



Historic Resources Board

Staff Report (ID # 14879)

Report Type: Approval of Minutes **Meeting Date:** 11/10/2022

Summary Title: HRB Draft Minutes September 22, 2022

Title: Approval of Historic Resources Board Draft Minutes of September 22, 2022

From: Jonathan Lait

Recommendation

Staff recommends the Historic Resources Board (HRB) adopt the attached meeting minutes.

Background

Attached are minutes for the following meeting(s):

- September 22, 2022

Attachments:

- Attachment A: HRB Draft Minutes September 22, 2022 (DOCX)



HISTORIC RESOURCES BOARD MEETING

MINUTES: September 22, 2022

Council Chamber & Virtual Zoom
8:30 A.M.

Call to Order/Roll Call

Present: Chair Caroline Willis; Vice Chair Christian Pease, Board Members Michael Makinen, Margaret Wimmer, Gogo Heinrich, and Alisa Eagleston-Cieslewicz

Absent: David Bower

1. Adoption of a Resolution Authorizing Use of Teleconferencing for Historic Resources Board During Covid-19 State of Emergency

Board Member Heinrich moved to approve the Resolution. Seconded by Vice Chair Pease, the motion carried (6-0) by voice vote.

Oral Communications

Agenda Changes, Additions and Deletions

City Official Reports

2. Historic Resources Board Schedule of Meetings and Assignments

Ms. French reported on the ARB Awards from the previous night. The Awards have been presented every five years since the year 2000. The program involves hundreds of projects from the prior five years which have gone through the architectural review with the Architectural Review Board and is part of the ARB's bylaws. There were no historic projects on the list. One was a re-facing of the old Cheesecake Factory. She will send the HRB an email showing the projects that won awards. There were seven. It took six to seven months to get through the process of winnowing down and looking at the sites.

Study Session

3. Study Session to Discuss a Potential Historic District of Home Designed and Constructed by Pedro de Lemos at 1550-1570 Cowper Street

Ms. French advised that they have not received an application and there is no formal application for a preliminary review. The purpose of the study session is to get early feedback per request. She explained that Pedro de Lemos was an arts and crafts printer who studied with multiple folks and had an amazing career, notably as Director of the Stanford Art Gallery for many years in the early part of the last century. He was a writer, tree preservation spokesman, and designer/builder of multiple houses and commercial district properties downtown, as well as the Allied Arts in Menlo Park. Ms. French offered background regarding Pedro De Lemos. born in Nevada, raised in Oakland, was a professor of design at Cal Berkeley. He was an illustrator and taught classes at Stanford and served as Editor in Chief of a school arts magazine. He was renowned in the art education field and built some special buildings. Ms. French shared photos of three of these.

The site under discussion is within the Seale Addition, an L-shaped subdivision on Cowper Street. There are five homes on the property, including a log cabin playhouse, which is on the inventory forms for 460

Churchill because the log cabin crosses over into this property. In the City's Historic Survey update from 1998-2000 there was a note in the report about the Seale Addition as a potential district, although much more study would be needed to come forward with a district within the larger area of the Seale Addition. The subject property is owned by the Morrell family.

Ms. French reminded the Board of SB 330, the state law that says when a housing development project is proposed, the number of housing units on the property cannot be reduced. The owner's architect was informed of this. The proposal/concept they are looking at is to retain the same number of dwelling units on the property in compliance with SB 330. The Comprehensive Plan states "Recognize the contribution of cottage cluster housing to the character of Palo Alto and retain and encourage this type of development." The 1998-2000 study noted College Terrace cottage courts as a potential multiple property resource, but more study was needed.

Ms. French noted that the recommendation was for the HRB to conduct a study session with the architect and learn about the concept. Discussion points include the designation of a historic district, lot splits within the historic district, demolition of some of the buildings on the rear of the property, new construction, access to the site, et cetera.

Architect Andrew Young shared a presentation with the Board and expressed appreciation for the Board's time and for the staff's patience, guidance, and wisdom in navigating the issues. He said that when he was approached by the clients to look at the property, he noted it was a challenging property, although a beautiful creation at the time. Many of the structures today do not meet the Code requirements. He has to duck to get through some doorways. Clearances in front of toilets and bathrooms are limited. Door and window heights are very low.

Mr. Young stated that in general, when starting to open up historic buildings often the framing members are dry rotted, roofs and buildings sag and need rehabilitation and care. They are rather difficult to live in. For example, to get to some bedrooms you must go through other bedrooms. The physical requirements of size for modern furniture and conveniences are not there. They tried to arrive at a solution for the property that would maintain the historical assets but also become a property that could be lived in comfortably to today's current standards.

The access currently to the entire complex goes through the front yard of the 1570 property. From a fire safety standpoint as well as setbacks, clearances between structures, and fire access for emergency vehicles there are life safety concerns. The proposal is to keep the 1550 building in front, convert two bedrooms on the downstairs floor into a junior accessory dwelling unit and add onto the rear building a kitchen, family room, and master suite. Directly behind would be a new accessory dwelling unit, 800 square feet which removes the non-conformity. The redwood cabin playhouse that spans the property was removed and replaced with an accessory dwelling unit.

The parcel would be subdivided into two parcels, so there could be one owner of both, or could be sold as two separate parcels. Each property would have three dwelling units. The front one, 1550, has the JADUs, and the new accessory dwelling unit. The other parcel would have a new two-story home as well as the JADU attached to the rear. The studio-type structure at 1566 structure would be maintained as an ADU. Mr. Young stated that the historical consultants wanted any additions to be placed at the rear of the buildings to maintain the front three elevations in character with the existing architecture of the current home. The plan tries to remedy the lacking points of the structures and the fire safety issues and maintain the dwelling units for the property.

Board Member Eagleston-Cieslewicz asked, if a district was created, if all structures would retain their Category 2 designation, or if the district would supplant individual designations of any of the structures. Ms. Dikas responded that the idea would be to supplant the category designation. Reasons to recommend changing to a historic district include: When the properties were originally recorded in 1978, the buildings were documented as a single resource, including the two adjacent properties constructed at the same time – 1550, 1566, and 1570 Cowper. Historic best practices have evolved over four decades so current approaches to groupings of buildings favor the use of district designations, particularly when buildings are on more than one property. The shift would recognize that there are a couple of different properties, potentially allowing more flexibility to divide, and subdivide one property into two while retaining the nature of the various buildings. Page & Turnbull's opinion was if the proposed concept moved forward the number

of contributing buildings including 1570 would be reduced by removing/replacing some of the rear buildings but the three most architecturally distinctive and visually prominent with the district would remain unaltered.

Chair Willis invited comments from the public. Judith Steiner, who lives directly across the street from the project since 1979, commented it is striking to her that the way the property is now it looks like it's old and there is so little that is old in Palo Alto. She chose Palo Alto because the housing is diverse, with different styles and different ages of buildings. As long as she's lived there the cottages have been rented and people have lived happily in them, some for years. New buildings will have higher rents so it may be not only losing historic buildings but also losing affordable housing.

Chair Willis commented she appreciated the effort that went into the presentation, but she would love to see other alternatives. She has thought for a long time about the concept of living in a community of friends with some shared community facilities, and this looks like a lovely spot for that. Another alternative would be housing for Stanford graduate students. She felt that subdivision potentially brings different personalities into the landscape. The potential for building what would be the dominant structure on the property – the new house in the rear – could overwhelm and become the main theme. She would like to see multiple possibilities presented.

Board Member Wimmer asked a clarifying question about the easement that is now part of the log cabin structure. The proposal rebuilds a section of the existing log cabin so that it doesn't extend onto the neighboring property, so she wondered what happens to that easement. Mr. Young replied that the easement goes to perpetuity as long as the structure is not altered or removed. Once removed, the easement is released back to one of the adjacent properties. As built, the structures do not meet fire separations. There were property lines between the structures to give clearance, but they are very close to one another so the easement should just go away. Ms. French clarified that the address reference is the 460 Churchill, the Craftsman bungalow, and the log cabin playhouse, which are in the inventory.

Chair Willis said the project could benefit the city and maintain additional housing in conjunction with the use of the Mills Act. She commented that junior ADUs look great but don't always get used as intended. She would like to maintain the number of units on the property, and the Mills Act could be a way to accomplish that while demonstrating the value the city places on the history of the property. She added that some of the bungalow courts in College Terrace could be included in conjunction with the Mills Act, as they may be at risk if not protected.

Chair Willis commented that she would like there to be a conversation with the owners of the two Pedro de Lemos buildings on Churchill. This could strengthen the district and tie it almost to Gamble Gardens and make it a focal point of the neighborhood. She would like to see the Board be proactive in the matter.

Jennifer Buenrostro, a representative of the owners of 1550 Cowper Street, addressed the Board and said it has been a long journey for them. They have tried to respect the historic nature of the buildings. The property is currently for sale, and they are trying to come up with ideas for potential buyers on how the beautiful historic property could be used. The idea presented is just one option, but there is a world of possibilities although there would be restrictions of the Secretary of Interior standards to work within. She conveyed that they are trying to open up possibilities for a potential new owner. She thanked the Board for its willingness to put effort into the property's survival as a historic resource.

Chair Willis responded that she realized this is just one option. She clarified her perspective that the plan as presented comes across as though there is only one way to deal with the property and she cautioned that it's not the only way. The speaker assured that potential buyers are presented with a gamut of possibilities.

Board Member Wimmer asked if there are protective measures applied to the property to prevent a potential owner from buying for the land value and going in a completely different direction. Ms. French responded that because the property is listed on the City's local historic inventory, the Historic Preservation Ordinance provides that if demolition and replacement home were proposed that would be subject to environmental review, CEQA, and an environmental impact report, et cetera. The City Council would have an opportunity to weigh in on demolition and perhaps delay it.

Chair Willis asked Ms. French if the Board can propose Mills Act. Ms. French responded they have no Mills Act program. Chair Willis acknowledged it wouldn't go into effect until there was a change of ownership. Ms. French reiterated there is no Mills Act in Palo Alto. Chair Willis said it shouldn't be hard to put one in place, especially if done specifically for one property. She felt this might be a spark, as this property could be a perfect use of it. If a buyer is willing to maintain the historic nature it would be worthwhile for the City to make use of a Mills Act, and she would like to see the Board pursue that.

Board Member Wimmer noted that part of the proposal is to subdivide a single property into two separate saleable properties. However, the City does not allow flag lots, and this would create a flag lot. She wondered what the restrictions are for subdividing a lot under current circumstances. Ms. French responded that in the R1 zones flag lots are not allowed, but they are allowed for historic properties. This was noted to the presenters as a possibility. As part of that, there are covenants that are placed that run with the land as part of the condition of the lot being split into a flag lot. The covenant would require new owners to retain the historic value of the properties or at least not demolish the historic home.

Mr. Young pointed out that regarding the potential of someone demolishing the homes, it could never happen without going through a design review process anyway because in order to get a demolition permit you must apply for a new home permit. To apply for any new home on the property, it would have to go through the Individual Review process, the HRB process, planning and review. So there is no way of proceeding without going through proper channels. So the structures will be protected. What they tried to show is a scheme that maintained the five required dwelling units, because you cannot lose any housing on the property. He said they showed the maximum development for the scheme, but there are hundreds of schemes that could come forward, and it will depend on someone that has the endurance to take on such a project. If looking potentially a Mills Act, ARB, planning review, HRB review, it could be four to five years of review before even breaking ground on the property. In the meantime, they have clients that cannot do anything with it. He felt these are good conversations. The properties should be protected, and what they are striving to do is maintain and rehabilitate the three nicest structures. But the other ones are, despite being historic Pedro de Lemos buildings, not livable under current standards.

Mr. Young stated that part of their goal was to clean up utilities and access fire protection. He is working with the neighbor at 1570 Cowper currently on re-doing his house, which is in better condition, and he is remodeling the interior to make it more livable. As part of this district, the benefit he gets is that they will re-direct the driveway off of his property so that all these living units are not driving through his front yard to get to their places. He felt it is a benefit for the city. The context and streetscape are beautiful when the buildings are maintained. He felt it is the betterment for life safety and for the enjoyment of life for the people living there. If there are two properties, one person could own them both but have greater flexibility. The ADUs are state mandated now as theoretical low-income housing. They would replace in size what is there right now but would be new and up to current standards. He reiterated that there are hundreds of options that could be presented for the property, and hopefully when they are able to sell the property someone will come forward with the vision to carry that through.

Board Member Heinrich asked if the area was designated as a historic district, what the downsides would be. She sees benefits for the current owner, the seller, and the future buyer, but what would be the downsides? Ms. French said she didn't have a ready answer as she has not analyzed that. Either way, it would be subject to HRB review because it's on the list. Anything in a district, when there are modifications that are not Secretary of Interior standards compliant, with HRB, hearings, et cetera, any district could have guidelines attached to it. If it were to expand to the Churchill side, which has a different look, then there would be some guidelines around that. She was not sure what downsides there may be of a district.

Isabel Castellano, the City's consultant, noted that for historic districts, there are very little downsides. They are trying to promote a sustainable method of maintaining historic homes, character, and identity, whether visible to the right-of-way, to the public street view, and having a safe site to work with. A positive of designating a historic district is that it provides opportunities for preservation incentives. Once a property is designated historic, then it has the opportunity for preservation incentives after the designation. Regarding the Mills Act, a project would be taken along with the application, and tax incentives would be applied to the project. It would be applied to a project for a historic resource. In the timeline for opportunity to establish a historic district and the opportunity of increasing its activity on the site and having incentives

for that, she felt overall there is a positive notion for a project like this in working consistently with the architect, the property owner, and the neighborhood.

Chair Willis remarked that this is currently a Category 2 property, so it does have some protections in place, but she wasn't sure what the difference would be if in a historic district, or not. Ms. French added that the 1570 property is also on the inventory. Both are protected in that way.

Ms. Dikas stated that the concept is that right now the two adjacent properties are included in one inventory listing which is unusual, so it makes more sense on a conceptual level to convert it into a historic district that includes the two properties that could turn into three properties if one is subdivided in the future. So it might be easier to work with as a historic district in the future.

Vice Chair Pease asked if any of the experts believe there is any potential for this project as described today to set a precedent in Palo Alto going forward for similar situations. Ms. Dikas responded that this property is very unique and unusual which is why it has been a challenge for the property owners to figure out what could potentially be changed about it in the future. Therefore she didn't know if it would present a one-to-one precedent for other properties due to its uniqueness, but perhaps it could make it possible for others to argue that their situation is unique as well and set a precedent in that respect.

Ms. French added that there are quite a few cottage clusters around town. If someone came forward with a district like this one, there could be other interest coming forward for districts for some of the other cottage clusters, so to the extent that it promotes interest in the clusters in Palo Alto and implementing a policy that works towards preserving those, it might have a positive effect as far as how to retain them, or the most significant structures of each of them. This could possibly be something to study.

Chair Willis asked if there's a cottage court on a single property if it could then be designated a district. Ms. Dikas thought it could. A single property with multiple buildings could be considered one resource with multiple contributing buildings, or it could be considered a historic district. She has seen both done by different practitioners. There is flexibility when dealing with that type of situation. For example, a rural property that has a house and barn could be considered one property with multiple buildings and landscapes. Or some may see it as a historic district.

Vice Chair Pease asked if it is possible for the current owners of the property to apply to make this a historic district right now. Ms. French said an application for that would be accepted.

Paul Morrell, one of the property owners spoke and stated that the property has been in his family for 48 years. Their mother, who purchased it in 1974 passed away at the beginning of the pandemic. They have been looking at taking the next step of selling it. The reason they were there, having engaged Andrew, the architect, and Page and Turnbull, was because it is a challenging property to sell and to get answers to their questions involving the City of Palo Alto. He added that his family tremendously enjoyed living there, and they want to preserve it and figure out the best way to move forward.

Board Member Makinen commented on the potential removal of buildings and noted that additions or new construction could alter the historic materials and settings of the buildings, resulting in a loss in integrity. Chair Willis agreed with this point and felt they would need to have flexibility with the project. The setting significantly impacts the historic nature of the project.

Board Member Heinrich asked what the next steps would be in making this a historic district. Ms. French answered that the current owner if they wished, could contact her and make a formal request for designation, prompting the process of a full staff report, more research, et cetera, coming to the Board and then to the Council. She noted that this would perhaps be more likely done by the new owner when the property is sold.

Chair Willis thanked the owners for bringing the project to them and said she thoroughly enjoyed touring the property with its charm, along with its many problems. She hoped they would find the right buyer who would revitalize the property because it is a great community resource.

Board Member Wimmer thanked the applicant for the presentation and hoped their experience was not discouraging, explaining that the project is complicated, and the Board doesn't have a precedent to compare it to. She hoped they would continue to use the Board as a resource that is here to support them even if they don't have a definitive answer at this point.

Vice Chair Pease felt that the Board should be as efficient as possible in offering a response, given the effort that's been put in and the questions that have been raised. He suggested they have further discussion and try to get to a point where they could provide some feedback sooner rather than later. Chair Willis responded that without having a specific proposal the door is still wide open for what could happen with the project, although they could encourage the owners to pursue a historic district. She would like to see the Board work with the City to put a Mills Act in place.

Ms. French reiterated that there is no application on file for this project. The study session was beyond what normally happens because of the uniqueness of the circumstances.

Board Member Makinen suggested having site visits for the Board on some of the more complicated projects because it's difficult to look at them from a paper standpoint and get a good feeling for what's going on. Chair Willis said she had thought the Board members were aware that touring this site was an option and apologized that that wasn't clear to Board Member Makinen. The owner's representative Jennifer Buenrostro indicated a willingness to arrange a tour for him if he so desired. Chair Willis agreed that the full force of the project does not come across on paper.

Ms. French said she will make a note that, when a project like this happens again, she will make sure that all Board members are aware that there is an opportunity for touring, with the caveat that they can't have everyone tour together due to Brown Act considerations. The owner's representative Jennifer Buenrostro asked that her email address be provided to the Board members, stating that she is happy to provide a tour for anyone interested. She asked if the Board could provide some sort of memorandum of opinion based on the discussion, indicating that the HRB is aware of the project, perhaps encapsulating the general feeling of the Board and their openness to working with potential new owners. Ms. French assured her that the minutes of the meeting would be available to the public after they are approved. Chair Willis added that she would love to write a memo on the subject.

Board Member Questions, Comments, or Announcements

Adjournment

Board Member Heinrich moved to adjourn the meeting. Seconded by Board Member Eagleston-Cieslewicz, the motion was carried unanimously by voice vote.