



Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project

Final Environmental Impact Report/
Responses to Comments on the Draft EIR

SCH#2019090070

prepared by

City of Palo Alto

Department of Planning and Development Services

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Palo Alto, California 94301

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prepared with the assistance of

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October 2020



RINCON CONSULTANTS, INC.

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- Appendix A Transcript of Planning and Transportation Commission Hearing Comments
- Appendix B Transcript of Architectural Review Board Hearing Comments

1 Introduction

1.1 Purpose of the Response to Comments on the Draft EIR

This document contains responses to comments received on the Draft Environmental Impact Report (Draft EIR) prepared for the proposed Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project (project). The Draft EIR identifies the likely environmental consequences associated with development of the proposed project and recommends mitigation measures to reduce potentially significant impacts. This document, together with the Draft EIR, constitutes the Final EIR for the proposed project.

1.2 Environmental Review Process

Pursuant to the California Environmental Quality Act (CEQA), lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Draft EIR.

On September 4, 2019, the City of Palo Alto circulated a Notice of Preparation (NOP) for a 30-day comment period to help identify the types of impacts that could result from the proposed project, as well as potential areas of controversy. The NOP was filed with the County Clerk, sent to the State Clearinghouse, published in a local newspaper (the Daily Post), mailed to local and state agencies, and mailed notices to all addresses within a 600-foot radius of the proposed project. In addition, the City held an EIR Scoping Meeting on September 11, 2019. The meeting was aimed at providing information about the proposed project to members of public agencies, interested stakeholders and residents/community members.

The Draft EIR was made available for public review for a 45-day comment period that began on July 31, 2020 and ended on September 14, 2020. The Notice of Availability of a Draft EIR was posted with the County Clerk, sent to the State Clearinghouse, mailed to local and state agencies, published in the local newspaper (the Daily Post), and mailed to all addresses within a 600 foot radius of the proposed project.

The City received nine comment letters on the Draft EIR. Copies of written comments received during the comment period are included in Chapter 2 of this document.

1.3 Document Organization

This document consists of the following chapters:

- **Chapter 1: Introduction.** This chapter discusses the purpose and organization of this response to comments Document and the Final EIR and summarizes the environmental review process for the project.
- **Chapter 2: Written Comments and Responses.** This chapter contains reproductions of all comment letters received on the Draft EIR. A written response for each CEQA-related written comment received during the public review period is provided. Each response is keyed to the corresponding comment.

- **Chapter 3: Public Hearing Comments and Responses.** This chapter contains a summary of comments raised during the public hearings held on the Draft EIR (Planning and Transportation commission, August 12, 2020 and Architectural Review Board, August 20, 2020). A written response to CEQA-related comments received at the hearings is provided. The transcript of the comments from the Planning and Transportation Commission and Architectural Review Board hearings are included in Appendix A and Appendix B, respectively.
- **Chapter 4: Revisions to the Draft EIR.** Changes to the Draft EIR that have been made in light of the comments received are contained in this chapter.

2 Comments and Responses

This chapter includes written comments received during the circulation of the Draft EIR prepared for the Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project, and responses to those comments.

The Draft EIR was circulated for a 45-day public review period that began on July 31, 2020 and ended on September 14, 2020. The City of Palo Alto received nine comment letters on the Draft EIR. The commenters and the page number on which each commenter's letter appear are listed below.

Letter No. and Commenter	Page No.
1 Kevin Thai, Assistant Engineer II, Community Projects Review Unit, Santa Clara Valley Water District	4
2 Matt Hengehold	11
3 Board of Directors of Greenhouse II HOA; Dr. Stephan Otto, President; Pamela Harter, Vice President; Jesse Myau, Treasurer; Beverly Chiang, Director	13
4 Pamela Harter	21
5 Keith Bennett, Ph.D. and Esther Nigenda, Ph.D.	24
6 Joan Larrabee	39
7 Nancy Martin	44
8 John Petrilla	46
9 Martha Whitney	61

The comment letters and responses follow. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).

During the Draft EIR review period, the City solicited written public and agency comments on the Draft EIR pursuant to CEQA as well as verbal comments at the Planning and Transportation Commission (PTC) public hearing on August 12, 2020 and the Architectural Review Board (ARB) public hearing on August 20, 2020. Responses to environmental issues raised at these hearings are included in Chapter 3 following the written comments and responses.

In some cases, specific changes to the text of the Draft EIR have been made in response to comments received. In no case do these revisions result in a greater number of impacts or impacts of a substantially greater severity than those set forth in the Draft EIR. Where revisions to the main text are called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with underlined and deleted text is indicated with ~~strikeout~~. Page numbers correspond to the page numbers of the Draft EIR.



File: 34220
Adobe Creek

September 15, 2020

Mr. Sheldon S. Ah Sing
City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94301

Subject: Notice of Availability of an Environmental Impact Report for Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project in Palo Alto

Dear Mr. Sing:

The Santa Clara Valley Water District (Valley Water) has reviewed the Environmental Impact Report (EIR) for Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project in Palo Alto, received July 31, 2020. Valley Water is a special jurisdiction throughout Santa Clara County. Valley Water acts as the county's groundwater management agency, principal water resources manager, flood protection agency and is the steward for its watersheds, streams and creeks, and underground aquifers. Valley Water has the following comments:

Groundwater

1 Dewatering of shallow groundwater will be needed for the proposed underground parking structure at 788 San Antonio Road and may be needed for the development of other sites identified in Housing Incentive Program. Valley Water recommends that the construction dewatering system be designed such that the volume and duration of dewatering are minimized to the greatest extent possible. In addition, the final geotechnical investigation requires, as a part of Mitigation Measure GEO-1 (Geotechnical Investigation) to identify the foundation design and waterproofing that will avoid the need for permanent dewatering after construction is complete. Also, Mitigation Measure HAZ-1 (Site Risk Management Plan) requires a more detailed analysis of construction dewatering, including estimating dewatering volumes/durations and evaluating related impacts, which may be incorporated in the site risk management plan (SRMP).

2 Due to the long agricultural history of the Santa Clara Subbasin, and subsequent land development, there are likely many abandoned wells in the subbasin. While some of these abandoned wells may have been sealed prior to well permitting requirements, many have open casings and may be discovered during project construction. It is not uncommon for these wells to have significant artesian flow, which may impact dewatering and construction activities. If encountered during the proposed

Page 2
September 15, 2020
City of Palo Alto
Mr. Sheldon S. Ah Sing

2, cont. ↑ project, abandoned wells must be properly destroyed to protect groundwater quality, with related work permitted by Valley Water.

Water Supply

3 Although Valley Water agrees with the conclusion that Palo Alto will have adequate water supplies to serve the proposed project, some of the methodology could be improved:

- 4 • Given that the Housing Incentive Program allows up to more than 800 new units a Water Supply Assessment should have been prepared under SB610 of 2001.
- 5 • It is not clear why water use is only 120% of wastewater generation. Typically, landscaping and direct consumptive use of water would represent more than 20% of water use.
- 6 • 157,056 gallons of water today converts to 176 acre-feet per year (which is 0.48 acre-feet per day).

6 According to the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) 06085C0036H, effective May 18, 2009, a portion of the site is located within Zone AE, where the base flood elevation is determined to be 11 feet. The remainder of the site is located in Zone X, which is an area determined to be outside the 0.2% annual chance floodplain.

7 Valley Water records indicate there are three (3) abandoned wells throughout the project site (APN 147-05-091, -102, -159); however, is it always possible that a well exists that is not in Valley Water records. Abandoned or unused wells can provide a vertical conduit for contaminants to pollute groundwater. To avoid impacts to groundwater quality, any wells found on-site that will not be used must be properly destroyed in accordance with Ordinance 90-1, which requires issuance of a well destruction permit or be registered with Valley Water and protected during construction. Property owners or their representatives should call the Wells and Water Measurement Unit at (408) 630-2660 for more information regarding well permits and registration for the destruction of wells.

If you have any questions, please contact me at (408) 630-3157 or kthai@valleywater.org. Please reference Valley Water File No. 34220 on any future correspondence.

Sincerely,

DocuSigned by:
Kevin Thai
786F93119889446...

Kevin Thai
Assistant Engineer II
Community Projects Review Unit

cc: U. Chatwani, M. Richert, M. Martin, M. Duffy, Y. Arroyo, K. Tha

Letter 1

COMMENTER: Kevin Thai, Assistant Engineer II, Community Projects Review Unit, Santa Clara Valley Water District

DATE: September 15, 2020

Response 1.1

The commenter states that dewatering of shallow groundwater will be needed for the proposed mixed-use project at 788 San Antonio Road and may be needed for the development of other projects within the program area. The commenter recommends that the construction dewatering system be designed such that the volume and duration of dewatering are minimized to the greatest extent possible and summarizes the requirements outlined in two Mitigation Measures included in the Draft EIR, Mitigation Measures GEO-1 and HAZ-1.

The commenter correctly summarizes the two mitigation measures and is correct that dewatering may be needed during construction of the proposed project at 788 San Antonio Road and the developments allowed by the HIP Expansion. As described in Section 10 of the Initial Study, *Hydrology and Water Quality*, it is likely that groundwater would be encountered during excavation activities for new housing. According to the City's *Construction Dewatering System Policy and Plan Preparation Guidelines*, excavation activities that encounter groundwater are required to submit a Construction Dewatering Plan to the City's Public Works Department. The Public Works Department would review these Construction Dewatering Plans prior to excavation activities to ensure that dewatering is minimized to the greatest extent possible. In addition, the proposed project would be subject to the requirements in Palo Alto Municipal Code (PAMC) Chapter 16.28, which include measures intended to limit and monitor the rate and timing of construction-related groundwater pumping. For example, Section 16.28.155 requires that applicants install a groundwater monitoring well, and during the construction period of the underground structure, submit periodic groundwater level and other measurements and reports as required by the city engineer.

This comment does not specifically challenge the findings of the Draft EIR and no changes to the EIR have been made in response to this comment. The City's construction dewatering guidelines do not specifically require that the volume and duration of dewatering be minimized to the extent feasible, though the City does charge a dewatering fee per month that dewatering would occur.

Response 1.2

The commenter states that abandoned wells may be discovered during construction of buildings within the program area and that such wells may have significant artesian flow, which may impact dewatering and construction activities. The commenter further states that if such wells are encountered, they must be properly destroyed to protect groundwater quality.

The City acknowledges that wells encountered during construction of buildings subject to the HIP expansion would be required to be destroyed in compliance with requirements of the Santa Clara Valley Water District (SCVWD). Any future development under the HIP expansion would require additional discretionary permitting from the City of Palo Alto; therefore, the potential for impacts to any known wells would be analyzed based on the project design. As described above, any excavation activities that encounter groundwater are required to submit a Construction Dewatering Plan. Such a plan would identify abandoned wells in the vicinity of proposed excavation, and the

Public Works Engineering Department would ensure that wells are properly destroyed and all other measures necessary to protect groundwater quality are implemented prior to approval of the Plan.

Response 1.3

The commenter states that the SCVWD agrees with the conclusion in the Draft EIR that the City will have adequate water supplies to serve the new buildings allowed under the HIP expansion but states that the methodology could be improved. Specifically, the commenter states that a Water Supply Assessment (WSA) should have been prepared under Senate Bill (SB) 610 as the project involves more than 800 new units.

The proposed project involves two components: an expansion of the City's Housing Incentive Program to apply to the San Antonio Road corridor and a mixed-use project at 788 San Antonio Road within the HIP expansion area. The project at 788 San Antonio Road would involve 102 residential units, but the commenter is correct that the HIP expansion could allow the development of up to a maximum of 818 residential units.

As stated in Section 2 of the Draft EIR, the program area includes multiple properties with multiple property owners. To ensure a conservative approach in analyzing environmental effects under CEQA, EIRs typically analyze what could be considered a maximum reasonable impact scenario in order to capture as many significant environmental effects as could reasonably be expected as a result of the project. For a programmatic evaluation of a land use plan such as the proposed HIP expansion, this entails projecting buildout calculations to carry through the environmental review process. These projections reflect the estimated number of new housing units, amount of new commercial development, and increased resident and employment populations that are reasonably foreseeable for the implementation of the HIP Expansion. The actual rate and amount of development will be dependent on market conditions and regulatory processes. Aside from the proposed development at 788 San Antonio Road, no additional development projects associated with the proposed HIP Expansion are proposed at this time.

A WSA has not been prepared for the proposed project for the following reasons:

- a) The proposed HIP expansion provides an outline for how future development should occur in the program area based on land use projections identified in the 2015 Urban Water Management Plan (UWMP) and does not directly propose to construct a project that meets the definition of "project" under SB 610 (further discussed below);
- b) The 2015 UWMP, which provides the land use projections utilized under the HIP Expansion, includes water supply availability projections over a 20-year planning horizon, accounting for varying climatic (drought) conditions, consistent with the requirements of SB 610, which makes the UWMP an appropriate planning document to utilize in characterizing water supply impacts associated with the Draft EIR; and
- c) Project-specific WSAs will be prepared by individual project proponents as required for proposed development projects in the program area.

SB 610 amended California Water Code to state that projects subject to CEQA and meeting certain criteria are considered a "project" per SB 610, and therefore require the preparation of a WSA. California Water Code §10912(a) and (b), which define what constitutes a "project" per SB 610, are presented below for reference. The text below is also provided in DWR's SB610/SB221 Guidebook, mentioned by the commenter.

Section 10912. For the purposes of this part, the following terms have the following meanings:

(a) "Project" means any of the following:

- 1) A proposed residential development of more than 500 dwelling units.*
- 2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.*
- 3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.*
- 4) A proposed hotel or motel, or both, having more than 500 rooms.*
- 5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.*
- 6) A mixed-use project that includes one or more of the projects specified in this subdivision.*
- 7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.*

(b) If a public water system has fewer than 5,000 service connections, then "project" means any proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of the public water system's existing service connections, or a mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential development that would represent an increase of 10 percent or more in the number of the public water system's existing service connections.

Some of the types of projects listed above could occur within the program area but are not directly proposed by the HIP expansion. As described in Section 2, *Project Description*, full development under the proposed HIP expansion could include up to 818 residential units. According to the California Department of Water Resources (DWR), SB 610 applies to programmatic plans, such as specific plans, only if such a plan includes a proposed project as defined by Water Code §10912(a) or (b), listed above. HIP Expansion development projections used in the EIR are not based on actual proposed projects.

The analysis in the Draft EIR related to the HIP expansion is programmatic and not project-based; a Program EIR considers the "macro" effects associated with implementing a program (such as a general plan) and does not, and is not intended to, examine the specific environmental effects associated with individual actions that may be undertaken under the larger program. As a Program EIR, this document may be used in the future for the tiering of project-level environmental review and associated CEQA documents for projects subject to the HIP Expansion in the program area. Future project-specific analyses will be accompanied by a WSA, where required by SB 610, or will tier off of the water supply availability analysis provided in this EIR when a WSA is not required (see Section 19 of the Initial Study, *Utilities and Service Systems*).

Response 1.4

The commenter states an opinion that it is unclear why water use associated with the proposed project is assumed to be 120 percent of wastewater generation. The commenter states that landscaping and direct consumptive use of water typically represent more than 20% of water use.

The commenter is correct that in Section 19 of the Initial Study, *Utilities and Service Systems*, water use associated with the proposed project, including the mixed-use project at 788 San Antonio Road and potential residential buildings allowed under the HIP expansion, is calculated based on the assumption that it would be approximately 120 percent of wastewater generation. This figure is a standard assumption. Based on this figure, the Initial Study concludes that sufficient water supplies would be available to serve the project from existing entitlements and resources. If water use is as great as 200 percent of wastewater generation, there would still be sufficient water supplies to serve the project proposed at 788 San Antonio Road and the development allowed under the proposed HIP expansion. In that case, development allowed under the HIP expansion would increase demand by approximately 261,760 gallons of water per day, or 0.8 acre-feet per day (less than 0.01 acre-feet per year). As described in Section 10 of the Initial Study, the City of Palo Alto is projected to have an additional supply of 8,239 acre-feet per year beyond projected demand through 2035. Therefore, sufficient water supplies would be available to serve the project from existing entitlements and resources. No new or expanded entitlements would be needed to serve the new housing. The HIP expansion would not result in a substantial physical deterioration of public water facilities or result in adverse physical impacts from new or expanded utility facilities due to increased use as a result of the project. No changes to the Draft EIR have been made in response to this comment.

Response 1.5

The commenter states that 157,056 gallons of water today converts to 176 acre-feet per year (which is 0.48 acre-feet per day).

The commenter is referencing a calculation in Section 19 of the Initial Study, *Utilities and Service Systems*, which incorrectly states that development under the HIP expansion would demand approximately 0.48 acre-feet of water per year, instead of water per day. In response to this comment, revised information to state that the project would demand approximately 0.48 acre-feet of water per day has been added to the Initial Study. Please see Chapter 4, Revisions to the Draft EIR, to see these revisions. This change does not affect the conclusions of the EIR, which are based on the calculated water demand of development under the HIP expansion, 0.48 acre-feet of water per day.

Response 1.6

The commenter states that according to the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) 06085C0036H, a portion of the program area is located within Zone AE, where the base flood elevation is determined to be 11 feet and that the remainder of the program area is located in Zone X, which is an area determined to be outside the 0.2 percent annual chance floodplain.

The commenter is correct that FIRM Map 06085C0036H covers an area that includes the program area. Section 10, *Hydrology and Water Quality*, of the Initial Study concludes that impacts related to flooding would be less than significant. However, the analysis does not include information about the applicable FIRM Map described by the commenter. Therefore, Section 10 of the Initial Study has been edited to include this information in response to this comment. Please see Chapter 4, Revisions to the Draft EIR to see these revisions. These changes do not change the findings or conclusions of the Draft EIR.

Response 1.7

The commenter states that there are records that suggest three abandoned wells are located within the program area and that additional wells within the program area may exist. In addition, the commenter states that to avoid impacts related to groundwater quality, any wells found on-site that will not be used must be properly destroyed in accordance with Ordinance 90-1.

The City acknowledges that there are at least three abandoned wells within the program area and that SCVWD regulations require that such wells be destroyed. Applicants for new development subject to the HIP expansion and located on parcels where wells exist would be required to obtain the required permits and properly deconstruct the well in accordance with SCVWD requirements prior to the start of construction activities. Therefore, removal of these wells during development projects allowed under the HIP expansion would not result in significant impacts with respect to public or environmental health.

Letter 2

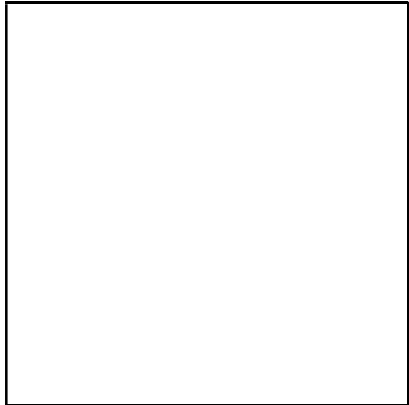
From: Matt Hengehold [Email Redacted for Privacy]
Sent: Thursday, August 20, 2020 11:32 AM
To: Sheldon Ah Sing <SAhsing@m-group.us>
Subject: Re: 788 San Antonio Status

Hi Sheldon,

I was reviewing the EIR for the 788 San Antonio project and it appears that one APN is missing from the EIR: 147-05-012.

Our property at 762 San Antonio Road consists of two Palo Alto parcels: 147-05-102 and 147-05-012. Parcel 012 is set back from San Antonio Rd and it touches Leghorn St. It appears to be included in all of the zoning maps pertaining to the 788 San Antonio project, but it is not listed in Table 1 of the EIR Initial Study. I am unsure whether this APN has been excluded from any other documents pertaining to the potential zoning change. Could you please check on this and let me know how to get this corrected?

Thank you,
Matt



Matt Hengehold
Hengehold Truck Sales + Rentals
p: [650.494.2444](tel:650.494.2444)
w: htrucks.com
a: 762 San Antonio Road, Palo Alto, CA 94303



Letter 2

COMMENTER: Matt Hengehold

DATE: August 20, 2020

Response 2.1

The commenter explains that he owns the property at 762 San Antonio Road and that the Draft EIR appears to exclude one Assessor's Parcel Number (APN) for a parcel within the program area, 147-05-012. The excluded parcel is approximately 43,461 square feet and is located at the northeast corner of the program area.

The City acknowledges that APN 147-05-012 should be included within the program area, as shown in Figure 2-2 in Section 2, *Project Description*, of the Draft EIR. Although the list of parcels in Table 2-1 in Section 2 of the Draft EIR does not include this parcel, the analysis, findings, and conclusions of the Draft EIR would not change with this addition. Should this parcel be developed under the HIP, it would be subject to the same standard conditions and mitigation measures as identified in the Draft EIR for other parcels in the program area. In response to this comment, revised information to include this APN in Table 2-1 has been added to Section 2 of the Draft EIR. Please see Chapter 4, Revisions to the Draft EIR, to see these revisions.

The maximum number of units in Table 2-2 of the Draft EIR does not take into account the maximum development that could occur with the additional parcel in the program area; however, the assumptions in Table 2-2 are highly conservative in that they assume maximum redevelopment. Not all parcels in the program area would necessarily redevelop as housing under this project and this assumption does not take into account market conditions. Overall, this highly conservative assumption of buildout of 818 units is still valid. Further, the buildout projections are not a "development cap" that would restrict development in the program area. Rather, future development would be analyzed on a case by case basis for consistency with the HIP and this EIR. Therefore, it is possible for buildout to exceed the assumptions in the EIR. Future projects would be able to tier or streamline their CEQA analysis from this EIR. If projects are found not to be consistent with the assumptions in the Draft EIR, those potential future projects would be required to undergo individual project-level CEQA review in order to be consistent with the provisions of CEQA. Projects which do not meet the requirements for an infill exemption under CEQA Guidelines 15183.3 or other streamlining provision under CEQA will be reviewed by City staff to determine the appropriate level of environmental review on a case by case basis. Per State CEQA Guidelines, the level of environmental review required for a development project is determined by the potential for significant environmental effects. Thus, projects proposed in the program area which exceed buildout projections would be subject to staff review and determination regarding the required level of environmental review. In summary, the Draft EIR is based on a reasonably foreseeable development scenario. Should the buildout assumptions be exceeded at a future date, those projects would undergo separate CEQA review at that time.

8-25-20

To: The Palo Alto City Council

Re: current and future development plans including 788- 796 San Antonio Rd, Palo Alto, CA

Dear Palo Alto City Council Members,

We are on the Board of the Green house II condominium complex, at 765 San Antonio Rd. We are writing on behalf of our residents and owners, totaling 88 units. This community has been here for over 44 years. We are homeowners and taxpayers.

We are concerned about the proposed project at 788- 796 San Antonio Rd. for many reasons. Please understand, we are not opposed to development and smart growth. However, we are opposed to poorly considered development when traffic and parking are not considered. Or the full impact of a development is not considered in the neighborhood. We have learned that there are many construction projects in the works that may go on for many years.

1 This is a big problem. We have already put up with countless issues with the hotel construction directly across the street. Over the last year and a half, we have had significant noise, loss of sleep, and grid lock. The construction company was given a special noise ordinance allowance so that they have started very early in the morning, 6:00 am, and were also given permission to pour cement in the middle of the night! Our street parking has been severely impacted, as well, and that is critical. If it were a matter of a few weeks of noise and sleep disruption that would be one thing but this has gone on for months and months. The project is still not completed yet and we have no information on the timeline- December or into 2021?

- **Noise pollution** has and will continue to disrupt peace and quiet for years. Very negative impact on residents.
- **Traffic congestion-** total grid lock on San Antonio Rd.
- **Safety** cars will take a shortcut to try to beat the grid lock by coming into the complex and rushing to get to the other driveway and exit- very dangerous.
- **Safety-** gridlock and access for emergency vehicles.
- **Parking and density.** Adequate parking is needed. We depend on our 10 to 12 parking spaces along San Antonio Rd. for 44 years.
- **EIR** – does not seem legal to use this approval for all the other projected properties.
- **High Water table-** importance for protecting underground water and flooding concerns- this is California after all.
- **High density development** with little regard of impact of residents.

2 **Noise pollution:** Our communities, both Greenhouse I and Greenhouse II, are adjacent to each other. Both condominium complexes are severely affected by the year and a half long, and still ongoing, hotel construction across the street. The contractor was given an allowance to start early at 6:00 am and also to pour cement in the middle of the night. Many of our residents are impacted severely by constant noise. **There has been no peace and quiet.**

3 **Traffic congestion:** Furthermore, our traffic is very congested and gridlocked on San Antonio. This is obviously due to it being a main artery from east to west, and that there has been massive development on the west end of San Antonio and the construction is still ongoing, with another very large project that is relatively new. What traffic master plans have been made to explore one-way streets and other ways to improve the flow of traffic in the area?

4 **Safety and gridlock and access for emergency vehicles:** I have witnessed frustrated drivers caught in gridlock take a shortcut throughout complex to try to jump the line on 5 or 6 cars. This is very dangerous because they are in a hurry. I have been stuck in traffic coming from 101 for 20 or more minutes to drive a half mile distance. With severe gridlock an emergency vehicle will have a hard time getting into the complexes.

5 **Parking and density:** How much parking is the garage going to accommodate for this project. They can not push this under the rug and dismiss it. How are the retail businesses going to have adequate parking.

6 **The Street parking:** our condominiums have been able to use street parking -10 -12 spaces- along San Antonio Rd., for 44 years and are needed for residents and visitors. It is outrageous that you are considering taking it away because the demographics have changed since these condominiums were first built , and we now have higher numbers of people living here now. Much greater density.

7 **EIR** – does not seem legal to use this approval for other properties.

8 **High Water tables:** What are the impacts of diverting the water with deep garages below the water table. We should not squander the underground water but protect it. We are concerned about the risks of flooding with climate change, and the proximity to the SF Bay. We are concerned about damage to the property and buildings with the fluctuations of water tables. What studies have been done? Experts are concerned that this is not being addressed adequately or responsibly. Has there been a full study of these issues and the impacts on the neighborhood?

9 **High density development:** So far there seems to be little regard for the significant impacts on residents and the quality of life. How many years are we going to be impacted? Noise disruption and loss of sleep? Traffic and parking are of great concern. There is grid lock. The intersection at San Antonio and Leghorn needs to be designed to accommodate the flow of traffic. Bicycle and pedestrian safety- unsafe for both. Parking is needed for the residents. How is the high water table, ground water, climate change and the potential for flooding going to affect residents? Have the studies been done?

Thank you very much for your attention to our concerns,

Respectfully submitted by the Board of Directors of Green house II HOA, and on behalf of the residents, 88 units.

765 San Antonio Rd. Palo Alto, CA 94303

- Dr. Stephan Otto, President
- Pamela Harter, Vice President
- Jesse Myau, Treasurer

- Beverly Chiang, Director

Letter 3

COMMENTER: Board of Directors of Greenhouse II HOA; Dr. Stephan Otto, President; Pamela Harter, Vice President; Jesse Myau, Treasurer; Beverly Chiang, Director

DATE: August 25, 2020

Response 3.1

The commenters state that they are writing on behalf of the residents and owners of the Greenhouse II condominium complex at 765 San Antonio Road. The commenters state an opinion that the construction project for a hotel (744 San Antonio Road) across the street from the Greenhouse II complex and near the mixed-use project site has resulted in impacts for the residents of the complex, including sleep disruption, noise, traffic, and reduced parking. The commenters summarize several concerns they have about the proposed project, including noise, traffic congestion and safety, parking, the sufficiency of the Draft EIR to apply to all parcels in the program area, the high-water table, and impacts of high-density development on residents.

The commenters discuss their observations regarding a construction project other than the proposed project analyzed in the Draft EIR, but do not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. The commenters expand on individual concerns further in the letter, and detailed responses to each concern follow below in Responses 3.2 through 3.9 below. Noise impacts, including related to sleep disruption, are discussed in Response 3.2. Impacts related to traffic and parking are discussed in Responses 3.3 through 3.6. The sufficiency of the Draft EIR is described in Response 3.7. Impacts related to the water table and dewatering are discussed in Response 3.8. Impacts related to impacts on residents are described in Response 3.9.

Response 3.2

The commenters state that they have been affected by the hotel construction noise, including early in the morning and late at night.

The commenters provide opinions on a project other than the project analyzed in the Draft EIR; they do not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. Section 4.4 of the EIR analyzes noise impacts, and these impacts were found to be less than significant or less than significant with mitigation. As discussed in that section, the City's Noise Ordinance regulates noise associated with construction activities. Section 9.10.060 of the PAMC restricts construction activities to the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday. Pursuant to PAMC Section 9.10.070, project applicants may apply for a permit to allow an exception to these requirements on a case by case basis. An application for such an exception would be required to show that compliance with noise requirements would be impractical or unreasonable by the City Manager or their designee. Such exceptions can be approved for construction activities that must be performed in a continuous manner and may require an extension of work hours, such as pouring of concrete foundations. If approved, such a permit would be granted for as short a time as possible, would include appropriate conditions to minimize the public detriment caused by such exceptions, and would be appealable to the City Council.

Noise analysis considers sensitive receptors, including nearby residential uses. Construction noise is discussed under Impact N-3, and impacts were found to be less than significant with

implementation of mitigation. Mitigation Measure N-1 is required and includes a number of provisions to reduce construction noise impacts at nearby receptors to a less than significant level.

Response 3.3

The commenters state that traffic on San Antonio Road has been congested, likely because the street is a main artery and because of ongoing construction activity. The commenters ask whether there are traffic master plans that explore one-way streets and other ways to improve the flow of traffic in the area.

The commenters provide opinions about existing traffic conditions and on-going construction projects other than the project analyzed in the Draft EIR; they do not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. Section 4.6 of the Draft EIR analyzes traffic impacts, and these impacts were found to be less than significant. As described in the Draft EIR and pursuant to California Public Resources Code section 21099(b)(2) and CEQA Guidelines Section 15064.3, “a project’s effect on automobile delay shall not constitute a significant environmental impact.” Therefore, impacts related to traffic delay or congestion may not be considered significant. Nevertheless, the Draft EIR provides a discussion of the project’s effects on background and cumulative Level of Service (LOS) conditions for informational purposes because they are relevant to consistency with the City’s 2030 Comprehensive Plan standards for the performance of the circulation system. As described in Section 4.6 of the Draft EIR, even with operation of the proposed project at 788 San Antonio Road and development allowed under the HIP expansion, all study intersections are expected to continue operating within minimum applicable performance LOS levels during both a.m. and p.m. peak hours, based on the City’s and Santa Clara Valley Transportation Authority (VTA) standards. Therefore, the project would not result in substantial impacts related to roadway facilities.

As described in Section 4.6, several plans and codes address traffic policy for the City of Palo Alto. They include the 2030 Comprehensive Plan, the Sustainability/Climate Action Plan Framework & 2018-2020 Sustainability Implementation Plan, and Title 10 of the PAMC.

Response 3.4

The commenters state an opinion that existing traffic congestion makes it difficult for emergency vehicles to access their property.

The commenters provide opinions about traffic congestion and emergency access but do not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. As described under Response 3.3 above, impacts related to traffic delay or congestion may not be considered significant.

Impacts related to on emergency access are evaluated under Impact T-4 of Section 4.6. As stated in the EIR, “[t]he adequacy of emergency access depends on site access to properties and the response times of emergency vehicles. As discussed in the 2030 Comprehensive Plan EIR, the City and the Fire Department would review specific development proposals to ensure adequate street access for emergency responders (City of Palo Alto 2016a). Regarding response times, traffic congestion has the potential to impede the movement of emergency vehicles. However, as discussed in Impact T-1, development facilitated by the proposed HIP expansion would not result in traffic delay that exceeds the City’s standards. Furthermore, emergency vehicles have the right to use lights and sirens to allow them to bypass the congestion (City of Palo Alto 2016a). Even in cases where an intersection or roadway segment is subject to delays exceeding local standards, vehicles are

required by State law to pull over to the right and allow the emergency vehicle to pass. The HIP expansion also would not alter the capacity or configuration of streets on which emergency vehicles travel.”

Response 3.5

The commenters ask how many parking spaces would be included in the new garage at the proposed 788 San Antonio Road mixed-use project. They ask how retail businesses will have adequate parking.

Parking is not an environmental impact under CEQA, and thus is not required to be discussed in the EIR. However, the City notes that, as described in Section 2 of the EIR, *Project Description*, the proposed project at 788 San Antonio Road would comply with the City’s parking requirements and would include a total of 126 parking spaces in a subterranean parking garage, including 20 spaces for the ground-floor retail space and 106 spaces for residential units. The project would provide adequate parking per City requirements and the project would not substantially affect street parking or utilize parking at neighboring sites.

Response 3.6

The commenters state that residents in the Greenhouse II buildings use street parking spaces along San Antonio Road and that they are concerned about losing those spaces.

As described under Response 3.5 above, parking is not an environmental impact under CEQA, and thus is not required to be discussed in the EIR.

Response 3.7

The commenters state that they don’t believe it is legal to include other properties in the program area as part of the project, but do not specifically state a basis in state law or the CEQA Guidelines for this assertion.

As described in Section 2 of the EIR, *Project Description*, the project includes an amendment to Chapter 18 of PAMC to allow the application of the HIP Expansion to the 18 parcels within the program area. This amendment is allowed pursuant to Chapter 18.80 of the PAMC, *Amendments to Zoning Map and Zoning Regulations*. In addition, the project also includes development of a mixed-use project under the HIP Expansion amendments at 788 San Antonio Road.

According to CEQA Guidelines Section 15168, a Program EIR is an EIR “which may be prepared on a series of actions that can be characterized as one large project and are related in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program.” In this case, the HIP expansion and associated zoning amendments are policies and regulations that would govern allowable development within the program area, including the project at 788 San Antonio Road. Therefore, the Draft EIR is a Program EIR that analyzes the environmental impacts of the HIP expansion. Moreover, since the project at 788 San Antonio Road is currently proposed and would be subject to the HIP expansion, the Draft EIR also analyzes the specific impacts associated with that project. The Draft EIR is therefore consistent with the CEQA Guidelines.

Response 3.8

The commenters state that they are concerned about diverting water from the water table, risks of flooding, and damage to buildings because of water table fluctuations. They ask what studies have been done to address these concerns.

Section 10, *Hydrology and Water Quality*, of the Initial Study (Appendix B to the Draft EIR) analyzes impacts related to hydrology, water quality, and flooding. As explained in that analysis, it is anticipated that groundwater would be encountered during construction associated with development projects in the program area, including the proposed project at 788 San Antonio Road. Therefore, consistent with PAMC Chapter 16.28, Grading and Erosion Sediment Control, the project applicant would be required to prepare a Construction Dewatering Plan that is consistent with detailed requirements and performance standards contained in the City's Dewatering System Policy and Plan Preparation Guidelines. These guidelines regulate dewatering in the City to ensure that the process is safe. For example, the guidelines require that a detailed geotechnical investigation be prepared to determine the level of groundwater below a proposed project. In addition, the guidelines regulate the type and timing of dewatering and require that water be tested for contaminants prior to initial discharge and at intervals during dewatering and that sediment and contaminated groundwater be kept out of the storm drain system. Further, potential construction dewatering would be localized and would not affect nearby wells or overall groundwater levels, which would recover upon cessation of dewatering. Additional responses to concerns related to dewatering are discussed under the responses to Letter 1.

In terms of potential dewatering after future projects in the program area are built, should the groundwater level rise above the bottom of the building, projects would be required to comply with California Building Code (CBC) Sections 8005.1.3 and 1005.3 which define the conditions in which waterproofing would be required when the groundwater level is within six inches of the lowest planned finish floor level or higher. With waterproofing in accordance with CBC standards, structural dewatering would not be needed and groundwater levels in the program area would not be affected.

Adherence to the Palo Alto Municipal Code and CBC with respect to dewatering requirements would ensure impacts related to the water table at the program area and project site would remain less than significant.

Response 3.9

The commenters state an opinion that the City has not considered impacts on residents and their quality of life, including impacts related to noise, traffic, parking, pedestrian and bicycle safety, and groundwater.

The commenters provide opinions about impacts of the proposed project but do not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. As outlined in Responses 3.1 through 3.8 above, the Draft EIR analyzes the environmental impacts of the proposed HIP expansion and 788 San Antonio Road mixed-use project, including impacts on the existing neighborhood and residents. Some of the impacts analyzed in the EIR include noise, traffic, including impacts to pedestrian and bicycle facilities, and hydrology and water quality, including impacts related to groundwater. Section 4.4 of the EIR analyzes noise impacts, and these impacts were found to be less than significant or less than significant with mitigation. Section 4.6 of the EIR analyzes traffic impacts, and these impacts were found to be less than significant. Parking is not an environmental impact under CEQA, and thus is not required to be discussed in the

Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project

EIR. The Initial Study, included as Appendix B to the EIR, analyzes impacts related to hydrology and water quality, including groundwater and dewatering, and these impacts were found to be less than significant.

Sheldon Ah Sing

From: Harter, Pamela <Pamela.Harter@PHD.SCCGOV.ORG>
Sent: Thursday, August 20, 2020 1:41 PM
To: Sheldon Ah Sing
Subject: questions about rentals and limit on number of residents- 788 San Antonio RD. project apartments

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mr. Ah Sing,

1 | I have been following the progress on this project. I live across the street. Of particular concern is parking and traffic. The traffic is already terrible and grid locked. It can take 20 minutes to travel a ¼ mile to go from 101 to Leghorn. This is a great concern as it affects the emergency response access and also air pollution. The longer term much larger plan for building a lot more construction projects in the area, is very alarming. What are the plans to improve the traffic, and pedestrian and bike safety? No one so far is addressing this. One way streets. No one is talking about viable solutions.

2 | Greenhouse I & II have been here for over 40 years. The residents have relied on the 10 to 12 street parking spaces greatly, especially since the demographics have changed dramatically due to housing costs. We have many families who live here now, and more densely housed units, and there is a greater need now more than other for street parking. We never had enough parking from the beginning and yet this was approved by the City and Planning dept. Now the need for parking is very great.

3 | I am also very concerned about the number of people that will be allowed to rent in these new units. It is not uncommon for people to cram more people in, that are not appropriate for the unit size. This is an issue with parking, traffic, noise and other factors. I have no idea why they decided to switch from condos to rentals. A 10 year, long term plan, to allow conversion from rentals into condos, sounds absurd to me. Why not make the condos below market for more people? When there are no limits on the number of renters per unit, the housing can degrade into a undesirable environment and degrade the neighborhood and other nearby long term residences- condominium complexes.

Thanks, Pamela

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Letter 4

COMMENTER: Pamela Harter

DATE: August 20, 2020

Response 4.1

The commenter states that she is concerned about parking and traffic, including existing congestion in the neighborhood where the program area is located, which impacts emergency response access and air pollution. The commenter asks what plans there are to improve traffic, pedestrian, and bike safety.

This comment is similar to comments in Letter 3. Please refer to responses 3.3 and 3.4 for responses to comments related to traffic congestion and emergency response.

Section 4.1 of the EIR analyzes air quality impacts associated with the project, and these impacts were found to be less than significant or less than significant with mitigation incorporated. (The EIR does not include an analysis of impacts of existing traffic on air quality, which is not required under CEQA.) Specifically, impacts related to increases in criteria air pollutants, including emissions from mobile sources (vehicle trips), are evaluated under Impact AQ-2. As stated in the Draft EIR, “the project’s total estimated gross and net operational daily and annual emissions would not exceed BAAQMD maximum daily emissions thresholds for ROG, NO_x, PM₁₀, or PM_{2.5}. Therefore, the project would not result in potentially significant air quality impacts from operation emissions and impacts would be less than significant.”

Response 4.2

The commenter states an opinion that the need for on-street parking spaces is very great because the residents of the Greenhouse I and II rely on on-street parking, especially for units that include many residents.

As described under Response 3.5 above, parking is not an environmental impact under CEQA, and thus is not required to be discussed in the EIR. Furthermore, the proposed 788 San Antonio Road mixed-use project meets the City’s parking requirements, as it would include a total of 126 parking spaces in a subterranean parking garage, including 20 spaces for the ground-floor retail space and 106 spaces for residential units. The project would provide adequate parking per City requirements and the project is not expected to substantially affect street parking or utilize parking at neighboring sites.

Response 4.3

The commenter expresses concern about the number of people who will be allowed to rent the new units in the proposed 788 San Antonio Road mixed-use project and says that it is not uncommon for residential units to include more residents than they are intended for. The commenter states that she doesn’t understand why the project would include condominiums instead of rental units.

The commenter provides opinions about residential density but does not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. CEQA requires an analysis of the project’s environmental impacts, which is based on the project’s service population (number of residents and employees). The analysis is not dependent on

the type of residential unit proposed; the difference between condominiums and rental units does not affect the conclusions in the Draft EIR.

Impacts related to population and housing are discussed in Section 14 of the Initial Study (included as Appendix B to the Draft EIR) and were found to be less than significant. As described in the Initial Study, the proposed HIP expansion would allow up to 818 new residential units in the program area and would therefore generate population growth. Based on a per-person household rate of 2.3 for the City of Palo Alto, which is established in the City's most recent Housing Element, these 818 units would add an estimated 1,881 new residents to the City population. The Initial Study concludes the population increase associated with the proposed project would be within the population forecast for the City and that impacts related to population increase would therefore be less than significant.

2 ↑ significant volume of water and not penetrating into those layers with the dewatering wells is desirable”. This is supported by the mention of alluvial fan deposits at about 18 feet in [Appendix B Initial Study](#), p. 56 (City of Palo Alto, 2016a). A two-level garage for 788 San Antonio Road would require excavation and dewatering significantly deeper than 20 feet and lead to excessive dewatering plus possibly, increased liquefaction impacts.

3 In addition, the underground structure will block groundwater flows through the alluvial layers. Groundwater flows are a very significant portion of the stormwater management system in this area. The DEIR completely omits analysis of these impacts.

Dewatering Process

The DEIR for the Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project, [Appendix B Initial Study](#), pages 76-77, states

- 4 1. “The project would involve excavation up to approximately 14 feet below ground surface. According to the Geotechnical Investigation completed for the project (Appendix B), groundwater was measured in borings at depths of between eight and ten feet and is historically known to occur at depths of five feet. . . . because of the relatively small area of the project site and **proposed depth of excavation**, near or only slightly below existing groundwater levels, **the project would not result in a significant depletion of groundwater supply.** “

- 5 6 ↓
- This conclusion applies only up to 14 feet below ground surface, sufficient depth for a 1-level garage but does not apply to a two-level garage
 - No quantitative analysis of the amount of groundwater pumped and discarded is included to support the conclusions. Data (Appendix A, Dewatering Impacts a Large Area, attached) shows “controlled groundwater pumping” for two residential basements lowered the groundwater levels on neighboring properties by 6 -7 feet, and by 2 feet even over 1,500 feet away. Together, these two properties pumped over 77 million gallons of groundwater (City data).
 - The conclusion of no significant depletion of groundwater supply [using best dewatering practices] applies only for a 1-level garage for the project at 788-796 San Antonio Road. It cannot and does not account for the **cumulative impacts** (as required by CEQA) **of all other projects** on San Antonio Road from Middlefield to East Charleston Road which are covered in this Program DEIR plus the other projects mentioned in Table 3-1 of the DEIR.
 - “Best practices” or the objectives of “best practices” that lead to the conclusion of insignificant depletion of groundwater supply are not specified. Palo Alto’s

6



Dewatering Regulations do not include any restrictions on the amount or rate of groundwater pumped.

2. Assuming a one level garage is allowed, cut-off walls or artificial ground freezing may be required for ALL projects under this Program DEIR because the common dewatering technique that the City calls “controlled groundwater pumping”, would lead to excessive groundwater pumping and the **mobilization of the nearby contaminant plumes**.
3. Based upon measured groundwater pumping rates of 200 gallons per minute for residential properties in Palo Alto with 3,000 square foot excavations to 4 feet below groundwater level, “controlled groundwater pumping” for this project would likely result in a pumping rate of ~1,000 gallons per minute for at least 6 months, for a total of approximately 250 million gallons. This would draw a significant amount of water from the area within a half-mile radius from the pumping site and lower its water table for the duration of the dewatering period (localized drought).

7



Physical/Environmental Impacts of Underground Construction

1. Using cut-off walls would limit the amount of water pumped and avoid the mobilization of contaminants. However, when using cut-off walls “the resulting groundwater barrier is effectively permanent and will remain in place following the end of the construction period, and may interrupt horizontal groundwater flow, causing a **damming effect and altering groundwater levels local to the structure.**” [Groundwater control: design and practice, second edition, p. 81.](#)

The damming effect would likely lead to upstream flooding and also increase the potential for saltwater intrusion by reducing underground freshwater flows. Impacts of damming needs to be considered holistically for the 9-acre program area. Increase in the City’s stormwater carrying capacity, on-site storm water retention and slow release, proper channeling of the water and other mitigation measures should be considered for the whole area. The damming effect would also likely decrease groundwater flows downstream thus impacting downstream tree canopy and properties, the wetlands and the Bay. This impact is well-known and highly significant and requires further study.

2. As mentioned under ‘Dewatering’ – the cumulative impacts of dewatering can lead to significant loss of groundwater. This in turn can lead to subsidence and damage to buildings, canopy, roads and infrastructure within the dewatering zone of influence.

7,
cont

3. Care should also be taken that these wells and structures do not create vertical pathways to the deeper aquifer, Palo Alto’s source for emergency water supply, which would contaminate it.

8

4. Loss of soil. Soil has many benefits including carbon sequestration and the retention of and slow release of stormwater which reduces the possibility of flooding. While the proposed Program Area is largely impermeable, stormwater flows from the foothills to the Bay through the soil beneath the ground surface. With the replacement of soil by underground construction, that water has no place to go but stays above ground causing flooding and water quality degradation by stormwater run-off. Absent the benefits of soil, the DEIR should include how these impacts will be mitigated for the entire program area, including replacement of lost capacity for temporary buffering of storm water, a service naturally provided by Palo Alto’s soils.

9

Palo Alto’s current Dewatering Ordinance does not address the impacts of contaminant mobilization, damming of groundwater flows, loss of soil or the cumulative impacts of dewatering in an area as large as the proposed Program area. Therefore, the DEIR cannot rely on the Dewatering Ordinance to mitigate these impacts. Specific project mitigation must be incorporated in the project, prior to approval.

Impacts of Climate Change

On August 10, 2020, California’s Legislative Analyst’s office issued a report titled [“What Threat Does Sea-Level Rise Pose to California?”](#)

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“... in coastal communities where the underground water table is already close to the land surface [this applies to the Program Area as the historic high-water table at 788 San Antonio Road is reported at 5 feet], higher ocean water levels could also force up the water levels underneath the ground, leading to flooding and saltwater intrusion.”

In other words, the groundwater table is expected to rise with sea level rise (DEIR p. 4.4-4); seawalls and berms will not mitigate this impact.

1. With the high-water table at the Program Area, the DEIR should address the hazards posed by flooding and saltwater intrusion to their projects as these lead to faster degradation and possible failure of tree canopy, buildings, roads, and infrastructure and will impact residents.
2. Additionally, current building standards do not account for rising groundwater levels and the consequent increase in hydrostatic pressure and water buoyancy. For the

safety of residents and for achieving the expected lifespan of these projects, underground building construction should account for this expected increase.

From the Initial Study, page 50 “A design groundwater table at 5 feet [*historic high-water table*] below existing ground surface shall be used for the project . . . Further analysis of this issue in an EIR is not warranted.”

Mitigation of climate change impacts on all construction, but especially underground construction, should be required where the groundwater level is already high. The impacts of sea level rise are as real in the West Coast as in the East Coast. The City of San Francisco is taking the threat seriously and is [raising a 2,250-ton building at Pier 70](#) ten feet higher.

Summary

Unlike above-ground construction, underground construction is considered permanent and has as many, if not more, environmental impacts as above ground construction.

The Program EIR envisions several projects on San Antonio Road from Middlefield to East Charleston and needs to consider and mitigate as a whole their cumulative impacts on stormwater management, flooding, saltwater intrusion, contaminant plume migration, possible contamination of the deeper aquifer and all other impacts deriving from underground construction.

Thank you for considering our comments,

Keith Bennett, Ph.D.

Esther Nigenda, Ph.D.

Save Palo Alto's Groundwater

www.SavePaloAltosGroundwater.org

Attachments (2)

Environmental Checklist 10. Hydrology and Water Quality
Appendix A - Dewatering Impacts a Large Area

Environmental Checklist 10. Hydrology and Water Quality

DEIR for the Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project

Our comments in blue.

Would the project:

- a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Dewatering operations could potentially cause the mobilization of contaminants thus degrading groundwater quality and/or contaminate the deeper aquifer. Palo Alto relies on groundwater from the deeper aquifer for emergency water supplies.

Post-construction, the damming effect and loss of soil from multiple underground construction projects could lead to stormwater run-off and the degradation of water quality, especially when combined with the impacts from sea level rise, which is definitely expected during the lifetime of this project.

- b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

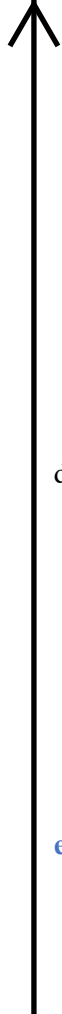
Depending on the dewatering method used and timing of various projects on the Program Area, the groundwater supplies could be decreased substantially.

In addition, climate change and population growth are likely to affect the availability of Hetch Hetchy Water during the project's lifetime. Santa Clara County Water District, San Francisco Public Utilities and the City of Palo Alto have active projects to evaluate increased use of groundwater and alternative water supplies.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: **With underground construction, the project as a whole could substantially alter the existing drainage pattern of the site or area through the alteration of the groundwater flows.**
 - (i) Result in substantial erosion or siltation on- or off-site;
 - (ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site

Yes, it is well known that underground construction, especially for projects the size of the proposed area, can have a damming effect and result in flooding on- or off-site and reduced groundwater flow downstream of the "dam".

- (iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or



This “underground dam” would increase the amount of surface run-off and increase flooding; it could create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff

(iii) Impede or redirect flood flows?

This “underground dam” could impede or redirect flood flows.

In addition, the presence of the underground construction creates an “impervious volume” reducing the total stormwater absorption capacity of local soils. These considerations need to be addressed as part of the project design, prior to approval.

12

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

With sea level rise expected during the project’s lifetime and the high-water table at the Program location, the program zone is expected be impacted by sea level and groundwater level rise, leading to flooding and risking the release of pollutants due to groundwater inundation at the project.

The current sea level rise and flood maps do not account for the groundwater level rise concurrent with sea level rise. Recent scientific articles indicate that groundwater level rise is expected to increase the risk of flooding and double the area of the flood zone.

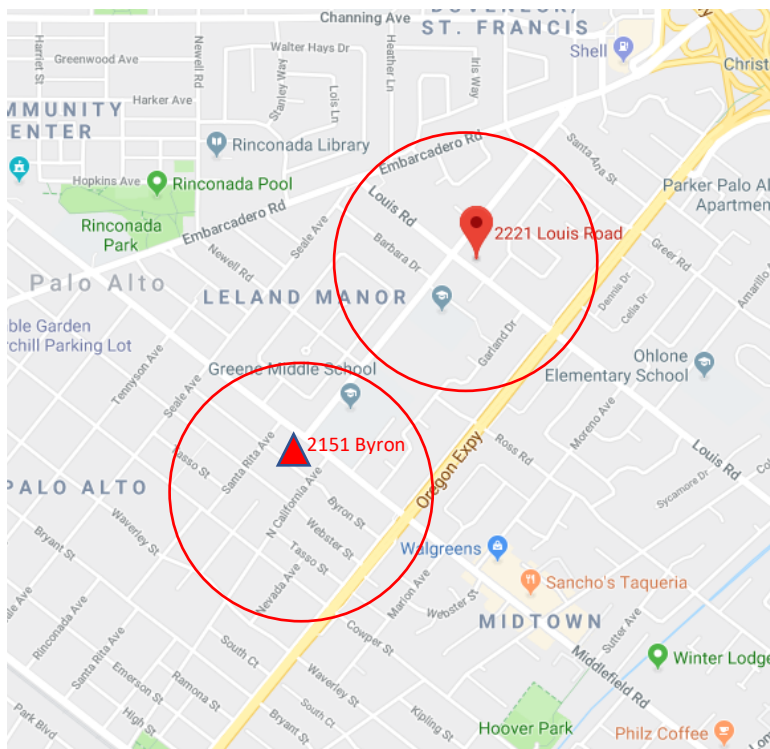
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The amount of groundwater water pumped depends on the method, depth, rate, and duration of dewatering. This impact can be exacerbated by the number and timing of additional nearby projects.

Appendix A Dewatering Impacts a Large Area

The following is actual data from two residential dewatering projects in Palo Alto. In both cases, the basement excavation depth was approximately 5 feet below the groundwater level at the start of the project, “controlled groundwater pumping” was used, and pumping rates were approximately 150 – 200 gallons per minute. The monitoring well was located approximately 1,100 from one site and 1,900 feet from the other site. Dewatering lowered the water table approximately 2 feet at the monitoring well, clearly showing the large area impacted. Note any contaminant plumes in this area would be mobilized. The 788 San Antonio Project would have much larger impacts as the groundwater for a 2-story underground parking would be lowered by approximately 20 feet and the area of the project is larger.

Figure 1. Even for small, residential properties “controlled groundwater pumping” affects a very large area.



Monitoring well location approximately midway between both sites.

2 simultaneous *residential* projects lowered the water level significantly over much of Palo Alto from Waverly to Greer.

Lowering the water table reduces deep aquifer recharge and causes ground to settle in some locations, damaging property.

Scale: 3,000 feet

Dewatering significantly impacts a very large area

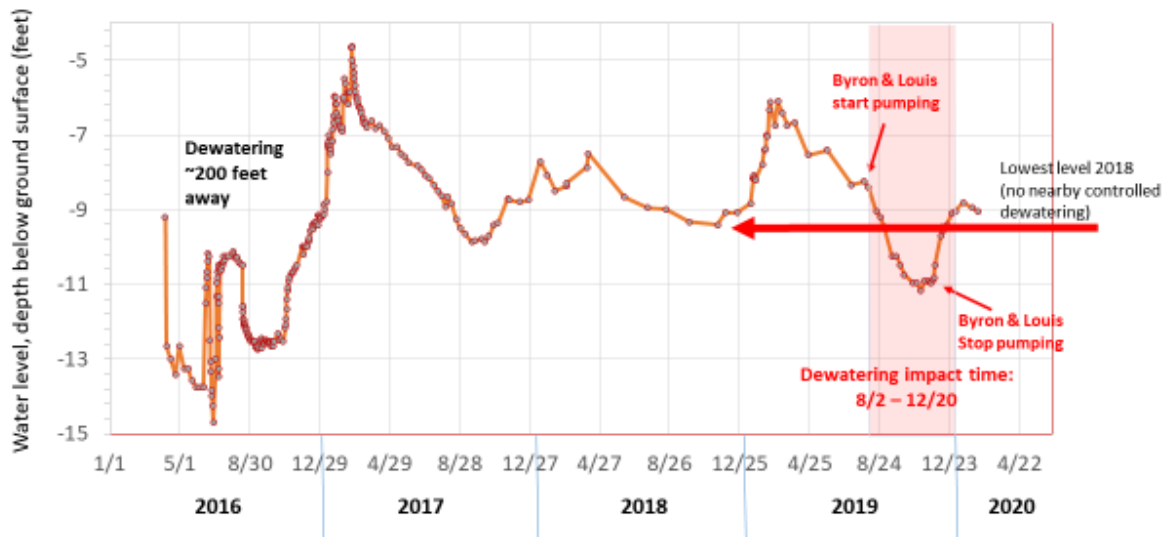


Figure 2. Four year groundwater level monitoring at a single site. The dips in 2016 are due to residential dewatering for separate projects about 145 and 200 feet from the monitoring well, respectively. In 2018, there was no construction dewatering near the monitoring well. Note the groundwater level remained stable at just below 9 feet below ground surface during the summer. In 2019, two residential dewatering projects at distances of 1,100 and 1,900 feet away from the monitoring well (as shown on the map in the previous figure) lowered the groundwater level by approximately 2 feet.

Groundwater rises from November through April are due to rain storms. Water level drops between rain events due to groundwater flows – a significant part of Palo Alto’s stormwater management natural infrastructure.

Letter 5

COMMENTER: Keith Bennett, Ph.D. and Esther Nigenda, Ph.D.

DATE: September 10, 2020

Response 5.1

The commenters state an opinion that the Draft EIR does not adequately address the environmental impacts of the proposed underground construction. They state further that their concerns follow in the rest of the letter.

Responses to specific comments regarding the proposed project, its environmental impacts, and the Draft EIR raised are provided in Responses 5.2 through 5.12.

Response 5.2

The commenters state that the scope of work for the mixed-use project at 788 San Antonio Road has changed, from one floor below grade for the garage to two floors below grade in the current proposal, and that the geotechnical investigation prepared for the site does not provide enough information to support this change. They state that based on information in a geotechnical investigation prepared for a nearby site, a two-level garage would require excavation and dewatering significantly deeper than 20 feet and lead to excessive dewatering plus possibly, increased liquefaction impacts.

The commenter is correct that the proposed mixed-use project at 788 San Antonio Road has gone through several iterations and that the geotechnical investigation (Appendix B to the Initial Study) was prepared based on an earlier set of plans that included one level of underground parking, instead of two as the project is currently proposes (and as was analyzed in the Draft EIR). However, as described in Section 7 of the Initial Study, *Geology and Soils*, the project would be required to comply with Mitigation Measure GEO-1, which requires completion of a detailed final geotechnical investigation prior to approval of grading permits. In the case of the project at 788 San Antonio Road, the current geotechnical investigation would be required to be updated to reflect the most recent project description. In addition, as described in the Initial Study, the final geotechnical investigation would be required to identify significant geotechnical constraints on the proposed development, including liquefaction susceptibility and groundwater level, and develop formal recommendations for project design and construction, including site grading/soil preparation, foundation design, and depth of excavation. With compliance with this mitigation measure, impacts related to dewatering and liquefaction would be less than significant.

Response 5.3

The commenters state an opinion that the underground garage proposed as part of the mixed-use project at 788 San Antonio Road would block groundwater flows through the alluvial layers and that groundwater flows are a very significant portion of the stormwater management system in this area.

The Initial Study, included as Appendix B of the Draft EIR, analyzes impacts related to groundwater. As described in Section 10 of the Initial Study, *Hydrology and Water Quality*, it is anticipated that groundwater would be encountered during construction of the project at 788 San Antonio Road. Therefore, consistent with Palo Alto Municipal Code Chapter 16.28, Grading and Erosion Sediment Control, the applicant would be required to prepare a Construction Dewatering Plan that is

consistent with detailed requirements and performance standards contained in the City's *Construction Dewatering System Policy and Plan Preparation Guidelines*. These guidelines regulate dewatering activities in the City to ensure that the process is safe. For example, the guidelines require that a detailed geotechnical investigation be prepared to determine the level of groundwater below a proposed project. In addition, the guidelines regulate the type and timing of dewatering and require that water be tested for contaminants prior to initial discharge and at intervals during dewatering and that sediment and contaminated groundwater be kept out of the storm drain system. Adherence to the Palo Alto Municipal Code with respect to dewatering requirements would ensure the impacts related to the water table would remain less than significant.

Response 5.4

The commenters assert that the Initial Study incorrectly states that excavation for the proposed mixed-use project at 788 San Antonio Road would involve excavation up to approximately 14 feet below ground surface (instead of 20 feet six inches, which is proposed) and the conclusions related to groundwater supply are therefore not supported.

The commenters correctly identify an error in the Initial Study. In response to this comment, revised information to state that the project would involve excavation up to approximately 20 feet six inches below ground surface has been added to the Initial Study. Please see Chapter 4, Revisions to the Draft EIR, to see these revisions. Despite this needed correction, the conclusion in the Initial Study is still correct. As described in the Initial Study, water supply to the project site would not rely on groundwater supplies, and the project would not include installation of new groundwater wells or use of groundwater from existing wells. Temporary dewatering during construction of the proposed project would not substantially affect groundwater levels. The potential depression during dewatering would be localized and would not significantly affect the overall groundwater level. Moreover, since much of the project site is already covered with impervious surfaces, including concrete surface parking lots, the project would not result in decreased groundwater infiltration. Therefore, the proposed project would not result in a net deficit in aquifer volume or a lowering of the groundwater table. The project would not result in an exceedance of safe yield or a significant depletion of groundwater supplies. Impacts related to groundwater would be less than significant.

Response 5.5

The commenters state an opinion that no quantitative analysis of the amount of groundwater pumped and discarded is included to support the conclusions in the Initial Study and cites data that show that groundwater pumping for two residential basements lowered the groundwater levels in the surrounding area. The commenters also state an opinion that the conclusions in the Initial Study related to groundwater depletion do not account for the cumulative impacts, including those allowed by the HIP Expansion and listed in Table 3-1 of the Draft EIR.

In accordance with CEQA Guidelines §15124, the project description "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." Information on the specific location of the dewatering features and the amount of pumping that would be required are not necessary to evaluate and review the potential environmental impacts of the project. Consistent with CEQA Guidelines §15123, the Initial Study contains a brief summary of the proposed actions and its consequences, in this case, as they relate to impacts on hydrology and water quality. In addition, the analysis in the Initial Study provides a sufficient degree of detail through reference to the City's dewatering regulations. Specifically, as outlined under Response 5.2, it is anticipated

that groundwater would be encountered during project construction and that the project applicant would therefore be required to prepare a Construction Dewatering Plan that is consistent with detailed requirements and performance standards contained in the *City's Dewatering System Policy and Plan Preparation Guidelines*. Prior to excavation activities for the project, the City of Palo Alto Public Works Engineering Department would review the project's Construction Dewatering Plan to ensure that the *Guidelines* are followed. Therefore, adherence to the Palo Alto Municipal Code with respect to dewatering requirements would ensure the impacts related to the water table at the program area and project site would remain less than significant. Moreover, other projects allowed by the HIP expansion would also be reviewed by the Public Works Engineering Department, and, in the cases where groundwater is likely to be encountered, would also be subject to their own Construction Dewatering Plans. Therefore, cumulative impacts related to the water table would also be less than significant.

Response 5.6

The commenters state an opinion that "best practices" are insufficient grounds to conclude that impacts related to groundwater would be less than significant and that the City's Dewatering Regulations do not include restrictions on the amount or rate of groundwater pumped.

The analysis in the Initial Study regarding groundwater does not describe "best practices." (The commenters may be referring to the Best Management Practices described in Section 9.6.4 of the BAAQMD CEQA Guidelines, which are outlined in Section 7 of the Initial Study, *Geology and Soils*, and relate to the avoidance of erosion and topsoil degradation). Refer to Responses 5.4 and 5.5 above for a description of analysis and conclusions related to groundwater impacts.

Response 5.7

The commenters state an opinion that cut-off walls or artificial ground freezing may be required for projects allowed under the HIP Expansion because dewatering would lead to excessive groundwater pumping and the mobilization of the nearby contaminant plumes. The commenters also suggest that pumping associated with the project would draw a significant amount of water from the surrounding area and lower the water table for the duration of the dewatering period, causing a localized drought. The commenter raises concerns about off-site flooding and the potential for saltwater intrusion as well as an overall cumulative loss of groundwater which can lead to subsidence and building damage. The commenter states an opinion that precautions should be taken to ensure wells and structures do not create vertical pathways to the deep aquifer.

As described under Response 5.5 above, information on the specific location of the dewatering features and the amount of pumping that would be required are not necessary to evaluate and review the potential environmental impacts of the project. For projects that encounter groundwater, applicants would be required to prepare Construction Dewatering Plans consistent with the *City's Dewatering System Policy and Plan Preparation Guidelines*. These guidelines require that water be tested for contaminants prior to initial discharge and at intervals during dewatering, as well as provisions for keeping sediment and contaminated groundwater out of the storm drain system. Prior to excavation or pumping, the Public Works Engineering department would review the Construction Dewatering Plans to ensure that regulations related to the water table are followed. As summarized in other responses to this letter and in the Initial Study, it is not anticipated that development in the program area would lead to flooding, groundwater loss, or subsidence. There is no evidence that development in the program area would create vertical pathways to the deep aquifer such that contamination of the aquifer would occur.

Response 5.8

The commenter states an opinion that underground construction associated with new buildings allowed under the HIP expansion would prevent water to flow through soils and cause flooding and water quality degradation by stormwater run-off.

Impacts relate to water quality, flooding, and stormwater run-off are described in Section 10, *Hydrology and Water Quality*, of the Initial Study (included as Appendix B of the Draft EIR). As described in that section, CEQA requires an analysis of whether a project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The proposed project would be required to comply with various local and state regulations related to water quality and stormwater discharge. Those requirements include Chapter 16.11 of the PAMC, which requires that permanent stormwater pollution prevention measures be incorporated into projects and the Santa Clara Valley Urban Runoff Pollution Prevention Program Permit Provision C.3, which contains requirements for controlling the potential impacts of land development on stormwater quality and flow. Given compliance with these requirements, the Initial Study concludes that the housing allowed by the proposed HIP expansion would not violate water quality standards, waste discharge requirements, or degrade water quality. Impacts would be less than significant. It would be highly speculative to infer that one- to two-story underground structures along this corridor would interrupt stormwater flows such that flooding would occur.

For a discussion of impacts related to flooding, please refer to Response 1.6.

Response 5.9

The commenter states an opinion that Palo Alto's current Dewatering Ordinance does not address the impacts of contaminant mobilization, damming of groundwater flows, loss of soil or the cumulative impacts of dewatering in the program area and that therefore, the Draft EIR cannot rely on the Dewatering Ordinance to mitigate these impacts. The commenter suggests that specific project mitigation must be incorporated in the project, prior to approval.

The commenter's opinion that the City's dewatering ordinance is not sufficient is not supported by evidence. The City's ordinance uses best practices to manage dewatering and prevent contaminated water from entering the storm drain system in accordance with regional and statewide regulations. In addition, the City updates its dewatering policies, which augment the ordinance, on a yearly basis after evaluating the prior year's dewatering construction season. Therefore, the City's policies and regulations are updated regularly to ensure that dewatering activities in the City are completed safely and with the correct oversight.

Finally, each individual project within the program area would be reviewed by City staff to ensure potential impacts related to dewatering are adequately addressed. For example, the following project-specific condition of approval would apply to the 788 San Antonio Road project:

DEWATERING: Proposed underground garage excavation may require dewatering during construction. Prior to issuance of a grading/excavation permit, the owner or designee shall contact Public Works to discuss the dewatering process and submittal requirements. Public Works only allows groundwater drawdown well dewatering. Open pit groundwater dewatering is disallowed. Dewatering is only allowed from April 1 through October 31 due to inadequate capacity in our storm drain system. The geotechnical report for this site must list the highest anticipated groundwater level; if the proposed project will encounter groundwater, the applicant must provide all required dewatering submittals for Public

Works review and approval prior to grading permit issuance. Public Works has dewatering submittal requirements and guidelines available at the Development Center and on our website: https://www.cityofpaloalto.org/gov/depts/pwd/forms_and_permits/default.asp

Response 5.10

The commenter quotes from a report that describes the impacts of sea-level rise on California and states that the groundwater table is expected to rise with sea-level rise. The commenter states an opinion that the Draft EIR should address hazards posed by flooding and saltwater intrusion. The commenter asserts that current building standards do not account for rising groundwater levels and the increase in hydrostatic pressure and that underground building construction should account for this expected increase. The commenter further suggests that mitigation of climate change impacts on all construction, but especially underground construction, should be required where the groundwater level is already high and refers to a project in San Francisco that involved raising a building.

CEQA requires a lead agency to evaluate the impacts of a proposed project on the environment, not the impacts of the environment on a project. Therefore, CEQA does not require an analysis of impacts related to sea level rise on a proposed project. Moreover, the program area is approximately one mile southwest of the edge of the San Francisco Bay at its closest point. Therefore, the suggestion that sea-level rise would directly affect the parcels within the program area is highly speculative.

For a discussion of impacts related to flooding, refer to Response 1.6. As described in that response, impacts related to flooding would be less than significant.

Response 5.11

The commenter summarizes the concerns raised earlier in the letter.

Responses to the specific concerns raised in the letter are described in Responses 5.1 through 5.10.

Response 5.12

The commenter provides the checklist questions for Section 10, *Hydrology and Water Quality*, of the Initial Study (Appendix B to the Draft EIR) and reiterates comments made in the previous portions of the letter, including concerns regarding dewatering, degradation of water quality, underground construction, flooding, and sea-level rise. In addition, the commenter states that the project could substantially alter the existing drainage pattern of program area and that the reduction of groundwater is likely to affect the Hetch Hetchy water supply.

As described in Section 10 of the Initial Study, all impacts related to hydrology and water quality were found to be less than significant. The commenter provides comments related to the CEQA checklist questions but does not directly challenge the findings or conclusions of the Draft EIR.

As described in Section 10 of the Initial Study, the HIP expansion would also not alter the existing drainage pattern of the site or area. Moreover, the project would not involve a change in the existing surface runoff system; configuration within the program area would be maintained and the proposed zoning amendment would not introduce new surface water discharges, would not substantially increase runoff volumes, result in substantial erosion or siltation, and would not result in flooding on- or off-site.

Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project

Impacts related to water supply are also addressed in Section 10 of the Initial Study. As described in that section, development of higher-density housing under the proposed HIP expansion would increase demand for potable water. However, sufficient water supplies would be available to serve the project from existing entitlements and resources. No new or expanded entitlements would be needed to serve the new housing. The HIP expansion would not result in a substantial physical deterioration of public water facilities or result in adverse physical impacts from new or expanded utility facilities due to increased use as a result of the project. Therefore, the project would not result in a substantial impact related to Hetch Hetchy water supplies.

Comments related to dewatering, degradation of water supply, underground construction, flooding, and sea-level rise are addressed in Responses 5.1 through 5.10.

Sheldon Ah Sing

From: Joan Larrabee <joan.larrabee.17@gmail.com>
Sent: Friday, September 11, 2020 2:28 PM
To: Sheldon Ah Sing; city.council@cityofpaloalto.org; fire@cityofpaloalto.org; police@cityofpaloalto.org
Cc: pst54@comcast.net; Janet Kahle; brianc9876@gmail.com; dtottingham@gmail.com; ncmartin@comcast.net; ralphgc66@gmail.com; pharter123@hotmail.com; patstarrett; enigenda@yahoo.com; Keith Bennet; joan.beitzuri@comcast.net
Subject: ENVIRONMENTAL IMPACT REPORT (EIR) for HOUSING INCENTIVE PROGRAM (HIP) for 18 PARCELS on SAN ANTONIO ROAD including 788 SAN ANTONIO, PALO ALTO, CA

Follow Up Flag: FollowUp
Flag Status: Flagged

Categories: Red Category

1 The Environmental Impact Report shows that the City of Palo Alto is contemplating changing the zoning of 18 land parcels on San Antonio Road, East Charleston Road to Middlefield Road, from Service Commercial (CS) to very High Density Residential, about 100 units per acre. Table 6-2 shows that this could result in as many as 818 new dwelling units. The 50' Tall buildings would also be allowed to have neighborhood retail on the ground floors. This zoning change might result in as many as 818 kitchens, where now there is only one at Taco Bell. Kitchens in such dense quarters are often subject to fires. More calls for Fire Department Services.

2 When a possible change in zoning for 788 San Antonio to allow 20 two- and three-bedroom condominiums was first announced, many of my neighbors and I spoke in favor. We know that housing is an issue in Palo Alto. A major concern, however, was for school children crossing highly congested San Antonio to attend school was discussed.

San Antonio Road, between East Charles Road and Middlefield Road, is so narrow, it only has four travel lanes, two in each direction. Former public transit buses, both the Santa Clara County Transit and Palo Alto Shuttle, were removed because of the heavy traffic congestion. There are no bike lanes, although the EIR says the City expects new residents to take public transit as well as bikes to work and for shopping. In public meetings, the few bike riders have said they use the sidewalks. Not safe for pedestrians nor for bicyclists.

As San Antonio Road approaches Route 101 and crosses East Charleston Road, the roadway narrows to only one lane, often backing traffic up clear to Leghorn Street.

3 With higher density housing, will come more residents' calls for City Services for Police, Fire and Emergency Medical Technicians (EMTs). The increased congestion will cause problems for timely service. I live in Greenhouse One, built at ten units per acre. City responses to my immediate neighbors have been for a young child who went into shock for a bee sting, a welfare check where the Police Officers found the resident had passed away, a woman with COPD who needed the EMTs, and I called 911 for the Fire Department because sparks were coming out of an electric socket in my kitchen.

The EIR does not address the increased calls for emergency services when the density to residents might increase by ten-fold over Greenhouse One.

3 ↑ It does not recognize the congestion of San Antonio Road. It does not recognize the increased calls to very high density housing compared to the very few calls to existing businesses.
In Tables 1-4 it states that no mitigation is required. This is not true.

4 Many public officials seem to confuse Mountain View, south of the train tracks, between Alma Street and El Camino, as being in Palo Alto. There San Antonio Road has six travel lanes and bike lanes on both sides. Six travel lanes, three in each direction, carries 50 % more vehicles than the narrower street in Palo Alto does. I have never seen any of the intersections there congested. Mountain View also has a large parking garage with a traffic signal at Fayette. There is no on-street parking making it safer for bicyclists.
Several of the Palo Alto public officials and commissioners in public meetings have admitted they have never been to the City of Palo Alto area under discussion, East Charleston Road to Middlefield Road.

5 The Housing Incentive Program has been applied to the El Camino area in Palo Alto where there are six travel lanes and public bus service. It should not be applied to San Antonio Road with only four travel lanes, no bike lanes and no bus service.

6 The Environmental Impact Report for the Housing Incentive Program (HIP) is inadequate on many, many levels. Contaminated soils, underground water diversion, and traffic congestion are only a few of the many major problems. The City's over-building and welcoming of business interests to Palo Alto should not be compounded by now overbuilding apartments on San Antonio Road.

Joan Larrabee
Greenhouse One Resident
777 San Antonio Road,
Palo Alto, CA
September 11, 2020

Letter 6

COMMENTER: Joan Larrabee

DATE: September 11, 2020

Response 6.1

The commenter states that the project would involve a zone change of the 18 parcels within the program area from Service Commercial (CS) to high density residential zoning, which would allow up to 818 new dwelling units and buildings up to 50 feet in height. The commenter states that the 818 kitchens that would be allowed with the development of the new residential units would be subject to fires because of their density and that there would be more calls for Fire Department Services.

The commenter is correct that the proposed HIP expansion would allow the development of up to 818 dwelling units on 18 parcels within the program area. (The City notes that all the parcels within the program area would remain within the CS zoning district and that the HIP Expansion would apply zoning regulations in addition to the CS regulations.)

The commenter provides an opinion regarding fire service but does not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. Impacts related to Fire Department Services are discussed Section 15, *Public Services*, in the Initial Study (Appendix B of the Draft EIR). The commenter is correct that increased density allowed by the HIP expansion could result in the need for increased or expanded Fire Department facilities. However, as described in the Initial Study, buildout under the HIP Expansion would be consistent with the buildout anticipated in the 2030 Comprehensive Plan; the increase in units and population associated with the project would be consistent with the expectations for Palo Alto and would therefore not result in an increase in need for fire services beyond those expected under the Comprehensive Plan. Moreover, the program area is within an urbanized development within an urbanized, existing service area of the PAFD. Lastly, new development would be required to comply with the safety requirements in the California Fire Code and California Building Code, including requirements related to kitchen appliances, automatic sprinkler systems, fire-rated walls, and the use of smoke detectors and carbon monoxide monitors. High density development is common throughout Palo Alto and the state and fire protection services in urban areas are highly qualified to safely serve such development. Impacts related to fire service would be less than significant.

Response 6.2

The commenter expresses concern regarding the safety of San Antonio Road, including for school children crossing the street, pedestrians, and bicyclists. She states that San Antonio Road is narrow, and that public transit buses were removed because of traffic congestion.

The commenter provides opinions about existing traffic conditions but does not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. For a response to comments related to traffic congestion, please refer to responses 3.3 and 3.4.

Section 4.6 of the Draft EIR analyzes traffic impacts, including impacts related to pedestrian and bicycle facilities, and these impacts were found to be less than significant. As described in the Draft EIR, new residents in the program area would have access to an existing Class III bicycle route with shared motor vehicle/bicycle travel lanes on San Antonio Road and existing sidewalks, signalized intersections, striped crosswalks, ADA-compliant curb ramps, and pedestrian bush buttons.

Moreover, the project would not involve right-of-way modifications that would affect existing bicycle facilities or sidewalk and crosswalk access or preclude future facilities. Therefore, the project would not conflict with a program, plan, ordinance, or policy addressing transit, roadway, bicycle, and pedestrian facilities. In addition, at its August 12, 2020 public hearing, the Planning and Transportation Commission recommended that future improvements to the right-of-way be considered as part of the HIP expansion. If such improvements are proposed in the future, they would be reviewed by the City to ensure they are consistent with applicable circulation plans and policies. In addition, such improvements would also be subject to additional CEQA review, as required.

Response 6.3

The commenter states an opinion that the project would result in an increase in calls for fire and police services and that increased congestion could prevent timely service. The commenter provides a list of recent calls for emergency services within the neighborhood and states that the Draft EIR does not address the increased calls for emergency services.

As described under Response 6.1 above, the project would allow an increase in density in the program area, which could result in the need for increased fire and police services. However, as described in the Initial Study, buildout under the HIP Expansion would be consistent with the buildout anticipated in the 2030 Comprehensive Plan; the increase in units and population associated with the project would be consistent with the expectations for Palo Alto and would therefore not result in an increase in need for fire or police services beyond those expected under the Comprehensive Plan.

In addition, impacts related to emergency access are discussed in Section 4.6 of the Draft EIR, *Transportation* “[t]he adequacy of emergency access depends on site access to properties and the response times of emergency vehicles. As discussed in the 2030 Comprehensive Plan EIR, the City and the Fire Department would review specific development proposals to ensure adequate street access for emergency responders (City of Palo Alto 2016a). With regard to response times, traffic congestion has the potential to impede the movement of emergency vehicles. However, as discussed in Impact T-1, development facilitated by the proposed HIP expansion would not result in traffic delay that exceeds the City’s standards. Furthermore, emergency vehicles have the right to use lights and sirens to allow them to bypass the congestion (City of Palo Alto 2016a). Even in cases where an intersection or roadway segment is subject to delays exceeding local standards, vehicles are required by State law to pull over to the right and allow the emergency vehicle to pass. The HIP expansion also would not alter the capacity or configuration of streets on which emergency vehicles travel. Fire trucks and other emergency response vehicles from Fire Station 4 (located approximately 0.75 mile northwest of the program area on Middlefield Road) and other local fire stations would continue to have adequate access to San Antonio Road. Therefore, additional trips generated by residential development in the program area would not significantly impair emergency access. The proposed HIP expansion would have a less than significant impact on emergency access.”

Response 6.4

The commenter states that the portion of San Antonio Road within Mountain View includes six travel lanes, more than the portion within Palo Alto, and that the intersections in Mountain View are not congested. She also states that Mountain View provides a large parking garage, no on-street parking, which improves bicyclist safety, and that several of the Palo Alto public officials and

commissioners in public meetings have said they have never been to the area discussed in the Draft EIR.

The commenter provides an opinion regarding traffic congestion and safety in Mountain View compared to congestion in Palo Alto but does not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. Impacts related to traffic congestion and safety are discussed in Responses 6.1 through 6.3.

Response 6.5

The commenter states an opinion that the Housing Incentive Program has been applied to the El Camino area in Palo Alto where there are six travel lanes and public bus service and that it should not be applied to San Antonio Road, where there are only four travel lanes, no bike lanes and no bus service.

The commenter provides an opinion regarding appropriate locations for the Housing Incentive Program but does not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. The Draft EIR evaluates the impacts of the proposed HIP expansion within the program area; it does not make conclusions regarding the appropriateness of the project compared to other locations where the HIP has been applied. Moreover, as described under Response 6.3 above, impacts related to traffic and bicycle and transit facilities were found to be less than significant.

Response 6.6

The commenter states an opinion that the Draft EIR is inadequate for many reasons, including contaminated soils, underground water diversion, traffic congestion, and overbuilding.

The commenter provides an opinion regarding the adequacy of the Draft EIR but does not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. Impacts related to contaminated soils are analyzed in Section 9, *Hazards and Hazardous Materials*, of the Initial Study (Appendix B of the Draft EIR). As described therein, impacts related to contaminated soil would be less than significant. For a discussion regarding the water table and dewatering, please refer to Responses 1.1, 1.2, 3.8, and all responses to comments in Letter 5. For a discussion related to traffic congestion and increased density, please refer to Responses 6.1 through 6.3

Sheldon Ah Sing

From: Nancy Martin <ncmartin@comcast.net>
Sent: Saturday, September 12, 2020 2:55 PM
To: Sheldon Ah Sing; city.council@cityofpaloalto.org; fire@cityofpaloalto.org; police@cityofpaloalto.org
Subject: EIR for HIP for San Antonio Rd including 788 San Antonio Rd

Follow Up Flag: FollowUp
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Categories: Red Category

1 My name is Nancy Martin. I have been a resident of The Greenhouse since 1976. I raised my family here. My son used to play with friends on the lovely grassy area in front of our complex that abuts San Antonio . Now no parents would allow their children to play out there today due to the terrible traffic on SA. We have suffered through the growth of the area; but some of that is inevitable and we just have to accept it. The construction of the Marriott Hotels has been a terrible disruption with traffic, noise, dirt, parking issues and more problems are yet to come once they open. Now we face the proposed changes under the HIP proposal, which are unacceptable. Increased traffic on San Antonio will bring traffic to a standstill. I often wait 3 minutes to get out of The Greenhouse at the light. Where will the children who will live in the proposed new apartments/condos go to school and how will they safely get there? Where are the safe bike lanes? Bus services on San Antonio Rd was discontinued years ago. The de-watering could lead to many groundwater problems and even cause
2 the settling and therefore cracking of our buildings. If buildings are allowed to go up 50", San Antonio will turn into a canyon like San Antonio the other side of Alma. Mountain View will have to change its name because there is no longer a mountain view and Palo Alto is feeding into this problem. Yes, we need more affordable housing in Palo Alto; but let's be reasonable about what you are trying to do and not ruin an existing neighborhood. With Greenhouse 1 and Greenhouse 2 on San Antonio there
3 are 228 families whose lives would be disrupted by these proposed changes. I'm sorry to say, but I feel like what used to be our wonderful town of Palo Alo is being driven by developer greed. Please be considerate and reconsider the size of this plan.

Respectfully submitted,
Nancy C. Martin
ncmartin@comcast.net
650-493-3730H

"It's not what we have, but what we enjoy that constitutes our abundance."

Letter 7

COMMENTER: Nancy Martin

DATE: September 12, 2020

Response 7.1

The commenter states that she is a resident of The Greenhouse, and that she does not allow her children to play in front of the complex because of traffic on San Antonio Road. The commenter states that construction of nearby hotels has caused traffic, noise, dirt, and parking issues in the neighborhood and that the proposed project at 788 San Antonio Road would increase traffic. The commenter asks where children of new residents will attend school, how they will safely travel there, and where safe bike lanes are.

This comment is similar to the comments in letters 3, 4 and 6. For a response to comments related to traffic, congestion, and safety, please refer to Responses 3.3, 3.4 and 6.2. For a response to comments related to construction noise, please refer to Response 3.2.

Response 7.2

The commenter states an opinion that dewatering associated with the project could lead to groundwater problems, including settlement.

This comment is similar to comments in letters 1 and 5. For a response to comments related to groundwater and dewatering impacts, please refer to responses 1.1, 1.2, 3.8, and all responses to comments in Letter 5.

Response 7.3

The commenter states that if new buildings are allowed up to 50 feet in height, San Antonio would look like a canyon and views of the mountains would not be available, and that the existing residents in the neighborhood would be disrupted by the proposed project.

The proposed HIP expansion would not allow development at greater heights than currently allowed under existing zoning requirements; the maximum height in the CS zoning district is currently 50 feet. Impacts related to views are analyzed in Section 1, *Aesthetics*, of the Initial Study (Appendix B of the Draft EIR). As described in that section, “[t]he proposed HIP expansion would allow development of housing at higher densities than is currently allowed. However, HIP expansion would not allow housing to exceed the 50-foot maximum height allowed in the CS district, including all the parcels within the program area. In addition, the program area’s location in a relatively flat, urbanized area of the City and its distance from scenic resources would ensure that such development would not adversely affect a scenic vista. Therefore, no impact would occur.” In addition, as described in that section, new residential development under the HIP expansion would be Major Architectural Review, which, per PAMC Section 18.76.020, applies to new buildings, additions greater than 5,000 square feet, and any multiple-family residential project that contains three or more units. Approval of such project is subject to review by the Architectural Review Board and the findings in PAMC Section 18.76.020, including that a proposed design is compatible with the surrounding neighborhood. Therefore, impacts related to aesthetics, including views, building massing and design, would be less than significant.

Sheldon Ah Sing

From: [EMAIL REDACTED FOR PRIVACY]
Sent: Monday, September 14, 2020 3:16 PM
To: Sheldon Ah Sing
Cc: city.council@cityofpaloalto.org; Planning.Commission@CityofPaloAlto.org
Subject: Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project EIR Comments/Questions

Follow Up Flag: Follow up
Flag Status: Flagged

To: Sheldon Ah Sing
SAhsing@m-group.us
 Planning and Community Environment Department

Subject: Preparation of Environmental Impact Report and extension of Palo Alto’s housing incentive program relative to properties at 788 – 796 San Antonio Road

Dear Mr. Sing

Thank you for providing a copy of the Draft Environmental Impact Report SCH#2019090070 for the Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project. While not able to provide a thorough review, some issues were apparent. Please see the following for my comments, concerns and questions.

1 These are the first of 18 possible buildings/projects and it should be expected that this project will set the baseline for the follow-on projects. Since it will be difficult to ask the follow-on projects for higher goals, care should be taken such that the project requirements do not compromise a satisfactory result.

Examples of other areas in Palo Alto such that the ability to accommodate this level of density would be valuable. Are there areas with such density?

2 1) Appendices A-I are listed in the Table of Contents and mentioned throughout the draft but are not found. Please update the draft for these appendices.

3 2) On Page ES-3 recreation is stated as not impacted. This may be technically true since currently there are no facilities. But shouldn’t the addition of 818 units (an estimated 1,881 new residents) call for consideration of addition of such.

4 3) The GHG-1. Transportation Demand Management Plan (page ES-12) may not be realistic. VTA has dropped bus service on the segment of San Antonio Rd between Middlefield and Charleston. (Perhaps the street width wouldn’t support a bus stop and existing traffic lanes.) Why would it be reestablished? Providing on-site bike parking doesn’t seem sufficient to have residents actually use bikes for commuting if there’re no suitable bike lanes.

5 4) From Consistency with Plan Objectives (Page 4.1-16 pdf 74)
 “The BAAQMD threshold of significance for plans is whether the plan is consistent with the current air quality plan and whether the projected VMT or vehicle trip increase would be less than or equal to projected population increase. The HIP expansion would reduce overall VMT by increasing mixed use development that includes housing in close proximity to entertainment, retail, visitor lodging, and employment opportunities that could enable residents to live, work, and shop without the use of motor vehicles. The project would be consistent with the goals of the 2017 Plan because it

would encourage new development in an area that is served by transit and is conducive to bicycling and walking, thereby reducing emissions of ozone precursors.”

The statement, “The project would be consistent with the goals of the 2017 Plan because it would encourage new development in an area that is served by transit and is conducive to bicycling and walking, thereby reducing emissions of ozone precursors.” seems to ignore that the segment of San Antonio Rd between Middlefield and Charleston is not conducive to bicycling and has no bus service. Regarding the other bus service in the area what good is bus service unless it takes you to somewhere you want to go when you want to go. Further the segment of San Antonio Rd between Middlefield and Charleston doesn’t meet the definition of a Class III bike route and casual observation reveals that most bike travel on that segment uses the sidewalk on the West side of San Antonio. A mix of bicycles and pedestrian on a sidewalk seems hazardous. See page 4.6-8 (pdf page 182) for the criteria of a Class III bike lane, copied below for your convenience.

“Bike Routes (Class III): Class III bikeways are signed bike routes where bicyclists share a travel lane with motorists. Typical applications for Class III bike routes include roadways with bicycle demand but without adequate space for Class II bike lanes, low-volume streets with slow travel speeds, especially those on which volume is low enough that passing maneuvers can use the full street width, and as “gap fillers” for breaks in Class II lanes.”

From South Palo Alto Enhanced Bikeways, "Palo Alto parents note that the current state of bicycle infrastructure (unprotected bike lanes) on these high speed and/or heavily traveled corridors limits growth in the bicycle mode share for school commutes. Parents are unlikely to bike with their children next to multiple lanes of fast-moving traffic (Fabian Way) or in congested school zones (East Meadow Drive) without the protection of buffer zones or physical barriers such as bollards."

5) On page 4.1-16 (pdf 74), the statement, “The TIS estimated that 1,000 jobholders would reside in these residences, which would result in a potential annual reduction of more than 1.5 million miles, attributable to improving the balance of housing to jobs.” seems to assume that the new housing units would be occupied by current or new commuters who would otherwise have commutes longer than Palo Alto residents. This doesn’t seem to consider the reasons why people choose to reside in or commute to/from Palo Alto. Is it dominated merely by the cost of housing? If so, what cost points are needed to attract, e.g. primary and secondary school teachers, or fire and police department personnel? Is there an analysis of who commutes to Palo Alto and why? Is there an analysis of who commutes from Palo Alto and why? In the Greenhouse complex, I’ve had neighbors who moved to Palo Alto for access to the high schools and started commuting to their jobs in San Francisco.

6) On page 4.1-26 (pdf 84) there’s an inconsistency with distance between project boundary and Greenhouse complex: sometimes 130, sometimes 260 page 4.1-9

7) Page 4.2-5 While not in scope for an EIR, it seems worthwhile to say that there’s history worth a display in the new building, capturing e.g. “Until the early 1950s, the area surrounding the location of the project site was dominated by large agricultural tracts with low density settlement. The building at 788 San Antonio Road was constructed within tract No. 219 of the “Peninsula Garden Farms,” a subdivision that was marketed as early as the mid-1920s for buyers seeking one- to two-acre lots where they could raise market gardens, poultry, or rabbits.

...
In 1953, the California Chrysanthemum Growers Association (CCGA) purchased the lot surrounding the 788 San Antonio Road property for \$3,100 and began constructing their new headquarters. The CCGA was founded in 1932 by Japanese American flower growers in response to the pressures faced by growers after the onset of the Great Depression.

I recommend that CUL-5 (Page 4.2-10, pdf 100) include a small scale historical display in 788 public space, e.g. lobby

8) Page 4.3-3 (pdf 105) may have an inconsistency: Text states “Palo Alto’s 2018 per capita electricity consumption was approximately 0.0128 GWh, or 12,800 kWh.” But Table 4.3.2 lists “County Per Capita Consumption” as 12,800 kWh”. Does Palo Alto’s consumption match the county’s?

9) Page 4.3-13 (pdf 115)

“The proposed project would require energy use in the form of electricity, natural gas, and gasoline consumption.” Why natural gas? Doesn’t Palo Alto have a goal of all electric housing?

10) Page 4.3-17 (pdf 119) Inconsistency

“Location within approximately one-quarter mile of two bus stops servicing four VTA routes for easy public transit access.” But on page 4.6-5 only two routes are identified and one is stated as 0.5 miles. The route within a quarter mile is between the Stanford shopping center and downtown Mountain View that is seems unlikely to attract commuters.

11) Page 4.3-22 (pdf 124) Inconsistency “Policy L-2.2. Enhance connections between commercial and mixed use centers and the surrounding residential neighborhoods by promoting walkable and bikeable connections ...” Without suitable bike lanes, providing on site bike parking will not result in greater use of the so-called bike lane on San Antonio Road. Since more bike commuters may use the sidewalk instead of the bike lane, there appears to be a conflict between “walkable and bikeable connections” as bicyclists and compete for the sidewalk.

12) Page 4.3-23 (pdf 125) “Policy N-7.4 calls for projects to “**Maximize** the conservation and efficient use of energy ...” Isn’t accepting natural gas instead of all electric inconsistent with this policy?

13) The Table 4.3-9 T-FAC-2 entry

“Consistent. The project itself would not expand transit options; however, it is within approximately one-quarter mile of two bus stops servicing four VTA routes. The project would place residences and retail in a transit-accessible area, improving the viability of transit as an option for travel to services in Palo Alto” This statement does not seem justified. On page 4.6-5 only two routes are identified and one is stated as 0.5 miles. The route within a quarter mile is between the Stanford shopping center and downtown Mountain View that is seems unlikely to attract commuters.

14) The Table 4.3-9 T-EV-1 Not applicable. The project does not involve City-based vehicles. However, the project would include EV-ready outlets for future charging stations at 25 percent of parking spaces, among which at least five percent would have charging stations installed” Are five charging stations sufficient? Even with an optimistic 8 hour charging time only 15 vehicles could be fully charged each day.

15) In Table 4.3-9 NG-GAS-1 No justification is given for not accepting the all-electric goal. Further, the 10 percent more energy efficient than the base CALGreen code requirements is not in conflict with all electric. Why not both? Doing both reduces the need for Palo Alto Utilities to buy carbon offsets and future carbon taxes. Buying carbon offsets doesn’t reduce the greenhouse gases in the atmosphere. Not plumbing the building for natural gas may simplify construction and reduce costs. On demand water heaters may be more efficient than centralized hot water tanks and reduce water consumption. From page 4.4-2 “Natural gas is the second largest source, contributing 27 percent of the City’s GHG emissions.” The proposal calls for relaxing the FAR requirement, exceeding the maximum site coverage, allowing rooftop gardens to count toward open space, excluding retail area from parking requirements and exempting subterranean garages from counting towards FAR; an all-electric building as well as increased energy efficient in return seems more than reasonable.

16) Table 4.3-10 Project Consistency with Comprehensive Plan

Regarding “Policy L-1.3. Infill development in the urban service area should be compatible with its surroundings and the overall scale and character of the city ...”, building 100 units per acre doesn’t seem consistent with the scale of the city. This should be noted. Can an example of a 10 acre site with 818 units be given?

17) Table 4.4-5 page 4.4-17

Regarding item 1, the statement, “reduce regional net VMT by adding housing in a city with a lower per capita VMT rate for employed residents than neighboring cities.” This seems to be the only mention in the EIR that Palo Alto has such a per capita VMT. Unless there’s material to backup this claim it should be deleted. Further there’s no assurance that

18 ↑ those who move into the new units will not be trading their current commute for a longer commute, e.g. moving to Palo Alto from San Francisco for the schools but now commuting to their job in San Francisco.

19 18) Table 4.4-5 page 4.4-17
Regarding item 2, “Adopt green building standards that exceed minimum State building standards for EV-capable parking spaces (e.g., by requiring installation of EV chargers and/or a larger number of EV-capable parking spaces) ...” It seems providing five stations that may only support 15 vehicles a day doesn’t really support this goal.

20 19) Table 4.4-5 page 4.4-18
Regarding item 3, the statement “the program area is within approximately one quarter mile of two bus stops servicing four VTA routes” or similar appears here and several other places. It is not consistent with the material in 4.6 Transportation sub-section c. Transit Access and Circulation, pages 4.6-5/7 where only two VTA routes are identified and the stop for one of the routes is listed as about 0.5 miles away. Since it’s likely that the material in section 4.6 is more accurate than the other, the document should be reviewed and edited such that all transit statements are consistent with section 4.6.

21 20) Table 4.4-5 page 4.4-18
The response to Goal 4: Goal: Accelerate Implementation of Bicycle & Pedestrian Plans is that it’s out of scope. Yet relaxing the FAR requirement, exceeding the maximum site coverage, allowing rooftop gardens to count toward open space, excluding retail area from parking requirements and exempting subterranean garages from counting towards FAR are in scope. This seems a little arbitrary.

22 21) Table 4.4-5 page 4.4-19
The response to Goal 11 neglects to mention the intended compromise of the all-electric goal.

23 22) Table 4.4-5 page 4.4-19
Regarding the response to Goal 12, since there’re continual upgrades in energy efficiency why not have a higher target than 10% more efficient and why not keep the all-electric goal?

24 23) Table 4.4-6 HIP Expansion and 788 San Antonio Road Project Consistency with S/CAP
Regarding T-FAC-1. Expand bicycle infrastructure; additional bike parking without improving the bike lanes may be futile and doesn’t seem to expand bicycle infrastructure.

25 24) Regarding T-FAC-2. Expand transit option, once again the misleading/likely erroneous statement “it is approximately one quarter mile of two bus stops servicing four VTA) routes” is found. The extent of inclusion of these statement in the EIR is problematic and the EIR should be updated to correct these statements so that they are consistent with the analysis and conclusions in section 4.6 Transportation sub-section c. Transit Access and Circulation, pages 4.6-5/7.

26 25) Regarding NG-GAS-1, how is “The project would not be all-electric ...” consistent with the goal of “Encourage all electric new buildings”? The response should be changed to Non-consistent.

27 26) Page 4.5-18 (pdf 170), regarding “the proposed building would be constructed to prevent the exposure of new residents to excessive noise.” Measures to enhance noise insulation can also improve thermal insulation. When taken during initial construction, the additional costs of better insulation are often quickly recovered due to lower heating and/or air conditioning operating costs. This may yield an even better than 10% more efficient result.

28 ↓ 27) Regarding 4.6 e Bicycling Conditions, the statement, “A Class III bike route is directly accessible from the program area on San Antonio Road, extending between Charleston Road and Middlefield Road” ignores that the segment of San Antonio Rd between Middlefield and Charleston is not conducive to bicycling and does not satisfy the “low-volume streets with slow travel speeds, especially those on which volume is low enough that passing maneuvers can use the full street width” criteria of a Class III Bike Route provided in subsection 4.6 e Bicycling Conditions and quoted below.

“Bike Routes (Class III): Class III bikeways are signed bike routes where bicyclists share a travel lane with motorists. Typical applications for Class III bike routes include roadways with bicycle demand but without adequate space for Class II bike lanes, low-volume streets with slow travel speeds, especially those on which volume is low enough that passing maneuvers can use the full street width, and as “gap fillers” for breaks in Class II lanes.”

While there’s mention that the Comprehensive Plan calls for an upgrade of the bicycle infrastructure on Charleston Road, there’s no mention of an infrastructure upgrade on San Antonio Rd. It should be noted that all three of the intersections in the segment of San Antonio Rd between Middlefield and Charleston currently reach greater than 0.75 V/C (Critical Volume-to-Capacity) ratios during peak hours, morning or evening or both. See Table 4.6-7 HIP Expansion: Intersection Level of Service under Background Plus Project Conditions.

On page 4.6-20 in the Bicycle Facilities section, it’s stated that there are no plans to upgrade the bicycle infrastructure and implies that that’s acceptable. In the following Pedestrian Facilities section it’s stated that “pedestrian facilities in the program area would provide adequate connectivity and safety for new residents” neglecting to mention that the inadequate bicycle infrastructure leads to bicyclists using the sidewalk instead of the so-called bike lane.

In the Impact T-3 section, it’s stated, “THE PROPOSED HIP EXPANSION AND 788 SAN ANTONIO ROAD MIXED-USE PROJECT WOULD NOT INTRODUCE DESIGN FEATURES OR INCOMPATIBLE USES THAT COULD INCREASE TRAFFIC HAZARDS.” This neglects the adverse impact that would result from an increase in bike traffic in the segment of San Antonio Rd between Middlefield and Charleston. One particular hazard is the conflict between the right turn lane on South bound San Antonio and the bike lane at the Leghorn intersection. Increasing traffic in a hazardous situation will likely increase the hazard.

28) Summarizing transit issues, all statements that the program area is within approximately one quarter mile of two bus stops servicing four VTA routes should be deleted.

29) Summarizing bike lane issues, all statements regarding the program being conducive to bicycling and walking should be replaced by a statement that bicycling in the program area may be hazardous and that the hazards may spread to pedestrians.

While I can support a single building 788 San Antonio project, if the draft EIR is updated to correct the various omissions, errors and inconsistencies, approval of the build-out should not be approved until the city approves a plan to upgrade the San Antonio corridor (between Alma and US 101) to support the expected traffic flow, transit stops and Class II bicycle lanes.

Thank you for your attention to this message.

Respectfully,

John Petrilla
777 San Antonio Rd #138
Palo Alto, CA 94303

Letter 8

COMMENTER: John Petrilla

DATE: September 14, 2020

Response 8.1

The commenter writes that he has reviewed the Draft EIR, summarizes the project description, and notes that it is important that the project not compromise a satisfactory result. The commenter asks if there are areas with similar density as the density proposed under the project.

The commenter has accurately described the proposed project. The Housing Incentive Program has been applied to other portions of the City of Palo Alto, including parts of California Avenue and El Camino Real, where increases in the floor area ratio are allowed. Additionally, other areas of the city, such as the Downtown University Avenue area allow for a higher floor area ratio than that proposed in the program area. Under the Comprehensive Plan, higher densities for multi-family housing are encouraged in several areas throughout the City, particularly areas serviced by transit (e.g. Caltrain and bus routes), and projects have been approved in other areas of the City at a higher density than that proposed for the 788 San Antonio site and the program area.

Response 8.2

The commenter states that the Appendices are not found and requests that they be included with the Draft EIR.

Appendices A-I were posted with the Draft EIR on the City's website at: <https://www.cityofpaloalto.org/news/displaynews.asp?NewsID=4575&TargetID=319>. The appendices will also be included when the City publishes the Final EIR.

Response 8.3

The commenter states that recreation is listed as not impacted and that the addition of 818 units should call for consideration of additional recreational facilities.

The commenter provides concerns about recreation impacts analyzed in the Draft EIR but does not provide specific information or evidence to suggest that a significant environmental impact related to recreation would occur. Impacts related to Recreation are discussed in Section 16, *Recreation*, of the Initial Study (Appendix B of the Draft EIR) and were found to be less than significant. As described in the Initial Study, the current ratio of urban parks to residents in the City is 2.3 acres of parkland for every 1,000 residents and the ratio of open space to residents in the City is 57.6 acres of parkland for every 1,000 residents. If all 818 housing units allowed under the HIP expansion were constructed, the ratio of urban parks to residents in the City would be 2.27 acres of parkland for every 1,000 residents and the ratio of open space to residents would be 56.12 acres of parkland for every 1,000 residents. The new housing would therefore result in only an incremental reduction in available recreation space per resident in the City. This resulting ratio would be consistent with applicable Comprehensive Plan policies and PAMC regulations related to recreation and open space. In addition, the program area is within walking distance of several existing nearby parks and recreation areas. Therefore, the project would not substantially alter citywide demand for parks such that substantial physical deterioration of parks would occur, or the construction of new recreational facilities would be required.

Response 8.4

The commenter states an opinion that Mitigation Measure GHG-1 may not be realistic because the Santa Clara Valley Transportation Authority (VTA) has dropped bus service on the segment of San Antonio Road between Middlefield Road and Charleston Road and because on-site bicycle parking doesn't seem sufficient if there are not suitable bike lanes.

Mitigation Measure GHG-1, which required TDM plans for projects under the HIP expansion, was included in the Executive Summary for the Draft EIR in error. As described in Section 4.4, *Greenhouse Gas Emissions*, all impacts related to greenhouse gas emissions would be less than significant. In response to this comment, revised information to state that no mitigation is required for impacts related to greenhouse gas emissions has been added to the Executive Summary. Please see Chapter 4, Revisions to the Draft EIR, to see these revisions.

PAMC Section 18.52.030 outlines when TDM plans are required, including for projects that generate 50 or more net new weekday trips, and for projects requesting a parking reduction. New projects in the program area and allowed under the HIP expansion would be subject to this TDM requirement, and such a TDM plan would outline the traffic demand measures to be implemented to reduce parking need and trip generation. Such measures may include, but are not limited to: participation in the Transportation Management Association or similar organization, providing for transit passes, parking cash-out, enhanced shuttle service (or contributions to extend or enhance existing shuttle service or to create new shared or public shuttle service), car-sharing, traffic-reducing housing, providing priority parking spaces for carpools/vanpools or "green" vehicles, vehicle charging stations, or additional bicycle parking. The applicant for the proposed project at 788 San Antonio Road submitted a TDM plan consistent with the requirements of PAMC Section 18.52.030. The TDM plans for additional individual projects within the program area would include measures that are determined to be most appropriate given the proposal and existing site conditions.

Response 8.5

The commenter quotes a portion of Section 4.1, *Air Quality*, of the Draft EIR under Impact AQ-1, which describes that "the project would be consistent with the goals of the 2017 Clean Air Plan because it would encourage new development in an area that is served by transit and is conducive to bicycling and walking, thereby reducing emissions of ozone precursors." The commenter states an opinion that this section ignores that the segment of San Antonio Road between Middlefield Road and Charleston Road is not conducive to bicycling, does not meet the definition of a Class III bicycle route, and has no bus service. The commenter suggests that that most bicyclists use the sidewalk in the area and that a mix of bicycles and pedestrians on the sidewalk seems hazardous. Finally, the commenter provides a quotation from the South Palo Alto Enhanced Bikeways related to bicycle safety and infrastructure in the area.

The commenter describes existing transit and bicycle infrastructure at one portion of the program area, not the infrastructure within a wider surrounding area. As described in Section 4.6 of the Draft EIR, the VTA bus routes 21 and 40 can be accessed from the program area. Bus stops for route 21 are located at the intersection of San Antonio Road and Middlefield Road, immediately bordering the study area. The bus stop for route 40 is located about 0.5 miles away at the intersection of Leghorn Street and Rengstorff Avenue. In addition, commuter rail service (Caltrain) is provided from San Francisco to Gilroy by the Peninsula Joint Powers Board. The closest Caltrain station is located about a mile south of the program area on San Antonio Road.

As described in Section 4.6 of the Draft EIR, the portion of San Antonio Road between Charleston Road and Middlefield Road meets the definition of a Class III bike route. Moreover, the closest Class II bike lane begins at the intersection of Fabian Way and Charleston Road, about 0.3 miles from the program area. A Class II bikeway is proposed on Charleston Road as per the City of Palo Alto 2030 Comprehensive Plan, to connect the Class III bike route on San Antonio Road to the existing Class II bike lane on Charleston and Fabian Way. The Class II bike lane on Fabian Way provides a direct connection to the Class I multi-use path in the Baylands Preserve area. Therefore, the conclusions in the Draft EIR that the program area is served by transit and conducive to bicycling and walking are accurate. The project would not involve alterations to existing pedestrian and bicycle infrastructure which would create new hazards. As described under Response 6.2, at its August 12, 2020 public hearing, the Planning and Transportation Commission recommended that future improvements to the right-of-way be considered as part of the HIP expansion. If such improvements are proposed in the future, they would be reviewed by the City to ensure they are consistent with applicable circulation plans and policies and would also be subject to additional CEQA review, as required.

Response 8.6

The commenter quotes a portion of Section 4.1 of the Draft EIR, which refers to information in the Traffic Impact Study (TIS) (Appendix H of the Draft EIR): “The TIS estimated that 1,000 jobholders would reside in these residences, which would result in a potential annual reduction of more than 1.5 million miles, attributable to improving the balance of housing to jobs.” The commenter states that this information assumes that the housing units allowed under the HIP expansion would be occupied by commuters who would otherwise travel farther distances than Palo Alto residents and that this assumption does not take into account why people choose to reside in Palo Alto. The commenter asks if there is analysis of who commutes to Palo Alto and states that there are Palo Alto residents who commute to San Francisco.

The conclusions in the TIS are based on jobs and housing trends in Palo Alto and the greater area. As described in the TIS, the project would provide housing in a segment of the County that has a surplus of jobs relative to the supply of housing, resulting in lengthy commute distances that increase VMT. The large supply of jobs in Palo Alto, Mountain View and other neighboring cities results in relatively long commute lengths for many employees, particularly those commuting from homes in the East Bay and San Francisco. By contrast, the provision of housing in Palo Alto will help to reduce VMT by providing homes closer to employment centers. While it is true that some residents of new housing allowed in the program area may commute outside of Palo Alto for work, the provision of new housing units in Palo Alto would improve the balance of housing to jobs, which would increase the likelihood that Palo Alto residents would commute for shorter distances. Therefore, the project is likely to result in an overall reduction of miles traveled and the conclusions in the Draft EIR are accurate.

Response 8.7

The commenter states that the distance between the project boundary and the Greenhouse Residence Complex is described inconsistently in the Draft EIR.

The commenter is correct that Section 4.1 identifies two different distances of the project location from the Greenhouse Complex. However, this is not an inconsistency; the Complex is approximately 260 feet from the program area, where the HIP expansion would be applied, and 130 feet from the 788 San Antonio Road project site, which includes two individual parcels within the program area.

Response 8.8

The commenter recommends that the mitigation measures included in Section 4.2 include a display that shows the history of the existing building at 788 San Antonio Road at the property itself.

The commenter provides an opinion about the content of a mitigation measure included in the Draft EIR but does not provide specific information or evidence to suggest that the suggestion would further reduce impacts. Section 4.2 includes Mitigation Measure CUL-4, which requires that, prior to issuance of demolition permits for the 788 San Antonio Road Mixed-Use Project, the applicant develop an online interpretive website that displays materials concerning the history and architectural features of the property. While this website would not be a physical display at the project site, it would be available to the public. Nevertheless, the commenter's recommendation will be forwarded to the City's decision makers for their consideration. In addition, the City notes that the design of the project at 788 San Antonio Road would include a pavement pattern at the outdoor open space areas that symbolizes the floral agribusiness. This pattern would be visible from the public right-of-way.

Response 8.9

The commenter states that Section 4.3 may include an error because it states that both Palo Alto's and the County's electricity consumption was 12,800 kWh in 2018.

The commenter is correct that there was an error in Section 4.3; the City of Palo Alto (not the County) consumed 12,800 kWh in 2018. In response to this comment, revised information to state that the City's 2018 per capita electricity consumption was approximately 12,800 kWh has been added to the Initial Study. Please see Chapter 4, Revisions to the Draft EIR to see these revisions.

Response 8.10

The commenter asks why the project would require energy use in the form of natural gas and whether the City of Palo Alto has a goal of all-electric housing.

As described in Section 4.3 of the Draft EIR, *Energy*, the City of Palo Alto encourages all-electric new buildings. However, the City does not currently require all new residential buildings to be all-electric. Therefore, in order to provide the most conservative conclusions related to energy use, the analysis in the Draft EIR assumes that operation of the new buildings within the program area would not be all-electric and would require natural gas. Nonetheless, the Draft EIR concluded that impacts related to energy use would be less than significant. Moreover, the proposed project at 788 San Antonio Road would be all-electric.

Response 8.11

The commenter states that the Draft EIR includes an inconsistency in how it describes the project's proximity to VTA bus routes: Section 4.3 states that the program area is within approximately one-quarter mile of two bus stops servicing four VTA routes, but Section 4.6 only identifies two routes.

The commenter is correct that there was an error in Section 4.3. In response to this comment, revised information to state that the program area is near two bus stops that service two VTA routes has been added to the Initial Study. Please see Chapter 4, Revisions to the Draft EIR to see these revisions.

Response 8.12

The commenter refers to Table 4.3-10 in Section 4.3, *Energy*. The table evaluates the project's consistency with the Palo Alto Comprehensive Plan. The commenter states an opinion that the project may not be consistent with Comprehensive Plan Policy L-2.2, as it is described in Section 4.3, because without suitable bike lanes, the provision of bike parking will not result in greater use of bike lanes.

Policy L-2.2 calls for the enhancements of connections between commercial and mixed-use centers and the surrounding residential neighborhoods by promoting walkable and bikeable connections and a diverse range of retail and services that caters to the daily needs of residents. While it is true that the project would not involve new bicycle lanes within the public right-of-way, it would involve the provision of new residential and mixed-use developments in an area with existing housing and commercial uses. Residents and visitors within the program area would be able to walk and bike to nearby retail and services. Moreover, the provision of bicycle parking at new developments within the program area would encourage the use of bicycles by residents traveling to nearby services.

Response 8.13

The commenter refers to Table 4.3-10 in Section 4.3, *Energy*. The table evaluates the project's consistency with the Palo Alto Comprehensive Plan. The commenter asks whether a project that would include natural gas use is inconsistent with Comprehensive Plan Policy N-7.4, which calls for projects to maximize the conservation and efficient use of energy.

As described under Response 8.10 above, Palo Alto encourages but does not require new projects to be all-electric and not include natural gas use. (As noted under that response, the proposed project at 788 San Antonio Road would be all-electric.) As described in Section 4.3 of the Draft EIR, projects in the program area would be required to comply with the Palo Alto Green Building Ordinance and be 10 percent more energy efficient than the base CALGreen code requirements, including a rooftop garden for high solar reflectance and high thermal emittance, low indoor water use appliances, recycled water irrigation system, and thermal insulation. Therefore, the project is consistent with Policy N-7.4.

Response 8.14

The commenter refers to Table 4.3-9 in Section 4.3, *Energy*. The table evaluates the project's consistency with the Palo Alto Sustainability and Climate Action Plan (S/CAP). The commenter states an opinion that the project is not consistent with Policy T-FAC-2 of the S/CAP, which encourages expansion of transit options, because the Draft EIR inconsistently identifies the project's proximity to transit stops and one of the nearby VTA routes, route 21, provides service between the Stanford shopping center and downtown Mountain View and is seems unlikely to attract commuters.

The commenter is correct that Draft EIR inconsistently identifies the project's proximity to transit stops. In response to this comment, revised information has been added to Section 4.3 of the Draft EIR regarding the program area's proximity to transit stops and routes. Please see Chapter 4, Revisions to the Draft EIR to see these revisions. As described in Section 4.6, *Transportation*, of the Draft EIR, the VTA bus routes 21 and 40 can be accessed from the program area. Bus stops for route 21 are located at the intersection of San Antonio Road and Middlefield Road, immediately bordering the study area. The bus stop for route 40 is located about 0.5 miles away at the intersection of Leghorn Street and Rengstorff Avenue. These stops are all within walking distance of the parcels within the program area.

Policy T-FAC-2 encourages expansion of transit options. While the project itself would not expand transit options, it is within walking distance of bus stops servicing VTA routes. Moreover, while a route that provides access to shopping and downtown Mountain View may not be used by many commuters, it provides access via public transit for residents of the area to nearby shopping and services.

Response 8.15

The commenter refers to Table 4.3-9 in Section 4.3, *Energy*. The table evaluates the project's consistency with the Palo Alto Sustainability and S/CAP. Regarding Measure T-EV-1, "Electrify Palo Alto-based vehicles," the commenter asks whether five charging stations for electric vehicles (EV) is sufficient for the 788 San Antonio Road proposed project.

As described in Table 4.3-9, Measure T-EV-1 is not applicable to the proposed project because the project does not involve City-based vehicles. However, as described in Section 4.3 of the Draft EIR, development under the HIP expansion would be required to comply with Palo Alto Green Building Code standards which include electric vehicle (EV)-ready outlets for future charging stations at a higher rate than 2020 CALGreen requirements. For multi-family residential projects that would be subject to the proposed HIP expansion, one EV-ready parking space must be provided for each new residential unit. Moreover, those spaces could easily be converted to EV charging stations if there is greater demand from residents.

Response 8.16

The commenter refers to Table 4.3-9 in Section 4.3, *Energy*. The table evaluates the project's consistency with the Palo Alto Sustainability and S/CAP. The commenter states that the Draft EIR does not include a justification for concluding the project would be consistent with Measure NG-GAS-1 "Encourage all-electric new buildings." The commenter asks why the project is not all-electric, which would reduce the need for Palo Alto Utilities to buy carbon offsets and future carbon taxes. The commenter states further that all-electric buildings may simplify construction and reduce costs. The commenter states that the project would exceed zoning requirements and that the building should be all-electric in return.

It is beyond the purview of the EIR to require that the new buildings allowed under the proposed HIP expansion be all-electric. As described in Table 4.3-9, the commenter is correct that the project was found to be inconsistent with Measure NG-GAS-1. New projects allowed under the HIP expansion are not currently required to be all-electric. However, the proposed project at 788 San Antonio Road would be all-electric. Moreover, new buildings would be required to be 10 percent more energy efficient than the base CALGreen code requirements subject to the Palo Alto Green Building Ordinance. Moreover, as described in Section 4.3, the project would also be consistent with several other Comprehensive Plan and S/CAP policies related to energy use. Overall, construction and operation of new projects allowed under the HIP expansion would not result in wasteful or inefficient energy use and energy impacts were found to be less than significant.

Response 8.17

The commenter refers to Table 4.3-10 in Section 4.3, *Energy*. The table evaluates the project's consistency with the Palo Alto Comprehensive Plan. The commenter states an opinion that the project is not consistent with Policy L-1.3, which calls for infill development to be compatible with its surroundings and with the overall character of the city. The commenter states that 100 units per

acre doesn't seem consistent with the scale of the city and asks if there is an example of a 10-acre site with 818 units.

The proposed HIP expansion would provide an outline for how future development could occur in the program area. While the HIP expansion would allow the development of up to 818 units, it does not directly propose to construct that many units, and it is highly unlikely that all 818 units would be developed within the program area at the same time. While there are no other specific examples of an 818 unit project on a 10-acre site, there are many other projects throughout the City that have been approved with a higher floor area ratio and/or density than that proposed at 788 San Antonio or for the Program area. The City notes that the HIP expansion has been applied to other portions of the City to allow for the development of new housing.

Moreover, the design of new projects in the program area would be limited by development standards, including setback minimums and height maximums, and by required findings for approval. As described in Section 1, *Aesthetics*, of the Initial Study, new residential development in the program area would be subject to Major Architectural Review, approval by the Architectural Review Board, and the findings in PAMC Section 18.76.020, including the following:

1. The design is consistent with applicable provisions of the Palo Alto Comprehensive Plan, Zoning Code, coordinated area plans (including compatibility requirements), and any relevant design guides.
2. The project has a unified and coherent design.
3. The design is of high aesthetic quality, using high quality, integrated materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

These findings would ensure that new development under the proposed HIP expansion is reviewed for consistency with applicable regulations governing scenic quality, including compatibility with the surrounding built environment.

Response 8.18

The commenter refers to Table 4.4-5 in Section 4.4, *Greenhouse Gas Emissions*. The table evaluates the project's consistency with the AB 32 Scoping Plan. The commenter states an opinion that there is not material to back up the statement that the project would reduce regional net VMT by adding housing in a city with a lower per capita VMT rate for employed residents than neighboring cities. The commenter suggests further that there is no assurance that those who move into the new units would not be commuting longer distances than they currently do.

In response to this comment, revised information to clarify that the projects allowed under the HIP expansion would provide housing in a segment of the County that has a surplus of jobs relative to the supply of housing, which would help to reduce VMT by providing homes closer to employment centers, has been added to the Draft EIR. Please see Chapter 4, Revisions to the Draft EIR to see these revisions.

For a response regarding the likely commute length of new residents in the program area, please refer to Response 8.6.

Response 8.19

The commenter refers to Table 4.4-5 in Section 4.4, *Greenhouse Gas Emissions*, which evaluates the project's consistency with the AB 32 Scoping Plan. The commenter states that the project is not

consistent with Goal 2: Support Electric Vehicle (EV), Hydrogen and Biogas Vehicle Use, because five EV charging stations at the 788 San Antonio Road project would not adequately support this goal.

This comment is similar to previous comments in this letter. Please refer to Response 8.15.

Response 8.20

The commenter refers to Table 4.4-5 in Section 4.4, *Greenhouse Gas Emissions*, which evaluates the project's consistency with the AB 32 Scoping Plan. The commenter states that the description of the project's proximity to transit stops is not accurate.

This comment is similar to previous comments in this letter. Please refer to Response 8.14.

In response to this comment, revised information has been added to Table 4.4-5 of the Draft EIR regarding the program area's proximity to transit stops and routes. Please see Chapter 4, Revisions to the Draft EIR to see these revisions.

Response 8.21

The commenter refers to Table 4.4-5 in Section 4.4, *Greenhouse Gas Emissions*, which evaluates the project's consistency with the AB 32 Scoping Plan. The commenter refers to the portion of the table that describes that Goal 4 of the Scoping Plan is not applicable to the project because bicycle and pedestrian routes are outside the scope of the proposed HIP expansion. The commenter states that the zoning exceptions the proposed 788 San Antonio Road project would require are arbitrary.

This comment is similar to other comments in this letter. Please refer to Response 8.16.

Response 8.22

The commenter refers to Table 4.4-5 in Section 4.4, *Greenhouse Gas Emissions*, which evaluates the project's consistency with the AB 32 Scoping Plan. The commenter states that the discussion of Goal 11, "facilitate growth of renewable energy," neglects to mention that the project would not be all-electric.

This comment is similar to other comments in this letter. Please refer to Responses 8.10, 8.13, and 8.16.

Response 8.23

The commenter refers to Table 4.4-5 in Section 4.4, *Greenhouse Gas Emissions*, which evaluates the project's consistency with the AB 32 Scoping Plan. The commenter refers to Goal 12, "facilitate energy efficiency in new and existing buildings," and asks why the buildings allowed under the proposed HIP expansion would not be all-electric.

This comment is similar to other comments in this letter. Please refer to Responses 8.10, 8.13, 8.16, and 8.22.

Response 8.24

The commenter refers to Table 4.4-6 in Section 4.4, *Greenhouse Gas Emissions*, which evaluates the project's consistency with the Palo Alto S/CAP. The commenter refers to Measure T-FAC-1, which calls for the expansion of bicycle infrastructure and states that additional bicycle parking may be futile if the project does not expand bicycle infrastructure.

This comment is similar to other comments in this letter. Please refer to Response 8.12.

Response 8.25

The commenter refers to Table 4.4-6 in Section 4.4, Greenhouse Gas Emissions, which evaluates the project's consistency with the Palo Alto S/CAP. The commenter states that the description of the project's proximity to transit stops is not accurate.

This comment is similar to previous comments in this letter. Please refer to Response 8.14.

In response to this comment, revised information has been added to Table 4.4-6 of the Draft EIR regarding the program area's proximity to transit stops and routes. Please see Chapter 4, Revisions to the Draft EIR to see these revisions.

Response 8.26

The commenter refers to Table 4.4-6 in Section 4.4, *Greenhouse Gas Emissions*, which evaluates the project's consistency with the Palo Alto S/CAP. The commenter states that the project should be listed as not consistent with Measure NG-GAS-1, which encourages new buildings to be all-electric.

This comment is similar to other comments in this letter. Please refer to Response 8.16.

Response 8.27

The commenter refers to Section 4.5 of the Draft EIR, *Noise*, which describes how the proposed building would be constructed to prevent the exposure of new residents to excessive noise. The commenter states that measures to enhance noise insulation can also improve thermal insulation, and that the costs of such insulation would make heating and air conditioning costs during operation lower and allow higher energy efficiency.

This comment does not directly relate to the analysis in the Draft EIR, and the commenter does not directly challenge the findings or conclusions of the Draft EIR. However, the City acknowledges that additional insulation could improve the energy efficiency of new buildings in the program area.

Response 8.28

The commenter refers to Section 4.6, *Transportation*, of the Draft EIR, including information regarding the nearby bicycle infrastructure. The commenter provides an opinion that the segment of San Antonio Road between Middlefield Road and Charleston Road is not conducive to bicycling and does not satisfy the criteria of a Class III Bike Route because traffic is not low-volume and that inadequate bicycle infrastructure leads to bicyclists using the sidewalk instead of the bike lane. The commenter refers to Impact T-3 and the statement in the Draft EIR that the project would not introduce design features or incompatible uses that could increase traffic hazards. The commenter states that the Draft EIR does not address the adverse impact that would result from an increase in bike traffic in the segment of San Antonio Road between Middlefield Road and Charleston Road and that increasing traffic in a hazardous situation will likely increase the hazard.

While the segment of San Antonio Road between Middlefield Road and Charleston Road may not be a low-volume street, it satisfies the definition of a Class III bike route: it is a signed bike route where bicyclists share a travel lane with motorists. Moreover, the program area is near other bicycle infrastructure, including a Class II bike lane that begins at the intersection of Fabian Way and Charleston Road, about 0.3 miles from the program area. An additional Class II bikeway is proposed on Charleston Road as per the City of Palo Alto 2030 Comprehensive Plan, to connect the Class III bike route on San Antonio Road to the existing Class II bike lane on Charleston and Fabian Way. The Class II bike lane on Fabian Way provides a direct connection to the Class I multi-use path in the

Baylands Preserve area. The proposed project, including the mixed-use project at 788 San Antonio Road and the HIP expansion, would not involve alterations to the existing bicycle lanes.

The discussion under Impact T-3 evaluates whether the project would introduce design features or incompatible uses that could increase traffic hazards. Such hazards could include roads with sharp curves or dangerous intersections, or new uses that would be incompatible with the existing area, including agricultural vehicles on the roadway system. As described in the Draft EIR, the proposed HIP expansion would facilitate housing growth on properties in the program area but would not affect the configuration of the roadway network. Therefore, the project would not introduce potentially hazardous design features. In addition, each individual residential project under the HIP expansion would be reviewed by City staff to ensure that it avoids potential traffic hazards related to access and internal circulation, including hazards related to new driveways and conflicts with existing bicycle infrastructure. Moreover, future proposed improvements to the public right-of-way would also be reviewed by the City to ensure such improvements are consistent with applicable circulation and safety policies and regulations. The HIP expansion would have a less than significant impact related to traffic hazards.

Response 8.29

The commenter summarizes comments related to transit infrastructure near the project and states that all information in the Draft EIR that the program area is within approximately one quarter mile of two bus stops servicing four VTA routes should be deleted.

Please refer to Responses 8.4, 8.5, 8.11, 8.14, 8.20, and 8.25.

Response 8.30

The commenter summarizes comments related to bicycle infrastructure near the project and states an opinion that all information regarding the area being conducive to bicycling and walking should be replaced by a statement that bicycling in the program area may be hazardous and that the hazards may spread to pedestrians.

Please refer to Response 8.28.

Response 8.31

The commenter states an opinion that the HIP expansion should not be approved until the city approves a plan to upgrade the San Antonio corridor to support the expected traffic flow, transit stops and Class II bicycle lanes.

This comment summarizes several previous comments in this letter. For responses related to traffic, transit, and bicycle lanes, refer to Responses 8.4, 8.5, 8.11, 8.14, 8.20, 8.25, 8.28, 8.29, and 8.30.

Sheldon Ah Sing

From: Martha Whitney [EMAIL REDACTED FOR PRIVACY]
Sent: Monday, September 14, 2020 2:11 PM
To: Sheldon Ah Sing
Subject: 788 San Antonio Road

Categories: Red Category

Hello Sheldon!

As an owner of a condo at Greenhouse II I am very concerned about the current plans for 788-796 San Antonio Road. Originally the plan was for 20 owner occupied condos for the property. Soon we saw a plan for 54, then 64 and now 102 rental units with a property manager and retail coffee shop space on the ground floor. At the most recent virtual meeting we learned that there would be 102 parking spots in a two level underground garage. The 102 units are not limited to one occupant per unit, so one can assume the 2 BR will need at least two spaces for parking and many of the one BR and studio units will need more than one space for parking. Parking will be needed for guests visiting tenants. Parking will be needed for anyone who visits the coffee shop. Therefore the planner needs to address that BIG problem.....

1

We know for a fact that the two level underground parking that we were told would be the norm at the two Marriott hotels a block away did not materialize. There had to be a change order.....one level underground garage with mechanical lift parking. A parking attendant has to be hired to park and to retrieve cars. This is what will happen at 788-796 and no one can act surprised. This is a given. I request that you fix this obvious problem immediately.

You already know that traffic is a huge problem on San Antonio Road. You already know that schools near enough for children to walk to safely are not available. You already know that the courtyard design lends itself to noise problems. You must know that two elevators to serve 102 units will not work.....people move in and out.....children mess with the elevator buttons ...only 2-3 persons can get in an elevator when we have social distancing rules that may last for years! I think there should be one elevator in each corner of the building. You already know that there will be a problem with waste/ garbage collection and with recycling as most people refuse to break down boxes, etc.

2

This building was designed for a “perfect world”. It is not perfect and there are many tenants who have no intention of abiding by rules. This project has way too many people for such a small area. Please request a re-design!! Please visit the corner of Leghorn and San Antonio Road to see for yourself what the situation is.

3

Thank you!
Martha S. Whitney
Owner/Greenhouse II
765 San Antonio Road
Palo Alto, CA 94306

Letter 9

COMMENTER: Martha Whitney

DATE: September 14, 2020

Response 9.1

The commenter states that the scope of work for the proposed mixed-use project at 788 San Antonio Road has gone through several iterations and that the project now includes 102 residential units, a retail space at the ground floor, and a two-level underground parking garage with 102 parking spaces. The commenter states an opinion that each residential unit may need at least two vehicle parking spaces and that parking will be needed for guests. The commenter states that a nearby hotel project which originally included a two-level parking garage was changed to include one level with mechanical parking lifts and that a parking attendant needed to be hired; the commenter states an opinion that this change will occur at the proposed project as well.

The commenter provides comments related to the proposed 788 San Antonio Road mixed-use project and not related to the HIP expansion. As described in Section 2 of the EIR, *Project Description*, the proposed 788 San Antonio Road project meets the City's parking requirements, as it would include a total of 126 parking spaces in a subterranean parking garage, including 20 spaces for the ground-floor retail space and 106 spaces for residential units. The project would provide adequate parking per City requirements and the project is not expected to substantially affect street parking or utilize parking at neighboring sites. Furthermore, the provision of parking is not an environmental impact under CEQA, and thus is not required to be discussed in the EIR.

Response 9.2

The commenter states an opinion that traffic is a problem on San Antonio Road, that schools near enough for children to walk to safely are not available, the courtyard design lends itself to noise problems, that two elevators are not adequate to serve 102 residential units, and that garbage collection and recycling will be difficult because people refuse to break down boxes.

The commenter provides opinions on the project and raises concerns about several issues analyzed in the Draft EIR but does not provide specific information or evidence to suggest that a significant environmental impact related to those issues would occur. The comment about traffic congestion and safety is similar to the comments in letters 3, 4, 6, and 7. Please refer to responses 3.3, 3.4, and 6.2 for discussions of these issues.

CEQA does not require analysis of the number of elevators a project should provide or whether residents will break down boxes; these comments are outside the purview of the Draft EIR. Nonetheless, the project plans for the 788 San Antonio Road Project will be evaluated for consistency with the City's building requirements such as the adequacy of elevators and waste collection areas and consistency with code requirements.

Impacts related to noise are discussed in Section 4.5 of the Draft EIR and were found to be less than significant or less than significant with mitigation incorporated. Specifically, impacts related to the proposed courtyard and roof garden for the 788 San Antonio Road project are analyzed under Impact N-2: "[b]ecause the proposed four-story building would fully enclose the central courtyard area, food service activities and conversations in the courtyard would not increase ambient noise levels at nearby properties... Furthermore, outdoor patio area users would be subject to regulation and enforcement under the City's Noise Ordinance, specifically PAMC Section 9.10.040, which states

that “no person shall produce, suffer or allow to be produced by any machine or device, or any combination of same, on commercial or industrial property, a noise level more than eight dB above the local ambient at any point outside of the property plane.” Therefore, the on-site outdoor courtyard and rooftop garden would have a less than significant noise impact.”

Response 9.3

The commenter states an opinion that the proposed mixed-use project at 788 San Antonio Road was designed for a “perfect world” and that tenants will not abide by rules. The commenter suggests that the project would bring too many people to a small area and requests a redesign.

The commenter provides opinions on the proposed project but does not provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. For a response to comments related to the number of new residents allowed under the proposed project, please refer to Response 4.3.

3 Public Hearing Comments and Responses

Verbal comments received at the public hearings (Planning and Transportation Commission, August 12, 2020, and Architectural Review Board, August 20, 2020) from the public are summarized below. The verbal comments were similar to those identified in the written letters that are responded to in Chapter 2 of this document.

- *Commenters raised concerns about traffic, and access for emergency response vehicles.*

Although commenters raised general concerns, the comments generally did not specifically address the analysis or conclusions in the Draft EIR, nor did they include specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. Nonetheless, please see Responses 3.3 through 3.6 for general responses related to these issues.

- *Commenters raised concerns about construction that would encounter the water table and dewatering practices.*

Please refer to Responses 1.1, 1.2, 3.8, and all responses to comments in Letter 5.

- *Commenters raised concerns about noise impacts.*

Although commenters raised general concerns, the commenters generally did not point to specific concerns about the analysis or conclusions in the Draft EIR in these comments, nor provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. Nonetheless, please refer to Responses 3.2, 8.27, and 9.2 for general responses related to these issues.

- *Commenters raised concerns about parking including the lack of available street parking in the area.*

The provision of parking is not an environmental impact under CEQA, and thus is not required to be discussed in the EIR. Refer to Response 3.5.

- *Commenters raised concerns about safety for bicyclists in and around the program area.*

Refer to Response 8.28

- *Commenters raised concerns about removal of historic buildings in the program area, including the existing building at 788 San Antonio Road.*

The commenters generally did not raise specific concerns about the analysis or conclusions in the Draft EIR in these comments, nor provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. As described in Section 4.2, *Cultural Resources*, the project would involve demolition of the building at 788 San Antonio Road, which is eligible for listing on the California Register of Historical Places. Therefore, impacts related to the historic resources would be significant, even with implementation of mitigation measures.

- *Commenters raised concerns regarding the VMT analysis, including its clarity and conclusions.*

Refer to Response 8.6.

- *Commenters provided comments regarding the overall size and design of the project, including massing, height, and FAR, and the allowed density under the proposed HIP expansion.*

Although commenters raised general concerns, the commenters generally did not point to specific concerns about the analysis or conclusions in the Draft EIR in these comments, nor provide specific information or evidence to challenge the analysis in the Draft EIR on which to base a specific response. Nonetheless, please see Responses 4.3, 6.1, and 6.3 for general responses to these issues.

4 Revisions to the Draft EIR

Chapter 4 presents specific changes to the text of the Draft EIR that are being made in response to comments received or to make corrections. In no case do these revisions result in a greater number of impacts or impacts of a substantially greater severity than those set forth in the Draft EIR. Where revisions to the main text are called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with underlined and deleted text is indicated with ~~strikeout~~. Page numbers correspond to the page numbers of the Draft EIR.

The following changes have been made to Page 76 in Section 10, *Hydrology and Water Quality*, of the Initial Study, which is included as Appendix B the Draft EIR:

The project would involve excavation up to approximately ~~14~~ 20 feet six inches feet below ground surface.

The following changes have been made to Page 80 in Section 10, *Hydrology and Water Quality*, of the Initial Study, which is included as Appendix B the Draft EIR:

The parcels within the program area are almost entirely covered by existing buildings and concrete parking areas, with some landscaping near the edges of many of the parcels. Given existing conditions and open space and design requirements, new housing under the HIP expansion would not substantially increase total impervious area. Therefore, the new surfaces would not substantially increase runoff from the project site such that new or increased flooding would occur on- or off-site.

In addition, as a community participating in the National Flood Insurance Program, the City of Palo Alto is required to impose the federal rules regarding construction in a Special Flood Hazard Area, in (SFHA) including Zone AE. These rules are described in Section 16.52 of the Palo Alto Municipal Code (PAMC) and apply to substantial improvement and new construction in an SFHA, and to any improvement to a structure in an SFHA since 15 February 1980. This section requires that the lowest floor of a structure be elevated above the flood level. If a project allowed under the HIP expansion is proposed within Zone AE, the project plans would be subject to review by the Public Works Engineering Department to confirm it meets the requirements in PAMC Section 16.52. Compliance with these requirements would ensure that impacts related to flooding would be less than significant.

The following changes have been made to Page 110 in Section 19, *Utilities and Service Systems*, of the Initial Study, which is included as Appendix B the Draft EIR:

Assuming that water use is approximately 120 percent of wastewater generation (130,880 gallons per day), the proposed project would demand approximately 157,056 gallons of water per day, or 0.48 acre-feet per ~~year~~ day (AFYAFD) (see Table 5 for estimated wastewater generation calculations).

Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project

The following changes have been made to page ES-12 in the Executive Summary of the EIR:

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure (s)
Greenhouse Gas Emissions	
<p>Impact GHG-2. The HIP expansion, including the 788 San Antonio Road project, would generally be consistent with most of the applicable goals and GHG reduction measures of the 2017 Scoping Plan, Plan Bay Area 2040, City of Palo Alto Sustainability and Climate Action Plan. However, the HIP expansion would not be consistent with trip reduction measures in the 2017 Scoping Plan. Mitigation Measure GHG-1 would ensure consistency with trip reduction goals. Therefore, this impact would be less than significant with mitigation. <u>The HIP expansion, including the 788 San Antonio Road project, would generally be consistent with the applicable goals and GHG reduction measures of the 2017 Scoping Plan, Plan Bay Area 2040, City of Palo Alto Sustainability and Climate Action Plan. Therefore, this impact would be less than significant.</u></p>	<p>GHG-1. Transportation Demand Management Plan. For future projects in the program area, the project applicant shall prepare a Transportation Demand Management (TDM) Plan for City of Palo Alto review and approval prior to occupancy to reduce the automobile traffic demand generated by the project. Potential strategies that may be considered include, but shall not be limited to:</p> <ul style="list-style-type: none"> ▪ Coordinate with Santa Clara Valley Transportation Authority (VTA) to provide additional stops and service in or near the program area and project site ▪ Provide bike lockers, showers, and personal lockers onsite to encourage bicycling to the site; encourage commercial tenants and residential property managers to provide shared bicycles that residents and employees can use during the day for errands ▪ Encourage a local car share company (Getaround, Zipcar, etc.) to locate a car share pod at the project site or in close proximity to the site to provide an option for employees or residents who may need a car for intermittent travel but not daily commuting ▪ Coordinate with City of Palo Alto, City of Mountain View, and/or other regional agencies to allow installation of a bike share station along the project frontage on San Antonio Road or Leghorn Street ▪ Provide preferential carpool parking ▪ Provide full or partial transit subsidy to employees and residents ▪ Provide pre-tax commuter benefits for employees ▪ Regularly distribute information on non-automobile commuting options to project employees and residents <p><u>No mitigation is required.</u></p>

The following changes have been made to Page 2-2 in Section 2, *Project Description*, of the Draft EIR:

Table 2-2 Parcels within the Program Area

Address	APN	Lot Size (square feet)	Existing Use
762 San Antonio	147-05-102, <u>147-05-012</u>	39,880, <u>43,461</u>	Truck sales

Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project

The following changes have been made to Page 4.3-3 in Section 4.3, *Energy*, of the Draft EIR:

Table 4.3-3 2018 Annual Electricity Consumption

Energy Type	County City Per Capita		County City Per Capita Consumption (MMBtu)
	Palo Alto (kWh)	Consumption (kWh)	
Electricity (MWh)	8,900,000,000	12,800	43.68

Source: CEC 2019f

The following changes have been made to Page 4.3-15 in Section 4.3, *Energy* of the Draft EIR:

- Construction of infill residential or mixed-use development near two bus stops servicing ~~four~~ two VTA routes, for easy public transit access.

The following changes have been made to Page 4.3-20 in Section 4.3, *Energy* of the Draft EIR:

Table 1.3-4 Project Consistency with S/CAP

Measure	788 San Antonio Road Mixed-Use Project Consistent?	HIP Expansion Consistent?
T-FAC-2. Expand transit options	Consistent. The project itself would not expand transit options; however, it is within approximately one-quarter-half mile of two bus stops servicing four <u>two</u> VTA routes. The project would place residences and retail in a transit-accessible area, improving the viability of transit as an option for travel to services in Palo Alto.	Consistent. The HIP expansion would not expand transit options; however, it is near two bus stops servicing four <u>two</u> VTA routes. Projects in the program area would place new residences in a transit-accessible area, improving the viability of transit as an option for travel to services in Palo Alto.

The following changes have been made to Page 4.4-17 in Section 4.4, *Greenhouse Gas Emissions*, of the Draft EIR:

Table 4.4-5 HIP Expansion Consistency with the 2017 Scoping Plan

Goals, Policies, and Actions	HIP Expansion Consistency
Plan Level Policies	
Transportation & Land Use Actions	
1. Goal: Decrease VMT a. Adopt general plan policies and diagram designations and zone map and standards that are consistent with the Sustainable Communities Strategy b. In appropriate locations, adopt: 1) as-of-right zoning, and 2) design standards and guidelines, to enable mixed use, walkable, compact, infill development that includes a range of housing types and affordability levels c. Adopt an urban growth boundary d. Streamline permitting and environmental review and reduce fees for construction of secondary units to promote infill in targeted areas e. Adopt a jurisdiction-wide transportation demand management plan which sets numeric targets or caps for the proportion of non-single occupancy vehicle (SOV) trips associated with new development, and/or an overall VMT target	Consistent - As discussed in Section 4.6, <i>Transportation</i> , of this EIR, the HIP expansion would <u>provide housing in a segment of the County that has a surplus of jobs relative to the supply of housing, which would help to reduce VMT by providing homes closer to employment centers-reduce regional net VMT by adding housing in a city with a lower per capita VMT rate for employed residents than neighboring cities.</u> Further, the HIP expansion would involve changes to existing zoning regulations to support mixed-use, compact, infill development with multi-family housing within walking distance of four <u>two</u> transit stops.

Housing Incentive Program Expansion and 788 San Antonio Road Mixed-Use Project

Goals, Policies, and Actions	HIP Expansion Consistency
<p>f. Require employer-based trip reduction programs and provide funding to support them if feasible</p>	
<p>2. Goal: Manage parking more effectively to minimize driving demand and to encourage and support alternatives to driving Adopt a Transportation Management Ordinance to require carpool, electric vehicle, and/or vanpool preferential parking spaces close to the major employment areas</p>	<p>Consistent. Adoption of a Transportation Management Ordinance would occur at the City level and is not within the scope of the proposed HIP expansion. However, in accordance with Mitigation Measure TRANS-1a in the EIR for the City’s 2030 Comprehensive Plan, projects within the program area must adopt a TDM plan to achieve a 20 percent reduction in peak-hour motor vehicle trips. Further, the program area is within approximately one-quarter<u>half</u> mile of two bus stops servicing four<u>two</u> VTA routes and projects in the program area would be required to comply with Palo Alto Green Building Code standards which include electric vehicle (EV)-ready outlets for future charging stations at a higher rate than 2020 CALGreen requirements.</p>

The following changes have been made to Page 4.4-24 in Section 4.4, *Greenhouse Gas Emissions*, of the Draft EIR:

Table 1.3-6 HIP Expansion and 788 San Antonio Road Project Consistency with S/CAP

Measure	788 San Antonio Road Mixed-Use Project Consistent?	HIP Expansion Consistent?
<p>T-FAC-2. Expand transit options</p>	<p>Consistent. The project itself does not expand transit options as that is outside the scope of the project; however, it is approximately one-quarter<u>half</u> mile of two bus stops servicing four<u>two</u> VTA) routes. The project would place residences and a coffee shop in a transit-accessible area, improving the viability of transit as an option for travel to services in Palo Alto.</p>	<p>Consistent. The HIP expansion does not expand transit options as that is outside the scope of the project; however, it is near two bus stops servicing four<u>two</u> VTA routes. Projects in the program area would place new residences in a transit-accessible area, improving the viability of transit as an option for travel to services in Palo Alto.</p>

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Appendix A

Transcript of Planning and Transportation Commission Hearing Comments



Planning & Transportation Commission Action Agenda: August 12, 2020

Virtual Meeting
6:00 PM

Call to Order / Roll Call

Approximately 6:03 pm

Chair Templeton: Alright, I will start by reading the meeting script, and then we'll do roll call.

Does that sound good?

Ms. Rachael Tanner, Assistant Director: Sounds great.

Chair Templeton: Ok. Pursuant to the California Governor's Executive Order N-29-20, this meeting will be held by virtual teleconference only, with no physical location. Spoken comments via a computer will be accepted through the Zoom teleconferencing meeting. To address the Board, go to [Zoom.us/join](https://zoom.us/join), Meeting ID is 962 7264 8373. When you wish to speak on an agenda item click on raised hand. The moderator will activate and unmute speakers in turn. When called please limit your remarks to the time allotted.

Spoken public comments using a smartphone will also be accepted through the Zoom mobile application. To offer comments using a regular phone call... oh, using a regular phone call 1-669-900-6833, and enter Meeting ID 962 7264 8373. When you wish to speak on an agenda

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Commission Action: Moved by Summa, Seconded by Templeton. 7-0 vote

3. PUBLIC HEARING / QUASI-JUDICIAL / LEGISLATIVE. 788 San Antonio Road [19PLN-00079]: Recommendation on Applicant’s Request for a Comprehensive Plan Amendment, Zoning Text Amendments for the Site and Adjacent CS (Service Commercial) Zoning District Properties Between Middlefield Road and East Charleston Road including 1) Applying the Housing Incentive Program; 2) Allowing Rooftop Gardens as Open Space; and 3) Exempting Certain Retail Floor Area from Parking. The Request Also Includes Citywide Zoning Text Amendments to the Definition of Gross Floor Area and Exemptions from Retail Preservation. Applicant Also Seeks a One Lot Subdivision for 102 Condominium Units and a Variance To Allow a Protrusion Into the 24-Foot Special Setback Along San Antonio Road. Environmental Assessment: Environmental Impact Report was Circulated for Public Comment From July 31, 2020 to September 14, 2020. Zoning District: CS.

Chair Templeton: A public hearing, quasi-judicial, legislative item on 788 San Antonio Road.

Ms. Rachael Tanner, Assistant Director: Excellent. Thank you, Chair Templeton. This project, 788 San Antonio, has been before you before. Most recently last fall if you can remember all the way back, September 11th to 2019. So, we’re almost back to that data which is just man, time flies. So, this is a project for 102-units of housing on San Antonio Road, and when it was before us last time we had a very robust discussion with Commissioner’s really thinking about what the future of this area might be like. And so, it’s a great opportunity to think not just about what it could be like but what it might be like in the very near future with this project. And as you all know housing remains a top priority both not only for the City Council but if you look at the National Citizen Survey which Palo Alto participates in, it is year after year one of the top priorities of the citizens as well and the participants in that survey; which is representative of our community and so this is a great opportunity to advance that key priority.

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We have Sheldon Ah Sing who is with us this evening. He is one of our contractor planners and as you know we have very few left as we have tightened our belt and also done a lot of hiring last year, but Sheldon's been carrying this project and we want to make sure that it got across the finish line with the same planner who has been shepherding it thus far. So, we're really delighted to have him and then we also Jodie Gerhardt, our Manager of Current Planning, who is with us also to answer questions. So, we're going to hear from Sheldon first and then we will go to the applicant who also has a presentation. As you can see this item is set to be a bit lengthier than the previous one. A lot more moving pieces than just a restroom and ADA upgrades and so please do take notes and feel free when we have question time if you've got to go back to a slide, we're happy to go back to those for you. So, Sheldon, if you want to share your screen and begin your presentation, we're ready.

Mr. Sheldon Ah Sing, Contractor: Sure. I know sometimes that the Commissions or Boards, they want to have disclosures. Is that something that they want to do at this point through the Chair?

Chair Templeton: Yes, of course. Let... does anyone have any disclosures about this property, please raise your hand. Alright, we don't have any disclosures. Thank you for asking about that.

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1 Mr. Ah Sing: Thank you. So, it's a pretty complicated project, there's a lot to unpack, so I just
2 wanted to give you a little bit of overview what we will be talking about this evening. But I'll be
3 talking about the project overview, a little bit of background includes a site context, a little bit
4 about where we are with the Housing Incentive Program at this point, a little bit about the
5 proposed project, and the various components that are requested including the Comprehensive
6 Plan Amendments, the Zoning Text Amendments, the subdivision, Tentative Map request as
7 well as a Variance. But also, there's Environmental Impact Report subject to CEQA, California
8 Environment Quality Act, and then we have some recommendations on the project.

9
10 So, the project includes 18 parcels totaling just under 10-acres between Middlefield Road and
11 Charleston Road with all but one parcel being on the east side of San Antonio Road. The eastern
12 property lines of these properties form the boundary between Palo Alto and the City of
13 Mountain View. So, these properties are located across from the Greenhouse Neighborhood.
14 These properties otherwise under separate own ship. Two of the parcels at 788 and 796 San
15 Antonio Road area at the intersection of Leghorn Street and San Antonio are proposed to be
16 merged and developed with a mixed-use project. So, this proposal serves as the catalyst project
17 for the larger programmed area and so that program area is highlighted or outlined in yellow
18 and the development project area which we will refer to in the presentation is outlined in
19 orange.

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1 The project proposes a 4-story mixed-use building with 102-dwelling units and approximately
2 1,800-square feet of commercial on the ground floor. The building would have a Floor Area
3 Ratio of 2.0 and based on the existing zoning in the Comprehensive Plan the project would...
4 could not be built. So, therefore, they need to do a number of requests and those include a
5 Comprehensive Plan Amendment. In particular, there's one implementing program from the
6 Comp Plan that states housing opportunity sites need to be removed from the San Antonio
7 Road and we're concentrating those in the downtown area as well as California Avenue. So,
8 that amendment is to in the program to increase housing [unintelligible] San Antonio Road. We
9 also have a Zoning Ordinance to be amended by expanding the Housing Incentive Program to
10 these areas in the program area. For the development project, there are also typical
11 entitlements such as the Architectural Review, the subdivision in results of a variance request.
12 So, all these are discretionary actions and the Comprehensive Plan Amendment and Zoning
13 Text Amendment, they're legislative items as well as the Subdivision and Variance are subject
14 to the purview of this Commission. And so, you'd be giving a recommendation to the City
15 Council and the architectural review component will be under the purview of the ARB. So being
16 a discretionary action there's an Environmental Impact Report prepared and is circulated now
17 and addresses some potential environmental impacts. And then finally we have the
18 recommendation for approval.

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1 So, a little bit of background here. The project has had several meetings starting with two
2 prescreening meetings with the Council to discuss potential increases in density and the
3 changes to the Zoning Ordinance. At those meetings, it was acknowledged that there are some
4 trade-offs between commercial space and housing, but in general, they did proceed... the
5 applicant did proceed with the project. The Planning and Transportation Commission almost a
6 year ago did conduct a scoping meeting for the project. The scoping meeting was for the
7 Environmental Impact Report. It talked about the various issues that would be studied and then
8 the ARB also had two prior hearings this year and then the applicant on their own sponsored a
9 community meeting. This was conducted last week virtually and they had several people that
10 participated in that.

11

12 So, a little bit about the site context. Middlefield Road and East Charleston are major
13 intersecting streets within the program area and include transit connections for the area. San
14 Antonio Road is 80-feet wide from curb to curb, it included four lanes and a landscaped median
15 with a left turn pocket. The corridor includes detached sidewalks that are 5-feet wide and
16 bicycle do share the traffic lane. A new 300-room hotel is currently under construction as... just
17 down the block at 744 San Antonio Road. This was approved as well as... with a 2.0 FAR, so it
18 represents a similar scale project in relation to the property size. And there is a 24-foot special
19 setback along San Antonio Road as well as a 15-foot special setback along Leghorn Street which
20 could be used to accommodate additional bike facilities in the future so be it.

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To the west of the project and across San Antonio Road are 228 condominium housing units that are 3-stories in height on a 15-acre site. This development is known as the Greenhouse. The buildings are over 150-feet away from the project site and the project site is also adjacent to within the vicinity of several 1-story commercial buildings that were built in the 60s and the 70s. So, these low-rise commercial developments currently dominate this corridor. The area's gradually being developed with other buildings that rise to a maximum of 50-feet. Another notable development is the Taube Koret Campus with similar mass as proposed of heights... lies at the intersection of San Antonio Road and East Charleston.

So, the Housing Incentive Program was adopted to implement the Comprehensive Plan policies to promote additional housing production for the City. This included a holistic approach that allows additional floor area, lot coverage, rooftop gardens to count as open space, and streamlined parking requirements. The HIP as it's known currently enables development having Floor Area Ratio of up to 1.5 to 1 in the CS Zone along El Camino Real. The HIP also provides a waiver for lot coverage requirements. Currently, the maximum lot coverage is 50 percent of the lot area. Among other incentives to encourage additional [unintelligible]. In comparison, the HIP allows Floor Area Ratio of up to 2.0 in the CC2 District and 3.0 in the downtown area.

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1 So, for the proposed project, it's located at the intersection of San Antonio Road and Leghorn
2 Street which [unintelligible] before. It includes two parcels that would be merged, it would be
3 about 1-acre in size, with two existing buildings on the site would be demolished. One of the
4 buildings at 788 San Antonio, there's a private corner there at the intersection, is determined to
5 be eligible for listing on the State's Historic Register. As mentioned the site does include special
6 setbacks; San Antonio Road 24-feet and Leghorn 15-feet. There are four trees that are
7 proposed to be removed. Three of those are protected trees along Leghorn Street to allow for
8 the street improvements. The project proposes 4-stories mixed-use building and the
9 commercial ground floor space most likely will a café type of use. Of 102-dwelling units, 32 are
10 studio units, 66-units are 1-bedroom units, and then you have two 2-bedroom units. These
11 range in size from 500-square feet to approximately 1,200-square feet in size. Sixteen of the
12 units will be Below Market Rate restricted units and the project does include two levels of
13 basement parking with a garage access from Leghorn Street. A prior iteration of the project
14 included one level basement with stackers. After listening to the public they decided to go with
15 two levels of basement parking with no stackers. The primary access [unintelligible] to residents
16 is the only accessible access into the building. The secondary pedestrian access is off of Leghorn
17 Street.
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1 So, in order to implement the project, the following is necessary as I mentioned.
2 Comprehensive Plan Amendment... I guess I'll speak to all of these in separate slides, the Zoning
3 Text Amendment, Subdivision, a Variance, and architectural review.

4
5 So, there are several Comprehensive Plan Programs and Policies that need to be advanced by
6 implementing the [unintelligible] of within a programmed area. Number one Program is L2.4.1
7 of the Land Use Element in the Comprehensive Plan in that case the San Antonio Road housing
8 inventory sites as shown in the 2015 to 2023 Housing Element, it should be removed in the
9 favor of concentrating residential density in the downtown/California areas. The idea there was
10 to move some of these housing densities over to where there was more transit-rich areas. So,
11 to further support this Land Use Policy, in considering future demand for housing, Staff
12 recommends an amendment to this program to ensure complete consistency. So, we would
13 amend the Housing Element to increase selected housing sites along San Antonio Road and
14 increase residential densities in downtown and California Avenue.

15
16 There are various Zoning Text Amendments that need to be considered. One of them is to
17 extend the Housing Incentive Program to the program area, to amend Citywide definition on
18 Gross Floor Area, and to amend Retail Preservation requirements for CS Districts Citywide. The
19 Zoning Code was amended in 2019 to provide incentives to produce additional housing units
20 that are an alternative to the State Density Bonus Code. So, these incentives were packaged as

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1 HIP, the Housing Incentive Program. In accordance with the City's Comprehensive Plan, the HIP
2 targets properties along the El Camino Real and the downtown area. Especially the CS District
3 properties along El Camino Real are eligible to use this HIP as well. So, the HIP does include
4 several provisions that incentives housing production, the proposed amendments would
5 further these incentives for housing production, clarify or modify existing standards, and add
6 the San Antonio corridor to this program. So, one of the things is to allow up to 2.0 FAR which is
7 .5 higher than what is allowed along El Camino Real for CS Zoned properties, but it would be
8 the same for CC (2) zoned properties else ware in the City and the same FAR as I mentioned
9 before that was approved for the hotel just down the street. The 2.0 FAR is proposed within the
10 program area due to the area's greater height limits and surrounding land uses. So, while there
11 are residential properties across San Antonio Road, the immediate area does not have other
12 sensitive land uses and butts light industrial commercial land uses next to the City of Mountain
13 View. The other component is to apply those standards for building height setbacks and other
14 Development Standards remove the 30-units per density limit. So, there would not be any
15 density limit as long as it meets other Development Standards. So, would allow for a design of a
16 building and the site provide necessary aesthetic qualities to be consistent with the
17 Architectural Review Findings. The other component is to allow rooftop garden area to count
18 for up to 60 percent of the required open space. This would allow again for more flexibility to
19 design the projects. Another component is to allow for reduced parking for small retail, so this
20 would exclude the first 1,500-square feet of ground-floor retail from the Retail Parking

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1 Requirements for mixed-use projects. This development project that's being proposed is not
2 proposed to utilize this exemption. However, it could be considered as part of the HIP for other
3 potential projects within the program area. And lastly, for the Zoning Text Amendments for the
4 Housing Incentive Program, maybe encourage the 100 percent affordable housing project by
5 extending the same provisions that support 100 percent affordable housing projects to the
6 program area.

7

8 The other component of the Zoning Text Amendments is to add a Gross Floor Area Exemption.
9 The City uses this Gross Floor Area along with Floor Area Ratio to help regulate the size of
10 buildings on the property as well as it's intensity. Definition states what's included and what's
11 excluded from the calculation of Gross Floor Area. Basement parking garages within the
12 commercial zone are generally exempted from the Gross Floor Area unless the space is deemed
13 useable for commercial uses by the Planning Director. Though Staff does propose an
14 amendment here because it's just sometimes an ambiguity to this current code definition that
15 would in basement areas exempt electrical and fire equipment rooms. So, other basement
16 areas could be determined exempted by the discretion of the Director and this is floor areas
17 that do not increase the intensity of the use of the site. It's a minimum necessary area to
18 comply with regulations. So, these areas would not generate additional parking demand and
19 since these areas are below grade they would not directly add [unintelligible] to the project.

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1 The areas for trash and recycling would continue to be counted as we're trying to encourage
2 these facilities above ground.

3

4 The last component for the Zoning Text Amendments is to amend the Retail Preservation. The
5 purpose for Retail Preservation is to maintain the amount of retail or retail-like ground floor
6 space in the City. So, providing retail space on sites is sometimes challenging for housing
7 developers. We recognize there's sometimes this tension between preserving retail and
8 providing housing. So, the project site [unintelligible] its site does include about 6,000-square
9 feet of retail space. The applicant proposed to build approximately 1,800-square feet of the
10 retail floor area and requests a partial exemption from the Retail Preservation Ordinance to
11 exempt the remaining 4,100-square feet of retail space. So, for sites that have substantially
12 more retail space, redevelopment for housing becomes less attractive for a couple reasons. So,
13 first, it reduced the amount of floor area that can be dedicated towards housing units, and
14 secondly, retail area must be parked and that adds additional cost to the project. So, the
15 ordinance does require replacement of ground-floor retail space permitted as of March 2nd,
16 2015 with another retail use. The ordinance does notice two grounds for requesting a waiver or
17 adjustments to the Retail Preservation Requirements and these include economic hardships
18 and alternative viable active use. So, documentation is required to prove these grounds that
19 they have merits to warrant such waiver or adjustment and the bar to grant these are high. So,
20 we are recognizing also that the CS District is automobile-oriented retail versus pedestrian-

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1 oriented retail, and while it will likely see more pedestrians-oriented retail at higher density
2 residential projects for the corridor. So, Staff does propose that and Council consider adding to
3 the ordinance a partial exemption from the Retail Preservation or residential high density. So,
4 these are use or projects to 30-units or higher per acre on a mixed-use project on CS zoned
5 properties, except for areas that have a ground floor or retail combining district overlay that
6 protects the retail. And so, this proposed waiver would... exemption would allow for
7 replacement of retail and retail like uses within housing and replaced with a minimum of 1,500-
8 square feet of retail space.

9

10 The next component of the project is a Subdivision and the request is a lot merger. It's a one lot
11 condominium subdivision or 102-units as well as the retail space acknowledges the common
12 areas. Although at occupancy the applicant may decided to rent the unit. I think it... well, it is
13 much easier to file a Subdivision Map upfront than to do through a condominium conversion
14 process. Given the requirements, it maybe be unlikely that the converse could occur in the
15 future. So, the project would be designed with the condominium project and the applicant will
16 pay the fees in accordance with the subdivision project. Any subdivision project with more than
17 50 units is required to provide parkland dedication or payment in lieu. The Municipal Code
18 using the Density Formula to calculate the required parkland. For this project that requirement
19 is .85-acres. The City had determined that in accordance with the Municipal Code that the
20 payment in lieu fee is appropriate and current that Impact Fee amount is \$4.4 million. This

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1 amount would be payable prior to the issuance of on the first building permit for the project
2 and the fees may be used by the City for purchase of land for future parks or for improvements
3 of existing parks. The project is also subject to the affordable housing requirement of the City;
4 15 percent of that total amount of housing would be made affordable and that amount to 15.3
5 units. The applicant could have elected to pay an in-lieu amount from a fractional number,
6 however, the project does propose 16 Below Market Rate units and of the 66 percent will be
7 affordable to households of 80 to 100 percent of the Area Median Income and up to 33 percent
8 affordable to households of 100 and 120 AMI.

9
10 And then just here repeats some of the Findings. These are Reverse Findings because they are
11 necessary to improve the Subdivision Map. Of any of these Findings can be made, so it's a little
12 bit opposite than some of the other Findings you may be accustom too, then those are grounds
13 for denial of the request. So, that's why we call it Reverse Findings in that case.

14
15 So, for the Variance, the development does propose a pedestrian ramp that would protrude 14-
16 feet into the 24-foot setback along San Antonio Road. This is the only accessible access for
17 people with disabilities into the building. A Design Enhancement Exception is not allowed for
18 special setbacks. A strict application of this special setback to the applicant's project site would
19 deprive the property of privileges enjoyed by other properties in the vicinity. And there are
20 other properties along the San Antonio Road that have the same... are subject to the same

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1 setback, however, they don't have a second special setback such as Leghorn as the subject
2 property does. And there are other notable properties along San Antonio that do not meet this
3 setback as noted in the Staff report. Some of them are at 19-feet, 16-feet or 17-feet and they
4 were built after the special setback was established. We do have a Condition of Approval to
5 address potential future mobility improvements along San Antonio Road as mentioned earlier.
6 This 24-foot setback may be an area that the City wants to include so bicycle improvements to
7 connect to other transit in the area and then these are just the Variance findings. Unlike the
8 Subdivision Findings, all of these need to be made in the affirmative for the approval of the
9 Variance.

10

11 Then we have the Environmental Impact Report, these are all discretionary actions and requires
12 CEQA review. A Notice of Preparation and scoping was conducted and the Notice of
13 Preparation was circulating between September 4th and October 7th last year. We had the
14 scoping meeting on September 11th with the Planning Commission last year. The Draft EIR is
15 currently in circulation now from July 31st through September 14th and we're open for public
16 comment. And then since July 1 what's really notable for all CEQA projects of this year,
17 transportation impacts are now analyzed using Vehicle Miles Travel and not by Local Service.
18 Some of the impacted topics for this project include air quality, biological resources, cultural
19 resources, geology and soil resources, greenhouse gas emissions, hazards hazardous resources,

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1 noise, tribal cultural resources. So, mitigation measures proposed to reduce impacts to less
2 than significant except for cultural resources.

3

4 The development project results in the demolition of the buildings as I mentioned that may be
5 eligible for listing in the California Register of Historic Places and two of these buildings would
6 be destroyed. One of them is potentially eligible and there are four criteria to be eligible for
7 listing on the California Register; includes Events, Persons, Architecture, Information Potential.
8 At least one of these criteria would need to be found significant and the site is found to be
9 significant with respect to Criteria One Events for its association with the California
10 Chrysanthemum Grower Association. It's a long-term representative of the importance of the
11 Japanese American horticulture in the industrial copies of the Bay Area. This period of
12 significance for the building is from its period of construction in 1953 to 2002 and that's the
13 ending of the merger of this Grower's Association with California Flower Market. So, for a
14 property to be eligible for the National or State designation on the criteria related to its height,
15 period or method, construction, essential physical features, or the character-defining features
16 enable the property to [unintelligible] identity must be evident. There are several character-
17 defining features that are original to this 1953 construction and the site does retain integrity for
18 location, setting, design, and materials for [unintelligible] association. Therefore, that building
19 at 788 San Antonio is eligible for individual listing in the California Register under Criteria Events
20 One.

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2 So, there are going to be mitigation measures, however, they're not enough to bring it down to
3 less than significant and some of those mitigation measures include doing photo
4 documentation. There will be a website that's interruptive. The applicant has gone a little bit
5 beyond those mitigation measures and proposing some design improvements to acknowledge
6 the history of the sites. So, there will be some stamped pattern paving at the corner plaza,
7 they're adjacent to the retail portions as well as within the courtyard area.

8

9 So, transportation here, I'll try to take my stab at this. I'm not a transportation engineer, but
10 there... as I mentioned there was a change in July 1 from transportations impact from LOS to
11 VMT for CEQA. The LOS does remain an evaluation criteria for the Comprehensive Plan, but just
12 not for CEQA, and so VMT does refer to the amount the distance a vehicle automobile travel
13 contributed to a project. And one factor that leads to higher relative daily VMT is the imbalance
14 of the jobs and housing within the area. So, Palo Alto does have a lot of jobs so the inclusion of
15 housing to an area is a good thing to help balance that out. So, the project could not be
16 screened out based on the adopted thresholds that the City just adopted recently. So, therefore
17 the that warranted some further analysis. The VMT per resident for the project is anticipated to
18 be similar to existing residential areas boarding San Antonio Road and these rates were
19 estimated using the VMT estimator. The average VMT for the Transportation Analysis Zones

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1 near San Antonio Road is 11.19 miles per resident which is lower than the threshold 11.33 and
2 therefore there's no significant impact for CEQA.

3
4 We're almost there, so with the next steps for the project we have ARB meeting scheduled for
5 next week, we have to complete the CEQA process. Right now, the public comment period so
6 we've been accepting comments through this meeting, the ARB meeting, as well as any written
7 comments that may come in. We have to develop response to comments. Depending upon the
8 level of comments, it could take some time and then develop a Final Environmental Impact
9 Report that [unintelligible] the edits that we need to do or revisions to the Draft EIR. And then
10 we need to schedule a meeting with the City Council considering the recommendations that we
11 get from this Commission as well as from the ARB. We're anticipating that to be sometime in
12 October or November.

13
14 So, with that, we have four recommendations. One is to consider the Draft EIR, the other is to
15 recommend that City Council adopt Record Land Use Action approving the Tentative Map and
16 the Variance subject to the Findings and Conditions of Approval. And then also to recommend
17 that the City Council adopt the attached ordinance from the various Zoning Text Amendments
18 related to the Housing Incentive Program and the changes to the Retail Waiver and the
19 definition. And then recommend that the City Council adopt the attached resolution for the
20 Comprehensive Plan Amendment.

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So that concludes my presentation. I'd be happy to answer any questions. The applicant is also here with their presentation. Thank you.

Ms. Tanner: Thank you Mr. Ah Sing and with the Chair's permission we'll hand that over to the applicant to do their presentation.

Chair Templeton: Thank you, that'd be wonderful.

Commissioner Riggs: Can I ask a question before we do that because the applicant might be able to answer the question in the flow of his presentation?

Chair Templeton: Sure.

Commissioner Riggs: Is that ok Chair? I can hold it, but I just feel like [unintelligible] (interrupted)

Chair Templeton: It's fine if it's contained. Yeah, go for it.

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1 Commissioner Riggs: I just want to hear about... there was some comments in the Staff report
2 about ARB and one of them I wanted to flag was a TNC pickup and drop off suggestion. And I
3 wanted to see how that had been handled and what the thing was there? It just... I'm not... I
4 wouldn't have recommended it and so I just... I wanted to see if that had been retained. If that
5 had just been responded too how that was embedded in what was being proposed?

6
7 Chair Templeton: Alright, thank you and just to explain the order of operations here. So, after
8 the applicant does their presentation we'll have a brief amount of time for technical and
9 clarification related questions. Then we'll go to public comment and then for the rest of the
10 discussion will be held amongst the Commissioners after that. Thanks, and your applicant can
11 begin their presentation.

12
13 Ms. Tanner: Great, go ahead. I think that Ted is with us, is that... Ted O'Hanlon, are you doing
14 the presentation?

15
16 Mr. Ted O'Hanlon: Yes, I am. You see and hear me ok?

17
18 Ms. Tanner: We do see you and we hear you and we see the presentation so go ahead.

19
20 Mr. O'Hanlon: Great. Sheldon you're going to advance it when I ask you too right?

-
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Mr. Ah Sing: Yes.

Mr. O’Hanlon: Ok, thank you. Introduce myself to the Commission, again my name is Ted O’Hanlon. I’m the Project Manager for this working closely with the owners on this project at 788 San Antonio. Sheldon, could you move us forward?

I thought I’d start my brief presentation with a little bit of how we got here. Starting way back at the beginning when we acquired the site in May 2018. There was a Yield Study done based on the existing zoning which included not a whole lot of housing units and some office and a pretty significant chunk of retail. So, our thoughts were to utilize some State Density Bonus Law in order to provide a variety of housing and also a re-zone to an RM-40 and really a peer play residential proposal. We had the pre-screening with the Council in October 2018 and the overall opinion was favorable. We’d like to hear more so we took that as a sign to continue to explore what we thought was a good vision for housing. Shortly after that October meeting, the City approved the Housing Incentive Program focused on El Camino and downtown. And our thinking was that’s some good criteria and a great way to create some housing, but we’re on San Antonio. So, given that, the suggestion from Staff was well, we’d recommend you do another pre-screening with City Council. So, we took them up on that and we went back in March 2019 with a proposed building that was using a 1.5 FAR also incorporating a ground-level

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1 retail presence we were advised in October would be favorable for the project. And as you can
2 see we scaled up pretty significantly the number of units as we go on the continuum of existing
3 zoning to State Density to using something that Palo Alto's created for themselves with the
4 Housing Incentive Program. Again, we left that meeting feeling that there was an appetite on
5 City Council to learn more about housing opportunities on San Antonio Road; but we really
6 started looking more closely at the Housing Incentive Program and thought there was good
7 reason to utilize it's 3.0 FAR. And also respond to another thing that we had heard in our two
8 previous Council pre-screenings is we're in a little bit more of a commercial area of the City. So,
9 we thought it would be appropriate to design this building for more units but smaller units. Not
10 necessarily directed at families which would have been more predominately 2 and 3-bedroom
11 units and we ended up with this mix of pretty significant on the smaller size units where the
12 studios of about 500-square feet. A big chunk of 66 of 1-bedroom units that range anywhere
13 from 600 to 700-square feet and then just a little handful of 2-bedroom, 2-bath units to take
14 advantage of that street corner on Leghorn. Sheldon would you advance?

15

16 We continue to think this is a great idea because of our proximity to housing and the
17 advantages of housing near jobs. If you look at the larger dots on this one-mile radius map, you
18 can pretty quickly back into the fact that this site is within one mile of about 10,000 jobs.

19 Sheldon, would you go next?

20

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1 And then we also thought that this site has some logistical advantages to it. It's got good
2 proximity to 101, it's got a one-mile proximity to the San Antonio Caltrain Station which is a
3 straight shot, and then locally with some of the bus and shuttles that run in Palo Alto and
4 between Cities. We saw some good connectivity there and the more important of all was the
5 advantage that cyclists would have with this site. Particularly being a 5-minute bike ride to
6 Google's World headquarters which essentially would be accessible by riding a bike down
7 Leghorn Street to Reinsdorf and Reinsdorf has a bike lane over that overpass to 101. And that's
8 not just Google's World Headquarters there. We all know that there's a lot of significant
9 businesses and jobs over in that stretch of North Bay Shore. Sheldon, go ahead.

10

11 So again, the project overview, 102-units. It's really critical to be able to utilize the Housing
12 Incentive Program. We're beneath the 50-foot height limits that the CS Zone allows. We have
13 adapted the parking to instead of one level that was stacker centric to now two levels below
14 grade. That's a significant construction cost change but we feel it was responsive to the
15 community's needs. Particularly for what would be a rental building. To have open spaces
16 rather than parking stackers and this also now includes 20 spaces that would be dedicated to
17 retail that the building would have.

18

19 And again, going back to that idea of this being a great cyclist location. Our bicycle parking, the
20 long-term bicycle parking, 102 bikes, is on the ground level. Infrequent cases, in multi-family

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1 buildings your bicycle parking is somewhere below grade, probably near all the cars. This is
2 adjacent to the lobby behind nice shiny glass and will really show that this a bicyclist building. It
3 also has repair stations and bike cleaning apparatuses as well as short term bicycle parking on
4 the exterior; particularly for the café.

5

6 We have been cognizant and very conscientious about using and providing inclusionary housing
7 with the 16-units provided based on a 15 percent contribution. We also noted recently the
8 Strategic Economic Study that was commissioned by the City to look at alternatives to the 15
9 percent contribution be it 20 or 25 percent. And based on our observations and reviews we
10 would align ourselves with saying that that one has a lot of truth in it as far as saying 15
11 percent... as far as Palo Alto seeing projects, that's about... it's a very slippery slope above 15
12 percent such that if construction costs keep going up and rental rates get soft. Then 2023 might
13 not be as great for this as one might think, but again, going back to something Sheldon
14 mentioned in the Subdivision Map. When we maneuver this project to go from 1 and 2-
15 bedroom for-sale units and we said you know what, let's make this professionals and more
16 singles and maybe young married couples type of building. We also made a commitment to
17 ourselves to say this is going to be a rental project. We're going to lease this thing up because
18 we had gone so far down the road with the Subdivision Map we decided to continue with it
19 because it's a barren application. And maybe 5, 10, 20-years down the road perhaps there
20 might be a conversation to for-sale condominiums in this building like in other Cities do from

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1 time to time. But it would really very much be put on the shelf and we would operate this as
2 again a rental. Sheldon, go ahead.

3

4 The objectives of the plan, this was outlined in somewhat in the EIR. This was something that
5 we took when we first studied the site. The site is a housing opportunity site in the Comp Plan
6 and we think that there are good residential roots in this area between the Taube Koret Center
7 and the Greenhouse; to have more residential in this area and more people who live there
8 rather than just work there. Our project, given the unit sizes and the BMR components, will
9 serve a variety of renters and a variety of income levels. And again, going back to that bicycle
10 idea, this is going to encourage an alternative transportation use. Particularly, for that
11 connectivity to the San Antonio Caltrain Station and I think for Palo Alto it's a good project
12 because it shows that Palo Alto can implement something, such as the Housing Incentive
13 Program, and create housing. Rather than other projects that might come in and try to utilize
14 the State Density Bonus Law or other state laws to increase housing density. And again we're
15 102-units and that's a pretty significant contribution towards a City that has a goal of 300 units
16 created per year for 10-years. Sheldon, go ahead.

17

18 We wanted to try to quantify what is the community benefit of this project. Earlier this year we
19 noticed that housing was a number one priority of the City Council and there was also an
20 interesting subtext to that. It said that the housing in and of itself is the public and community

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1 benefit. There is a particular interest in affordable housing too and we feel like we're providing
2 both, so we're really hitting number one on the City Council's objective for 2020. Turner Center,
3 which I'm sure a lot of you guys on the Planning Commissioner [**note – Commission**] are familiar
4 with at UC Berkeley, published this study in March 2020 to try to quantify... we use it to try to
5 quantify what's the dollar value of what we're proposing the City of Palo Alto. So, for seeing this
6 at 600,000 per unit, the estimated value of this community benefit on a dollar basis is \$9.6
7 million. Sheldon, go ahead.

8
9 And that concludes my proposal. Sheldon did all the heavy lifting for this and the heavy lifting
10 for the consideration. Is very much appreciated Staff working with us, all you on the
11 Commission, here to answer questions and... as needed, and thank you so much for your time.

12
13 Chair Templeton: Great, thank you so much, Mr. O'Hanlon and Mr. Ah Sing for the
14 presentations. So, we're going to do a quick round with the PTC before going to public
15 comment. Commissioners, if you have something that needs clarification from our presenters
16 and this would be the time for that. And then we can if you wouldn't mind please hold the
17 discussion until after the public comment. Please raise your hand if you have questions for the
18 presenters. Commissioner Alcheck.

19

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1 Commissioner Alcheck: Thank you, Staff, thank you applicant for your presentations. A quick
2 question for Staff. Although the Planned Community Zone is not on the table tonight, I think it
3 would help inform the discussion if Staff could clarify how the PC Zone has evolved most
4 recently as a result of Council discussion or action.

5
6 Ms. Tanner: Great. I can talk a little bit about the Planned Community Zone and how that's
7 evolving. So, what we had happen earlier this year was the revival of the Planned Community
8 Zone and the... it's kind of a different name not in the code but the Plan Home Zoning. The idea
9 that it's really focusing on housing and as the applicant suggested that housing is the benefit;
10 instead of trying to perhaps have open space or other types of community benefits be included
11 in the project but really to focus on housing. And the goal of those projects having 20 percent
12 affordable housing onsite, again to further that affordable housing is one of the benefits that
13 those projects are providing.

14
15 This was launched pre-pandemic and so we did initially have quite a number of interested
16 property owners who reached out, who've been taking to Staff, and some are continuing to
17 pursue that. Most recently 3300 El Camino was at Council for pre-screening in June prior to the
18 Council recess and we still have other projects that despite the economic downturn are
19 considering advancing under the Planned Home Zoning.

20

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1 Commissioner Alcheck: It's just... the... so has it in fact been codified or is it still in process?

2

3 Ms. Tanner: It will be the PC Zoning, so it's essentially still using the PC Code. Part of our

4 (interrupted)

5

6 Commissioner Alcheck: So, we didn't actually... we didn't amend the code yet?

7

8 Ms. Tanner: And we don't.... there's no need to amend the code for the PC Zoning to be

9 revived. It was a policy decision from Council to not continue to allow PCs to go forward. So, it

10 was just (interrupted)

11

12 Commissioner Alcheck: No, no I know that, but the... that I completely understand. I didn't

13 think that the existing code language provided a lot of clarity with respect to interrupting the

14 concept of public benefits. I'm excited about what sounds like an evolution so I'm just trying to

15 understand if... I guess is the take away that simply the addition of housing now from the

16 perspective of our code is a public benefit?

17

18 Ms. Tanner: I don't know if it's from the perspective of the code as much as (interrupted)

19

20 Commissioner Alcheck: No, the leadership.

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2 Ms. Tanner: Yes, yes, that is correct.

3

4 Commissioner Alcheck: Alright, alright, thank you. I will hold my comments for the second
5 opportunity.

6

7 Chair Templeton: Great, thank you. Commissioner Riggs.

8

9 Commissioner Riggs: So, my question didn't get answered so I just want to make sure it gets... I
10 want to understand what happened with some of those ARB comments?

11

12 Ms. Tanner: I'm going to ask Ms. Gerhardt or Mr. O'Hanlon if you want to address where the
13 TNC, the rideshare drop off and pick up, I think was Commissioner Rigg's question. That there
14 had been some comments regarding it and how those were addressed or where that kind of
15 shook out in the design.

16

17 Commissioner Riggs: Well, there were a bunch of ARB comments and I didn't just see those
18 covered and I just wanted to understand how those folded in, but that's one of them that I had
19 not been made aware of yet and so I'd love to understand that comment. How is it absorbed?
20 How it was responded too?

-
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Ms. Tanner: Yes, I do want note I don't know if we're prepared and we certainly can try to make time to go over all the architectural review just because that's not what's before this body. So, we do want to focus on the items which are pretty in-depth that are before this body's review, but at least if we could address the (interrupted)

Commissioner Riggs: Well, I would argue that is... that that item... this particular comment is in our purview and a couple of the items that were commented by ARB particularly that are in our Staff report are in our purview.

Ms. Tanner: Certainly, but if you... I'm not sure what else you would like besides the TNC to be addressed.

Mr. O'Hanlon: I can speak to that if you'd like.

Commissioner Riggs: That'd be great Ted. Thanks.

Mr. O'Hanlon: So, the... Sheldon, I don't know if maybe you have something in the presentation since I can't share my screen. It shows the proposed site if you were to see that we are creating 10 parking spots on San Antonio Road on that frontage and we think that two of those 10 in

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1 front of the lobby would be restricted parking during certain hours. So, that would promote day
2 time drop-offs, Amazon trucks, etc. Uber drop and go. Perhaps that would be able to have an
3 overnight parking component to it.

4
5 On the Leghorn side of the street, we'll create three parking spaces but at the same time we're
6 going to have no parking along in between the garage entry which is in the lower right corner of
7 that particular drawing and the front of the... basically the corner. So, if you can kind of see
8 where it's... the sidewalk is hashed out there. This is going to be where garbage pick up is done
9 and then of course when garbage pickup isn't being done there will be no parking. Which is
10 another opportunity for deliveries or pickups and drop-offs of car shares can service clients as
11 well. So, we... it's nice that we can have these two frontages available to support people coming
12 and going and packages coming and going from the site.

13
14 Commissioner Riggs: Ted, is that a white zone or a yellow zone? Do you know specifically or
15 maybe Sheldon knows that? And also, maybe following up because I tried to get a copy of the
16 site plans. They couldn't get me one. I don't have a hard copy, but on this presentation which I
17 was given earlier it looks like this is rendered as a Class Two bikeway, but I'm pretty sure it's not
18 a Class Two bikeway and you don't have plans to make it a Class Two bikeway. So, I wanted to
19 understand is that something that the City is going to... are you aware that something that the

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1 City is going to do in parallel with the project? And I know that's something I heard briefly from
2 Rachael or Sheldon but it's rendered like that and I don't think that's a reality.

3

4 Ms. Tanner: In terms of the bikeway project, I believe this is a Class Three bikeway and I don't...
5 I'm not aware of plans at the moment to enhance that. We do have Rafael Rius and Shrupath
6 Patel on the line from the Office of Transportation. They may be aware of plans, but I don't
7 think there's anything imminent in terms of the bike improvements on San Antonio.

8

9 In regards to the curbing and whether it's a white passenger pick up or a yellow zone, Mr.
10 O'Hanlon or Mr. Ah Sing do you know if that's intended to be passenger loading or it's just
11 limited-term parking at those curb spaces?

12

13 Mr. Ah Sing: I'm not sure we worked that out, but I don't know if Shrupath or Rafael can chime
14 in on that issue.

15

16 Ms. Tanner: Perhaps that happens at a later time in the development path. I don't know Rafael
17 if you can address that?

18

19 Mr. Rafael Rius, Traffic Engineering Lead: Hi, everyone. Rafael Rius, I'm Traffic Engineering Lead
20 with the City and I'm helping fill in while Sylvia Start Lack is out this week. I am not too familiar

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1 with the project plans for the roadway. We don't have any emanate plans for bike facilities.
2 However, San Antonio Road is called out in our current Bike Plan for bike improvements on it.
3 There are several ideas floating around, but nothing's really been vetted or approved for that,
4 and part of it is the special setback opportunities. We did try in the past to look at replacing the
5 class so it is currently a Class Three bike... shared bike facility, not a dedicated bike lane. We
6 looked into it several years back. I think the commercial businesses were reluctant to lose the
7 parking in front of their businesses and I'm not familiar with how far along discussions of on-
8 street parking would this project, in particular, have gone.

9
10 As far as the loading on Leghorn, it would be good to know. There's... it could be used as a TNC
11 pickup for any use, however, there are some legalities to this commercial loading. It's not
12 technically supposed to be used and vice versa if it's white loading... white striped passenger
13 loading space. Then it's not supposed to be used for commercial loading and such. I think there
14 are options. You could do a no parking zone which might allow for both.

15
16 Ms. Tanner: Great, thank you, Rafael.

17
18 Commissioner Riggs: You know I have enough information. I think this is... we can flush this out
19 a little more in my suggestion.

20

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1 Ms. Tanner: And then Mr. Rius, just typically would that type of striping be part of the project
2 plan and planning entitlement or at the Building Permit stage?

3
4 Mr. Rius: Its typically... there's typically something discussed at this stage so that there's an
5 understanding. It's really approved when it comes to the Building Permit phase as part of the
6 off-site improvements, but generally, if we are going to have a parking restriction say... I mean I
7 know several years ago we would have tried to remove the parking along San Antonio as new
8 developments come in. I don't know if that's still the case and we would try to clarify that at
9 this point and I'm not sure if Shrupath or Sylvia might know. We might have to return with a
10 formal answer. We kind of have to plan for that.

11
12 Ms. Tanner: Ok, great, thank you.

13
14 Chair Templeton: Alright thank you all and Commissioner Riggs. So, next up is Commissioner
15 Summa.

16
17 Commissioner Summa: Thank you, everyone. I had a question about loading and delivery and
18 whether it was required to be on site for this building instead of on the street and maybe
19 somebody can answer that at some point. And then could I have a clarification about the BMR
20 and thank you very much for actually building the BMR instead of paying the in lieu. That's a

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1 good thing, but I want to ask a few questions about it and that was I think Sheldon Ah Sing
2 mentioned it, but I didn't get it. What is the break down for AMI of the 16 units?

3

4 Ms. Tanner: Ask if Ms. Gerhardt can address the requirements for onsite deliveries and loading
5 zones. And then if Sheldon or Mr. O'Hanlon can talk about the AMI for the BMR units. Jodie?

6

7 Ms. Jodie Gerhardt, Planning Manager: I am looking at uploading as we speak. Multi-family
8 residential units do not have a loading requirement and so the commercial... there is a small
9 commercial component, but that would be under the 5,000-square feet and so no loading is
10 needed for that either.

11

12 Commissioner Summa: Ok, thank you.

13

14 Mr. Ah Sing: So, for the BMR break down, as I mentioned, it was at least 66 percent would be
15 affordable for households of 80 to 100 of the AMI and then up to 33 percent affordable to
16 households under 220 percent.

17

18 Commissioner Summa: I'm sorry, I still didn't hear you. 33 is (interrupted)

19

20 Mr. Ah Sing: 33 percent affordable to 100 to 120 percent.

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Commissioner Summa: And how long is the deed restriction for? Sorry.

Ms. Tanner: No, it's ok. Good question.

Mr. Yang: That's something that's dictated by our code. I believe it's 99 years, but I will confirm that.

Commissioner Summa: Ok and then I also was curious we do have I believe a requirement that they be similar in quality etc. And I was just wondering what size units will the BMR units be and will they be parked at the... will they have parking spots? What their parking situation will be?

Mr. Yang: So, the precise floor map of which units are the BMR units is determined generally later on in the process, but it's... the Planning Staff, in particular the Housing Planners, job to ensure that they are representative sample of the units in the building. And amenities like parking need to be included if they are included for other units in the building.

Commissioner Summa: Ok.

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1 Chair Templeton: Any other questions Commissioner Summa?

2

3 Commissioner Summa: No, not right now. Thank you.

4

5 Chair Templeton: Great. Any other Commissioners? Last call. Alright, members of the public
6 please raise your hand if you'd like to speak on this item.

7

8 Ms. Tanner: And if folks need help finding their raise hand button, if they click their participants'
9 little icon in the middle of their screen, they should see a list of their names and they should
10 find at the bottom of that a raised hand function. If you are calling in you can press *9. I see
11 some folks on the phone, if you press *9 on your phone your hand will be raised and we'll know
12 that you would like to speak. If folks can raise their hand who are planning to speak so we can
13 get a sense of time, we will know the total number of speakers and the amount of time that can
14 be allocated for the speakers. So, please raise your hand now if you would like to speak and the
15 Chair can determine if she would like to keep the speaker's list open or close it at a certain
16 time.

17

18 Chair Templeton: Alright, I think we're going to go ahead with 3-minutes and Mr. Nguyen if you
19 can handle... organize the speakers.

20

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1 Mr. Vinhloc Nguyen, Admin Associate III: Yes, so it looks like our first speaker will be Steve
2 followed by a phone caller with the last four digits 3100 followed by Joe followed by another
3 phone caller with the last four digits 5968 then followed by Banes. If there's anyone else who
4 wishes to speak, please raise your hand now. Otherwise, we will be closing up this section after
5 Kelsey Banes. Ok up first would be Steve. If you can please identify yourself and then you may
6 speak and then you also have to unmute yourself on your computer as well. Steve, if you're
7 there please unmute yourself on your computer.

8

9 Mr. Steve Levy: Yes, can you hear me now?

10

11 Mr. Nguyen: Yes, we can hear you. Thank you.

12

13 Mr. Levy: I'm Steve Levy, I've been a resident for 50-years, I wrote the Chair and the
14 Commission a letter. I'm speaking in support of the Staff recommendation for both extending
15 the Housing Incentive Program to the border San Antonio area and in support of the project
16 that you just hear from Mr. O'Hanlon.

17

18 I see three positives from pursuing and adopting the Staff recommendation. The first is as the
19 Commissioners know Palo Alto under the new RHNA will have anywhere from 4,500 2 ½ times
20 to maybe 6,000 units which is a lot more than we have more and will be asked to identify a

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1 whole lot of additional sites. So, extending the HIP program which has already been adopted in
2 several other areas will be a first step to expanding our menu of sites for the new Housing
3 Element.

4
5 Second, as you've already discussed, the project would add 100-units and the required 15
6 percent for BMR units. So, it would be probably I think the largest actual housing project that
7 has been approved in recent years. More than Wilton Court and it will make up a first step
8 toward meeting our housing shortage for low-income folks.

9
10 Finally, adopting the Staff recommendation by the Commission and then later by the Council
11 would be a strong signal to the regional and state agencies that will be looking at how we're
12 pursuing the new Housing Element requirements. And [unintelligible – audio muffled] Palo Alto
13 intends to take our housing obligations seriously by starting off by expanding the number of
14 sites that are available and pursuing this project.

15
16 I support the Staff's recommendation that you can issue a Statement of Writing Considerations.
17 I feel the same way for historic buildings in the North Ventura site. If there are plenty of ways as
18 the applicant has stated to acknowledge and memorializing the importance of these buildings
19 without allowing them to block the most needing needed housings. So, I urge you to adopt the
20 Staff recommendations.

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Mr. Nguyen: Thank you, Steve. Our next speaker will be the phone caller with the last four digits 3100. If you can please unmute yourself and then you may speak.

Ms. Pamela Harder: Can you... Hello, this is Pamela Harder, can you hear me?

Mr. Nguyen: Yes, we can hear you. Thank you.

Ms. Harder: Wonderful, thank you. We have 3-minutes so I'm going to go really fast. My name is Pamela Harder, I'm a homeowner and taxpayer at 765 San Antonio Road. The Greenhouse II project condominiums. My family owned this property for 40-years and I'm also on the Board. I'm very concerned. I've come to the meetings in the past. I'm very concerned about this project for many reasons. I'm not opposed to development and smart growth or affordable housing. I am opposed to poorly considered development when traffic and parking are not considered or the full impact of the development is not considered.

So, I'm going to start with parking because we have severe gridlock when we're not in the middle of a pandemic. And to get from 101 to my condominium which is a quarter-mile takes 20-minutes or more just to get to my condominium. It's so gridlocked that emergency vehicles

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1 would have a very hard time getting through and furthermore, people are actually diving into
2 our parking area to try to get ahead of five or six cars and going out the other exit. So, we
3 already have some really dangerous traitorous activities because the park or the traffic is so
4 gridlocked. So, my question for you all is I don't understand how you can be piling on more and
5 more development along San Antonio Road. I have no idea if you have any long-term ideas
6 about how to make the traffic flow better like in San Francisco where you have one-way streets.
7 So, that's a huge concern of mine.

8
9 Another concern that is really important is these condominiums were built 40-years ago with
10 the approval of Palo Alto and we've had street parking of 10 to 12 spaces on San Antonio. We
11 now have a different demographic. It's no longer professionals, singles, and couples. It is now
12 many, many families living here. So, we're really, really in need of the extra parking and what I
13 fear is as you keep building all of this development around us. You're going to tell us you don't
14 get to have your parking in front of your condominium any more. That's highly concerning to
15 us. We do not have adequate parking and it was approved by the City of Palo Alto 40-years ago.
16 So, now we have an even greater problem.

17
18 I'm also really concerned about the Environmental Impact Report. I've heard and I heard this
19 only tonight because I haven't been tracking this recently. That you are trying to use an
20 Environmental Impact Report for more than one property.

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Also, I'm extremely concerned about the high-water table here. We have a need to protect our water table. This is California, we need to protect our water. So, I'm very concerned about the idea of doing a lot of development where you're diverting underground water that can be as high as 4-feet from the surface, the water table.

I'm also concerned that there's seems to be no real concern about the residents here. We've got two condominiums complexes, we have 86... 88 units here, we've got 100 something maybe 140 in the condominium just next to us Greenhouse I. And we've had people that have not have peace and quiet for a year and a half with the hotel. We have (interrupted)

Ms. Tanner: Ma'am your timing has elapsed.

Ms. Harder: Thank you very much for your time. May I submit this is a letter to you all?

Ms. Tanner: You may email it to the Planning Commission, yes.

Ms. Harder: Thank you very much.

Ms. Tanner: Thank you.

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Mr. Nguyen: Our next speaker will be Joe. Joe if you can please unmute yourself and then if you can identify yourself you may speak.

Mr. Joe Spaulding: Hi, my name's Joe Spaulding, and I'm going to say something that's going to make the previous super happy I live in Oakland in Fruitvale. I want to emphasize the fact that the applicant here had been very, very clear, and forthright that this place is going to reduce the need for automobiles because it's going to be built within the area of the 10,000 jobs. And it's going to be very, very bicycle-friendly which is amazing. It's something that Palo Alto could wear as a badge of honor.

And the thing about the... what the first caller had said is absolutely correct. The RHNA numbers are going to keep coming in. They're going to keep coming in higher and either Palo Alto is going to be in front of the game or they're going to feel the squeeze from the state. And those laws are not going to get any more lax and they're not going to get any less enforced. And you absolutely better believe that car-lite has definitely got their attention in the area on the peninsula, in the valley as well.

And the reality is you'll either get to... the City Council either gets to approve projects that bring affordable housing like this one does and bring more housing like this one does or they get to

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1 face the consequences. Not building anything isn't an option and clutching pearls about parking
2 is in addition to not being a viable solution here is climate arson. The reality on the climate side
3 of things is after Coronavirus is long gone we're still going to be facing down the gauntlet of a
4 burning inferno of climate change. And the reality there is we have to decrease our car
5 dependency and I think that the applicant should be super proud of what they're bringing here
6 because of the amount that they decreased that car dependency. And if somebody is mad or
7 upset about gridlock, they should definitely be upset about the fact that Palo Alto is not
8 building enough. Now if they're upset about something like the property value that they
9 possess, I understand why they're saying coming here saying that they're concerned about
10 parking because parking seems a little bit more reasonable. But the reality of the situation is
11 the people that complain about the lack of parking are saying similar things to what Donald
12 Trump is saying about how the suburbs are under threat. The suburbs are absolutely not under
13 threat. Right now, zoning is still the biggest maintainer of segregation in this country and we
14 need to blight single-family zoning with everything we can. And if we don't everywhere we can
15 we're going to start feeling the pinches because of those RHNA numbers. So, the writings on
16 the wall and I really hope that both the Planning Commissioner here and the City Council
17 moving forward do the right thing.
18

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1 And I do want to say thank you to the Planning Commissioners. You guys zone fantastic. I've
2 listened to a lot of different meetings here, Cupertino, other places around the Bay, and you'll
3 run a pretty professional ship and it was great listening to you. Thanks.

4

5 Mr. Nguyen: Thank you Joe for joining us tonight. Our next speaker will be the phone caller with
6 the last four digits 5960. If you can please unmute yourself, identify yourself, and then you may
7 speak.

8

9 Ms. Joan Larrabee: Good evening. My name's Joan Larrabee, I live at the Palo Alto Greenhouse
10 and I have for since 1983. Can you hear me ok?

11

12 Mr. Nguyen: Yes, we can hear you. Thank you for joining us tonight.

13

14 Ms. Larrabee: I've been following the saga of this building since the beginning and I have a few
15 comments. The first you're talking about easy access to Route 101. Well when you cross
16 Charleston from San Antonio which is only four lanes wide, San Antonio only becomes only one
17 lane. So, quite often even with the... so there's not really easy access. San Antonio Road is only
18 four lanes wide. Several years ago, the county had to take the transit boxes off. We use to have
19 a bus stop in front of Greenhouse I. There was too much congestion to even have a bus. It's too

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1 crowded and too narrow to have bike lanes. There are no bike lanes. Those of us who use to ride
2 our bikes like over to Shore Line Park and other places have given up our bikes.

3
4 And to put... another thing is to use this EIR, it's actually for 18 parcels, not just this one. I'd like
5 you all to think about that. It's not just this one building. You're approving an EIR for 18
6 different parcels; almost 1,000 dwelling units. Please think about that.

7
8 It's... and you... the applicant is not creating parking on Leghorn or San Antonio. It's already
9 bumper to bumper with all of the construction workers from the hotel. The curb lane on
10 Leghorn is going to have to be removed from parking so that it can make a right turn lane to go
11 from Leghorn to San Antonio Road. It needs a right turn only lane, but for people to get up and
12 say this is wonderful for bikes. We never see bikes on this street. Those of us who use to do it
13 rode on the sidewalks, but you cannot ride a bike on the street. And all of the construction
14 that's going to go on means that people are going to make U-turns to get into these properties.
15 And when they do the U-turns like at Leghorn and at Charleston and at Middlefield Road they
16 block the traffic. The streets are too narrow for U-turns, but if you're creating all this housing
17 and expecting people to ride bikes. They will not be able to do it.

18
19 Again, the bus was taken away. El Camino has (interrupted)

20

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1 Chair Templeton: Your time has expired.

2

3 Ms. Larrabee: I have one thing left to say. El Camino is six lanes wide and has bus service on it.

4 And San Antonio Road is too narrow for more than four lanes and it's too narrow for the bus.

5 They had to take the buses off.

6

7 Chair Templeton: Thank you.

8

9 Ms. Larrabee: Thank you.

10

11 Mr. Nguyen: Thank you for your comments. Our next speaker will be Kelsey Banes. Kelsey if you
12 can please unmute yourself, you have 3-minutes to speak.

13

14 Ms. Kelsey Banes: Good evening Commissioners. My name is Kelsey Banes. I think you probably
15 know what I'm going to say. I support housing and Palo Alto hasn't been building housing. We
16 desperately need more housing so I support this project. It's not in my mind my dream project.
17 I wish it was taller and had more units and deeper levels of affordability, but what I think is
18 more important is that it's feasible. And that it's timely in that we actually get the housing
19 because oftentimes the Palo Alto process is that this just drags on and on and it's been almost a
20 year since I've had an opportunity to advocate for this project. So, I just want to make sure it

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1 moves along in a timely fashion. So that people can live here and benefit from living in close
2 proximity to jobs and in close proximity to lots of services. Things that you can walk to, tons of
3 jobs, close to Google. So, I think this is a great place to do dense housing.

4

5 I do think there is a valid concern here about bike safety, but I don't put that all on this
6 individual project. I do think the City needs to think about how do we make San Antonio safer
7 for bikes. I live pretty close to here now and I've biked around there and it's really quite scary.
8 There's cracks in the road and if we're going to say that we want to put all this housing on San
9 Antonio in our Housing Element. Then we actually have to have a reasonable plan to add that
10 housing and I think bikes are a great way to do it. We just need to invest in things like protected
11 bike lanes. I don't think the problem is that the road is too narrow, I think the problem is that
12 we're just giving away too much of the road to cars, and we really need to start to prioritize
13 bikes in our public right of way if we want to see different results.

14

15 I think the street parking issue could probably be fixed with some signs if we make it clear those
16 spots are reserved for Greenhouse residents. I would think that would solve that problem.

17

18 And I do think that the water table is a valid concern, but I'm hearing contradictory things of
19 people who want to go two floors down with parking and don't want the mechanical lift and

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1 people who want to save the water table so that's the tradeoff. To me, I would go with the
2 mechanical lift, but that's your job I guess.

3

4 And then the final thing I would say is if the neighbors here don't think it's fair to put all the
5 density along San Antonio. I hope you'll get engaged in the Housing Element process and push
6 for more housing in other neighborhoods as well because I agree that's not fair that in our new
7 Housing Element we only added sites on San Antonio. We should be looking to downtown and
8 other places as well. Thank you very much.

9

10 Mr. Nguyen: Thank you for your comments. It looks like we have two new raised hands... two to
11 additional raised hands I should say; Angie Evans and Scott.

12

13 Chair Templeton: Mr. Nguyen, can we close after Scott? If anyone else plans to speak raise your
14 hand now. Anyone who has not raised their hand yet we're going to plan to close after the next
15 two speakers. Last call. Alright, thank you.

16

17 Mr. Nguyen: Thank you, Chair Templeton. So, Angie Evans, if you can please unmute yourself,
18 you make speak.

19

20 Ms. Angie Evans: Hi, can you hear me?

-
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Mr. Nguyen: Yes, we can hear you. Thank you for joining.

Ms. Evans: Perfect. So, I'm Angie Evans. I first want to thank all the Commissioners for all the thoughtful questions about this proposal. I am calling in tonight really to urge you to adopt the Staff recommendations. I live in the Crescent Park neighborhood, I'm a member of the Crescent Park Neighborhood Association, I have two kids and a dog. And I mean there's a lot that I love about Palo Alto and about my neighborhood. I love the parks, the farmer's markets, and school is starting soon. I really love my principle who will respond very quickly to me and I really love that developers like this one actually know that even though the roads might be read yet because I agree with Kelsey that our City really needs to look at protected bike lanes; especially there. I love that they actually wanted to prioritize biking in this building because they know that that's what Palo Altans really want.

I don't love that my neighborhood is almost entirely single-family homes and this proposal while not in my neighborhood I would be happy to have in my neighborhood. Especially because this is the first new RHNA determination... this is the first new housing proposal since the RHNA determination. And it really sends a message that Palo Alto can and will make space for new neighbors and I want to show people that we can. And that we're willing to do that and we're happy to do make that space.

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1

2 I also would love to see either one of the 2-bedrooms become a BMR unit or a few 30 to 60
3 percent of AMI units in here. I'm not sure how much space there is left to negotiate around that
4 and that is it.

5

6 Mr. Nguyen: Thank you for joining us tonight. Our next and last speaker will be Scott. Scott if
7 you can please unmute yourself.

8

9 Mr. Scott: Can you hear me now?

10

11 Mr. Nguyen: Yes, we can hear you. Thank you.

12

13 Mr. Scott: Ok, great thank you. Hi, my name's Scott, I live in the East Meadow Circle area and I
14 just wanted to respond to some of the concerns about bike commuting. I commuted from that
15 area to Mountain View and Sunnyvale for about 5-years. For about 2 or 3 of those years it was
16 rain or shine year-round and so the underpass that's closer to my house to access the Bay Trail
17 was closed. And I would drive down or ride down through that area of Palo Alto around San
18 Antonio and take San Antonio over 101 to access the Bay Trail. And it's not... I mean it's not
19 great, it's not super safe, but it's over short distances. As a bike commuter, it's very easy to
20 compensate for that. You'll spend a little bit more time going very slow on sidewalks over very

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1 short distances. That kind of experience can be made safe because it's over a short distance and
2 so I just want to say I support the project. I think that the concerns about bike safety are a little
3 bit overblown because the distance to the... to much safer areas is very, very short and that's
4 sort of commuting is actually quite manageable so thank you.

5

6 Mr. Nguyen: Thank you for joining us tonight, Scott. Chair Templeton, that concluded public
7 comments for this item.

8

9 Chair Templeton: Great, thank you. Alright, so Commissioners I was thinking what if we go
10 around and everybody gets 5-minutes or so at first. And then we can go back for a second-
11 round if there's additional questioning needed. Has does that sound? Does that seem ok? Raise
12 your hand if you're thumbs up. What do you think? Doria's [note -Commissioner Summa] cool
13 with it. Alright, I see a few. Alright, let's try that. It looks like Commissioner Lauing, did you have
14 something that you wanted to say? Oh, you're on mute.

15

16 Commissioner Lauing: I was going to say it sounds short.

17

18 Chair Templeton: Short. First, pass.

19

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1 Commissioner Lauing: I mean we've got about eight substantive issues here. I don't know how
2 we each can comment for 5-minutes and (interrupted)

3
4 Chair Templeton: You do make a good point. Do we want to break up the content per bullet
5 item or? I want to make this a productive discussion so how do we (interrupted)

6
7 Commissioner Lauing: Well maybe... if you're asking me maybe eventually. I wouldn't suggest it
8 for the first round, but relative to how we eventually make motions that probably makes some
9 sense.

10
11 Chair Templeton: Ok. Any other commentary here before we just go for it?

12
13 Commissioner Riggs: I can just start and I don't want to break anything up. I just want to go for
14 it. I don't really have comments on some of the stuff.

15
16 Chair Templeton: Ok hold on, Commissioner Alcheck had his hand raised for (interrupted)

17
18 Commissioner Riggs: Fine. Fine.

19
20 Chair Templeton: The first turn then you can go Commissioner Riggs. Alright so (interrupted)

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1

2 Ms. Tanner: I have a question. This is Rachael.

3

4 Chair Templeton: Sure.

5

6 Ms. Tanner: Do you want us to keep time or do you want Commissioners to self-keep? Do you
7 want to keep the time?

8

9 Chair Templeton: I would say I'm happy to give a reminder at 5-minutes and I'll just raise my
10 hand like this. I think self-regulating is fine and like Commissioner Lauing said there are a lot of
11 issues, but I want to be cognizant of giving everybody a chance for air time and not spending
12 40-minutes per person. So, I do want to have a little bit of circulation there so that's my
13 request.

14

15 Vice-Chair Roohparvar: Chair Templeton? Sorry, real quick a procedural issue. Do we want to
16 put up the Findings or recommendations just to kind of keep us all on track?

17

18 Chair Templeton: I think that would be helpful. The thing is there are two pages of them.

19

20 Vice-Chair Roohparvar: Yeah, you're right.

-
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Chair Templeton: So, maybe we could ask Mr. Ah Sing to have those two slides ready and be ready to flip through them because I suspect that Commissioners will want to speak to those. Alright, Commissioner Alcheck, Commissioner Riggs, and then anybody else should raise their hand if they want to go next.

Commissioner Alcheck: I... Chair respectfully I actually lowered my hand. I think maybe because I sometimes tend to be long-winded, maybe I'll let some of the other Commissioners do their thing, and if they tackle comments I would have made then my whole spiel will be shorter.

Chair Templeton: Awe well that's very thoughtful of you.

Commissioner Alcheck: I'm going to take a back seat and maybe you come back to me after a few people have spoken.

Chair Templeton: Just to let you know, that wasn't directed at you. I think we're all going to have a lot to say on this. Alright, Commissioner Riggs.

Commissioner Riggs: I don't have a lot to say on the land use component. I think Commissioner Waldfoegel and I made very clear and we've actually thought about this a lot, even this corridor,

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1 a lot after. I think this is the right... I have no trouble with the Findings on the land use
2 component and seeing this is a new focus for housing development. Let alone the Retail Waiver
3 so I'm not going to focus at all on that.

4
5 I think the primary thing that bothers me and what I struggle with really has less to do with the
6 applicant and that goes back to I think what Ms. Banes and sorry, Angie Evans brought up.

7 Which I'm very concerned about the points of conflict along San Antonio. We brought this up
8 when the Middlefield or not Middlefield, the Charleston and San Antonio corridor was brought
9 up. We brought it up. We talked about pedestrian improvements there. I assumed this would
10 be linked to some type of at least intersection improvement. So, I'll just put out there the
11 mandatory TDM components are not adequate in this component. The east-west service
12 connection and I believe the predominant desire line in particular the connection with Caltrain
13 from a transportation standpoint is not made. And for example, the enhanced VTA... the VTA
14 Card doesn't... that's not... it shouldn't even have to provide that. It does these residents
15 basically no good.

16
17 I applaud the bike space. I think it's really a progressive project, but there's not the public
18 sector instructor gesture can match this. I will suggest one physical intervention and I'm
19 surprised that the ARB didn't go there, but it's because vague space. That is it PTC, is it ARB? I
20 actually think that two... that one of the TDM components could be a physical design. Some

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1 type of protected infrastructure in the... at the intersection of Leghorn and San Antonio. I don't
2 see... in the diagrams I've seen, there are no extended bulb-outs to reduced pedestrian and
3 cyclist crossings. I actually think a creative intersection design solution could have been too kind
4 of ala cart style, carry the flowers... I think it's Chrysanthemum to carry them out into the
5 street. So, a lot of times if we do traffic calming features where you'll have graphical pieces that
6 carry out into the intersection. What that does is it raises that driver's awareness, it slows them
7 down at the same time that you're trying to facilitate bicycle and pedestrian activity there. So,
8 and it creates kind of the [unintelligible] for a living room for space interactions between
9 bicycles and pedestrians and automotive users.

10

11 We also have thought about radical transit in this space and I think that we could think about
12 an enhanced supplement or an enhanced pickup and drop off credit instead of the traditional.
13 And I know it's just a formula, but I don't think the TDM Program formula works here. I just
14 want to emphasize that again and, in my mind, to make Finding 4 and to make Finding F there
15 has to be some kind of tweak of that component. That's it.

16

17 Chair Templeton: Great. Any other Commissioners want to raise their hand. Commissioner
18 Roohparvar [note – Vice-Chair Roohparvar].

19

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1 Vice-Chair Roohparvar: Sure, I just have some brief comments on my thoughts on this. Thank
2 you for the presentations and the public comments. We've been wanting housing in Palo Alto
3 for so long. I think this is the first real housing project that we have seen since I've been on the
4 Commission and this is our opportunity. Who knows when we're going to see another housing
5 project. I'm very pleased to see that it's going to make a significant dent in terms of our RHNA
6 goal in the 300 units that we want to bring on each year. I think this I will bring on 100 or so.

7

8 Very pleased also to see that its offering BMR units instead of the fees. That's very positive.

9

10 The traffic component doesn't concern me as much. I think we have prioritized housing in this
11 City and any sort of housing is going to have... is going to result in traffic. That's the reality of it.

12

13 I do think... I actually live nearby, not within conflict zone, but I actually do live fairly close and
14 I'd be happy to have it in... I think it's a good site for housing. It makes sense. My only I guess
15 concerns would be the... not as detailed, I don't know it as well as Commissioner Riggs, but the
16 points that he raised well I would also echo. That leaves me hesitant and pause. Other than
17 that, that's it.

18

19 Chair Templeton: Alright, thank you Vice-Chair Roohparvar. Commissioner Alcheck.

20

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1 Commissioner Alcheck: I just couldn't resist. First off, I just want to thank the applicant for
2 bringing the project to us tonight and Staff for what I think is one of the most forward-thinking
3 recommendations. This is really putting... articulating what we're trying to do. What we've been
4 saying we've been trying to do for a while so I'm proud to see so much creativity in how to
5 address all the inconsistencies with what is now quickly becoming an outdated... somewhat
6 outdated Comprehensive Plan if, for example, we may call these amendments.

7

8 I just want to quickly respond... I'm going to try to speak fast. I want to quickly respond to
9 something our first speaker, Steve Levy, raised for the individuals on this Commission are
10 listening who are not land use attorneys and don't know this yet. There is some really
11 complicated nuance in what he mentioned which is that the Housing Element that we need to
12 begin working on soon won't simply need to accommodate more housing units than it ever has
13 in the past, but it will also require that we no longer rely on parcels that we had previously
14 identified as potential housing sites if they've survived multiple Housing Elements without a
15 residential project coming to fruition. By way of example, Whole Foods in downtown has been
16 identified in Housing Elements of past as a site eligible... capable of a certain number of units.
17 We've probably even raised the zoning there or identified it additional units that could be
18 developed there. That site has survived without a project. The likelihood of a project occurring
19 there is essence is now diminished and the state has rules about whether or not you can
20 continue to rely on that site in future Housing Elements. What I'm trying to suggest is that this

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1 next Housing Element may not only add units, but many of the units that we have been relying
2 on in this town may not be... we may not be able to rely on them in the future. And I think Staff,
3 that might be a conversation we should probably have because I think will dramatically affect
4 the way the community interrupts a project. For example, if those in the community who don't
5 find that the merit in a project like this one bringing additional housing for housing sake. I think
6 it's important to keep in mind that parcels like the one under consideration tonight are likely to
7 be relied upon for densities higher than the one proposed tonight in our next Housing Element.
8 So, if you can't get behind the idea of housing, then maybe you can get behind the idea of less
9 housing is better than more housing later. I mean I... again I don't know.

10

11 I'll go quickly through some of these things. I think every single one of the amendments related
12 to the HIP should be supported by the Council. The increase in FAR, the Development Standards
13 changes, the rooftop garden, the reduction in parking for retail, the notion that we wouldn't
14 count certain areas for under FAR like storage and laundry units. I mean look, I think we all
15 know that a project doesn't need to house homeless people to make an important impact on
16 our housing crisis. You know the idea when you're dying of thirst, every drop in the canteen
17 counts. Even at just 102-units, this project is offering a substantial number of housing units in a
18 City that desperately needs more housing in it.

19

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1 I think the Packet materials note... no, I know, I shouldn't say I think. The Packet materials note
2 that some believe that this site is not a reasonable location for housing. When I say some, I'm
3 referring just leadership and I'd like to say in all due respect that the market completely
4 disagrees with that view. And to be even more frank, the market for the demand for housing
5 that is driving builders of housing to design and build projects like this one on sites just like this
6 one is not some complicated algorithm. The market is a clear indicator of actual interest in our
7 community for housing in this exact spot. The suggestion that this street in Palo Alto is not
8 suitable or this parcel is not suitable for housing are in direct conflict with the demonstrated
9 success of housing projects on this street in Palo Alto. And not just for young people, there is a
10 senior living center hundred... a few hundred feet away on this same street.

11

12 So, I think... you know there were suggestions in the Packet that the businesses on San Antonio
13 will be devastated by the project. I think these suggestions are totally without merit. I'm not
14 suggesting these are Staff's suggestions, but there are statements in discussions, in minutes
15 that businesses on San Antonio would be devastated by this project. I think that's totally
16 without merit. In reviewing this project, I made what I would argue is a modest effort to
17 uncover any evidence of such negative impacts from recent redevelopment projects on San
18 Antonio and I couldn't find any. Instead, I learned from some local business owners that they
19 felt that the residential repopulation of the immediate areas had a very positive impact. This
20 experience by the way has informed my belief that too often misinformation is permeating our

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1 public hearing process and we should require claims of such devastation to be supported by
2 actual evidence.

3

4 I am hopeful and optimistic that the most recent evolution of the PC Zone that I asked Assistant
5 Director Tanner about tonight finally reflects a politically difficult truth in our community; which
6 is that the building of housing is actually a community benefit. I think that evolution of the PC
7 Zone is one that we should probably keep in our minds tonight as we review projects like this
8 one because our code or I should say our leadership formally recognizes that housing is a
9 benefit to the community. And our state legislature is getting closer every year to defining new
10 residential developments as a protected class. The goal being to restrict a local muni's ability to
11 erect barriers to new housing. I think everyone on... involved tonight it familiar with what I'm
12 getting at and... which is that it is becoming less and less politically acceptable to find a housing
13 project offensive; or a request... or even a request for flexibility to develop the much-needed
14 housing is offensive.

15

16 From my perspective this is a good thing because the politics make us... make our effort as a
17 Commission to achieve our Comprehensive Plan's housing goals very difficult. So, setting that
18 aside for a minute the flexibility that I'm referring to relates to the permissibility of housing in a
19 zone that allows uses that are... that maybe for far too long have been perceived as in conflict
20 with housing. A perception that other communities have demonstrated over and over is

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1 outdated; most recently on this street a few hundred feet away in the City of Mountain View.
2 They are demonstrating that housing is quite suitable in this... on this street in this area.

3

4 I am also concerned and this goes to back to the HIP discussion that we had. I'm concerned by
5 voices that suggest that flexibility only be allowed for BMR housing. I think is a tactic which
6 capitalizes on that fact that building 100 percent BMR is not profitable and therefore unlikely to
7 occur. I mean if you are anti-housing, what a great suggestion. An equally concerning
8 alternative is that the notion... is the notion that for those who find the request for flexibility
9 offensive. Allowing housing in an area not suitably zoned for it, they don't seem to mind the
10 conflict in uses if the housing is only for the poor or very poor. This is a real problem. We can't
11 be like oh, it's ok to live in a totally commercial area if it's just BMR. That's a... there's an
12 inequity in that statement. So, in both ways that I interpret this notion of only BMR should get
13 flexibility is problematic from my standpoint.

14

15 I will conclude by saying I support the recommendations found on Pages 21 and 23 of tonight's
16 Packet. I believe Council should interpret requests like the one before us for flexibility as
17 opportunities to make the development of more housing more likely. We need really strong
18 leadership here than can overcome the misconception that for-profit developers are just
19 waiting in line to flood our local streets with housing once we stop counting laundry rooms as...
20 and stairways in our FAR numbers. That's a ridiculous concern. Our leaders have to get

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1 comfortable with the knowledge that they can always adjust the levers. If they feel that we've
2 turned the spigot to far, ok turn it back; but I think... and this is part of the HIP problem, right? I
3 think... I continue to believe that our record in adding new housing this past decade is the best
4 evidence that the baby step approach to addressing this crisis isn't working.

5

6 So, I... there are plenty of feedback in the minutes, the City Council's discussion in 2018 that are
7 promising, and there are some that are concerning. And I think Staff is really eloquently
8 addressed all the ways we could adjust our current code to accommodate this project. And I
9 won't get in the weeds about... I will resist every effort tonight to get into the weeds about
10 any... I'm not not concerned about groundwater, but it's a lower priority than housing. I am not
11 not concerned about traffic, but it is a lower priority than housing. I am not not concerned
12 about parking, it's just a lower priority than housing. And it can't be that every even modest
13 effort we make in this City to address housing is overwhelmed by all these other concerns we
14 have if this is our top priority.

15

16 So, I think Staff's really eloquently done it tonight. I really do and I will remain quiet until the
17 motion. If not, I'll put a motion up to support the recommendations on Pages 21 and 22 of this
18 Packet is put forward.

19

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1 Chair Templeton: Thank you Commissioner Alcheck. Other Commissioners who wish to speak,
2 please raise your hand. Commissioner Hechtman.

3
4 Commissioner Hechtman: Thank you Chair Templeton and thank you, Staff and applicant, for
5 the years of effort that went into putting this particular application and project together and
6 presenting it to us tonight. I was not on the PTC in... last September when this was first
7 presented, but I knew a lot about this project before. I got the Staff report because part of my
8 PTC application asked to identify a project that's come before the PTC and tell us why you think
9 it's interesting. And this was the project that I picked out because from a planner's perspective
10 it's a dream because it has everything. It has ever kind of issue and I think that Staff and the
11 applicant have really done a terrific job of integrating all the issues into the project that we
12 have before us.

13
14 So, overview, I am supportive of the four Staff recommended recommendations. I do have a
15 few questions and I have a [unintelligible] suggestions that are related to some of those
16 recommendations and so I'm just going to go through them in no particular order.

17
18 So, I want to start with the San Antonio special setback which is the subject of the Variance in
19 the current application. It's clear here that Staff and the applicant have not shied away from
20 changing, modifying Citywide policies where it would benefit the... and allow the project. And

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1 so, I'm wondering if Staff and the applicant talked about instead of utilizing a Variance from the
2 San Antonio special setback, whether there was a discussion about modifying the special
3 setback which as I understand is more than 60-years old and was conceived to address the
4 potential expansion of a roadway that we don't believe it going to occur. So, that's my first
5 question is whether that was considered as an alternative to the Variance?

6

7 Ms. Tanner: I'll let Ms. Gerhardt and Mr. Ah Sing answer that question.

8

9 Ms. Gerhardt: I don't... we didn't take a look at removing the special setback. There are special
10 setbacks along San Antonio and many other streets in the City and I think we felt like that
11 would be opening another item that... you know this project is already large enough that we
12 weren't... didn't think we wanted to go there.

13

14 Commissioner Hechtman: Ok, understood, thank you. Let's see the next question I have can you
15 pull up Packet Page 55?

16

17 Ms. Tanner: Just a moment. Just getting to the page. Of course, it's very slow. Ok.

18

19 Ms. Gerhardt: I have mine up Rachael or maybe you're already there.

20

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1 Ms. Tanner: I just go there so let me see if I can share.

2

3 Commissioner Hechtman: Ok, yours looks a little different than mine, but this will work. So, in
4 the top paragraph Section 8, Final Math, fourth line... third line, accept as modified.... Oops. Just
5 moved. There we go. Sorry, in Section 8 the fourth line you have a reference to the Conditions
6 of Approval in Section 8, but this is Section 8. I think we mean here the Conditions of Approval
7 in Section 9 and the Conditions of Approval in Section 10. So, if you're forwarding that to the
8 Council I'd like Staff to look at that and see if that is a correction that needs to be made.

9

10 Ms. Tanner: Great.

11

12 Commissioner Hechtman: Next one, next question, so we do have two sections of Conditions of
13 Approval; Section 9 and Section 10. And let's see, Section 9 is T. Map [note – Tentative Map]
14 and Section 10 is architectural review. I notice that there are seven Conditions of Approval that
15 are identical in Section 9 and Section 10 and I was wondering is that necessary and if so, why?

16

17 Ms. Gerhardt: Most of the time we're doing these Conditions of Approval separately and so
18 those... we probably can clean out some of those repetitive conditions, but we'll speak with the
19 attorneys as well.

20

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1 Commissioner Hechtman: Ok, just so you know what they are, in Section 9 they are 1 through 6
2 and 18. In Section 10 they are 7, 8, 11, 18, 92, 93, 94. Next question is on Packet Page 66,
3 please. Ok and then I'm going to have a question about Condition of Approval 40, Subdivision.
4 There is it. So, this reads to me as a pre-application condition because you're supposed to
5 submit a Major Subdivision application to planning which I was imagining is what they did to get
6 to this point with the T Map [**note – Tentative Map**]. So, I just ask Staff to look at that provision
7 and see if it needs some modification.

8

9 Ms. Tanner: Ms. Gerhardt, do you want to address that now or is that something you want to
10 take a look at?

11

12 Ms. Gerhardt: This is a Public Works condition that we do try and spot check these as we can,
13 but there are two components to the Subdivision. There is the Tentative Map and then the
14 Final Map so I assume that's part of what they're trying to get too. I'd have to read it further.

15

16 Ms. Tanner: Great, we'll take a look at that. Thank you.

17

18 Commissioner Hechtman: Thank you. Next, just a question in let's see Section... in Section 9,
19 Condition 2 and Section 10, Condition of Approval 7, there's a reference to the \$5.4 million in
20 Development Impact Fees. In the Staff report, there is a... and we saw it in the presentation

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1 tonight there's a reference to \$4.4 million in Park Land In Lieu Fees. It's not clear to me from
2 the documentation whether the \$4.4 million in Park In Lieu Fees is part of the \$5.4 or separate
3 from the \$5.4 million.

4

5 Ms. Tanner: Great. Ms. Gerhardt or Sheldon can you can address the Impact Fees and the
6 Parking... and the Park In Lieu Fees, not parking and just how those are related.

7

8 Mr. Ah Sing: Right so the \$5.3 million does include the \$4.4 million. So, there are other various
9 Development Impact Fees are included in that.

10

11 Commissioner Hechtman: Ok, thank you. Next, if we can go to Packet Page 78.

12

13 Ms. Tanner: Hopefully nobody's getting dizzy from my scrolling. Alright, here we go.

14

15 Commissioner Hechtman: Ok and actually at the bottom of that page, that Subpart D like dog,
16 there. So, the end of D... well D says the Council held a hearing that included potential zoning
17 Text Amendments to implement the project. While I think that technically may be true, really
18 when we're looking at zoning Text Amendments they're not to implement a project. They are I
19 think to implement projects, plural, of which the present project can be one because I think we
20 should be and I think Staff has here looked at the long term, at changes that would be good not

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1 just for this project and so my preference would be to change this language from implement
2 the project to implement developments such as the project because I think that's really the
3 intent behind what's happening here.

4

5 Ms. Tanner: Great. Ms. Gerhardt or Mr. Yang do you have any comments on that change?

6

7 Ms. Gerhardt: That's fine. It sounds good.

8

9 Commissioner Hechtman: Ok next is Page 89 of the Packet. Chair Templeton, if you've waved at
10 me I'm sorry, I've been looking at my notes, and I wouldn't have noticed, but I'm almost done.

11

12 Chair Templeton: It's fine and thank you. Good.

13

14 Commissioner Hechtman: Ok. On Page 89, so this is the change to our Comp Plan and it's at the
15 bottom of the page there. The proposed new language which incidentally in Sheldon's slide I
16 noticed the word selected rather than select, but really my focus is on that word because unless
17 we have... so what this says is we're changing the language which currently would eliminate
18 these housing sites along San Antonio to retaining them, including them. And so, my question is
19 whether we really want to have this word select here unless we have a list of housing sites on
20 San Antonio that we are including; or a list that we are excluding which I don't think we do. And

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1 we don't for example say that we're talking about select sites for California Avenue. I think
2 unless there's a reason to exclude housing sites along San Antonio, I think that this program
3 should just be to amend the Housing Element to increase housing sites along San Antonio. So,
4 my proposal is to remove the word select.

5

6 Ms. Tanner: I think Jodie had a response to that.

7

8 Ms. Gerhardt: Yes, so the wording could be changed or modified, but the intent behind the
9 wording is that when you look at the zoning change, we're only talking about two blocks, and
10 we're only talking about the CS Zone. And so that's why we were... that's where the word select
11 came from.

12

13 Commissioner Hechtman: Then my suggestion... thank you for that clarification. Then my
14 suggestion would be to get specific. If you're talking about the CS property between Charleston
15 and Middlefield then let's say that, rather than have people guess or have to contact the
16 planner to see if they can find out what select means. That would be my recommendation.

17

18 Ms. Tanner: And then Mr. Yang, is there anything you'd like to say? Does that seem ok to have
19 that specificity in the Comp Plan Amendment?

20

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1 Mr. Yang: So, that's... I'll echo what Ms. Gerhardt said about the reasoning and we've heard
2 Commissioner Hechtman suggestion. I think its... we'll take back and consider.

3

4 Ms. Tanner: Great, thank you.

5

6 Commissioner Hechtman: I appreciate that. Quick question on the affordable units. I heard...
7 I'm curious about how that is enforced whether the units are rental and then for sale or for sale
8 right up front. Is that all handled through a deed restriction and how is it monitored?

9

10 Mr. Yang: So, if will be... if there's a property owner who intends to rent units before they're
11 sold we'll have a regulatory agreement which will govern the rental prices until they are sold.
12 And then once they are sold there will be a deed restriction recorded with that sale on each
13 individual unit.

14

15 Commissioner Hechtman: Alright, thank you, Mr. Yang. So, the final comment I have is I just
16 want to say what I really like the most about this project and it was displayed in the evolution
17 slide that Mr. O'Hanlon showed. So, we... this project started out with basically 48... potentially
18 as few as 48 households. I think it was 21 1-bedrooms and 27 2-bedrooms. So, that's 75
19 bedrooms and maybe there are some shared living there, but it says potentially as few as 48
20 households. The project that came to us is 102 separate units, 100... I think it's 106-bedrooms

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1 and by its natural that change makes this project, the units here, more affordable and in a way
2 that doesn't really get measured in our affordability calcs beyond the 16-units that are
3 dedicated affordable. And I really applaud that thinking because I think that there's a need...
4 there are people who have enough money for a studio but not for a 1-bedroom and now
5 they've got, with this development, 32 opportunities to grab one of those. So, I appreciate the
6 long effort to come here and I am supportive of the project. Thank you.

7

8 Chair Templeton: Thank you very much for your comments. Commissioner Lauing or
9 Commissioner Summa, are either of you ready to speak? Ok, Commissioner Lauing.

10

11 Commissioner Lauing: Yep, thank you. This is just a quick note on process. This is an odd change
12 from process that we usually get.

13

14 Chair Templeton: You may have as much time as you'd like Commissioner Lauing.

15

16 Commissioner Lauing: No, no, no, no, I'm not talking about that. I'm talking about the process
17 of the agenda item because before we'd probably look at the Comp Plan and make that
18 decision and then look at the area and make that decision. And then look at the project and
19 then look at the EIR and the things we could mitigate and so on and we're kind of all wrapping
20 it up here. So, Staff thanks for the annual agenda that you've presented to us tonight, it's a full

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1 one. I'd first like to go there and say that I agree with my colleagues that this is just a superior
2 Staff report on a very complex subject. So, appreciate that clarity and that said of course I have
3 some comments.

4
5 The... but again... let me give an overall as well. Housing is a top priority in Palo Alto. Within
6 that, I think we, on this Commission, can agree that affordable housing is the top priority within
7 that. So, I don't see any downside at all in asking is there anything more that can be done on
8 affordable housing to the applicant, but I think that the issue is that we have to prioritize
9 housing. There is, therefore, going to be lower priorities. We've been through this a lot. Our
10 City faces it every day. We're landlocked. That means we can only go out a little bit and rebuild
11 or up or underground. These folks have chosen to go underground in the third iteration of this
12 with a couple of layers for parking in there.

13
14 So, the... when this was last Council, of course, it was a lot different because it was a 64-units
15 and all for sale, but even there, there was a concern. It was quite mixed in terms of their
16 comments back in 2019 because we're losing some retail and we might not have enough
17 parking and there's already congestion there, but we just have to stay the course and prioritize
18 the housing. The fact that we can get this number of units is good for a lot of reasons. I'm not
19 making a market comment on that in terms of what you can get for a studio. That's up to you
20 guys in terms of how you build it.

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I think however that if we're going to do this it's not just one the developer to work on the horrendous problem of transportation there. That has to be an assignment that the City takes on. Starting in a big way with what Commissioner Riggs said in terms of looking at traffic flow in those areas and what some of the speakers said. Lots of U-turns going on Leghorn, it's not going to work. I think that right now it's not really a good bicycle area. I think it was Council Member Filseth said in the last Council meeting about I don't know half a dozen times that this is a car-centric location. And if the aspirational goal is to turn it into a bike-centric location then we've got some work to do because there are jobs around there, there are grocery stores close, there's a gym at the JCC, so there are some amenities there, but getting there is just to start with just not safe. So, I think we have to address immediately a plan for getting at least bicycle and other mobility options along those streets there. And we have to take that on in the context of if Council decides to move forward with some version of this and we have to commit to it at the same time and that means we have to fund it alternative to what else we're doing. It's just flat out not safe. I mean parking a car there as I did to look at the site, I was kind of worried to get back into my little car unless all the traffic had already passed so it's a serious problem. I presume that since it's referenced in the Staff report that special setback there could be used for something like that. That is enough space is being retained as I understood it in one part of the Staff report to actually put in bike lanes and things like that. So that kind of thing has to be looked at. Perhaps we could ask in the context of the developers TDM to actually provide

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1 maybe shuttles to the train at morning, at night for people that are there. So, they know they
2 don't have to deal with bikes, weather, cars, or anything. So, I think there's a level of detail that
3 would have to be worked out here that would be quite helpful to helping mitigate the obvious
4 problem with San Antonio which is why I believe is the core reason which it wasn't on the list
5 before to be developed.

6
7 So, I think this is perfectly fine to make the amendment to the Comprehensive Plan and make
8 this one of the sites for housing; because we need to have a lot of sites for housing given what
9 the reality of what we're facing and it has to be done with transportation.

10
11 I had a couple questions on the EIR that came up in public speakers and some of the comments.
12 The water table, the EIR being going across a lot of areas and a lot of current buildings. Can
13 Albert or someone tell us the legality of that? And I guess we're also seeing this in the middle
14 because it's only been out a month and it's going to be out a couple months more. So, it seems
15 like we could potentially even wait on this part of the project, but if somebody could address at
16 least those two points in the EIR.

17
18 Ms. Tanner: I'll ask Mr. Yang if you can talk a little bit about just procedurally where the EIR is
19 and where it's going. And then perhaps the distinction of this EIR covering both the specific
20 housing project, but also the larger area around the site.

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Mr. Yang: Yeah so just procedurally where the EIR was very recently released, it's in the middle of its public comment period, and so we'll take comments that were made at this hearing, comments at that the Commissioners are making. Things that come in by correspondence and we'll look at those and respond to those and make amendments to the EIR as part of the final EIR that will be released sometime around the end of the year or in 2021 most likely. And that's something that will need to happen before the City Council can take action on any of this.

As to the structure of the EIR and the fact that it covers not just this parcel and this proposed building, but also the larger area of these two blocks of San Antonio. That's not an uncommon format for an EIR. So, there's both the project that's being analyzed in this document as well as we're treating this as what we call programmatic EIR for the San Antonio rezone. And that means much like the Comp Plan had an EIR, but it's not something that gets down to the nitty-gritty level of every project that would be built consistent with the Comp Plan. That's what we have here. If we have a project that is proposed that's going to use this rezoning, we would take a look at that project and take a look at this EIR and say how many of the impacts that we anticipate this project... did we already analyze? And how many of these impacts need more analysis before we can act and so in all likelihood we have either an addition... some sort of additional document that goes with any future project that gets proposed in this corridor.

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1 Commissioner Lauing: Ok and then could you... on the same page as that could you address the
2 legalities of Council ultimately agreeing to take down a historically registered building.

3

4 Mr. Yang: Sure.

5

6 Commissioner Lauing: Is that just unmitigated and so we can decide to do it anyway. Is it that
7 simple?

8

9 Mr. Yang: So, if you have a... if you identify an impact in an EIR that is significant and
10 unavoidable. We can't mitigate it while also building the project. The Council needs to adopt
11 what's called a Statement of Overriding Considerations and that's a resolution they'd adopt
12 where they say we understand that there is this environmental impact that would be created
13 by this project, but here are the benefits that we think or here are the reasons that we think it's
14 worthwhile to proceed with this project anyway.

15

16 Commissioner Lauing: Ok. I think that at least for this round that's fine. I've commented
17 enough, thank you.

18

19 Ms. Tanner: I just want to say Commissioner Lauing that the Transportation Office will be
20 working hopefully beginning later this year and into next year on updating the Bike Plan and so

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1 some of that would address some of the area in this San Antonio area. And additionally, part of
2 what we... you are correct the Staff report kind of indicating that hopefully if there were some
3 bike improvements in the special setback, that this design of the project in the front would help
4 to facilitate that. You can see it was mostly a ramp that you even saw I think a bike going up in
5 order to take advantage of the at grade bike parking. And so there may be ways that if there is
6 feature bike improvements that they could be part of that and could be really meshed well with
7 it instead of being in conflict with future bike and mobility improvements.

8

9 Chair Templeton: Alright, Commissioner Summa.

10

11 Commissioner Summa: Thank you and at a high level thank you for bring... to the applicant for
12 bringing a housing project to this area and I did appreciate the comments of one member of the
13 public that was disappointed that the AMI level for the BMR units was as high as it was. And I
14 don't really understand... I think that Commissioner Hechtman touched on and got kind of an
15 answer about how we can have BMR units and those would be restricted when we can't... we
16 don't require rental BMR units with a regulatory agreement. I get worried sometimes with
17 things like that. That they get kind of lost after in the enforcement stage. I think a project that
18 had the traditional 30 to 60 percent AMI for BMR units would be more compelling to me
19 personally. At 80 to 120 AMI, those units will have nearly identical value to the market rate
20 units so and we know that partially from our NVCAP studies so there's that.

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I also agree with Commissioner Hechtman that the word select, it's slightly less confusing if it's selected, but I still think it's confusing; but I think you've touched on that and you're going to look at it.

So, I'm surprised no one has mentioned this but I found it really hard to not... I really wish that the project had come to us under the whatever it's called now. The Planned Community for Housing project and that we had more time to consider how we want to address making this 9 ½-acre area into a new multi-family housing... neighborhood basically; and how we would do that successfully for the people that live there now and for the people that are going to live there. So, for me, it's very muddy to consider both things at once and it makes it harder for me to feel that we're doing the right thing and giving a fair shake to either one of those processes.

So, I am all in favor of expanding the HIP to other neighborhoods. I don't see why it shouldn't be. Nice tail on the cat. I don't see why it should be restricted but I do have a problem with... I think it's more appropriate at the 1.5 FAR. I don't have any issues with the density and size of the units. I think that's up to the... as long as we're comfortable with that, I think it's mostly up to the applicant.

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1 So, I do worry for instance at the top Packet Page 43, there's a mention that there could be
2 other historic modifications or demos in the larger 9.5 program area, but there's... I didn't see
3 any list or evaluation of those. So, that's a big unknown and correct me if I'm wrong about that
4 but.

5
6 And then I also think... this is a project for this 1-acre site and what we're basically doing is also
7 allowing this exact project to be repeated 8 1/2 -acres more times. And I don't see how that
8 would be very workable for this area, especially in terms of traffic. I think the concerns about
9 the people that live in this area already... there were two residents from the Greenhouse II I
10 think it was. I think they have pretty big concerns about traffic and parking issues. I think the
11 parking one as Commissioner Roohparvar [note -Vice-Chair Roohparvar] mentioned. I think it
12 was Commissioner Roohparvar [note – Vice-Chair Roohparvar], maybe could be addressed...
13 maybe it was a member of the public... by signage, but I do think the traffic in this area is very
14 bad at especially commute times. And I'm really concerned about the impacts of not this one
15 project, but 8.5-acres more of this size project.

16
17 So, I don't have a problem with the height. I don't have a problem with extending the HIP. I do
18 have some problems with the detail of the HIP. I think that 1.5 FAR is more appropriate in
19 general for maybe this one project. If it had come to us as a PC, it's asking for so many
20 variations and deviations from the law that it's... that would have been a perfect zone for it to

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1 apply for. So, that's kind of... I don't want to tie all of the other acres and parcels to the exact
2 conditions we're giving this one is what I'm saying. I'm not sure that's going to resolve in a
3 really nice new multi-family neighborhood that works for the people that are going to live there
4 and the people that already live there.

5

6 I am concerned about the 24-foot setback, but only in that, it may prohibit future
7 improvements to the road. Especially bicycle improvements, but I think there is a condition on
8 Page 41 from the Office of Transportation that they could rescind that if it was necessary for
9 the City to use that area. And I guess I'm asking if that's actually legal once it's built and/or if it's
10 practical as it is the only accessible entrance to the building? So that's two specific questions
11 maybe Staff could answer?

12

13 Ms. Tanner: I'm going to ask if Mr. Ah Sing and maybe Mr. Yang can address the issue with the
14 setback and how that condition is structured and how we see that perhaps meshing with future
15 transportation improvements. Particularly mobility bike and pedestrian improvements.

16

17 Mr. Yang: Yeah so just a quick point about the special setback. It's something that was in place
18 to... with the idea that one day we might want that space for public right of way, but it's not
19 land that the City owns, or has an easement over or is able to right now use to expand the
20 roadway; or for any sort of public improvements. So, before we would be able to do any of that

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1 work we would need to acquire the right to use that land. And so that's really the major hurdle,
2 but if we did get to that point I think what the Staff report is saying is wouldn't be able to... the
3 fact that there is some sort of improvement in there for this structure wouldn't be really much
4 more of an impediment than already having to acquire an easement or some other right to use
5 that land.

6
7 Commissioner Summa: Ok well that's kind of confusing to me because we have special setbacks
8 on most of the main roadways, although not as much as 24. I mean in the Research Park it's to
9 maintain... the special setback is to maintain the park-like-feel. So, there are different reasons,
10 but that I mean I think that could be addressed by maybe the 1.5 FAR issue also. And I realize
11 some of my colleagues won't agree with that, but I think it could result in a better project for
12 everyone.

13
14 And the other thing we might consider doing since some of the buildings have already violated
15 the special setback. I think the biggest one was 19-feet. We might want to change it and look at
16 that and evaluate how we could have a better class of bike path here... path... I mean bike lane
17 and how much actual... how many feet it would take. I just... I found... I feel like we're rushing
18 the bigger program area in an effort to approve this specific project and I think that's a shame.

19

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1 So, I already ask... so I think there's... might be a redundancy in... there's already a waiver
2 process for waiving the retail, ground floor retail retention. So, I don't see why we would need
3 to specifically reduce it across the board here. Once again it may be appropriate at this location,
4 but not the other 8 ½-acres and there's already a waiver process cooked into the ground floor
5 retail. So, I wouldn't want to make that across the board either.

6

7 So, I also think we haven't really had a discussion about what it means to lose the commercial...
8 the loss of the traditional commercial uses for CS Zones. We're losing more and more of that,
9 not to housing. We've lost it more to general office and I'm not saying we shouldn't do it here,
10 but there is a point in which we're not going to have any place left for car repair places and
11 things like that. So, I do kind of worry about that.

12

13 So, for me, it's going to be hard to approve... I really wish this project had come as a PC so we
14 could have look at it separately from the issues that I think we're really rushing about the
15 program area in general.

16

17 And I think that might be it for now. Oh, and if... the affordability issue, I think one of the
18 reasons... I know people feel passionate about housing for all, but one of the reasons certain
19 people have focused on affordable housing, Below Market Rate, traditionally 30 to 60 AMI, is
20 because we're really doing ok on Market Rate. It's the Below Market Rate where we really fail.

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1 So, I don't think it's a tacitly that... it's that people are tacitly ignoring the problem with housing
2 here which is that the housing is so restrictively expensive for so many people. And I don't think
3 the affordability per square foot for this new housing will be... I don't think it will be really
4 affordable per square foot. And I think you'll get what you're already getting in Palo Alto is
5 families of four living in studio apartments if that's all they can find.

6

7 I also had some problems with assumptions in the Traffic Study. I just think... well with regards
8 to traffic I just... I know that VMT is required for CEQA and that we still... and we can't look at
9 LOS, but I just feel like VMT doesn't explain itself well. It seems like a magic calculation that I
10 have no faith in. The average Vehicle Miles Traveled for a building just seems like an unreliable
11 data point. And they also make assumptions that... in the Traffic Study they make assumption
12 that most... because of the jobs-housing imbalance, that this project will reduce VMT because
13 people live closer to their jobs. I also find that to be a very unreliable data point because
14 nobody... people... particularly for condos, I understand now it's going to be rentals, but for
15 purchased housing people move their jobs a lot more in the Bay Area than they do their houses.
16 And so, I found a lot of the thinking in the Traffic Study to be not... based on assumptions that
17 were not really sound.

18

19 I also have said this before many times, I'd hate to be a broken record, but the TDM measures
20 are not enforceable and they haven't... they just haven't resulted in real results where anybody

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1 can point to how they're working. I mean the TDM measure for Edgewood Plaza is a little eight
2 by eleven notification on an exterior wall at one of the buildings there telling people what bus
3 routes are available and that they should consider carpooling. So, I think it's really hard to rely
4 on those and maybe there's better way we can handle those by requiring some rigorous
5 reporting as a condition.

6
7 So, those are my main concerns. That we're mixing up a legislative issue here and rushing it and
8 that we've mixed up a project that has a lot of merit into that which is problematic for me.

9
10 Chair Templeton: Thank you, Commissioner Summa. I see you Commissioner Alcheck. If you
11 don't mind I'll probably give my comments first, if that's alright? Alright, so I want to say that I
12 hear all those folks that are talking about biking over that Highway 101 overpass. It is a little
13 intimidating. I have biked it many times to work in the last 10-years, but I do agree with... I can't
14 remember with Commissioner said it. I may have been Commissioner Lauing, I do agree that
15 that improvement to San Antonio Road and its bike-friendliness is probably a separate project.
16 That this project we're discussing today would certainly make more interesting and more
17 urgent, but I'm kind of mentally separating those two.

18

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1 I too am very excited about the inclusionary units, the 16 inclusionary units, and just so grateful
2 that Staff and the applicant have found ways to create housing and proposed these
3 amendments and changes that we're considering tonight as a way to make that happen.

4
5 I do think there is a rush. I do think we should be looking at ways to approve housing as it is an
6 urgent issue in our community. I'm really excited about the opportunity here tonight.

7
8 I agree with Commissioner Hechtman about the evolution of the project is also very heartening
9 to see that the feedback that our community provides has been taken to heart and the
10 proposals have been revised based on that community input. It's absolutely wonderful to see.

11
12 And I'm also excited to hear that the applicant has taken the time to maximize the affordable
13 housing offering in this property. That they consider doing as much as they possibly can and this
14 is where they... where it penciled out for them.

15
16 So, the next steps for our Commission I think would be to look at the two sets of Findings; the
17 reserve Findings and the affirmative Findings. Who is presenting? Mr. Ah Sing, would you be
18 able to put up those slides up? Let's start with one and do another round with the
19 Commissioners to discuss those Findings because I think it's going to be hard for us to discuss

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1 the Staff recommendation until we know where we stand on these Findings. Does that... we do
2 have to make these Findings, right, the Reverse Findings and the Affirmative Findings?

3

4 Ms. Tanner: Mr. Ah Sing do you want to address that and perhaps Albert as well if you need to,
5 but just both where the Findings... the making of the Findings. And also, I believe the Findings
6 are included I think in the Record of Land Use Action or maybe they are in one of the other
7 documents that would be approved.

8

9 Chair Templeton: If anyone has a Packet Page for these two... I was flipping through, but it's
10 hard to do and listen to at the same time. But then people who are have the Packet in front of
11 them can locate it as well.

12

13 Mr. Ah Sing: Right so the Variance Findings are on Packet Page 51.

14

15 Chair Templeton: Ok.

16

17 Mr. Ah Sing: And the Map Findings are on Page 48.

18

19 Chair Templeton: Ok.

20

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1 Mr. Ah Sing: And that's all contained within one Record of Land Use Action.

2

3 Chair Templeton: Great. That's 3B? Ok, alright.

4

5 Mr. Yang: And to clarify the... it's not just the Findings that you have to make, but also Staff's
6 recommendation on how those Findings can be made based on the facts before you.

7

8 Chair Templeton: Ok so does any... please raise your hand. I see Commissioner Alcheck. Does
9 anyone have comments on the Subdivision Findings that are shown on the screen right now?

10 Ok and let's look at the other Findings.

11

12 Commissioner Riggs: Wait, wait, wait, wait, wait I just... I just I can't operate this and I'm in the
13 dark.

14

15 Chair Templeton: Oh, that's alright.

16

17 Commissioner Riggs: So, I might... I would like to tweak the... some of the recommendations
18 particularly need to be tweaked for me to make the Finding...both Findings.

19

20 Chair Templeton: Alright.

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Commissioner Riggs: Finding F here is problematic and Finding 4 in the next Finding. Not... we need to tweak the mitigations particularly. This project will do... I keep on thinking we have to do traffic calming through pedestrians by throwing pedestrians out in traffic at UC Berkeley Campus. We don't want to do that here. We would like to have... create a safe environment for cyclists and I do believe this is going to be a super sustainable commuting site. I would like to suggest that we... that Staff consider swapping out one of the... some of the standard TDM mitigation for increased intersection improvements to Leghorn and particularly at Leghorn and San Antonio. I think that's a critical intersection that is not mitigated and there could definitely be some interesting design improvements that actually could improve the safety in that intersection and they could be linked to the project.

Chair Templeton: Thank you, Commissioner Riggs. Any other comments on this and Staff did you want to respond to that comment from Commissioner Riggs?

Ms. Tanner: I was unclear if he was speaking to the Subdivision Findings in relation to the TDM and traffic calming?

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1 Commissioner Riggs: Well the TDM are general... it's a standard... I'm sorry, the word is... I'm
2 losing... I have eaten so I'm losing focus. So, it's a standard... what's it called? Standard
3 (interrupted)

4

5 Ms. Tanner: Condition?

6

7 Commissioner Riggs: Condition right and I'm assuming it's a condition that's levy irrespective to
8 Subdivision Finding or the... the conditions would apply to either action.

9

10 Ms. Tanner: I guess I'm just not clear if you're saying that you find that you cannot... you find F
11 and G to be true for the site and therefore we need to make... I guess I'm just unclear what
12 you're (interrupted)

13

14 Commissioner Riggs: It's a Reverse Finding, I can't make the Finding without some type of
15 additional TDM mitigation.

16

17 Ms. Tanner: Ok you can't make Finding F or G.

18

19 Commissioner Riggs: The TDM... the... I think I've already said this in my comments. The TDM...
20 this is throwing cyclists out in dangerous situations if there's no mitigation on San Antonio and

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1 so if we could change some of the standard conditions we could make both... I could make
2 Finding F and Finding 4, but we have to tweak the... the Standard Conditions are... do not
3 resonate for this site. There's... giving someone a VTA Card is not... does not really apply when
4 the primary route is this north-south route on Charleston or on Middlefield that has lost
5 frequency during COVID. So, I don't... I think that maybe the standard TDM playbook doesn't
6 work here.

7

8 Ms. Tanner: Ok. I think that in general the TDM plan for this project would need to be upgraded
9 definitely on its way to Council and we certainly hear the comments tonight from the
10 Commissioners which I think echo your comments regarding that. Jodie, are you... what are you
11 seeing as the way forward or how... what is the order of operations for enhancing the TDM
12 program here?

13

14 Ms. Gerhardt: We can certainly... so the TDM plan is not needed because they're asking for a
15 parking reduction. It is needed because it is a larger project and we have Comp Plan policies
16 required TDM for larger projects. So, it's part of the Comp Plan policy. One of the things that we
17 could explore as part of an updated TDM is these bike improvements that we're talking about
18 and having the project potentially pay their fair share towards some sort of larger
19 improvement, but I think part of the problem that we're running into is that transportation is

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1 still in the early planning stages for this area. And so, we don't know exactly what that money
2 would be going towards.

3

4 Commissioner Riggs: TDM, the...whatever... the City has a very narrow definition in the
5 Standard Conditions of what Transportation Demand Management is. It can include physical
6 interventions and I would suggest that an elegant solution at Leghorn and San Antonio could be
7 a way to supplement some of the standard TDM; or TDM measures in a way that solves some
8 of the safety issues in advance of deploying a project there because otherwise, we don't know
9 when transportation Staff and the City are going to prioritize any type of safety improvements
10 along this corridor.

11

12 Ms. Tanner: Does the Office of Transportation want to address what the plan is to get the TDM
13 updated? I know there are plans to update the ordinance; but also, how they plan to work with
14 the applicant as they are refining the TDM and Commissioner Riggs's suggestions for a bulb out
15 and other mitigation measures. Rafael or Shrupath, if you'd like to address this.

16

17 Mr. Rius: Hi. As far as the intersection improvements, I mean I think we'd be open to the idea if
18 there's a nexus for that. I'm not as familiar with the other TDM requirements and measures
19 that have been developed over the last year or so. I'd have to research that a little bit more

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1 with the rest of the Staff that couldn't make it tonight and get back to you or before it goes to
2 Council.

3

4 Chair Templeton: So, I believe that Commissioner Riggs is looking for a way to make this Finding
5 based on what tools are available to us this evening. So, would it be sufficient Commissioner
6 Riggs for us to include this in our motion, whatever motion we do make, to have that
7 recommended as a mitigation or would that not be sufficient?

8

9 Commissioner Riggs: We need some kind of recommendation... yeah, that would be great if we
10 could get a recommendation of some type of and I think the simplest way to do it is some type
11 of enhanced intersection... a physical designed intersection. This also could be something that
12 could be... and I'll just put this out there. It could be something that ARC [note -ARB] could take
13 on as well because it's a vague area between planning and design.

14

15 Chair Templeton: Alright, I appreciate it so, and then can we go to the other slides so he... I
16 think Commissioner Riggs had an additional comment.

17

18 Commissioner Riggs: Well it just relates... that same characteristic about does a project create
19 a... basically create a detrimental or injurious environment and I think that the short answer is
20 the project in itself, but the travelers coming from the project you really do create a conflict... a

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1 potential conflict zone if you have a high traffic situation and you're throwing a lot of cyclists
2 out in that situation. So, I'm not going to get into a debate over whether or not we prioritize
3 housing over transportation because we don't... that's a... it's impossible to tease that out. It's
4 not either-or, but you don't want to create an unsafe environment and I do think we want to do
5 everything we can to mitigate collisions that may result of our decision tonight.

6

7 Chair Templeton: Absolutely. Alright, thank you. I see Commissioner Alcheck's hand up followed
8 by Commissioner Summa and Commissioner Hechtman.

9

10 Commissioner Alcheck: So, look I can make the Findings. I will refer to Negative Findings and
11 Findings as Findings that can be made. And I will just add that I don't necessarily share the same
12 concern that the project will be injurious to the health of the population traveling to and from it
13 that Commissioner Riggs does. However, that said, I'm perfectly comfortable recommending
14 that Staff... that we'll... I'm comfortable saying that I can make the Finding contingent on Staff
15 addressing or making more robust some of the TDM concerns that Commissioner Riggs's raised
16 as so eloquently.

17

18 So, if we can't get specific tonight because we don't have the tools and I'm very comfortable
19 making the Finding on a vague recommendation because again, this really isn't... we are not
20 codifying the project at this level. We are recommending that Staff make the Finding. We're

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1 essentially saying based on our review we recommend that... excuse me, based on our review
2 we recommend that Council take this project under consideration and move forward. And so,
3 as a necessary step in the process of this application life, I'm comfortable with not necessarily
4 having the specific tool identified in addressing this concern about individuals traveling from
5 the project on bikes into the traffic... into the roadway. If we don't have a specific tool then
6 maybe we could... maybe Commissioner Riggs can identify a version of a motion that with
7 respect to this issue that he could be comfortable with so that we could get broader support.

8
9 Commissioner Riggs: I'm comfortable. Mike [note -Commissioner Alcheck], you don't have to...
10 I'm super comfortable with having... with that approach to be quite candid. And I'll just... I mean
11 I'm comfortable with that approach and I think it's the... my concern has been registered.

12
13 Commissioner Alcheck: Ok. Well, look, at the end of the day we have to make the Finding and
14 so I think because you so strongly suggested that you couldn't. I think we can't simply rely on
15 the comment registered. I think we should allude to it in our motion in order to set the record
16 on this cleanly.

17
18 I... and I want to say also really in an effort to build consensus here because I want to suggest
19 one more thing because I feel like I brought up PC. And I wanted to address Commissioner
20 Summa's comment because I think this is really an opportunity for us to come together as a

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1 Commission and possibly support an important project that the City has been involved in now
2 for a couple years and I'd love to see us do it unanimously. And so, I wanted to address one
3 element of the... what sounded like maybe one of the biggest concerns that you had
4 Commissioner Summa which is that maybe the project could come to us under the PC Zone.
5 And I just want to say look, until literally 2 1/2 -months ago the PC Zone was dead. It was killed
6 by a thousand cuts by all... by the community at large. And you... if you read the minutes, I'm
7 sure you have, this project was before Council in a slightly different form in 2018. So, for 99.9
8 percent of this project's life, the PC Zone wasn't even an option. So, look, I'm suggesting that
9 maybe don't let that approach that it didn't come under a zone which is only very recently been
10 resuscitated from absolute death and untested frankly be the reason by we can't maybe come
11 together there. I think the new PC Zone, the new PHC Zone also contemplates commercial. The
12 idea is that if you have... that the project has to have more housing than it does... it has to had...
13 has to not increase trips based on office that it doesn't adequately address through housing. I
14 mean I think that's not this project. So, I think... I am hopeful, I really... I don't want us to miss
15 an opportunity here to show the Council that what we've been talking about for... what I've
16 been participating... the discussion that I've been participating in for almost a decade. That this
17 is the opportunity and in the wake of what is likely to be a RHNA disruption that I don't think
18 any of us really appreciate is coming.

19

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1 So, I... one other thing I'd like to suggest which is I don't... I've studied this a lot and I don't think
2 the AMI here is essentially the market AMI. I think that that is a misconception. I think that the
3 project that's down the road on San Antonio at that shopping center, you will find that 2-
4 bedroom apartments or where renting pre-COVID for \$15... \$7,800 a month. I don't believe that
5 there's a population of people who are making 80 percent of the Average Median Income in
6 Santa Clara County who can afford that. No, actually I know they can't, so I just want to put it
7 out there. I would be happy to go through the exercise of doing that analysis sidebar with you
8 or any Commissioner to really... to deal with that because this goes to the heart of what I was
9 saying at the beginning of my words... my first comment; which is we need to investigate every
10 assertion that suggests that a developer's honest effort to bring housing is somehow not
11 sufficient enough. And we need to really task ourselves with that goal of saying wait, wait, wait,
12 let's just make sure that we are... that our critic is... here's what I'm trying to say. It's like we
13 need to double-check our critics because we have come up short too many times. It's like we
14 can't.... we have to say wait a minute maybe we're being too harsh.

15

16 So anyways I'll... I will be... I just want to say that I think that the Staff report really does a good
17 job of laying out Chair and I don't know that we need to go item by item, but if... I don't think
18 it's difficult to make the Findings based off this excellent Staff report.

19

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1 Chair Templeton: Thank you. I noticed that Assistant Director Tanner had her hand up. I didn't
2 mean to cut you off Commissioner Alcheck. I just wanted to her a chance to make her
3 comment.

4

5 Ms. Tanner: I know that there are two other Commissioners who do have comments. Thank
6 you, Chair Templeton. One thing that we could if whoever ends up making a motion, the
7 motion could be to move the Staff recommendation with additional recommendation for a
8 condition of physical intersection improvements at the corner of Leghorn and San Antonio and
9 development of a more robust TDM Plan for the project. That's just a suggestion for the
10 Commission to consider.

11

12 Chair Templeton: Thank you for providing the wording, that's very helpful. Alright,
13 Commissioner Alcheck was that the extent of your comments?

14

15 Commissioner Alcheck: Yeah look I... the extent of... the bulk here is I want to build consensus
16 around this and (interrupted)

17

18 Chair Templeton: I appreciate that.

19

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1 Commissioner Alcheck: So, to the extent that I am willing to work on any one of the Findings,
2 any one of the elements of this because this deserves our support I think. I really do and so if
3 there's an element here that we can tweak, you want a different Development Standard? You
4 want to count laundry rooms? I'm willing to put it on the table if it means that, that if that's so
5 important I'm willing to consider it, and maybe what we can do is if there is some little issue.
6 Maybe we can set those up as sub-concerns and just see. Maybe the Commission as a whole we
7 support this project, but six out of eight... seven of us want to see laundry rooms counted as
8 FAR or whatnot.

9

10 Chair Templeton: Alright, I got it, I got it.

11

12 Commissioner Alcheck: I'm just saying I'd love to see [unintelligible](interrupted)

13

14 Chair Templeton: Let's stay optimistic and hear if there are other concerns, but I think your
15 point is well taken that there is an opportunity for us to all find a way onboard so thank you
16 Commissioner Alcheck.

17

18 Commissioner Riggs: And Chair Templeton, I'm happy. I know there are a couple people. I'm
19 happy to make the motion that Chair... Chair... Assistant Director Tanner recommended when
20 we are ready.

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Chair Templeton: Excellent. I will come to you after Commissioner Summa and Commissioner Hechtman. Thank you.

Commissioner Summa: Thank you and I actually would like to move this project forward too. That's why I'm disappointed that it's muddy by blending it with the area thing... the program area. I have a question about Findings C and D and I agree with Commissioner Riggs about... I think it's F about safety; but also Packet Page 48 at the bottom. So, Statements of Overwriting Consideration are proposed for significant and unavoidable impacts to cultural resources and greenhouse gas emissions so, I think that's also a problem with making Finding 6.

And with regards to C and D which are residential densities. No. Site is not physically suitable for the type of development is C and site is not physically suitable for the proposed density of development. So, my question is are the specific Development Standards such as 2.0 FAR instead of 1.5, which is the HIP is generally, and things like the rooftop. I don't... the density I don't mind, but are those Development Standards... and waving the... allowing 60 percent of the open space required on the parcel to be on the rooftop. Are those kinds of specific things that are specific to the project baked into this Tentative Map?

Ms. Tanner: The Tentative Map for the project?

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Commissioner Summa: Yes, because I have no problem with the sub... with the Subdivision Act need to come to us for the Tentative Map. I don't have any problem with the two parcels being made into one for a building. What I have questions about are some of the various specific things. So are... and I don't see where those things, the specific things that make this project work for the applicant, are baked into the Tentative Map or even the four recommendations at the very beginning of Staff's recommendations. I mean (interrupted)

Ms. Tanner: Go ahead. I was going to say maybe perhaps what Sheldon can do and then Albert jump in and Jodie as well because you guys know this project much more intimately than. I think there were a couple slides that kind of broke out where the differences lie and what part of the four-part recommendation is addressing that. So, in particular, what I heard were the FAR, the open space or where the open space is [unintelligible](interrupted)

Commissioner Summa: Waiving parking for the... I thought they were waiving... I thought they were wanting to waive parking for the retail.

Ms. Tanner: For the 1,500... first 1,500-square feet of retail.

Commissioner Summa: Yeah.

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Ms. Tanner: So, there would still be some parking for the retail, but the first 1,500-square feet would be waived. So, there's that and then was there one other thing that you mentioned?

Commissioner Summa: It's not... the 2.0 versus 1.5 FAR is a big one for me and the rooftop, but the... my basic question is that the totality of what the applicant envisions as this application process for this project is not for me contained in the four recommendations Staff recommends that we make and it's not really contained in the Tentative Map. Is that (interrupted)

Ms. Gerhardt: So, I may? On Packet Page 91 we do a comparison of how... what the setbacks are for this project compared to the CS Zone and compared to the HIP. So, that might help focus our questions.

Ms. Tanner: So, I'm going to just... maybe I'll share my screen Sheldon and that might help to look at that slide together.

Ms. Gerhardt: And then the zoning changes start on Packet Page 78 would be another place to look as well.

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1 Ms. Tanner: Ok so maybe Jodie you can just walk us through where these... where the
2 difference are and then maybe if you can know where... how the approval tonight of the four
3 recommendations, where those are nested? I think that's part of what Commissioner Summa's
4 question is. So, I think that what of the four recommendations the right now column here is
5 what is being approved tonight.

6

7 Ms. Gerhardt: Yeah maybe if you can do... make is a little bit wider page.

8

9 Ms. Tanner: This or go closer?

10

11 Ms. Gerhardt: The other way, yeah.

12

13 Ms. Tanner: I was like wow, you've got really good eyes.

14

15 Ms. Gerhardt: So, we have tried to bold some of these items here and so you can see on the
16 street side yard we do have that pedestrian ramp is only at 10-feet. And so... and that's actually
17 I guess if you look one more line down in the special setback. The special setback is 24-feet and
18 so you can see where that Variance is needed.

19

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1 If you go down to maximum site coverage, you'll see that the standard commercial zoning only
2 allows 50 percent whereas in the HIP the Director can waive site coverage and the project is
3 proposing 68 percent.

4
5 Ms. Tanner: And then the open space I think is the next one where they're still providing the...
6 even more than what would... on the left-most column, but a certain portion on the roof. Is that
7 correct Jodie?

8
9 Commissioner Summa: [unintelligible]

10
11 Ms. Gerhardt: Correct. Overall, they're providing... they're meeting the Commercial Standards,
12 but it is maybe in a different location.

13
14 Commissioner Summa: On the roof, correct?

15
16 Ms. Gerhardt: Correct.

17
18 Commissioner Summa: 60 percent is on the roof. Yeah, so that... I have a problem mostly with
19 the FAR and the 60 percent on the roof. And I don't ever think we should waive... I didn't agree
20 with waiving the 1,500-square feet from Parking Requirements of retail. So, I wouldn't want to

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1 promote that part of the HIP to other places but.... And the reason I feel strongly about this is
2 because the people that benefit from this 60 percent... the open space... required open space
3 on the parcel are not just the people that live in, but it's the whole neighborhood that's going
4 to experience it. And I think it's very important and I think the 1... so for me, those two issues
5 are the biggest ones. The 1.5 FAR versus 2 and the open space requirement being part of the
6 pedestrian experience of the neighborhood.

7

8 Ms. Gerhardt: So, I think there are a little bit different regulations on... if we were in the Multi-
9 Family Zone there's actually a landscape requirement and really, it's landscaping that you might
10 see on the street; but the open space requirements are more for... those are balconies and
11 patios and things of that nature that could be located on the interior of the site. They're not
12 always visible (interrupted)

13

14 Commissioner Summa: I know.

15

16 Ms. Gerhardt: From the public right of way.

17

18 Commissioner Summa: I know, but often they are and they contribute to the experience of
19 what we're going to hope is a new multi-family neighborhood in Palo Alto. So, I think it's
20 important to get it right.

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Ms. Gerhardt: And I think that's partly what we have our setbacks for as well because the setbacks by their very nature will end up being landscaped.

Commissioner Summa: Correct, but I'm just... I mean I agree that setbacks are landscaped usually so but those are my problems. And the increase in greenhouse gas emission is also I think a health... falls under 6. It makes it hard to find that one.

Chair Templeton: Alright thank you, Commissioner Summa. It looks like we've got two more folks chiming in. Commissioner Hechtman followed by Commissioner Lauing.

Commissioner Hechtman: Thank you. So, I've got an issue that I want to figure out how to navigate through and I know we can do it to move this on to Council. The issue and I think it was first raised by one of our public speakers and later by Commissioner Summa. And that is the proposed affordable mix of up to 66 percent or at least 66 percent and 33 percent. In the... and I'm sorry if I missed it in the EIR, but in the Staff report, it was kind just presented to us as a fact of the project. This is what we're doing and there wasn't an analysis or an explanation that at least that I saw of how we arrived at that number. Why is it that we're looking at the 80 to 100 for 66 percent? Why isn't there a component that is smaller than that? And I'm not... I don't want us to do that tonight because I don't think we have the... again, if I missed it tell me,

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1 but I don't think we have the information in front of us. But what I want to do and what I'm
2 hoping to do is in our recommendation to Council tell them that we're concerned about this
3 and we think that they should look at it and when it gets to Council Staff can brief the issue for
4 them. Explain how this particular break down was arrived at and whether there was room for
5 movement. So that we might get more affordable... so that of the 16-units we might have more
6 affordable units.

7

8 Chair Templeton: It looks like Mr. Yang would like to chime in.

9

10 Mr. Yang: So, there is a quick answer to that question and it's that our Municipal Code... the
11 part of the code that requires BMR units at all in Market Rate Development actually sets forth
12 here's what the break down shall be. And that break down is 2/3's affordable to 120 and 1/3
13 affordable to 100.

14

15 Commissioner Hechtman: Ok alright and I'm sorry if I missed that in the (interrupted)

16

17 Mr. Yang: I think it might be something that the Staff just assumes is common knowledge, but
18 obviously it's not, and so we should be explaining that more clearly.

19

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1 Commissioner Hechtman: Ok and then how does that... what I did see in the Staff report and in
2 part of the Finding and this all relates incidentally to Finding B for the Subdivision which is
3 consistency with the General Plan. And in the Staff report one of the consistent programs is
4 Program H3.1.2, implement the BMR Ordinance to reflect City policy of requiring A) 15 percent
5 of all housing units in project, which we have; B) provided at below-market rate to very low,
6 low, and moderate-income households. So, Mr. Yang is it then we'd layer on the Zoning
7 Ordinance that defines how that break down occurs in particularity?

8
9 Mr. Yang: So, this is how the BMR Ordinance itself is worded as well. It says the purpose of this
10 ordinance is to provide low, very low, and moderate-income housing. And then when you get
11 down to it, what it actually requires is the housing at 66 percent affordable at 120 and 33
12 percent affordable at 100.

13
14 Commissioner Hechtman: Alright, so this is (interrupted)

15
16 Ms. Tanner: I would say Commissioner Hechtman one of the reasons that many Cities do have
17 structures like that with the inclusionary housing being at higher rates is that a lot of times the
18 100 percent affordable housing units will provide the very low and extremely low-income
19 housing. And it's often-additional supports that those units provide to help support those
20 families and those households.

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2 Commissioner Hechtman: Ok, alright, well that explains that the proposal is compliant with our
3 code. Basically, the applicant has done what our code tells them they need to do then I don't
4 have any further issue with that and I'm ready to support a motion to move this forward.

5

6 Chair Templeton: Great thank you and I apologize to the Commission and to everyone on the
7 call that we have not taken the break that we had planned to take. We do have one more
8 Commissioner ready to speak and a motion is imminent. Do we want to keep moving forward
9 or do we want to take a 5-minute break and come back and come back? I see a couple that
10 want to keep going. Ok, I apologize for that. We're going to add it to the agenda for next time.
11 It was just something we discussed this week and it wasn't there and I just blew right through
12 it. I apologize. If you do need to take a break, of course just feel free to turn your camera and
13 sound off and then come back. You don't need our permission, it's your house. Alright next up
14 is Commissioner Lauing.

15

16 Commissioner Lauing: Thank you. I want to hit three different items. One is that as I said in my
17 original comments I think it's absolutely fundamental that we have to make some sort of
18 adjustments now and plan for more later. And when I say now meaning consequent with when
19 that project gets complete in the transportation for all the reason we all discussed. So, I think
20 that has to be an integral part of the motion if I'm going to support it.

-
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2 Secondly, I just want to go back to the affordable for a minute. One of the things that I think we
3 should always ask is with the developer of any of these projects. Ok, by law they have to give us
4 15 percent, what would it take to do 20, and that's going to have to be on a single individual
5 basis. So, all I'm saying is that we don't have to stop at 15 percent. We could just have a
6 conversation and I don't know where it's going to be. It could vary by area, by developer, some
7 want more height, some want more money, some say forget about it, but it's so crucial because
8 that's where we're hurting the most in everything. Including making RHNA goals there, but that
9 just has to get high focus.

10

11 So, the third thing I would go back on is to say it is very confusing to have the project when
12 we're also creating legislation eventually for this entire area and changing the CS Zone. So, one
13 option is to say that... I'm just putting out here structurally for us to consider. Is we could go
14 back to what Commissioner Summa's talking about is we don't want to do more than 1,500
15 deduction from the normal retail and we don't want to do less than 2.0, but the Director can
16 make his own decision if that's what it takes to get it done. So, that's the way we could
17 structure it so that each project would be looked at differently in context because they're all
18 different. In some cases, it might be you can only spare 1,500. In this case, it could be what
19 they're asking for is perfectly fine. So, structurally that's another way to get over this hump if
20 we're going to try to get some consensus. That's it.

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Chair Templeton: Alright, thank you Commissioner Lauing, and going back to Commissioner Alcheck I believe is who wanted to make the motion.

Commissioner Riggs: It was me.

Chair Templeton: Oh, it's Commissioner Riggs. Please do so, thank you.

MOTION

Commissioner Riggs: Well, Commissioner Lauing I'm just going to make the motion I was going to make. I know there was some stuff in yours that I can't do that. Assistant Director Tanner can you help me with my motion? I'm low blood sugar. You're muted.

Ms. Tanner: Ok I think a motion you had contemplated was to move the Staff recommendation... I've got to find where I've written it down... with an additional recommendation to have physical intersection improvements at Leghorn and San Antonio and a robust TDM program for the project.

Commissioner Riggs: Yeah that nailed it so I appreciate that, so that will be my motion.

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SECOND

Commissioner Alcheck: Second.

Chair Templeton: And that is Commissioner Alcheck I believe?

Ms. Tanner: Yes, I think that was.

Chair Templeton: Commissioner Lauing, did you still have your hand up from previous, or is this new?

FRIENDLY AMENDMENT #1

Commissioner Lauing: No, I put it up relative to the motion. I would just like to suggest a friendly amendment to Commissioner Riggs that in addition to what he said, language that says and the City will also undertake a study of how to improve mobility in the lanes on San Antonio. So, obviously what we're looking for there is (interrupted)

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1 Commissioner Alcheck: Why would we tie that to this project? Why would we tie the City's
2 hands (interrupted)

3

4 Commissioner Lauing: We're trying everything [unintelligible – audio cut out] (interrupted)

5

6 Commissioner Alcheck: To this applicant.

7

8 Commissioner Riggs: It's directed to me Commissioner Alcheck.

9

10 Commissioner Alcheck: But it applies to both of us. (interrupted)

11

12 Commissioner Lauing: [unintelligible – audio cut out] for this project.

13

14 Commissioner Alcheck: It doesn't matter who he directed it too, it applies to both of us. I
15 wouldn't second that because I don't understand why we would tie this applicant's application
16 with the (interrupted)

17

18 Commissioner Riggs: Chair?

19

20 Chair Templeton: Can we (interrupted)

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Commissioner Alcheck: Another City's goal of (interrupted)

Chair Templeton: Please let Commissioner Riggs respond.

Commissioner Alcheck: Approaching this. Yeah, I know, it's fine, but you'd have to find a new seconder.

Commissioner Riggs: So, I... can I finesse that a little bit Commissioner Lauing? Is it a... I would say since... we just have to make it a recommendation. We can't direct Staff right so I would say that we would... it was like a... Rachael, you have it written down and I'm sorry I didn't write it down again what you said because I have no paper around me.

Ms. Tanner: I think to your point though Commissioner Riggs that it could be recommendation to Council from the PTC that Council would direct Staff to undertake a study of how to enhance the mobility; bike and ped specifically.

Commissioner Riggs: Yeah, yeah, yeah, I would actually just want to see if... explore Commissioner Lauing if we could just make it a little slightly bigger and we say that Council would look at a strategic land use and transportation plan for this corridor. Like almost a

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1 corridor plan because I don't think... again I don't think we can decouple land use from
2 transportation and I heard that from Commissioner Summa, Commissioner Hechtman, and if
3 from you that there's a lot of stuff happening here. And so, I think it's just a suggestion about a
4 whole corridor plan that really needs to comprehensively about this district.

5

6 Commissioner Lauing: [unintelligible – bad audio] acceptable.

7

8 Commissioner Riggs: So, can we... are you ok with me (interrupted)

9

10 Commissioner Lauing: [unintelligible] accept.

11

12 Commissioner Riggs: Reframing it like that?

13

14 Commissioner Lauing: [unintelligible -crosstalk]

15

16 Commissioner Alcheck: Can you explain... can you provide a little clarity on how it relates to the

17 application?

18

19 Commissioner Riggs: It doesn't. It's a recommendation Commissioner Alcheck. It's just a

20 (interrupted)

-
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Commissioner Alcheck: Like a second motion?

Commissioner Riggs: It's a... we would approve the motion with a recommendation that Council consider a strategic... a specific plan for this corridor considering land use and... thinking about issues of land use and transportation as... since it's become a new housing focus area.

Commissioner Alcheck: Ok so just so we're clear. Not recommending that they approve this plan if... contingent on doing a mobility study. Separating this and saying we recommend approval of the recommendations here and also considering a specific plan... there are sort of two different things.

Commissioner Riggs: They are.

Commissioner Alcheck: I'm fine with the [unintelligible](interrupted)

Commissioner Riggs: It's a (interrupted)

Commissioner Alcheck: I'm fine the language you used. I just wanted to (interrupted)

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1 Commissioner Riggs: Yeah, it's just getting (interrupted)

2

3 Commissioner Alcheck: Clarify that there wasn't some mobility study that needed to occur if we
4 were really to be considered as supporting the project and the changes.

5

6 Commissioner Riggs: It's a complicated... I appreciate Commissioner Lauing's thoughtfulness
7 here because it's a complicated plan. We shoved in a General Plan Amendment with a project
8 approval. So, I think it's fine to put a recommendation about a general plan or a... really, it's not
9 a general plan. It can be a specific plan within the... about the corridor within this
10 recommendation and really, it's not actionable unless Council wants it to be actionable. And it's
11 not tied... it would not be tied to the project. Council would have to make another specific
12 requirement and so I think that would be... that's my understanding.

13

14 Commissioner Lauing: Correct, but it applies to all the CS zoning where other housing could go
15 up so it's quite appropriate.

16

17 Commissioner Riggs: So, Commission... Assistant Director Tanner is that... does that sound ok to
18 make that recommendation?

19

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1 Ms. Tanner: It does to me and how I hear it. I'll just ask my attorney Albert if there's anything
2 that's challenging because I think part of what the General Plan Amendment quite frankly does
3 is from this Commission suggesting to Council that we want to go in a direction of having
4 housing in this area. We think it is a good area for housing and so then additional, when we
5 have the funds and resources putting into it how to connect the land use and the
6 transportation in a comprehensive way would seem like an appropriate next step. In addition to
7 this particular project going up, we'll have to think about how we want to make sure it's a good
8 area for all the other projects that we hope comes. So, that's what I hear and Albert, is there
9 anything challenging about that being in the recommendation?

10

11 Mr. Yang: No, I think as long as we have a clear record about... I think this is the issue that
12 Commissioner Alcheck is trying to get some clarity on about the recommendation for this
13 additional study and work would not be something that needs to be completed if the Council
14 adopted this. It wouldn't need to be something that would need to be completed before the
15 project (interrupted)

16

17 Commissioner Riggs: I'll put on the record for them to read and watch that this is a... we could
18 decouple this and do it afterward, but let's be efficient and just make a nice motion that has
19 both of them... has both recommendations added to the Staff report in it.

20

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1 Chair Templeton: Ok, I also saw Ms. Gerhardt's hand up. Did you want to add to this discussion?

2

3 Ms. Gerhardt: I just wanted to be clear about are we asking for a study about the road itself or
4 everything around it which would involve land uses and a much larger project; or is it just the
5 road itself I think that we're focusing on?

6

7 Commissioner Riggs: Well, I'll answer to start and then I'll ask Commissioner Lauing to chime in,
8 but I believe it started off as a transportation mobility study, and what I suggested is that
9 particular for this location it's really important to think about housing and transportation
10 synergistically. And so, I actually... I would... I guess I modified the recommendation that was
11 made to say let's make it a comprehensive specific plan and really think about housing and
12 transportation in this corridor together. So, Commissioner Lauing is that a good way to package
13 it? That I kind of expanded what you were saying.

14

15 Commissioner Lauing: I think that's a fair way to compromise it. I mean look, there's nothing
16 that's exactly to startling about this. We're saying that there's a massive problem with
17 transportation on San Antonio and that's where all this change is going to happen. So, we ought
18 to see what we can do to fix that so we don't create more problems for our citizens.

19

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1 Commissioner Riggs: And Jodie and Rachael, you can go and reference the notes from
2 Commissioner Waldfogel and I both put this on the record in our last hearing on this. That this
3 was an opportunity site for a really interesting strategic corridor from a transportation and
4 housing space.

5
6 Ms. Tanner: Yeah, definitely. I think that building on that, I think... again I think Staff agrees
7 that's why we're bringing this housing project forward. And so, I think we definitely understand
8 the sentiment of the Commission, if this ends of being the sentiment of the Commission, and
9 can certainly convey it to the Council in the Staff report and of course we have the minutes
10 here.

11

12 SECOND WITHDRAWN

13

14 Commissioner Alcheck: Ok so I just... for clarity sake I did not interpret the Staff report as
15 suggesting we have a massive problem with respect to traffic on this corridor. I'm not
16 suggesting that it's perfect, but it is not... I just I'm a little uncomfortable... here's what I'd like
17 to do. I'm just going to... I will support this motion. Let me step out, let Commissioner Lauing
18 take the second here because I'm just a little... I don't know that I'm... I think that would be
19 better. That would be a better plan. Just I don't know that I share the view that this corridor is

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1 such a cataclysmic nightmare that any effort to increase housing there needs to be first
2 mitigated considering the Findings that the Draft EIR made. So (interrupted)

3
4 Ms. Tanner: I don't think there's any suggestion that there's mitigation. I think what is being
5 proposed is to move the recommendation with the additional recommendation of the robust
6 TDM and the physical improvements at the Leghorn and San Antonio. That's like for this specific
7 set of things before us and in addition, the PTC is recommending that City Council provide
8 direction to Staff to create a corridor plan for this section of the San Antonio corridor that looks
9 at the land use and housing. That would be a separate project, a separate effort from this
10 particular project and effort if that makes sense.

11
12 Commissioner Alcheck: Does that seem like something that's likely to take place before for
13 example we get involved in our Housing Element program? I mean I just... I'm happy... I just
14 don't... I don't want to be a part of (interrupted)

15
16 Commissioner Riggs: Oh, don't be such a curmudgeon dude.

17
18 Commissioner Alcheck: No, it's not, it's not, it's one more layer of bureaucracy. It's one more
19 thing (interrupted)

20

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1 Commissioner Riggs: Look (interrupted)

2

3 Commissioner Alcheck: Adding to the list. We need more time, we need this. It's how many
4 things can we add before we just say (interrupted)

5

6 Chair Templeton: Hold on.

7

8 Commissioner Alcheck: You know what? We'll deal with it because we need the housing. So
9 (interrupted)

10

11 [note – several people started talking at once]

12

13 Chair Templeton: Is there any... Ms. Tanner?

14

15 Ms. Tanner: The Office of Transportation is doing the bike planning for this area. That is
16 underway and so that will be... especially for bike and pedestrian mobility... an opportunity to
17 think about that in context with the housing so.

18

19 Chair Templeton: Can you clarify Commissioner Riggs if there's any time dependency because
20 everything I've heard so far sounds like these are two independent tracts.

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Commissioner Riggs: Making this up from the dais. Hey, these are suggestions to Council (interrupted)

Chair Templeton: Ok.

Commissioner Riggs: And Council controls the purse strings as well as the projects and Commission... Director Lait works with the City Manager to prioritize work. These are suggestions and we can't control the timing of this kind of stuff, but we have talked about it for a long time. I actually think it's a huge opportunity for the City to think about this corridor in a comprehensive way that thinks about radically thinking about transportation along San Antonio in a different way. And that's actually thinking about new forms of transportation that could run down that corridor as well as thinking about other opportunity sites in a way that they connect to that transportation. So, I just think what I heard from Chair Lauing [note – Commissioner Lauing] wasn't anything negative about this being a cataclysmic transportation event. It was a hey, lets look at this in a thorough way and I'm receptive to that.

Chair Templeton: Ok so we have a maker.

SECOND

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Commissioner Lauing: I'm happy to be the second.

Chair Templeton: And Commissioner Lauing is happy to second. Alright and we also have a hand raised from Commissioner Summa. Is this another amendment to this motion?

Commissioner Summa: It's an... where's my thing? Oh, it's unmuted. It's an amendment and a question. So, Section 1 on the previous... Packet Page 48, Section 1, the background, A, March 5th, 2019 Ted O'Hanlon applied for a Tentative Map for the development of one parcel condominium subdivision project with 102-residential blah blah blah. First of all, it's not a condominium subdivision. Is there any distinction that should be... should that say rental since that's their intention now?

And then on the next page, Number 4, or letter D of the Findings, does this narrative under the Findings go with the document, and by that, I mean the sentence underneath 4 or D? The project proposed a Zoning Text Amendments to allow the project to be implemented and therefore etc. etc.? Because those two (interrupted)

Chair Templeton: Ok.

-
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1 Commissioner Summa: That... D and 4... D or 4 and A are not really... don't really say the same
2 thing.

3

4 Chair Templeton: So, we do have a motion, but it looks like Ms. Gerhardt wants to answer those
5 questions.

6

7 Ms. Tanner: Yeah, I think Ms. Gerhardt (interrupted)

8

9 Commissioner Summa: It makes [unintelligible] about whether or not I would ask for an
10 amendment.

11

12 Chair Templeton: Ok so Ms. Gerhardt.

13

14 Ms. Gerhardt: I can asker the first part about the subdivision. The applicant has stated that they
15 do want to go forward with the condominium subdivision. They may rent them in the early
16 years, but they want the ultimate ability to have condos in the later years and so they are doing
17 a condo subdivision.

18

19 Commissioner Summa: And legally they're allowed to do a condo subdivision, but rent till the
20 time they want to do condos? Is that right?

-
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1

2 Ms. Gerhardt: Yes.

3

4 Commissioner Summa: Ok and then does the narrative under letter D or (interrupted)

5

6 Ms. Gerhardt: Do you have a Packet Page number?

7

8 Commissioner Summa: The next page, Packet Page 50 at the bottom and it' the Findings.

9

10 Ms. Gerhardt: Ok so Page 50 is the Findings, yes.

11

12 Commissioner Summa: 4 at the bottom. Does that narrative, the project... underneath the
13 Finding itself go into this document?

14

15 Ms. Gerhardt: That is part of the Record of Land Use that Council will make a decision on.

16

17 FRIENDLY AMENDMENT #2

18 Commissioner Summa: So, I'd like to propose an amendment to in both the background and
19 under A and in the Findings under 4 to say up to 102-dwelling units and remove the Floor Area
20 Ratio and the following language. And the reason is because I think we need more flexibility

-
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1 about using a 1.5 FAR instead of the 2.0 and the density... that's why I would say up to. So that
2 would be my amendment is to change Section A to say up to 102-units and Finding 4 to say up
3 to 102-dwelling units and strike the rest so that we're not tying it to the FAR etc. in the
4 application.

5

6 Ms. Gerhardt: So, I think there's... we would need to... we'd probably want to find the zoning...
7 the rezoning portion because that's... may better address your concern and I think I had that on
8 Page 70 something.

9

10 Commissioner Riggs: You know I don't want to noodle with... I want to go with Staff
11 recommendation Doria [note – Commissioner Summa]. I don't want to noodle with this, at least
12 with this motion. So, I'm happy to entertain something if it goes forward, but I don't want to
13 noodle with the FAR.

14

15 FRIENDLY AMENDMENT #2 FAILED DUE TO NO SUPPORT FROM THE MOTION MAKER

16

17 Commissioner Summa: Ok.

18

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1 Chair Templeton: Alright, do I see your hand up Commissioner Lauing? No. Alright, oh my gosh
2 there's a bunch of hands up. Ok. Commissioner Roohparvar [note – Vice-Chair Roohparvar] and
3 Commissioner Hechtman.

4
5 Vice-Chair Roohparvar: Yeah, I'll just make my comments super short but I do want to... I guess I
6 will end up supporting the motion, but I do echo Commissioner Alcheck's sentiments. I do think
7 these should... there are two separate issues and shouldn't be conflated. That's it.

8
9 Chair Templeton: Thank you Commissioner Roohparvar [note – Vice-Chair Roohparvar].
10 Commissioner Hechtman.

11
12 Commissioner Hechtman: In my general remarks I had a series of very small changes to the
13 draft ordinances and resolutions that I had asked Staff to look at and change or not change in
14 their discretion. And I'm wondering if the maker and the seconder of the motion would
15 consider that because as the motions currently presented it would ignore those.

16
17 Chair Templeton: Do we need to make a motion that includes those changes for them to be
18 included?

19

-
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1 Ms. Tanner: I would ask Mr. Yang if what we would do is we could redline some of those
2 changes to note that those were brought up and discussed at the PTC because they are I think
3 important; but some of them we do need to take some times to look at to make sure that if
4 we're taking it out or in, it's appropriate. So, if that might be a way to advance those and the
5 Council can see that they were made as a result of the PTC, but we could have some flexibility
6 in that regard.

7

8 Chair Templeton: Would that satisfy you, Commissioner Hechtman?

9

10 Commissioner Hechtman: It would, that was my total intent is that you have time to look and
11 make whatever decision you feel is appropriate before you take it to Council.

12

13 Commissioner Riggs: I wanted to just say that there's a... I did some checks on the calcs in terms
14 of transportation distances to Caltrain and I got pretty different results so I'd check those as
15 well. For example, you said .9-miles and Google Maps says a bike cycling distance is 7.7 or not...
16 sorry, .7-miles. So, $2/10^{\text{th}}$ of a mile is pretty significant at this scale so I would just dot your i's
17 and cross your t's.

18

19 Ms. Tanner: Great, thank you.

20

-
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1 Chair Templeton: Alright.

2

3 Ms. Tanner: Sorry, just [unintelligible – audio cut out] Mr. Yang, we don't need a motion for
4 that do we? For that note.

5

6 Mr. Yang: No, we... it's fine if it is in the motion, but if it's... even if it's not it's... those are all
7 things that we're going to take another look at.

8

9 Ms. Tanner: Great. Sorry Chair.

10

11 Chair Templeton: No problem. I think we're ready Mr. Nguyen. Do we need to repeat the
12 motion before people vote?

13

14 Commissioner Riggs: Please no.

15

16 Chair Templeton: Not you.

17

18 Commissioner Riggs: I just actually (interrupted)

19

20 Chair Templeton: I think someone's written it down.

-
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Commissioner Riggs: Just talked about minutes as if they were miles. So, it was actually 7- minutes and 9-minutes. So, I'm just like oh (interrupted)

Chair Templeton: I know we're all tired. Thanks for hanging in there everybody.

MOTION RESTATED

Ms. Tanner: What I do have I will read. The motion is to move the Staff recommendations to recommend physical intersection improvements at Leghorn and San Antonio. To recommend that the City Council undertake a specific plan for this corridor that connects land use and transportation along the San Antonio corridor and that the project have a robust TDM program.

Chair Templeton: Alright, are we ready... is that correct as reflected?

Commissioner Riggs: Why don't I just reiterate for the record that just to give Commissioner Roohparvar [note – Vice-Chair Roohparvar] and for the record that we could have... I believe we could have severed these two... this one... this recommendation that Commissioner Lauing made as a separate motion. And I want for the record to say that they could have been severed,

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1 but for an efficiency standpoint, I'm suggesting we put them together. So, I just want to speak
2 to the... speak to my motion creating with my seconder before we vote on that aspect so.

3

4 VOTE

5

6 Chair Templeton: Alright, thank you. I haven't said anything to it, but I echo Vice-Chair
7 Roohparvar's comments and I really appreciate the care that we've taken to show Council that
8 these are bundled together for efficiency, but not necessarily dependent on each other in any
9 other way. Alright, let's take our vote, Mr. Nguyen.

10

11 Mr. Nguyen: Ok, I'll take a roll call vote. Commissioner Alcheck?

12

13 Commissioner Alcheck: I support it.

14

15 Mr. Nguyen: Commissioner Hechtman?

16

17 Commissioner Hechtman: Yes.

18

19 Mr. Nguyen: Commissioner Lauing?

20

-
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1 Commissioner Lauing: Yes.

2

3 Mr. Nguyen: Commissioner Riggs?

4

5 Commissioner Riggs: Yes.

6

7 Mr. Nguyen: Vice-Chair Roohparvar?

8

9 Vice-Chair Roohparvar: Yes.

10

11 Mr. Nguyen: Commissioner Summa?

12

13 Commissioner Summa: No.

14

15 Mr. Nguyen: Chair Templeton?

16

17 Chair Templeton: Yes.

18

19 Mr. Nguyen: Ok the motion carries 6-1. Thank you.

20

-
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1 MOTION PASSED 6 (Alcheck, Lauing, Hechtman, Riggs, Roohparvar, Templeton) -1 (Summa)

2

3 Chair Templeton: Awe that's very exciting. Thank you all and thanks for a great discussion too. I
4 think we brought up a lot of nuances for Council to consider. Looks like Commissioner Summa
5 would like to speak to her no vote.

6

7 Commissioner Summa: Thank you very much. It's... I knew it would be probably a symbolic vote
8 and I had no desire to hold this specific project up. It's just that the way it came to us allowed
9 for so little refining of the specific project and discussion about that and/or separation from the
10 general program area. So, I'm glad to see that the project is moving forward for what it's worth.

11

12 Chair Templeton: I appreciate that. Alright, so back to our agenda so we can close this out. Let's
13 see if I can find it. Approval of minutes.

14

15 **Commission Action:** Motion by Riggs, Seconded by Lauing. 6-1 vote (Summa against)

16 **Approval of Minutes**

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

18 4. June 24, 2020 Draft PTC Meeting Minutes

19 5. July 8, 2020 Draft PTC Meeting Minutes

20 Chair Templeton: Did anyone send in corrections to the minutes? Commissioner Hechtman. Are
21 they reflected in the minutes that everyone is reviewing?

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Appendix B

Transcript of Architectural Review Board Hearing Comments



ARCHITECTURAL REVIEW BOARD
MINUTES: August 20, 2020
City Hall/City Council Chambers
250 Hamilton Avenue
8:30 AM

Call to Order/Roll Call

Present: Chair Peter Baltay, Vice Chair Osma Thompson, Board Members Alexander Lew, Grace Lee and David Hirsch.

Chair Baltay: Thank you to everybody, the public as well, for their comments and for being with this long process. To the Board, do we have the energy to keep going on the next subject right away or does anybody need a break? Let's just get started. Jodie, we're going to move right along to the next topic.

3. PUBLIC HEARING / QUASI-JUDICIAL. 788 San Antonio Avenue [19PLN-00079]: Recommendation on Applicant's Request for Approval of a Major Architectural Review to Allow the Demolition of Existing 12,000 Square Feet of Commercial Space and Construction of a Four-Story Mixed-use Building that Includes 102 Residential Units and 1,803 Square Feet of Commercial Space With a Two-level Basement Parking Garage. Sixteen of the Residential Units Would be Below Market Rate. The Project Also Requires a Comprehensive Plan Amendment and Zoning Code Amendment to Apply the Housing Incentive Program at This Location and a Variance From the Special Setback Along San Antonio Road for a Pedestrian Ramp. The Applicant Also Proposes to Subdivide the Property for Condominiums. Environmental Assessment: An Environmental Impact Report was Circulated on July 31, 2020 Through September 14, 2020 and was Prepared in Accordance With the California Environmental Quality Act (CEQA). Zoning District: CS (Service Commercial). For More Information Contact the Project Planner Sheldon S. Ah Sing at sahsing@m-group.us

Ms. Gerhardt: All right. Thank you. Sheldon Ah Sign is our project planner for this project. If we just give him a minute to load up his presentation.

Chair Baltay: We're going to move to action item number three, public hearing for 788 San Antonio Avenue: recommendation on applicant's request for approval of a major architectural review to allow the demolition of existing 12,000 square feet of commercial space and construction of a four-story mixed-use building that includes 102 residential units and 1,803 square feet of commercial space with a two-level basement parking garage. Sixteen of the residential units would be below market rate. The project also requires a comprehensive plan amendment and zoning code amendment to apply the Housing Incentive Program (HIP) at this location and a variance from the special setback along San Antonio road for a pedestrian ramp. The applicant also proposes to subdivide the property for condominiums. Environmental impact assessment: an environmental impact report was circulated on July 31, 2020, through September 14, 2020, and was prepared in accordance with the California Environmental Quality Act (CEQA).

Chair Baltay: Do we have any disclosures on this one, please? I will disclose that I visited the site, again, and looked at the material sample board. David, disclosures?

Board Member Hirsch: I looked at the sample board but did not visit the site this time.

Chair Baltay: Grace?

Board Member Lee: Visited the site as well as looked at the samples.

Chair Baltay: Osma?

Vice Chair Thompson: I visited the site and looked at the samples.

Chair Baltay: Thank you. And, Alex?

Board Member Lew: Yes, I did not visit the site this time. I did download two aerial photos from 1939 and 1965. I did read about the Flowers Growers Association that used to be on the site. I did visit the material board at City Hall.

Chair Baltay: Thank you, Alex. Okay, with that can we have a staff report, please? Jodie, I'm going to turn it over to you.

Ms. Gerhardt: Yes, thank you. Sheldon Ah Sing, our consulting planner, will give the presentation.

Sheldon Ah Sing, Project Palnner: Yes, thank you. Good afternoon. You have an awesome agenda today. I am glad you guys are ready to go forward on this. I'm going to try to be as efficient as possible. There's a lot to unpack from this project but a lot of it has already been explain in the packet for you. I'll just give you a summary. The applicant's also here with their presentation as well. We'll talk about background of the product, a little bit of site context, the proposed project and why it include some legislative amendments. Those are not subject to your review but it does provide a little bit of background and context to help you with the findings for this development project. We'll go over some of the Architectural Review Board comments and responses that the applicant has made, present some of the materials and then an overview of the EIR, as well as the recommendation and next steps for the project. The project does include 18 parcels (inaudible) in size between Middlefield Road and East Charleston Road will all but one of the parcels being on the east side of San Antonio Road. The eastern boundary of these properties is the boundary between Mountain View and Palo Alto. The properties are located across from the Greenhouse neighborhood. These properties are otherwise under separate ownership. The two that are shaded orange are subject of the development proposal. That is at the intersection of Leghorn and San Antonio. Those parcels are proposed to be merged and developed with the mixed-use parcel. This proposal serves as a catalyst project for the overall program area. As mentioned, the project does include a four-story recessed building and a floor area of a ration up to 2.0. Based on the existing zoning and comprehensive plan, the project could not be built and, therefore, they have these requests for the Comprehensive Plan Amendment and the Zoning Text Amendment. The project is also a subdivision, variance, and architectural review. Of all of those, architectural review is the one that this Board... we're asking for your recommendation to the City. We have the Environmental Impact Report, which does include mitigation measures. There is one impact that cannot be mitigated and that's to a cultural resource. A little bit of background here. The project has had several meetings; two of those meetings were prescreening meetings with the Council to discuss potential increases in density and changes to the zoning ordinance. At those meetings, it was acknowledged that there are some trade-offs between commercial space and housing, but overall the project should proceed to be considered. The PTC conducted two previous meetings, one was a scoping meeting for the EIR back last fall, and the other was last week and made recommendations on other entitlements. They otherwise went forward on staff's recommendation with some specific direction. Some of that was recommended physical intersection improvement at Leghorn and San Antonio Road, as well as recommend the project a robust TDM program, and recommend that the City Council undertake a corridor plan that connects the land use and transportation along San Antonio. Again to reiterate, the whole package of amendments did get a recommendation from the Planning Commission. It doesn't change anything that were describing today in regards to the design of the build. Then the applicant also participated in two prior ARB meetings; one August of last year and as well as January of this year, which we've all summarized those comments. Then the applicant has sponsored a community meeting a couple of weeks ago. For a little bit of site context, the Middlefield Road and East Charleston are the major intersecting streets within this area that includes transit connections to the area. San Antonio Road is 80 feet wide from curb to curb and includes four lanes, and a landscape median with a left turn pocket. The attached sidewalks are five feet in width. Bicyclists do share lanes. That's a class 3 route. Most notably, the developments along (inaudible) under construction now that is at 2.0 FAR. Then you have a (inaudible) mixed-use and that is probably also in scale with the (inaudible) building as well. To the west of the project, it does include the Greenhouse 228 condominium units that are within 3-stories on a 15 acre lot. These buildings are over 150 feet away from the project site. Also to note, there are special setbacks along San Antonio Road that are 24 feet, as well as special setbacks along Leghorn Street and that is a 15 foot special setback. A little bit of context about the Housing Inventive Program.

It was adopted to implement the comprehensive size plan policies to promote additional housing production in the City with its holistic approach that allows from additional floor area ratio, as well as lot coverage and (inaudible), and streamline parking requirements. To note here, right now this program does include a maximum of 1.5:1 FAR for CS zoned properties along El Camino Real. The base CS allows up to 1.0. The maximum lot coverage in base CS is 50 percent, whereas that could be waived by the HIP. Then also the base CS allows up to 30 units per acre. The HIP program would waive that requirement also. As I mentioned before, to implement this development project -- and also the development projects in this program area to facilitate more housing -- there would be some amendments that are necessary and that are existing to the Housing Incentive Program, as well as amending the Citywide definition of gross floor area, and amending the City's retail preservation ordinance. Graphically here you can see where these extensions would be made for the HIP, and it would allow up to 2.0 FAR for projects with no maximum lot coverage. Also, it would exclude the first 1,500 square feet of retail or retail-like floor area from the parking requirements. For the project, it does include two parcels that would be merged. There are two existing buildings on the site. One of the buildings at 788 San Antonio is determined to be eligible for listing on the State Historic Register. The project does include the four-story mixed-use building with 1,800 square feet of ground floor commercial space at the corner. Likely, that would be a café style. There are 102 units, 32 studio units, 66 one-bedroom units, and I think four two-bedroom units. These arrange in size from 500 square feet to about 1,200 square feet in size. Sixteen of these units would be allocated for below market rate restriction. The project does include two levels of basement parking. Last time you saw the project it had one level basement parking with stackers. Given the comments that were received by the public they added another level and eliminated the stackers, and the (inaudible) is fully parked. It doesn't include any reductions or exemptions as to not take advantage of the 1,500 square feet street line parking for retail. The primary access is from San Antonio Road for residents. This is the only accessible access to the building that uses that ramp. The secondary pedestrian access is also off of Leghorn Street. Vehicular access is from Leghorn into the basement. Some of the comments at the last meeting were regarding the elevations: that the residential lobby was a little big; that some of the elements/frames around the building were too monumental; that the roof's terrace soffits needed to be made out of stucco; the facades needed to be designed to the same level all around the building, not just San Antonio Road; consider using flush header windows as well explore breaking down the scale of the courtyard, thinking about some privacy here. Then to think about the appropriateness of the landscaping for the project considering that it is a 50-foot-tall building. Then also looking at those transportation network company loading areas, as well as street parking along Leghorn Street; consider more there. Then how the bicycle parking is proposed inside buildings that are secure enough and at a good location. In response to that, the materials board was updated. It includes some smooth stucco, updated physical board was also made as you've seen. I have some slides that will show you some of those markups. The lobby is 1/3 narrower. The height of the space appears lower since the shade structure of the roof. The terrace is pulled back. The residential balcony frames are also overhauled and simplified. They are now all clad and the same clear heart redwood siding material. The frames around the corner tower and the entry lobbies on retail areas are clad Corten steel. The layout of the frames is also redone. The redesign shade structure of the roof terrace will continue with the triangle style motif. I've seen the other elements of the building at the corner and vertical elements. Some of these wooden triangles have also been omitted (inaudible) through the roof terrace. There are two temporary parking spaces 44 feet in length shown on San Antonio Road for the TNC operators, as well as temporary loading and unloading along Leghorn. There is also three parking spaces adjacent to the temporary loading zone. That loading zone will also be available for trash and recycling pick up. The inner courtyard area is broken up into three mini functions. You have the seating areas with curb benches and tables, six exercise stations, and the proposed bike wash area. The courtyard's functions are filtered through from the view from the unit patios by means of long planters and seat walls. Also, the applicant has taken into consideration shade-tolerant plantings. Most units now have floor to ceiling glass windows, and also glass guard rails at the balcony to further open up the unit to views and light. The long-term bicycle parking is visible from the outside through a glass wall. On the interior, there are areas broken up into six separate rooms and a bike repair area. The area is also secured from the lobby. The next slide I'll show you will be on the evolution of the project from the prior two times as well as the current. This is the San Antonio Road elevation. Comments from the first time was that it was too symmetrical. In January you can see where it was emphasized on the corner there and then jacks down a little bit towards the northern part. The palm trees were removed from the terrace. Then you can see the current. I'll have the applicant explain a little bit more about their program but the rooftop terrace

has now taken more prominence on the northern part of the building. Then you can see where the lobby is narrower and some of those ribbons are also less prominent. From the corner perspective, you can see how that comes together. It takes into account the Leghorn elevation, as well, and how the building has evolved. This elevation is the rear of the building. This is fronting Mountain View. There's more particular detail here than there was in the past and that was at the direction of the Board. Then this is the northern elevation of the building here with the same level of detail, and you can see the roof terrace there. It has more prominence. In the courtyard, the first iteration of the project didn't really have very good detail of the courtyard but from January you can see where they've included some of these programs into this area thinking it more through for those that would be looking into this area and using this area. Here are the materials just a little bit bigger in composition and how they're put into place. The applicant will go over those in more detail. Here is some of the siding. Then, this is in more detail on how these would be applied by specific examples. Then the materials put together. There were some comments in the past about how do these materials work together on the project. You can see here that they have materials put together and their showing on the perspective drawings. Moving into the Environmental Impact Report, a notice of preparation, and scoping meeting was between September 4 and October. That meeting was conducted with the Planning Commission. The EIR is currently in draft in circulation form right now from July 31st to September 14th. We're looking forward to written comments that we may have from the public. The big change in CEQA law is since July 1st, 2020, transportation impacts are now analyzed using Vehicle Miles Traveled (VMT) and not by Level of Service (LOS). LOS is still being looked at on a City Operations level through the comprehensive plan analysis but not through CEQA. There were a number of impacted topics that included air quality, biology, cultural resources, geological soils, Greenhouse gas emissions, hazards, noise, and tribal cultural resources. Mitigations proposed to reduce its impact to less than significant except for cultural resources, as we'll get into. The development of the project would result in the demolition and removal of the two six-story commercial buildings on the site. One of those structures may be eligible for individual listing through the California Register of Historic Resources. It constitutes a historic resource for the purposes of CEQA. There are four criteria and one of those criteria's prevents the project. That building is deemed to be associated with the California Growers Association. It's a long term representative of the importance of Japanese American floral culture and the industrial cooperative in the Bay Area. The building was constructed in 1953. The apparent significance for this building (inaudible) for this purpose is between 53 and 2002. That Growers Association merged with the California Flower Market at that time. For the property to be eligible for national or state designation, other criteria related to time period or method of construction, those character-defining features that enable the property to convey its identify must be evident. We're identified some of those in the historic resource evaluation. The site does maintain integrity for location setting and design materials, workmanship feeling, and association. Therefore, the building at 788 San Antonio Road is eligible for listing, and, therefore, if proposed to be demolished constitutes a significant impact. There are some mitigations that would be considered. Those include taking photographs and interpretative website, but overall that doesn't reduce the impact of the site. What the applicant is doing beyond those conditions is including some pavement patterns that resemble the historic use of the site. Those are those chrysanthemum paving patterns at the corner plaza, as well as within the courtyard area. As I mentioned, we talked about this a lot at the PTC meeting but just for the context here because you are evaluating the EIR to a certain extent, it wasn't changed in the impacts CEQA documents after July 1st from LOS to VMT. The VMT refers to the amount of distance of the automobile travel that's attributable to a project. One factor here that is weighed heavily is the imbalance of jobs to housing in the area. The City did adopt screening and thresholds significance back in June and those were applied here. The project could not be screened out based on those thresholds but further analysis was necessary. Using the VMT tools that are used throughout the jurisdictions we had to find out that the project was less than significant when it did not exceed 50 percent below the baseline. That VMT for the baseline is 11.3 miles per resident. The VMT was found to be 11.19 miles per resident, therefore, it less that that threshold and there is no significant impact. With respect to LOS and VMT, there are no impacts from CEQA along this corridor. There are no LOS impacts within the City. There is one LOS impact for an intersection in the City of Mountain View at Leghorn and Independence. Some of the next steps here is to complete the CEQA process. We have a public comment period from July 31st to September 14th. We have to respond to those comments that come in, make any revisions to the EIR if necessary; that will constitute the final EITR. We have to schedule a meeting with the City Council, likely we would be doing this in November. With that, we have recommendations to consider the draft EIR as well as recommend

approval of the architectural review to the City Council based on the findings as subject to conditions of approval. That concludes my presentation. I'd be happy to answer any questions. Thank you.

Chair Baltay: Thank you, Sheldon. Any questions of the staff?

Vice Chair Thompson: Yeah, I do have one.

Chair Baltay: Go ahead, Osma.

Vice Chair Thompson: You said there was a community meeting that happened earlier this month. Do we know what the result of that community meeting was?

Sheldon Ah Sing: Yes, Jodie and I were in attendance at the meeting. It was not something that we facilitated. It was facilitated by the applicant and we were invited. The same people that received the notices for any of the public hearings the City would send out were notified. There were about 13 or so residents that did participate in the meeting. They did provide some comments. It was mostly about transportation.

Vice Chair Thompson: I see. No comments on the façade for the building or anything related to the architecture?

Sheldon Ah Sing: I don't believe there was anything that was negative in any way or critical. I don't recall that. It was more questions about transportation.

Vice Chair Thompson: Thank you.

Chair Baltay: Any other questions? Very well. Do we have the applicant here to make a presentation?

Mr. Nguyen: Yes, I believe Eugene and Ted is here with us.

Chair Baltay: Great. Guys, if you could state and spell your name for the record. You'll have ten minutes to make your presentation. Please go ahead whenever you're ready.

Ted O'Hanlon, Project Manager: Thank you. This is Ted O'Hanlon, O T-E-D, O'-H-A-N-L-O-N.

Eugene Sakai, Architect: Eugene Sakai, E-U-G-E-N-E, S-A-K-A-I.

Ted O'Hanlon: I just wanted to make a quick introduction just to address a little confusion. Our intent with this 102 unit proposal after construction is to lease it out and it be a rental building. Concurrently, we are working on a subdivision map of the 102 units such that there could be an alternative at a future date to sell the units as condominiums. That would like be ten-plus years out and it is very hard to predict how that would happen. It just makes business sense to do that while we're in this initial stage of the planning for the property. I am going to turn it over to Eugene who's going to really do the heavy lifting on the architectural review. Thanks.

Eugene Sakai: Thanks, Ted. Vinh, would it be possible for me to share my screen as opposed to having Sheldon?

[Setting up presentation.]

Eugene Sakai: Eugene Sakai for the applicant, representing Ted O'Hanlon and the ownership group. This is the third time that we have the opportunity to present our project to you. We started this process with the ARB a little over a year ago. As Sheldon pointed out, the project has devolved quite a bit through your input, through the community's input, through the City's input and I think it has actually improved substantially. I just wanted to thank everyone who's on this call and people who aren't on this call for weighing in and giving us the opportunity to go back to the drawing board a couple of times and improve

the project. I'm going to use the time that I have just to quickly recap the general organization of the building by running through the floor plans. Then I am going to spend the bulk of my time showing specific responses to concerns that we heard at the last ARB meeting and how we have responded architecturally, and in some cases with landscaping. On those points, I'll start with the building exterior changes as seen by the public from the street and from the Mountain View side and then move on to the private courtyard. Then lastly touch on some plan views of site and floor plan changes that we've made. As was mentioned by Sheldon, I think one of the biggest changes really not visible from the street but functionally is the owner's decision to respond to the community's feedback in concerns about stacker parking and to go with a two-level parking garage. I just wanted to briefly explain how this is going to work. We are not taking the 1,500 square feet exemption for retail parking. We're actually completely parking on our 1,800 square feet of retail. That yields a demand of 20 retail stalls. What we're doing is we're proposing those right at the first level below grade and ganging those parking stalls, as you can see here in light purple, as close to the elevator as we can. The idea is that these retail stalls would be able to access this elevator and then by means of a double door system exit directly out to the street along San Antonio. These retail parkers would also be able to use the stairway to get up to grade and then right out to the retail level on San Antonio, adjacent to where the retail is. We're pretty pleased with this solution. The remainder of the first level parking is all for residents. There's a ramp down and then the lower level is basically all for residents as well. None of this parking is in a tandem configuration; basically these are all individually, independently accessible spaces. On our first level Sheldon touched on this briefly but I'll mention it here graphically again. The San Antonio elevation as shown on the left side of this plan view here, we have our lobby in the center of the San Antonio elevation. We have our retail at the corner shown in lavender, and our bike storage. There are really the three main key components of our ground floor program along San Antonio. The lobby is designed to have transparency through it with glass on both sides so that you can actually see our private landscape courtyard from San Antonio both as you're driving, walking by, and approaching the front door. Along Leghorn, we've actually maintained a ten-foot larger setback than is required. There is a 15-foot setback along Leghorn. We're actually providing 25 feet as to provide more landscape buffer and just more relief from the size of our building along the street elevation. At the far corner of our site is the entrance to our two-level garage here. As we move up the building, the program becomes much more residential. Both the second and third floors are purely private units. Then on the fourth floor, we've subtracted a significant number of units to create a stepping effect from the corner down towards the north. So really our rooftop garden is sort of helping with the articulation along San Antonio and in breaking down the scale and the mass of it. We have a combination of outdoor space and then an indoor residence lounge, which can flow out on to this outdoor space by means of folding doors. From here, I'd like to move on to specific ARB comments that we've attempted to address, and show you the before and after effects of those comments. There was a comment by Commissioner Baltay, Board Member Baltay I should say, about the frames and the frames being to monumental in scale and inappropriate to a residential project. This is what Board Member Baltay was referring to previously. Our revised design significantly reduces the frames. The other thing we've tried to do is make the building less planer. I think conceptually the building was a series of simple planes with the frames more or less attached on to them. We've tried to really breakdown the planes of the building by articulating the bays using the balconies as negative space. Then once we've done that negative movement actually having the frames, sort of, accentuate those balconies in areas where the residents can step out onto the balcony and appreciate the warmth and the texture of the wood. You can see that the frames are still there but they are much more subordinate to the overall massing and the articulation of the volumes of the building itself. Board Members Lew and Thompson both touched on the fenestration approach of the building previously. As you can see previously, we had the concept as sort of a punched window approach with the frames being the dominant element. Those windows were really at a standard sill and header height, not floor to ceiling. What we've done in conjunction of with the redesign was really run the glazing from floor to ceiling where possible. In so doing, I believe that's really helped articulate the rhythm of the elevation. Where we have spandrels where floors occur, we are actually going to propose spandrel glass so that the idea of a continuous window happens in conjunction with these white elements here, which represent bedroom bays. Board Members Hirsch and Thompson both had concerns about what we call the rear elevations. This would be the Mountain View elevation on the top and the north elevation at the bottom. What we did in response to that was we carried the A-B rhythm of the bedrooms and the balconies around to both of those subordinate elevations. We've also carried the similar material palette along those two elevations as well. Board Member Lee has some astute comments about the ribbon. Specifically, she suggested thinking about the

ribbon as a space making element, not just as a graphic; think about what it can do in terms of signifying entrances and corners. We really looked at that very carefully in conjunction with the overall redesign. We really feel that that comment was well taken and we have really taken it to heart. The ribbon now, I think, has been refined. It really runs from one street-facing elevation all the way around to the other. It really begins to enclose and demarcate some of the more programmatic elements of the building, such as the bicycle storage area, the lobby, the corner of the building, the parking garage, and even the fire exits along both rear elevations. Board Member Lew had some comments and concerns about the scale of the residential lobby and felt that it was an opportunity to make a separate design element. We took that to heart as well. What we basically did was we tried to articulate the lobby and the unit above that as sort of a glass hyphen. We also pulled back the rooftop terrace element, the canopy of that, which provides a little bit of shelter for the roof garden. We made that a subordinate element as opposed to before where it was pulling forward. We have since pushed that back and it is handled a lot less massively now. Here you can see how the ribbon really articulates the entry and divides the residential from above to the public entrance below. There were comments about the overall material palette, specifically concerns about the hardie board being not high-quality material, and then the overall palette not feeling very warm. We eliminated the hardie panel altogether. We've retained cement fiber panel but we are using a high grade of cement fiber panel, a product called Equitone, which you have all seen. We are going to articulate that in sort of a triangular motif running the grooves of the Equitone in different directions. Then continue that motif up to triangular [distortion]. I think in general we've also really attempted to warm up the elevation. We sort of have a white neutral background and a grey neutral background highlighted by the frames, which we're proposing to do in clear stained redwood, and the warmth of the Corten ribbon, both of which I think are much more articulated now.

Chair Baltay: Excuse me, Architect Sakai, you have now been three minutes over. How much more time do you need?

Eugene Sakai: About two minutes.

Chair Baltay: Okay, let's make it no more than that, please.

Eugene Sakai: Thank you. You've seen this materials board. I think overall we feel that our project does tie in form-wise and scale-wise to recent projects. Here we have the Marriott, the Taube Koret, and then a mixed-use building further along up near the San Antonio Shopping Center. The redwood was actually inspired by the Baylands and its use of weathered boardwalks. We do anticipate that this redwood would weather and we don't anticipate it being shiny brand new. We actually want this sort of weathered look to occur. The floral chrysanthemum pattern was already touched on but that is a significant part of our landscape design, as was mentioned. Moving on to the private courtyard, we've really attempted to activate that from the previous design, which is shown here. We know have a distinct quiet seating area. We've deepened the planters alongside the residential units to provide more privacy. Introduced organic forms as opposed to rectangular, and we've got some functionality with the bike wash area and then actually an exercise area with some stationary equipment that can be used. We've opened up the courtyard, we've pulled back these roofs on the fourth-floor balconies so that more sunlight can penetrate, and we've used a lighter and brighter color palette. We've also revised our bike layout. We brought more bikes to the glass and reorganized how those bike rooms work. Lastly, Board Member Baltay had concerns about the functionality of our drop-off area, so we've changed that from a duck out to basically these loading zones if you will. There is one each on Leghorn and San Antonio, both of which are over 40 feet long. That's it. Thank you very much.

Chair Baltay: Thank you very much. Nice presentation. Do we have any questions for the applicant from any member of the Board? David?

Board Member Hirsch: Yes, I have a question for them. The use of the Corten, could you describe that a little bit? How are those pieces going to be put together? What are they?

Eugene Sakai: Like most metal products, they come in panels which lock together. In our packet, we provided a few standard details of how these panels fold and lock in together. They will be mounted over

framed and waterproofed substrate. For all intents and purposes, they are essentially acting as a rain screen. I'm not sure if that answers your question.

Board Member Hirsch: They come as panels that will be complete in turning the cornering? They're not screwed through? They're hidden? Fastened?

Eugene Sakai: The fasteners are hidden but the panels typically do not turn corners. There are trim pieces where the panels come together, 90 degree trim pieces that would also be made of Corten. They are pretty innocuous once the building is up, especially at the scale of the building that we're talking about. No, the panels themselves do not turn the corner. There are trim pieces that do that.

Chair Baltay: If I could chime in. Do you have any preliminary details on how those panels are put on the building or how the corners are made in the drawing set we have now? Can you reference the detail for us? It's just a little hard for us to find them in the drawing packages.

Eugene Sakai: Sure, yeah. It was actually what we call a supplemental storybook that we put together and submitted, which I am not sure if you have. Does this look familiar to you?

Ms. Gerhardt: No.

Eugene Sakai: Okay, I apologize for that. This was something we submitted a while back.

Male: (Inaudible).

Eugene Sakai: Let me see if I can scroll down. Here is sort of a look of kind of a Corten steel. Let me see if I can find the detail. Another look here. You can sort of see at the borders how there's a little bit of a trim piece. This is actually our own office building here. Let me zoom in. We're very familiar with the product. You can see at the corners there is a trim piece but it's pretty innocuous. This is not our office. This is a different building but you can see there is sort of a framing effect that goes on with a 90-degree corner but it's pretty subtle. Let me see. Yeah, so you can see that the larger fasteners are hidden, and then you have some very small rivets that fasten to the face. This really only occurs where panels are too long and they come together, like at this instance here on our own building. That's what that vertical seam looks like. There would be some of these just because of the length of the rhythm. There would be some of these. I think the maximum panel length is somewhere around 35 to 40 feet. You won't have too many of these but there would be some.

Chair Baltay: Okay, let's keep moving along. Any other questions from anybody? Vinh, do we have any members of the public that would like to address us on this issue? On this project?

Mr. Nguyen: Yes, we do have two raised hands.

Chair Baltay: Okay, then I'd like to open the meeting to public comment.

Board Member Lee: Hi, Peter, I have just one quick question but I can do it after the public comment.

Chair Baltay: Oh, go ahead, Grace. It's important to get that out.

Board Member Lee: Sorry, okay. I just wanted to ask the applicant... thank you for showing the storybook since we didn't receive it. The Corten steel panels typically have this lovely green rust over age and over time and I just wanted to make sure in terms of your comments on the Corten what would happen over time to that material?

Eugene Sakai: The Corten would rust -- I'm not sure if I'm still sharing my screen -- to a rich brown color much like what I showed on our own office building. What we've seen is it gets to that point within about a year and it kind of holds its color. It does darken as time goes by but really not that much. It reaches this sort of dark brown color pretty quickly.

Board Member Lee: That's helpful to know. Thank you.

Chair Baltay: Thank you, Grace. Okay, any other questions from the board? Let's move on then and open the meeting to public comments. Vinh, if you could help queue up the first person, please.

Mr. Nguyen: Yes, our first speaker will be a phone caller with the last four digits 5960. Then our next and last speaker will be Rebecca Eisenberg. Can the phone caller with the last four digits 5960 can you please identify yourself, and then you have three minutes to speak. Hi, phone caller with the last four digits of 5960, are you there?

Ms. Gerhardt: Vinh, is there anything special they need to do to unmute when they're on a phone call like that?

Mr. Nguyen: It should be unmuted when I unmute them. I'm not sure if we're having some difficulties here. Let me try that again. Yeah, usually for a phone call they wouldn't have to press anything. They just have to start speaking when I unmute them.

Chair Baltay: Let's go on to the next speaker, Vinh, and you can come back to them once more.

Mr. Nguyen: Sure, the next speaker will be Rebecca Eisenberg. Rebecca, if you could please unmute yourself on your computer, identify yourself and you may speak for three minutes.

Rebecca Eisenberg: Hi, this is Rebecca Eisenberg again. It's R-E-B-E-C-C-A, last name, E-I-S-E-N-B-E-R-G. I actually just have a couple of questions, not comments. It has to do with basically the size of the units that are being constructed. I first noticed that this project was under works at the Planning Commission meeting last week. Forgive me if I just couldn't find this information in the files. Of course, like with most projects, there are a lot of them but I was very curious in particular about the size of these units that are going to be, I guess, rented to the public, including the 16 that are going to be offered at below-market rate. In particular, I think I saw if I remember correctly the earliest version of this proposal had something like 64 proposed units. Then the version that first included the 16 below market rate units increased the number of units up to 102 and within the same size of, you know, space. I think, to me, it would be useful to know... I assume that the Architectural Review Board does the inside of buildings as well as the outside. Given that these units are described as family units and that I think it is intended that the 16 of them below market go towards delineated minimums of home production. I wonder if there might be some sort of minimum size requirement with that too. For example, when I did the math I came to the average size of each of the 102 units would be 600 to 700 square feet, which doesn't strike me as big enough for a family. Also given that especially the majority of the units I think are going to be the one-bedroom with 66 one-bedroom, only four two-bedrooms, and then 32 studios, which I assume are one room. Also, I had noticed references in the record as to the so-called micro-units, which I guess are below 450 square feet. I guess our code allows micro-units not to have parking requirements. I just think that it might be helpful to have a little bit more information about the inside and the size of the units, as well as the outside since these are places that are hopefully going to help house the many people who still desperately need housing in Palo Alto. And the final thing is I want to say thank you so much for building housing. I know we all agree how much we all really need housing and that the houses crisis is the worst it's ever been in history, and that we have these State requirements -- which, by the way, is one reason I brought up the 65 residential lots for Castilleja but that was another thing. Anyways, I am very grateful when developers, like you all, actually do make sure to stay true to our requirements. Really that's it; just questions about the units inside. Thank you for your attention and your time. Bye-bye.

Chair Baltay: Thank you, Rebecca. Vinh, are you able to bring up the second caller, please?

Mr. Nguyen: Yeah, let's give it a second try. Phone caller with the last four digits 5960, if you're there can you please identify yourself and then speak.

Ms. Gerhardt: Vinh, I am seeing like a muted symbol. I wonder if they're on a smartphone and need to unmute themselves?

Mr. Nguyen: Yeah, that's certainly possible as well. If you're on a smartphone can you please unmute yourself? There should be a button that says unmute or mute at the bottom. You should also be getting a prompt from Zoom as well saying that the host has unmuted you.

Ms. Gerhardt: I still see it as muted. I think there are some technical difficulties.

Chair Baltay: Let's close the meeting to public comment and bring it back to the Board. Before we get started, the applicant will have a chance to rebut the comments that were made. Maybe Mr. O'Hanlon would like to address the comment the neighbor mentioned about the size of your units. Would you like to speak?

Ted O'Hanlon: Yes, thank you very much. The unit sizes range from approximately 500 square feet for the studios. The one-bedrooms range in size from 600, or so, to 700 square feet. Then the two-bedroom units have a range of 900 to 1,200 square feet. Industry-wide, the term multi-family is kind of used interchangeably when we talk about either rental or for-sale condo units. Some considerations do provide more of a family-style but the idea here is that it is multiple dwellings within a similar development; not so much that we're construing this to be a family-based development. We actually went in the opposite direction as we continued along the way of what might be a good residential opportunity here from larger configurations of units with one and two-bedroom units to really pushing this more towards a single and dual occupant scenario with, again, really heavily skewed towards the studio and one-bedrooms. I hope that is satisfying for Ms. Eisenberg and I'd be happy to talk with her more about offline. Eugene, let us know if you have anything to add.

Eugene Sakai: Nope. You said it perfectly, Ted. Thank you.

Ms. Gerhardt: Thank you, Ted, for the definition of multi-family. It does not necessarily mean a family, it just means multiple units. Thank you for that. Also, just to clarify that we do have accessory dwelling units that can go down to, I believe, it's 220 square feet. That's truly the minimum size for a unit. As far as the purview of the ARB, they really do not get into the interior of the buildings unless it's related to the organization of the building and circulation and things of that sort. Thank you.

Chair Baltay: Thank you very much, Jodie and Ted. Let's bring this back to the Board for discussion then. Perhaps, I could ask Grace to start us put today.

Board Member Lee: Thank you. Thank you to the applicant for that wonderful presentation. I'm sorry that we didn't receive the storybook. That is one piece that I didn't receive. We can start there. But I do want to take a step back and say how terrific that we are reviewing this project for rentals in the Housing Incentive Program, and also the possibility of condos and the BMR's in the future. My comments are brief; full support of this project. Happy to recommend it for approval. In terms of the avenue for that, I just wanted to make a couple of comments and I appreciate how you have actually walked us through the beginning, and then the middle, and now the third hearing. There has been quite an evolution in terms of -- very positive, in term so of how the edges are reading and how you responded to fellow board members. A couple comments; when we talked about the material palette, my initial thoughts when I went and saw the materials board and saw the move to the Equitone panel was just -- it's just that I always hesitate at corrugated. In terms of that vertical element. I think it actually really helps with the scale and works well with the Corten steel but I do want to talk about maintenance and just how these panels and materials age. First off, the warmer palette, responding to comments, and then the more simplified approach in each elevation very much in line with the way that I hope others also approve. The one hesitation I had is when we go to the frames in terms of that Redwood. I understand that it is something that is reminiscent of the Baylands and that it provides a terrific accent and what's even better is its space-making. You've actually created an edge and it comes inside and creates the balcony there for the users. I'm a little bit on the fence there just in terms of knowing that it will not age so well, and how it looks in relative to the other materials that might maintain their look with age. I've just seen some developments where you just have one material and it's an accent material and it just doesn't hold together well. I wanted to just bring it to my colleagues for discussions. And maybe this is something that could be to subcommittee or maybe actually that is the way it goes to have this warm aged wood with the other pieces of the palette but I just

wanted to mention that. I am very happy to approve this project. I appreciate the changes that... the revised landscape design in the courtyard, and also including shade studies to know where shade will be and that you actually have active zones and private zones. The one piece I did react to... and I think the chrysanthemum paving is very appropriate here but I did notice the Japanese Maples, which provide such terrific seasonal color and will do well in the shade, sometimes its good to have something evergreen that's a vertical element just in the time when the leaves drop. Again, I don't have a strong feeling there. I think that it's much improved and the landscape will do very well in the way that you've redesigned it. I guess the last comment that I wrote in my notes, and maybe this is not appropriate, but I thought that the bike ramp was very long and wide. Of course, it's going to be long but I just question the width, and that's properly because two bikes are going to passing each other. I'm not a bicyclist and so maybe that's... I wonder if you'd want to give more to landscaping with the width of that ramp and its prominence as part of your entry landscaping. I believe my comments are very minor. I'm happy to move this project forward. Thank you for the application.

Chair Baltay: Wonderful, Grace. Thank you very much.

Mr. Nguyen: Peter, if you don't mind can I just chime in real quick? I just want to address the missing storyboard book. I will take responsibility for that. We did have that originally included as part of the staff report. Somehow there was a glitch and it didn't make it in and I didn't catch it in time. I will upload that to the website right now and I will also email it to you guys as well.

Chair Baltay: Thank you, Vinh.

Ms. Gerhardt: Vinh, I've already emailed it to the Board Members, so if you could just upload it to the web that would be... thank you.

Chair Baltay: Okay. Alex, do you want to go next, please?

Board Member Lew: To the applicant, thank you for the revisions. I think this was a pretty dramatic improvement and I can support the project today. I do have some concerns similar to Grace. I think that they are minor and I think that they could be resolved. One is I think I have a very similar reaction with the Redwood. I'm concerned that it's going to weather on a faster cycle than all the other materials. I was also concerned about the shellac finish. I was actually thinking that you would want something that would last a long time. I wasn't thinking that you wanted a weathered look. I have some concerns with the Redwood is that Redwood today also has a lot of sapwood, which I think is not desirable with regard to aesthetics, and also drought resistance. I think the Redwood would need to be (inaudible) to prevent tannin stains. Then on the Corten, I did look up that particular manufacturer. I think that looks good. In the past, the ARB has been concerned about staining from the Corten onto adjacent areas. We do have some Corten on the Chipotle on El Camino near Page Mill Road. I did look at that and it does have some staining at the bottom. It stained the concrete planters down at the base. It hasn't really stained the adjacent stucco areas. I think it's potentially manageable. I guess I would say that other Board Members have been really concerned about that issue. I don't really have that much experience with it but I will throw that out there. Second item is the signage for the retail space at the garage entry. I've seen a lot of mixed-use projects in the South Bay as well as Emeryville and they usually are pretty good about providing prominent signage so that people understand where to park. We have had problems on the College Terrace Centre on El Camino in Palo Alto where there were a lot of public complaints that they couldn't figure out where to park and how to get down to the garage. The third item is the bike wash area in the courtyard. I guess I would just throw it out there that for me it would be okay for it to be in the garage. When you're cleaning bikes there's lots of degreasers and latex tire sealants and stuff, and it seems to me you wouldn't want that on pavers in the courtyard but that might be acceptable then in the garage. I would just throw that as an option for you. Then the last item that I have is on some of the trees along San Antonio. I think you're proposing the new Blue Oaks to be mixed in with some of the existing Southern Live Oaks that the City planted along there. I think I understand that that's you picking a native plant but I was thinking out loud and wouldn't it make more sense to make use a non-native species to match the rest of the street? From my point of view, the Southern Live Oaks are non-natives but they are wildlife-friendly because they make acorns, which is a food source. It's a really important food

source. Sometimes also when you use a non-native plant they're on a slightly different timeframe as the native plants so that actually can be a benefit in some cases. I do support the project. I think the massing revisions are good. I think the window revisions look good. The second level of parking makes sense. I do support the project. That's it.

Chair Baltay: Thank you, Alex. David, your turn. Dave Hirsch, you're still muted.

[Adjusting Audio.]

Board Member Hirsch: Improved project. Much like my cohorts here have said, I think it's coming along very, very well. The Leghorn setback: I think we should be happy that you've done that and that there's planting in between and its better sighting of the building. I am very happy that there are parking spots for people dropped off places both on Leghorn and San Antonio Road. I do wonder how you're going to secure those if they're regular street parking spaces. Will there be signage saying ten minutes only or how is that going to be done? Maybe, later on, somebody could answer that question. Jodie says we really don't talk about the inside but one thing that struck me that I thought might be an improvement -- I dare to say it and then you can choose to think about it anyhow -- is that the back of the lounge area on the ground floor might include the elevator that gets you up to the fourth floor there. It's more of a midpoint in the building so you don't have to get to The second elevator going to the far back of the building there. That corner is more democratic to where everybody wants to go at the back of the building. Maybe you would give some thought to that. That would animate that lobby area too. I don't think it would necessarily take away from the decks and the open space for the units that face that courtyard. I think, by the way, it certainly is terrific that you are using the courtyard that way and that many units are able to partake in that aspect of the building having a big open court like that. The resident lounge on the top floor, I think that's a tremendous improvement over what you had started with up there. I think that space will be used. It's definitely going to a building for younger people. That open space will be constantly used. It's planned in such a way that, as you say, step down the building it's very nice as it sets down. The roofline now of the upper roof over the lounge area really integrates all of that open space very well. I would like to ask somebody to put up the elevation of the front of the building. Could we do that, Jodie?

Ms. Gerhardt: Yes, Sheldon should have the presentation.

Board Member Hirsch: At the same time, if it's possible to put up the side of the building as well. Probably the Leghorn side, which I think is quite nice. Okay, well that's good. You can see around the corner. Whether its Corten or not at this point, Alex's point is really well taken. Whenever I've seen Corten it discolors the ground concrete and it's really not possible to get it clean. Now you may in your office at your own building there have it in the planter or something down below and not have that kind of a problem, but here there's going to be a concrete pavement. Corten has its problems that way. I suggest that you really look into it and see if some sort of a more finished panel wouldn't work better for something like that area. I'm concerned that you're making... at one point I think I might have said why don't you just make something out of the corner or more of it out of the corner, and here you certainly have. What you've lost in the process is the fact that those two-bedroom units, those really big unit -- although the bedroom has a deck to it -- doesn't have any residential life to it at all up above. That might be a problem on the first floor up but it certainly isn't a problem further up. I think the building would be improved by creating a more friendly feeling to that corner. It really almost looks too commercial to me. Since the rest of the building has a really nice friendly feel to it, I think the corner needs something more. Then secondly, if you could then show the face of the building all the way down. Let's see. Can you slide it over so I can the... the final one is further over. It's interrupted by our faces here. Okay. That's good. You are missing a great opportunity here to connect everything up I think. The ribbon really ought to be more continuous. I really have a problem with this all of a sudden vertical window and all of a sudden these interruptions, especially to the right side of the entryway to the building. I think you have a chance to really integrate all of that together in some way. I don't think I should tell you how but if you connect up the right-hand ribbon with the entryway I think you will have done it. At that point, the building will have been a success but it really will take reorganizing some of the four-story elements as they break down to the three-story elements. I think you just need more thought in the way those two connect to each other. I think the commercial space is now working pretty well. The setback is going to work well. taking it around the

corner is going to work well but not connecting the end to the middle and sort of directing everything towards the entry of the building is a mistake in my mind. The scale of everything up above... if it had more of the left side of the entry there with the projections, etc., I think it would be a much better connection and a much stronger building. It sort of does this asymmetrical thing all the way through. It kind of related asymmetrically to the right-hand corner where the upper balcony just pulls you off to the left. That's a dynamic that I think is a missing piece of this building here right now. What are we looking at when we're looking at the white portion of the building? I would certainly hope you could tone that down a bit. Even in the previous project we just looked at, we had a problem with the contrast being altogether that strong. My feeling is that it shouldn't be all that strong. The whiteness of it is way too white for me. I would rather see some earthy tones or some hint of an earth tone in the basic stucco look of the rest of the building there. The all of a sudden there's this intrusion of the cement fiber, and really all of sudden there's another diagram that's this diagonal piece to it. I just don't buy that. I think that the building... that's an added element that really does nothing for you. The vertical window bothers me. The verticality of everything on that side doesn't really work very well. Sorry, they're watering the next to me so there's an interruption with the sound. That's my biggest concern. I'm very happy with what you did with the scale around the building all the front, back, side, you know, all of those sides. I think they work very well. Really, this is the only area of the exterior of the building that I'm having a problem with. Let me just check my notes here. The use of that lobby, I think you need an exercise room in the building this size. I would not put that kind of usage into a big open space there. Can't you wash the bikes outside somewhere as well as maybe within that room... I mean it's a big, big bike room. It's a terrific facility for these people to get around. I'm really in love with the idea of that but I think that washing a bike in the public or exercising in the public... that should be a different kind of an area. And I repeat that I think it would be really terrific if it had an elevator in the back of it for convenience sake but others have to agree with that idea. I'll leave it up to you to think about it. Patterning of some of the fiber cement is a problem. Connecting the ribbon, and the metal issue as to whether Corten is really the right material. I'd like to see you think about other forms of metal that won't have a weathering problem but would also look good metal to wood. I think that's about it for me.

Chair Baltay: Thank you very much, David. Osma, it's your turn, please.

Vice Chair Thompson: Thank you. We can keep looking at that façade but maybe we can make them all three with the way they were because I do have comments on that as well. Thank you to the applicant. Thanks to my Board Members for their comments. Sheldon, I will ask you to maybe resize that picture so that we can see all of them next to each other because a lot of what David said is a lot of what I believe as well. I really appreciate the applicant taking our feedback on the three remaining sides, and developing those to a similar level of detail. The only issue I had with that was on the east rear elevation, which is actually probably not in your presentation, Sheldon. Oh, there it is. The far-right part of that elevation, which I believe is the part that people would see driving through San Antonio going the other way, that's a very blank façade that looks like it just may have been forgotten in this development. Other than that part the other three elevations seem like they were developed well. Actually, I don't think I noticed that initially because it was the same color as the paper. I just thought the elevation ended where the lid ended. That's something important that's worth picking up. In general, it's really tricky because I really want to want to recommend approval of this but there are so many problems with this façade that I'll get into here in a second. I think Board Member Hirsch mentioned a lot of that; give me a lot of pause. I mean, I want to approve this on principle; this is housing and we need housing but aesthetically this project is very messy. The façade on San Antonio is very messy to the point where I was looking back at these previous versions and thinking at least these previous versions had aggressiveness to this. I could find myself in this moment more willing to approve one of these other two versions more than what we have in front of us today. I think part of the reason is because the cohesion is lost in this new updated version. In the other two, there was a real clear partis where the ribbon, at least in January, has this connectivity. It has a similar thickness. There's this balance between what's above the ribbon and what's below. In the updated version the ribbon changes thickness and so it has a different character and it doesn't connect to the other parts of itself. It kind of loses steam and it loses its position as this parti diagram for this elevation. It's problematic to say the least. Then the other issue is that there are way too many different materials. I think what that does is it sort of crowds the aesthetic. I mean, you have Corten, you've got wood, you've got stucco, you're got cement fiber, now you have spandrel, which I hadn't noticed before but then you

mentioned it in the presentation. It's all over the place. Something that was nice about the January scheme was that it was really simple. There were three elements. There either was the perforated metal and the other things and that brought a human scale, which I think I remember mentioning last time. I was really sad to see that go because I don't think that the cement fiber panel brings that level of scale that the perforated metal did, which I think is really important. Like that human scale element is important to in a façade. And what David mentioned, the proportions are a bit whacky on this façade. There are some really tall skinny elements that are juxtaposed next to some mid-sized, mid-proportioned, elements. I will say that the other three facades that mentioned those proportions read really well especially in the context. I think those other three proportions make a lot of sense, except, of course, for that white blank space that's facing San Antonio. But on the front here it's a little hard to follow. I think a lot more work needs to be done here. At the risk of belaboring my point a little bit too much, I think a lot of what Board Member Hirsch's comments sort of echo what I was saying. The proportions of the front of the façade of the building are extremely problematic. They need a lot of work and I am not quite sure what to do because I know that this is an evolution. I wonder if maybe some previous comments were not... I almost wish the applicant had listened to some of the praise that we had said last time around and kept some of those things because it sort of seemed like you threw the baby out of the bathwater and here's something. I don't know that it really works. I will leave my comments at that.

Chair Baltay: Thank you, Osma. That leaves me wanting very much to get this approved today. I think that as much as I agree with Osma's sense and David's sense about the design, I think it meets the minimum standards, and there's a limit to which we can pushing for it. What I'd like to do is try to see if we could get a subcommittee review, and perhaps address some of your concerns, which are legitimate and maybe make it such a tad better. My only two real concerns going into this were that I think the redwood frames are just a terrible idea. That will look bad before you finish building. It just isn't viable. There must be some other material that has a warm tone that will last a lot better. I'm trying to find my notes here. Then I would like to see more construction details -- that's a pet-peeve of mine -- of how, for example, those Corten frames follow all those curves and angels and stuff. As I listened to David and Alex speak, I think the Corten may just not be the right material. It's complicated and it's expensive. It's really tricky to use that material when you have so many corners inside and out and intersections and stuff. Then the fact that it does stain and it's all over the place is also a problem. You can achieve the same design effect with any number of other materials. Even a painted metal would probably get you there. Overall, I think the design does meet our minimum standard. What I would like to do is see if someone's up to making a motion to having this reviewed through a subcommittee. I'd like to see if Alex or Osma, either one of you are interested in doing that with a clear list for the applicant.

Vice Chair Thompson: I have a question for the board.

Chair Baltay: Sure.

Vice Chair Thompson: How does the Board feel about this evolution as it relates to what was previously viewed? I understand that we want to review this but is.. I'd like to hear the rest of the Board's feedback. Would it be viable to say something like closer to the January design might be more appropriate for San Antonio than what is currently proposed?

Chair Baltay: I tackle that first, Osma. I didn't hear the Board saying that, and I personally think this is the best design yet by far. I think it's got so many things going for it that's much better than the previous designs. I'd be reluctant to go back that way.

Vice Chair Thompson: I guess I mean just for the San Antonio façade. Not for the others.

Chair Baltay: Yeah, I'm referring to the San Antonio façade. The back facades are improved but they were terrible to begin with.

Vice Chair Thompson: Yeah.

Board Member Lee: I'm happy to chime in.

Chair Baltay: Yes, go ahead, Grace.

Board Member Lee: I am sorry that in my comments I didn't address a couple of points and I just want to make for the record, I believe the San Antonio elevation is much improved. It's greatly improved and in my mind ready to go. I feel like we should approve this project but I want specifically say that the changes that they have made to the brow or this line that is a warm line right now in Corten, to me, is much more effective in the way it turns the corner. I also feel like the corner is improved at that important San Antonio/Leghorn with the retail below. I'm sorry I didn't include in my comments but I did want to chime in now.

Chair Baltay: Thank you, Grace. Does anybody else want to address Osma's question about our opinion of January to current on the San Antonio elevation? Okay. With that, I'm going to come back to my thought, or hope, that we can get...

Vice Chair Thompson: I think Board Member Lew wanted to say something.

Chair Baltay: Alex, am I cutting you off?

Board Member Lew: My computer's overheating so I turned off the video and I just turned it back on. What I wanted to say is when I look at facades, especially long urban facades, I actually look for some chaos and more elements than I would want than just looking at it on a piece of paper. That's just based on experience in working on big projects with long facades because I usually see that architects can [distortion] too much and make it too much alike. I actually do look for more. I do recognize that the San Antonio façade does look a little bit jumbled but I professionally prefer it that way.

Chair Baltay: Thank you, Alex. That's very clear. Alex, are you interested in trying to make a motion for us which incorporates... I thought you had a good list of corrections and maybe if you feel comfortable picking up a few from Osma in the hopes of gathering five votes to sending this to a subcommittee?

Board Member Lew: I've been making a list. I guess my question is for the Board is really how strong do we want to word it? Do you want to say that some of these materials shall be substituted with other materials? Or are we saying consider using other materials?

Chair Baltay: I think the idea is that the subcommittee level will make that decision. I would make a strong recommendation.

Board Member Lew: Okay, so were saying it's to strongly consider.

Chair Baltay: Yeah, I think...

Board Member Lew: [Distortion].

Chair Baltay: The subcommittee will reject the use of redwood. I'm fairly certain of that. I don't think you need to even say that. The Corten could go either way. To me, it depends on the detailing and when they resolve the question of staining. That's what I've heard from the Board. I think we can trust our subcommittee to check those items.

Vice Chair Thompson: Plus the cement fiber I would contest.

Chair Baltay: I think there's a number of items, so if we could just make a list of what were trying to get to the subcommittee. Osma, would that leave you feeling better about it if we could put that stuff out there?

Vice Chair Thompson: Better, yeah.

Chair Baltay: This is going to go to the City Council. It's got a lot of people behind it. It's a big deal kind of project. Having strong support from the ARB is important. I want your part of this.

Vice Chair Thompson: I really want to support this but I can't also say that this is optimal for this location in terms of aesthetics because...

Chair Baltay: Is there enough we can put on a subcommittee list that you might be able to put your vote there? Would you like to make try to make a motion, Osma?

Vice Chair Thompson: This is too difficult I think.

Chair Baltay: I don't want to force you. Whatever you think is your prerogative.

Vice Chair Thompson: It sounds like we're asking for, sort of, a change out or at least considering changing out the Corten, the wood, maybe the cement fiber panel. Then David did mention that the white was too white. He was looking for more earth tones. I don't know how the rest of the Board feels about that.

Chair Baltay: I think if we put those four as recommendations that the applicant can reconsider those and the subcommittee looks at them... you could be part of that subcommittee even. I think that would give you a good sense on that. I think you could also say recommend that the ribbon is a uniform thickness. Over the front door it was thicker and that breaks the effect. You could ask them to study that large vertical window. I don't any of those things are problems for the applicant.

Vice Chair Thompson: That would help, I think, if the ribbon was a uniformed thickness.

Chair Baltay: Those are all very good points you've made.

Vice Chair Thompson: How did the Board feel about David's comment about the corner and adding a bit more residential liveliness to that corner? I thought that was insightful.

Chair Baltay: I'm just not sure how you get there quickly on that one.

Vice Chair Thompson: Looking at the plans, it looks like that corner is a living room.

Chair Baltay: It is a living room. That's right.

Vice Chair Thompson: There is no outdoor space. Maybe a balcony would help or something that might liven that corner.

Chair Baltay: There's a balcony just to the left off Leghorn, which is an appropriate place for a balcony, really. That's a busy street there.

Vice Chair Thompson: Can we see a corner view, Sheldon?

Ms. Gerhardt: Chair Baltay, did you maybe want to do some straw pulls just to see how everyone's on a particular subject, or is it easier to talk it through?

Chair Baltay: I think I know how everybody's feeling on it. I've heard Alex and Grace they are in favor of the project, more or less, the way it is. I've heard David and Osma say they really would like to see some changes. I'm the guy in the muddle. I want to get this approved today. I want to make whatever changes we need to get the votes. Does anybody disagree with that basic statement?

Board Member Lee: I think that's all good, Peter. I do want to mention that I don't believe that we asked the applicant for balconies on the corner at our previous meeting. I just want to be fair to the applicant in terms of adding those asks when we didn't ask that at a previous meeting.

Chair Baltay: Osma, can you see the balconies on the right-hand side? Those are the bedroom balconies. It's kind of a nice place for them.

Vice Chair Thompson: I see them. Maybe the comment is not to add balconies add the corner but maybe just to create more relief on that corner. It feels really flat in this view. Maybe the material choice would add to that.

Chair Baltay: Okay. I'm looking for somebody to step up and make a list. I will do it if nobody else wants to. Is that the preferred way to go?

Vice Chair Thompson: Alex, did you have a list?

MOTION

Board Member Lew: I will make a motion that the ARB recommends the project to Council with the following six items return to subcommittee for consideration. The first is to reconsider the Corten material, and/or provide details. Two is to consider a substitute for the Redwood material or provide more information on the maintenance and life cycle of the proposed material. The third is to reconsider the bright white paint and consider something more earth-toned or earth-toned. The fourth is to consider making the ribbon item a uniformed thickness. The fifth one, I'm not sure how to word it, but I would say consider making the corner more -- how do we want to say it?

Vice Chair Thompson: I would say consider adding visual relief on that corner or architectural relief.

Board Member Lew: All right. That could be maybe changing the cement board or something.

Vice Chair Thompson: Yes.

Board Member Lew: I will say this, there is a glad corner near my house just like this project and the owners have put in these very elaborate cat towers. The fanciest ones I've ever seen and then the cats it the in the corner all day long hanging out. I said six, but I think I only have five items there.

Chair Baltay: Alex, you had talked about the bicycle repair thing and the trees. Do you want to try to put those in? I don't know there's much dispute on those.

Board Member Lew: The bicycle wash is just an alternate, so there's an alternative option they could use in the garage if they want to.

Chair Baltay: It's fair to make that part of your motion.

Board Member Lew: That would be item number six in the motion. Then I think item number seven, which is the Blue Oaks, I would say review that with Urban Forestry.

Chair Baltay: Okay.

Board Member Lew: I don't know either way which one would be better. I don't know if they've reviewed it already.

Board Member Hirsch: I know there's a motion. Can we comment on it?

Board Member Lew: Somebody needs to second it first.

Chair Baltay: You need to second it first.

Board Member Hirsch: (Inaudible).

Chair Baltay: I didn't hear that. David, are you seconding that motion? You can still add an amendment to it after you second it.

Board Member Hirsch: Okay, I'll second it.

Chair Baltay: Okay. The motion is made and seconded. Does anybody have any amendments they would like to add to that motion?

Board Member Hirsch: I'd like to make a comment that we talked about the ribbon being a specific width dimension but looking at this image here we don't need the ribbon at the top of the building do we? That would be wrong. The top of this building has a thickness at the corner but a successful ending. It does at the main entry as well. When you say the ribbon dimension, it's only when it turns into a ribbon vertically or horizontally but not at the top of the building or at the top of the entry.

Chair Baltay: I think what Alex is referring to, and what I was certainly mentioned, is just the thickness of the ribbon over the entry lobby. It seems to be about twice the thickness of the same thing everywhere else. Osma had pointed out that it just looked more haphazard that way. That's what I believe. Alex, is that what you're referring to in your motion? Right here in the center of the current drawing.

Vice Chair Thompson: They vary in thickness.

Chair Baltay: Yes, it's true. They all vary but they ought to look at making them the same if they could. That's what the concept is. It seems like that could be done without too much trouble. David, does that address your comment?

Board Member Hirsch: I just want to make sure that we're not talking about the top over the doorway/entryway on the second level or the one that goes to the very top of the corner coming around. We don't want that the same thickness.

Vice Chair Thompson: We do. That's a comment.

Board Member Hirsch: No, I don't agree with that. I wouldn't second that motion. I don't think the top of those pieces should be the same.

Chair Baltay: David, it needs to be the same or be different?

Board Member Hirsch: No, I think it has to be different.

Chair Baltay: I see. Okay. The motion called for it to be the same. I think Alex is trying to address us collectively. Are we better off just removing that from this motion or do we lose support because of that?

Board Member Hirsch: You lose my support because...

Chair Baltay: Guys, we want to put this to the City Council in a way that pushes housing forward in the City. We want to give support and not quiver over things that are secondary. Whatever you think.

Board Member Hirsch: Wait a minute. It's a balcony over the second over the entry.

Chair Baltay: That's right.

Board Member Hirsch: It's a balcony. If there's going to be a ribbon then it's going to have another piece on top if that makes it into a balcony. Is that what you're saying?

Vice Chair Thompson: Yeah (crosstalk).

Chair Baltay: There is going to be a safety railing on top of that, of course.

Vice Chair Thompson: It could have like glass or something else that's not the ribbon.

Board Member Hirsch: What about the corner?

Chair Baltay: I would think that the thickness of the ribbon be 12 or 18 inches. It should be the same just so that it wraps the whole building all the way from one end to the other. Again, there might be a parapet or waterproofing detail behind it. We're not saying it absolutely has to be that way. We're putting a subcommittee out there to check these things. That's all.

Board Member Lee: If I may, I believe we all feel very comfortable with a portion of our Board in the subcommittee. Would it be possible just to use the word consider so that we are asking the design to consider without a prescriptive...

Chair Baltay: That's what's in the motion I believe.

Board Member Lee: I just wanted to see if that might feel comfortable for David so that we can come to a consensus here.

Chair Baltay: David, does that work for you?

Board Member Hirsch: That works for me.

Chair Baltay: Okay, great. Any other amendments to this motion, David and Osma? How about the window?

Board Member Hirsch: The window in terms of a balcony or something?

Chair Baltay: There's a vertical window to the right of the lobby that is distinctly different than the rest of the windows on the building.

Board Member Hirsch: I personally really hate that window.

Vice Chair Thompson: Yeah, I don't know what to do about it. Consider alternatives for that window.

Board Member Hirsch: Any alternative that the architects could propose to the committee would be fine by me.

Chair Baltay: Would one of you like to make a friendly amendment to add that to the motion?

FRIENDLY AMENDMENT TO MOTION

Board Member Hirsch: Amend the... I believe that's a window into a staircase.

Vice Chair Thompson: It's into the elevator lobby.

Chair Baltay: You could put a mullion pattern on it that lines up with the other ones.

Board Member Hirsch: I think it is a star itself at that point. I would say I would amend the motion to consider eliminating the vertical window.

Vice Chair Thompson: Could we say consider an alternative to the treatment?

Board Member Hirsch: Yes.

Vice Chair Thompson: Whether that is elimination or maybe...

Chair Baltay: We have a friendly amendment to consider either eliminating or modifying the vertical window to the right of the entry. The maker of the motion, Alex, are you okay with that?

Board Member Lew: I will accept that.

Chair Baltay: David, you're the second. Are you accepting that?

Board Member Hirsch: Yeah.

Chair Baltay: Okay. Are there any other amendments? Then we have a motion that's made and seconded. Before we vote on it, I'd like to ask the applicant if they understand what we're talking about here. Either the architect or the owner, do you folks have any questions or concerns about what we're trying to do?

Eugene Sakai: This is Eugene Sakai. No questions. I just wanted to point out that there was a reference to the east elevation being visible from San Antonio Road and it's not.

Chair Baltay: Yes, we get that. We're focusing on the main elevation here. We want to be sure that what we're doing is things you can put your heart into.

Board Member Hirsch: There's a window just like this in the San Antonio Road... or in the east elevation, sorry.

Vice Chair Thompson: here does that blank space happen?

Chair Baltay: I beg your pardon?

Eugene Sakai: It's on the east elevation. It's opposite San Antonio Road. It's not visible from San Antonio.

Board Member Hirsch: It's not visible.

Vice Chair Thompson: Oh, I see. That's on the other side. Okay.

Chair Baltay: That's facing Mountain View squarely.

Eugene Sakai: The window on the front elevation on San Antonio, could we just be certain which one we are discussing adapting.

Chair Baltay: Go back to the elevation, please.

Eugene Sakai: Is it the one to the right of the Equitone?

Chair Baltay: Yes, right where the cursor is now. That's the window.

Eugene Sakai: Okay.

Ted O'Hanlon, Project Manager: That's a stairwell window and we can certainly break that up. No problem.

Chair Baltay: I would think that's a straightforward enough adjustment. Okay. The motion is made and seconded. Vinh, can we have a roll call vote, please?

Aye: Baltay, Hirsch, Lee, Lew, Thompson (5)

No:

Absent:

MOTION TO APPROVE PASSES 5-0-0.

Approval of Minutes

4. Draft Architectural Review Board Meeting Minutes for July 2, 2020
5. Draft Architectural Review Board Meeting Minutes for July 16, 2020

Chair Baltay: Thank you, everybody. Wonderful. Thank you. Again, it's going to be great to get that one through. Can we quickly shoot through these last few items before taking a break? Does everybody have the stamina to just get us there? We have a couple of minutes to approve.

Vice Chair Thompson: I really need to go but if it's really quick then we can do it.

Chair Baltay: I'm trying to find my...

Vice Chair Thompson: I didn't realize we had minutes.

Ms. Gerhardt: We have minutes for July 2, and July 16 that we're asking approval for.

Chair Baltay: Jodie, I can't find the agenda in front of me. What is the wording of the agenda item there?

Ms. Gerhardt: It just says that its approval of minutes. It would be the draft Architectural Review Board minutes for July 2, 2020, and draft architectural minutes for July 16, 2020.

Chair Baltay: Got it here. I have it now. Okay. First one is the minutes from July 2. I'll move that we approve those as submitted. Do we have any comments or any adjustments to that motion?

Board Member Lew: I have some corrections.

Chair Baltay: Go ahead, Alex.

Board Member Lew: I think the project planner one of them is Emily Foley. It's spelled Faley, F-A-L-E-Y. I think it should be F-O-L-E-Y.

Chair Baltay: (Crosstalk). Isn't it, Alex?

Board Member Lew: It's actually on both sets of minutes. On July 2 minutes, on page 12 I was speaking in reference to Belomo's office. In the minutes its spelled Paloma's office. It should be B-E-L-O-M-O. Then on page 13, I think in the minutes it says Mr. Nguyen and I think in that section it was actually me who was speaking to the best of my recollection.

Ms. Gerhardt: I have those noted.

Board Member Lew: Great. Thank you.

Chair Baltay: Okay. The motion is amended to include those corrections. Do we have a second for the motion, please?

Board Member Lew: Sure. I will second.

Chair Baltay: Okay, moved and seconded. Can we have a roll call vote, please, Vinh?

Aye: Baltay, Hirsch, Lee, Lew, Thompson (5)

No:

Absent:

MOTION TO APPROVE PASSES 5-0-0.

Chair Baltay: thank you, Vinh. Next item is the minutes from July 16. Alex, we have your correction for Emily Foley spelling of her name. Is there anything else?

Board Member Lew: No.

Chair Baltay: I'll move that we approve those minutes with that correction. Can I have a second, please?

Vice Chair Thompson: I'll second.

Board Member Lew: Sure, I will second.

Chair Baltay: Moved and seconded. Vinh, can we have a roll call cote, please.

Aye: Baltay, Hirsch, Lee, Lew, Thompson (5)

No:

Absent:

MOTION TO APPROVE PASSES 5-0-0.

Board Members Questions, Comments or Announcements

Chair Baltay: Thank you very much. Next item is Board Member questions, comments, and announcements. Alex, can we push this off to our newt meeting?

Board Member Lew: Sure. There's no news.

Chair Baltay: No news. Great. With that, we're adjourned, everybody. Thank you very, very much; wonderful to get through all of this. We'll be in touch. Thanks, everybody.

Ms. Gerhardt: Thank you very much.

Adjournment