



## ARCHITECTURAL REVIEW BOARD

MINUTES: October 19, 2023

Council Chamber & Zoom

8:30 AM

### **Call to Order / Roll Call**

The Architectural Review Board (ARB) of the City of Palo Alto met on this date in Council Chambers and virtual teleconference at 8:32 a.m.

Present: Chair Peter Baltay, Vice Chair Kendra Rosenberg, Boardmember Yingxi Chen, Boardmember David Hirsch, Boardmember Adcock

Absent: None

### **Oral Communications**

None

### **Agenda Changes, Additions and Deletions**

Senior Planner and Architectural Review Board (ARB) Liaison Claire Raybould indicated there were no Agenda changes, additions, or deletions.

### **City Official Reports**

1. Transmittal of 1) the ARB Meeting Schedule and Attendance Record, 2) Tentative Future Agenda items and 3) Recently Submitted Projects

Senior Planner Raybould reported that per the Board's request, future meeting dates were added to the Agenda and requested the ARB members let her know of any anticipated absences. Discussions have been in place regarding a possible retreat for the ARB on January 11, 2024. It would be a Thursday that would not normally be an ARB scheduled meeting, and the January 4, 2024 meeting will be cancelled. The retreat would likely be a couple of hours during the morning. If January 11 does not work for a retreat, she will set up a doodle pull for other possibilities in January.

Chair Baltay commented that a retreat is a formal gathering of the ARB, a public open meeting, and an opportunity to discuss things that are not Quasi-Judicial items. It often helps to provide an opportunity to discuss other items that don't require a public hearing. To that extent, it is important that everyone attends. It is helpful to inform staff if they are able to attend, and additionally provide ideas on topics to staff.

Ms. Raybould reported that upcoming meetings include the first formal study session for the Local Advanced Water purification system being proposed by the city and Mountainview and a housing project for 739 Sutter are scheduled for November 2. There will be a summary report for outreach on SB 9 updates

and the North Ventura Coordinated Area Plan (NVCAP) is scheduled to return November 16. The item scheduled for December 7 has been postponed until next year as there is more work that they want to do before having a study session, however there are a few other items pending for December 7<sup>th</sup>. There have not been any new projects added since the most recent ARB meeting.

Chair Baltay requested more information regarding the 739 Sutter project.

Ms. Raybould responded there was a preliminary review in November 2021, they came back with a formal application in June of 2022. Staff did not see revised plans for that project until April 2023. They are no longer subject to SB 330 requirements; however, they are streamlining under the Housing Development and subject to the Objective Standards and scheduled for an ARB review on November 2, 2023.

### **Action Items**

2. STUDY SESSION: 616 Ramona [23PLN-00231]: Request for Preliminary Architectural Review for Modifications to An Office Building Including a Partial Third-Floor Addition Utilizing Transferred Development Rights. Environmental Assessment: Not a Project. The Formal Application will be Subject to California Environmental Quality Act (CEQA) Review. Zoning District: CD-C (P)(Commercial Downtown-Community with Pedestrian Combining District). For More Information Contact the Project Planner Claire Raybould at [Claire.Raybould@CityofPaloAlto.org](mailto:Claire.Raybould@CityofPaloAlto.org).

Chair Baltay stated this item is a study session and disclosures are not necessary and requested staff's presentation.

Ms. Raybould provided the staff presentation for the preliminary study session review of 616 Ramona for façade modifications to an existing office building including a partial third floor addition utilizing transferred development rights. The first floor interior courtyard will be filled in, with a new third level addition to include outdoor space. No additional parking is proposed in accordance with AB 2097, and they paid for 33 spaces in lieu of the downtown parking, and bicycle parking will be added. Additionally, a trash enclosure will be added. Staff is seeking preliminary feedback on the design, colors and materials, and neighborhood context, pedestrian experience for the pedestrian overlays, the bike parking, and the special setback of six feet with the architectural projections that have been proposed. No formal action is requested. Following the preliminary review meeting, the applicant may choose to file a formal application.

Chair Baltay asked if there were any questions for staff.

Boardmember Chen noted the ground floor level was labeled as office or retail use and inquired if the parking requirements would be different for either outcome.

Ms. Raybould explained that the commercial downtown parking requirements are the same for office and retail.

Boardmember Adcock asked if the building was being reconstructed.

Ms. Raybould answered that the applicants are proposing a remodel, not a full reconstruction and there is a courtyard on the first floor that will be filled in as an add to floor area and using transferred development rights for the addition of the courtyard on the third floor. The portion of the third floor that will be used as office space counts towards floor area, the open space does not count towards floor area. They are maintaining a certain percentage of walls, but the project is considered a substantial remodel which requires the project to comply with current building standards.

Chair Baltay called for the applicants presentation.

Mr. Ken Hayes with Hayes Group Architects provided the applicants presentation for Hamilton Investors, LLC. And thanked Ms. Raybould for her work on the project. The site is a midblock with an existing a non-conforming grandfathered office building of about 8,300 square feet. It is in the CDCP zone, on the cusp of the CDCP ground floor uses. Mr. Hayes showed several aerial views of the property. The building is located across the street from City Hall plaza. The project statement includes a remodel of an existing two story office building, adding a partial third floor with TDR and ADA bonus floor area, expanding outdoor spaces for the enjoyment of building users and considering integrating mass timber CLT structure system, and integrate sustainable systems and features to improve the buildings environmental response. They are looking to integrate the design of the building to flow with the current buildings surrounding it, using glass, and dark metals and hope to use the mass timer CLT structure system which adds warmth to a building. They intend to utilize solar shading and want to create a connection to the raised City Hall plaza in the third floor open space which will overlook City Hall's front plaza. All of the service comes in from the rear of the building. At the rear of the building will be the proposed trash enclosure and bicycle parking and storage. A trellis will be used to keep the rooftop mechanical systems discreet. The building is subject to the shrink wrap rule. A step back is being used for the third floor level on the side that abuts the historical building next door, and the building design is intended to relate in context to the historical building in both major and minor massing. Landscaping and bench seating is planned for the front elevation.

Chair Baltay thanked the applicant for his presentation and opened the item for public comment.

## **PUBLIC COMMENT**

Ms. Dao stated there are no public comments.

Chair Baltay closed the item to public comment and inquired if there are any Board questions for staff or the applicant.

Boardmember Adcock inquired about the TDR transfer of square footage and if it's required that the floor area stay the same and commented she's not sure how the CLT will weave into the existing structure, leaving her concerned that it could make the floor areas problematic and it drawings already appear as if the interior floors are not lining up with the exterior mullion.

Mr. Hayes responded that they had not yet worked into that level of details for the preliminary review and their objective would be the rated wall for the stair on the interior would align with the mullion on the exterior. In terms of the structure, they are keeping the two long CMU walls of the building, everything

else in the interior will be rebuilt. The CLT would be a new structure inside, however they cannot be any taller than the existing building because of the shrink wrap rule. Any exempt floor area can go outside of that envelope. With the removal of the lofted area on the second floor, they were able to add the floor area on the third floor and since it's only half the footprint of the building, they thought it would be great to make a usable outdoor space for the users of the building.

Chair Baltay requested from staff a reminder of what the shrink wrap rule entails.

Ms. Raybould explained that the shrink wrap rule requires the non-complying floor area not increase the envelope of the building. You can't move floor area from basement level or lower levels to above levels, however, they can use transferred development rights to increase that shrink wrap. And you can move floor area down. Which in this case, they took the floor area of the second level to fill in the courtyard with ADA compliant exempt space.

Chair Baltay inquired if that is part of the zoning code or a policy.

Ms. Raybould stated that it is not specifically clear in the code, but it's how it's been interpreted for all projects with transferred development rights in the past. It is not a written policy.

Boardmember Adcock asked if the floor area could be increased in height.

Ms. Raybould answered that anything that is not transferred development rights has to remain within the envelope of the existing building.

Mr. Hayes added anywhere within the exterior walls of the building, as long as floor area is not moved up.

Ms. Raybould continued that the first level can be changed as much as they want, the second level has to stay within the envelope, and staff can check into the existing code for further clarification.

Chair Baltay stated it might be helpful if staff showed earlier presentation of the project that was shown to City Council. He recalled the original version exceeded the shrink wrap rule and inquired what City Council's response was to that.

Ms. Raybould commented that there was a previous pre-screening with Council and what was proposed in the first presentation was moving floor area around in a manner than expanded the envelope of the original building without using TDRs. Staff's response to the original presentation was that it would require code amendment and needed to be reviewed by City Council for a prescreening. Council was in support of remodeling the existing building, however, not amenable to the idea of changing the downtown code to accommodate the original plans which exceeded the shrink wrap.

Boardmember Hirsch commented that in regard to the stair landing line doesn't line up and inquired if it was held back from the face of the building.

Mr. Hayes explained that there is a landing on each mid-floor, which would need to be held back from the glass line. The vertical wall that separates the stair from the occupied space will need to complete the fire separation by integrating it with a mullion, which would create alignment between the two. There is a primary deep recess and a secondary line of mullions.

Boardmember Hirsch inquired about the projections from the building on the front of the building that encroaches into the setback.

Mr. Hayes stated that there is a special setback that runs down Ramona street for six feet. The two side walls go out from the building to the property line. They plan to infill the existing Travistine façade which is currently setback four feet. The majority of the building is aligning with the current setback of four feet, although they are removing the eyebrow that aligns with the property line. The projections of the new building, the metal cladding detail, extends an additional two feet; the glass line is at the four foot plane. The research still needs to be done to determine what type of projections are allowed in a special setback.

Boardmember Hirsch asked how far the proposed canopy would extend.

Mr. Hayes replied to it would be at the property line, which is the four foot setback.

Boardmember Hirsch requested a description of the steel frame aesthetics of the right hand of the building.

Mr. Hayes explained they are trying to create texture and depth for the benefit of solar shading for the front of the building, while also relating to the Spanish colonial revival feel of the current surroundings without having to use wrought iron.

Boardmember Hirsch asked what the round circle lighting is within the building.

Mr. Hayes commented that it's entourage, it wasn't worth the time to ask someone to change it when he saw it.

Vice Chair Rosenberg referenced drawing A3.2 and inquired about the interstitial space on the third level and asked if it was part of the mezzanine or part of the roof over the stairwell and toilet.

Mr. Hayes stated it was part of the roof over the toilets, as they want to see the whole space above. It is not usable space, and not counted as floor area; additionally, there is no access to the area.

Vice Chair Rosenberg requested the terrace view slide and asked where the skylights would be located, as well as the applicants thoughts for the appropriate type and quantity of landscaping planned for around the skylights.

Mr. Hayes answered that the skylights would be in the area where the landscaping is on the third floor terrace. The planting has not yet been determined. The intent will be for the light to enter into the space below, they have not yet ironed out the details of if the skylights will be clear or translucent, which will then determine the type of planting that will surround them. The skylights will be lifted above the floor plane as the planters on the terrace level will also be raised.

Vice Chair Rosenberg questioned having only two bicycle parking in the rear.

Mr. Hayes responded that those are long term bike parking. The short term bicycle parking is in the front of the building, as depicted on drawing A1.0. Transportation has requested that it be moved so that it is in front of the entrance to the building, which will provide more width to the sidewalk.

Vice Chair Rosenberg inquired what the requirement is for bicycle parking.

Ms. Raybould stated the requirement is for two long term and two short term bicycle parking.

Vice Chair Rosenberg asked if access to the rear bike parking would be considered as going down the alleyways.

Mr. Hayes stated that was correct. There is a ramp in the back as the alley is higher than the street. Adding an interior door for access to the rear bike parking didn't make sense as the tenant for the area is an unknown, they didn't want to limit the rear bike parking to just that tenant.

Vice Chair Rosenberg inquired the height of the terrace railing on the third level.

Mr. Hayes stated it will be high enough that the roof of the neighboring building is not visible.

Vice Chair Rosenberg questioned the capacity they anticipated for using the building.

Mr. Hayes answered that he was not prepared to answer that.

Ms. Raybould noted that after discussions with fire, they may need to modify the rear railing on the terrace level to include an access point from the deck to an emergency ladder if needed.

Mr. Hayes added that the roof at the back of the building is the elevation of the existing building.

Boardmember Chen asked if the roof terrace would be open to the public or just the users of the building.

Mr. Hayes stated that the intention is for it to be used by the tenant of the building. If there are multiple tenants, the tenant on the third floor would have exclusive use. There will be sliding doors and swinging doors for access.

Boardmember Chen referenced the lower soffit line and inquired about their design intent.

Mr. Hayes explained that they were relating to the top of the window line of the building next door. The bottom of the opening is right at eight feet.

Boardmember Adcock followed up on the roof access from the mezzanine stair.

Mr. Hayes explained that the stair would have a ladder that goes through a hatch up onto the roof.

Boardmember Adcock asked if the mechanical screen enclosure was purposely designed to not capture the elevator.

Mr. Hayes stated he's not exactly sure, however the elevator will not be extending through the roof. The elevator vent would be in the roof plane. They do not yet have the details of what the mechanical room equipment will entail, and the objective will be to hide as much of that as possible. The 3D solar panels will also be on the roof top.

Boardmember Adcock questioned the intent of the trellis material.

Mr. Hayes stated currently they are considering metal, however, that is not set in stone.

Boardmember Hirsch requested information regarding the restrictive floor height and how that's going to work since it has yet been determined what type of mechanical equipment will be used.

Mr. Hayes explained that they have some core on the second floor with a janitor's closet, toilet room, and would allow room for fan coils. The two story space would likely include duct distribution. The third floor won't be an issue. He suspected they would be considering a BVF system. The fan coils would be concealed. Currently there are no plans to drop the ceiling.

Boardmember Hirsch asked for a better description of the framework of the building.

Mr. Hayes responded that it would either be an ACM product, possibly an aluminum composite metal, or an aluminum plate and set up as a rainscreen that could be cladding similar to the San Mateo County building in Redwood City, with deep recesses and rain screening. The background area will be a warm matte finish that will transition from the shiny building on the corner to the historic building on the opposite side of the proposed building.

Chair Baltay asked staff if it would be feasible for the applicant to raise the second level two feet, should that be a request of the ARB; and what would those requirements consist of, could the applicant apply for a variance.

Ms. Raybould answered that is something she would have to explore further as her experience with transferred development right projects is limited.

Chair Baltay commented that the ARB has raised concern about the heights which are driven by that issue, and he was attempting to open the possibility of them addressing that if possible.

Ms. Raybould questioned if the height concerns were more on the right side where the TDRs are above, as it could make a difference if they were using it to expand the area, they may find that a variance would not be needed in that case.

Chair Baltay answered he was looking at the left side of the building and the way it aligns with the adjacent building. He believed it would be beneficial if it were a foot or two higher. The same question would apply to the six foot special setback and the projections into that setback.

Mr. Hayes pulled up Code 1818.120 and stated it applies just to the downtown. It's not written as "shrink wrap" and stated that they could argue that raising the floor creates a better pedestrian oriented expression to the building.

Chair Baltay clarified that his question was if it could be addressed through a variance, perhaps, or if it would require a hearing before Council as a code amendment.

Ms. Raybould stated first they would need to determine if it was allowed without a variance. If a variance was needed, staff would have to consider if the findings could be solved with that variance.

Chair Baltay asked how the existing and proposed parking was being measured on the project.

Ms. Raybould answered that they are currently meeting required parking through the in lieu program for the existing floor area. With the addition, they would technically be required to provide forty-one spaces, currently there are thirty-three. The city cannot impose a minimum parking requirement because the building is located within a half mile of a major transit CalTrain stop. The only parking requirement that can be imposed is for bicycle parking. There is nothing preventing the City from imposing the

Transportation Demand Management Plan or making transit passes as a condition of approval. Internally, staff have been discussing when a project has ten spaces or less that is required, they would be more interested in it being a condition of approval for them to provide transit passes versus a full TDM plan, which requires monitoring components.

Chair Baltay inquired if it's possible to include increasing bicycle spaces as a condition of approval.

Ms. Raybould stated she didn't believe they could impose that as a condition of approval because the requirements related to the TDM plan, and associated actions are outlined in the code as they related to reducing parking requirements. There are other allowances in the code that allow the reduction of vehicle spaces for an increased number of bicycle parking spaces if they felt it was appropriate for the site.

Chair Baltay brought the item back to the Board for comments and reminded the ARB that this is a study session.

**The ARB took a five minute break.**

**The ARB returned with all members present.**

Chair Baltay continued the meeting with ARB comments.

Boardmember Hirsch thanked the applicant for the presentation on what he considered to be an interesting and difficult project. He finds the influence of the project by the Spanish history a bit extreme. It's a modern building but the color doesn't necessarily make that distinction, but he appreciates what the elements are trying to do next to the stucco of the historical building. The Spanish building is integral to itself and has a character to its own. He finds that the concerns expressed about the first floor were not adequately represented in the drawings in such a way that it could be appreciated, in regard to the low floor line comparison to the adjacent building. He liked Chair Baltay direction of the possibility of addressing those issues with a variance. He finds the aesthetics are quite nice and the proportions are good for the building as a whole and work well. He appreciates the modern look of the building. The deck is going to be a wonderful addition and the first floor is interesting, although he believes it would be more interesting if it were higher, and they should study that option further.

Chair Baltay stated that Vice Chair Rosenberg checked the drawings and asked her to explain the floor to floor height from the first floor to the second floor.

Vice Chair Rosenberg referenced sheet A3.1 and noted that the first floor is at zero and the second floor begins at nine feet, six inches. It's 9'6" floor to floor from the first to the second floor. It is also 9'6" from second floor to third floor.

Vice Chair Rosenberg thanked Mr. Hayes for the presentation and commented that she is fond of the aesthetics of the building in general. She would love to see the material board for the samples of colors and textures of the façade with the formal application. She is concerned with them building a three story building that showcases itself as a four story building the way the windows have been partitioned. The third floor has a twenty foot ceiling with the exception of the bathrooms. She loves the terrace and the second floor skylights that shine into the first floor double space. She would caution them to make sure that light does actually get into the building. She would hate to see it get lost in the landscaping of the



terrace. Vice Chair Rosenberg is less concerned about the feel of the first floor height since it's only half of the first floor space in the atrium on the other side. The balance of the building was done quite well. She does see the other Boardmembers concerns with the height on the front façade. She would be supportive of the building being a few feet taller if that is allowed. She would love to see floor area and appreciates the way they explained the use of the TDR. She would love to see more of the rear area in the site plan. It would be helpful to see the alley egress in terms of bike usage. It might be nice to add more bike parking since the space is already there. She would love to see the mechanical systems information and where they are proposed the open ducting versus the closed ducting. They will need to see the special setback specifications, and cleaner details about the third floor railing. She loves the idea of the front façade bench but was not a fan of the location it was shown in the drawing. Overall, the project is great work, she's looking forward to the next iteration.

Boardmember Chen thanked Mr. Hayes for the presentation and commented that there are many features she appreciates in the design. She appreciated that they are doing a remodel versus a demolition, it saves on the carbon produced. She also appreciated their intent of integrating the design with the context of the adjacent historical building and considering the relationship with the City Hall plaza. She likes the open part of the existing second floor by filling in the first floor courtyard. She also really appreciated the south facing terrace and the idea of using skylights to add daylight into the atrium. She is concerned with the low soffit line compared to the adjacent neighbor. Looking at the rendering, other than the glazing hard opening, there is also a second floor projection of the wood pieces, there is another line. If they are able to change the floor to floor height, she would like to see an alternative to the façade design to make the first floor look taller than what it is now. Her first impression of the raised ceiling height on the third floor was if it was necessary, however in looking at it further, she appreciates how it helps to balance the overall appearance of the building and adds height to the outdoor terrace, however they need to work out how it relates to the floor lines.

Boardmember Adcock thanked the applicant for the presentation and commented that she finds the project interesting. When she looked at the section on A3.2, she saw that the structure was stepped down in a way that is needed for the terrace and believed that was where they were trying to maintain the relationships to the other buildings. When she read the code, she also wasn't sure if the code was representative of the building height restriction or floor to floor. She doesn't believe it's a variance issue because none of it states floor to floor. She believes it would be prudent for them to see if they can raise the floor to floor height. The third floor doesn't necessarily need a twenty foot height to keep the same massing look and it would solve the beams situation between the single story and the double heights. She appreciated them keeping the existing floor area. In regard to the stair shaft on the rear, she noted it was turned to maximize the trash area. Her thought was it would be best if they kept the back stair simple to minimize the required rating. The lower roof area on the back side didn't show mechanical and her belief is that some will be needed to serve the first floor double height, which would also help minimize the duct runs. Addressing that earlier than later will help the plans of the project.

Chair Baltay thanked the Board for their comments and stated he agreed with all of them. This is an excellent building that he could easily support. If there is a way to make it a little taller on the ground floor it would really help the building. If they are trying to claim it as retail space, which the ARB encouraged, a 9'6 floor minus the structure and mechanical won't be enough space. His hope is there is some way that

can be addressed without a code amendment. Boardmember Adcock's suggestion made a lot of sense with regard to raising the right hand side of the building successfully and keeping the height of the existing roof, add new deck which could allow for a reduction of the floor to floor space on the third floor and an addition to the floor to floor space on the first floor. He would really appreciate some creative thinking in resolving those concerns. It would make for a much better building.

Ms. Raybould stated they will definitely look into options, and wanted to be clear that the changes to the floor to floor height on the ground level are not a problem. That could definitely be done within the code if they reduced the third floor to floor space. It's the overall envelope that they would need to explore in terms of their options for adding height.

Boardmember Hirsch expressed a concern about the front façade extending into the setback plane and felt an exception for that would be helpful since they are decorative elements.

Ms. Raybould indicated that the staff report noted that a variance would be required, however she planned to explore the code more to see if there are other options for that as well. As Boardmember Hirsch noted there have been allowances for that, she would have to research to see if those allowances also apply to special setbacks.

Vice Chair Rosenberg questioned if the neighbors are also required to follow the special setback.

Ms. Raybould stated that might be the finding as to why this project is unique, since the neighboring building is historic and will never be demolished, and it fully encroaches into the setback.

Vice Chair Rosenberg added that she believes the overall building height as drawn is appropriate. She believed the ARB's comments were geared more towards redistributing the floor to floor heights between the three levels.

Chair Baltay invited Mr. Hayes to respond to comments and ask questions if needed.

Mr. Hayes stated he appreciated all of the comments and believes that floor to floor heights is an important issue to resolve. His belief is that the shrink wrap rule will stagnate anyone wanting to remodel the original buildings in the downtown area.

Chair Baltay took a straw pull of the ARB for allowing that type of building exceed the height by a 10% exception. All members stated they would be in support of that.

Mr. Hayes stated that his interpretation was that City Council was warm to the idea for this building, however if the code needed to be changed, it would then apply to the entire downtown and they found that prospect more concerning.

Vice Chair Rosenberg noted that the code reads that the ARB can make a finding that an exception could be made if they deemed it appropriate.

Chair Baltay requested that Ms. Raybould read that part of the code.

Ms. Raybould read "The director may approve minor changes to the buildings footprint height, length, and the building envelope through Architectural Review of minor aesthetic architecture improvements and to improve pedestrian orientation provided there is no increase to the degree of any non-complying

features exceptions are provided for rooftop access and amenities in Section 18.18.” The height is not a non-complying feature in this project and Section 18.18 allows for rooftop amenities to exceed the height.

### **Approval of Minutes**

3. Draft Architectural Review Board Meeting Minutes for September 21, 2023.

Chair Baltay asked for comments or a motion.

**MOTION:** Vice Chair Rosenberg, seconded by Boardmember Chen, to approve the meeting minutes for August 17, 2023 as written.

**VOTE:** 4-0-1 (ABSTAIN by Adcock)

### **Boardmember Questions, Comments or Announcements**

None

### **Adjournment**

Chair Baltay adjourned the meeting at 10:14 a.m.