

ACTION MINUTES

Special Meeting
June 25, 2012

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:36 P.M.

Present: Burt, Espinosa, Holman, Klein, Scharff, Schmid, Shepherd, Yeh
arrived @ 7:00 P.M.

Absent: Price

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS
City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Pamela Antil, Lalo Perez, David Ramberg, Kathryn Shen, Sandra Blanch, Marcie Scott, Darrell Murray)
Employee Organization: Service Employees International Union, (SEIU) Local 521
Authority: Government Code Section 54957.6(a)
2. CONFERENCE WITH LABOR NEGOTIATORS
City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Pamela Antil, Dennis Burns, Lalo Perez, Joe Saccio, Kathryn Shen, Sandra Blanch, Marcie Scott, Darrell Murray)
Employee Organization: Palo Alto Police Officers Association (PAPOA)
Authority: Government Code Section 54957.6(a)
3. CONFERENCE WITH CITY ATTORNEY
Potential Litigation Relating to High Speed Rail
Government Code Section 54956.9(c) - Potential Initiation of Litigation - 1 Case

The City Council reconvened from the Closed Session at 7:21 P.M. and Mayor Yeh announced no reportable action.

06/25/2012

ACTION ITEMS

4. Public Hearing: Appeal of An Architectural Review Approval And A Record Of Land Use Action Regarding the Director's Architectural Review Approval Of A Three Story Development Consisting Of 84 Residential Units In 106,920 Square Feet Within The Upper Floors (Revised to 82 units in 104,174 s.f.), 50,467 s.f. Ground Floor Research And Development Area (Revised to 47,917 s.f. and including potential 2,400 s.f. retail space), Subterranean And Surface Parking Facilities, And Offsite Improvements, With Two Concessions Under State Housing Density Bonus Law (GC65915) On A 2.5 Acre Parcel AT 195 Page Mill Road And 2865 Park Boulevard. Quasi-Judicial (Continued from June 4, 2012)

Public Hearing opened at 8:29 P.M.

Public Hearing closed at 8:40 P.M.

MOTION: Vice Mayor Scharff moved, seconded by Council Member Shepherd to accept Staff recommendation to approve the Mitigated Negative Declaration and Architectural Review (AR) application for a revised, 152,091 square foot (s.f.) mixed use project with:

- (a) 82 rental dwelling units, reduced from 84 dwelling units by the elimination of two "2D" units (each 1,373 s.f.) resulting in 58 two-bedroom units and a floor area reduction of 2,746 square foot at the upper floors, and commensurate reduction in parking requirements by four parking spaces;
- (b) 47,917 square feet of ground floor commercial space (reduced by 2,550 square feet) for Research and Development (R&D) use (and potentially up to 2400 s.f. of retail use), resulting in a reduction in parking requirements by ten spaces;
- (c) An at-grade, landscaped plaza within a recessed building area, allowing for visibility and pedestrian access to the interior courtyard and "breaking up" the building along Park Boulevard, and related building modifications including additional fenestration and residential balconies.
- (d) Revised Record of Land Use Action
- (e) the applicant provide for at least a 1200 s.f. retail food and beverage establishment and the applicant use its best efforts to support the retail food and beverage establishment.

AMENDMENT: Council Member Schmid moved, seconded by Council Member XXXX to direct Staff that at least once a year for 3 years Staff will present the City Council with a report of the status of the toxicity monitoring of the past 12 months.

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER: to direct Staff to explore the ventilation and testing system of the internal residential housing units as suggested by a member of the public, and if Staff finds the system to be useful and feasible then it will become a condition of approval for the project.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER that the Architectural Review Board subcommittee review the design for the project regarding the fountain.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER that in lieu of a retail food and beverage establishment that the use of 2400 s.f. would be set aside for a public serving retail establishment other than financial, medical, legal and accounting.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER that the applicant shall either furnish not less than 1200 square foot retail food and beverage establishment and that the applicant use their best efforts to support the retail food and beverage establishment or provide 2400 s.f. which would be set aside for one or more public serving retail establishments, including but not limited to retail food and beverage, but excluding financial, legal, medical and accounting.

MOTION AS AMENDED PASSED: 8-0 Price absent

Council took a break from 9:48 P.M. and returned at 10:00 P.M.

5. Public Hearing: Discussion and Direction Regarding City Policy for the Use of Utility Substation Sites, City Hall and Other City Property for Siting Wireless Communications Facilities.

Public Hearing opened at 11:21 P.M.

Public Hearing closed at 11:30 P.M.

MOTION: Council Member Shepherd moved, seconded by Council Member Holman to accept Staff recommendation to direct staff to return to Council with a proposal, including resource impacts and required zoning ordinance

amendments, to allow for the secondary use and leasing of electric utility substation sites and City Hall to wireless communication service providers to better meet the community's need for such services. Council should specifically direct staff to:

1. Retain a wireless communications consultant/provider to further evaluate the technical and marketing feasibility of the utility sites, City Hall and any other sites deemed potentially feasible, including conceptual design for the towers and antennas;
2. Initiate zoning ordinance amendments to address height and site development standards for such facilities, and to provide for expeditious review of such projects and subsequent collocations; and
3. Explore and develop incentives for use of the facilities, including a ministerial permit review process, favorable lease rates, and streamlined utility and encroachment permit reviews, for consideration with the zoning ordinance amendments; and
4. Return to Council in 6 months with specifics of proposal and related ordinances.

SUBSTITUTE MOTION: Council Member Klein moved, seconded by Council Member Holman to continue this item to July 2, 2012 Council meeting.

SUBSTITUTE MOTION PASSED: 7-1 Yeh no, Price absent

~~6. Public Hearing: Adoption of a Resolution of the Council of the City of Palo Alto Approving the 2012 Rail Corridor Study Report and Amending the Transportation Element of the Palo Alto Comprehensive Plan to Incorporate Certain Findings of the Report (Staff requests item be continued to 7/9/12).~~

MOTION: Council Member Schmid moved, seconded by Council Member Shepherd to continue Agenda Item No. 6 to July 9, 2012.

MOTION PASSED: 8-0 Price absent

COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

None

ADJOURNMENT: The meeting was adjourned in memory of Ralph Libby and Professor Yeh 12:03 A.M.