove the plus and say two spaces for three
27 bedrooms. Three plus, yes, thank you.

28

29 **SECOND**

30

31 Commissioner Reckdahl seconded the motion.

32

33 Mr. Yang explained that density bonus is going to be available to anyone who provides onsite
34 affordable units. And, for a rental project, they don't need to provide onsite units in the city. So,
35 they change the parking standards here, it would be effective for a rental project that pays the
36 in lieu fee, but for an ownership project or a rental project that decides to provide some onsite
37 units, they'll be able to use State Density Bonus Law to lower the parking requirements.

38

39 Chair Summa added that they can't count potential density bonus laws to meet the Housing
40 Element numbers. So, regardless of what we do here, they can come in with density bonus law

-
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1 and do whatever they want regardless of the birds and that we care about you know elderly
2 people walking for miles with their groceries, but since we have no control over that, we might
3 as well control the fact that if we do it this way, we get to count the units for our Housing
4 Element. I know that sounds defeated perhaps and cynical, especially from me, but I actually
5 just think it's reality, sadly. That's what the State has done. It's not what we've done and or
6 what we're doing to our city, or our residents or our future residents. It's what the State has
7 done.

8
9

10 **VOTE**

11

12 Ms. Dao recorded the Motion Failed 2-5-0.

13

14 **MOTION FAILED 2** (Reckdahl, Chang) 5 (Lu, Hechtman, Summa, Akin, Templeton) -0

15 **Commission Action:** Motion by Chang, seconded by Reckdahl. FAIL 2-5-0

16

17

18 **MOTION # 9**

19

20 Commissioner Reckdahl moved that the PTC recommend to the City Council adoption of the
21 ordinance amending Palo Alto's zoning codes, specifically Sections I and II, appearing on Packet
22 pages 75 through 84, including a few language changes to those pages, earlier mentioned and
23 providing that staff investigate adjusting the minimum densities contained in Tables 1 and 2, in
24 an effort to discourage development of townhomes on these opportunity sites.

25

26 Commissioner Akin apologized stating his intention was to get this in before the motion and
27 referenced page 76, for mixed use developments; in B.3, you'll notice that there is a minimum
28 of fifty percent of residential floor area, and noted that as a rule of thumb, it takes about three
29 times as much floor area to house a person as it does to employ one. Which means that a 50/50
30 split is actually making the jobs and housing imbalance worse. An appropriate number depends
31 on how much you want to use as representative office space. The last study he had from
32 before the pandemic said silicon valley requires about 150 square feet per person, a studio is
33 450, so three to one, is a plausible ratio that would work out. It needs to be 75% residential
34 floor area. If you want to compromise you can go for two-thirds or 65%, and that's justifiable if
35 you believe that it takes 250 square feet to employ a person, this is a small change, but it does
36 require discussion, so if anyone wants to entertain it, his suggestion would be to change this to
37 65%. Packet page 76, this is 18.14.020 B.3.

38

39 Mr. Yang noted that this is for sites that are commercial zones right now. Not residential zones,
40 so these are sites where office development is permitted, but because we've identified them in

-
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1 our Housing Element inventory, State Law actually requires that they be developed at least 50%
2 residential.

3

4 Commissioner Akin asked if he was suggesting that they have the option to increase that
5 threshold.

6

7 Mr. Yang responded if he's talking about something that's in the CZ district. Is it staffs intention
8 to not permit, basically to require that to be residentially developed now.

9

10 Commissioner Akin suggested that they try to strike an equal balance. So that the jobs/housing
11 imbalance isn't worsened.

12

13 Commissioner Akin suggested 65 as a compromise. The best guess could give from pre-
14 pandemic data is 75 percent is the right number, but it's debatable.

15

16 Mr. Yang commented that it wasn't included as a housing initiative, it was included because it's
17 a requirement of State Law. However, the Commission is free to go beyond State law in this
18 issue.

19

20 Commissioner Hechtman commented that it's going to apply to some commercial building that
21 somebody's got, and they are going to be looking at a choice. And what this applies to is
22 redevelopment with a combination of commercial and lower income households. So, those are
23 less profitable residential endeavors. The reason the 50 percent here is contemplated in State
24 Law and works is because, while Commissioner Akin is right it enhances the imbalance
25 potentially of office to housing, what it also does is it pays for the housing that won't pay for
26 itself. It is a tradeoff that some communities have found worth making, on the small scale that
27 we're generally talking about in these kinds of mixed use developments. He would prefer to
28 leave the number where State Law has set it at 50 percent and not incorporate it into his
29 motion.

30

31 Mr. Yang clarified that this section is saying that if you have a site that is identified in our
32 Housing Element as being suitable for low income housing, and it's projected that one could
33 have low income housing on this site, then you must develop at least 50 percent residential,
34 but it doesn't have to be low income in that development.

35

36 Commissioner Reckdahl asked half acre.

37

38 Mr. Yang answered no, 50 percent of the floor area of the project has to be residential.

39

40

-
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1 **SECOND**

2

3 Chair Summa seconded the motion for purpose of discussion.

4

5 Commissioner Lu asked if the fifty percent applied to commercially zoned housing opportunity
6 sites, so that would include downtown, El Camino, I mean I guess Research Park is a moot point,
7 GM ROLM is a moot point, so mainly just apply it to like the CD on CS et cetera districts..

8

9 Director Lait thought it would also apply to the GM and the ROLM area.

10

11 Mr. Yang confirmed the 50 percent applies to all zone districts, but for residential districts
12 you're already required to do 100% residential. Or you know, almost 100% residential. It's really
13 only going to have an impact on the commercial districts.

14

15

16 **MOTION AMENDMENT**

17

18 Commissioner Akin offered an Amendment and suggested that the 50 percent threshold be
19 changed to 65 percent.

20

21 Commissioner Hechtman stated as the maker of the motion declined the amendment but
22 there's a process in which he could make a separate motion.

23

24 Mr. Yang stated that right now, he proposed an amendment and that needed to be seconded.

25

26 **SECOND**

27

28 Commissioner Reckdahl seconded the amendment.

29

30 Commissioner Akin commented that most of this has already been covered, but given what he
31 heard from Counsel Yang, the applicability of this is wide enough, he didn't think it's worth
32 making the guarantee.

33

34 Commissioner Reckdahl commented that these are housing opportunity sites that we want
35 housing on. And to have that be 50 percent not housing, seems to be a loss to me.

36

37 Commissioner Templeton wanted to agree with the Chair that they don't normally do this and
38 even if it's technically allowed, it's against the PTC's norms, and she would not be supporting
39 this, just on form. If you want to make your own motion after this one is defeated that's fine,
40 but I won't be supporting the amendment.

-
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VOTE

Ms. Dao recorded the motion carried 4-3-0.

MOTION PASSED 4 (Reckdahl, Chang, Summa, Akin) 3 (Lu, Hechtman, Templeton) -0

Commission Action: Motion by Akin, seconded by Reckdahl. Pass 4-3-0

MOTION # 10

Commissioner Hechtman requested they vote on the motion he made, as amended by the amendment that just got approved.

SECOND

Commissioner Akin seconded the motion.

Director Lait clarified that Commissioner Hechtman had for Tables 1 and 2, on his motion for staff to investigate the minimum density contained in those tables, 1 and 2, and in our staff report, He believe we were really referring to GM and ROLM, so, I just wanted to clarify if it's your intent to focus in on the industrial areas. We noted in the staff report, on Packet page 28, that adding/increasing the minimum density for the RM 20 and 30 may be a constrain to ... because the sites are smaller, and so our focus here are on the larger RM GM and ROLM sites. It was twenty DUA when the PTC saw this at the study session. Staff raised it to 25 in the ordinance and his understanding is they want it even higher.

Commissioner Hechtman commented that his motion isn't suggesting that they go above thirty to fifty, if they're already there in the Housing opportunity sites, but when he looked at Tables 1 and 2, which are both all categories, he only sees one minimum density of 30 and that's the RM 40 has a minimum density of thirty-one. He tried to state the motion generally to just give staff direction to look at increasing the densities to really avoid townhouse development. And so I'm hoping that some flexibility along that line will allow staff to do an analysis at some time other than 12: 15 in the morning, and maybe decide we really can't alter these densities without creating a constraint and so the numbers have to stay the way they are. I just wanted to flag the issue and give staff an opportunity to dig into it on its way to Council. That was the intent of the motion.

-
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1 **VOTE**

2

3 Ms. Dao recorded the motion carried 4-3-0.

4

5 **MOTION CARRIES 5** (Reckdahl, Chang, Akin, Hechtman) 2 (Lu, Summa, Templeton) -0

6 **Commission Action:** Motion by Hechtman, seconded by Akin. PASS 4-3-0

7

8 Chair Summa asked if anyone wanted to speak to their no vote.

9

10 Commissioner Templeton commented she really objects to how the GM ROLM area has been
11 laid out, if you have banked 33% of your upcoming housing plans in one neighborhood that
12 doesn't have any homes in it at all yet, that's concerning, and she believes this is a huge
13 mistake.

14

15 **Commission Action:** Motion #1 by Summa, seconded by Chang. Pass 5-1-1

16 **Commission Action:** Motion #2 by Chang, seconded by Summa. Pass 5-1-1

17 **Commission Action:** Motion #3 by Reckdahl, seconded by Chang. Pass 5-1-1

18 **Commission Action:** Motion #4 by Chang, seconded by Reckdahl. Pass 5-1-1

19 **Commission Action:** Motion #5 by Chang, seconded by Aikin. Pass 7-0-0

20 **Commission Action:** Motion #6 by Chang, seconded by Akin. Pass 7-0-0

21 **Commission Action:** Motion #7 by Reckdahl, seconded by Chang. Pass 7-0-0

22 **Commission Action:** Motion #8 by Chang, seconded by Reckdahl. FAIL 2-5-0

23 **Commission Action:** Motion #9 by Akin, seconded by Reckdahl. Pass 4-3-0

24 **Commission Action:** Motion #10 by Hechtman, seconded by Akin. PASS 4-3-0

25

26

27 **APPROVAL OF MINUTES**

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

29

30 4. Approval of Planning & Transportation Commission Draft Summary Minutes of
31 August 9, 2023

32

33 **MOTION**

34

35 Commissioner Hechtman moved to approve the minutes as revised.

36

37 **SECOND**

38

39 Vice Chair Chang seconded the motion.

40

-
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1 **VOTE**

2

3 Ms. Dao stated on a roll call vote the Motion carried 7-0-0.

4

5 **MOTION PASSED 7** (Akin, Chang, Lu, Hechtman, Summa, Reckdahl, Templeton) -0 -0

6 **Commission Action:** Motion by Hechtman, seconded by Chang. Pass 7-0-0

7

8 5. Approval of Planning & Transportation Commission Draft Summary and Verbatim
9 Minutes of August 30, 2023

10

11 **MOTION**

12

13 Commissioner Hechtman moved to approve the minutes as revised.

14

15 **SECOND**

16

17 Commissioner Reckdahl seconded the motion.

18

19 **VOTE**

20

21 Ms. Dao stated on a roll call vote the Motion carried 7-0-0.

22

23 **MOTION PASSED: 7** (Akin, Chang, Lu, Hechtman, Summa, Reckdahl, Templeton) -0 -0

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

25

26 **Commissioner Questions, Comments or Announcements**

27 None

28 **Adjournment**

29 12:21 am

30

31

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